COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, June 1, 2022; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for Case REZ22-03 being the request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

2. Public Hearing for Case ROW22-03 being the request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

B. Public Works

1. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project, CIP #35042. [Wards 2 & 4]

2. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the 2022 Commercial Alley Resurfacing Program, CIP #35038. [Ward 3]

3. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the 2022 Residential Alley Resurfacing Program, CIP #35038. [Ward 5]

VII. Petitions and Communications from Council Members and the Mayor

VIII. Action items for Discussion

<u>COMMUNITY DEVELOPMENT</u>

Kyle Gripp, Chair; Judith Lee, Vice Chair

I. COMMUNITY DEVELOPMENT

1. First Consideration: Ordinance for Case REZ22-02 being the request of Menard, Inc to rezone the 4.48-acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

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

2. First Consideration: Ordinance for Case REZ22-03 being the request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]
3. First Consideration: Ordinance for Case ROW22-03 being the request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]
4. Resolution setting a Public Hearing on the proposed conveyance of the vacated public right-of-way known as a portion of the alleyway in Block 1 of A.M. Cooks Addition lying between Boies Avenue and Rockingham Road (The Overland Group, Petitioner). [Ward 1]
5. Resolution approving a HOME-funded development agreement for the construction of three single-family homes in the 800 block of East 6th Street (Habitat for Humanity QC, Petitioner). [Ward 3]
6. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 128 West 3rd Street Project. [Ward 3]
7. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 201 North Harrison Street project. [Ward 3]
8. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 203 West 3rd Street project. [Ward 3]
9. Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 400 Main Street Project. [Ward 3]

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 Chapter 8.14 entitled "Neighborhood Enhancement - Environmental Improvement" by amending various sections in Article VI "Nuisance Vehicles" to clearly define unregistered vehicles, define a new process of abating nuisance vehicles, and provide a more efficient process for removing these vehicles from the public right-of-way. [All Wards]
2. Second Consideration: Ordinance amending subsection 9.40.030(B) to change and shorten the time period to legally use consumer fireworks on July 3 and 4 to 5:00 p.m. until 10:00 p.m. from the current 2:00 p.m. to 11:00 p.m. [All Wards]

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

   River Action; Ride the River; Downtown; Sunday, June 19, 2022 6:00 a.m. - 4:30 p.m.; **Closures:** southernmost parking lane and travel lane on West 2nd Street from Centennial Bridge to Ripley Street; westernmost parking lane and travel lane on Ripley Street from West 2nd Street to River Drive. [Ward 3]

   Dale Gilmour; Collector Car Appreciation Cruise-In; 301 East 3rd Street; Saturday, July 9, 2022 3:00 p.m. - 11:00 p.m.; **Closures:** southernmost parking lane and travel lane on East 3rd Street from Pershing Avenue to Iowa Street. [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

   German American Heritage Center (German American Heritage Center) - 712 West 2nd Street - Temporary Outdoor Event (June 21) - License Type: Beer/Wine

   Mississippi River Distilling Company (Mississippi River Distilling Company, LLC) - 318 East 2nd Street - New License - License Type: Class C Native Distillery

   Ward 5

   D'Ville (ABA East Village, LLC) - 2228 East 11th Street - Outdoor Area - License Type: Class C Liquor

   Ward 6

   Purgatory's Pub (Purgatory's Pub, Inc) - 5320 Corporate Park Drive - Temporary Outdoor Events (June 16, July 21, August 18, September 15) - License Type: Class B Beer

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

   Ward 1

   St Alphonsus Church Holy Name Society (St Alphonsus Church of Davenport, Inc) - 2618 Boies Avenue - Outdoor Area - License Type: Class B Beer

   Smokin' Joes Tobacco and Liquor Outlet #1 (The Outlet, Inc) - 3120 Rockingham Road - License Type: Class E Liquor

   Kwik Shop #584 (Kwik Shop, Inc) - 3624 West Locust Street - License Type: Class C Beer

   Ward 2

Rina Mart, LLC (Rina Mart, LLC) - 3815 West Kimberly Road - License Type: Class E Liquor

Hickory Garden Restaurant (Fazliu, Inc) - 3311 Hickory Grove Road - Outdoor Area - License Type: Beer/Wine

Ward 3

The Current (Putnam Landlord, LLC) - 128-30 West 2nd Street - Outdoor Area - License Type: Class B Liquor

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 West Locust Street (Cafe Area) - License Type: Class C Liquor

The Gardens (Washington Gardens, LLC) - 1301 West 13th Street - Outdoor Area - License Type: Class C Liquor

Smokin' Joes Tobacco and Liquor Outlet #2 (The Outlet, Inc) - 1606 West Locust Street - License Type: Class E Liquor

Ward 5

Baked Beer & Bread Co (MemeCat, LLC) - 1113 Mound Street - License Type: Class C Liquor

Bicycle Rack Sports Grill (Sports Station, Inc) - 3303 Brady Street - Outdoor Area - License Type: Class C Liquor

Rookie's Sports Bar (Rookies, Inc) - 2818 Brady Street - License Type: Class C Liquor

Ward 6

Barrel House Three, LLC (Barrel House Three, LLC) - 5141 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

Red Lobster #0133 (Red Lobster Restaurants, LLC) - 3420 East Kimberly Road - License Type: Class C Liquor

Red Robin America's Gourmet Burgers & Spirits (Red Robin International, Inc) - 3903 East 53rd Street - Outdoor Area - License Type: Class C Liquor

Sam's Club #8238 (Sam's West, Inc) - 3887 Elmore Avenue - License Type: Class E Liquor

Red Lantern Fine Chinese Cuisine (Red Lantern Fine Chinese Cuisine, Inc) - 4009 East 53rd Street #107 - Outdoor Area - License Type: Class C Liquor

Ward 7

Costa Del Mar Mexican Grill and Seafood (Costa Del Mar, Inc) - 3852 North Brady Street - License Type: Class C Liquor

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) - 1655 West Kimberly Road - License Type: Class E Liquor

Vans Pizza Pub and Grill (Reedcan, LLC) - 3333 North Harrison Street - Outdoor Area - License Type: Class C Liquor

Kwik Star #294 (Kwik Trip, Inc) - 1650 West Kimberly Road - License Type: Class C Beer

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill, Inc) - 901 Kimberly Road #15 - License Type: Beer/Wine

Ward 8

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

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Tim Kelly, Vice Chair

V. PUBLIC WORKS

1. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project, CIP #35042. [Wards 2 & 4]
2. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2022 Commercial Alley Resurfacing Program, CIP #35038. [Ward 3]
3. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2022 Residential Alley Resurfacing Program, CIP #35038. [Ward 5]
4. Resolution approving a three-year agreement with Cartegraph Systems LLC of Dubuque, Iowa in the amount of $265,121. [All Wards]
5. Resolution awarding a contract for the 2nd Street Resurfacing project to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $611,422.50, CIP #35053. [Ward 3]
6. Resolution awarding a contract for engineering services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project with Snyder & Associates of Iowa City, Iowa in the amount of $393,000, ARP #17. [Ward 7]
7. Resolution accepting work completed under the Main Library Renovation project by

Swanson Construction Co of Bettendorf, Iowa in the amount of $710,817.56, CIP #23028. [Ward 3]

8. Resolution accepting work completed under the Sturdevant Street (Central Park Avenue to Hayes Street) and Hayes Street (Division Street to Sturdevant Street) Reconstruction project by Langman Construction, Inc of Rock Island, Illinois in the amount of $435,277.93, CIP #35047. [Ward 4]
9. Resolution accepting work completed under the CDBG Replenishment – Group 1: Hoover, Appomattox, and Ripley Reconstruction project by Langman Construction of Rock Island, Illinois in the amount of $796,167.24. [Ward 2]
10. Motion accepting work completed under the CDBG Alley Rehab: 701 Tremont Avenue to 923 East 6th Street project by Emery Construction Group, Inc of Moline, Illinois in the amount of $76,739.70, CIP #BG250. [Ward 3]
11. Motion ratifying Change Orders #1 and #2 with Langman Construction, Inc of Rock Island, Illinois in the amount of $71,634 for the Veterans Memorial Park Phase II project, CIP #68016. [Ward 3]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

JJ Condon, Chair; Derek Cornette, Vice Chair

VII. FINANCE

1. Third Consideration: Ordinance amending the Municipal Code of Davenport, Iowa by deleting Chapter 2.26 "Financial Disclosure" and amending Chapter 2.12 "Department of Finance" to add a new Section 2.12.270 entitled "Financial Disclosure". [All Wards]
2. Resolution approving qualified financial institutions with which to do investment business and establishing the maximum deposit amount for each in accordance with the City's Investment Policy. [All Wards]
3. Resolution to fix meeting date for hearing on the issuance of not-to-exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023. [All Wards]
4. Motion awarding a contract for architectural and engineering services for the Duck Creek Park Improvements project to Hitchcock Design Group of Naperville, Illinois in an amount not-to-exceed $74,850, CIP #64101. [Ward 6]
5. Motion awarding a contract for Automated Traffic Enforcement to Verra Mobility (formerly RedFlex Traffic Systems, Inc) of Mesa, Arizona. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. American Electric Inc | data wiring at RiverCenter | Amount: $12,213.40
2. Crawford Company | emergency HVAC controls replacement at Annie Wittenmyer Building D | Amount: $23,995

3. Willett, Hofmann & Associates Inc | ROW plats and descriptions for Veterans Memorial Park trail | Amount: $24,750
4. Iowa State University Agricultural | 2022 AmeriCorps performance evaluation | Amount: $26,500

X. Other Ordinances, Resolutions and Motions

XI. Public with Business

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

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

XII. Reports of City Officials

XIII. Adjourn

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **6/8/2022**

Subject:
Public Hearing for Case REZ22-03 being the request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

Recommendation:
Hold the Hearing.

Background:
The property was rezoned in July of 2018 to PDD. At the time, the rezoning encompassed the entirety of the lot. As part of the City Zoning Code rewrite and zoning map, the City erred when assigning zoning districts as part of that process by utilizing an incorrect legal description. Since the City rezoning action took effect on January 20, 2019, which overwrote the previous action, the City is initiating this request.

The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. A survey of the property has been provided by the applicant delineating the land to be rezoned. The existing residentially zoned portion of the property encompasses the western 100 feet of the site for a total of approximately 1.56 acres.

The purpose of the rezoning request is to place the entirety of the property under a commercial zoning classification. The site is currently vacant and contains a Drainage & Greenway Easement along the northern portion abutting Pheasant Creek.

The applicant is preparing the site for future development that is consistent with the permitted and special uses allowed in the C-3 General Commercial District. At this time there is no intention to construct single-family dwellings. Therefore, rezoning the entirety of the site to a commercial district maximizes the buildable area of the lot.

The Plan & Zoning Commission reviewed Case REZ22-03 at its May 17, 2022 meeting and have recommended approval (8-0) with the following findings:

Findings:

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

A staff report has been attached with a full analysis.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Staff Report
Backup Material	Maps
Backup Material	Application
Backup Material	Legal Description
Backup Material	Lot 2 Deed
Backup Material	Planning and Zoning Commission Public Notice
Backup Material	Committee of the Whole Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	5/23/2022 - 11:04 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-03 BEING THE REQUEST OF THE CITY OF DAVENPORT ON BEHALF OF VSM HOLDINGS, LLC TO REZONE THE WEST 100 FEET OF LOT 2 OF PHEASANT RIDGE FIRST ADDITION FROM R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT.

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

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

Part of Lot 2, Pheasant Ridge First Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the northwest corner of said Lot 2, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 142.21 feet along the north line of said Lot 2;

thence South 00°-18'-15" East 631.49 feet to the northeast corner of Lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 100.00 feet along the north line of Lot 2 of said Lakehurst Commercial Park Fifth Addition to the southwest corner of Lot 2 of said Pheasant Ridge First Addition;

thence North 00°-18'-15" West 732.61 feet along the west line of Lot 2 of said Pheasant Ridge First Addition to the point of beginning.

Containing 1.57 acres, more or less, subject to easement of record.

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

Findings:

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

Section 3. At its May 17, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-03 to the City Council with a recommendation for approval with the listed findings.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson — Mayor

Brian Krup — Deputy City Clerk

City of Davenport
Plan & Zoning Commission-Staff Report
May 17, 2022

Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

Background:
The property was rezoned in July of 2018 to PDD. At the time, the rezoning encompassed the entirety of the lot. As part of the City Zoning Code rewrite and zoning map, the city erred when assigning zoning districts as part of that process by utilizing an incorrect legal description. Since the City rezoning action took effect on January 20, 2019, which overwrote the previous action, the city is initiating this request.

The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. A survey of the property has been provided by the applicant delineating the land to be rezoned. The existing residentially zoned portion of the property encompasses the western 100 feet of the site for a total of approximately 1.56 acres.

The purpose of the rezoning request is to place the entirety of the property under a commercial zoning classification. The site is currently vacant and contains a Drainage & Greenway Easement along the northern portion abutting Pheasant Creek.

Why is a Zoning Map Amendment Required?
The applicant is preparing the site for future development that is consistent with the permitted and special uses allowed in the C-3 General Commercial District. At this time there is no intention to construct single-family dwellings. Therefore, rezoning the entirety of the site to a commercial district maximizes the buildable area of the lot.

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

Future Land Use Designations:
The property is designated Regional Commercial in the Davenport +2035 Land Use Plan.

1. **Regional Commercial (RC) –** Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

Zoning:
The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District.

1. **R-2 Single-Family Residential District -** This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.
2. **C-3 General Commercial District -** This district is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Technical Review: No comments received.

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

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

Staff Response: The property is designated Regional Commercial (RC) in the Davenport +2035 Land Use Plan. This land use category is intended for more intense commercial uses located along major streets.

The Future Land Use Map identifies Elmore Avenue and the abutting properties as Regional Commercial, with Residential General land uses extending further northwest of this main thoroughfare. The Regional Commercial land use category extends approximately 260 feet west of the subject site. A rezoning from R-2 Single-Family Residential District to C-3 General Commercial District will be more conforming with the adopted comprehensive plan than the status quo.

In considering spot-zoning, courts generally determine whether the zoning relates to the compatibility of the surrounding uses. One of the most important criteria is the extent to which the requested zoning is consistent with the comprehensive plan. Spot zoning is rebutted when the challenged zoning is found to be consistent with present surrounding uses or the comprehensive plan. Given the proximity of C-3 districts along the Elmore Avenue corridor, similar land uses, and consistency with the comprehensive plan, it is staff's opinion this is not spot zoning.

It is staff's opinion that the proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The subject property is currently split zoned, between C-3 General Commercial District abutting Elmore Avenue and R-2 Single-Family Residential District along the west 100 feet of the lot. The original intention was to have the entirety of the property commercially zoned. However, due to a staff mapping error, the zoning district boundary did not encompass the totality of the

site. Given the property's frontage along a major commercial corridor, correcting the mapping error will maintain compatibility with the zoning of nearby property.

The following zoning districts abut the subject property:

- North: C-E Elmore Corners District
- South: C-3 General Commercial District
- East: C-3 General Commercial District
- West: R-2 Single-Family Residential District

The following principal uses abut the 1.56 acre property:

- North: Pheasant Creek and undeveloped commercial property
- South: Retail Goods Establishment, Restaurant, and Financial Institution
- East: Undeveloped commercial property, located on the same lot
- West: Undeveloped residential property

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

c. The compatibility with established neighborhood character.

Staff Response: The proposed C-3 zoning classification promotes higher-intensity commercial development. Davenport's Zoning Ordinance enforces commercial design standards that regulate architectural forms, dimensional elements, high quality building materials, and transparency. Commercial design standards will ensure future development of the property will be compatible with the character of the Elmore Avenue corridor and surrounding retail destinations.

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

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

Staff Response: The property owner is currently marketing the site for commercial development. The C-3 General Commercial District offers a wide variety of permitted and special uses that are consistent with the character of surrounding land uses. Rezoning the western 100 feet to commercial will offer greater flexibility for development.
There is an undeveloped 33.11 acre residential parcel directly west of the subject property. Negative impacts from incompatible land uses will be mitigated through the City's Zoning Ordinance, which requires landscaping buffer yards where commercial development is adjacent to residential land uses.

It is staff's opinion that the proposed zoning map amendment promotes 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: Since the western 100 feet of the subject property is zoned R-2, principal uses are restricted to single-family dwellings and other limited compatible residential uses.

The C-3 district enables a wide range of development opportunities that will ensure consistency with the surrounding area while mitigating incompatible development. If rezoned, the entirety of the site can be utilized for higher density residential and commercial land uses.

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

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

Staff Response: If rezoned to C-3 General Commercial District, the vacant property will be conforming to the district dimensional standards. Future development will be limited to the commercial district dimensional and design standards.

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

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the May 3, 2022 Plan and Zoning Commission Public Hearing. No members of the public spoke at the hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the May 17, 2022 Plan and Zoning Commission meeting.

Recommendation:
Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ22-03 to the City Council with a recommendation for approval.

Findings:

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

Rezoning Request-Vicinity Map

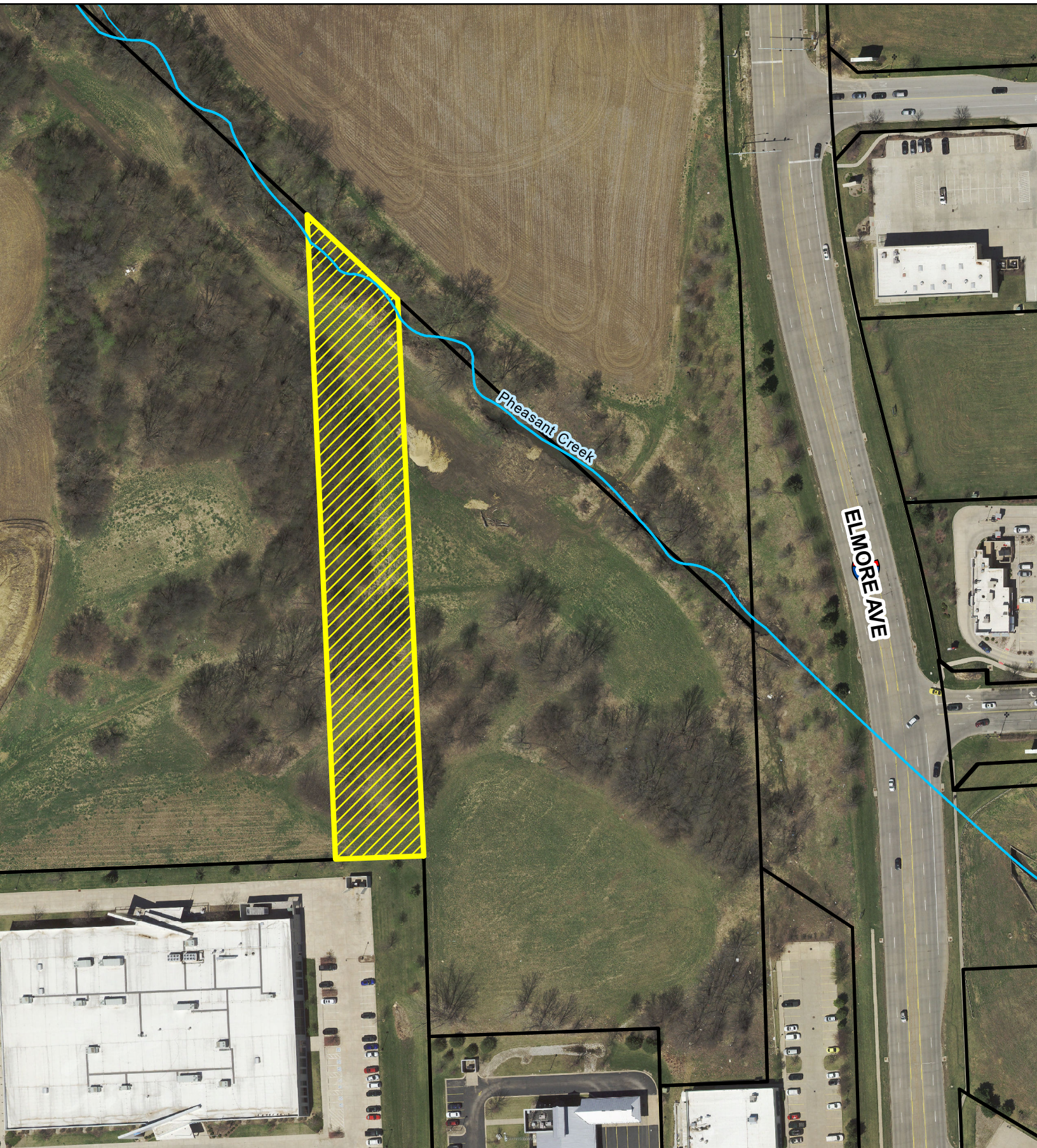
Case REZ22-03

Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

0 125 250

Feet



Rezoning Request

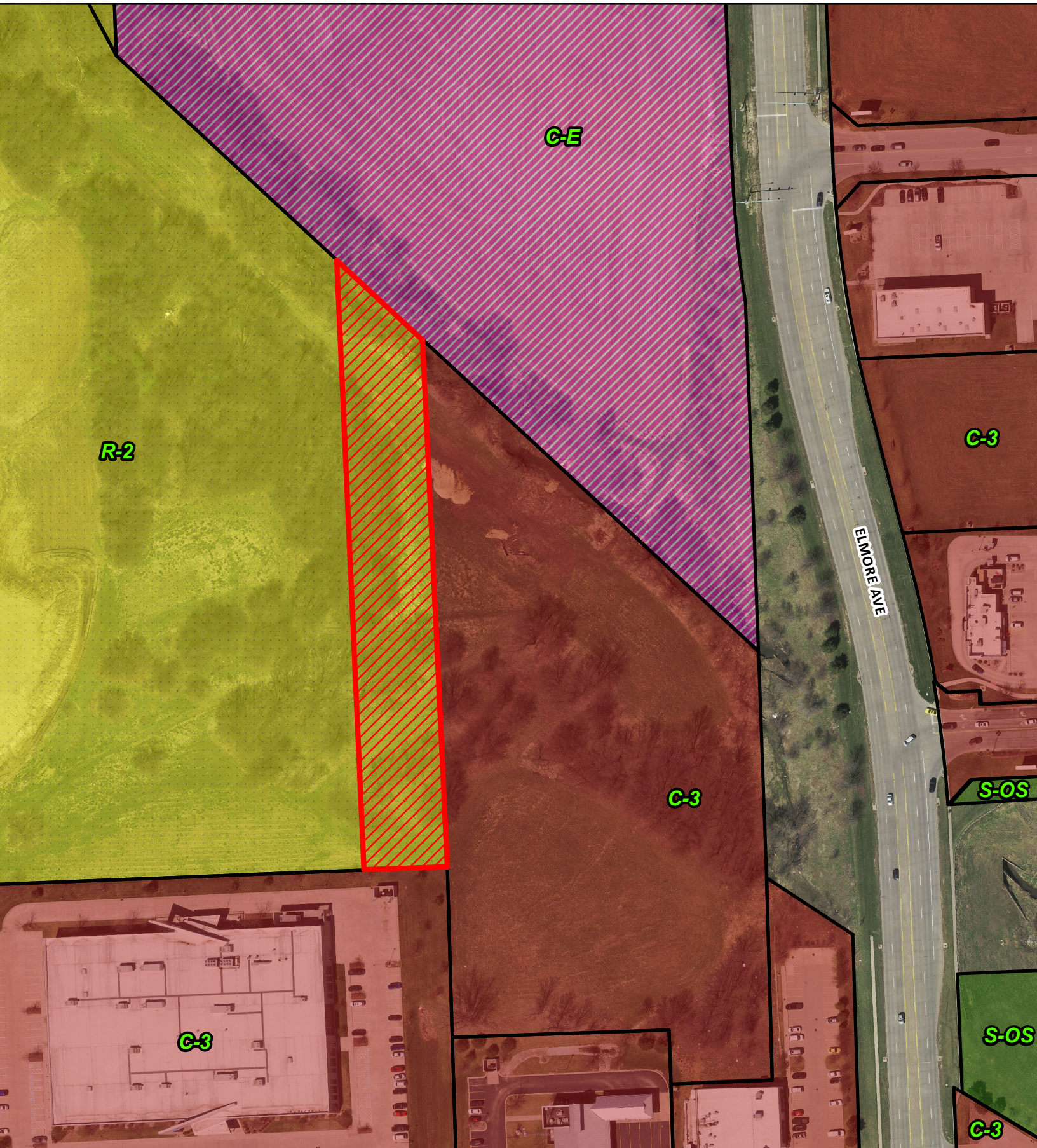
Case REZ22-03

Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

0 125 250

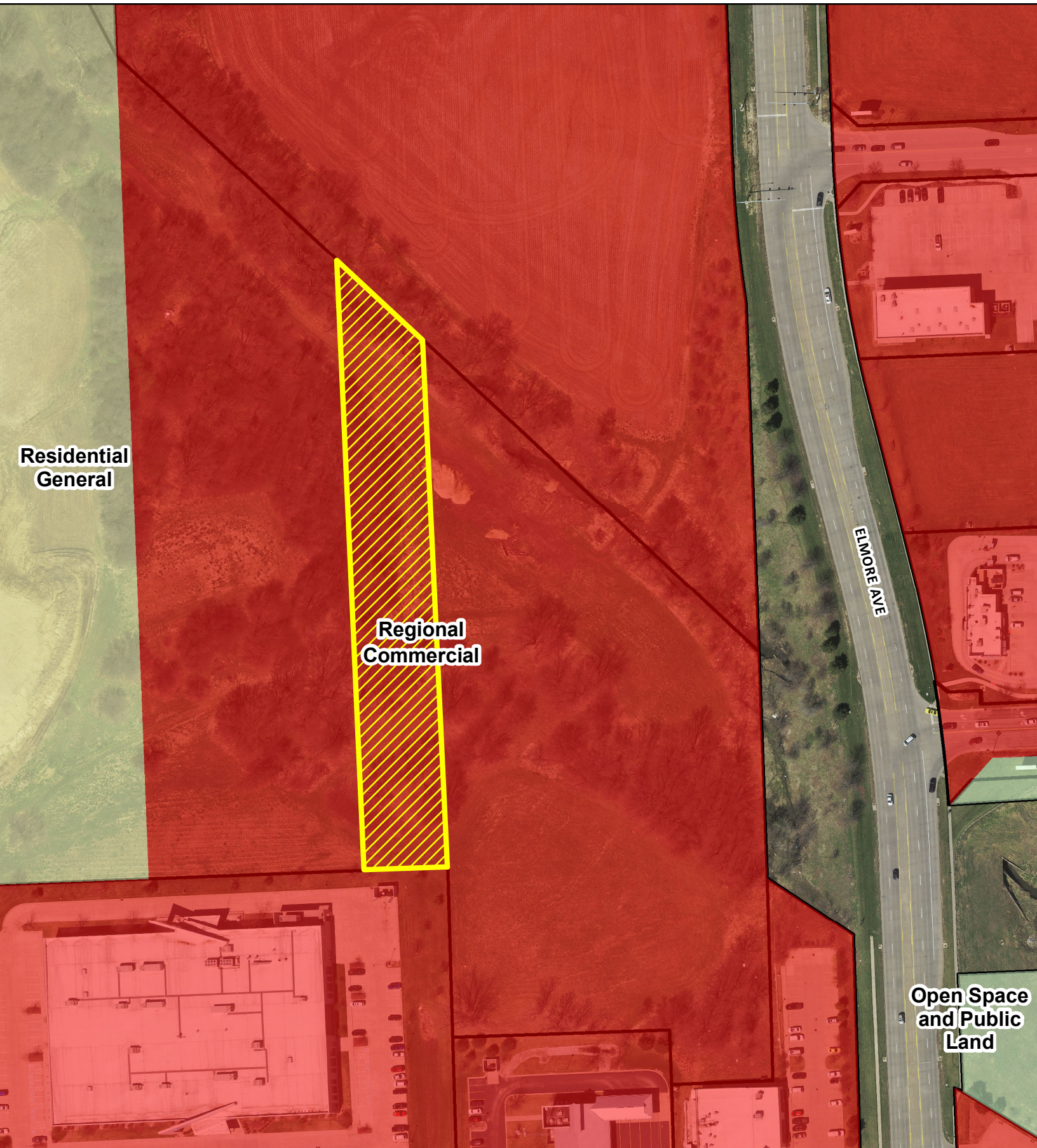
Feet



Rezoning Request-Future Land Use Map

Case REZ22-03

Rezone from R-2 Single-Family Residential District to C-3 General Commercial District



Rezoning Request-FEMA Flood Map

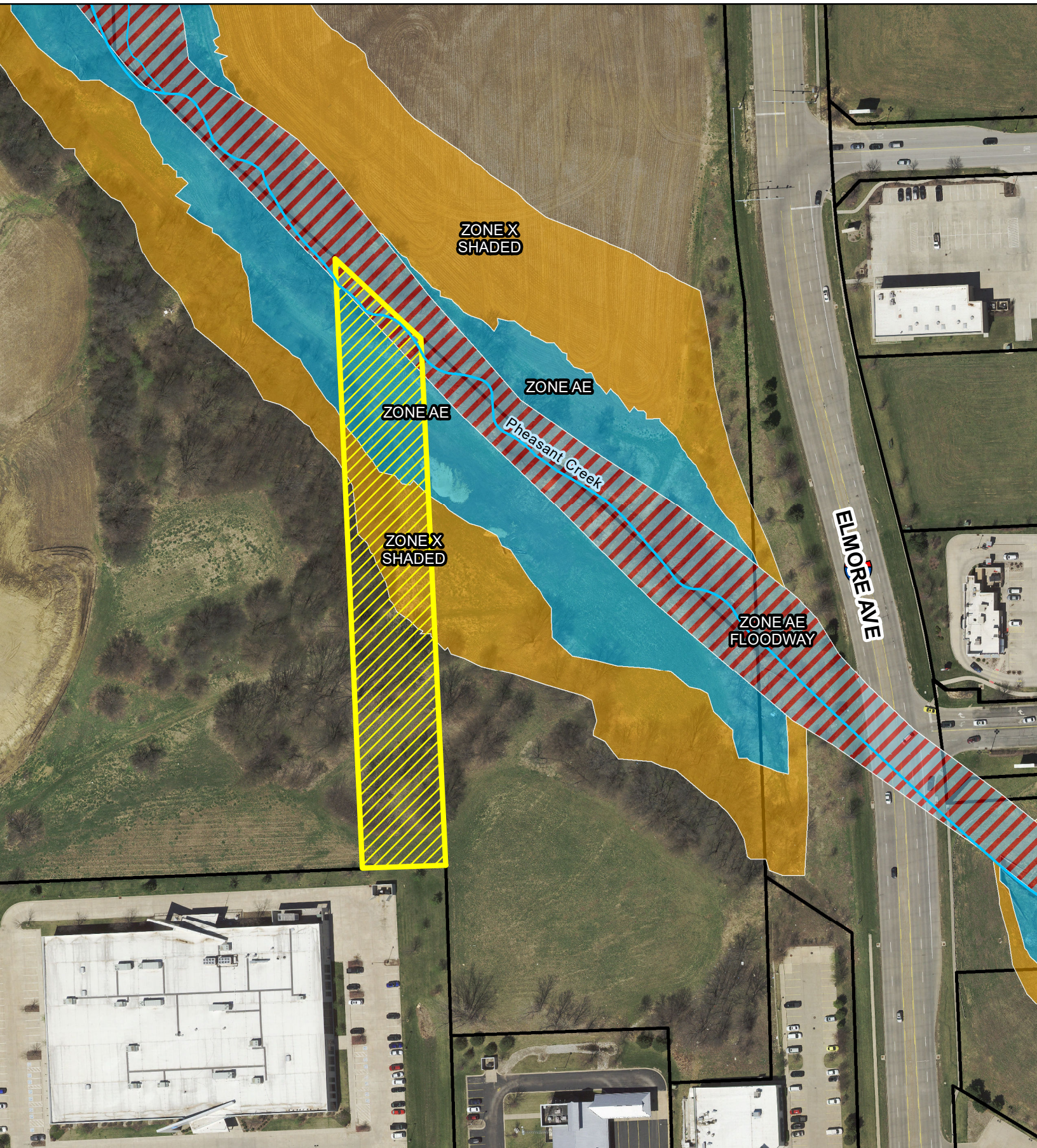
Case REZ22-03

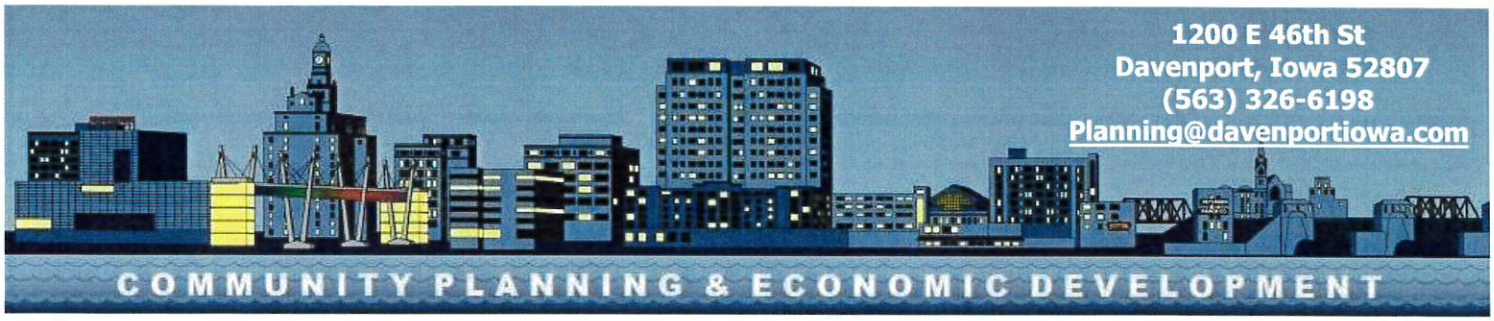
Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

0 125 250

Feet





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

Property Address* See Attached Description

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

Applicant (Primary Contact)**

Name:	Adam Seitz
Company:	VSM Holdings, LLC
Address:	4215 E. 60th Street
City/State/Zip:	Davenport, IA 52807
Phone:	563-359-0309
Email:	adamseitz@advancehomesinc.com

Owner (if different from Applicant)

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

Engineer (if applicable)

Name:	Dave Meyer
Company:	Klingner & Associates
Address:	4111 E. 60th Street
City/State/Zip	Davenport, IA 52807
Phone:	563-359-1348
Email:	dmeyer@klingner.com

Architect (if applicable)

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

Attorney (if applicable)

Name:	Sam Skorepa
Company:	Lane & Waterman
Address:	220 N. Main St. STE 600
City/State/Zip:	Davenport, IA 52801
Phone:	563-324-3246
Email:	sskorepa@l-wlaw.com

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

Application Form Type:

Plan and Zoning Commission

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

Zoning Board of Adjustment

- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

Design Review Board

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative

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

Request:

Existing Zoning: R-2 Single Family Residential

Proposed Zoning Map Amendment: C-3 General Commercial

Purpose of the Request:

To provide a zoning classification on this 100 foot wide strip to match the Zoning on the commercial tract between it and Elmore Avenue to the east.

Total Land Area: 1.57 Acres

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

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: Adam Seitz Date: 04/06/2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

LEGAL DESCRIPTION

PART OF LOT 2, PHEASANT RIDGE FIRST ADDITION

DAVENPORT, IOWA

Part of Lot 2, Pheasant Ridge First Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the northwest corner of said Lot 2, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 142.21 feet along the north line of said Lot 2;

thence South 00°-18'-15" East 631.49 feet to the northeast corner of Lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 100.00 feet along the north line of Lot 2 of said Lakehurst Commercial Park Fifth Addition to the southwest corner of Lot 2 of said Pheasant Ridge First Addition;

thence North 00°-18'-15" West 732.61 feet along the west line of Lot 2 of said Pheasant Ridge First Addition to the point of beginning.

Containing 1.57 acres, more or less, subject to easement of record.

Doc ID: 021546920001 Type: LAN
Recorded: 09/19/2018 at 01:42:35 PM
Fee Amt: $12.00 Page 1 of 1
Scott County Iowa
Rita A. Vargas Recorder
File 2018-00024343

Prepared by &
Return to: Samuel J. Skorepa, Lane & Waterman LLP, 220 N. Main St., Ste. 600, Davenport, IA 52801 (563) 324-3246
Address Tax Statement: A. Jeffrey Seitz, Manager, 4215 E. 60th Street, Davenport, IA 52807

QUIT CLAIM DEED

For the consideration of Ten and no/100---------- Dollar(s) and other valuable consideration, Pheasant Creek Estates, LLC, does hereby Convey to VSM Holdings, LLC, an Iowa limited liability company the following described parcel of real estate in SCOTT County, Iowa:

Lot 2 of the Final Plat of Pheasant Ridge First Addition, an Addition to the City of Davenport, Scott County Iowa

This transfer is exempt from transfer taxes pursuant to Iowa Code Section 428A.2(21).

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: August 28, 2018.

PHEASANT CREEK ESTATES, LLC

A. Jeffrey Seitz, Manager

STATE OF IOWA, SCOTT COUNTY, SS:

On this 28 day of August, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared A. Jeffrey Seitz, Manager of Pheasant Creek Estates, LLC, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same on behalf of the company as its voluntary act and deed.

(Notary Seal) PETER F. MULLARKEY Commission Number 783403 My Commission Expires March 31, 2020

Notary Public in and for said County and State

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 5/3/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00 PM Subject: Public Hearing for a Rezoning Request before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject property located west of Elmore Avenue and south of Pheasant Creek (The west 100 feet of Parcel #Y0801-03).

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 property is currently split zoned between R-2 Single-Family Residential and C-3 General Commercial District. The purpose of the Rezoning Request is to place the entirety of the property under a commercial zoning classification.

Request/Case Description
Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 3, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 17, 2022. 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

Case REZ22-03

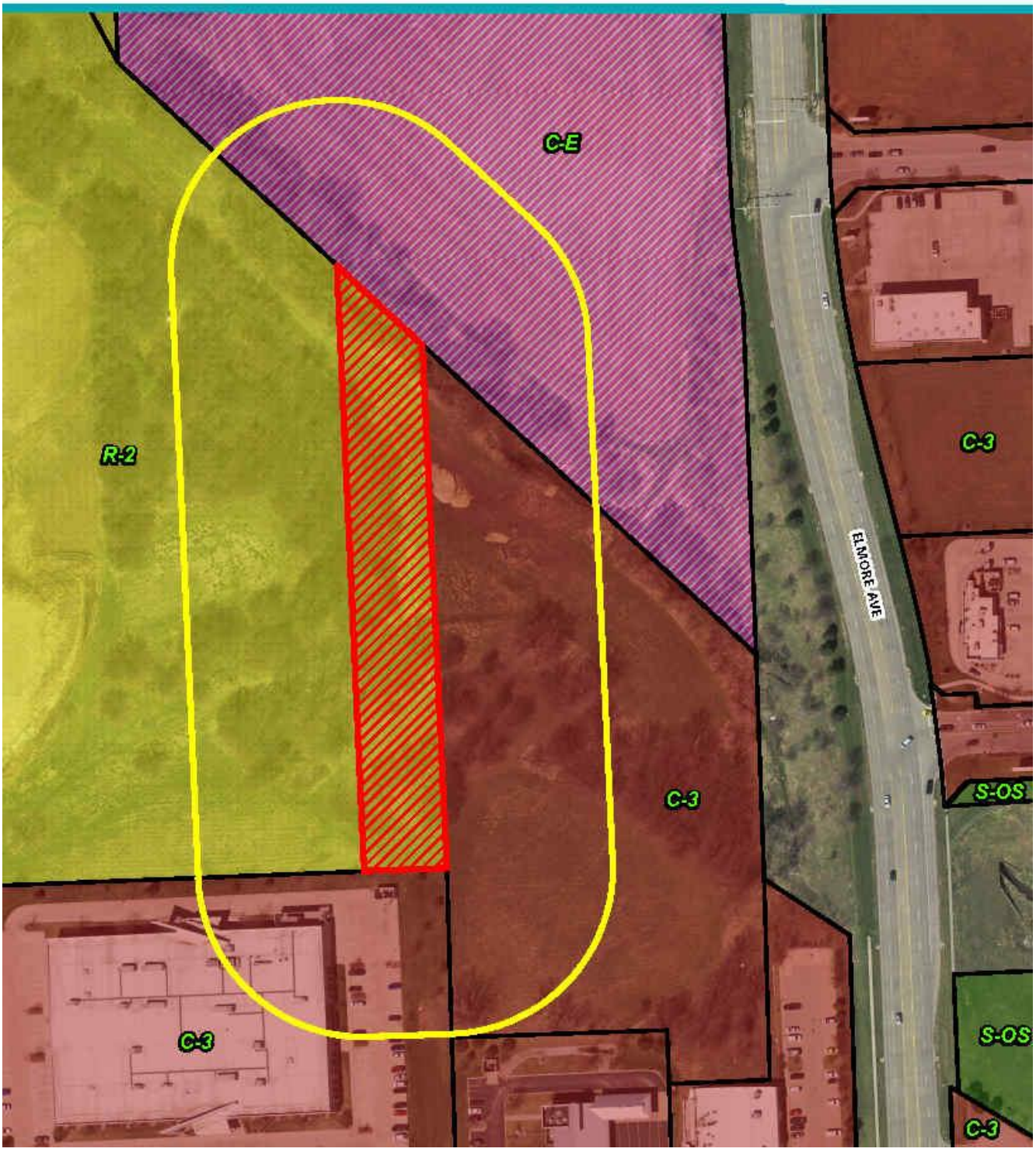
Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

200' Notification Boundary

0 125 250

Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Committee of the Whole

Date: 6/1/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located west of Elmore Avenue and south of Pheasant Creek (The west 100 feet of Parcel #Y0801-03).

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 property is currently split zoned between R-2 Single-Family Residential and C-3 General Commercial District. The purpose of the Rezoning Request is to place the entirety of the property under a commercial zoning classification.

Request/Case Description
Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

At its May 17, 2022 meeting, the Plan and Zoning Commission recommended approval of the aforementioned case with the following findings:

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

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, June 1, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

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

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

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

Rezoning Request

Case REZ22-03

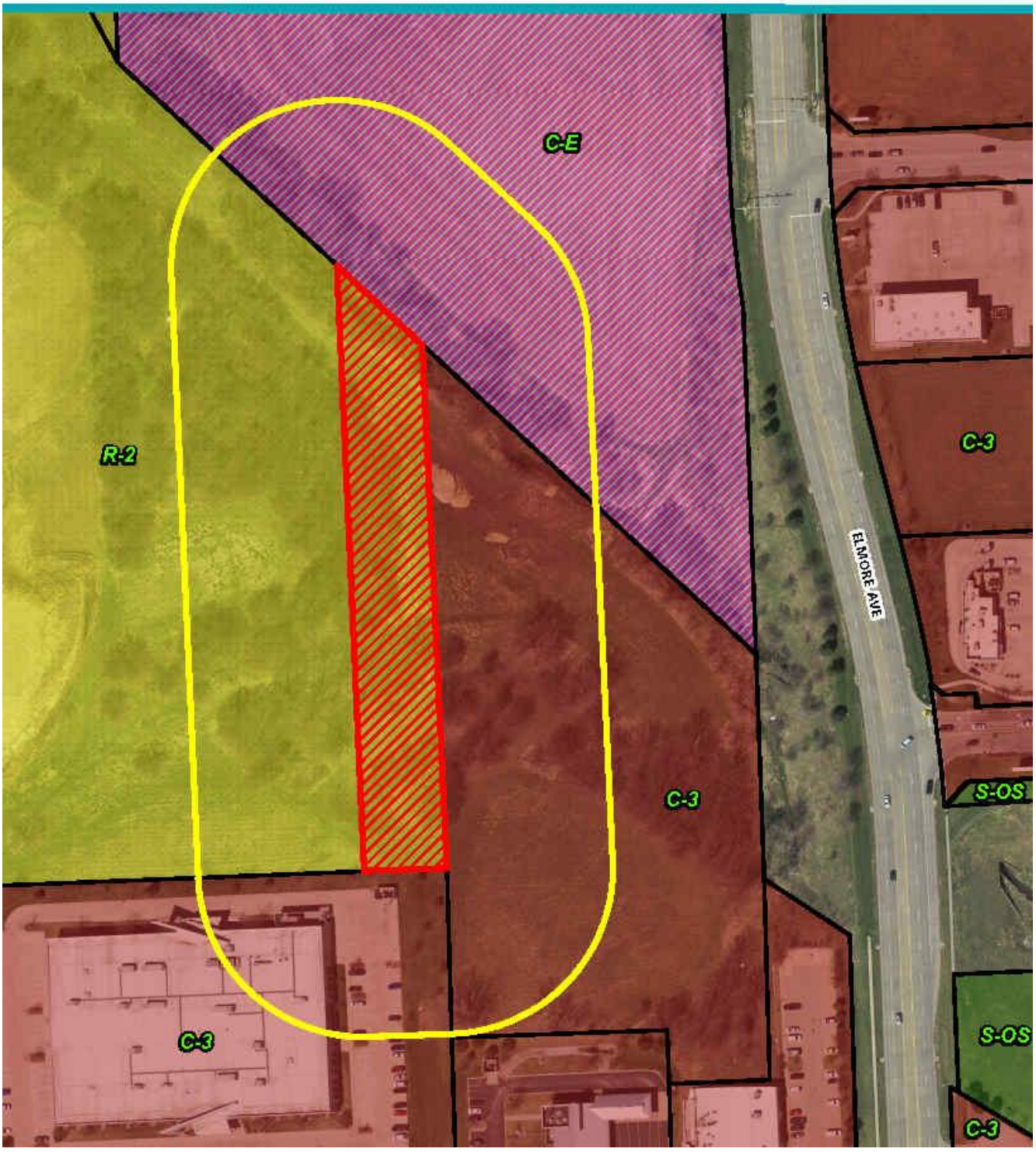
Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

200' Notification Boundary

0 125 250

Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **6/8/2022**

Subject:
Public Hearing for Case ROW22-03 being the request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

Recommendation:
Hold the Hearing.

Background:
The purpose of the right-of-way vacation is to facilitate development of the abutting 7.41 acre commercial property (parcel #Y0801-03) to the west.

A legal description has been submitted by the applicant describing the 21,026 square foot area located along the west boundary of Elmore Avenue, south of Pheasant Creek. The .48 acre tract of land was intentionally stopped at the existing box culvert near the creek on the north side of the property. In addition, the area does not align with the east lot line of 5388 Elmore Circle to the south. The purpose is to provide an additional five feet of public right-of-way to accommodate a future trail expansion.

A portion of the land to be vacated is within the floodplain, which will limit potential development close to Elmore Avenue; however, the vacated right-of-way will better facilitate access to the site and enhance commercial visibility.

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.)

The Plan & Zoning Commission reviewed Case ROW22-03 at its May 17, 2022 meeting and have recommended approval (8-0) with the following condition:

Findings:

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

Condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

A staff report has been attached with a full analysis.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Staff Report
🗋	Backup Material	Maps
🗋	Backup Material	Application
🗋	Backup Material	Legal Description
🗋	Backup Material	Plan and Zoning Commission Public Notice
🗋	Backup Material	Committee of the Whole Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	5/23/2022 - 11:37 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW22-03 BEING THE REQUEST OF VSM HOLDINGS, LLC TO VACATE UNIMPROVED RIGHT-OF-WAY WEST OF ELMORE AVENUE AND SOUTH OF PHEASANT CREEK.

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:

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot

2; thence South 44°-59'-10" East 128.78 feet;

thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet;

thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1;

thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning.

Containing 21,026 square feet, more or less.

Section 2. The vacation (abandonment) is subject to the following condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan & Zoning Commission-Staff Report
May 17, 2022

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

Background:
The purpose of the right-of-way vacation is to facilitate development of the abutting 7.41 acre commercial property (parcel #Y0801-03) to the west.

A legal description has been submitted by the applicant describing the 21,026 square foot area located along the west boundary of Elmore Avenue, south of Pheasant Creek. The .48 acre tract of land was intentionally stopped at the existing box culvert near the creek on the north side of the property. In addition, the area does not align with the east lot line of 5388 Elmore Circle to the south. The purpose is to provide an additional five feet of public right-of-way to accommodate a future trail expansion.

A portion of the land to be vacated is within the floodplain, which will limit potential development close to Elmore Avenue. However, the vacated right-of-way will better facilitate access to the site and enhance commercial visibility.

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 property is designated Regional Commercial in the Davenport +2035 Land Use Plan.

1. **Regional Commercial (RC) –** Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

Abutting Zoning:
The abutting property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. The eastern portion of the property, immediately adjacent to Elmore Avenue, is commercially zoned.

1. **R-2 Single-Family Residential District -** This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-

residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.

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

Technical Review:

- **Streets:** The City of Davenport has no intention of widening Elmore Avenue within the subject right-of-way. The proposed right-of-way vacation does not align with the east property line of 5388 Elmore Circle. The intention is to leave a wider right-of-way for a future trail expansion along the west side of Elmore Avenue.
- **Storm Water:** Future development of the property will need to comply with the City's stormwater requirements. The existing right-of-way vacation stops south of the Pheasant Creek box culvert.
- **Sanitary Sewer:** Existing sanitary sewer existing north of Pheasant Creek. There is no existing infrastructure within the proposed right-of-way vacation.
- **Engineering:** The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the

May 3, 2022 Plan and Zoning Commission Public Hearing. No members of the public spoke at the hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the May 17, 2022 Plan and Zoning Commission meeting.

Recommendation:
Staff recommends the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek in Case ROW22-03 to the City Council with a recommendation for approval, subject to the following condition.

Findings:

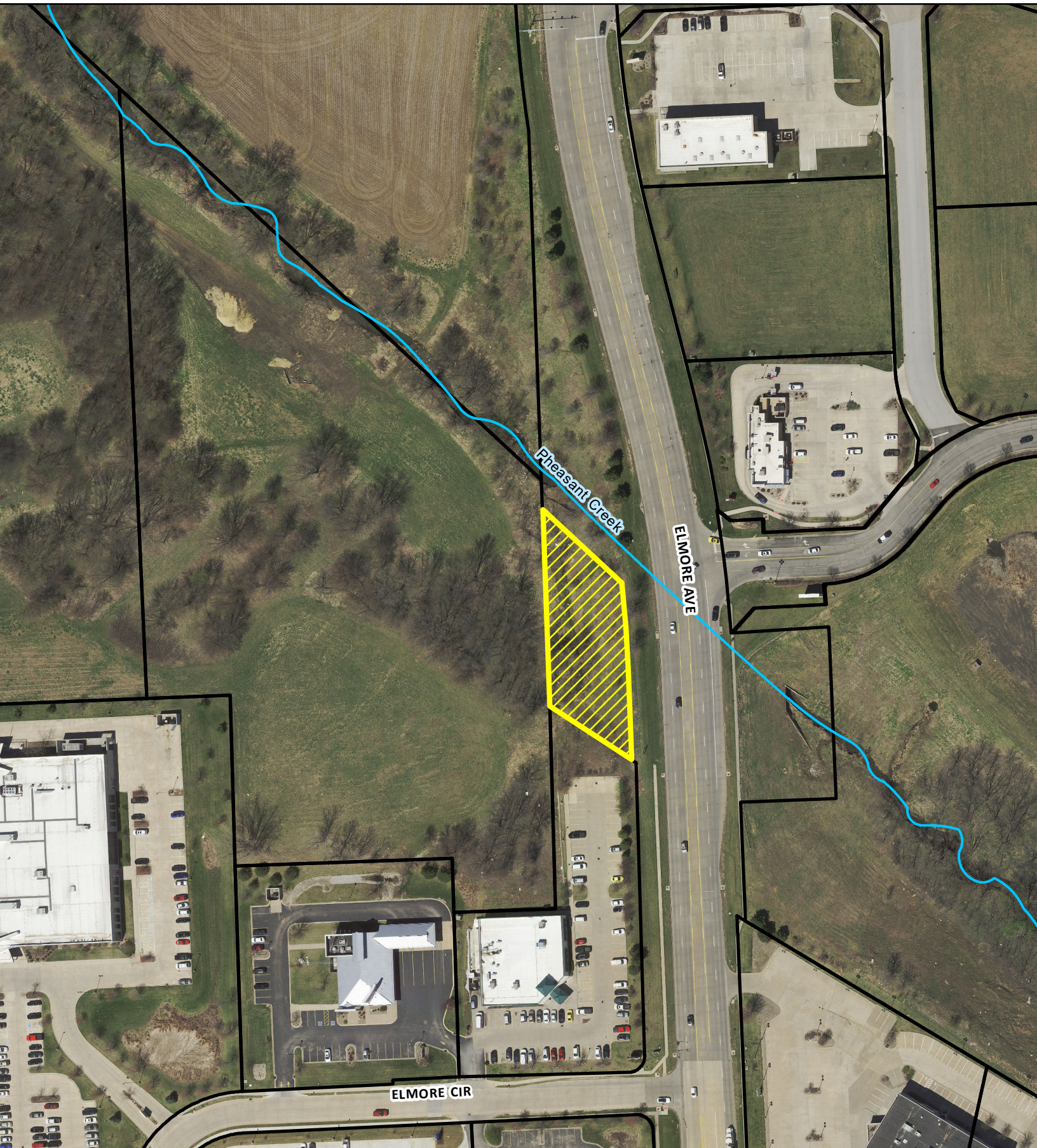
1. The unimproved public right-of-way is not required for city purposes.
2. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

Right-Of-Way Vacation

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

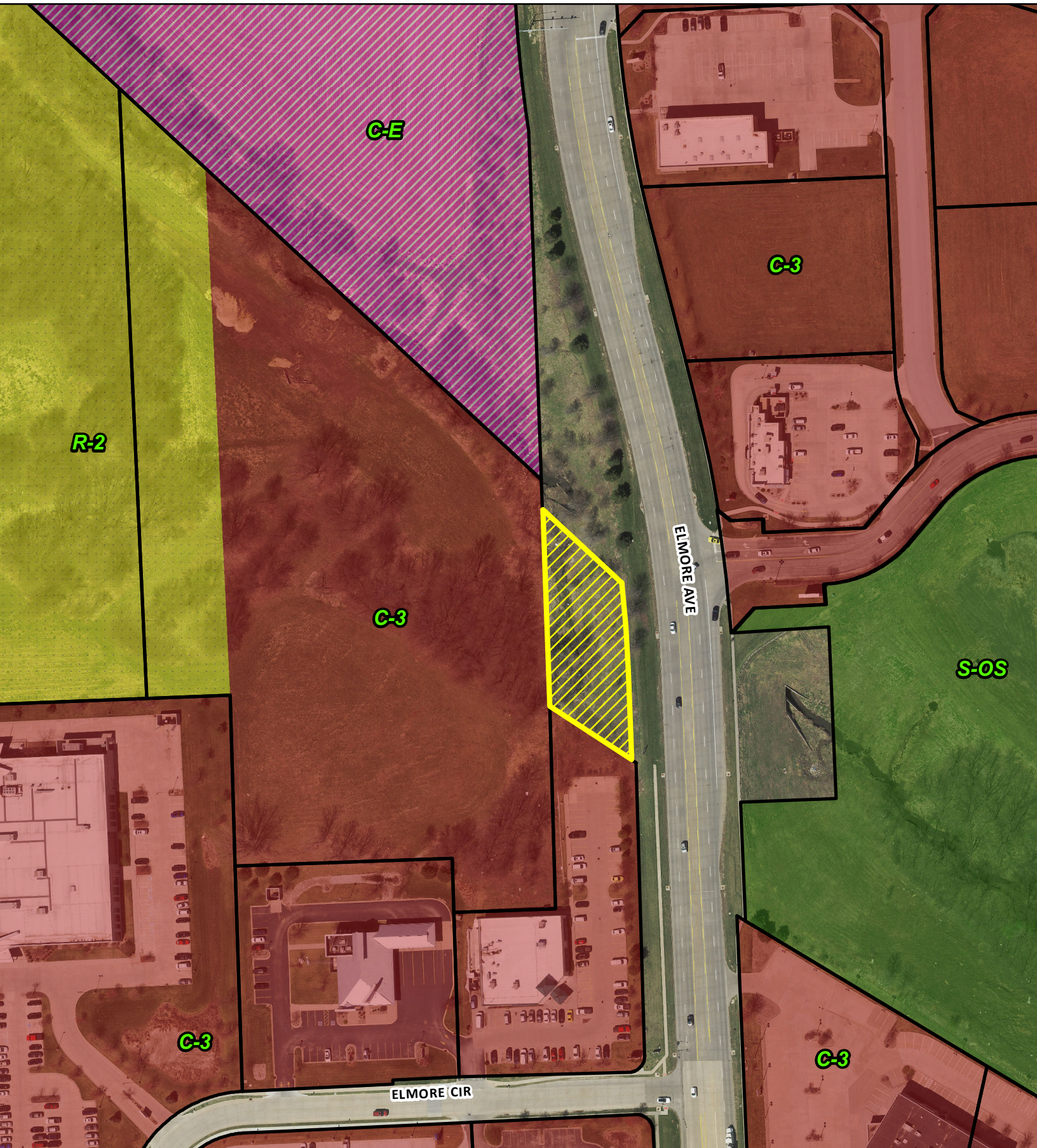


Right-Of-Way Vacation-Zoning Map

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

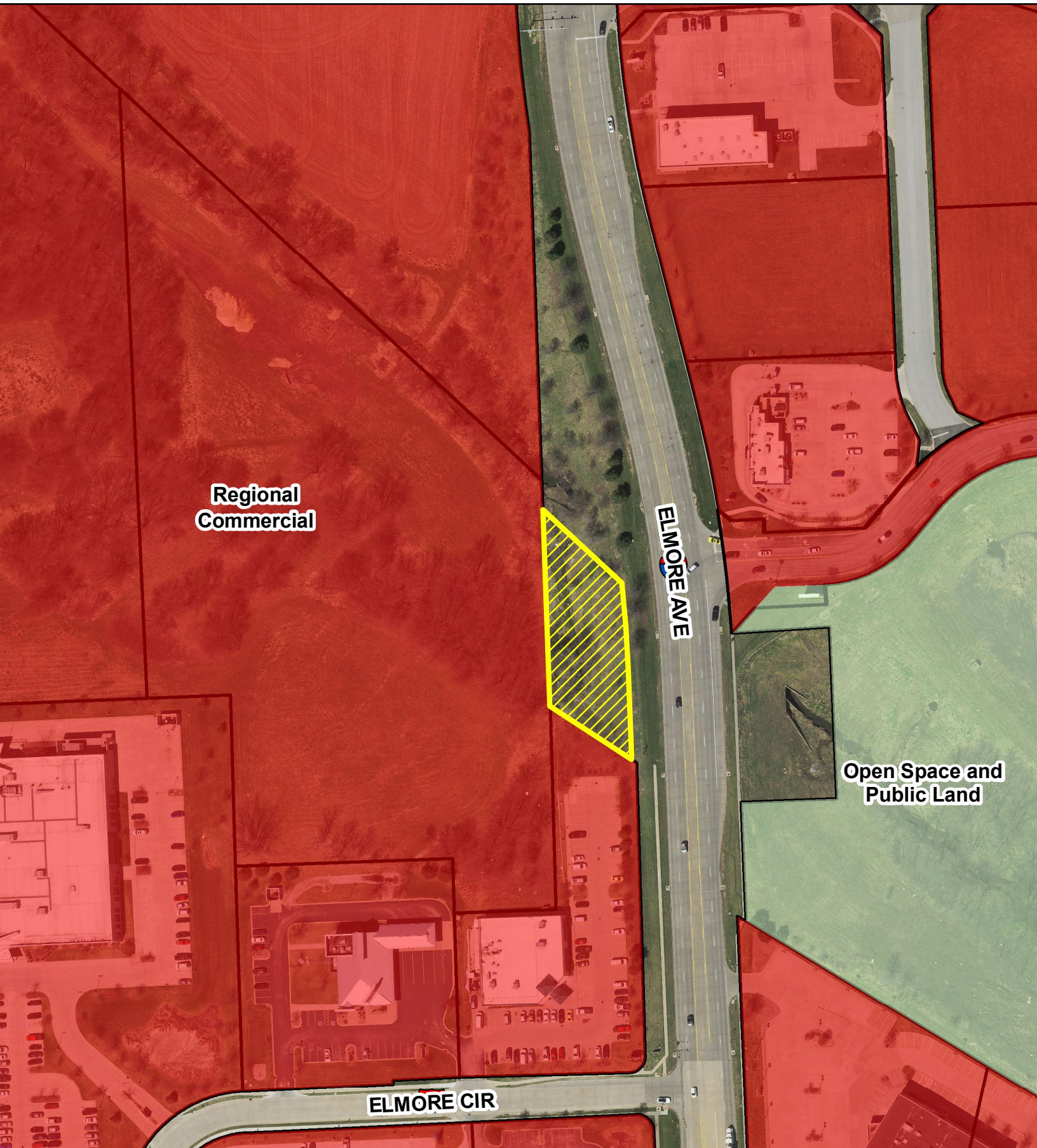
ROW Vacation

0 125 250
Feet



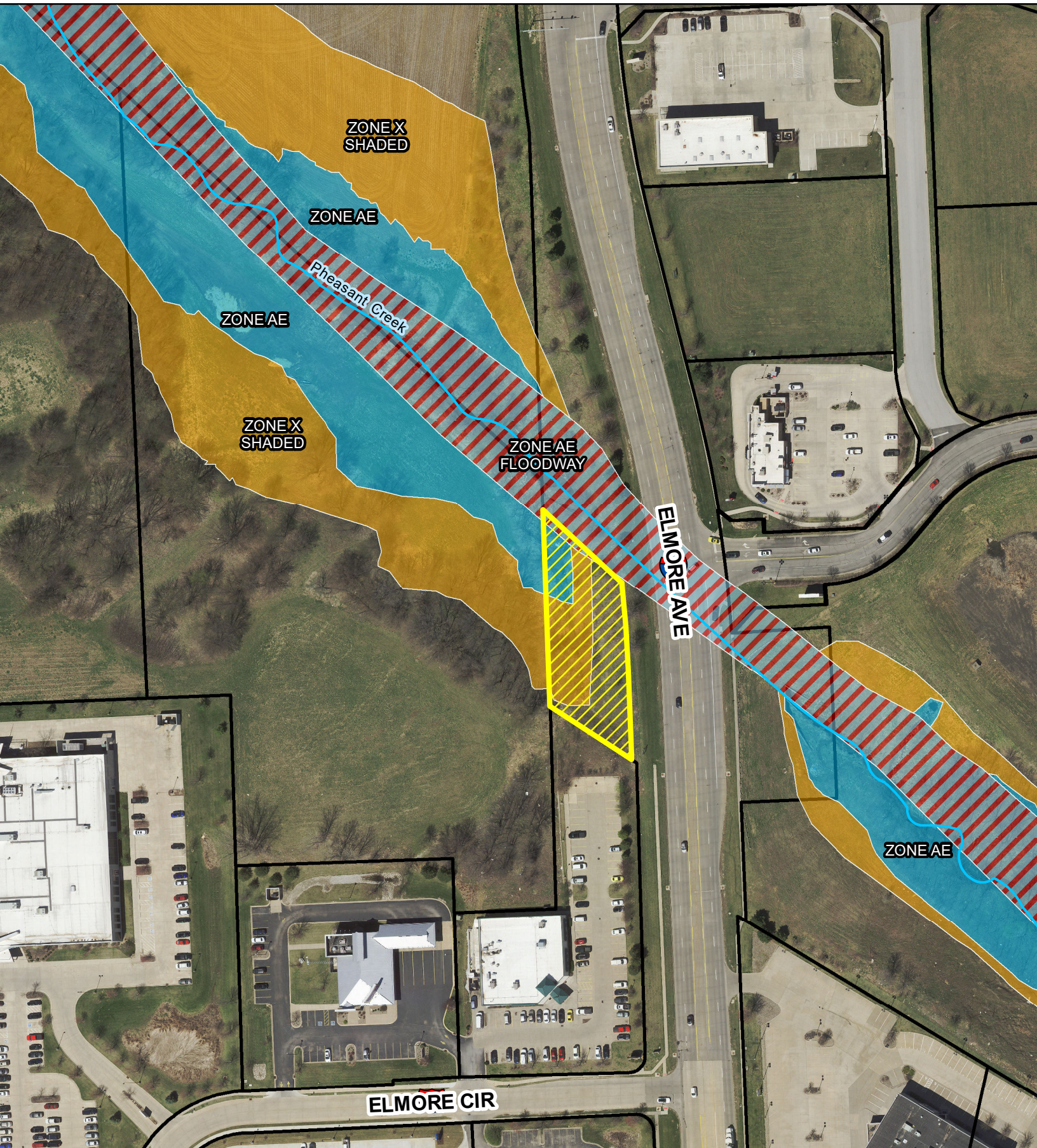
Right-Of-Way Vacation-Future Land Use Map

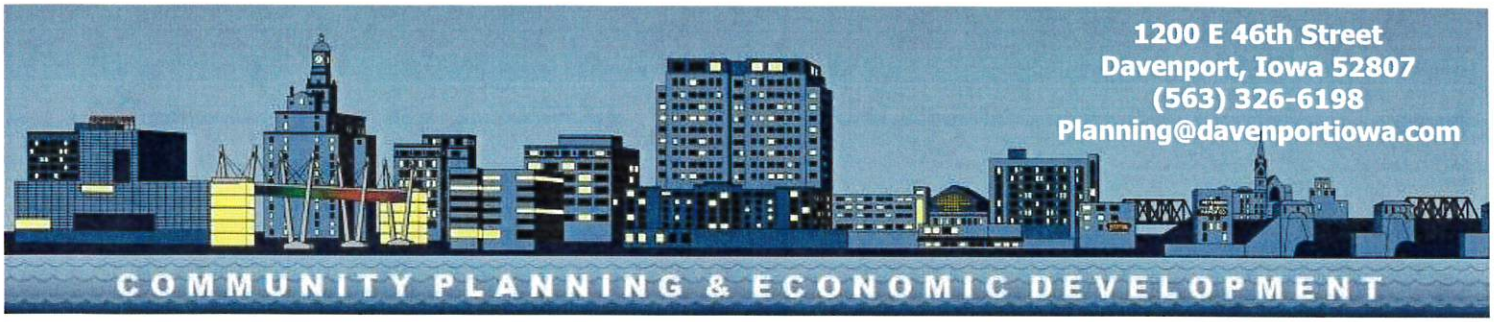
Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]



Right-Of-Way Vacation-FEMA Flood Map

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]





Complete application can be emailed to planning@davenportiowa.com

Property Address* See Attached Description
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)

Name:	Adam Seitz
Company:	VSM Holdings, LLC
Address:	4215 E. 60th Street
City/State/Zip:	Davenport, IA 52807
Phone:	563-359-0309
Email:	adamseitz@advancehomesinc.com

Owner (if different from Applicant)

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

Engineer (if applicable)

Name:	Dave Meyer
Company:	Klingner & Associates
Address:	4111 E. 60th Street
City/State/Zip	Davenport, IA 52807
Phone:	563-359-1348
Email:	dmeyer@klingner.com

Architect (if applicable)

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

Attorney (if applicable)

Name:	Sam Skorepa
Company:	Lane & Waterman
Address:	220 N. Main St. STE 600
City/State/Zip:	Davenport, IA 52801
Phone:	563-324-3246
Email:	sskorepa@l-wlaw.com

Application Form Type:

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

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

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

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

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

Request:

Please consider vacating right of way on Elmore Ave. to gain access for a commercial lot Development.

Total Land Area: 21,026 Square Feet

Submittal Requirements:

- The completed application form.
- Required fee: $400.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

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

(2) Public Notice for the Plan and Zoning Commission public hearing:
- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, 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.

(4) City Council's consideration of the right-of-way or easement vacation:
- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: Adam Seitz Date: 04/06/2022

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

Received by: Date:

Planning staff

Date of the Public Hearing:

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

LEGAL DESCRIPTION

PART OF THE ELMORE AVENUE RIGHT OF WAY

DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot 2;

thence South 44°-59'-10" East 128.78 feet;

thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet;

thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1;

thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning.

Containing 21,026 square feet, more or less.

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 5/3/2022
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation Before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject public right-of-way located west of Elmore Avenue and south of Pheasant Creek.

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate unimproved public right-of-way. The purpose of the vacation request is to facilitate development of the abutting 7.41 acre commercial property (Parcel #Y0801-03) to the west.

Request/Case Description
Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 3, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 17, 2022. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

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

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

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (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

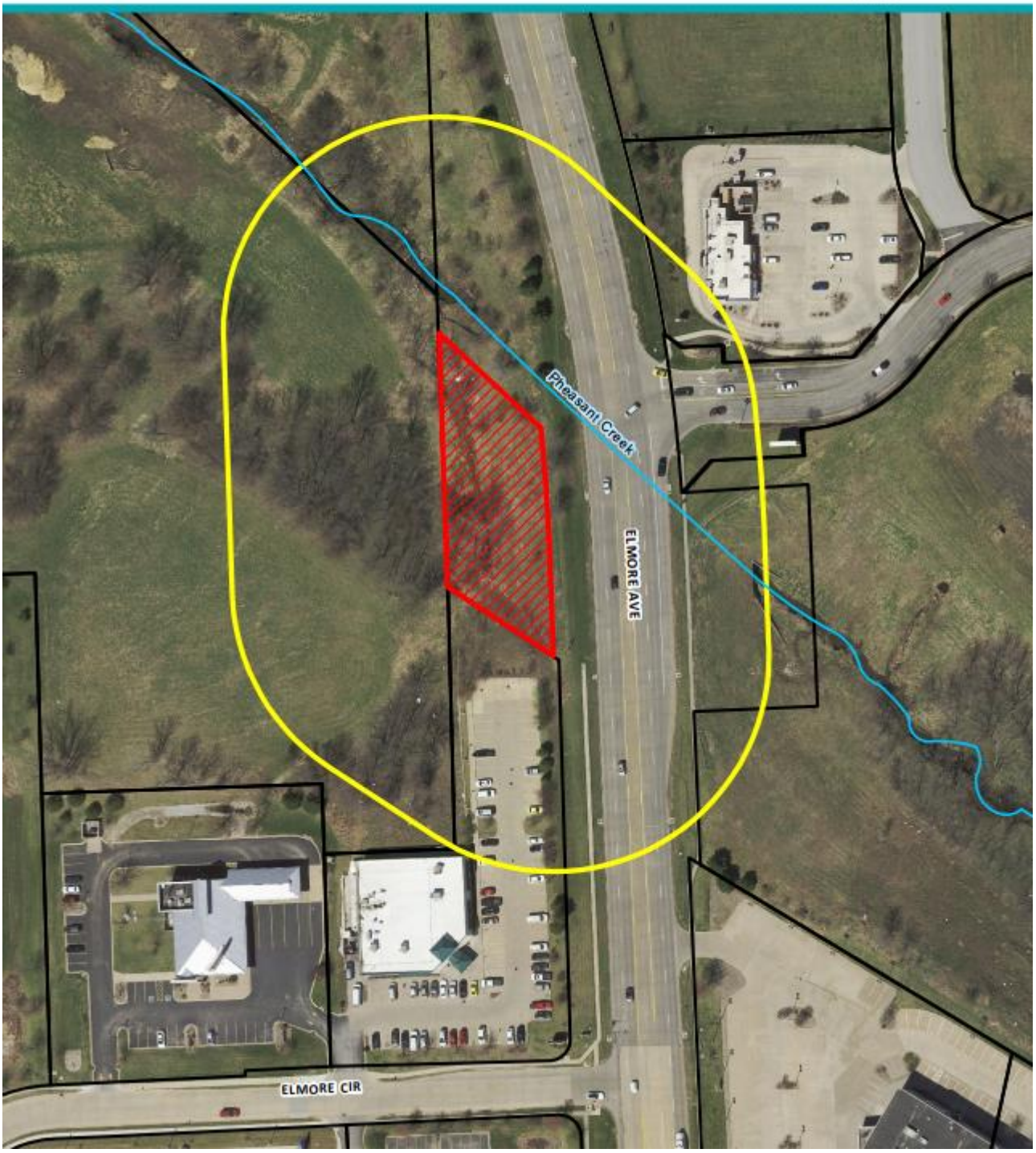
Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

THE CITY OF DAVENPORT
IOWA | USA

ROW Vacation
200' Mailing Radius
Case ROW22-03

ROW Vacation
200' Notification Boundary

0 100 200
Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Committee of the Whole

Date: 6/1/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Right-Of-Way Vacation

To: All property owners within 200 feet of the subject public right-of-way located west of Elmore Avenue and south of Pheasant Creek.

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate unimproved public right-of-way. The purpose of the vacation request is to facilitate development of the abutting 7.41 acre commercial property (Parcel #Y0801-03) to the west.

Request/Case Description
Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

At its May 17, 2022 meeting, the Plan and Zoning Commission recommended approval of the aforementioned case, subject to the following condition:

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

Condition:
1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, June 1, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

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

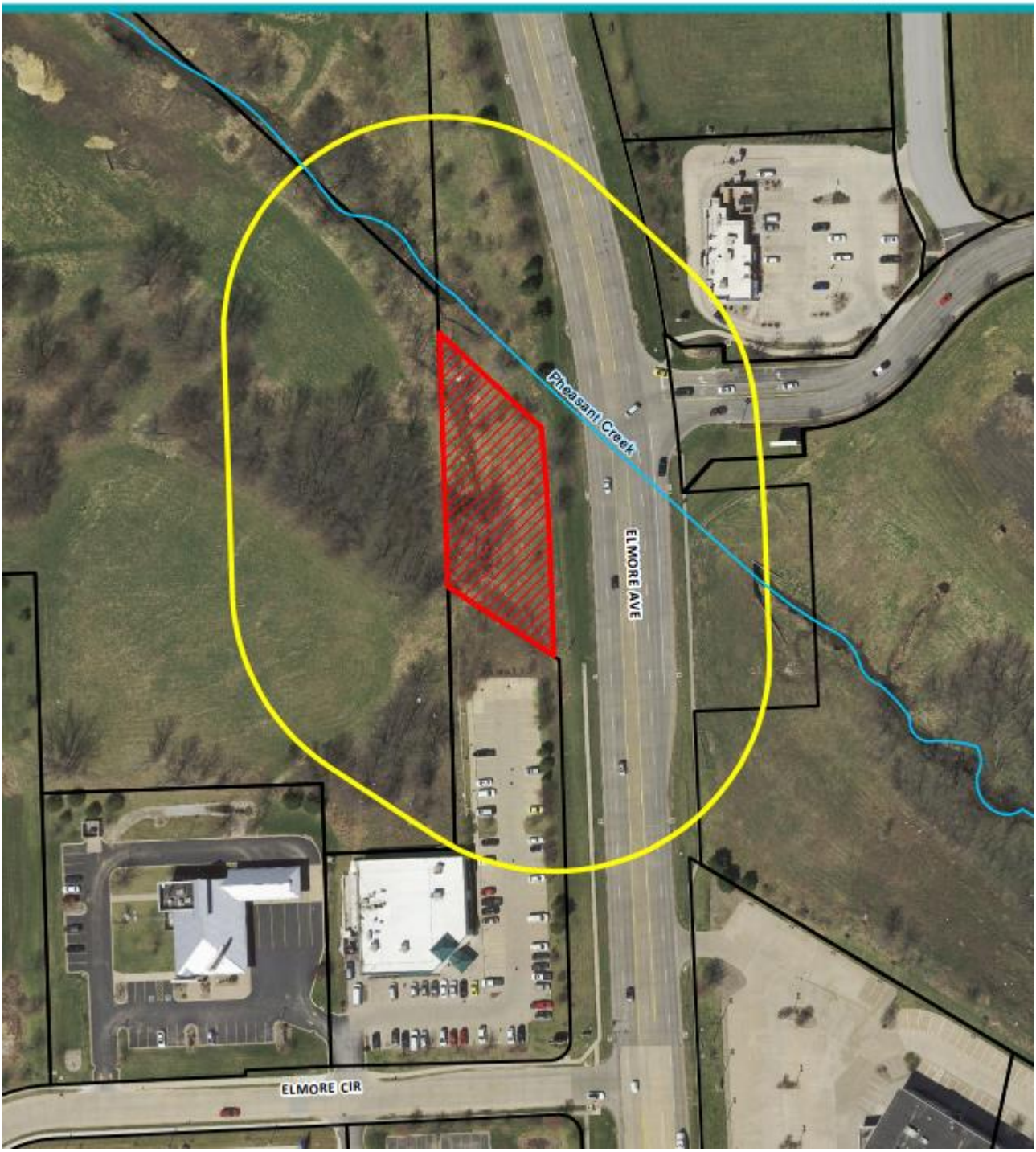
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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

THE CITY OF DAVENPORT
IOWA | USA

ROW Vacation
200' Mailing Radius
Case ROW22-03

ROW Vacation
200' Notification Boundary
0 100 200
Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

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

Action / Date
6/1/2022

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project, CIP #35042. [Wards 2 & 4]

Recommendation:
Hold the Hearing.

Background:
This project will remove and replace the existing concrete pavement on Central Park from Lincoln to Cedar Street with new concrete pavement, subbase and subdrains. Work will be completed during the summer of 2022. The construction schedule is dependent upon railroad permitting.

Funding is available through CIP #35042. The estimated project cost is $1,670,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	NH - Central Pk Recon

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:40 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:40 PM
City Clerk	Admin, Default	Approved	5/26/2022 - 3:02 PM

Notice of Hearing

on Proposed Plans, Specifications, and Proposed Contract for the

Central Park Reconstruction Project from Lincoln to Cedar Street

Notice is hereby given that at 5:30 P.M., on Wednesday June 1st, 2022 at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on the proposed plans, specifications, and form of contract which the City Council has caused to be filed with the City Clerk of the City of Davenport, Iowa, and on the cost and necessity of the above project in the City of Davenport, Iowa.

At said hearing any interested person may file written objection or comments with respect to the proposed plans, specifications, form of contract or cost of and necessity for such improvements and may be heard orally with respect thereto. PO: 2209642

Brian Krup,
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7734 **6/1/2022**

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the 2022 Commercial Alley Resurfacing Program, CIP #35038. [Ward 3]

Recommendation:
Hold the Hearing.

Background:
Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Commercial - 50% property owner/ 50% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program:

1. The east-west commercial alley from Western Avenue to Scott Street between West 3rd Street and West 4th Street.
2. The north-south commercial alley from East 4th Street to East 5th Street between Brady Street and Perry Street.
3. The north-south commercial alley from West 4th Street to alley end between Harrison Street and Main Street.

The total estimated cost of these improvements is $200,000.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:39 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:40 PM
City Clerk	Admin, Default	Approved	5/26/2022 - 3:02 PM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7734 **6/1/2022**

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for the 2022 Residential Alley Resurfacing Program, CIP #35038. [Ward 5]

Recommendation:
Hold the Hearing.

Background:
Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Residential - 25% property owner/ 75% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program:

1. The north-south residential alley from East Rusholme Street to East Denison Avenue between Brady Street and Pershing Avenue.
2. The north-south residential alley from East 17th Street to East 18th Street between Perry Street and Pershing Avenue.

The total estimated cost of these improvements is $100,000.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:40 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:40 PM
City Clerk	Admin, Default	Approved	5/26/2022 - 3:04 PM

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **6/8/2022**

Subject:
First Consideration: Ordinance for Case REZ22-02 being the request of Menard, Inc to rezone the 4.48-acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

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

Recommendation:
Adopt the Ordinance.

Background:
The petitioner is requesting to rezone Parcel #X0239-02A from R-MF Multi-Family Residential District to I-1 Light Industrial District. The purpose of the Rezoning Request is to develop the vacant site, southwest of the existing Menards retail store, into an outdoor self-storage facility. Conceptual plans have been submitted by the applicant and are attached.

It is important to note that Davenport's City Council recently removed outdoor self-storage facilities from all commercial districts during an annual review of the Zoning Ordinance, which was published on December 2, 2021. The rationale of the change is that self-storage is viewed as similar to a warehouse use belonging in industrial zoning districts.

The Plan & Zoning Commission reviewed Case REZ22-02 at its May 3, 2022 meeting and have recommended denial (8-0) with the following findings:

Findings:

1. The proposed rezoning to I-1 Light Industrial District is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Residential General. Amending the property to an industrial zoning district is considered spot zoning.
2. The petition is not compatible with the zoning and land uses of nearby property.
3. The rezoning request is not compatible with the established neighborhood character, which includes single-family dwellings, multi-family residential, and commercial uses.
4. The proposed amendment may be detrimental to the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

A staff report has been attached with a full analysis.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Staff Report
🗋	Backup Material	Zoning & Future Land Use Map

Backup Material		Application
Backup Material		Self-Storage Facility Site Plan
Backup Material		Self-Storage Facility Elevations
Backup Material		Multi-Family Residential & Industrial Design Standards
Backup Material		Spot Zoning Fact Sheet
Backup Material		Public Notice
Backup Material		Public Comment-6431 N Harrison Street

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	5/13/2022 - 4:51 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-02 BEING THE REQUEST OF MENARD INC TO REZONE THE 4.48 ACRE PROPERTY LOCATED NORTH OF WEST 65TH STREET AND EAST OF HARRISON STREET (PARCEL # X0239-02A) FROM R-MF MULTI-FAMILY RESIDENTIAL 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."

MENARDS 2ND ADD Lot: 002 MENARDS 2ND ADD LOT 2

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

Findings:

1. The proposed rezoning to I-1 Light Industrial District is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Residential General. Amending the property to an industrial zoning district is considered spot zoning.
2. The petition is not compatible with the zoning and land uses of nearby property.
3. The rezoning request is not compatible with the established neighborhood character, which includes single-family dwellings, multi-family residential, and commercial uses.
4. The proposed amendment may be detrimental to the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Section 3. At its May 3, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-02 to the City Council with a recommendation for denial with 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 & Zoning Commission-Staff Report
May 3, 2022

Case REZ22-02: Request of Menard Inc. to rezone the 4.48 acre property located north of West 65th Street and east of Harrison Street (Parcel #X0239-02A) from R-MF Multi-Family Residential District to I-1 Light Industrial District. [Ward 8]

Background:
The petitioner is requesting to rezone Parcel #X0239-02A from R-MF Multi-Family Residential District to I-1 Light Industrial District. The purpose of the Rezoning Request is to develop the vacant site, southwest of the existing Menards retail store, into an outdoor self-storage facility. Conceptual plans have been submitted by the applicant and are attached.

It is important to note that Davenport's City Council recently removed outdoor self-storage facilities from all commercial districts during an annual review of the zoning ordinance, which was published on December 2, 2021. The rationale of the change is that self-storage is viewed as similar to a warehouse use belonging in industrial zoning districts.

Why is a Zoning Map Amendment Required?
The Zoning Ordinance does not permit 'Self-Storage Facility: Outdoor' within a residential district. This principal use is only allowed within industrial zoning districts. The petitioner was advised by City Staff that a 'Self-Storage Facility: Enclosed' is considered a Special Use within the C-2 Corridor Commercial District and C-3 General Commercial District. Given the abutting commercial zoning districts to the east and south, a commercial zoning would be more compatible with the surrounding area. However, the applicant has expressed there is a greater market demand for outdoor storage. Therefore, the I-1 Light Industrial District is the most applicable zoning classification for the intended development.

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

Future Land Use Designations:
The property is designated Residential General in the Davenport +2035 Land Use Map. A rezoning to I-1 Light Industrial District requires the land use to be amended to Industry.

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. **Commercial Corridor (CC)** - Well-established corridors located along high-volume major streets dominated by retail and office uses that serve the greater community. Development is generally newer and redevelopment is not anticipated within the 20 year planning horizon. Improvements

should focus on façade and site improvements, including pedestrian circulation systems and consolidated/updated signage.

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

The applicant is requesting a rezoning of the property to **I-1 Industrial 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.

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renter's control and access individual storage spaces located within a fully enclosed building that is climate controlled. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Self-Storage Facility: Outdoor. A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

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

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

Staff Response: The property is designated Residential General (RG) in the Davenport +2035 Land Use Plan. This land use category is intended to retain residential character as well as promote neighborhood growth.

The Future Land Use Map identifies Brady Street and the abutting properties as a Commercial

Corridor, with Residential General land uses extending west of this main thoroughfare. Industrial land uses are designated south of I-80 along West 76th Street and further east of Brady Street, abutting East 59th Street and Tremont Avenue. The development of the property to an outdoor self-storage facility is categorized as Industry. Given there is no Industry within close proximity to the subject property, the rezoning request does not satisfy this approval criteria.

In considering spot-zoning, courts generally determine whether the zoning relates to the compatibility of the surrounding uses. One of the most important criteria is the extent to which the requested zoning is consistent with the comprehensive plan. Spot zoning is rebutted when the challenged zoning is found to be consistent with present surrounding uses or the comprehensive plan. Given the existing R-3, R-MF, C-2, and C-3 districts in relation to the nearest I-1 zoning in the area, similar land use, and consistency with the comprehensive plan, it is staff's opinion this is spot zoning.

It is staff's opinion that the proposed rezoning to I-1 Light Industrial District is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Residential General. Amending the property to an industrial zoning district is considered spot zoning.

b. The compatibility with the zoning of nearby property.

Staff Response: The surrounding zoning is a mix of residential to the north and west, with commercial abutting to the east and south. The closest industrial zoning district is either to the east of Brady Street or to the north of West 67th Street. Rezoning to I-1 Light Industrial District will create an island of industrial development within a predominantly commercial and residential neighborhood.

The following zoning districts abut the subject property:

- North: R-3 Single-Family and Two-Family Residential District
- South: C-2 Corridor Commercial District
- East: C-3 General Commercial District
- West: R-MF Multi-Family Residential District

The following principal uses abut the 4.48 acre property:

- North: Single-family dwellings at the termination of Main Street.
- South: Hotel (Motel 6)
- East: Retail Goods Establishment (Menards) and Gas Station (Kwik Star)
- West: Multi-family dwellings (Maplewood Apartments)

Staff recommended the applicant consider rezoning the 18.85 acre property (parcel #X0223-33) to the north of the Menards retail store from R-MF Multi-Family Residential District to I-1 Light Industrial District. The vacant site, north of West 67th Street, abuts other industrially zoned property to the east and west. Rezoning this parcel would be more compatible with the zoning of nearby property than the subject site south of the retail store. However, the applicant has decided not to pursue this option given the topography of the site and infrastructure improvements required to develop the property.

In addition, staff also recommended Menards consider rezoning the site to a commercial zoning district. The C-2 Corridor Commercial District and C-3 General Commercial District allow enclosed self-storage facilities as a special use. Since Menards currently operates a successful indoor self-storage facility at 110 West 53rd Street, there is no further customer demand for additional climate controlled units. The retailer has greater demand for outdoor storage, leading the applicant to petition the industrial zoning classification. It is staff's opinion that the proposed amendment is not compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

Staff Response: The existing R-MF zoning classification promotes a high-density neighborhood environment that is characterized by a mixture of housing types and limited nonresidential uses. In addition, there are residential design standards that regulate architectural forms, dimensional elements, high quality building materials, and transparency. Residential design standards will ensure future development of the property will be compatible with the character of the adjacent apartment complex and single-family neighborhoods.

In contrast, the industrial building design standards are intentionally relaxed to promote large scale manufacturing and warehouse users. Industrial districts are allowed to incorporate lower quality building materials, such as metal panels or corrugated siding. Architectural elements and design features are not regulated, enabling construction of substantial structures on large lots. In addition, there are also no transparency or articulation requirements.

Industrial building design standards are insufficient in requiring construction to be compatible with the surrounding residential neighborhoods as well as the commercial character of Brady Street. It is staff's opinion that the proposed amendment is not compatible with the established neighborhood character.

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

Staff Response: While the applicant is proposing to develop the property as an outdoor self-storage facility, approval of the request should take into consideration all permitted and special uses within the I-1 Light Industrial District. Industrial districts allow for a variety of manufacturing, fabricating, processing, distributing, and warehousing uses. Development of the property for an industrial use increases the likelihood for noise, traffic, light, or other nuisances that may negatively impact the surrounding residential neighborhood.

It is staff's opinion that the proposed zoning map amendment will not develop in a manner that promotes the public health, safety, and welfare of the City.

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

Staff Response: The property is presently zoned R-MF Multi-Family Residential District. This district allows for a variety of different housing types, including two-family, single-family semidetached, townhomes, and multi-family dwellings. Nonresidential uses include bed and

breakfast, children's home, community center, community garden, day care center, day care home, domestic violence shelter, group home, lodge/meeting hall, neighborhood commercial establishment, place of worship, public park, public safety facility, residential care facility, and wireless telecommunications. The R-MF district enables a wide range of development opportunities that will ensure consistency with the surrounding neighborhood while mitigating incompatible development.

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

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

Staff Response: If rezoned to I-1 Light Industrial District, the vacant 4.48 acre property will be conforming to the district dimensional standards. There are no minimum lot area or width requirements in the I-1 district. Future development will be limited to the maximum building height of 90 feet and subject to the setback requirements.

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

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the April 19, 2022 Plan and Zoning Commission Public Hearing. At this meeting, a neighboring property owner expressed support of the development if Main Street remains a dead end road.

To date, staff has received one written comment in opposition to the rezoning request from an adjacent property owner.

Staff will apprise the Commission of any correspondence at the May 3, 2022 Plan and Zoning Commission meeting.

Recommendation
Staff recommend Case REZ22-02 be forwarded to the City Council with a recommendation for denial.

Findings:

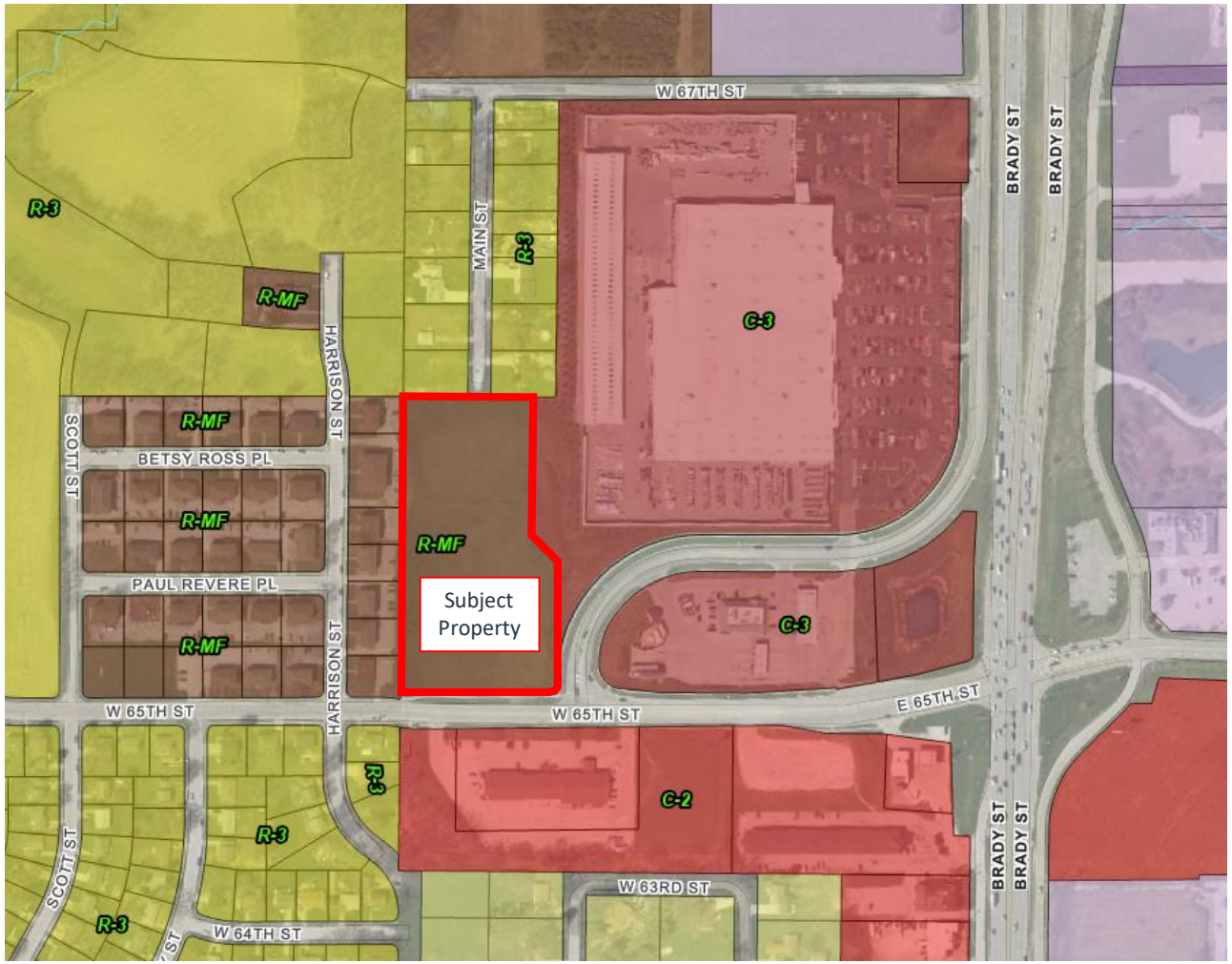
1. The proposed rezoning to I-1 Light Industrial District is inconsistent with the Comprehensive Plan and adopted land use policies, which identifies the site as Residential General. Amending the property to an industrial zoning district is considered spot zoning.
2. The petition is not compatible with the zoning and land uses of nearby property.
3. The rezoning request is not compatible with the established neighborhood character, which includes single-family dwellings, multi-family residential, and commercial uses.
4. The proposed amendment may be detrimental to the public health, safety, and welfare of the City.
5. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Vicinity Map

DAVENPORT
IOWA | USA

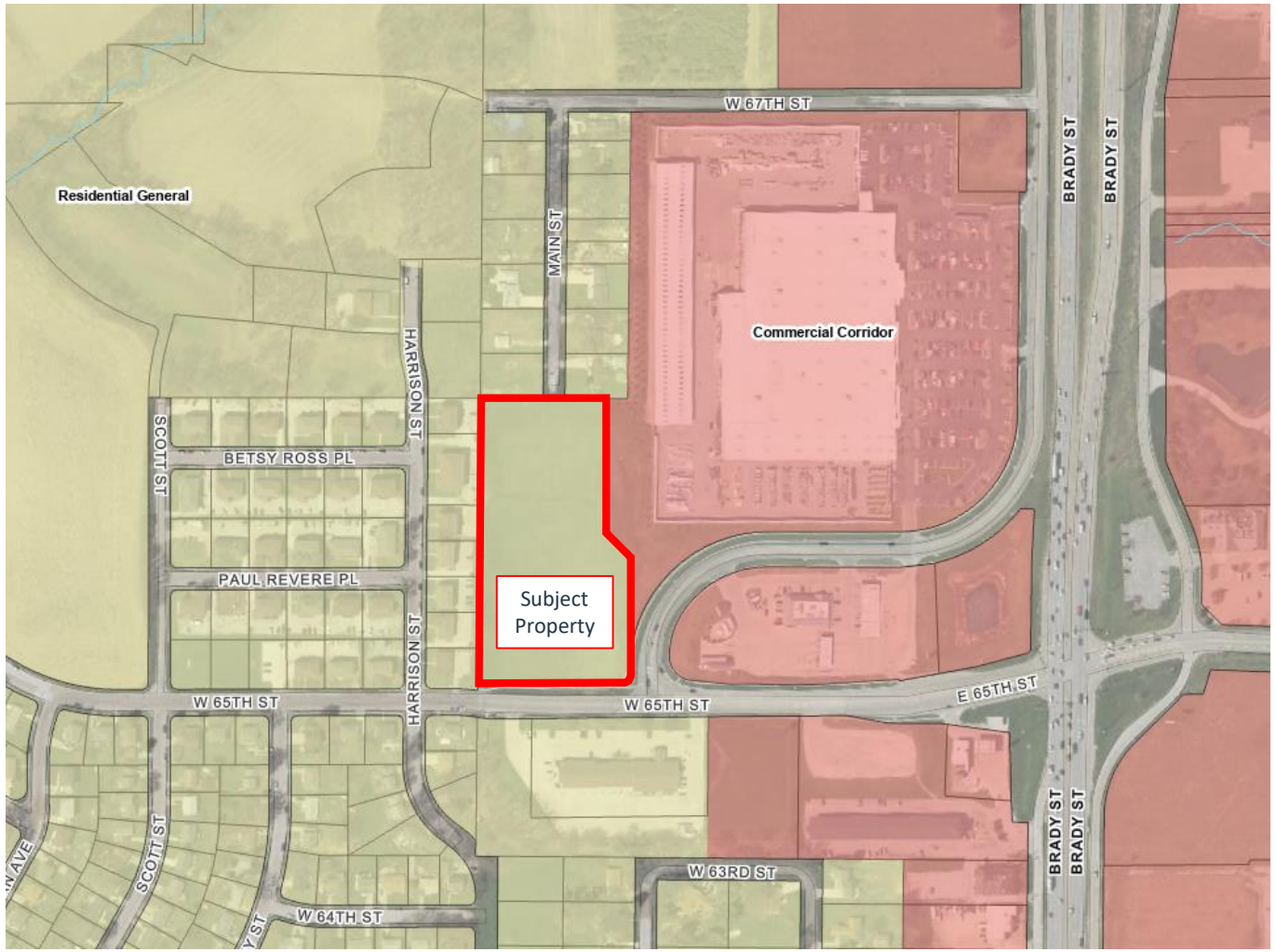
Zoning Map

DAVENPORT
IOWA | USA



Rezone from R-MF Multi-Family Residential District to I-1 Light Industrial District

Future Land Use Map



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:	Tyler Edwards
Company:	Menard, Inc.
Address:	5101 Menard Drive
City/State/Zip:	Eau Claire, WI 54703
Phone:	715-876-2143
Email:	tedwards@menard-inc.com

Owner (if different from Applicant)

Name:	Menard, Inc.
Company:	Same As Applicant
Address:	
City/State/Zip	
Phone:	
Email:	

Engineer (if applicable)

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

Architect (if applicable)

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

Attorney (if applicable)

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 ☐

Zoning Board of Adjustment

- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

Design Review Board

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative

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

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

Request:

Existing Zoning: R-MF

Proposed Zoning Map Amendment: I-1

Purpose of the Request:

Rezoning to allow a Menards Self Storage facility on the vacant land SW of the Menards retail store.

Total Land Area: 4.48 Acres

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

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: [signature] Real Estate Rep Moved Inc. Date: 2/22/22

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

MENARD, INC.

March 11, 2022

RE: Menards Rezoning Request

Dear Ms. Berkley,

Menard, Inc. is submitting a rezoning request for the property southwest of the Menards retail store. That property has been zoned residential for many years and never developed. Menards does not actually want to rezone the property to an industrial district even though that is the request being made. After discussing the project with you and the city staff it seems that rezoning was the only option but not the preferred option on either side. It is still our preference to create a PUD or Special Use overlay district that only allows for storage rather than a blanket industrial zoning. In reality Menards is submitting the application to create a new storage facility on that property.

Menards first purchased the new store property in 2007 and this property was set aside for future development however in that time it has not development and there has been no interested parties in developing it. We do not want the property to stay vacant forever as that does not benefit Menards and it does not benefit the city. Menards has operated self storage facilities for over 10 years on land and in buildings we own. The storage facility operated by Menards in the old store has been a successful operation since it opened and was even expended. The benefits of the Menards self storage business is that they are run by the same people that run the Menards stores. This also allows the ownership of that lot to stay with Menards and a new business to be created.

Menards built storage facilities differently than the completion. All the units at Menards face inside the facility and the exterior is the back of the storage buildings. The elevations are included in this application. The facility is designed to be similar to the look of the Menards store but different in its own way. Branding is very important in 2022 and this accomplishes both of those goals. Please keep in mind Menards has owned and operated a storage facility a mile to the south in the old store location and not only has that facility been 100% full constantly with a waiting list but there have been very few problems associated with that facility.

Self storage is a very good neighbor and is compatible to the residential to the west and north. The average self storage tenant visits their unit once a month which means a smaller commercial use or a residential use sees that same number of trips in a day. Storage also has a smaller footprint as they are smaller single story buildings on the property compared to a multi story residential property. A storage facility uses less lights and they are contained within the facility screened by the wall. There is also no noise associated with storage compared to commercial or residential.

Menards us unable to allow that property to remain vacant forever and this is a use that creates a new business that Menards knows how to run well and it has a low impact on the surrounding properties from the reasons described above. This is a fairly substantial investment being made by Menards on a property that needs to be developed. Please review the application materials and consider any options that Menards can request other than a straight rezoning. We look forward to working with you on

5101 MENARD DRIVE EAU CLAIRE, WI 54703-9625 PHONE (715) 876-5911 FAX (715) 876-2868

MENARD, INC.

another project. If you have any questions as you review the project and the materials please let me know. Thank. You.

Sincerely,
Menard, Inc.

Tyler Edwards
Real Estate Representative
Menard, Inc. 5101 Menard Drive Eau Claire, WI 54703
O: 715.876.2143 C: 715.579.6699 tedwards@menard-inc.com

MENARD, INC.

March 11, 2022

VIA US MAIL

City of Davenport
Attn: Laura Berkley
1200 E 46th Street
Davenport, IA 52807

Re: Menards Self Storage Proposal

Dear Ms. Berkley,

Please find enclosed the self storage proposal summary information.

1. Project Narrative (1 Copy);
2. Rezoning Application (1 Copy);
3. Application Fee (1 Copy);
4. 11x17 Site Plan (3 Copies);
5. 11x17 Elevations (3 Copies);
6. 24x36 Site Plan (3 Copies);
7. 24x26 Elevations (3 Copies);

Please let me know if you need anything else. Thank you.

Sincerely,
Menard, Inc.

Tyler Edwards
Real Estate Representative
Menard, Inc. 5101 Menard Drive Eau Claire, WI 54703
O: 715.876.2143 C: 715.579.6699 tedwards@menard-inc.com

Enclosures

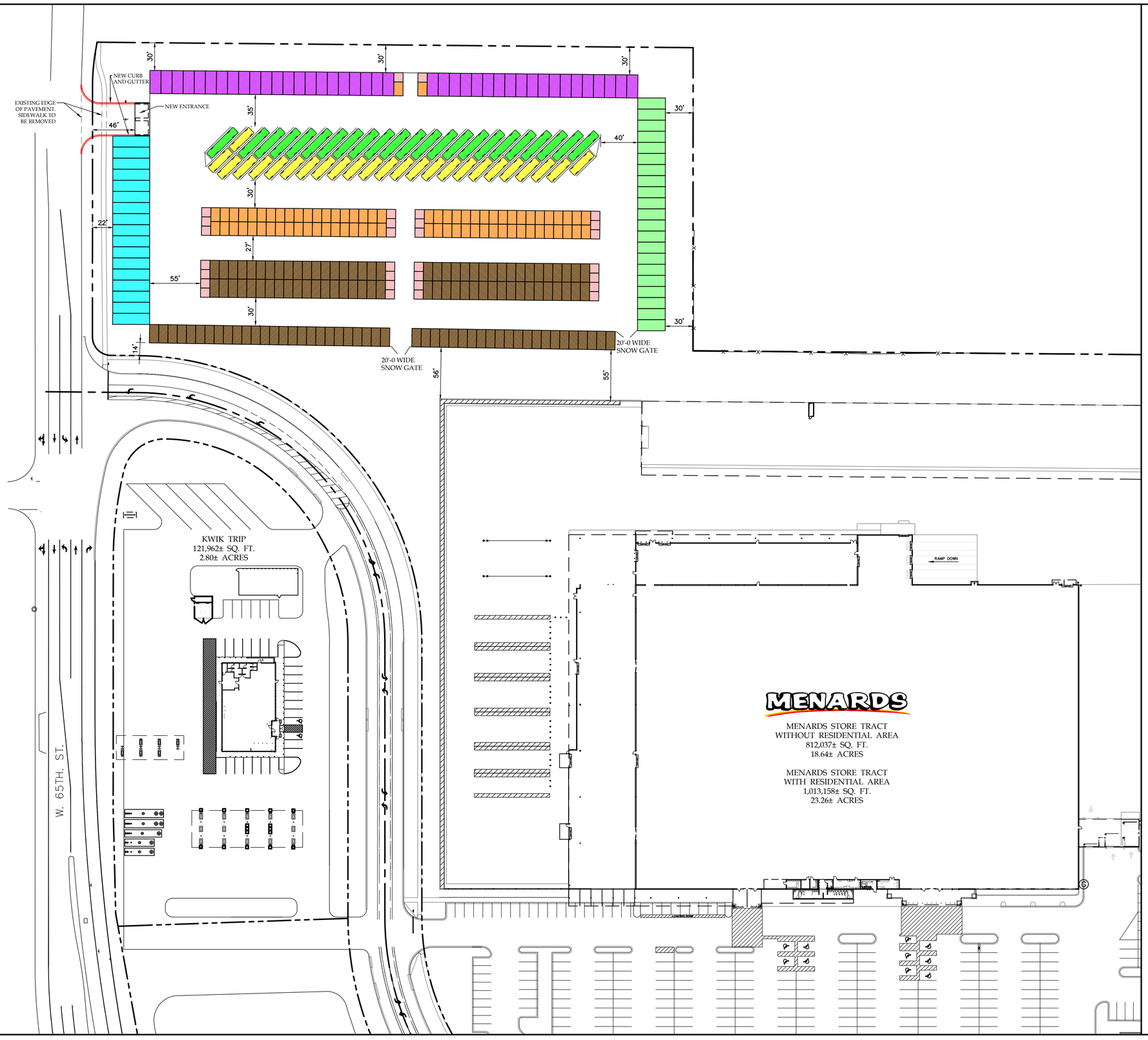
307 CLOSED UNITS

48 VEHICLE PARKING STALLS

TOTAL = 355

STORAGE LOT
194,931 SQ. FT.
4.48± ACRES

OUTDOOR STORAGE	
QTY	UNIT SIZE
30	10'x10' UNIT
76	10'x15' UNIT
122	10'x20' UNIT
41	12'x25' UNIT
21	12'x30' UNIT
17	12'x40' UNIT
25	30' PARKING
23	40' PARKING

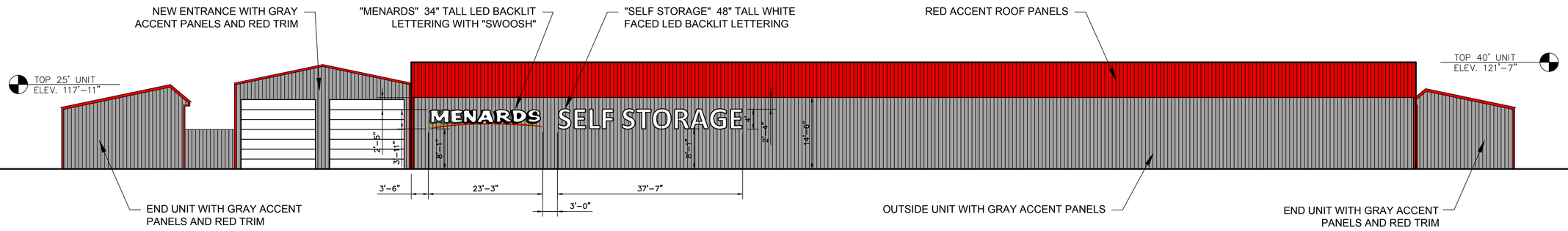


CONTACT INFORMATION
Tyler Edwards
Real Estate Representative
Menard, Inc.
5101 Menard Drive
Eau Claire, Wisconsin 54703
Davenport, Iowa

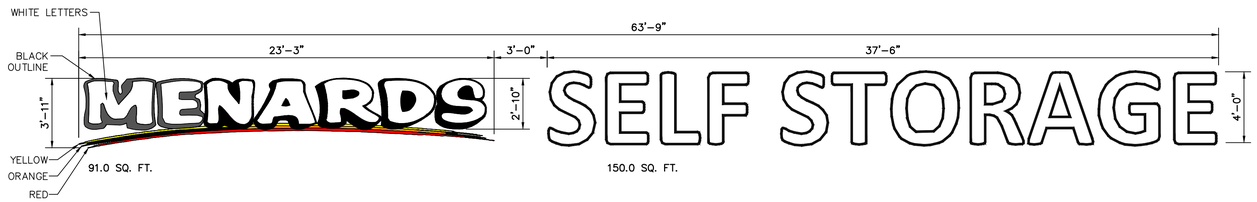
February 28, 2022 *Scale: 1" = 50'-0"*

MENARDS® Self Storage

Davenport, Iowa



SOUTH ELEVATION



NOTES:
1. (1) INTERNALLY LIT INDIVIDUALLY MOUNTED CHANNEL LOGO.
2. LOGO BACK TO BE ROUTED .080" THICK ALUMINUM WITH A 5" REFINISHED BLACK ALUMINUM RETURN.
3. LOGO TO INCLUDE MENARDS UDERSCORE BENEATH THE LETTERING.
4. LOGO FACE TO BE ROUTED .150" THICK WHITE ACRYLIC WITH 1" BLACK JEWELITE TRIM CAP, APPLY 3M HP BLACK VINYL AND 3M PRINTED TRANSLUCENT VINYL UNDERSCORE.
5. LIGHTING TO BE SUPPLIED BY WHITE LEDS 120V POWER SUPPLY AND SWITCH.

NOTES:
1. (1 OF EACH) INTERNALLY LIT INDIVIDUALLY MOUNTED CHANNEL LETTERS.
2. LETTER BACKS TO BE ROUTED .063" THICK ALUMINUM WITH A 5" REFINISHED BLACK ALUMINUM RETURN.
3. LETTER FACES TO BE ROUTED 3/16" THICK WHITE ACRYLIC WITH 1" BLACK JEWELITE TRIM CAP.
4. LIGHTING TO BE SUPPLIED BY WHITE LEDS WITH REMOTE MOUNTED 120V POWER SUPPLY AND SWITCH.

CONTACT INFORMATION
Tyler Edwards
Real Estate Representative
Menard, Inc.
5101 Menard Drive
Eau Claire, Wisconsin 54703
Davenport, Iowa

February 28, 2022 *Scale: 3/32" = 1'-0"*

Dwelling - Multi-Family Residential Design Standards

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

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

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

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

4. The following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
    a. The following building materials are prohibited on any part of any façade:
        i. Plain concrete block
        ii. Plastic
        iii. Exterior insulating finish systems (EIFS)
    b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
        i. Corrugated metal
        ii. Exposed aggregate (rough finish) concrete wall panels
        iii. T-111 composite plywood siding

5. Ancillary buildings and accessory structures to multiple-family dwellings shall meet the following design standards.
    a. Structures shall maintain the character of the multi-family development.
    b. Structures are encouraged to match the pitch of the roof of the principal dwelling.
    c. Structures utilizing metal siding and/or roofing shall have a matte finish (or similar non-glare finish).

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

CHAPTER 17.06. INDUSTRIAL DISTRICTS

Section 17.06.010 Purpose Statements
Section 17.06.020 Uses
Section 17.06.030 Dimensional Standards
Section 17.06.040 Design Standards
Section 17.06.050 General Standards of Applicability

Section 17.06.010 Purpose Statements

A. I-1 Light Industrial Zoning District

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

B. I-2 Heavy Industrial Zoning District

The I-2 Heavy Industrial Zoning District is intended to provide for a variety of general manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in the I-2 District may result in some external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

C. I-MU Industrial Mixed-Use Zoning District

The purpose of the I-MU Industrial Mixed-Use Zoning District is to provide for a mix of light industrial uses, as well as compatible commercial uses such as recreation, entertainment, and retail establishments to promote the reuse of older, character giving structures that may no longer be suitable for their original purposes. The I-MU District may also function as a transition district between the C-D Downtown District and surrounding areas. Higher density residential is also permitted in the I-MU District.

Section 17.06.020 Uses

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

Section 17.06.030 Dimensional Standards

Table 17.06-1: Industrial Districts Dimensional Standards establishes the dimensional standards for the industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 17.02.040 for measurement methodologies.

Table 17.06-1: Industrial Districts Dimensional Standards

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

Section 17.06.040 Design Standards

A. The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure. However, only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling. Table 17.06-2: Industrial Building Design Standards indicates the applicability of building design standards to the industrial districts. A "•" indicates that the standard is applicable in the district indicated. The absence of a "•" indicates that the standard is not applicable.

Table 17.06-2: Industrial Building Design Standards

	I-1	I-2	I-MU
Façade Design			
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.			•
Roof Design			
Green roof, blue roof, and white roof designs are encouraged.	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•
Entrance Design			
Public entrances and primary building elevations must be oriented toward public streets. Main entrances to the buildings must be well defined.			•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.			•
Site Design			
The parking lot must not be the dominant visual element of the site when viewed from the primary roadway.			•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.	•		•

B. In the I-1 and I-MU Districts, the following building materials are limited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a lot in residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

1. Exposed aggregate (rough finish) concrete wall panels
2. T-111 composite plywood siding
3. Plastic
4. Vinyl

Spot Zoning

Spot zoning is when a rezoning decision results in a single parcel, or small island of property, with restrictions on its use different from those imposed on the surrounding property. Spot zoning can be valid if there is a reasonable basis to treat the spot-zoned property differently from the surrounding property. For example, a parcel or two designated as neighborhood commercial in a residential area is perfectly appropriate if it provides needed retail services to residents. However, zoning is not appropriate if it is for the financial benefit of an individual property owner but detrimental to the surrounding area. According to the Iowa courts, the factor of primary importance is whether the rezoned tract has a peculiar adaptability to the new classification as compared to the surrounding property. Spot zoning for the sole benefit of the landowner and contrary to the comprehensive plan is unreasonable.

The case for creating these “spot zones” is best made through the comprehensive planning process, where the community can explain the benefits that such differential treatment brings to the area.

Planning and Zoning Fact Sheet

IOWA STATE UNIVERSITY
Extension and Outreach
Community and Economic Development

Iowa State University Extension and Outreach does not discriminate on the basis of age, disability, ethnicity, gender identity, genetic information, marital status, national origin, pregnancy, race, religion, sex, sexual orientation, socioeconomic status, or status as a US veteran. Direct inquiries to the Diversity Officer, 515-294-1482, extdiversity@iastate.edu.

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Committee of the Whole

Date: 4/6/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located south of Telegraph Road and east of South Utah Avenue (Parcel #S3117-04).

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

Case REZ22-01: Request of Patrick Fennelly to rezone property located south of Telegraph Road and east of South Utah Avenue (The southwest 9.15 acres of Parcel #S3117-04) from S-AG Agricultural District to R-1 Single-Family Residential District. [Ward 1]

At its March 15, 2022 meeting, the Plan and Zoning Commission recommended approval of the aforementioned case with the following findings and condition:

Findings:

1. The proposed rezoning to R-1 Single-Family Residential District is generally consistent with the Comprehensive Plan and adopted land use policies.
2. The petition is compatible with the zoning and land uses of nearby property.
3. The rezoning request is compatible with the established neighborhood character, which includes single-family dwellings, agriculture, and open space.
4. The proposed amendment promotes the public health, safety, and welfare of the City.
5. Rezoning the property to R-1 Single-Family Residential District does not create any nonconformities.

Condition:

1. No more than two R-1 Single-Family Residential lots shall be platted on the 9.15 acre area.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, April 6, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

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

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

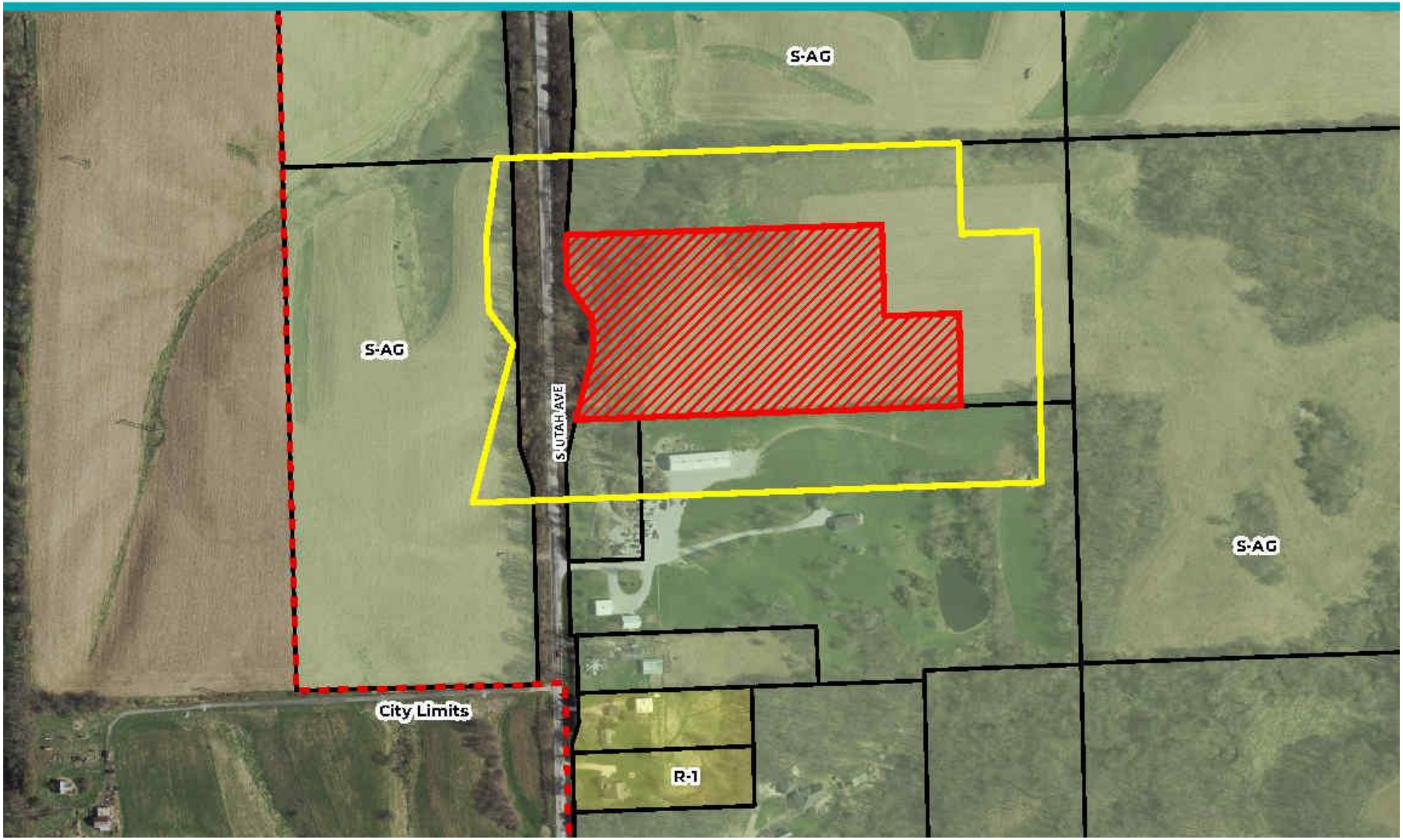
Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Rezoning Request

Case REZ22-01
Rezone from S-AG Agricultural District to R-1 Single-Family Residential District

Subject Property
200' Notification Boundary
0 200 400
Feet



Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807
T | 563.326.6198
E | contactus@davenportiowa.com
davenportiowa.com/DNS

Werderitch, Matt

From: DNSD Info
Sent: Tuesday, April 12, 2022 7:48 AM
To: Planning
Cc: contactus
Subject: FW: [EXT] Rezoning

-----Original Message-----
From: contactus <contactus@davenportiowa.com>
Sent: Monday, April 11, 2022 9:28 AM
To: DNSD Info <dnsd.info@davenportiowa.com>
Cc: contactus <contactus@davenportiowa.com>
Subject: FW: [EXT] Rezoning

Please respond by including only the original eGov request below and copy contactus@davenportiowa.com.
Thank you.

Customer Experience Team
Public Works – Customer Experience Division City of Davenport

T 563-326-7923
1200 E. 46th St., Davenport, IA 52807

davenportiowa.com

-----Original Message-----
From: Karen Lindquist <kklindquist2@gmail.com>
Sent: Sunday, April 10, 2022 7:26 PM
To: contactus <contactus@davenportiowa.com>
Subject: [EXT] Rezoning

I received a letter and map from the Davenport and Neighborhood Service last week. There will be a Public Hearing on 4/19/2022 at 5:00 pm.
I am contacting you to ask you what this will mean to me and my residence. I am very concerned as to what this will do to our community area. We would prefer to have something in the area that is more beneficial to our community. Police or ambulance sub station would be very beneficial. The activity at the Motel 6 is very questionable. Storage area of Menards is no benefit to anyone in our community. Please send my request to whom ever is making these decisions.

Sincerely,

Karen Lindquist
6431 N Harrison St.

Davenport, IA 52806
563-505-2574
kklindquist2 @gmail.com

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **6/8/2022**

Subject:
First Consideration: Ordinance for Case REZ22-03 being the request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

Recommendation:
Adopt the Ordinance.

Background:
The property was rezoned in July of 2018 to PDD. At the time, the rezoning encompassed the entirety of the lot. As part of the City Zoning Code rewrite and zoning map, the city erred when assigning zoning districts as part of that process by utilizing an incorrect legal description. Since the City rezoning action took effect on January 20, 2019, which overwrote the previous action, the City is initiating this request.

The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. A survey of the property has been provided by the applicant delineating the land to be rezoned. The existing residentially zoned portion of the property encompasses the western 100 feet of the site for a total of approximately 1.56 acres.

The purpose of the rezoning request is to place the entirety of the property under a commercial zoning classification. The site is currently vacant and contains a Drainage & Greenway Easement along the northern portion abutting Pheasant Creek.

The applicant is preparing the site for future development that is consistent with the permitted and special uses allowed in the C-3 General Commercial District. At this time there is no intention to construct single-family dwellings. Therefore, rezoning the entirety of the site to a commercial district maximizes the buildable area of the lot.

The Plan & Zoning Commission reviewed Case REZ22-03 at its May 17, 2022 meeting and have recommended approval (8-0) with the following findings:

Findings:

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

A staff report has been attached with a full analysis.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Staff Report
Backup Material	Maps
Backup Material	Application
Backup Material	Legal Description
Backup Material	Lot 2 Deed
Backup Material	Planning and Zoning Commission Public Notice
Backup Material	Committee of the Whole Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	5/23/2022 - 11:07 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ22-03 BEING THE REQUEST OF THE CITY OF DAVENPORT ON BEHALF OF VSM HOLDINGS, LLC TO REZONE THE WEST 100 FEET OF LOT 2 OF PHEASANT RIDGE FIRST ADDITION FROM R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT.

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

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

Part of Lot 2, Pheasant Ridge First Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the northwest corner of said Lot 2, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 142.21 feet along the north line of said Lot 2;

thence South 00°-18'-15" East 631.49 feet to the northeast corner of Lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 100.00 feet along the north line of Lot 2 of said Lakehurst Commercial Park Fifth Addition to the southwest corner of Lot 2 of said Pheasant Ridge First Addition;

thence North 00°-18'-15" West 732.61 feet along the west line of Lot 2 of said Pheasant Ridge First Addition to the point of beginning.

Containing 1.57 acres, more or less, subject to easement of record.

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

Findings:

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

Section 3. At its May 17, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-03 to the City Council with a recommendation for approval with 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 & Zoning Commission-Staff Report
May 17, 2022

Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

Background:
The property was rezoned in July of 2018 to PDD. At the time, the rezoning encompassed the entirety of the lot. As part of the City Zoning Code rewrite and zoning map, the city erred when assigning zoning districts as part of that process by utilizing an incorrect legal description. Since the City rezoning action took effect on January 20, 2019, which overwrote the previous action, the city is initiating this request.

The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. A survey of the property has been provided by the applicant delineating the land to be rezoned. The existing residentially zoned portion of the property encompasses the western 100 feet of the site for a total of approximately 1.56 acres.

The purpose of the rezoning request is to place the entirety of the property under a commercial zoning classification. The site is currently vacant and contains a Drainage & Greenway Easement along the northern portion abutting Pheasant Creek.

Why is a Zoning Map Amendment Required?
The applicant is preparing the site for future development that is consistent with the permitted and special uses allowed in the C-3 General Commercial District. At this time there is no intention to construct single-family dwellings. Therefore, rezoning the entirety of the site to a commercial district maximizes the buildable area of the lot.

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

Future Land Use Designations:
The property is designated Regional Commercial in the Davenport +2035 Land Use Plan.

1. **Regional Commercial (RC) –** Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

Zoning:
The property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District.

1. **R-2 Single-Family Residential District -** This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.
2. **C-3 General Commercial District -** This district is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Technical Review: No comments received.

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

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

Staff Response: The property is designated Regional Commercial (RC) in the Davenport +2035 Land Use Plan. This land use category is intended for more intense commercial uses located along major streets.

The Future Land Use Map identifies Elmore Avenue and the abutting properties as Regional Commercial, with Residential General land uses extending further northwest of this main thoroughfare. The Regional Commercial land use category extends approximately 260 feet west of the subject site. A rezoning from R-2 Single-Family Residential District to C-3 General Commercial District will be more conforming with the adopted comprehensive plan than the status quo.

In considering spot-zoning, courts generally determine whether the zoning relates to the compatibility of the surrounding uses. One of the most important criteria is the extent to which the requested zoning is consistent with the comprehensive plan. Spot zoning is rebutted when the challenged zoning is found to be consistent with present surrounding uses or the comprehensive plan. Given the proximity of C-3 districts along the Elmore Avenue corridor, similar land uses, and consistency with the comprehensive plan, it is staff's opinion this is not spot zoning.

It is staff's opinion that the proposed rezoning to C-3 General Commercial District is consistent with the Comprehensive Plan and adopted land use policies.

b. The compatibility with the zoning of nearby property.

Staff Response: The subject property is currently split zoned, between C-3 General Commercial District abutting Elmore Avenue and R-2 Single-Family Residential District along the west 100 feet of the lot. The original intention was to have the entirety of the property commercially zoned. However, due to a staff mapping error, the zoning district boundary did not encompass the totality of the

site. Given the property's frontage along a major commercial corridor, correcting the mapping error will maintain compatibility with the zoning of nearby property.

The following zoning districts abut the subject property:

- North: C-E Elmore Corners District
- South: C-3 General Commercial District
- East: C-3 General Commercial District
- West: R-2 Single-Family Residential District

The following principal uses abut the 1.56 acre property:

- North: Pheasant Creek and undeveloped commercial property
- South: Retail Goods Establishment, Restaurant, and Financial Institution
- East: Undeveloped commercial property, located on the same lot
- West: Undeveloped residential property

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

c. The compatibility with established neighborhood character.

Staff Response: The proposed C-3 zoning classification promotes higher-intensity commercial development. Davenport's Zoning Ordinance enforces commercial design standards that regulate architectural forms, dimensional elements, high quality building materials, and transparency. Commercial design standards will ensure future development of the property will be compatible with the character of the Elmore Avenue corridor and surrounding retail destinations.

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

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

Staff Response: The property owner is currently marketing the site for commercial development. The C-3 General Commercial District offers a wide variety of permitted and special uses that are consistent with the character of surrounding land uses. Rezoning the western 100 feet to commercial will offer greater flexibility for development.
There is an undeveloped 33.11 acre residential parcel directly west of the subject property. Negative impacts from incompatible land uses will be mitigated through the City's Zoning Ordinance, which requires landscaping buffer yards where commercial development is adjacent to residential land uses.

It is staff's opinion that the proposed zoning map amendment promotes 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: Since the western 100 feet of the subject property is zoned R-2, principal uses are restricted to single-family dwellings and other limited compatible residential uses.

The C-3 district enables a wide range of development opportunities that will ensure consistency with the surrounding area while mitigating incompatible development. If rezoned, the entirety of the site can be utilized for higher density residential and commercial land uses.

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

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

Staff Response: If rezoned to C-3 General Commercial District, the vacant property will be conforming to the district dimensional standards. Future development will be limited to the commercial district dimensional and design standards.

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

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the May 3, 2022 Plan and Zoning Commission Public Hearing. No members of the public spoke at the hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the May 17, 2022 Plan and Zoning Commission meeting.

Recommendation:
Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case REZ22-03 to the City Council with a recommendation for approval.

Findings:

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

Rezoning Request-Vicinity Map

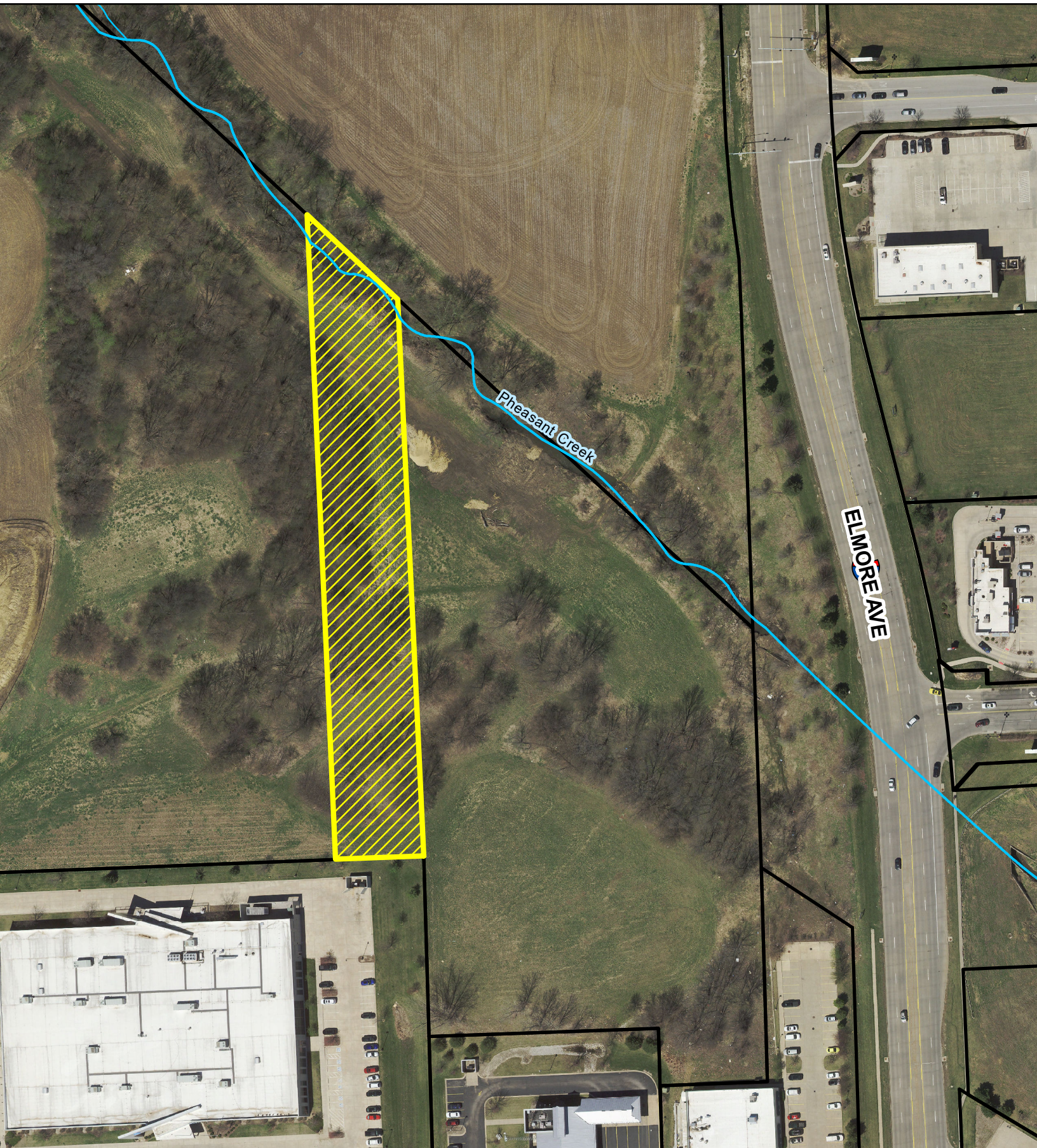
Case REZ22-03

Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

0 125 250

Feet



Rezoning Request

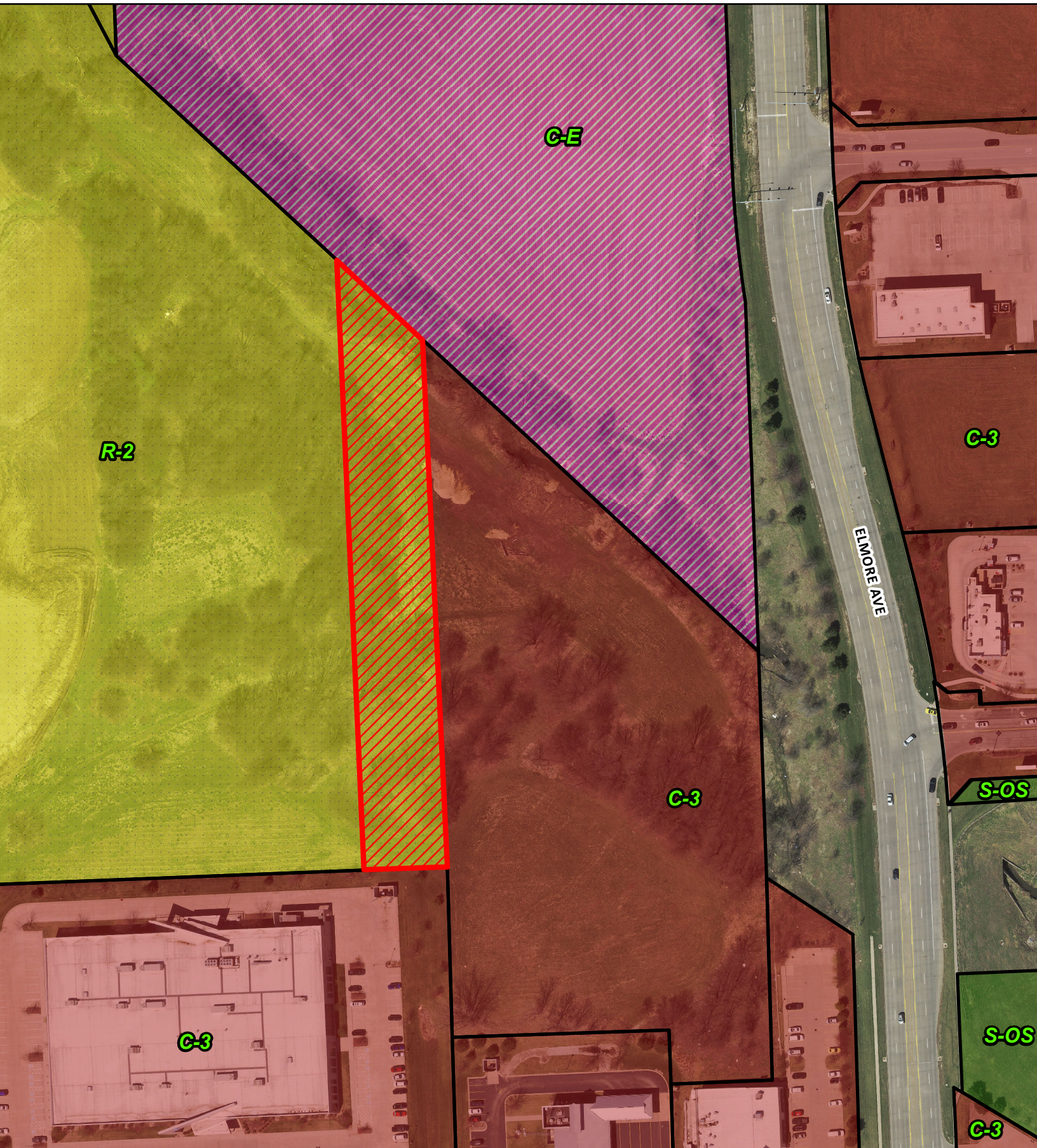
Case REZ22-03

Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

0 125 250

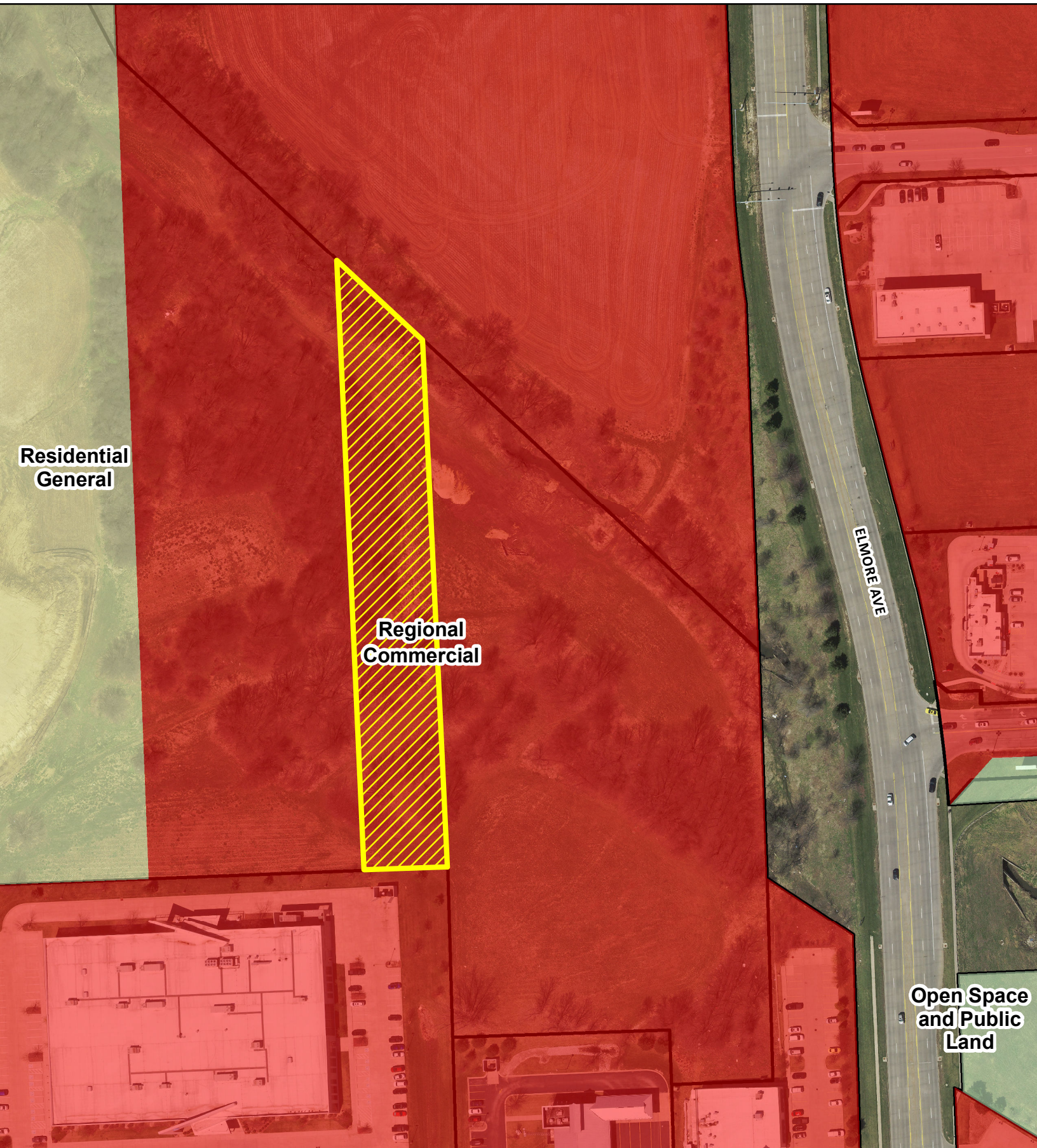
Feet



Rezoning Request-Future Land Use Map

Case REZ22-03

Rezone from R-2 Single-Family Residential District to C-3 General Commercial District



Rezoning Request-FEMA Flood Map

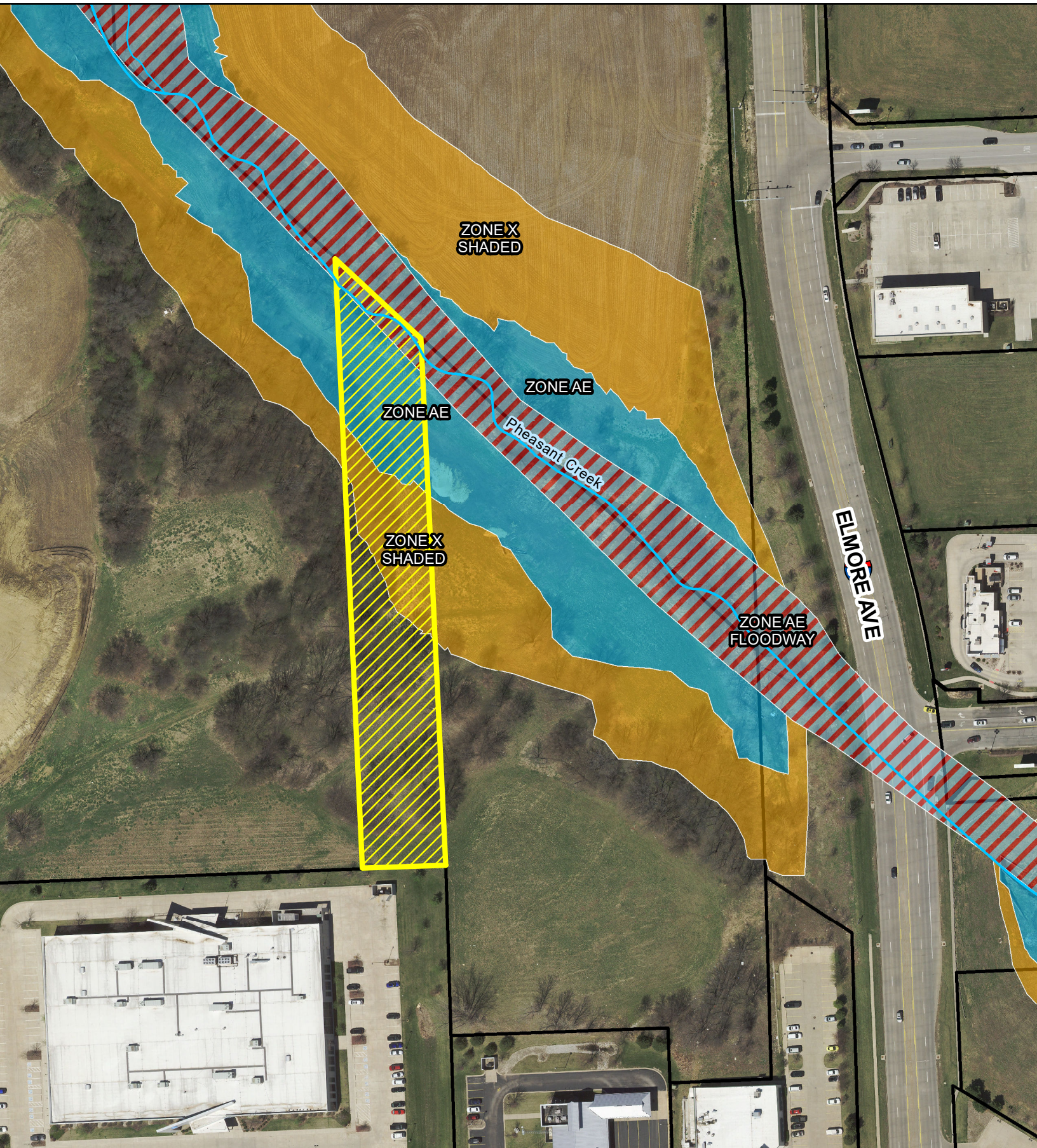
Case REZ22-03

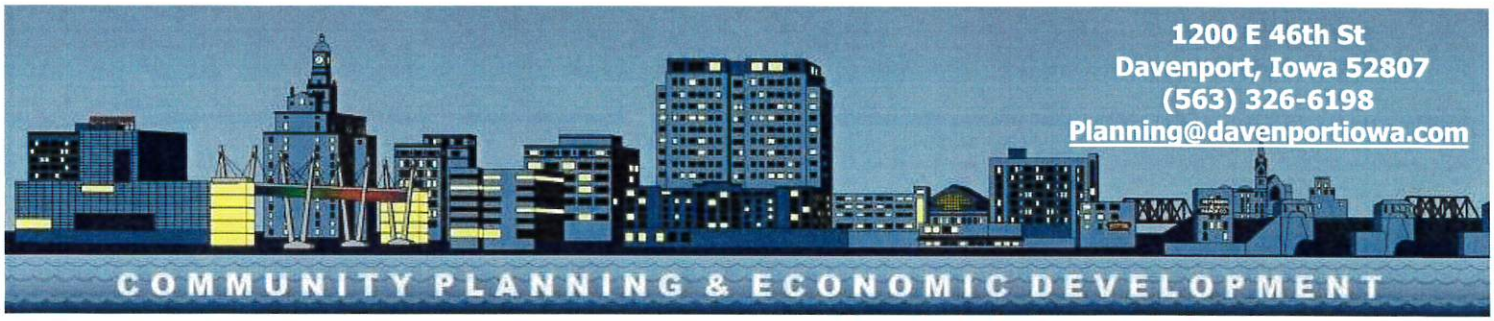
Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

0 125 250

Feet





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

Property Address* See Attached Description

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

Applicant (Primary Contact)**

Name:	Adam Seitz
Company:	VSM Holdings, LLC
Address:	4215 E. 60th Street
City/State/Zip:	Davenport, IA 52807
Phone:	563-359-0309
Email:	adamseitz@advancehomesinc.com

Owner (if different from Applicant)

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

Engineer (if applicable)

Name:	Dave Meyer
Company:	Klingner & Associates
Address:	4111 E. 60th Street
City/State/Zip	Davenport, IA 52807
Phone:	563-359-1348
Email:	dmeyer@klingner.com

Architect (if applicable)

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

Attorney (if applicable)

Name:	Sam Skorepa
Company:	Lane & Waterman
Address:	220 N. Main St. STE 600
City/State/Zip:	Davenport, IA 52801
Phone:	563-324-3246
Email:	sskorepa@l-wlaw.com

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

Application Form Type:

Plan and Zoning Commission

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

Zoning Board of Adjustment

- Zoning Appeal ☐
- Special Use ☐
- Hardship Variance ☐

Design Review Board

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

Historic Preservation Commission

- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative

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

Request:

Existing Zoning: R-2 Single Family Residential

Proposed Zoning Map Amendment: C-3 General Commercial

Purpose of the Request:

To provide a zoning classification on this 100 foot wide strip to match the Zoning on the commercial tract between it and Elmore Avenue to the east.

Total Land Area: 1.57 Acres

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

Submittal Requirements:

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

Formal Procedure:

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

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

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

Formal Procedure (continued):

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

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

Applicant: Adam Seitz Date: 04/06/2022

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

Received by: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

LEGAL DESCRIPTION

PART OF LOT 2, PHEASANT RIDGE FIRST ADDITION

DAVENPORT, IOWA

Part of Lot 2, Pheasant Ridge First Addition to the City of Davenport, Iowa, being more particularly described as follows:

Commencing at the northwest corner of said Lot 2, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence South 44°-59'-10" East 142.21 feet along the north line of said Lot 2;

thence South 00°-18'-15" East 631.49 feet to the northeast corner of Lot 2 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa;

thence South 89°-41'-45" West 100.00 feet along the north line of Lot 2 of said Lakehurst Commercial Park Fifth Addition to the southwest corner of Lot 2 of said Pheasant Ridge First Addition;

thence North 00°-18'-15" West 732.61 feet along the west line of Lot 2 of said Pheasant Ridge First Addition to the point of beginning.

Containing 1.57 acres, more or less, subject to easement of record.

Doc ID: 021546920001 Type: LAN
Recorded: 09/19/2018 at 01:42:35 PM
Fee Amt: $12.00 Page 1 of 1
Scott County Iowa
Rita A. Vargas Recorder
File 2018-00024343

Prepared by &
Return to: Samuel J. Skorepa, Lane & Waterman LLP, 220 N. Main St., Ste. 600, Davenport, IA 52801 (563) 324-3246
Address Tax Statement: A. Jeffrey Seitz, Manager, 4215 E. 60th Street, Davenport, IA 52807

QUIT CLAIM DEED

For the consideration of Ten and no/100---------- Dollar(s) and other valuable consideration, Pheasant Creek Estates, LLC, does hereby Convey to VSM Holdings, LLC, an Iowa limited liability company the following described parcel of real estate in SCOTT County, Iowa:

Lot 2 of the Final Plat of Pheasant Ridge First Addition, an Addition to the City of Davenport, Scott County Iowa

This transfer is exempt from transfer taxes pursuant to Iowa Code Section 428A.2(21).

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: August 28, 2018.

PHEASANT CREEK ESTATES, LLC

A. Jeffrey Seitz, Manager

STATE OF IOWA, SCOTT COUNTY, SS:

On this 28 day of August, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared A. Jeffrey Seitz, Manager of Pheasant Creek Estates, LLC, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same on behalf of the company as its voluntary act and deed.

(Notary Seal) PETER F. MULLARKEY Commission Number 783403 My Commission Expires March 31, 2020

Notary Public in and for said County and State

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Plan and Zoning Commission

Date: 5/3/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:00 PM Subject: Public Hearing for a Rezoning Request before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject property located west of Elmore Avenue and south of Pheasant Creek (The west 100 feet of Parcel #Y0801-03).

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 property is currently split zoned between R-2 Single-Family Residential and C-3 General Commercial District. The purpose of the Rezoning Request is to place the entirety of the property under a commercial zoning classification.

Request/Case Description
Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 3, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 17, 2022. 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

Case REZ22-03

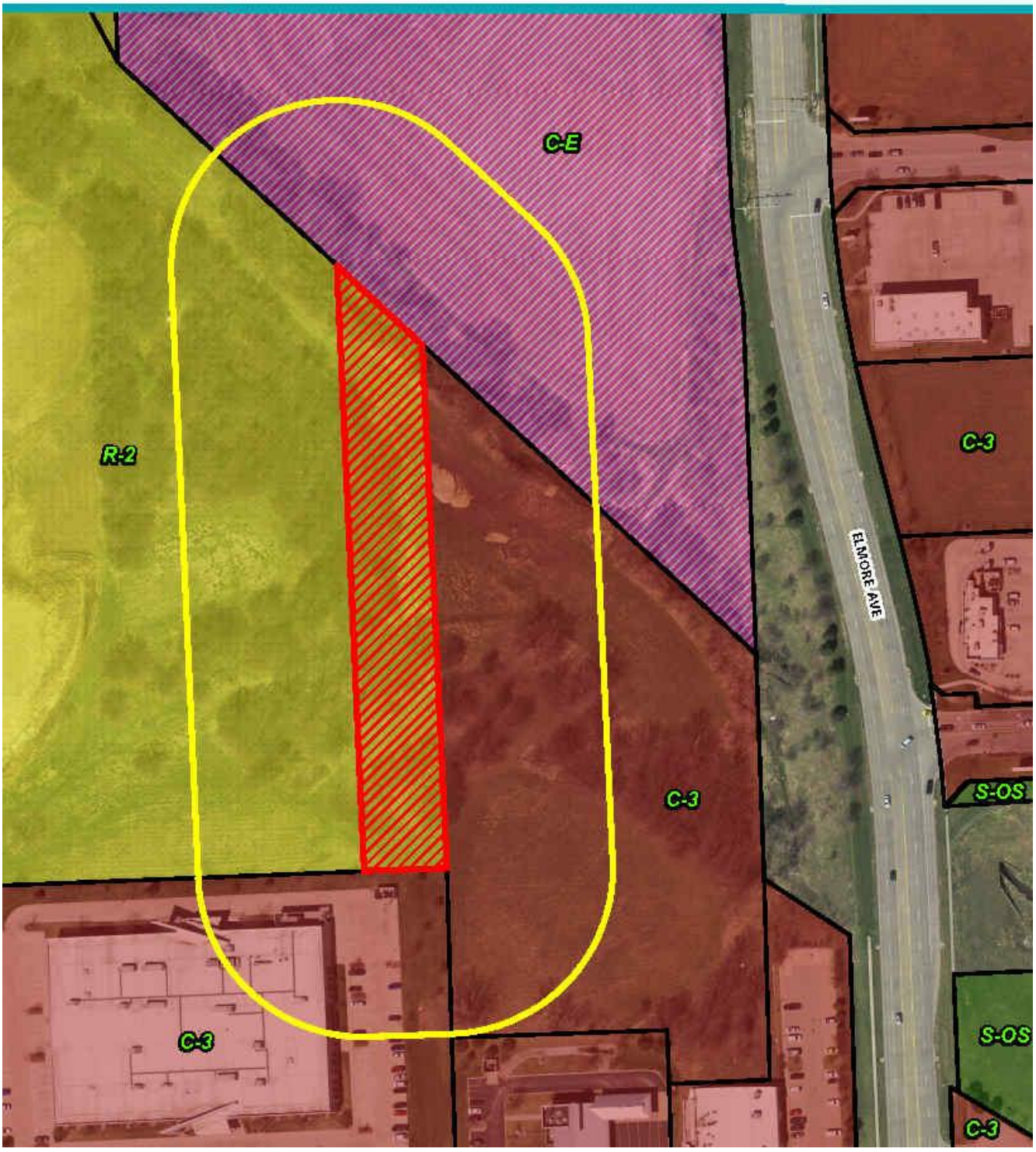
Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

200' Notification Boundary

0 125 250

Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Committee of the Whole

Date: 6/1/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Rezoning Request

To: All property owners within 200 feet of the subject property located west of Elmore Avenue and south of Pheasant Creek (The west 100 feet of Parcel #Y0801-03).

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 property is currently split zoned between R-2 Single-Family Residential and C-3 General Commercial District. The purpose of the Rezoning Request is to place the entirety of the property under a commercial zoning classification.

Request/Case Description
Case REZ22-03: Request of the City of Davenport on behalf of VSM Holdings, LLC to rezone the west 100 feet of Lot 2 of Pheasant Ridge First Addition from R-2 Single-Family Residential District to C-3 General Commercial District. [Ward 6]

At its May 17, 2022 meeting, the Plan and Zoning Commission recommended approval of the aforementioned case with the following findings:

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

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, June 1, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

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

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

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

Rezoning Request

Case REZ22-03

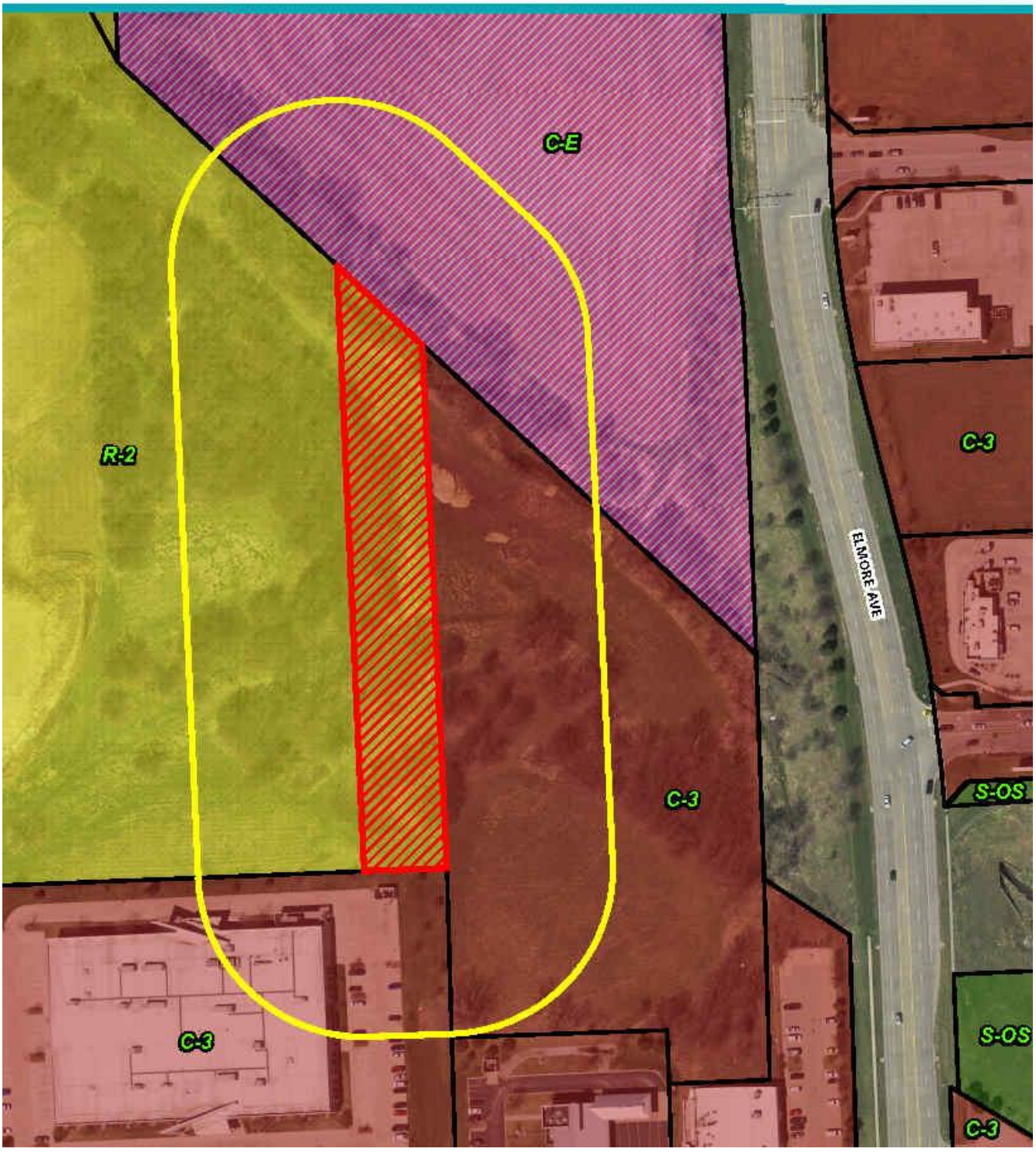
Rezone from R-2 Single-Family Residential District to C-3 General Commercial District

Subject Property

200' Notification Boundary

0 125 250

Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

Department: City Clerk **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **6/8/2022**

Subject:
First Consideration: Ordinance for Case ROW22-03 being the request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

Recommendation:
Adopt the Ordinance.

Background:
The purpose of the right-of-way vacation is to facilitate development of the abutting 7.41 acre commercial property (parcel #Y0801-03) to the west.

A legal description has been submitted by the applicant describing the 21,026 square foot area located along the west boundary of Elmore Avenue, south of Pheasant Creek. The .48 acre tract of land was intentionally stopped at the existing box culvert near the creek on the north side of the property. In addition, the area does not align with the east lot line of 5388 Elmore Circle to the south. The purpose is to provide an additional five feet of public right-of-way to accommodate a future trail expansion.

A portion of the land to be vacated is within the floodplain, which will limit potential development close to Elmore Avenue. However, the vacated right-of-way will better facilitate access to the site and enhance commercial visibility.

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.)

The Plan & Zoning Commission reviewed Case ROW22-03 at its May 17, 2022 meeting and have recommended approval (8-0) with the following condition:

Findings:

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

Condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

A staff report has been attached with a full analysis.

ATTACHMENTS:

Type	Description

Ordinance	Ordinance
Backup Material	Staff Report
Backup Material	Maps
Backup Material	Application
Backup Material	Legal Description
Backup Material	Plan and Zoning Commission Public Notice
Backup Material	Committee of the Whole Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Werderitch, Matt	Approved	5/23/2022 - 11:40 AM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW22-03 BEING THE REQUEST OF VSM HOLDINGS, LLC TO VACATE UNIMPROVED RIGHT-OF-WAY WEST OF ELMORE AVENUE AND SOUTH OF PHEASANT CREEK.

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:

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot

2; thence South 44°-59'-10" East 128.78 feet;

thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet;

thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1;

thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning.

Containing 21,026 square feet, more or less.

Section 2. The vacation (abandonment) is subject to the following condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport
Plan & Zoning Commission-Staff Report
May 17, 2022

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

Background:
The purpose of the right-of-way vacation is to facilitate development of the abutting 7.41 acre commercial property (parcel #Y0801-03) to the west.

A legal description has been submitted by the applicant describing the 21,026 square foot area located along the west boundary of Elmore Avenue, south of Pheasant Creek. The .48 acre tract of land was intentionally stopped at the existing box culvert near the creek on the north side of the property. In addition, the area does not align with the east lot line of 5388 Elmore Circle to the south. The purpose is to provide an additional five feet of public right-of-way to accommodate a future trail expansion.

A portion of the land to be vacated is within the floodplain, which will limit potential development close to Elmore Avenue. However, the vacated right-of-way will better facilitate access to the site and enhance commercial visibility.

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 property is designated Regional Commercial in the Davenport +2035 Land Use Plan.

1. **Regional Commercial (RC) –** Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

Abutting Zoning:
The abutting property is currently split zoned between R-2 Single-Family Residential District and C-3 General Commercial District. The eastern portion of the property, immediately adjacent to Elmore Avenue, is commercially zoned.

1. **R-2 Single-Family Residential District -** This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-

residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.

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

Technical Review:

- **Streets:** The City of Davenport has no intention of widening Elmore Avenue within the subject right-of-way. The proposed right-of-way vacation does not align with the east property line of 5388 Elmore Circle. The intention is to leave a wider right-of-way for a future trail expansion along the west side of Elmore Avenue.
- **Storm Water:** Future development of the property will need to comply with the City's stormwater requirements. The existing right-of-way vacation stops south of the Pheasant Creek box culvert.
- **Sanitary Sewer:** Existing sanitary sewer existing north of Pheasant Creek. There is no existing infrastructure within the proposed right-of-way vacation.
- **Engineering:** The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the

May 3, 2022 Plan and Zoning Commission Public Hearing. No members of the public spoke at the hearing.

To date, staff has not received any responses from adjacent property owners.

Staff will apprise the Commission of any correspondence at the May 17, 2022 Plan and Zoning Commission meeting.

Recommendation:
Staff recommends the City Plan and Zoning Commission accept the listed findings to vacate the unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek in Case ROW22-03 to the City Council with a recommendation for approval, subject to the following condition.

Findings:

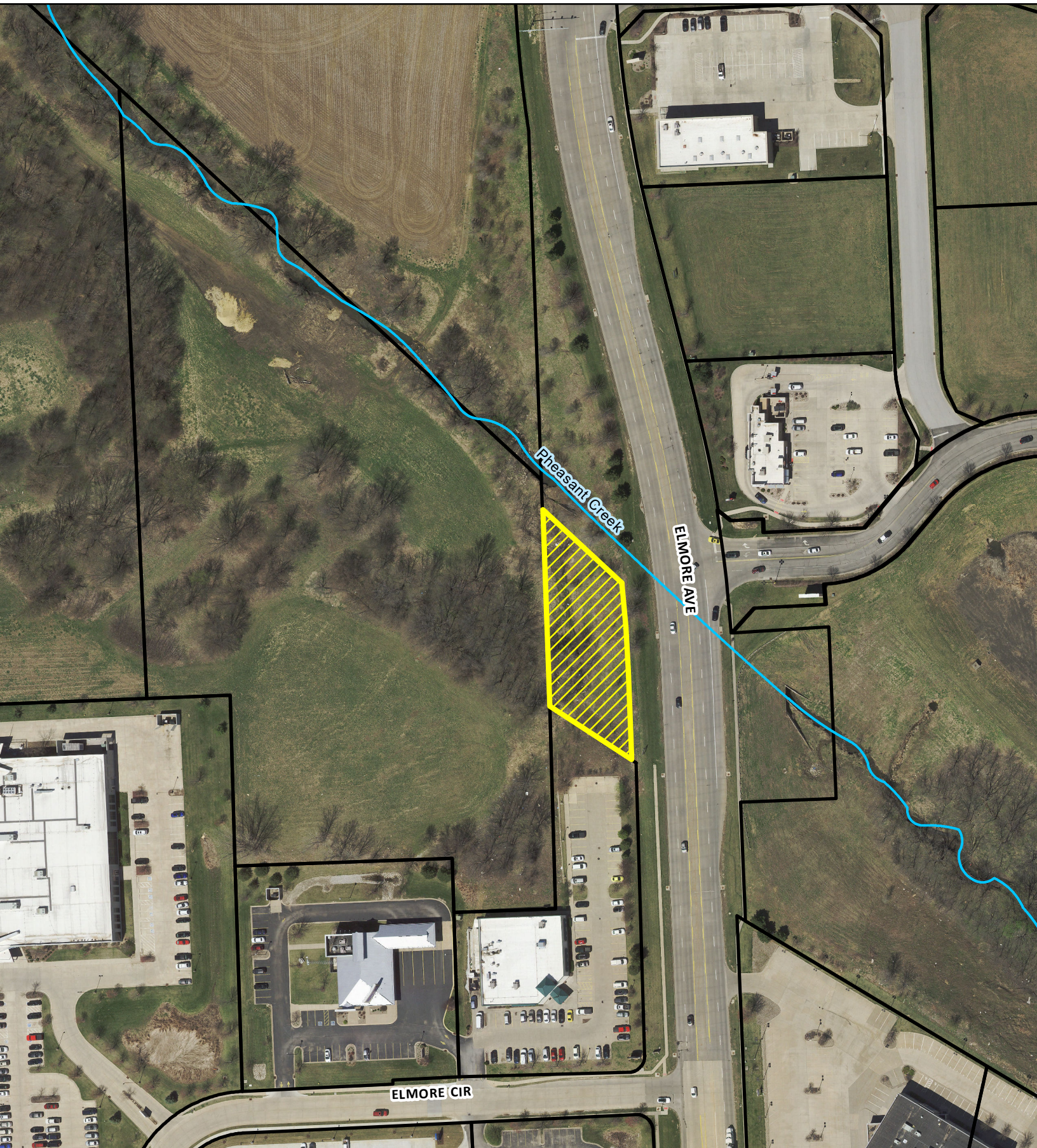
1. The unimproved public right-of-way is not required for city purposes.
2. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Condition:

1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

Right-Of-Way Vacation

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

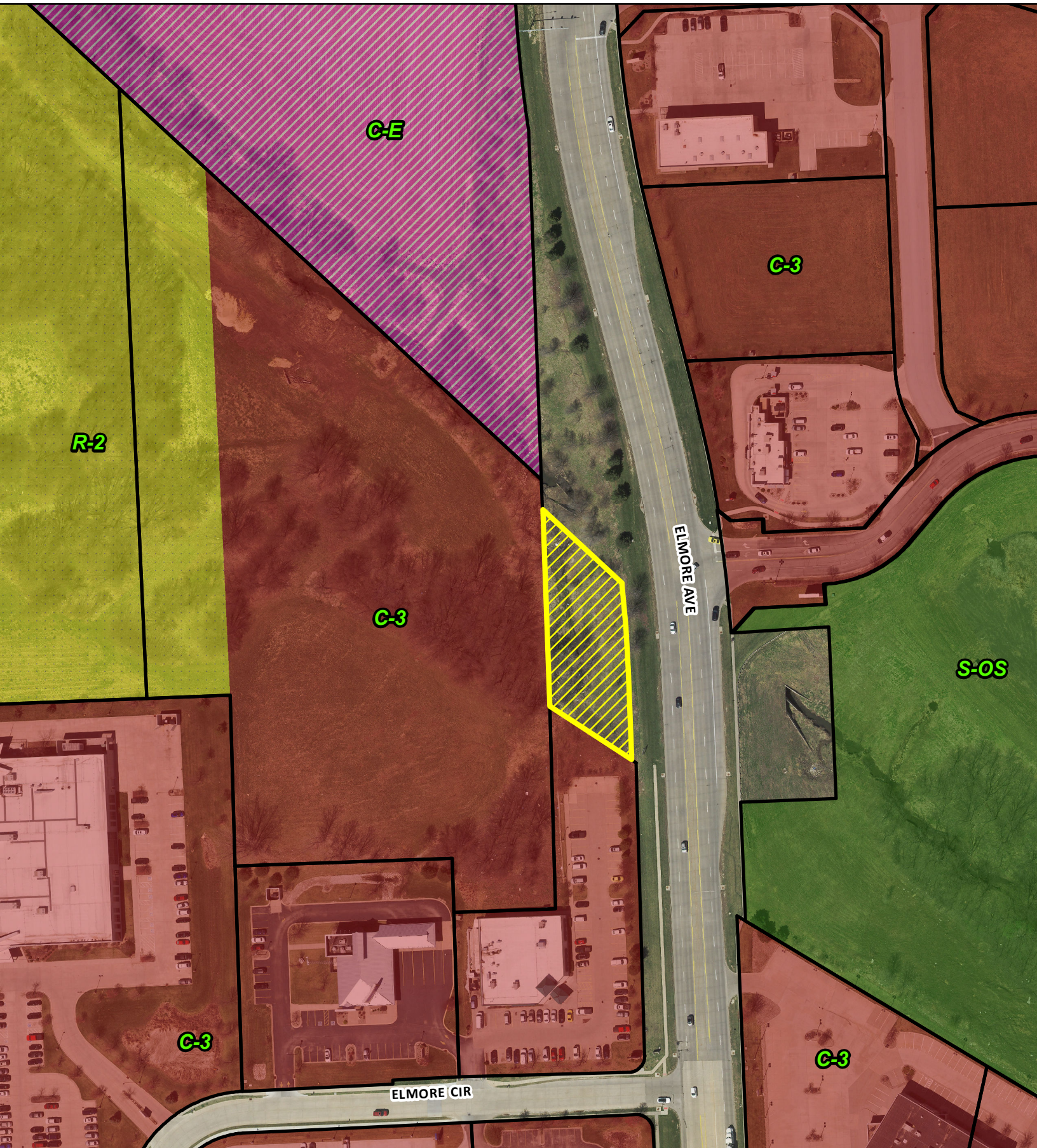


Right-Of-Way Vacation-Zoning Map

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

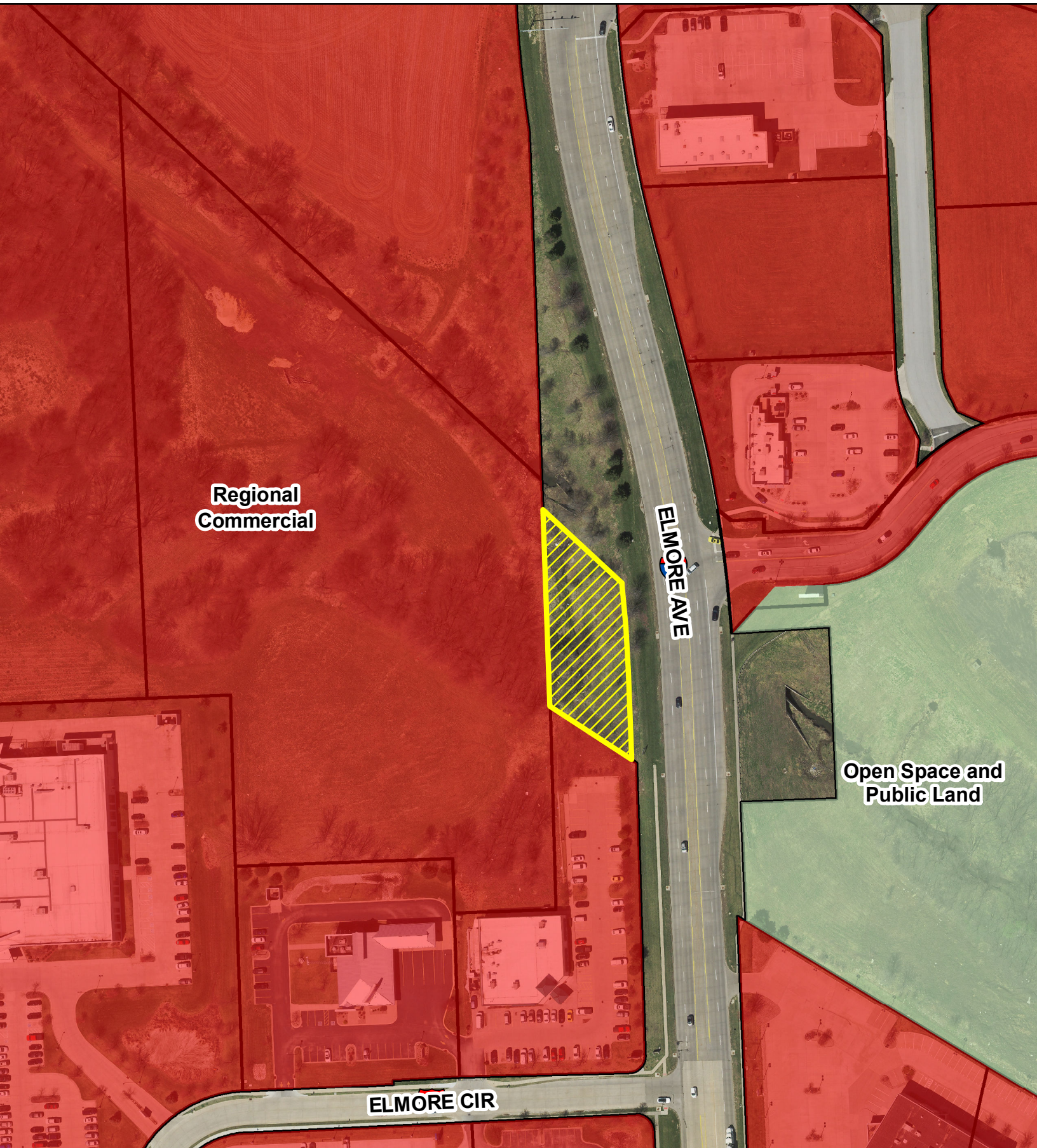
ROW Vacation

0 125 250
Feet



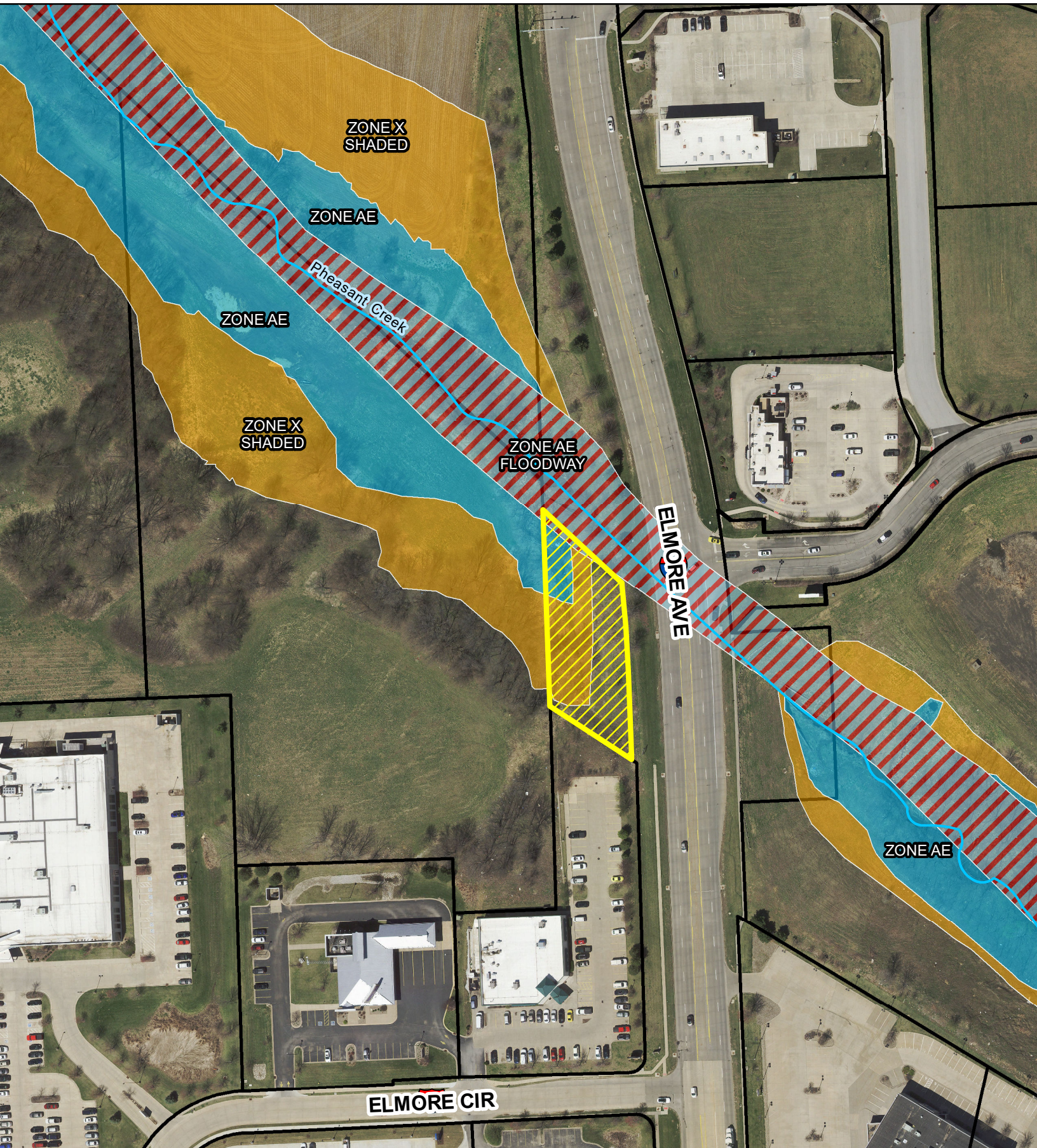
Right-Of-Way Vacation-Future Land Use Map

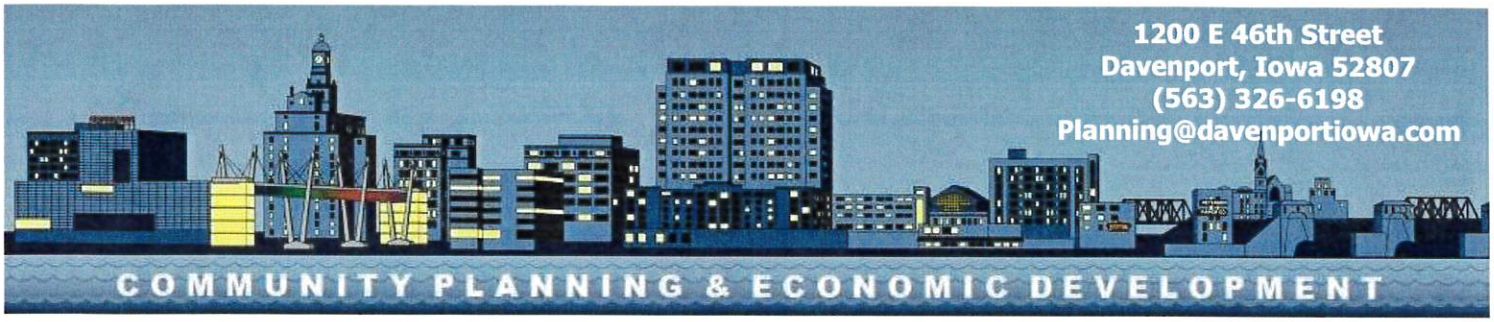
Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]



Right-Of-Way Vacation-FEMA Flood Map

Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]





Complete application can be emailed to planning@davenportiowa.com

Property Address* See Attached Description
***If no property address, please submit a legal description of the property.**

Applicant (Primary Contact)

Name:	Adam Seitz
Company:	VSM Holdings, LLC
Address:	4215 E. 60th Street
City/State/Zip:	Davenport, IA 52807
Phone:	563-359-0309
Email:	adamseitz@advancehomesinc.com

Owner (if different from Applicant)

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

Engineer (if applicable)

Name:	Dave Meyer
Company:	Klingner & Associates
Address:	4111 E. 60th Street
City/State/Zip	Davenport, IA 52807
Phone:	563-359-1348
Email:	dmeyer@klingner.com

Architect (if applicable)

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

Attorney (if applicable)

Name:	Sam Skorepa
Company:	Lane & Waterman
Address:	220 N. Main St. STE 600
City/State/Zip:	Davenport, IA 52801
Phone:	563-324-3246
Email:	sskorepa@l-wlaw.com

Application Form Type:

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

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

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

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

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

Request:

Please consider vacating right of way on Elmore Ave. to gain access for a commercial lot Development.

Total Land Area: 21,026 Square Feet

Submittal Requirements:

- The completed application form.
- Required fee: $400.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

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

(2) Public Notice for the Plan and Zoning Commission public hearing:
- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, 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.

(4) City Council's consideration of the right-of-way or easement vacation:
- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: Adam Seitz Date: 04/06/2022

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

Received by: Date:

Planning staff

Date of the Public Hearing:

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

LEGAL DESCRIPTION

PART OF THE ELMORE AVENUE RIGHT OF WAY

DAVENPORT, IOWA

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot 2;

thence South 44°-59'-10" East 128.78 feet;

thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet;

thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1;

thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning.

Containing 21,026 square feet, more or less.

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 5/3/2022
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation Before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject public right-of-way located west of Elmore Avenue and south of Pheasant Creek.

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate unimproved public right-of-way. The purpose of the vacation request is to facilitate development of the abutting 7.41 acre commercial property (Parcel #Y0801-03) to the west.

Request/Case Description
Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

What are the Next Steps after the Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 3, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on May 17, 2022. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

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

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

Do You Have Any Questions?
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (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

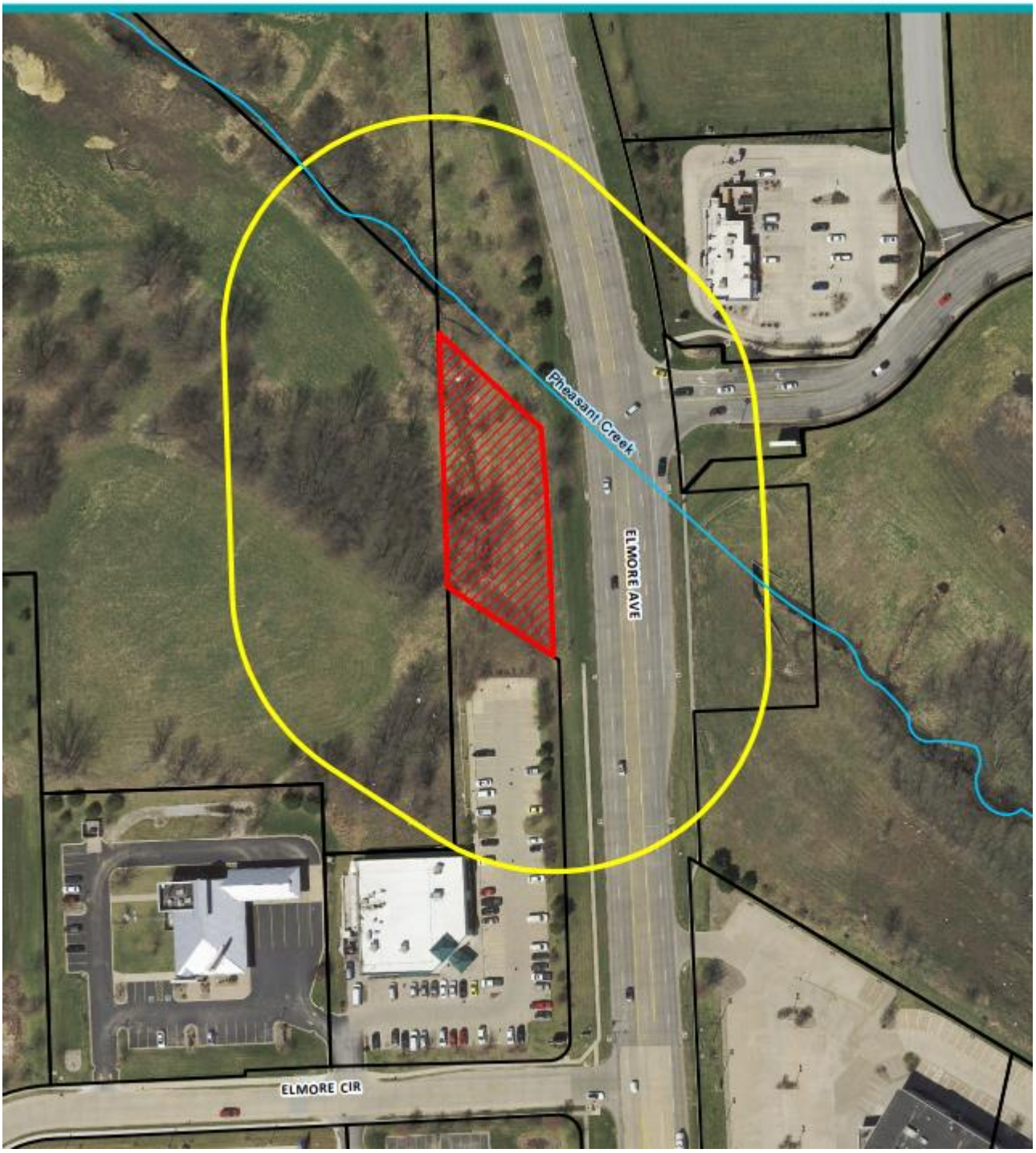
Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

THE CITY OF DAVENPORT
IOWA | USA

ROW Vacation
200' Mailing Radius
Case ROW22-03

ROW Vacation
200' Notification Boundary

0 100 200
Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

PUBLIC HEARING NOTICE | Committee of the Whole

Date: 6/1/2022 Location: Council Chambers | City Hall | 226 W. 4th ST.
Time: 5:30 PM Subject: Public Hearing for a Right-Of-Way Vacation

To: All property owners within 200 feet of the subject public right-of-way located west of Elmore Avenue and south of Pheasant Creek.

What is this About?
This notice is being sent to inform you that a public hearing will be held for a request to vacate unimproved public right-of-way. The purpose of the vacation request is to facilitate development of the abutting 7.41 acre commercial property (Parcel #Y0801-03) to the west.

Request/Case Description
Case ROW22-03: Request of VSM Holdings, LLC to vacate unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek. [Ward 6]

At its May 17, 2022 meeting, the Plan and Zoning Commission recommended approval of the aforementioned case, subject to the following condition:

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

Condition:
1. The vacation and subsequent land acquisition are to include easements as applicable for storm sewer, sanitary sewer, floodplain, and drainage.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, June 1, 2022 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

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

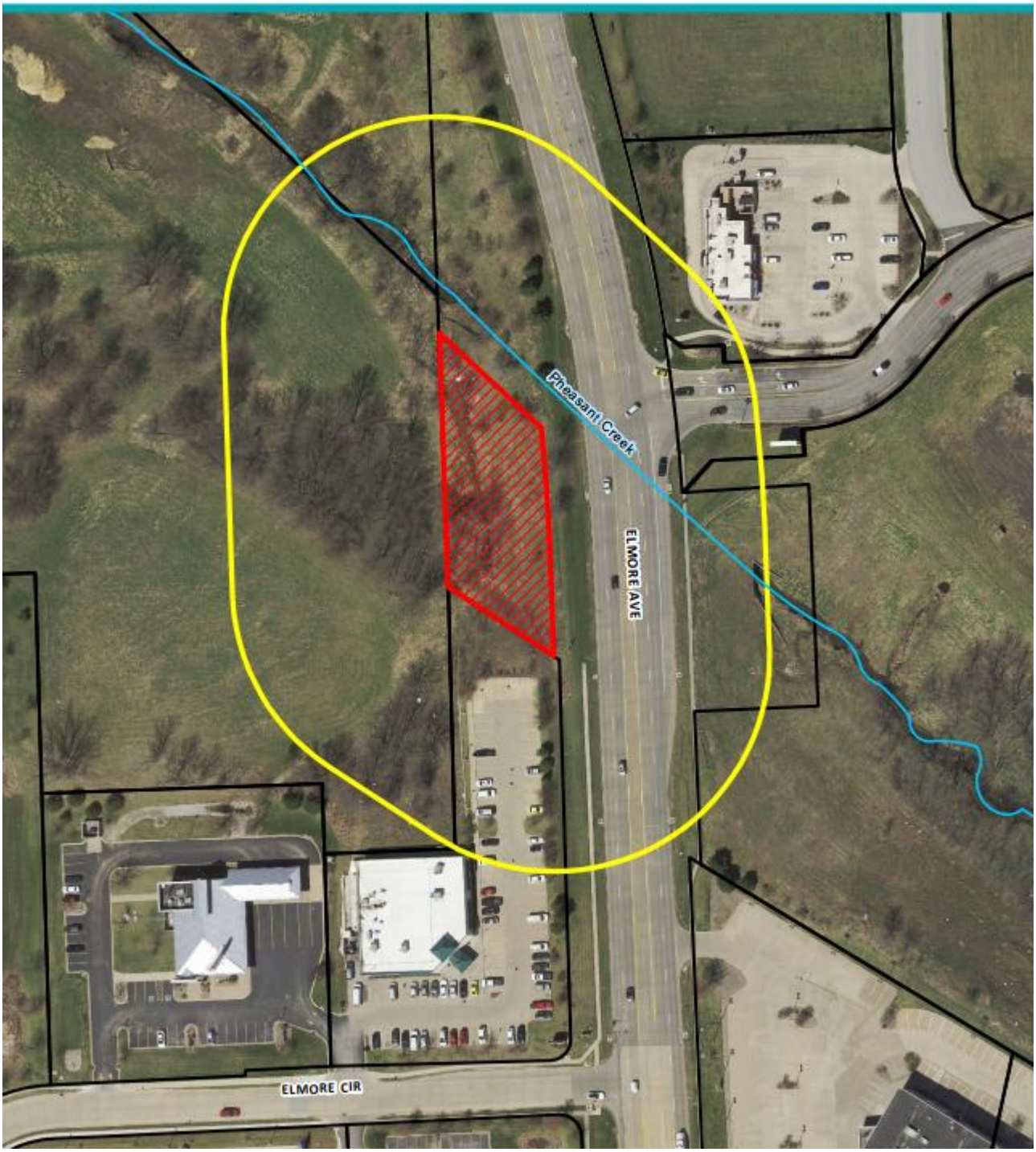
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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

THE CITY OF DAVENPORT
IOWA | USA

ROW Vacation
200' Mailing Radius
Case ROW22-03

ROW Vacation
200' Notification Boundary
0 100 200
Feet



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

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

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

Action / Date
6/8/2022

Subject:
Resolution setting a Public Hearing on the proposed conveyance of the vacated public right-of-way known as a portion of the alleyway in Block 1 of A.M. Cooks Addition lying between Boies Avenue and Rockingham Road (The Overland Group, Petitioner). [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
The Overland Group (Dollar General) is interested in acquiring this vacated public right-of-way so it may be incorporated into its development of a portion of Block 1 of A.M. Cooks Addition as a new Dollar General store.

Adoption of this Resolution would set the Public Hearing for June 15, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in Council Chambers at Davenport City Hall, 226 West 4th Street.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	5/27/2022 - 11:39 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing on the proposed conveyance of vacated public right-of-way known as a portion of the alleyway in Block 1 of A.M. Cooks Addition lying between Boies Avenue and Rockingham Road (The Overland Group, Petitioner).

WHEREAS, the City of Davenport currently owns the vacated public right of way known as the East-West alleyway in Block 1 of A.M. Cooks Addition lying between Boies Avenue and Rockingham Road, legally described as:

> Commencing at the Southwest Corner of Lot 10 of Block 1 of A.M. Cooks Addition to Davenport, Iowa, in accordance with the plat thereof recorded in deed book 92 at page 323 of the records of the Scott County Recorder's Office; thence N57°00'30"E, along the south line of said Lot 10, a distance of 27.46 feet, to the point of beginning; thence continuing N57°00'30"E, 176.30 feet, to a point on the westerly right-of-way line of the Canadian Pacific DME Railroad; thence S71°13'09"E, along said westerly right-of-way line, 24.33 feet; thence S53°19'36"W, 162.87 feet; thence S66°39'30"W, 29.23 feet; thence N32°59'30"W, 24.67 feet, to the point of beginning. Said public alley vacation contains 4,593 square feet more or less and is subject to easements and restrictions of record; and

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

WHEREAS, The Overland Group has offered to acquire said property; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport that a Public Hearing on the proposed conveyance of vacated public right-of-way known square

feet, more or less, as legally described above will be held on June 15, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **6/8/2022**

Subject:
Resolution approving a HOME-funded development agreement for the construction of three single-family homes in the 800 block of East 6th Street (Habitat for Humanity QC, Petitioner). [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Each year, the U.S. Department of Housing and Urban Development (HUD) allocates HOME investment Partnership (HOME) funding to the City. HOME funds have to be spent on housing projects/activities that benefit households at or below certain income levels and must be allocated on an ongoing basis or be repaid to HUD.

Habitat for Humanity QC is proposing to construct three single-family homes to be built on parcels owned by Habitat for Humanity on East 6th Street which would be sold to income-eligible households.

Each house will be approximately 1,100 square feet and contain three bedrooms. The total amount of proposed HOME assistance for the three houses would be $308,781 to assist with a financing gap. Eligible households are required to have an income at 80% of Median Family Income, which is approximately $42,250 for a single person and $60,300 for a household of four.

Pending approval of the final underwriting for financial, environmental review and availability of funds, approval would authorize staff to execute the appropriate documents to commit the above sources of funding. The developer anticipates beginning site work by July 2022 and hopes to be complete by October 2023.

ATTACHMENTS:

	Type	Description
🗋	Cover Memo	Resolution
🗋	Cover Memo	House Plans

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/26/2022 - 9:39 AM

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a HOME-funded development agreement for the construction of three single-family homes in the 800 block of East 6th Street (Habitat for Humanity QC, petitioner).

WHEREAS, the developer has proposed HOME funding from the U.S. Department of Housing and Urban Development (HUD) to assist with the new construction of three single-family homes (parcels F0051-44, F0051-43, and F0052-37A);

WHEREAS, the City has available HOME funds that must be obligated for eligible Affordable housing purposes; and

WHEREAS, the Developer has applied for a $308,781 loan in HOME funding from the City to bridge a gap in the project financing; and

WHEREAS, the project will need to meet final program and financial requirements.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that contingent upon the aforementioned items, the Development Agreement for this project is approved, subject to Federal Regulations, City ordinances and the building permit process.

Approved:

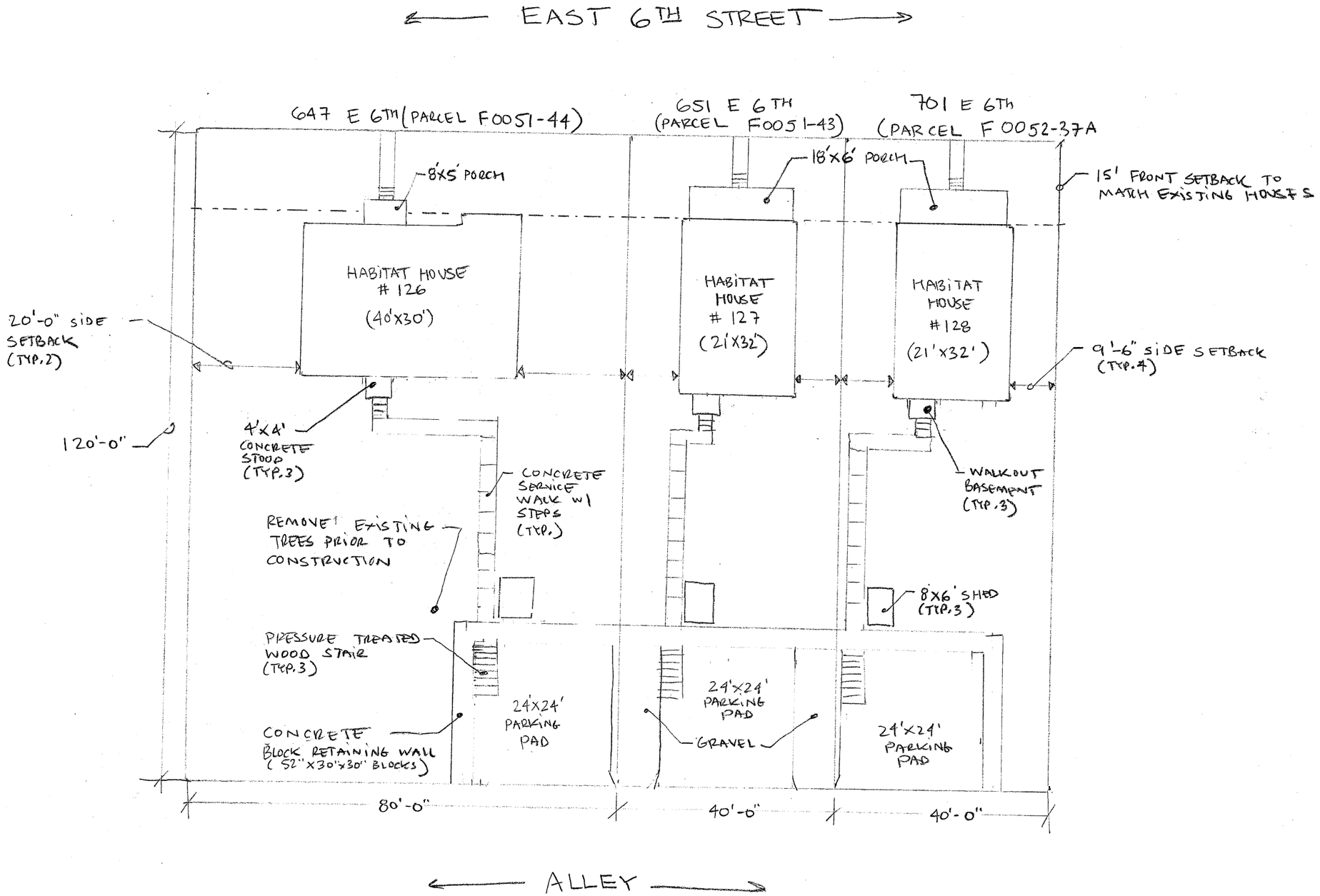
_____

Michael J. Matson, Mayor

Attest:

_____

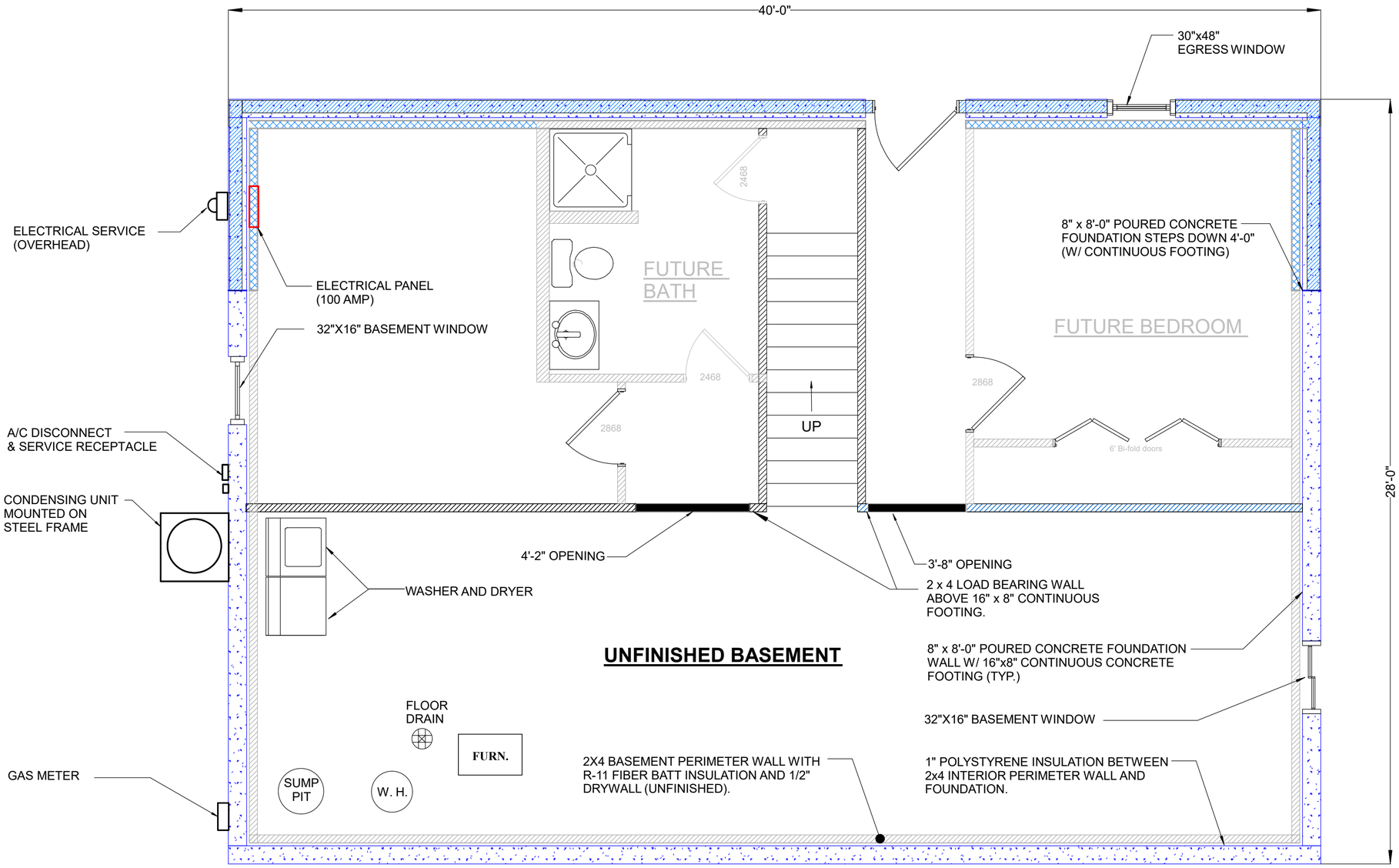
Brian Krup, Deputy City Clerk



HABITAT FOR HUMANITY QC 2022/23 - SITE PLAN

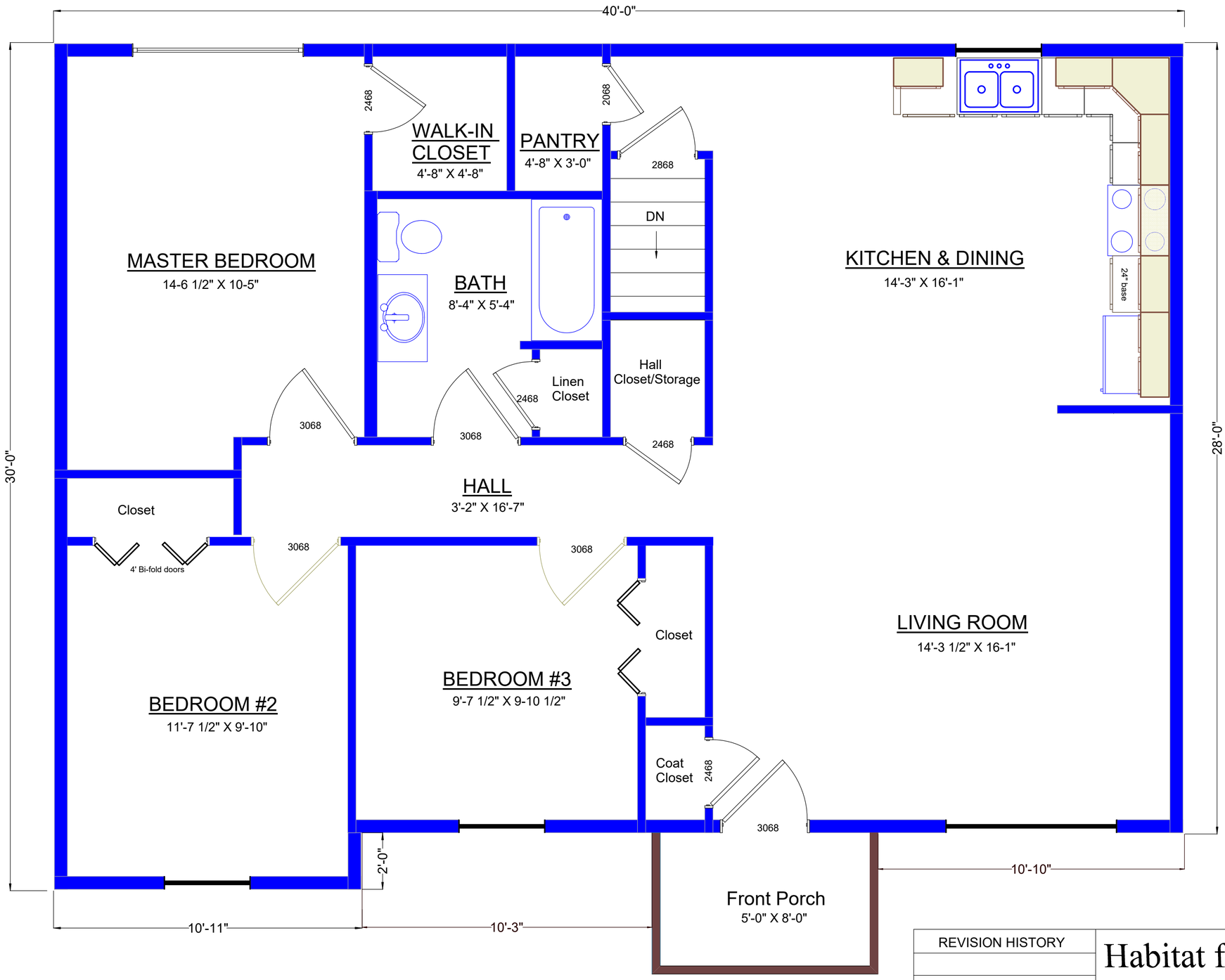
SCALE: 1" = 20'-0"

NORTH



BASEMENT FLOOR PLAN

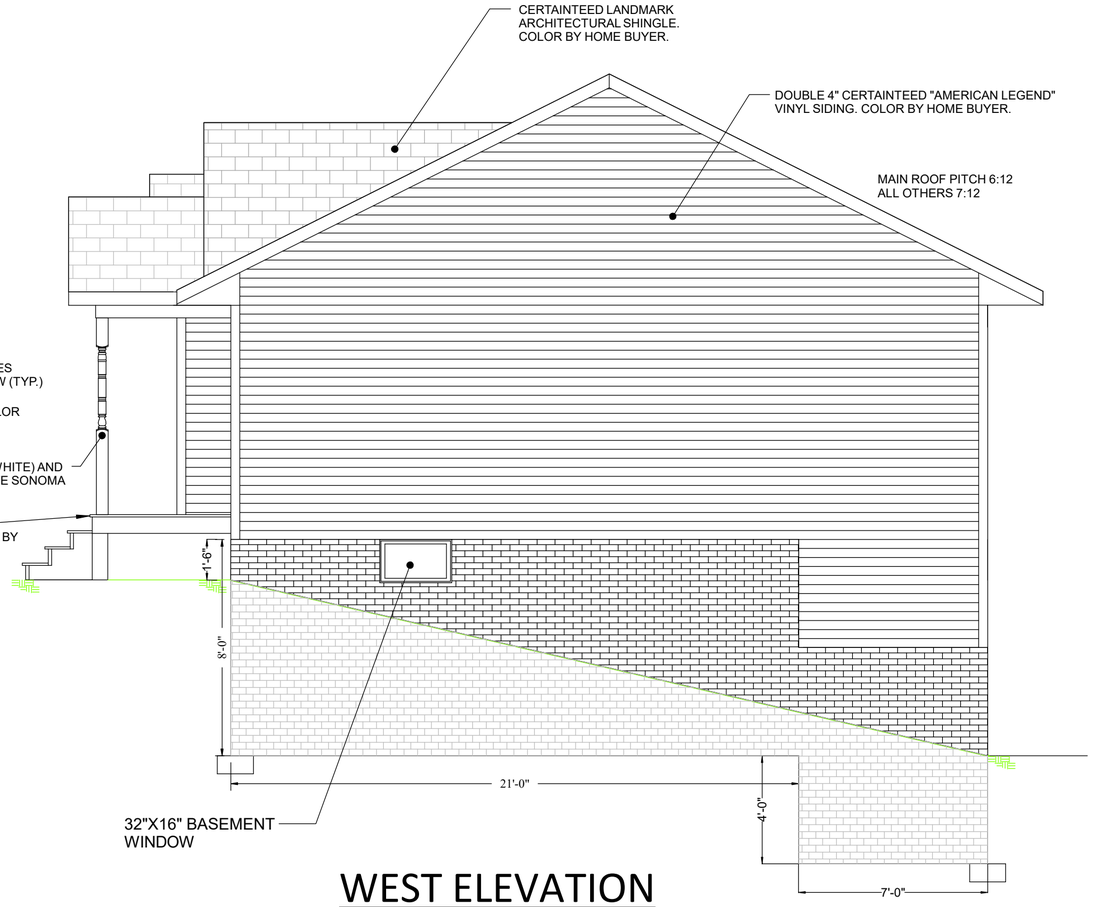
REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSE 126		
	SIZE: C	HOUSE STYLE: WIDE RANCH	REV: 0
	SCALE: NTS	Drawing Date:	SHEET: A1



FIRST FLOOR PLAN

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSE 126		
	SIZE: C	HOUSE STYLE: WIDE RANCH	REV: 0
	SCALE: NTS	Drawing Date:	SHEET: A2

NORTH ELEVATION



WEST ELEVATION

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSE 126		
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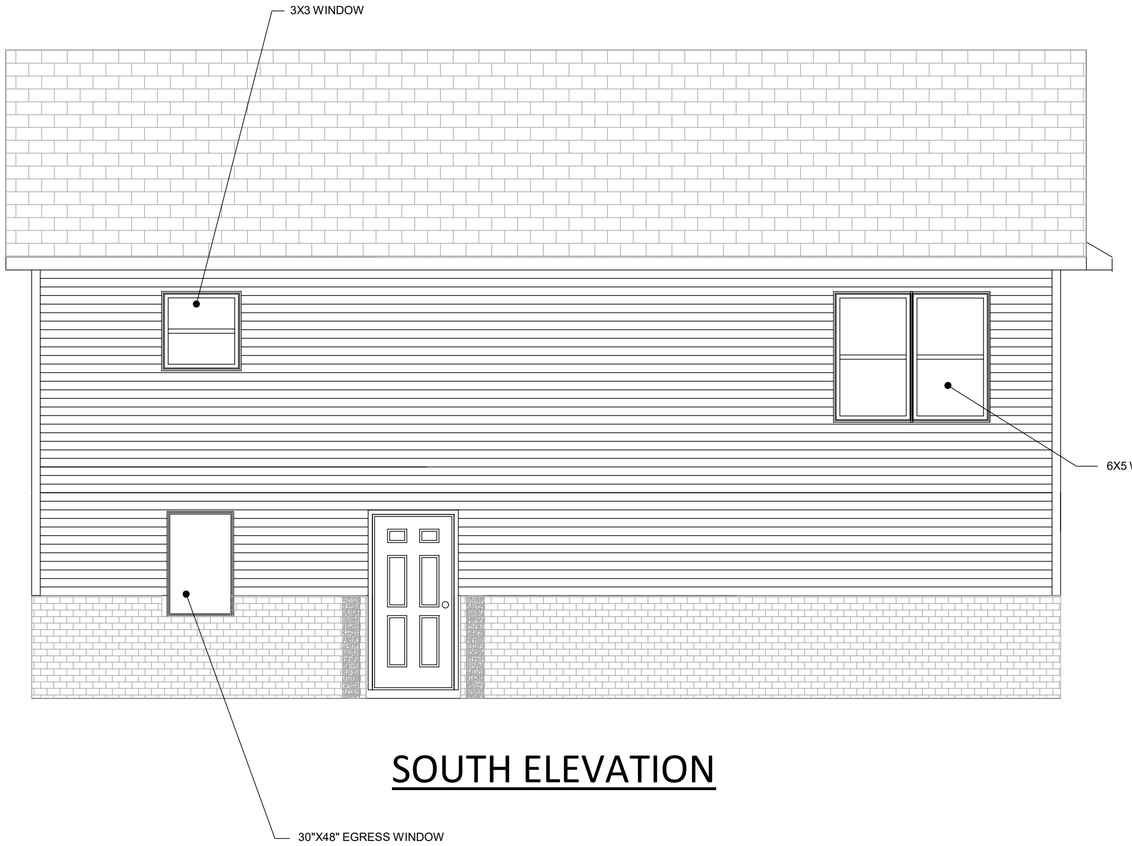
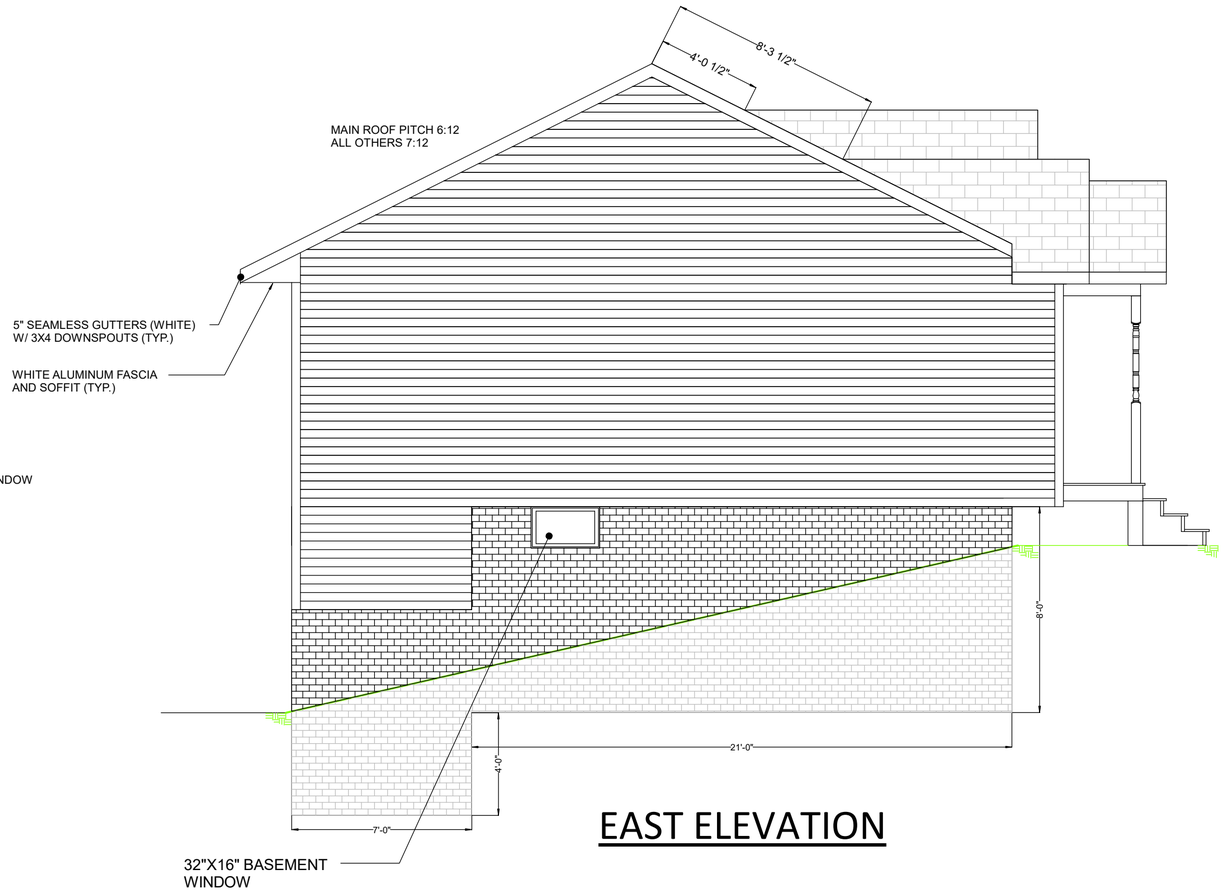
	SCALE: NTS	Drawing Date:	SHEET: A3

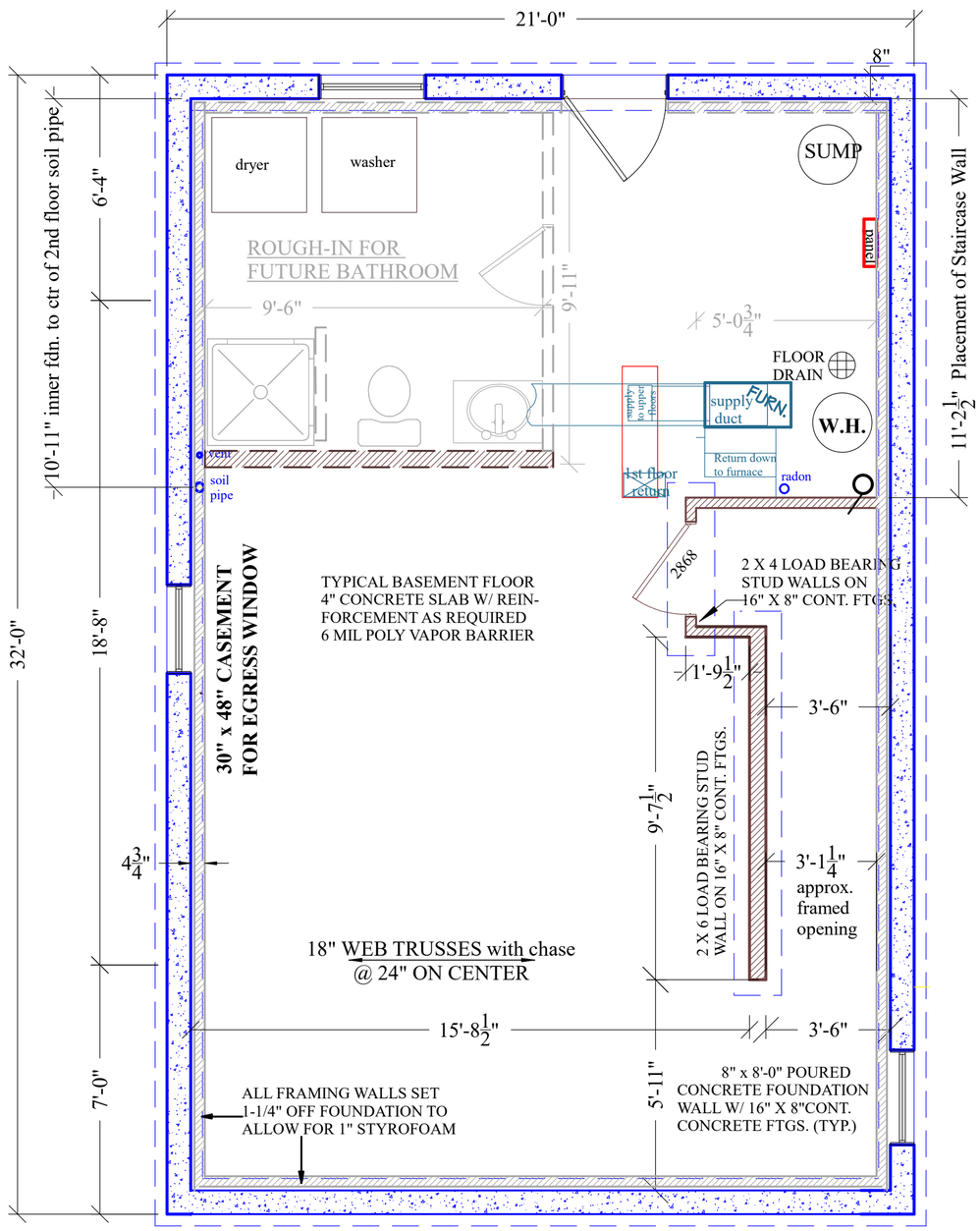


SOUTH ELEVATION

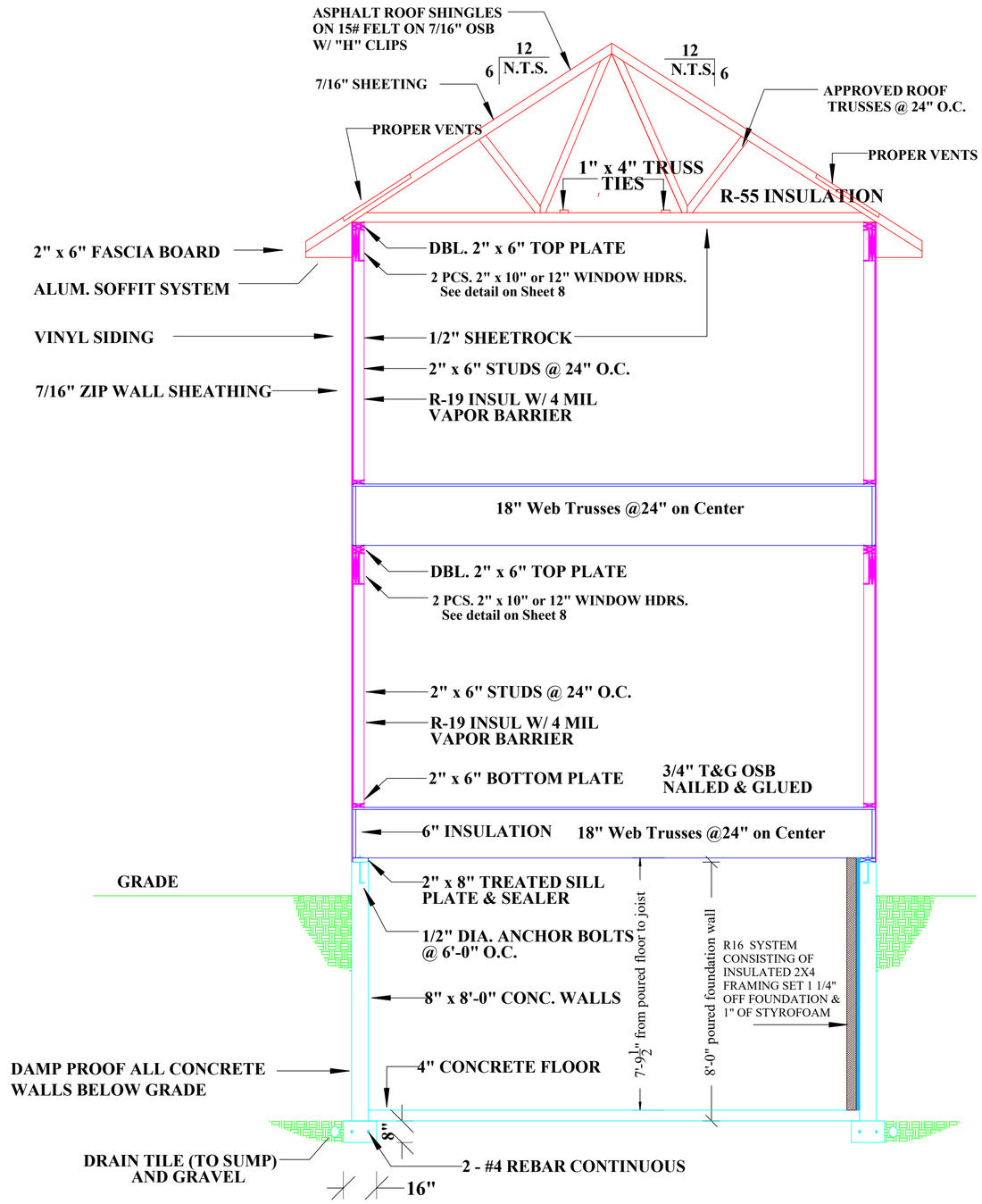


EAST ELEVATION

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSE 126		
	SIZE: C	HOUSE STYLE: WIDE RANCH	REV: 0
	SCALE: NTS	Drawing Date:	SHEET: A4

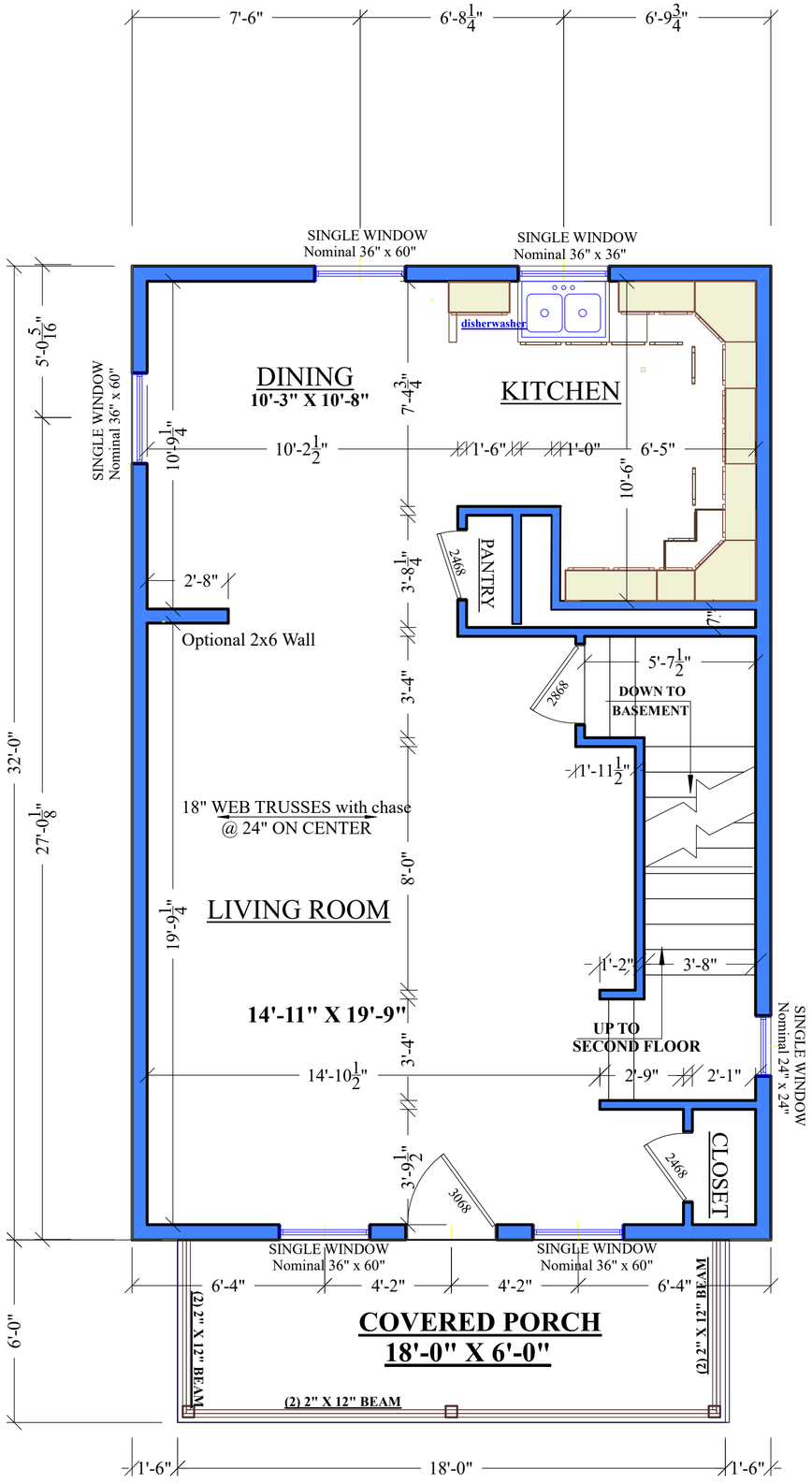


FOUNDATION / BASEMENT PLAN

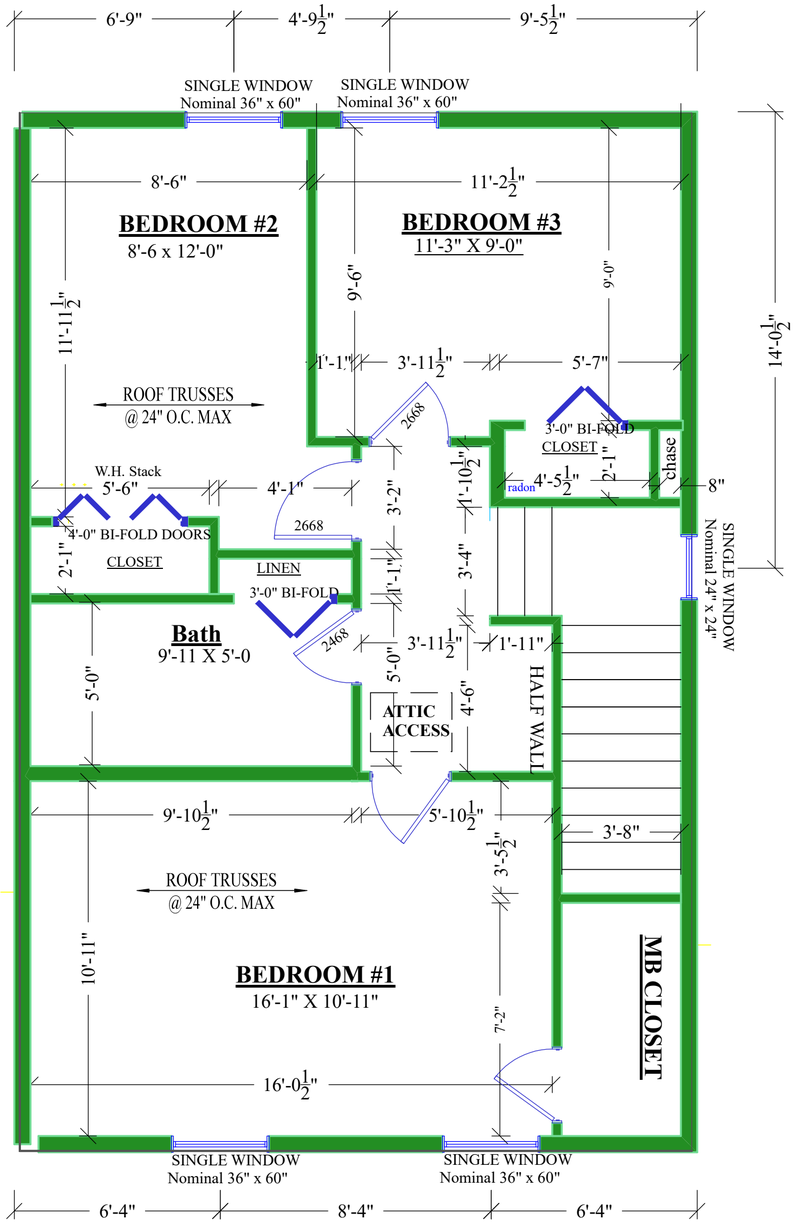


CROSS SECTION of HOUSE

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSES #127 & #128		
	SIZE: C	HOUSE STYLE: 2 STORY	REV
	SCALE: NTS	Drawing Date	SHEET: **A1**

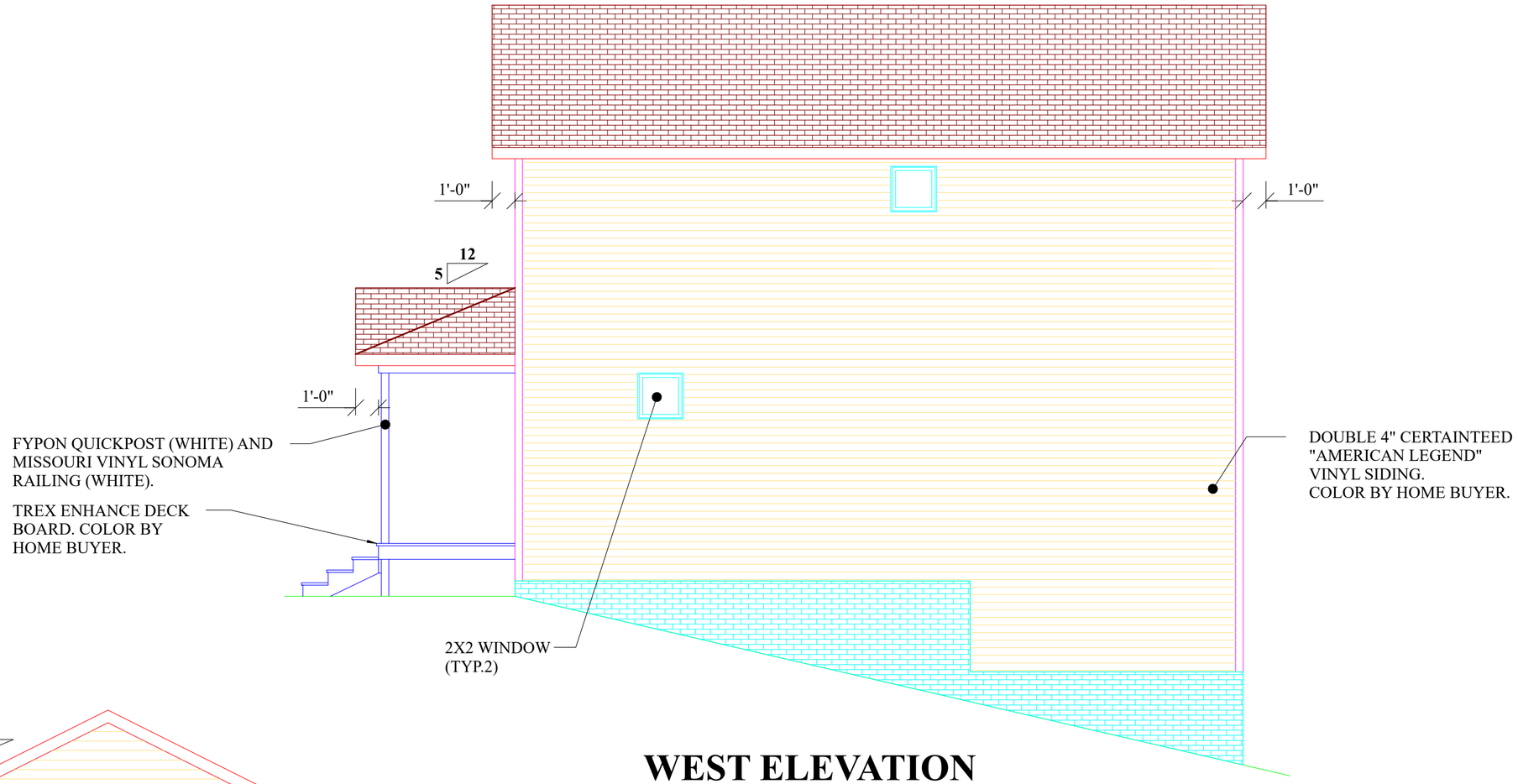


FIRST FLOOR PLAN

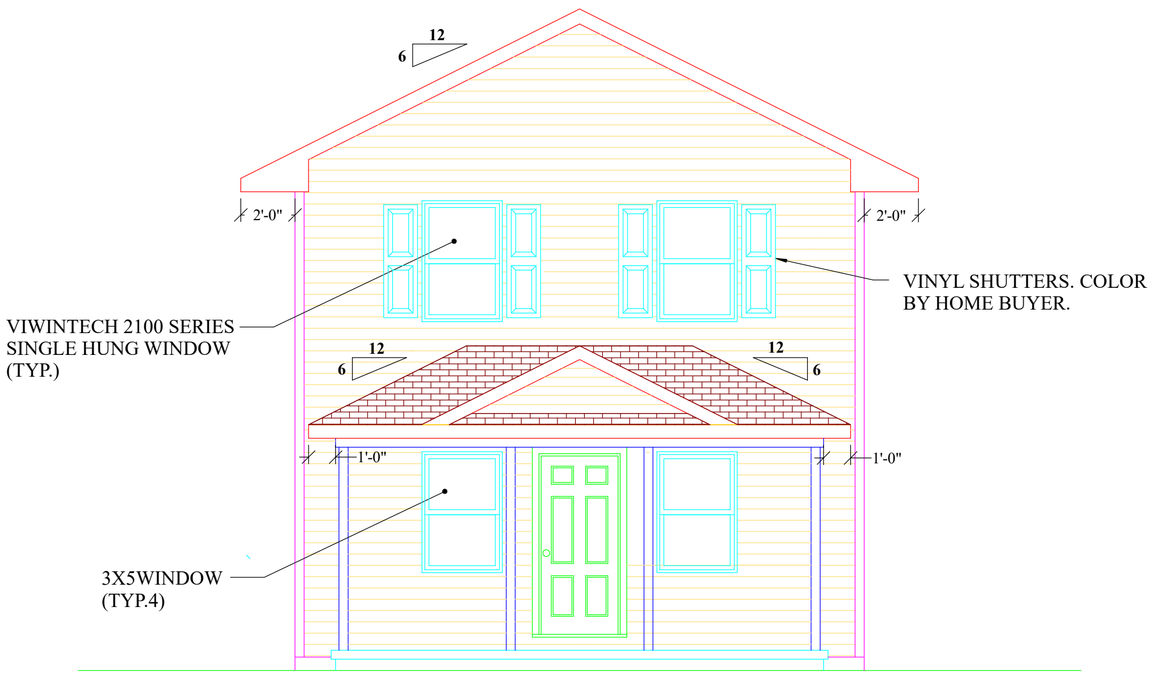


SECOND FLOOR PLAN

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSES #127 & #128		
	SIZE: C	HOUSE STYLE: 2 STORY	REV:
	SCALE: NTS	Drawing Date:	SHEET: A2

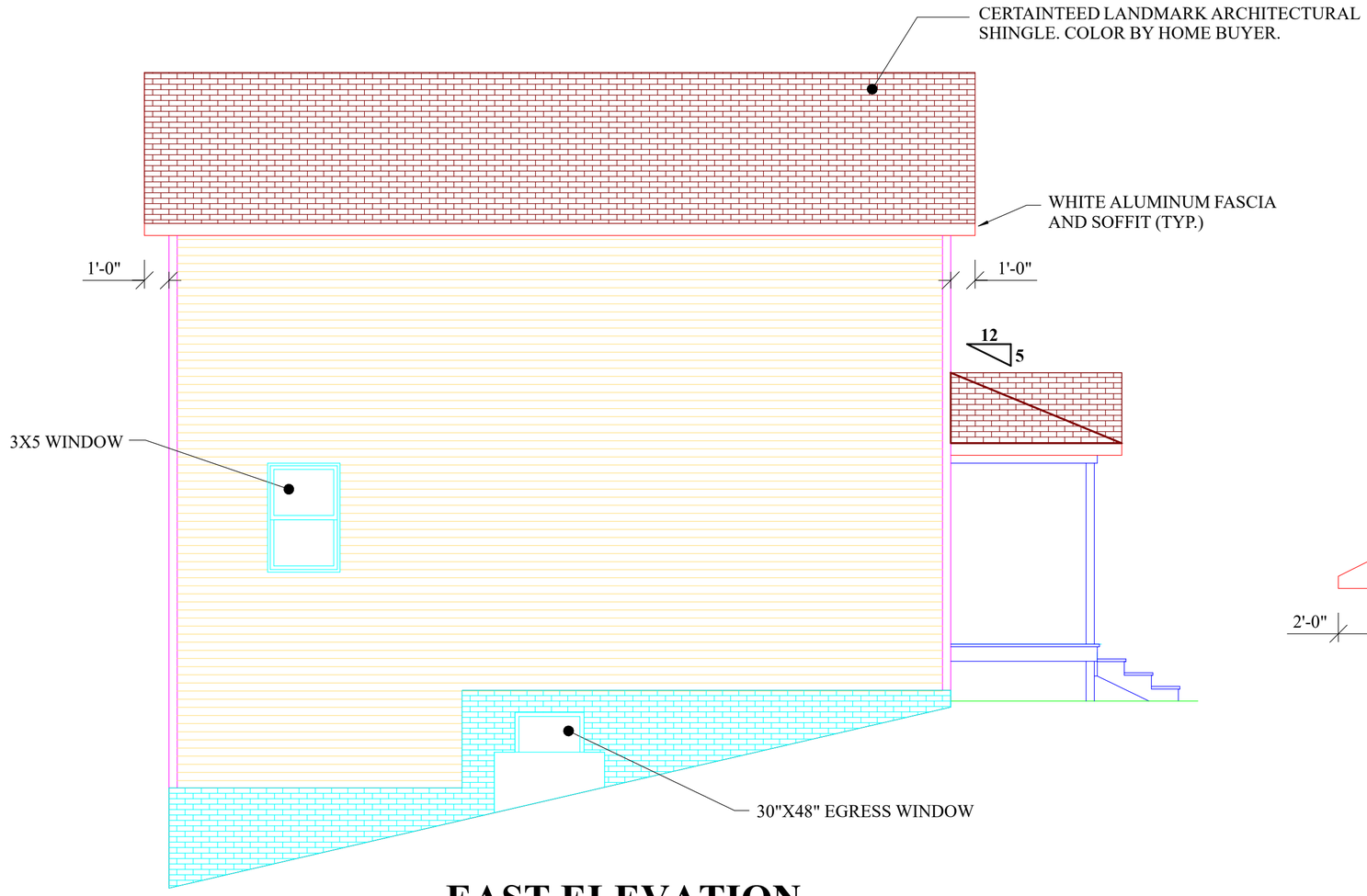


WEST ELEVATION

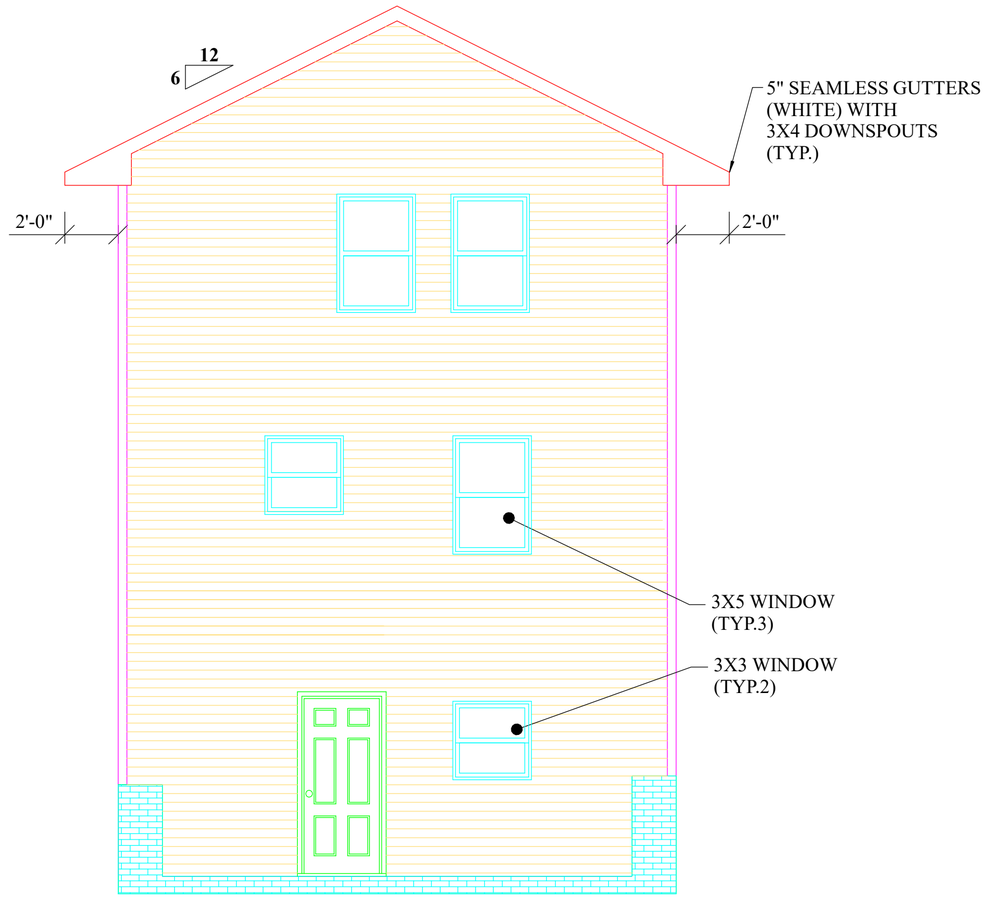


NORTH ELEVATION

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSES #127 & #128		
	SIZE: C	HOUSE STYLE: 2 STORY	REV
	SCALE: NTS	Drawing Date	SHEET: A3



EAST ELEVATION



SOUTH ELEVATION

REVISION HISTORY	Habitat for Humanity- QC		
	TITLE: HOUSES #127 & #128		
	SIZE: C	HOUSE STYLE: 2 STORY	REV
	SCALE: NTS	Drawing Date	SHEET: A4

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-328-7769 **6/8/2022**

Subject:
Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 128 West 3rd Street Project. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The 128 West 3rd Street Project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives through the Workforce Housing Tax Credit (WHTC) Program for the 120-unit project located at 128 West 3rd Street.

The application requirements for the WHTC program include the submission of a Resolution in support of the housing project by the community where the project will be located and requires documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit.

The project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has been approved for benefits through this program on February 23, 2022, and is eligible for the 10 year, 100% exemption schedule. The URTE benefit will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program and the project will be required to comply with the Downtown Davenport Streetscape Improvement Plan as administered by the City Engineer.

Adoption of this Resolution will authorize the Mayor and staff to execute the documents needed to support this project's WHTC application.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	128 West 3rd Street Rendering

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/26/2022 - 9:39 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 128 West 3rd Street project.

WHEREAS, the 128 West 3rd Street project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 120 unit project located at 128 West 3rd Street; and

WHEREAS, successful completion of the 128 West 3rd Street project requires funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located; and

WHEREAS, a further application requirement for the WHTC program is documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit; and

WHEREAS, the 128 West 3rd Street project is located within the City's Urban Revitalization Tax Exemption (URTE) area; has been approved for benefits through this program on February 23, 2022; and is eligible for the 10-year, 100% exemption schedule; and

WHEREAS, the URTE benefit awarded will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program; and

WHEREAS, the project will participate in the Downtown Davenport Streetscape Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the 128 West 3rd Street project is fully supported in submitting an application for the Workforce Housing Tax Credit Program.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

3rd Street

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Bruce Berger | 563-328-7769

Action / Date
6/8/2022

Subject:
Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 201 North Harrison Street project. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The 201 North Harrison Street Project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 40-unit project located at 201 North Harrison Street.

The application requirements for the WHTC program include the submission of a Resolution in support of the housing project by the community where the project will be located and requires documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit.

The project is located within the City's Urban Revitalization Tax Exemption (URTE) area and is applying for the 10 year, 100% exemption schedule. The URTE benefit will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program and the project will be required to comply with the Downtown Davenport Streetscape Improvement Plan as administered by the City Engineer.

Adoption of this Resolution will authorize the Mayor and staff to execute the documents needed to support this project's WHTC application.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	201 North Harrison Street Modified Floor Plan

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/26/2022 - 9:39 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 201 North Harrison Street project.

WHEREAS, the 201 North Harrison Street project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 80-unit project located at 201 North Harrison Street; and

WHEREAS, successful completion of the 201 North Harrison Street project requires funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located; and

WHEREAS, a further application requirement for the WHTC program is documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit; and

WHEREAS, the 201 North Harrison Street project is located within the City's Urban Revitalization Tax Exemption (URTE) area and is applying for the 10-year, 100% exemption schedule; and

WHEREAS, the URTE benefit awarded will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program; and

WHEREAS, the project will participate in the Downtown Davenport Streetscape Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the 201 North Harrison Street project is fully supported in submitting an application for the Workforce Housing Tax Credit Program.

Passed and approved this 8th day of June, 2022.

Approved:

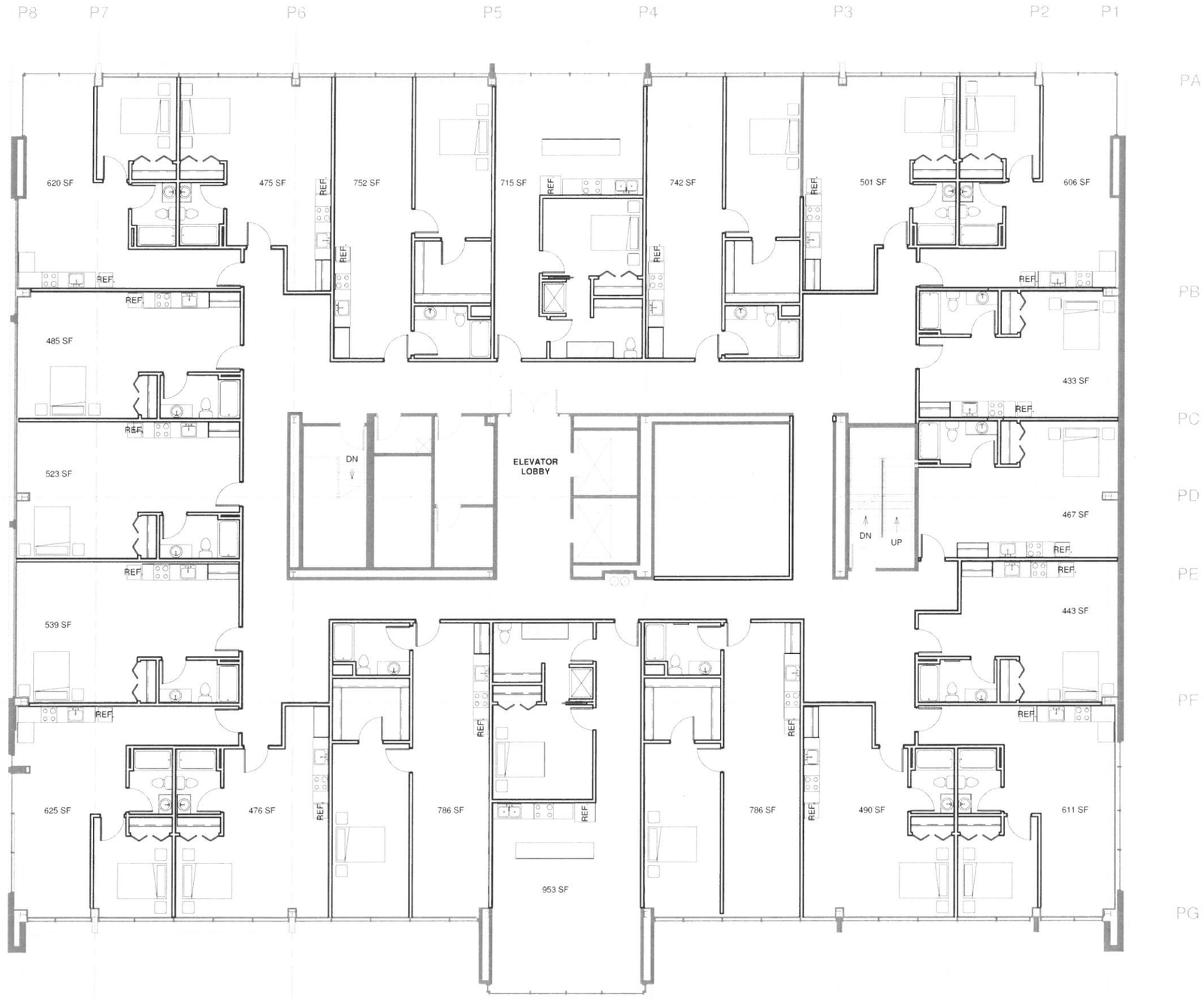
_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk


P8
P7
P6
P5
P4
P3
P2
P1
PA
PB
PC
PD
PE
PF
PG
620 SF
475 SF
752 SF
715 SF
742 SF
501 SF
606 SF
REF.
485 SF
433 SF
523 SF
DN
ELEVATOR LOBBY
467 SF
UP
539 SF
443 SF
625 SF
476 SF
786 SF
786 SF
490 SF
611 SF
953 SF

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-328-7769 **6/8/2022**

Subject:
Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 203 West 3rd Street project. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The 203 West 3rd Street Project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 16-unit project located at 203 West 3rd Street.

The application requirements for the WHTC program include the submission of a Resolution in support of the housing project by the community where the project will be located and requires documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit.

The project is located within the City's Urban Revitalization Tax Exemption (URTE) area; has been approved for benefits through this program on February 23, 2022; and is eligible for the 10-year, 100% exemption schedule. The URTE benefit will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program and the project will be required to comply with the Downtown Davenport Streetscape Improvement Plan as administered by the City Engineer.

Approval of this resolution will authorize the Mayor and staff to execute the documents needed to support this project's WHTC application.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	203 West 3rd Street Annex Plans 4-13-22

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/26/2022 - 9:40 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 203 West 3rd Street Project.

WHEREAS, the 203 West 3rd Street project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 16-unit project located at 203 West 3rd Street; and

WHEREAS, successful completion of the 203 West 3rd Street project requires funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located; and

WHEREAS, a further application requirement for the WHTC program is documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit; and

WHEREAS, the 203 West 3rd Street project is located within the City's Urban Revitalization Tax Exemption (URTE) area; has been approved for benefits through this program on February 23, 2022; and is eligible for the 10-year, 100% exemption schedule; and

WHEREAS, the URTE benefit awarded will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program; and

WHEREAS, the project receiving the URTE benefit will participate in the Downtown Davenport Streetscape Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the 203 West 3rd Street project is fully supported in submitting an application for the Workforce Housing Tax Credit Program.

Passed and approved this 8th day of June, 2022.

Approved:

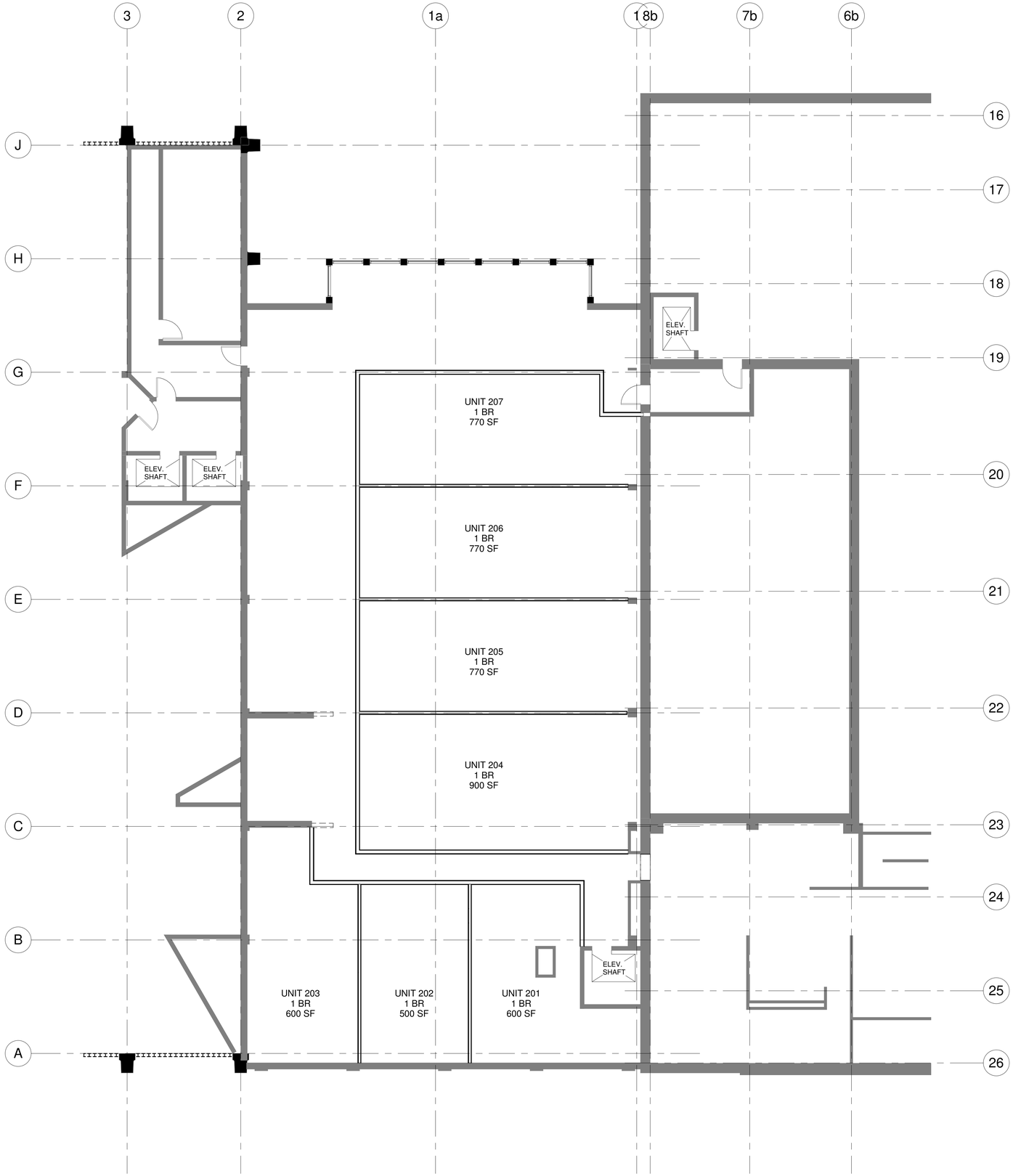
_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk



1 Parking Level 2
1/8" = 1'-0"

JOSEPH ARCHITECTURAL GROUP, P.C.
4510 42nd Avenue
Rock Island, IL 61201
Phone: 309 786-9920
Fax: 309-786-9924
jag-architects.com

REVISIONS

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Preliminary Drawings for:

Wells Fargo Annex Apartments

Davenport, Iowa

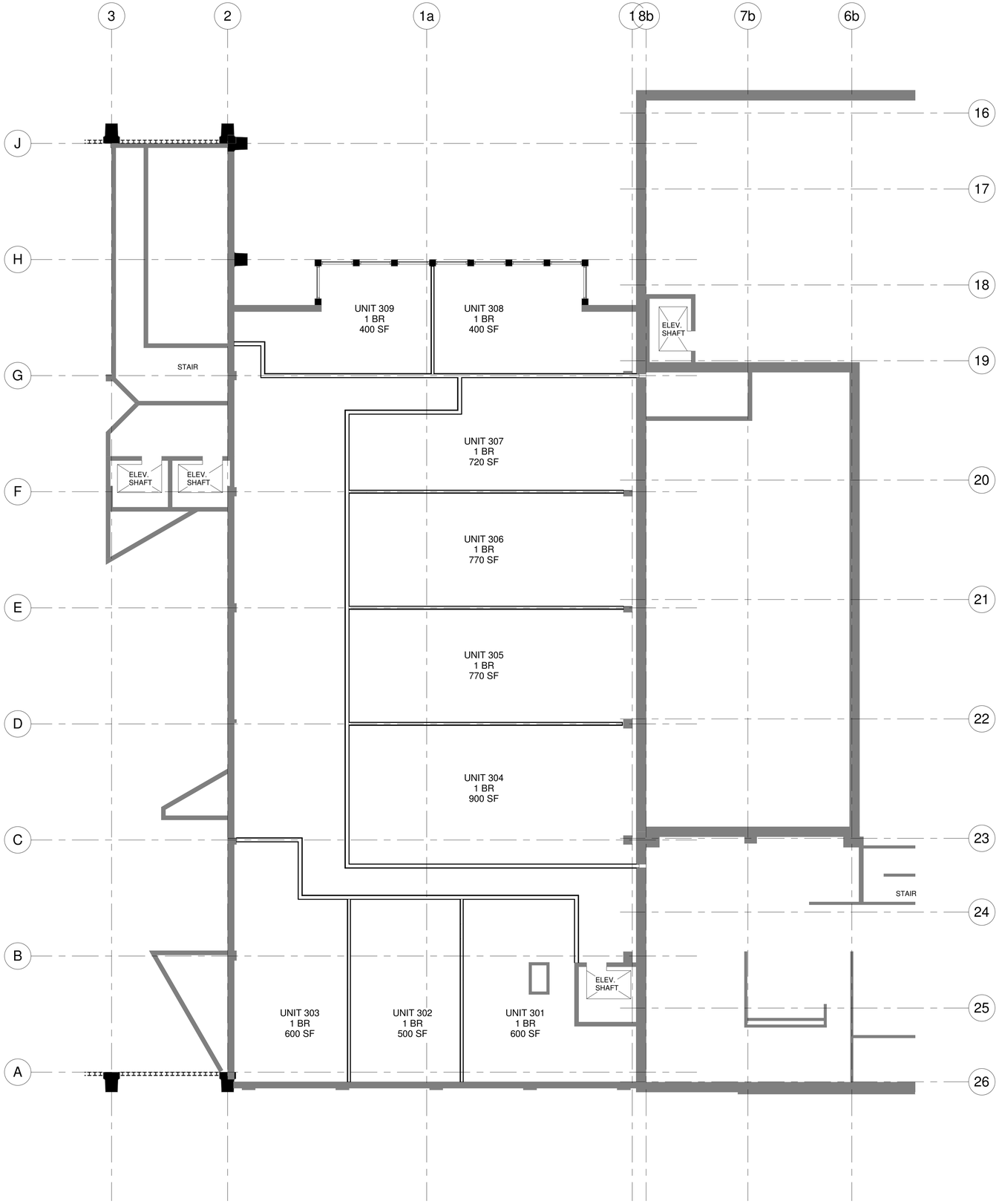
BTS BUILD TO SUIT, INC.
1805 State Street Suite 101, Bettendorf IA 52722
Ph: 563-355-2022
Fax: 563-355-7806

Second Floor Plan

DATE
13 April 2022

A2

PROJECT NO.
#03622



1) 1 HR RATED FIRE PARTITION - TYP @ UNIT SEPARATION, CORRIDOR & TENANT SEPARATION WALLS UNLESS NOTED OTHERWISE
2) APARTMENT ENTRY DOORS TO BE 20 MINUTE LABELED W/ ADA THRESHOLD, CLOSER & PEEP HOLE UNLESS NOTED OTHERWISE (TYP)
3) 2 HOUR RATED STAIR TOWER WALLS
4) 1 HOUR FIRE RATED EXTERIOR WALL CONSTRUCTION (TYP)
5) 2 HOUR RATED ELEVATOR SHAFT
6) 90 MIN. FIRE RATED DOOR W/ CLOSER AND ADA THRESHOLD AT STAIRWELL, 100 SQUARE INCH MAX. GLAZING (TYP)
7) F.E.C. = RECESSED FIRE EXTINGUISHER
8) ALL UNITS ARE "TYPE B" UNITS PER ANSI 117.1 (2003) SECTION 1004, UNLESS NOTED OTHERWISE

General Notes
12" = 1'-0"

1 Parking Level 3
1/8" = 1'-0"

JOSEPH ARCHITECTURAL GROUP, P.C.
4510 42nd Avenue
Rock Island, IL 61201
Phone: 309 786-9920
Fax: 309-786-9924
jag-architects.com

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REVISIONS
1
2
3
4

Preliminary Drawings for:

Wells Fargo Annex Apartments

Davenport, Iowa

BTS BUILD TO SUIT, INC.
1805 State Street Suite 101, Bettendorf, IA 52722
Ph: 563-355-2022
Fax: 563-355-7806

Third Floor Plan

DATE
13 April 2022

A3

PROJECT NO.
#03622

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Bruce Berger | 563-328-7769

Action / Date
6/1/2022

Subject:
Resolution of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 400 Main Street Project. [Ward 3]

Recommendation:
Approve the resolution.

Background:
The 400 Main Street Project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 7-unit project located at 400 Main Street.

The application requirements for the WHTC program include the submission of a Resolution in support of the housing project by the community where the project will be located and requires documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit.

The project is located within the City's Urban Revitalization Tax Exemption (URTE) area and is applying for 10 year, 100% exemption schedule. The URTE benefit will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program and the project will be required to comply with the Downtown Davenport Streetscape Improvement Plan as administered by the City Engineer.

Approval of this resolution will authorize the Mayor and staff to execute the documents needed to support this project's WHTC application.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	400 Main Street Plans

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	5/26/2022 - 9:40 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION of support for the submission of a Workforce Housing Tax Credit application to the State of Iowa for the 400 Main Street project.

WHEREAS, the Executive Square project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for the 7-unit project located at 400 Main Street; and

WHEREAS, successful completion of 400 Main Street project requires funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located; and

WHEREAS, a further application requirement for the WHTC program is documentation of local matching funds pledged for the project in an amount not less than $1,000 per dwelling unit; and

WHEREAS, the 400 Main Street project is located within the City's Urban Revitalization Tax Exemption (URTE) area and is applying for the 10-year, 100% exemption schedule; and

WHEREAS, the URTE benefit awarded will meet the minimum City contribution of $1,000 per dwelling unit required by the WHTC program; and

WHEREAS, the project receiving the URTE benefit will participate in the Downtown Davenport Streetscape Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the 400 Main Street project is fully supported in submitting an application for the Workforce Housing Tax Credit Program.

Passed and approved this 8th day of June, 2022.

Approved:

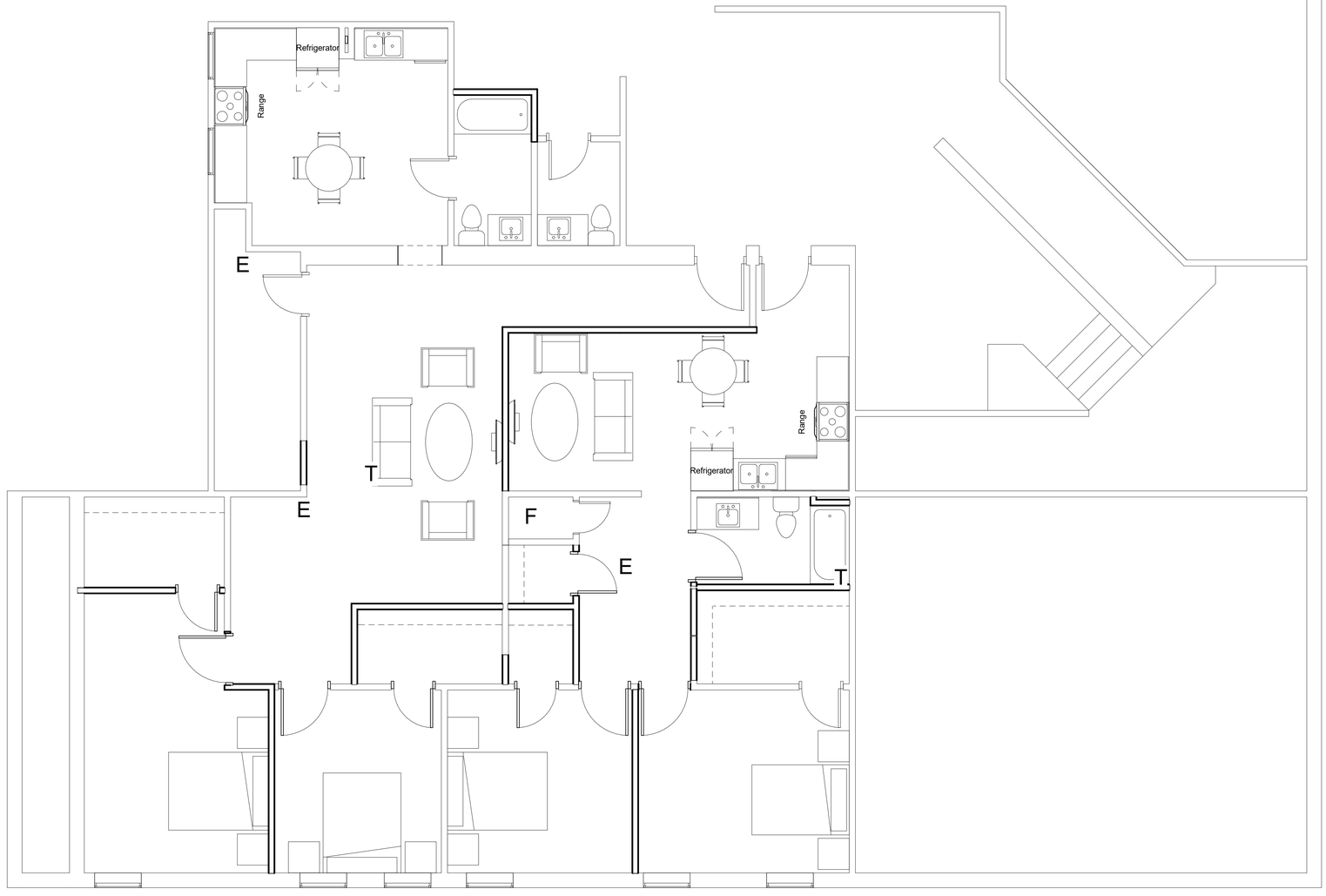
_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk



1 FIRST FLOOR PLAN
1/4" = 1'-0"

NOT FOR CONSTRUCTION

streamline ARCHITECTS

www.streamlinearchitects.com

Streamline Architects, P.L.C.

Andrew Dasso, AIA
318 E. Third Street
Davenport, IA 52801
309-737-8587
andrew@streamlinearchitects.com

No.	Description	Date

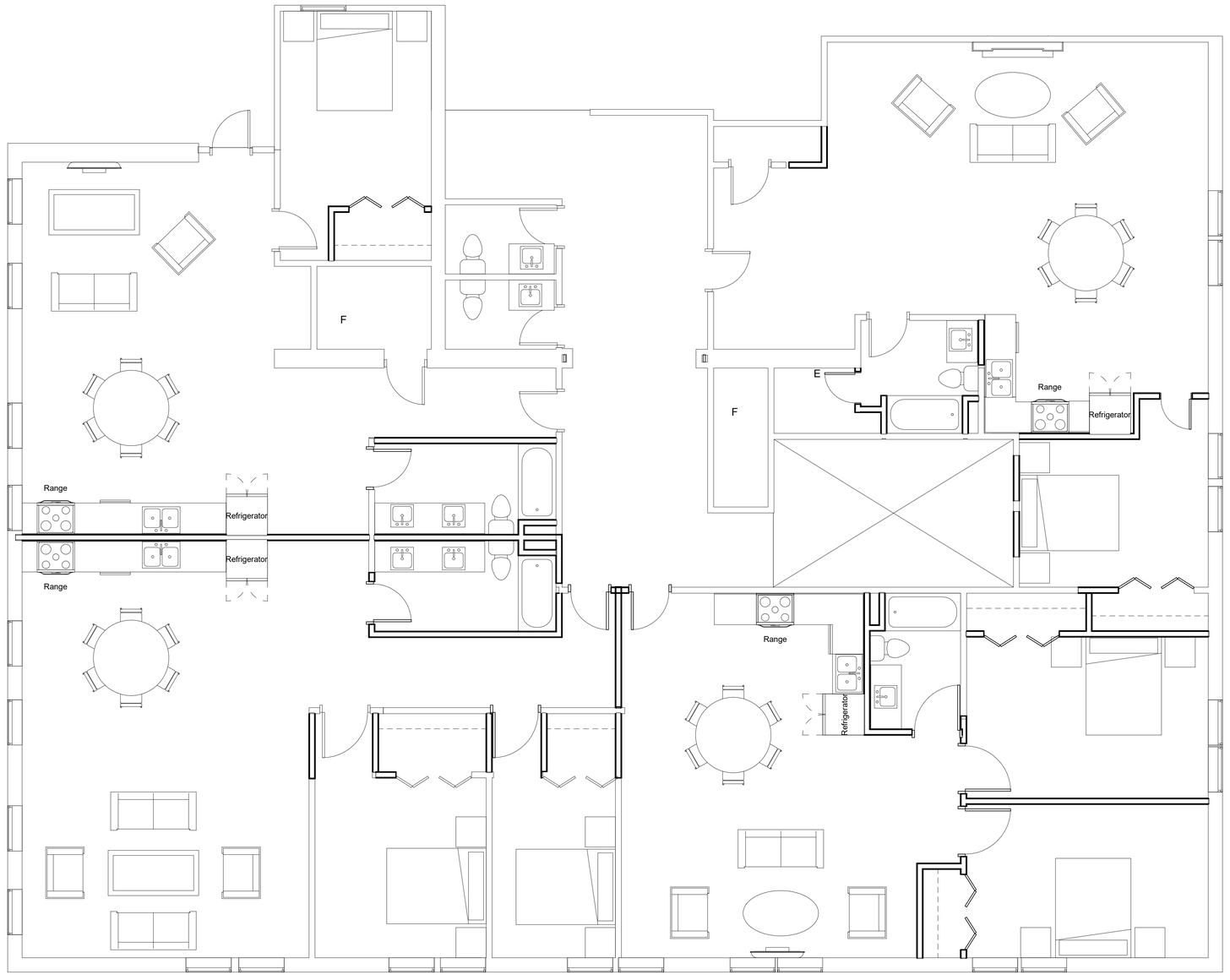
PROJECT NAME
ADDRESS
FIRST FLOOR PLAN

Project number	20-XXX
Date	XX/XX/XXXX
Drawn by	Author
Checked by	Checker

A101

Scale 1/4" = 1'-0"

7/28/2021 3:10:45 PM



1 MEZZANINE FLOOR PLAN
1/4" = 1'-0"

NOT FOR CONSTRUCTION

www.streamlinearchitects.com

Streamline Architects, P.L.C.

Andrew Dasso, AIA
318 E. Third Street
Davenport, IA 52801
309-737-8587
andrew@streamlinearchitects.com

No.	Description	Date

PROJECT NAME

ADDRESS

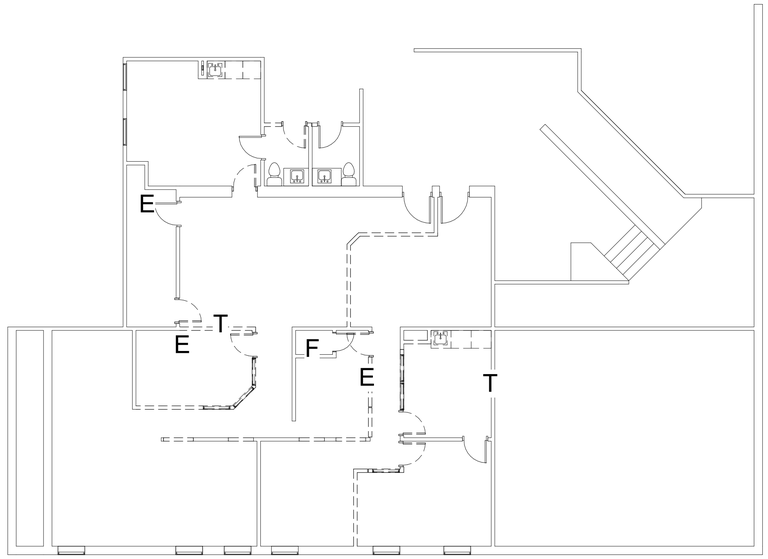
MEZZANINE FLOOR PLAN

Project number	20-XXX
Date	XX/XX/XXXX
Drawn by	Author
Checked by	Checker

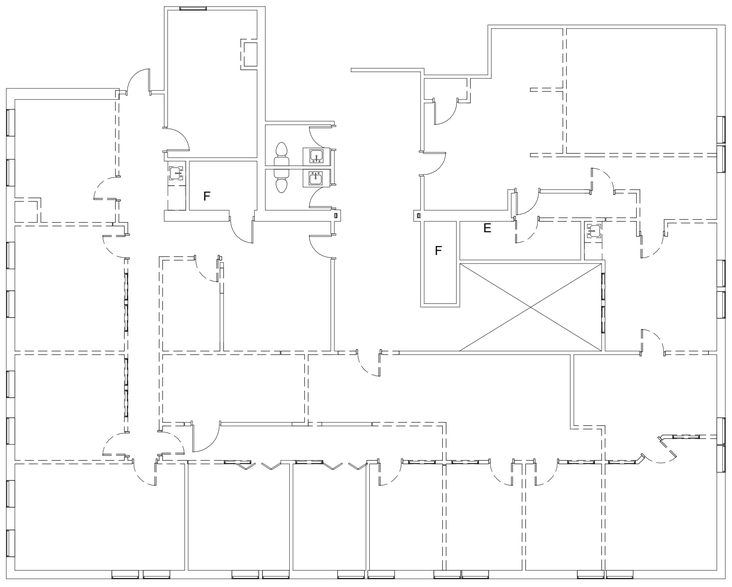
A103

Scale 1/4" = 1'-0"

7/28/2021 3:10:46 PM



1 FIRST FLOOR DEMOLITION PLAN
1/8" = 1'-0"



2 MEZZANINE DEMOLITION PLAN
1/8" = 1'-0"

GENERAL DEMOLITION NOTES:

1. ALL WORK IS TO BE IN ACCORDANCE WITH BUILDING CODES AND ALL OTHER CODES THAT HAVE AUTHORITY OVER THIS PROJECT. PROVIDE ALL NECESSARY SAFEGUARDS, BARRIERS, TEMPORARY POWER, LIGHTING, FIRE PROTECTION, ETC. AS REQUIRED DURING DEMOLITION.
2. THE GENERAL CONTRACTOR, PRIOR TO SUBMITTING HIS OR HER BID, SHALL FIELD SURVEY THE SITE OF PROPOSED WORK TO DETERMINE THE EXTENT AND NATURE OF DEMOLITION WORK.
3. THE GENERAL CONTRACTOR SHALL COORDINATE ALL TRADES REQUIRED TO PERFORM DEMOLITION WORK AS OUTLINED IN THE CONTRACT DOCUMENTS. DEMOLITION DRAWINGS ARE PROVIDED TO SERVE ONLY AS A GUIDE FOR DEMOLITION WORK. GENERAL CONTRACTOR AND SUB CONTRACTORS HAVE FINAL RESPONSIBILITY FOR DETERMINING EXTENT OF DEMOLITION REQUIRED TO PREPARE THE BUILDING FOR NEW WORK AS INDICATED ON DRAWINGS AND IN SPECS.
4. REMOVE ALL CONSTRUCTION SHOWN ON THE DRAWINGS AS EXISTING TO BE REMOVED, INCLUDING BUT NOT LIMITED TO FLOORING, FLOORING ADHESIVE, PARTITIONS, INCLUDING ELEMENTS OCCURRING ABOVE THE FINISHED CEILINGS, HANGERS, STRAPS AND OTHER ACCESSORY OBJECTS CONNECTED WITH THE ITEMS BEING REMOVED.
5. WHERE PARTITIONS ARE BEING REMOVED, ALL ELECTRICAL OUTLETS AND SWITCHES SHALL BE DISCONNECTED AT THE SUPPLY JUNCTION BOX.
6. ELECTRICAL CONTRACTOR SHALL DISCONNECT ALL POWER IN AREAS OR WORK AS REQUIRED FOR DEMOLITION AND SHALL PROVIDE TEMPORARY POWER AND LIGHTING FOR DEMOLITION CONTRACTOR.
7. WHERE PARTITIONS ARE REMOVED, ALL ELECTRICAL ITEMS SHALL BE REMOVED AND DISCONNECTED AT THE CIRCUIT PANEL.
8. ALL PLUMBING TO BE REMOVED SHALL BE CAPPED AT THE SOURCE. PATCH ALL HOLES.
9. THE GENERAL CONTRACTOR SHALL PROTECT ANY AREAS THAT CONTAIN NEW OR EXISTING MATERIALS, FINISHED, STRUCTURES, AND EQUIPMENT ITEMS TO REMAIN. DAMAGED ITEMS SHALL BE REPAIRED AND REPLACED TO THE SATISFACTION OF THE OWNER AT THE EXPENSE OF THE GENERAL CONTRACTOR.
10. THE GENERAL CONTRACTOR SHALL REMOVE ALL RUBBISH AND WASTE MATERIALS OF ALL CLEANING TO PREVENT ANY DIRT, DEBRIS AND DUST FROM AFFECTING ANY FINISHED AND/OR OCCUPIED AREA WHETHER WITHIN OR OUTSIDE THE JOB SITE. THE BUILDING REFUSE FACILITIES SHALL NOT BE USED FOR THIS PURPOSE, UNLESS ARRANGEMENTS ARE MADE WITH THE OWNER.
11. THE GENERAL CONTRACTOR SHALL COORDINATE WITH THE OWNER FOR REGULATIONS INCLUDING BUT NOT NECESSARILY LIMITED TO RUBBISH REMOVAL, PROTECTION OF BASE BUILDING CONSTRUCTION, AND ANY WORK WHICH WILL AFFECT ADJACENT TENANTS OR OTHER PARTS OF THE BUILDING.
12. THE GENERAL CONTRACTOR SHALL SECURE REQUIRED PERMITS AND DEMOLISH AND COMPLETELY REMOVE FROM THE SITE ALL EXISTING CONSTRUCTION DEBRIS AND OTHER MATERIAL REQUIRED TO BE DEMOLISHED BY CONTRACT DOCUMENTS.
13. ALL FIXTURES AND EQUIPMENT LEFT ON THE FLOOR TO BE REMOVED FROM THE PREMISES, UNLESS NOTED OTHERWISE. WHERE NOTED TO BE RELOCATED OR STORED, VERIFY WITH OWNER AND ARCHITECT ALL EXISTING ITEMS AND THEIR PROPOSED ASSIGNED LOCATIONS OR DISPOSITION.
14. REFER TO MECHANICAL, PLUMBING, ELECTRICAL, AND FIRE PROTECTION DRAWINGS FOR ADDITIONAL DEMOLITION WORK. SOME OVERLAP OF WORK MAY BE INDICATED BETWEEN THIS DRAWING AND MEP DRAWINGS.
15. PATCH AND FINISH EXISTING FLOORS, WALLS AND CEILINGS DESIGNATED TO REMAIN TO MATCH EXISTING CONDITIONS.
16. DURING ALL DEMOLITION OPERATIONS THE CONTRACTOR SHALL MINIMIZE ASSOCIATED DUST AND VIBRATIONS. COORDINATE WITH OWNER FOR ANY CRITICAL SEQUENCING.
17. PATCH AND SEAL ALL EXISTING HOLES IN THE FLOOR AS REQUIRED FOUND DURING CONSTRUCTION.
18. NO TOXIC SUBSTANCES HAVE BEEN NOTED ON THE SITE, HOWEVER SHOULD THE CONTRACTOR ENCOUNTER ANY ASBESTOS, ASBESTOS PRODUCTS, PCB'S OR OTHER TOXIC SUBSTANCES, THE CONTRACTOR SHOULD REPORT THIS IMMEDIATELY IN WRITING TO THE OWNER PRIOR TO CONTINUING WITH ANY WORK IN THE AREA. WORK SHALL NOT BE RESUMED EXCEPT BY WRITTEN AUTHORIZATION OR AGREEMENT. ASBESTOS REMOVAL WILL BE PERFORMED BY THE OWNER.

DEMOLITION KEYNOTES:

D1 REMOVE EXISTING DOOR AND FRAME WITH RELATED HARDWARE. INFILL AS NOTED OR MODIFY OPENING AS NOTED. RETURN HARDWARE TO OWNER. RETURN ALL LOCKSETS TO OWNER, UNLESS INDICATED TO BE REUSED AND RELOCATED.

D2 REMOVE EXISTING WINDOW AND FRAME WITH RELATED HARDWARE. INFILL AS NOTED OR MODIFY OPENING AS NOTED. INFILL WALL PER DETAILS. REPAIR ANY DAMAGED EIFS THIS AREA.

D3 REMOVE EXISTING WALL AS SHOWN ALONG WITH ALL ASSOCIATED OUTLETS, CONDUIT, ETC. PATCH ALL DAMAGED EXISTING WALLS WHICH REMAIN.

D4 REMOVE EXISTING FLOOR ELECTRICAL OUTLETS TO BELOW FLOOR AND PATCH CONCRETE SLAB. TYPICAL OF (3) THIS AREA.

D5 SAWCUT AND REPLACE EXISTING CONCRETE FLOOR SLAB AS REQUIRED FOR UNDERSLAB PIPING AND CONDUIT AND FOUNDATIONS. SEE PLUMBING AND ELECTRICAL AND STRUCTURAL PLANS.

D6 REMOVE EXISTING CEILING GRID, LIGHT FIXTURES, DIFFUSERS, GRILLES AND SUPPORTING STRUCTURE AS REQUIRED. SEE MEP DRAWINGS.

D7 REMOVE EXISTING STEEL ANGLES, FURRING, AND FINISH MATERIALS THIS AREA. FILL ANY RESULTING HOLES AND PREP TO RECEIVE EXTERIOR COATING. REPAIR OR REPLACE ANY DAMAGED CMU THIS AREA.

D8 REMOVE AND REPLACE GLASS AS INDICATED.

D9 REMOVE EXISTING CARPET AND ADHESIVE AND PREP FOR NEW FLOORING AS INDICATED. SCRAPE/GRIND FLOOR AS REQUIRED TO REMOVE ALL ADHESIVE.

D10 REMOVE EXISTING CERAMIC TILE FLOORING AND MORTAR AND PREP FOR NEW FLOORING AS INDICATED.

D11 SEE MECHANICAL DRAWINGS TO DETERMINE WHICH EXISTING ACCU'S ARE RELOCATED AND/OR REMOVED.

D12 CUT OPENINGS IN EXISTING CMU WALL FOR NEW DUCTS - SEE MECHANICAL DRAWINGS. PROVIDE NEW LINTELS IN OPENINGS.

D13 REPLACE DOOR ONLY.

D14 CUT OPENING IN EXISTING WALL TO RECEIVE NEW DOOR AND FRAME; SEE FLOOR PLAN ON SHEET A1.10 & DOOR SCHEDULE ON SHEET A7.10 FOR LOCATION AND SIZE OF OPENING

NOT FOR CONSTRUCTION

streamline ARCHITECTS

www.streamlinearchitects.com

Streamline Architects, P.L.C.

Andrew Dasso, AIA
318 E. Third Street
Davenport, IA 52801
309-737-8587
andrew@streamlinearchitects.com

No.	Description	Date

PROJECT NAME
ADDRESS
DEMOLITIOn PLANS

Project number	20-XXX
Date	XX/XX/XXXX
Drawn by	Author
Checked by	Checker

AD101

Scale: As indicated

7/28/2021 3:10:47 PM

City of Davenport

Department: Public Safety
Contact Info: Alderwoman Meginnis and Alderman Kelly | 563-888-2066

Action / Date
6/8/2022

Subject:
Third Consideration: Ordinance amending Chapter 8.14 entitled "Neighborhood Enhancement - Environmental Improvement" by amending various sections in Article VI "Nuisance Vehicles" to clearly define unregistered vehicles, define a new process of abating nuisance vehicles, and provide a more efficient process for removing these vehicles from the public right-of-way. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
Davenport's current nuisance vehicle ordinance (Section 8.14.460-8.14.500) does not address effectively two of the City's pressing problems: unlicensed vehicles parked on City streets and repeat nuisance vehicles parked in the public right-of-way.

While residents across all neighborhoods are challenged, the problem is particularly evident in older areas where smaller lot sizes translate to less space in front of homes. These neighborhoods were built at a time when households owned fewer vehicles. Neighborhood density has also been increased as former single family sites have been converted to multi-family use. Older garages found in these neighborhoods tend to be small and adequate for only one vehicle. The current Ordinance both defines unregistered vehicles and nuisance vehicles and addresses enforcement relating to them; however, it does not address how vehicles that repeatedly violate City ordinances may be nuisance abated. It provides no real consequence for these neighborhood eyesores.

Additionally, current enforcement is unwieldy; implementation requires an inordinate amount of staff time. This redirects taxpayer dollars and staff time away from more productive activity.

Changes to the existing ordinance would:

1. More clearly define unregistered vehicles.
2. Define a new process of nuisance abating vehicles.
3. Provide a more efficient process for removing these vehicles from the public right-of-way.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance - Amended 051122
🗋	Backup Material	Current Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	4/28/2022 - 4:12 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8.14 ENTITLED "NEIGHBORHOOD ENHANCEMENT – ENVIRONMENTAL IMPROVEMENT" BY AMENDING VARIOUS SECTIONS IN ARTICLE VI "NUISANCE VEHICLES" TO CLEARLY DEFINE UNREGISTERED VEHICLES, DEFINE A NEW PROCESS OF ABATING NUISANCE VEHICLES, AND PROVIDE A MORE EFFICIENT PROCESS FOR REMOVING THESE VEHICLES FROM THE PUBLIC RIGHT-OF-WAY.

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

Section 1. That Subsection 8.14.460(G) of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

G. Lacks current registration or does not display current registration, if registration is required for that category of vehicle. Current registration includes, but is not limited to, a license plate with a current sticker or a dealer sale sticker with valid date;

Section 2. That Section 8.14.460 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to add new subsections (N) and (O) to read as follows:

N. Has been found by the city to be in violation of the Davenport Municipal Code Chapters 8.14 or 10.76 on three occasions in a consecutive 12-month period. After twelve consecutive months of compliance with Chapters 8.14 and 10.76 such vehicle reverts back to its previous status of not being a nuisance vehicle. The city shall provide notice of this declaration in accordance with this chapter including a statement that the vehicle will now be subject to immediate towing if found in violation without any further notice and a statement that an appeal of this declaration may be filed pursuant to Chapter 2.86;

O. Meets the definition of an "abandoned vehicle" under Section 10.76.010(A).

Section 3. That Section 8.14.470 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

8.14.470 **Notice to abate.**

Private Property

No nuisance vehicle shall remain upon private property for a period in excess of 24 hours. After a twenty-four-hour waiting period said vehicle is hereby declared to be a nuisance and may be immediately abated by the City. The police department, neighborhood services department or their respective designees shall give notice of the nuisance and request abatement to begin the twenty-four-hour waiting period in any one of the following ways:

A. By certified and regular mail addressed to the private property owner, if applicable, as shown by the Scott County Parcel query; or

B. By certified and regular mail addressed to the last known address of the registered owner of the nuisance vehicle; or

C. By attaching a notice securely to the nuisance vehicle. Said notice shall state the nature of the violation, the abatement action to be taken to correct the violation, the date by which the abatement action must be taken, that failure to correct the violation will result in the vehicle being towed, that the costs of abatement action by the City will be assessed against the property (required only if the cost assessment is pursued), and that a hearing to contest the tow may be requested.

In the case of mailing notice shall be deemed given when mailed.

Public Property

No vehicle shall remain upon the public-right-of-way in excess of the parking limit for the area in which it is located. The 24-hour will be measured in the following manner:

A. Upon notification of this violation, the vehicle's location will be marked on the street.

B. After 24 hours, the vehicle will be stickered. Repeat violations will be handled in the same manner.

Section 4. That Section 8.14.480 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

8.14.480 **Removal of nuisance vehicles.**

The police department or its designee may enforce the provisions of this article by having nuisance vehicles that violate this article removed from public or private property in accordance with the abatement notice. Any nuisance vehicle not reclaimed within 10 days of impoundment shall be deemed abandoned.

Nuisance vehicles without current registration or in undriveable condition may be towed without notice.

Vehicles parked in the public right-of-way that have been stickered or tagged three times in the past twelve months for being unlicensed and/or for being in violation of the legal parking limit for the public right-of-way in which they were located at the time of tagging and/or being inoperable (any

combination of these violations) will be towed without notice. A vehicle will be cleared of nuisance status only after twelve continuous months without violations.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

_____	_____
Mike Matson	Brian Krup
Mayor	Deputy City Clerk

Title 8. Health and Safety

Chapter 8.14. NEIGHBORHOOD ENHANCEMENT — ENVIRONMENTAL IMPROVEMENT

Article VI.. NUISANCE VEHICLES

8.14.460. Nuisance vehicles defined.

[Ord. 2018-442 § 25; Ord. 2002-31 § 17]
"Vehicle" means any manner of conveyance designed to be propelled by force, but not human powered, along the ground, water or air, and including, but not limited to, automobiles, trucks, tractor trailers, motorcycles, trailers, wagons, tractors, watercraft, aircraft, and snowmobiles. A vehicle is a "nuisance vehicle" if it is upon public or private property, lawful junkyards or salvage yards excepted, not enclosed within a legal structure and exhibits at least one of the following characteristics:

A. Cannot be operated under its own power or is otherwise inoperable (in the case of a trailer the trailer is not attached to a fully-operational vehicle that can tow it that displays a current registration);

B. Has at least one tire that is not fully-operational unless designed to operate without the same;

C. Is unattended on jacks, blocks, or elevated in any other way which constitutes a threat to the public health, safety or welfare;

D. Has become a habitat for rats, mice, snakes, or other vermin or insects;

E. Lacks a fender, door, hood, steering wheel, trunk top, or the same is loosely attached;

F. Has an exposed and dangerous edge or protrusion;

G. Lacks current registration or does not display current registration, if registration is required for that category of vehicle;

H. Leaks any flammable or hazardous fluid;

I. Has been partly or fully dismantled;

J. If upon public right-of-way, cannot be legally operated on the same;

K. In the case of a motor vehicle, cannot be legally operated on a public street or highway;

L. Largely functions as a solid waste container-lawfully operated solid waste or garbage trucks excluded; or

M. Has a dangerous or defective condition that poses a threat to the public health or safety.

8.14.470. Notice to abate.

[Ord. 2018-442; Ord. 2006-264 § 8; Ord. 2002-31 § 18]
No nuisance vehicle shall remain upon public or private property for a period in excess of 24 hours. After a twenty-four-hour waiting period said vehicle is hereby declared to be a nuisance and may be immediately abated by the City. The police department, neighborhood services department or their respective designees shall give notice of the nuisance and request abatement to begin the twenty-four-hour waiting period in any one of the following ways:

A. By certified and regular mail addressed to the private property owner, if applicable, as shown by the Scott County Parcel query;

B. By certified and regular mail addressed to the last known address of the registered owner of the nuisance vehicle; or

C. By attaching a notice securely to the nuisance vehicle. Said notice shall state the nature of the violation, the abatement action to be taken to correct the violation, the date by which the abatement action must be taken, that failure to correct the violation will result in the vehicle being towed, that the costs of abatement action by the City will be assessed against the property (required only if the cost assessment is pursued), and that a hearing to contest the tow may be requested.

In the case of mailing notice shall be deemed given when mailed.

8.14.480. Removal of nuisance vehicles.

[Ord. 2006-264 § 9; Ord. 2002-31 § 19]
The police department or its designee may enforce the provisions of this article by having nuisance vehicles that violate this article removed from public or private property in accordance with the abatement notice. Any nuisance vehicle not reclaimed within 10 days of impoundment shall be deemed abandoned.

8.14.490. Records of towed vehicle kept.

[Ord. 2006-264 § 10; Ord. 2002-31 § 20]
When a vehicle is impounded under the provisions of this article the police department shall keep the records specified in Section **10.76.070**.

8.14.500. Notification and redemption of towed vehicle.

[Ord. No. 2006-264 § 11; Ord. 2002-31 § 21]
When a vehicle is impounded under this article the police department will provide the notice specified under Section **10.76.100.** A towed vehicle may be redeemed with the police department by following the procedure set forth in Sections **10.76.090**, **10.76.100** and **10.76.120.** However, any reference to a hearing under 10.76.110 is not applicable.

8.14.510. Emergency tows.

[Ord. 2002-31 § 22]
When a nuisance vehicle presents a clear and immediate threat to the public safety or health, a peace officer or code official may declare such vehicle to be a nuisance and have it towed immediately away without prior notice and opportunity for hearing. The owner may appeal the amount of the abatement costs only at a hearing pursuant to Section **8.14.520**.

8.14.520. Hearing.

[Ord. 2015-118 § 12; Ord. 2002-31 § 23; Ord. 94-293 §§ 5,6; Ord. 81-791 § 19]
The person(s) to whom the notice is directed, or that person's duly authorized agent, may file a request for hearing as provided in Section **2.86.020.** If requested an appeal hearing shall be scheduled and held pursuant to Chapter 2.86. If timely appeal is not filed the notice shall be deemed to be conclusively presumed to be true and the City may proceed accordingly.

City of Davenport

Department: Public Safety
Contact Info: Alderman Jobgen and Alderman Dunn | 563-888-2066

Action / Date
6/8/2022

Subject:
Second Consideration: Ordinance amending subsection 9.40.030(B) to change and shorten the time period to legally use consumer fireworks on July 3 and 4 to 5:00 p.m. until 10:00 p.m. from the current 2:00 p.m. to 11:00 p.m. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
It has been requested that the City Council consider shortening the time period to legally use consumer fireworks on July 3 and 4 to 5:00 p.m. to 10:00 p.m. from the current 2:00 p.m. to 11:00 p.m.

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	5/11/2022 - 3:24 PM

ORDINANCE NO. _____

ORDINANCE AMENDING SUBSECTION 9.40.030(B) TO CHANGE AND SHORTEN THE TIME PERIOD TO LEGALLY USE CONSUMER FIREWORKS ON JULY 3 AND 4 TO 5:00 P.M. UNTIL 10:00 PM FROM THE CURRENT 2:00 PM TO 11:00 PM.

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

Section 1. That Subsection 9.40.030(B) is hereby amended to read as follows:

B. Consumer Fireworks may be used on July 3 and July 4 from 5:00 p.m. until 10:00 p.m. and on the night of December 31 from 10:00 p.m. until 12:30 a.m.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
6/8/2022

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

River Action; Ride the River; Downtown; Sunday, June 19, 2022 6:00 a.m. - 4:30 p.m.; **Closures:** southernmost parking lane and travel lane on West 2nd Street from Centennial Bridge to Ripley Street; westernmost parking lane and travel lane on Ripley Street from West 2nd Street to River Drive. [Ward 3]

Dale Gilmour; Collector Car Appreciation Cruise-In; 301 East 3rd Street; Saturday, July 9, 2022 3:00 p.m. - 11:00 p.m.; **Closures:** southernmost parking lane and travel lane on East 3rd Street from Pershing Avenue to Iowa Street. [Ward 3]

Recommendation:
Adopt the Resolution.

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

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Ride the River Route
🗋	Backup Material	Collector Car Appreciation Cruise-In Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	5/27/2022 - 2:05 PM

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

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

River Action; Ride the River; Downtown; Sunday, June 19, 2022 6:00 a.m. - 4:30 p.m.; ***Closures:*** *southernmost parking lane and travel lane on West 2nd Street from Centennial Bridge to Ripley Street; westernmost parking lane and travel lane on Ripley Street from West 2nd Street to River Drive. [Ward 3]*

Dale Gilmour; Collector Car Appreciation Cruise-In; 301 East 3rd Street; Saturday, July 9, 2022 3:00 p.m. - 11:00 p.m.; ***Closures:*** *southernmost parking lane and travel lane on East 3rd Street from Pershing Avenue to Iowa Street. [Ward 3]*

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

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

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

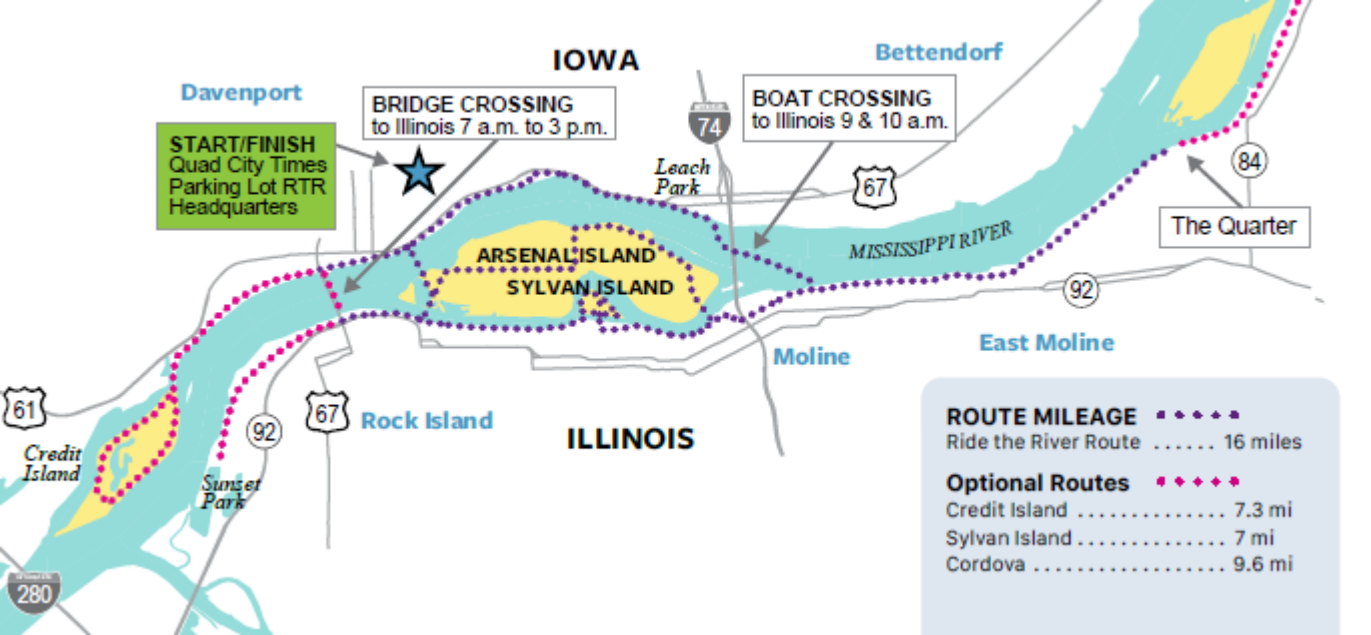
Passed and approved this 8th day of June, 2022.

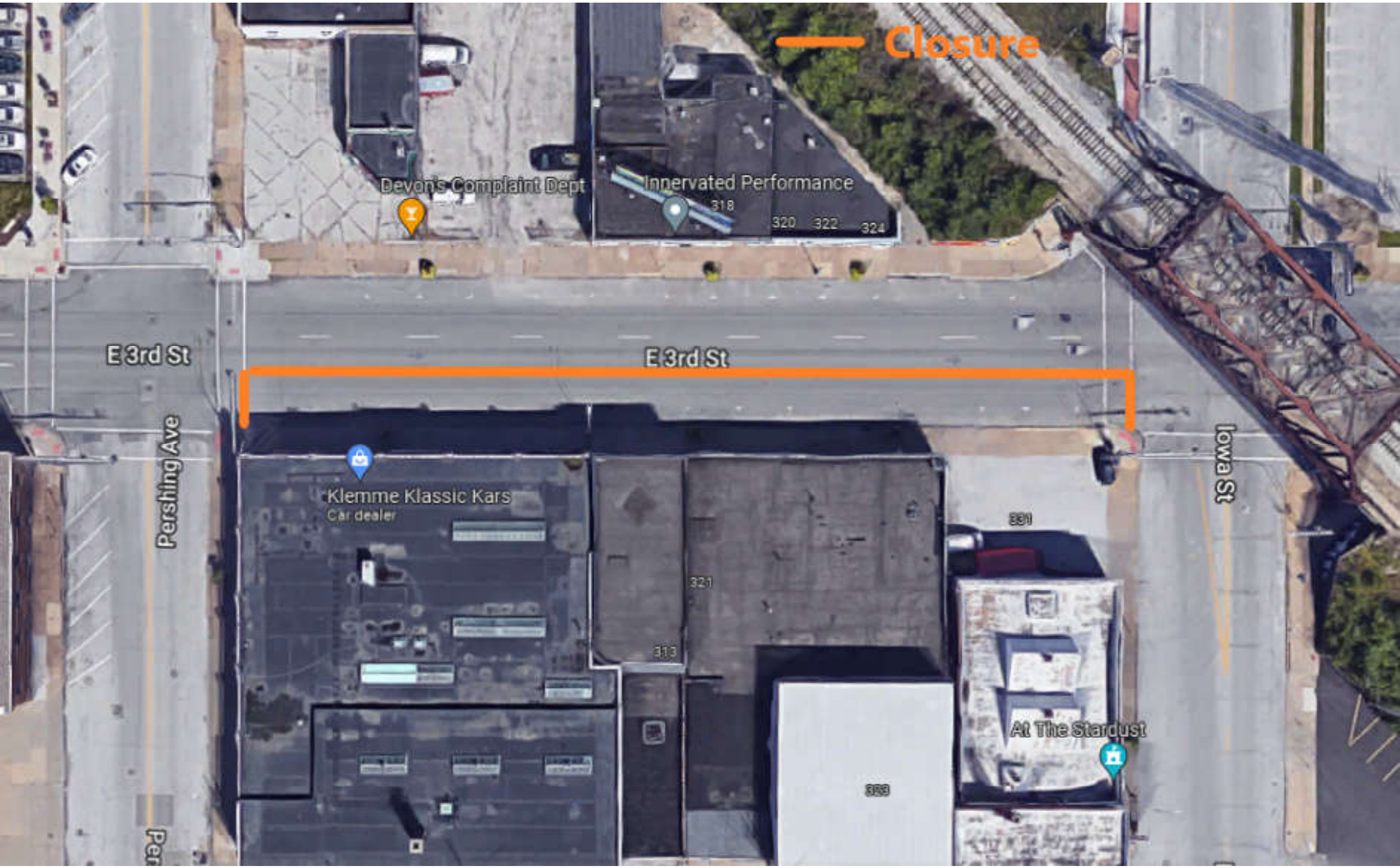
Approved:

Mike Matson
Mayor

Attest:

Brian Krup
Deputy City Clerk


IOWA
Davenport
Bettendorf
START/FINISH
Quad City Times
Parking Lot RTR
Headquarters
BRIDGE CROSSING
to Illinois 7 a.m. to 3 p.m.
BOAT CROSSING
to Illinois 9 & 10 a.m.
74
67
84
Leach Park
ARSENAL ISLAND
SYLVAN ISLAND
MISSISSIPPI RIVER
The Quarter
92
Moline
East Moline
61
67
92
Rock Island
ILLINOIS
Credit Island
Sunset Park
280
ROUTE MILEAGE
Ride the River Route ..... 16 miles
Optional Routes
Credit Island ..... 7.3 mi
Sylvan Island ..... 7 mi
Cordova ..... 9.6 mi


Closure
Devon's Complaint Dept
Innervated Performance
318
320
322
324
E 3rd St
E 3rd St
Pershing Ave
Iowa St
Klemme Klassic Kars
Car dealer
321
313
391
At The Stardust

City of Davenport

Department: Public Safety **Action / Date**
Contact Info: Jamie Swanson | 563-326-7795 **6/8/2022**

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

German American Heritage Center (German American Heritage Center) - 712 West 2nd Street - Temporary Outdoor Event (June 21) - License Type: Beer/Wine

Mississippi River Distilling Company (Mississippi River Distilling Company, LLC) - 318 East 2nd Street - New License - License Type: Class C Native Distillery

Ward 5

D'Ville (ABA East Village, LLC) - 2228 East 11th Street - Outdoor Area - License Type: Class C Liquor

Ward 6

Purgatory's Pub (Purgatory's Pub, Inc) - 5320 Corporate Park Drive - Temporary Outdoor Events (June 16, July 21, August 18, September 15) - License Type: Class B Beer

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

Ward 1

St Alphonsus Church Holy Name Society (St Alphonsus Church of Davenport, Inc) - 2618 Boies Avenue - Outdoor Area - License Type: Class B Beer

Smokin' Joes Tobacco and Liquor Outlet #1 (The Outlet, Inc) - 3120 Rockingham Road - License Type: Class E Liquor

Kwik Shop #584 (Kwik Shop, Inc) - 3624 West Locust Street - License Type: Class C Beer

Ward 2

Rina Mart, LLC (Rina Mart, LLC) - 3815 West Kimberly Road - License Type: Class E Liquor

Hickory Garden Restaurant (Fazliu, Inc) - 3311 Hickory Grove Road - Outdoor Area - License Type: Beer/Wine

Ward 3

The Current (Putnam Landlord, LLC) - 128-30 West 2nd Street - Outdoor Area - License Type: Class B Liquor

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 West Locust Street (Cafe Area) - License Type: Class C Liquor

The Gardens (Washington Gardens, LLC) - 1301 West 13th Street - Outdoor Area - License Type: Class C Liquor

Smokin' Joes Tobacco and Liquor Outlet #2 (The Outlet, Inc) - 1606 West Locust Street - License Type: Class E Liquor

Ward 5

Baked Beer & Bread Co (MemeCat, LLC) - 1113 Mound Street - License Type: Class C Liquor

Bicycle Rack Sports Grill (Sports Station, Inc) - 3303 Brady Street - Outdoor Area - License Type: Class C Liquor

Rookie's Sports Bar (Rookies, Inc) - 2818 Brady Street - License Type: Class C Liquor

Ward 6

Barrel House Three, LLC (Barrel House Three, LLC) - 5141 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

Red Lobster #0133 (Red Lobster Restaurants, LLC) - 3420 East Kimberly Road - License Type: Class C Liquor

Red Robin America's Gourmet Burgers & Spirits (Red Robin International, Inc) - 3903 East 53rd Street - Outdoor Area - License Type: Class C Liquor

Sam's Club #8238 (Sam's West, Inc) - 3887 Elmore Avenue - License Type: Class E Liquor

Red Lantern Fine Chinese Cuisine (Red Lantern Fine Chinese Cuisine, Inc) - 4009 East 53rd Street #107 - Outdoor Area - License Type: Class C Liquor

Ward 7

Costa Del Mar Mexican Grill and Seafood (Costa Del Mar, Inc) - 3852 North Brady Street - License Type: Class C Liquor

CVS Pharmacy #8658 (Iowa CVS Pharmacy, LLC) - 1655 West Kimberly Road - License Type: Class E Liquor

Vans Pizza Pub and Grill (Reedcan, LLC) - 3333 North Harrison Street - Outdoor Area - License Type: Class C Liquor

Kwik Star #294 (Kwik Trip, Inc) - 1650 West Kimberly Road - License Type: Class C Beer

Hi Ho Mongolian Grill (Hi Ho Mongolian Grill, Inc) - 901 Kimberly Road #15 - License Type: Beer/Wine

Ward 8

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

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Merritt, Mallory	Approved	5/25/2022 - 6:00 PM
Public Safety Committee	Merritt, Mallory	Approved	5/25/2022 - 6:01 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 2:29 PM

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7734 **6/8/2022**

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project, CIP #35042. [Wards 2 & 4]

Recommendation:
Adopt the Resolution.

Background:
This project will remove and replace the existing concrete pavement on Central Park from Lincoln to Cedar Street with new concrete pavement, subbase and subdrains. Work will be completed during the summer of 2022. The construction schedule is dependent upon railroad permitting.

Funding is available though CIP #35042. The estimated project cost is $1,670,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:43 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:43 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:21 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project, CIP #35042.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Central Park Avenue (Lincoln Avenue to Cedar Street) Reconstruction project.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7734 **6/8/2022**

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2022 Commercial Alley Resurfacing Program, CIP #35038. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Commercial - 50% property owner/ 50% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program:

1. The east-west commercial alley from Western Avenue to Scott Street between West 3rd Street and West 4th Street.
2. The north-south commercial alley from East 4th Street to East 5th Street between Brady Street and Perry Street.
3. The north-south commercial alley from West 4th Street to alley end between Harrison Street and Main Street.

The total estimated cost of these improvements is $100,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:41 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:41 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:23 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the 2022 Commercial Alley Resurfacing Program, CIP #35038.

WHEREAS, WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the Deputy City Clerk of Davenport, Iowa for the 2022 Commercial Alley Resurfacing Program; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the 2022 Commercial Alley Resurfacing Program.

Passed and approved this 8th day of June, 2022

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Brian Schadt | 563-326-7734 **6/8/2022**

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2022 Residential Alley Resurfacing Program, CIP #35038. [Ward 5]

Recommendation:
Adopt the Resolution.

Background:
Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Residential - 25% property owner/ 75% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program:

1. The north-south residential alley from East Rusholme Street to East Denison Avenue between Brady Street and Pershing Avenue.
2. The north-south residential alley from East 17th Street to East 18th Street between Perry Street and Pershing Avenue.

The total estimated cost of these improvements is $100,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:41 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:41 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:26 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the 2022 Residential Alley Resurfacing Program, CIP #35038.

WHEREAS, WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the Deputy City Clerk of Davenport, Iowa for the 2022 Residential Alley Resurfacing Program; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the 2022 Residential Alley Resurfacing Program.

Passed and approved this 8th day of June, 2022

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
6/8/2022

Subject:
Resolution approving a three-year agreement with Cartegraph Systems LLC of Dubuque, Iowa in the amount of $265,121. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Cartegraph is the work order and asset management system used primarily by the Public Works and Neighborhood Services Departments. This software allow staff to generate work orders, track resources, issue reports and manage external and internal requests for service. The agreement will be paid in three annual installments.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Resolution
	Backup Material	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/23/2022 - 11:09 AM

Resolution No. _____

Resolution offered by Alderman Dunn

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

RESOLUTION approving a three year agreement with Cartegraph Systems LLC of Dubuque, Iowa in the amount of $265,121.

WHEREAS, the City needs to contract out for the use of a work order and asset management system; and

WHEREAS, Cartegraph Systems, LLC of Dubuque, Iowa is providing the system; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the three year agreement with Cartegraph Systems LLC is approved.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Cartegraph Solutions Master Agreement

Master Agreement: MA-21-03704
Date Prepared: 5/9/2022
Date of Expiration: 7/29/2022

For any questions or assistance, please contact:

Ben Skemp
Manager of Account Management
Phone: (563) 587-3358
Mobile: 563-542-1558
Email: benskemp@cartegraph.com

Cartegraph Systems LLC
3600 Digital Drive
Dubuque, IA 52003-8962

http://www.cartegraph.com

Toll Free: (800) 688-2656
Phone: (563) 556-8120
Fax: (563) 556-8149

Master Agreement

Cartegraph Systems LLC is pleased to present this Master Agreement for its world-class technology solutions. This Master Agreement is made and entered into between City of Davenport (hereinafter referred to as "City of Davenport", or "Customer") and Cartegraph Systems LLC (hereinafter referred to as Cartegraph), each referred to as a "Party" or collectively as the "Parties" and is effective when fully executed by both Parties ("Effective Date").

This Master Agreement 1) will exclusively govern Customer's access to and use of Solution Subscriptions and/or Solution Services; 2) is the complete and sole understanding and agreement between Parties, and supersedes any oral or written proposal, agreement, or other communication between the Parties; 3) may only be modified or amended in writing as permitted herein; 4) is governed by the terms and conditions of the Cartegraph Solutions Agreement (Addendum A), unless (i) otherwise set forth herein, or (ii) there is an applicable written Customer Agreement executed by the Parties that directly references this Master Agreement, for the Solutions referenced in this Master Agreement. Any inconsistency between the documents shall be resolved by giving precedence to 1) a Customer Agreement (if applicable), 2) this Master Agreement, and 3) the Cartegraph Solutions Agreement.

The term of this Master Agreement shall begin on the Effective Date and continue until it is terminated as permitted herein. The duration of time specified in the Investment Summary of this Master Agreement shall be the "Initial Term." Subsequently executed Sales Orders under this Agreement may add additional Solution Subscriptions and/or Solution Services to the Initial Term as well as renew the Solution Subscriptions and/or Solution Services for successive periods, each a "Renewal Term."

BY EXECUTING OR REFERENCING THIS MASTER AGREEMENT, THE PARTIES ACKNOWLEDGE THAT THEY HAVE REVIEWED THE TERMS AND CONDITIONS SET FORTH HEREIN AND ANY EXHIBITS, AND THE PARTIES AGREE TO BE LEGALLY BOUND BY SUCH AGREEMENT.

CUSTOMER ADDRESS:

City of Davenport
1200 East 46th Street
Davenport, Iowa
52807

LICENSEE ADDRESS:

City of Davenport
1200 E 46TH St
Davenport, Iowa
52807-1016

The following Addendums are attached to this Master Agreement and are incorporated by reference:

ADDENDUM A - SOLUTIONS AGREEMENT can be found at www.cartegraph.com/solutions-agreement
ADDENDUM B - Not Used
ADDENDUM C - Not Used
ADDENDUM D - Not Used
ADDENDUM E - CARTEGRAPH OMS EDITIONS
ADDENDUM F - Not Used

Investment Summary

The following represents the requested Solution Subscriptions and/or Solution Services along with their related durations (Terms).

Term 01 - 8/1/2022 - 7/31/2023 - Subscription

No.	Product	Code	Quantity	Price
1	SCF for YourGov	SCFTRANS	1.00	USD 5,375.00
1	OMS Premium	OMSPRM	1	USD 36,925.00
2	Facilities Domain	DOM001	1	USD 0.00
3	Flood Protection Domain	DOM003	1	USD 0.00
4	Parks & Recreation Domain	DOM004	1	USD 0.00
5	Sanitary Sewer Domain	DOM005	1	USD 0.00
6	Signal Domain	DOM006	1	USD 0.00
7	Stormwater Domain	DOM007	1	USD 0.00
8	Transportation Domain	DOM008	1	USD 0.00
9	Walkability Domain	DOM009	1	USD 0.00
10	OMS User	OMSUSR	220	USD 42,400.00
11	Systems Integration Support FuelMaster	SYITSU	1	USD 1,075.00
			Term 01 - 8/1/2022 - 7/31/2023 - Subscription TOTAL:	USD 85,775.00

Term 02 - 8/1/2023 - 7/31/2024 - Subscription

No.	Product	Code	Quantity	Price
1	SCF for YourGov	SCFTRANS	1.00	USD 5,536.00
1	OMS Premium	OMSPRM	1	USD 38,033.00
2	Facilities Domain	DOM001	1	USD 0.00
3	Flood Protection Domain	DOM003	1	USD 0.00
4	Parks & Recreation Domain	DOM004	1	USD 0.00
5	Sanitary Sewer Domain	DOM005	1	USD 0.00
6	Signal Domain	DOM006	1	USD 0.00
7	Stormwater Domain	DOM007	1	USD 0.00
8	Transportation Domain	DOM008	1	USD 0.00
9	Walkability Domain	DOM009	1	USD 0.00
10	OMS User	OMSUSR	220	USD 43,672.00
11	Systems Integration Support FuelMaster	SYITSU	1	USD 1,107.00
			Term 02 - 8/1/2023 - 7/31/2024 - Subscription TOTAL:	USD 88,348.00

Term 03 - 8/1/2024 - 7/31/2025 -
Subscription

No.	Product	Code	Quantity	Price
1	SCF for YourGov	SCFTRANS	1.00	USD 5,702.00
1	OMS Premium	OMSPRM	1	USD 39,174.00
2	Facilities Domain	DOM001	1	USD 0.00
3	Flood Protection Domain	DOM003	1	USD 0.00
4	Parks & Recreation Domain	DOM004	1	USD 0.00
5	Sanitary Sewer Domain	DOM005	1	USD 0.00
6	Signal Domain	DOM006	1	USD 0.00
7	Stormwater Domain	DOM007	1	USD 0.00
8	Transportation Domain	DOM008	1	USD 0.00
9	Walkability Domain	DOM009	1	USD 0.00
10	OMS User	OMSUSR	220	USD 44,982.00
11	Systems Integration Support FuelMaster	SYITSU	1	USD 1,140.00
			Term 03 - 8/1/2024 - 7/31/2025 - Subscription TOTAL:	USD 90,998.00

Term 04 - 8/1/2025 - 7/31/2026 -
Subscription

No.	Product	Code	Quantity	Price
1	SCF for YourGov	SCFTRANS	1.00	USD 5,873.00
1	OMS Premium	OMSPRM	1	USD 40,350.00
2	Facilities Domain	DOM001	1	USD 0.00
3	Flood Protection Domain	DOM003	1	USD 0.00
4	Parks & Recreation Domain	DOM004	1	USD 0.00
5	Sanitary Sewer Domain	DOM005	1	USD 0.00
6	Signal Domain	DOM006	1	USD 0.00
7	Stormwater Domain	DOM007	1	USD 0.00
8	Transportation Domain	DOM008	1	USD 0.00
9	Walkability Domain	DOM009	1	USD 0.00
10	OMS User	OMSUSR	220	USD 46,331.00
11	Systems Integration Support FuelMaster	SYITSU	1	USD 1,174.00
			Term 04 - 8/1/2025 - 7/31/2026 - Subscription TOTAL:	USD 93,728.00

Term 05 - 8/1/2026 - 7/31/2027 -
Subscription

No.	Product	Code	Quantity	Price
1	SCF for YourGov	SCFTRANS	1.00	USD 6,050.00
1	OMS Premium	OMSPRM	1	USD 41,560.00
2	Facilities Domain	DOM001	1	USD 0.00
3	Flood Protection Domain	DOM003	1	USD 0.00
4	Parks & Recreation Domain	DOM004	1	USD 0.00
5	Sanitary Sewer Domain	DOM005	1	USD 0.00
6	Signal Domain	DOM006	1	USD 0.00
7	Stormwater Domain	DOM007	1	USD 0.00
8	Transportation Domain	DOM008	1	USD 0.00
9	Walkability Domain	DOM009	1	USD 0.00
10	OMS User	OMSUSR	220	USD 47,721.00
11	Systems Integration Support FuelMaster	SYITSU	1	USD 1,209.00
			Term 05 - 8/1/2026 - 7/31/2027 - Subscription TOTAL:	USD 96,540.00

Summary By Term - Includes Services & Subscriptions

Total Term 1	USD 85,775.00
Total Term 2	USD 88,348.00
Total Term 3	USD 90,998.00
Total Term 4	USD 93,728.00
Total Term 5	USD 96,540.00

Investment Notes:

- Any Customer Purchase Order, Contract, and/or Agreement must reference Cartegraph Master Agreement: MA-21-03704.
- Purchasing the Solutions presented herein through any alternative procurement method will require a revised price proposal which may include an associated price adjustment.
- Prices may include discounts, concessions, or incentives that are only applicable to this transaction and should not be assumed for future purchases.
- Prices do not include any taxes that may apply at the time of invoicing. If applicable, any such taxes are the responsibility of Customer and will appear on the respective invoice.
- Prices do not include any applicable Esri ArcGIS licenses.
- Prices are in U.S. Dollars ($USD).
- Prices for the Initial Term are valid only if this Master Agreement is executed by 7/29/2022.

Payment

In consideration for the Solutions provided by Cartegraph to Customer, Customer agrees to pay Cartegraph the Fees as described below:

DELIVERY
Upon execution of this Master Agreement, Cartegraph will provide the Solution Subscriptions and/or Solution Services as detailed in the Investment Summary.

SOLUTION SUBSCRIPTION INVOICING
Customer shall be provided with the ability to access and use the Solution Subscriptions upon execution of this Master Agreement. The payment for the initial term is due upon execution of the Master Agreement. Payment for any subsequent renewal terms will be due in annual installments as specified herein and prior to the anniversary of the initial term in the amount(s) that follow:

- Term 1: $85,775.00
- Term 2: $88,348.00
- Term 3: $90,998.00
- Term 4: $93,728.00
- Term 5: $96,540.00

PAYMENT

- All payments are due Net 30 days from date of invoice.
- All payments are to be in U.S. Dollars ($USD).
- For customers within the United States, any applicable taxes required at the time of invoice will be determined based on the laws and regulations of the taxing authority(s) governing the "Customer Address" identified herein.

Acceptance

BY SIGNING BELOW, EACH PARTY AGREES THAT 1) ITS SIGNATORY HAS THE AUTHORITY TO BIND THEIR PARTY TO THIS OBLIGATION, AND 2) THAT ALL USE AND ACCESS TO THE SOLUTION SUBSCRIPTION AND/OR SOLUTION SERVICES DESCRIBED HEREIN SHALL BE GOVERNED BY THE TERMS AND CONDITIONS IN THE FOLLOWING ORDER OF PRECEDENCE A) A CUSTOMER AGREEMENT (IF APPLICABLE), B) THIS MASTER AGREEMENT AND ALL AGREEMENTS AND ADDENDUMS SPECIFICALLY REFERENCED HEREIN, AND C) THE CARTEGRAPH SOLUTIONS AGREEMENT.

Cartegraph Systems LLC:

By: _____

(Signature)

_____

(Print Name)

Title: _____

Date: _____

City of Davenport:

By: _____

(Signature)

_____

(Type or Print Name)

Title: _____

Date: _____

ADDENDUM E

Cartegraph OMS Editions

Cartegraph OMS supports customers in the operation, maintenance, and management of the following asset domains. By employing these features as applicable, customers can effectively manage and report on the assets that they care about. Indicated below are the capabilities and options available for each OMS Edition at the time this document was prepared, which are subject to change.

	Essentials	Pro	Plus	Premium
Dashboard / Home Screen	Included	Included	Included	Included
User Management	Included	Included	Included	Included
Role Management		Included	Included	Included
Esri GIS Integration	Included	Included	Included	Included
Report Viewer	Included	Included	Included	Included
Library Management	Included	Included	Included	Included
Standard KPI / ROI gadgets	Included	Included	Included	Included
Esri Identity-Ready	Included	Included	Included	Included
Structure Manager		Included	Included	Included
Layout Manager		Included	Included	Included
Import / Export		Included	Included	Included
Record Filter Administration		Included	Included	Included
Container / Component	Included	Included	Included	Included
Embedded Maps	Included	Included	Included	Included
Report Designer		Included	Included	Included
Integration Toolkit		Option	Option	Included
Cartegraph for Zapier	Option	Option	Included	Included
Automation Manager			Included	Included
Notification Manager		Included	Included	Included
Routing – Esri Identity Required	Included	Included	Included	Included
Geocode Options- Esri Identity Required	Included	Included	Included	Included

Work

Task Management	Included	Included	Included	Included

Work Orders			Included	Included
Task Calendar	Included	Included	Included	Included
Scenario Builder			Option	Included

Request

Request Management	Required w/ SeeClickFix	Included	Included	Included
SeeClickFix	Option	Option	Option	Option
Internal Requests		Option	Included	Included

Resources

Resource Management (LEMV)	Included	Included	Included	Included
Advanced Material Management			Option	Included
Fleet Management		Option	Included	Included

Assets

Asset Inventory	By Domain/Asset	By Domain/Asset	By Domain/Asset	By Domain/Asset
Container / Component	Included	Included	Included	Included
Preventative Maintenance Plans		Included	Included	Included
Asset Condition Manager / Advanced Inspections		Required w/ Fleet Mgmt.	Included	Included
Asset Builder		Option	Option	Included

City of Davenport

Department: Public Works - Admin
Contact Info: Nicole Gleason | 563-326-7734

Action / Date
6/8/2022

Subject:
Resolution awarding a contract for the 2nd Street Resurfacing project to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $611,422.50, CIP #35053. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on May 9, 2022 and sent to contractors. On May 23, 2022, the Purchasing Division opened and read four (4) bids. See attached bid tab.

The proposed improvements include, but are not limited to, milling of the existing asphalt surface, full depth patching, Hot Mix Asphalt (HMA) resurfacing, fixture adjustments, pavement markings, and ADA-compliant curb ramps on East 2nd Street from the east curb return of Harrison Street to the west curb return of Brady Street and continued from the east curb return of Brady Street to the end of HMA overlay west of the Government Bridge.

CDMI Concrete Contractors Inc of Port Byron, Illinois was the lowest responsive and responsible bidder. They have performed this type of work for the City in the past.

Funding for this project is from CIP #35053 High Volume Street Repair. These funds are available from the sale of General Obligation Bonds.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/25/2022 - 12:41 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:42 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:27 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 2nd Street Resurfacing project to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $611,422.50, CIP #35053.

WHEREAS, the City needs to contract for the 2nd Street Resurfacing project; and

WHEREAS, CDMI Concrete Contractors Inc 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 2nd Street Resurfacing project is hereby awarded to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $611,422.50.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 2ND STREET RESURFACING

BID NUMBER: 22-139

OPENING DATE: MAY 23, 2022

FUNDING: CIP 35053 HIGH VOLUME STREET REPAIR

RECOMMENDATION: AWARD THE CONTRACT TO CDMI CONCRETE CONTRACTORS INC. OF PORT BYRON ILLINOIS

VENDOR NAME	PRICE
CDMI Concrete Contractors Inc. of Port Byron Illinois	**$611,422.50**
Hawkeye Paving Corporation of Davenport Iowa	$693,763
Langman Construction Inc of Rock Island Illinois	$697,158.40
Brandt Construction Co. of Milan Illinois	$724,330.90

Approved By Kristie Keller 5-25-2022
Purchasing Date

Approved By Nicole Gleason 5-24-22
Dept Director Date

Approved By Brandi Cox 5-25-22
Budget/CIP Date

Approved By Wallace J. Hewitt 05/25/2022
Assist. City Administrator/ CFO Date

City of Davenport

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

Action / Date
6/8/2022

Subject:
Resolution awarding a contract for engineering services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project with Snyder & Associates of Iowa City, Iowa in the amount of $393,000, ARP #17. [Ward 7]

Recommendation:
Adopt the Resolution

Background:
On July 27, 2021 the City Council approved the City Administrator's recommended American Rescue Plan Act budget. Included within that budget plan is a north-south oriented multi-use recreational trail that connects the existing trail system along Duck Creek to the Goose Creek trail located north of East 46th Street. A key component of the project is to provide users safe passage underneath East Kimberly at the bridge over Goose Creek.

On March 9, 2022, a Request for Qualifications was issued and sent to architectural/engineering firms. On March 30, 2022, the Purchasing Division opened and announced ten (10) proposals. An evaluation committee reviewed and scored each proposal. Based on the outcomes of the scoring matrix, the evaluation committee selected two (2) firms to interview to determine which would be the best fit for the City's expectations and needs. Snyder & Associates is being recommended for this project. The total contract cost includes, but not limited to the following: Conceptual development, topographical survey, wetland/stream delineation, phase one cultural investigation, hydraulic study, and preliminary and final civil/structural design.

Funding is made available through the American Rescue Plan Act.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	5/26/2022 - 12:37 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for engineering services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project with Snyder & Associates of Iowa City, Iowa in the amount of $393,000, ARP #17.

WHEREAS, the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project was identified and approved by the City Council as part of the City Administrator's recommended American Rescue Plan Act budget; and

WHEREAS, the City needs to contract for engineering services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project; and

WHEREAS, Snyder & Associates was the company chosen after proposals were evaluated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for engineering services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project is hereby awarded to Snyder & Associates of Iowa City, Iowa in an amount not-to-exceed $393000.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Engineering
Contact Info: Eric Gravert | 563-327-5125

Action / Date
6/8/2022

Subject:
Resolution accepting work completed under the Main Library Renovation project by Swanson Construction Co of Bettendorf, Iowa in the amount of $710,817.56, CIP #23028. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The Main Library Renovation project was focused on the public areas of the building. The project included the creation of individual study rooms, a new first floor public meeting room, a more defined Children's Area, a new Teen Space, improved public computer area, and a flex space that can be used as a Maker area or for programming. A new service desk in a new location will allow staff to better serve patrons.

The project was completed in accordance with the City of Davenport requirements with a final amount of $710,817.56 funded in CIP #23028.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:43 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 1:32 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:27 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 Main Library Renovation project by Swanson Construction Co of Bettendorf, Iowa in the amount of $710,817.56, CIP #23028.

WHEREAS, the City of Davenport, Iowa entered into a contract with Swanson Construction Co for the Main Library Renovation; 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 Main Library Renovation project by Swanson Construction Co of Bettendorf, Iowa in the amount of $710,817.56 is hereby accepted.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
6/8/2022

Subject:
Resolution accepting work completed under the Sturdevant Street (Central Park Avenue to Hayes Street) and Hayes Street (Division Street to Sturdevant Street) Reconstruction project by Langman Construction, Inc of Rock Island, Illinois in the amount of $435,277.93, CIP #35047. [Ward 4]

Recommendation:
Adopt the Resolution.

Background:
This project included full-width replacement of concrete pavement on Sturdevant Street and curb patching with asphalt milling and overlay on West Hayes Street. Sidewalk curb ramps were also replaced to meet current ADA guidelines. Total project cost was $435,277.93, which was funded by Capital Improvements Program funds for local roads (CIP #35047) using a combination of Local Option Sales Tax & Government Obligation Bond proceeds.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Exhibit	location map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 1:34 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 2:21 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:27 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 Sturdevant Street (Central Park Avenue to Hayes Street) and Hayes Street (Division Street to Sturdevant Street) Reconstruction project by Langman Construction, Inc of Rock Island, Illinois in the amount of $435,277.93, CIP #35047.

WHEREAS, the City entered into contract with Langman Construction, Inc of Rock Island, Illinois; and

WHEREAS, the project limits on Sturdevant Street were from Central Park Avenue to the alley north of West Hayes Street, and the project limits on West Hayes Street were from Division Street to Sturdevant Street; and

WHEREAS, the scope of work on Sturdevant Street included full-width concrete pavement replacement, driveway approaches, and ADA curb ramp replacement, and the scope of work on West Hayes Street included curb and gutter patching and asphalt milling and overlay; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the Sturdevant Street (Central Park Avenue to Hayes Street) and Hayes Street (Division Street to Sturdevant Street) Reconstruction project by Langman Construction, Inc of Rock Island, Illinois in the amount of $435,277.93 is hereby accepted.

Passed and approved this 8th day of June, 2022.

Approved:

_____
Mike Matson
Mayor

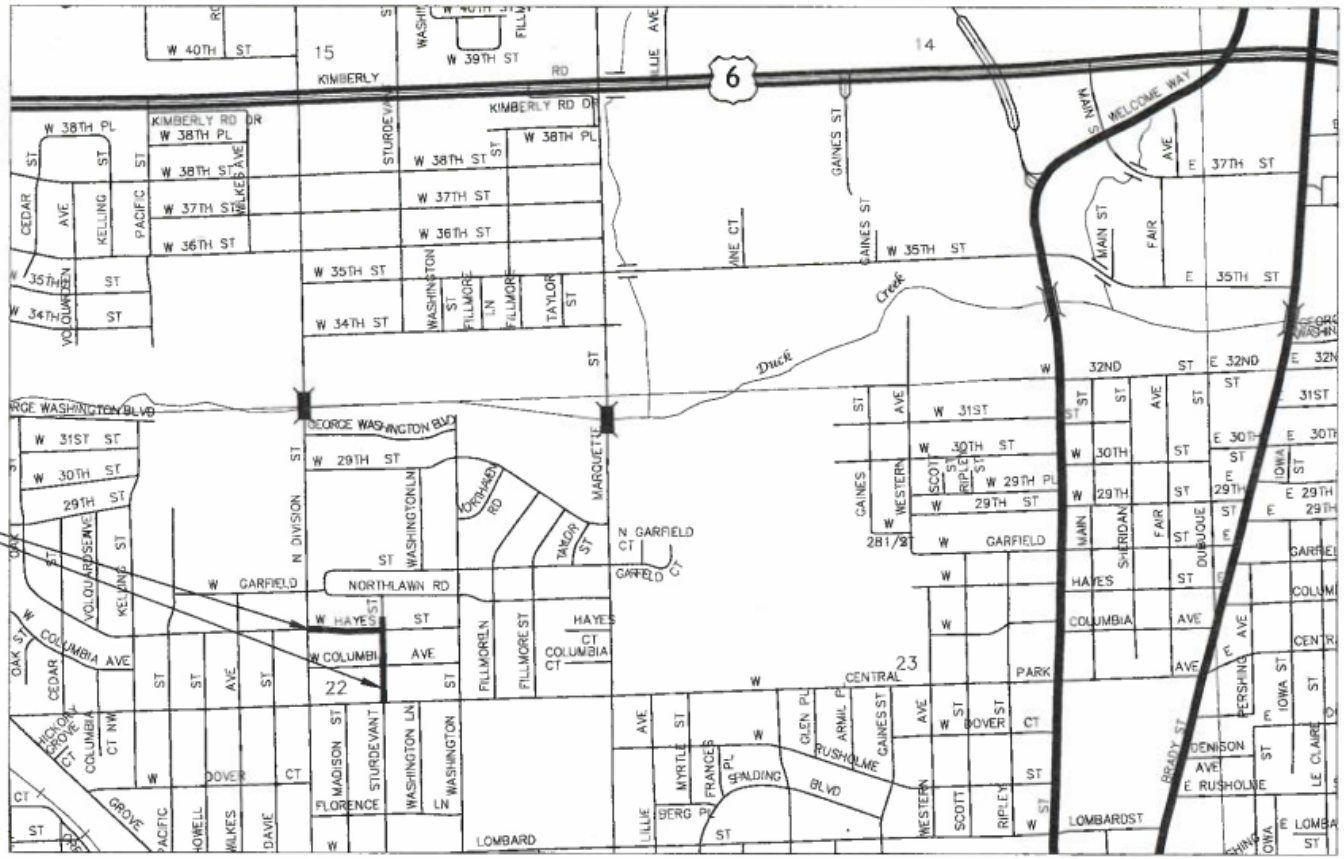
Attest:

_____
Brian Krup
Deputy City Clerk

PROJECT LOCATION

NORTH

PROJECT AREA



City of Davenport

Department: Public Works - Engineering **Action / Date**
Contact Info: Jen Walker | 563-326-6168 **6/8/2022**

Subject:
Resolution accepting work completed under the CDBG Replenishment – Group 1: Hoover, Appomattox, and Ripley Reconstruction project by Langman Construction of Rock Island, Illinois in the amount of $796,167.24. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
This project included full reconstruction of three roadways located within the Goose Creek Heights neighborhood:

- Hoover Road from Appomattox Road to approximately 350 feet east
- Appomattox Road from West 63rd Street to Hoover Road
- North Ripley Street from West 61st Street to West 65th Street

Work included new curbs, full-depth asphalt pavement with underlying subdrains, new driveway approaches, and updated ADA curb ramps.

Project costs were paid from the City's Community Development Block Grant (CDBG) funds, project #BG250. Work has been satisfactorily completed by Langman Construction, Inc of Rock Island, Illinois with a total project cost of $796,167.24.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Exhibit	location map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:42 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:42 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:28 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the CDBG Replenishment – Group 1: Hoover, Appomattox, and Ripley Reconstruction project by Langman Construction of Rock Island, Illinois in the amount of $796,167.24.

WHEREAS, the City entered into a contract with Langman Construction, Inc for the CDBG Replenishment – Group 1: Hoover, Appomattox, and Ripley Reconstruction project; and

WHEREAS, the project locations were Hoover Road from Appomattox Road to approximately 350 feet east, Appomattox Road from West 63rd Street to Hoover Road, and North Ripley Street from West 61st Street to West 65th Street; and

WHEREAS, work included new curbs, full-depth asphalt pavement with underlying subdrains, new driveway approaches, and updated ADA curb ramps; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the CDBG Replenishment – Group 1: Hoover, Appomattox, and Ripley Reconstruction project by Langman Construction of Rock Island, Illinois in the amount of $796,167.24 is hereby accepted.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

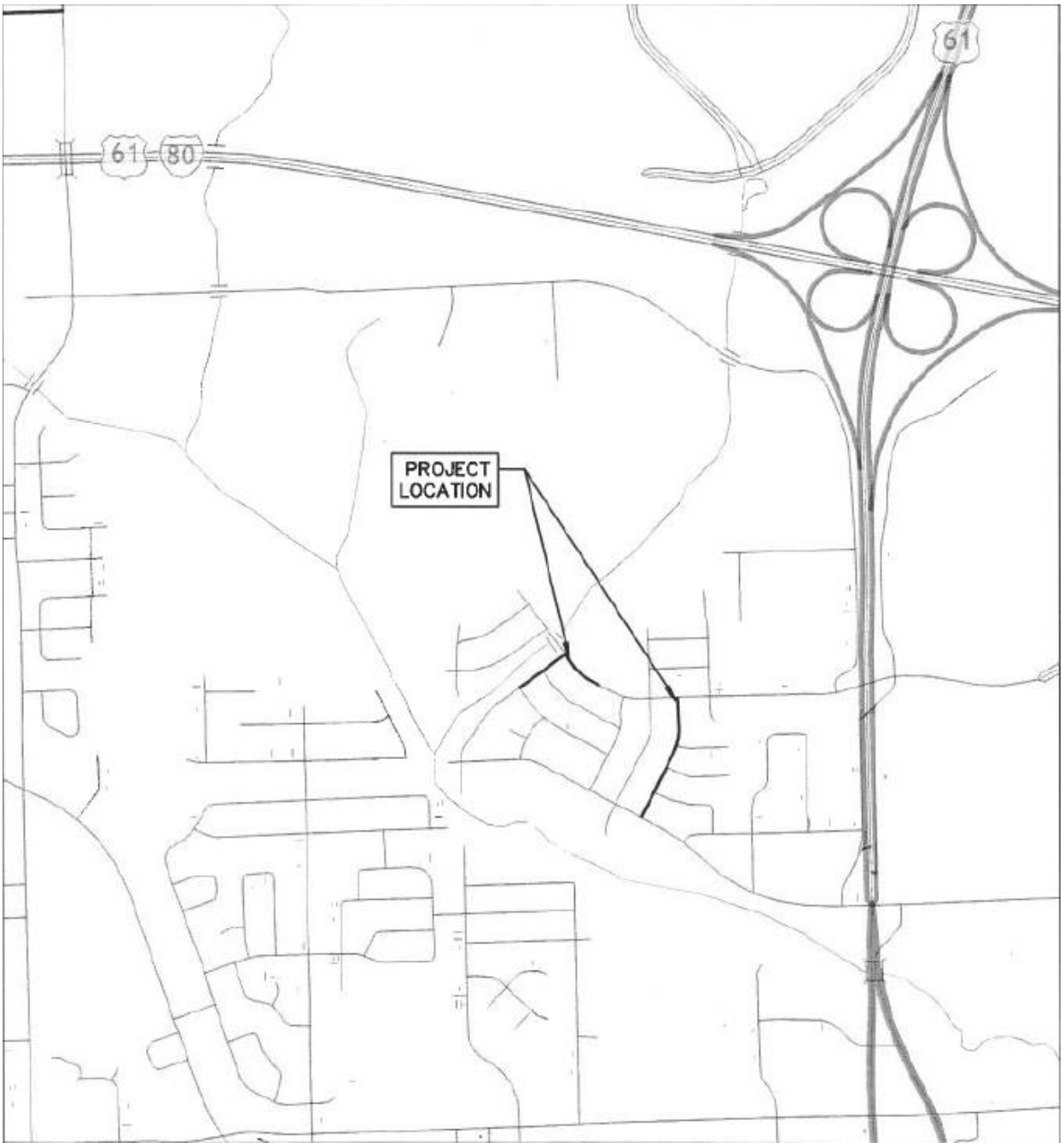
Attest:

_____

Brian Krup
Deputy City Clerk

CDBG Replenishment Group 1

Hoover Rd, Appomattox Rd, N Ripley Street



City of Davenport

Department: Public Works - Engineering
Contact Info: Jen Walker | 563-326-6168

Action / Date
6/8/2022

Subject:
Motion accepting work completed under the CDBG Alley Rehab: 701 Tremont Avenue to 923 East 6th Street project by Emery Construction Group, Inc of Moline, Illinois in the amount of $76,739.70, CIP #BG250. [Ward 3]

Recommendation:
Pass the Motion.

Background:
This project included full reconstruction of one alley located between Tremont and Carey Avenues, and between East 6th and Charlotte Streets. Construction costs were paid from the City's Community Development Block Grant (CDBG) funds.

Work has been satisfactorily completed by Emery Construction Group, Inc of Moline, Illinois. The total project cost was $76,739.70.

ATTACHMENTS:

	Type	Description
🗋	Exhibit	location map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/25/2022 - 12:39 PM
Public Works Committee	Moses, Trish	Approved	5/25/2022 - 12:39 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:28 PM

SITE LOCATION MAP

City of Davenport

Department: Public Works - Engineering
Contact Info: Zach Peterson | 563-328-6709

Action / Date
6/8/2022

Subject:
Motion ratifying Change Orders #1 and #2 with Langman Construction, Inc of Rock Island, Illinois in the amount of $71,634 for the Veterans Memorial Park Phase II project, CIP #68016. [Ward 3]

Recommendation:
Pass the Motion.

Background:
The additional construction item, for both change orders #1 and #2, was required to remove and dispose of pockets of unsuitable soils encountered on site after commencing earth moving operations. Upon soil disposal, clean fill was exchanged and imported to the site for use as a preferred subbase material for pathway construction and future site development needs.

Both change orders include the disposal of unsuitable soils in exchange for clean fill imported and stockpiled on site in the amount of $71,634.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	5/26/2022 - 12:33 PM

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
6/8/2022

Subject:
Third Consideration: Ordinance amending the Municipal Code of Davenport, Iowa by deleting Chapter 2.26 "Financial Disclosure" and amending Chapter 2.12 "Department of Finance" to add a new Section 2.12.270 entitled "Financial Disclosure". [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
This Ordinance will delete Chapter 2.26 entitled "Financial Disclosure" of the Municipal Code of Davenport, Iowa and will add a new section 2.12.270, entitled "Financial Disclosure". Section 2.12.270 will indicate financial interest disclosure regulations are housed in Administrative Policy 4.10.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	4/27/2022 - 5:14 PM
Finance Committee	Merritt, Mallory	Approved	4/27/2022 - 5:14 PM
City Clerk	Admin, Default	Approved	4/28/2022 - 5:15 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF DAVENPORT, IOWA BY DELETING CHAPTER 2.26 "FINANCIAL DISCLOSURE" AND AMENDING CHAPTER 2.12 "DEPARTMENT OF FINANCE" TO ADD A NEW SECTION 2.12.270 ENTITLED "FINANCIAL DISCLOSURE".

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

Section 1. That Chapter 2.26 "Financial Disclosure" is hereby deleted.

Section 2. That Chapter 2.12 "Department of Finance" is hereby amended to add a new Section 2.12.270 entitled "Financial Disclosure" that reads as follows:

2.12.270 **Financial Disclosure.**

Financial interest disclosure regulations are outlined in City of Davenport Administrative Policy 4.10.

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: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
6/8/2022

Subject:
Resolution approving qualified financial institutions with which to do investment business and establishing the maximum deposit amount for each in accordance with the City's Investment Policy. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City's Investment Policy focuses on identifying qualified financial institutions to do investment business with the City of Davenport. The Investment Policy requires the City Council to approve the list of depositories and brokers which may be amended individually at the request of a financial institution. Fortress Bank has recently requested to be added as a depository.

Fortress Bank has provided all required information and the Affirmative Action Commission has reviewed its Community Reinvestment score which meets the criteria outlined in the investment policy. Fortress Bank has submitted a letter from the State of Iowa's Treasurer's office designating them a pledging bank for the deposit of public funds.

Depository Name	Institution Type	Maximum Deposit Amount	CRA Rating
Quad City Bank and Trust	Bank	$150,000,000.00	Satisfactory
American Bank and Trust	Bank	$30,000,000.00	Satisfactory
CBI Bank and Trust	Bank	$30,000,000.00	Satisfactory
Fortress Bank	Bank	$30,000,000.00	Satisfactory
US Bank	Bank	$30,000,000.00	Satisfactory
DuTrac Community Credit Union	Credit Union	$30,000,000.00	N/A
Piper Sandler	Brokers-dealer Services	$70,000,000.00	N/A
Wells Fargo Securities N.A.	Brokers-dealer Services	$70,000,000.00	N/A
PMA Securities/IPAIT	Brokers-dealer Services	$70,000,000.00	N/A

The maximum deposit amount is requested to be revised from $30,000,000 to $70,000,000 for IPAIT, Piper Sander, and Wells Fargo Securities N.A. Each of these broker-dealers sell U.S. securities allowed by the investment policy to be 100% of the investment portfolio and requires no collateralization when invested in U.S. Treasuries or its agencies. Quad City Bank and Trust will be used for the safekeeping and custody of all securities purchased from broker-dealers. All other institutions remain at the same maximum deposit levels as previously approved.

The Community Reinvestment Act (CRA) rating and financial condition for all previously approved banks has been evaluated and continue to comply with the City's requirements.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/25/2022 - 2:58 PM
Finance Committee	Merritt, Mallory	Approved	5/25/2022 - 2:58 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:29 PM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION approving qualified financial institutions with which to do investment business and establishing the maximum deposit amount for each in accordance with the City's Investment Policy.

WHEREAS, the City of Davenport has adopted an investment policy describing the qualifications of safety, liquidity, yield, and community reinvestment activities as the primary objectives for investment of public funds; and

WHEREAS, the following financial institutions have demonstrated that they meet or exceed these qualifications; and

WHEREAS, the Davenport Affirmative Action Commission has accepted Fortress Bank and an outside legal firm has confirmed its compliance with the requirements of the Investment Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Davenport, Iowa that all financial institutions on this list have met or exceeded the requirements established in the City's Investment Policy and are approved for investment purposes. The maximum deposit amount is $30,000,000 for American Bank and Trust, CBI Bank and Trust, Fortress Bank, U.S. Bank, DuTrac Credit Union, and $70,000,000 for Piper Sandler IPAIT, and Wells Fargo Securities N.A. As the primary bank for the City, Quad City Bank and Trust shall have a maximum deposit amount of $150,000,000. City Council directs staff to revise Section 13 – Qualified Institutions paragraph 4 of the Investment Policy with the approved maximum deposit amounts to keep both documents' information synchronized; and

BE IT FURTHER RESOLVED that Quad City Bank and Trust be used for the safekeeping and custody of securities purchased; and

BE IT FURTHER RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement; to execute and deliver signature cards to Depository concurrently therewith; and to execute all drafts, checks, and other documents and correspondence regarding any accounts of the City of Davenport, Iowa at Depository:

CFO/Assistant City Administrator Mallory L. Merritt

Assistant Finance Director James J. Odean; and

BE IT FURTHER RESOLVED that the officers described above are hereby authorized and directed to take such action and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including, but not limited to, Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto; and

BE IT FURTHER RESOLVED that the Finance Department shall forward a certified copy of this resolution to the Depository, and any other parties which may request it for purposes of effectuating the deposit of public funds, authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents of the offices described above; and that the Clerk further certify to Depository or other parties from time to time the signatures of any successors in office of any of the present incumbents.

Passed and approved this 8th day of June, 2022.

Approved:

_____

Mike Matson
Mayor

Attest:

_____

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
6/8/2022

Subject:
Resolution to fix meeting date for hearing on the issuance of not-to-exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This Resolution sets the Public Hearing for the June 15, 2022 Committee of the Whole Meeting beginning at 5:30 p.m. in Council Chambers at Davenport City Hall, 226 West 4th Street. The purpose of this Public Hearing is to begin proceedings for the issuance of not-to-exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023. The proceeds from this bond sale occurring later in the fiscal year will be used to pay the costs in connection with making improvements to sanitary sewers, streets, street lighting, signage, sidewalks, airport, municipal buildings and facilities, vehicles, public safety, along with a number of other projects adopted by the City Council and incorporated into the FY 2023 Budget.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution Letter
🗋	Exhibit	FY 2023 Bond Sale Workbook

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/25/2022 - 5:37 PM
Finance Committee	Merritt, Mallory	Approved	5/25/2022 - 5:37 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:33 PM

SET DATE FOR HEARING ON ISSUANCE OF GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2023

629872-92

Davenport, Iowa

June 8, 2022

The City Council of the City of Davenport, Iowa, met on June 8, 2022, at 5:30 p.m. at the Council Chambers, City Hall, Davenport, Iowa. The Mayor presided and the roll was called showing the following Aldermen present and absent:

Present: _____

Absent: _____.

The City Council took up for consideration a resolution setting a date for public hearing on the proposed issuance of not to exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023.

Alderman _____ introduced the resolution hereinafter next set out and moved its adoption, seconded by Alderman _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

The resolution, as hereinafter set out, was signed by the Mayor as evidence of approval, was attested by the Deputy Clerk and was declared to be effective.

• • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

_____
Mayor

Attest:

_____
Deputy Clerk

RESOLUTION NO. _____

Resolution to fix meeting date for hearing on the issuance of not to exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023

WHEREAS, the City of Davenport, in Scott County, Iowa (the "City"), in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, has previously issued its $17,715,000 General Obligation Corporate Bonds, Series 2015, dated March 10, 2015 (the "Series 2015 Bonds"), and, in the ordinance authorizing the issuance of the Series 2015 Bonds, the City reserved the right to call for early redemption as of June 1, 2023, the maturities of the Series 2015 Bonds coming due after June 1, 2023 (the "Callable Series 2015 Bonds"); and

WHEREAS, in accordance with the Charter of the City and Chapter 384 of the Code of Iowa, the City hereby proposes to issue not to exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023 (the "Bonds"), for the purpose of paying the costs in connection with making improvements to sanitary sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities, and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety department, solid waste collection, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects (collectively, the "Projects"); and current refunding the Callable Series 2015 Bonds; and

WHEREAS, it is necessary to fix a date for a hearing on the issuance of the Bonds, and to give proper notice thereof;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The City Council shall meet as the Committee-of-the-Whole on June 15, 2022, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., at which time and place any resident or property owner of the City may present oral or written comments with respect to the issuance of the Bonds, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on June 22, 2022, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

Section 2. The Deputy Clerk is hereby directed to give notice of the proposed action for the issuance of the Bonds, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, and not less than 4 nor more than 20 days prior to the meeting, in the *Quad City Times*. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS FOR THE ISSUANCE OF NOT TO EXCEED $45,000,000
GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2023

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on June 15, 2022 at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., for the purpose of holding a public hearing and instituting proceedings for the issuance of not to exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023, for the purpose of paying the costs in connection with making improvements to sanitary sewers, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities, and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety department, solid waste collection, and the municipal library; repair and maintenance of bridges; information technology improvements; municipal housing projects; and current refunding the outstanding maturities of the City's outstanding General Obligation Corporate Bonds, Series 2015, dated March 10, 2015.

At that time and place, oral or written comments from any resident or property owner of the City may be presented, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on June 22, 2022, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

The Bonds, when issued, will constitute general obligations of the City, payable from taxes levied upon all taxable property in the City.

By order of the City Council of Davenport, Iowa.

Brian Krup
Deputy Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately $35,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of the Bonds, or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of $100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved June 8, 2022.

_____
Mayor

Attest:

_____
Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council of the City relating to the fixing of a date for the hearing on the issuance of not to exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023.

WITNESS MY HAND this _____ day of _____, 2022.

_____
Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT SS:
CITY OF DAVENPORT

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that pursuant to the resolution of its Council fixing a meeting date for the hearing on and taking of additional action for the issuance of not to exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published in the *Quad City Times* on the date specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2022.

_____
Deputy Clerk

(Attach here publisher's original affidavit with a clipping of the notice as published.)

May 17, 2022

VIA EMAIL
Mallory Merritt
CFO/Assistant City Administrator
City Hall
Davenport, Iowa

Re: Not to Exceed $45,000,000 General Obligation Corporate and Refunding Bonds, Series 2023
Our File No. 629872-92

Dear Mallory:

Using your list of projects, and information provided by Jon Burmeister related to certain refundings, I have prepared a resolution that may be approved at the regular City Council meeting on June 8, in order to set June 15 as the date for the hearing on General Obligation Corporate and Refunding Bonds, Series 2023, in an amount not to exceed $45,000,000.

The materials attached include the following items:

1. Resolution, including the form of notice, setting the date for hearing on the Bonds.

2. Certificate of the Deputy Clerk with respect to the transcript.

3. Certificate of the Deputy Clerk with respect to the publication of the notice.

The notice must be published in the *Quad City Times* no later than June 11, 2022.

As these proceedings are completed, please have one fully executed copy returned to our office. If you have any questions, please contact Erin Regan, Emily Hammond or me.

Best regards,

John P. Danos

cc: Brian Krup
Jon Burmeister

City of Davenport, Iowa
FY 2023 Bond Issue
($ Thousands)
4/26/2022

15-Year General Obligation Bonds	**Amount**		
Airport Improvements	20		
Bridge Repair and Maintenance	490		
Citizen Health & Welfare	0		
City Facility Improvements	$ 8,147		
Municipal Housing Projects	1,720		
Parks Improvements	1,125		
Public Safety Equipment	1,100		
Sewer Improvements	1,325		
Street Improvements	8,550		
Streetscape Improvements/Sidewalks & Paths	1525		
Subtotal 15-Year GO Bonds		**$**	**24,002**
5-Year Equipment Bonds (GO)			
Acquisition of Parks Vehicles/Equipment	150		
Acquisition of Streets Vehicles/Equipment	525		
City Information Technology Network Improvements	300		
Library Equipment	525		
Public Safety Equipment	0		
Subtotal 5-Year Equipment Bonds		**$**	**1,500**
15-Year Bonds Abated by Other Sources (GO)			
Sewer Improvements (Sewer Fund)	7,000		
Water Pollution Conrol Plant Improvements (WPCP Fund)	0		
Subtotal 15-Year Bonds Abated by Other Sources		**$**	**7,000**
5-Year Bonds Abated by Other Sources (GO)			
Solid Waste Equipment (Solid Waste Fund)	738		
Sewer Equipment (Sewer Fund)	0		
Subtotal 5-Year Bonds Abated by Other Sources		**$**	**738**
Total Proposed FY 2022 Bond Issue - Projected		**$**	**33,240**
Estimated Cost of Issuance and Underwriting Discount		**$**	**484**
Total FY 2022 Bond Issue - Not-to-Exceed		**$**	**33,723**

City of Davenport, Iowa
FY 2023 Bond Issue
($ Thousands)
4/26/2022

Essential Corporate Purpose	**Amount**		
Acquisition of Streets Vehicles/Equipment	525		
Airport Improvements	20		
Bridge Repair and Maintenance	490		
Public Safety Equipment	1,100		
Municipal Housing Projects	1,720		
Parks Improvements	1,125		
Sewer Improvements	8,325		
Street Improvements	8,550		
Streetscape Improvements/Sidewalks & Paths	1,525		
		$	23,380
General Corporate Purpose			
Acquisition of Parks Vehicles/Equipment	150		
City Facility Improvements	8,147		
City Information Technology Network Improvements	300		
Library Equipment	525		
Sewer Equipment	0		
Solid Waste Equipment	738		
		$	9,860
Total Proposed FY 2022 Bond Issue - Projected		$	33,240
Estimated Cost of Issuance and Underwriting Discount		$	484
Total FY 2022 Bond Issue - Not-to-Exceed		$	33,723

Funding Source	*Program*	CIP#	Project	Amount
GO BONDS	*AIRPORT*	20015	SOUTH AIRCRAFT APRON RECONSTRUCTION	$ 19,500
GO BONDS	*BRIDGES*	21009	BRIDGE MAINTENANCE PROGRAM	$ 400,000
GO BONDS	*BRIDGES*	21010	W. 46TH STREET BRIDGE REPLACEMENT	$ 90,000
GO BONDS	*FACILITIES MAINTENANCE*	23049	CAPITAL IMPROVEMENTS AT MWP	$ 437,050
GO BONDS	*FACILITIES MAINTENANCE*	23067	CITY HALL EXTERIOR REPAIRS	$ 200,000
GO BONDS	*FACILITIES MAINTENANCE*	23072	AW FAMILY AQUATIC CENTER ROOF REPLACEMENT	$ 150,000
GO BONDS	*FACILITIES MAINTENANCE*	23074	HISTORIC HOUSES REPAIR PROGRAM	$ 100,000
GO BONDS	*FACILITIES MAINTENANCE*	23075	VANDER VEER STONE BUILDING ROOF	$ 85,000
GO BONDS	*FACILITIES MAINTENANCE*	62002	POLICE STATION PUMP REPLACEMENTS	$ 50,000
GO BONDS	*FACILITIES MAINTENANCE*	63012	FIRE STATION 3	$ 7,000,000
BONDS ABATED BY SOLID WASTE FUND	*FLEET*	10503	SOLID WASTE EQUIPMENT REPLACEMENT PROGRAM	$ 738,000
EQUIPMENT BONDS	*FLEET*	24029	GROUND MAINTENANCE REPLACEMENT PROGRAM	$ 150,000
EQUIPMENT BONDS	*FLEET*	24033	CONSTRUCTION EQUIP. REPLACEMENT PROGRAM	$ 345,000
EQUIPMENT BONDS	*FLEET*	24034	POTHOLE REPAIR EQUIPMENT REPLACEMENT	$ 180,000
GO BONDS	*FLEET*	24021	FIRE APPARATUS AND EQUIPMENT REPLACEMENT	$ 1,100,000
GO BONDS	*GENERAL GOVERNMENT*	60034	URBAN REVITALIZATION PROGRAM	$ 740,000
GO BONDS	*GENERAL GOVERNMENT*	60037	EAST VILLAGE LIGHTING UPGRADES	$ 275,000
GO BONDS	*GENERAL GOVERNMENT*	61002	DAVENPORT NOW	$ 980,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67002	IT CAPITAL IMPROVEMENT PROGRAM	$ 250,000
EQUIPMENT BONDS	*INFORMATION TECHNOLOGY*	67006	CITY FIBER NETWORK MAINTENANCE PROGRAM	$ 50,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66016	LIBRARY MATERIALS PROGRAM	$ 415,000
EQUIPMENT BONDS	*LIBRARY SERVICES*	66017	LIBRARY ELECTRONIC REPLACEMENT PROGRAM	$ 110,000
GO BONDS	*PARKS & RECREATION*	64070	PARK DEVELOPMENT PROGRAM	$ 350,000
GO BONDS	*PARKS & RECREATION*	64101	DUCK CREEK PARK IMPROVEMENTS	$ 250,000
GO BONDS	*PARKS & RECREATION*	64115	SKATE PARK REPAIRS AND PUMP TRACK	$ 300,000
GO BONDS	*PARKS & RECREATION*	64116	GOLF COURSE IMPROVEMENTS PROGRAM	$ 225,000
GO BONDS	*MULTI-MODAL TRANSPORTATION*	28024	CIVIC ACCESS PROGRAM	$ 250,000
GO BONDS	*MULTI-MODAL TRANSPORTATION*	28028	CREATING CONNECTIONS PROGRAM	$ 600,000
GO BONDS	*MULTI-MODAL TRANSPORTATION*	28030	RECREATIONAL PATH RECONSTRUCTION PROGRAM	$ 250,000
GO BONDS	*MULTI-MODAL TRANSPORTATION*	28032	WEST LOOP PHASE I	$ 150,000
GO BONDS	*RIVERFRONT*	68015	FLOOD RESILIENCY PROGRAM | STRUCTURAL	$ 1,000,000
GO BONDS	*FACILITIES MAINTENANCE*	23073	FREIGHT HOUSE ROOF & GUTTERS REPLACEMENT	$ 125,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30007	LIFT STATION REHABILITATION (SANITARY)	$ 50,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30047	SEWER CLEANING & TELEVISING PROGRAM	$ 200,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30048	TREMONT SANITARY INTERCEPTOR REPLACEMENT	$ 2,150,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30056	NEIGHBORHOOD I&I INVESTIGATION AND REMOVAL	$ 150,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30057	INFLOW AND INFILTRATION REMOVAL PROGRAM	$ 2,000,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30060	CONTRACT SEWER REPAIR PROGRAM (SANITARY)	$ 1,250,000
BONDS ABATED BY SEWER FUND	*SANITARY SEWERS*	30061	SEWER LATERAL REPAIR PROGRAM	$ 1,200,000
GO BONDS	*STORMWATER*	33001	CONTRACT SEWER REPAIR PROGRAM (STORM)	$ 300,000
GO BONDS	*STORMWATER*	33025	LIFTSTATION REHABILITATION (STORM)	$ 25,000
GO BONDS	*STREETS*	35038	ALLEY REPAIR PROGRAM	$ 200,000
GO BONDS	*STREETS*	35041	CONTRACT MILLING PROGRAM	$ 150,000
GO BONDS	*STREETS*	35052	53RD STREET RECONSTRUCTION PHASE II	$ 2,100,000
GO BONDS	*STREETS*	35053	HIGH VOLUME STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*STREETS*	35054	NEIGHBORHOOD STREET REPAIR PROGRAM	$ 3,000,000
GO BONDS	*STREETS*	35055	3RD & 4TH STREET REHABILITATION	$ 100,000
				$ 33,239,550

TYPE

GO BONDS	$	24,001,550
BONDS ABATED BY SEWER	$	7,000,000
BONDS ABATED BY WPCP	$	-
EQUIPMENT BONDS	$	1,500,000
BONDS ABATED BY SOLID WASTE FUND	$	738,000
	$	**33,239,550**

CHECKS

FROM CIP DOCUMENT	$	33,239,550

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7817

Action / Date
6/8/2022

Subject:
Motion awarding a contract for architectural and engineering services for the Duck Creek Park Improvements project to Hitchcock Design Group of Naperville, Illinois in an amount not-to-exceed $74,850, CIP #64101. [Ward 6]

Recommendation:
Pass the Motion.

Background:
A Request for Qualifications was issued on February 17, 2022 and was sent to 305 firms. On March 18, 2022 the Purchasing Division opened and read three (3) responses.

The proposals submitted were scored on the following criteria: 1) Quality of proposal - 15%, 2) Overall experience - 35%, 3) Design & functionality - 35%, and 4) Project timeline - 15%. The evaluation committee consisted of staff from the Parks and Recreation and Finance Departments. The evaluation committee determined that Hitchcock Design Group best fit the City's needs.

Improvements will provided additional recreational amenities to address deficiencies on the east side of the community. Potential improvements include installation of pickleball courts, obstacle course style play area, and off-leash dog park.

Funding for this project is from CIP #64101 Duck Creek Park Improvements. These funds come from the sale of general obligation bonds.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/25/2022 - 6:00 PM
Finance Committee	Merritt, Mallory	Approved	5/25/2022 - 6:00 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:32 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Architecture & Engineering Services | Duck Creek Park Improvements

BID NUMBER: 22-98

OPENING DATE: March 18, 2022

FUNDING: CIP 64101 Duck Creek Park Improvements

RECOMMENDATION: Award the contract to Hitchcock Design Group of Naperville, IL

VENDOR NAME	Location
Hitchcock Design Group	**Naperville, IL**
Shive-Hattery, Inc	Bettendorf, IA
Jeffrey L. Bruce & Company	West Des Moines, IA
Confluence	Des Moines, IA

Approved By _____ 05/09/2022
Purchasing Date

Approved By _____ 5/9/22
Dept Director Date

Approved By _____ 5-9-22
Budget/CIP Date

Approved By _____ 5/10/2022
Assist. City Administrator/ CFO Date

City of Davenport

Department: Finance
Contact Info: Jim Odean | 563-326-7739

Action / Date
6/8/2022

Subject:
Motion awarding a contract for Automated Traffic Enforcement to Verra Mobility (formerly RedFlex Traffic Systems, Inc) of Mesa, Arizona. [All Wards]

Recommendation:
Pass the Motion.

Background:
A Request for Proposals was issued on March 15, 2022 and sent to Automatic Traffic Enforcement firms. On April 5, 2022, the Purchasing Division opened four (4) proposals. See attached proposal tabulation.

The criteria used for evaluation of the proposals were: 1) References - 25%, 2) Project understanding and approach - 10%, 3) Ability, experience, qualifications, and expertise of personnel assigned to the City's account - 25%, 4) Proposed pricing - 30%, 5) Quality and thoroughness of proposals - 10%.

The committee consisted of staff from Finance/Revenue Division, IT Department, and the Police Department. After the evaluations, it was decided to interview all four companies. After the interviews, Verra Mobility (formerly RedFlex Traffic Systems, Inc) was determined to be the company that best fits the City's needs.

Violations are sent to the registered vehicle owner. Verra Mobility will send a percentage of collected fines to the City.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Proposal Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	5/25/2022 - 2:58 PM
Finance Committee	Merritt, Mallory	Approved	5/25/2022 - 4:20 PM
City Clerk	Admin, Default	Approved	5/27/2022 - 3:33 PM

CITY OF DAVENPORT, IOWA
PROPOSAL TABULATION

DESCRIPTION: AUTOMATIC TRAFFIC ENFORCEMENT

BID NUMBER: 22-115

OPENING DATE: APRIL 5, 2022

FUNDING: 50102510 520217 RDFLX

RECOMMENDATION: AWARD THE CONTRACT TO VERRA MOBILITY OF MESA ARIZONA

VENDOR NAME	LOCATION
Verra Mobility	**Mesa Arizona**
Altumint	Lanham Maryland
Gatso USA Inc.	Beverly Massachusetts
NovaGlobal	Orlando Florida

Approved By Kristie Keller 5-25-2022
Purchasing Date

Approved By 5/24/22
Revenue Manager Date

Approved By 5/24/2022
Budget/CIP Date

Approved By Wallmyd Wemitt 05/25/2022
Assistant City Administrator/CFO Date