

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, April 8, 2015; 5:30 PM

Council Chambers, City Hall

REVISED April 6, 2015

I. Moment of Silence

II. Pledge of Allegiance

Ald. Dunn

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

City Council Meeting Minutes for March 25, 2015

VI. City Administrator Update

VII. Report on Committee of the Whole

Report of April 1, 2015

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Civil Service Commission
John Bribriesco (new appointment)

B. Proclamations

1. Earth Day - April 19-25, 2015

IX. Presentations

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. First Consideration: Ordinance for Case No. ROW15-02 being the right-of-way vacation a portion of the South Farragut Street right of way, which contains 7,061 square feet of area (Schmidt Road Company, petitioner). [1st]

RECOMMENDATION FOR SUSPENSION OF THE RULES AND PASSAGE ON FIRST CONSIDERATION.

1. Motion to suspend the rules.
2. Motion for passage of second and third considerations.

2. Second Consideration: Ordinance for Case No. REZ15-03 being the petition of Arrowhead, LLC for an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District. [6th Ward]

RECOMMENDATION FOR SUSPENSION OF THE RULES AND PASSAGE ON SECOND CONSIDERATION.

1. Motion to suspend the rules.
2. Motion for passage of third considerations.

XII. Approval of All Items on the Consent Agenda

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

Community Development

1. First Consideration: Ordinance for Case No. REZ15-04 being the petition of Amerco Real Estate dba U-Haul for the rezoning of 10.1 acres, more or less, of real property located at 3616 West Kimberly Road from "C-2" General Commercial District to "PDD" Planned Development District to establish U-Haul self-storage facility and dealership. [2nd Ward]
2. Second Consideration: Ordinance for Case No. ROW15-01, Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets. [3rd Ward]
3. Resolution approving Case No. F15-02 being the final plat of Village Cooperative First Addition located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road containing two (2) residential lots and one lot designated for stormwater detention. The plat will facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative. [6th Ward]
4. Resolution approving Case No. FDP15-02 being the petition of Arrowhead LLC Real Estate Equities Homes – Crow Creek Road, LLC for a PDD final development plan on 12.17 acres, more or less, located in the southwest corner of Veterans Memorial Parkway and west of Elmore Avenue extended (proposed Lot 1 of Jersey Farms Commercial Park Third Addition) to allow vehicle sales and rental along with ancillary public garage services associated with a new car dealership. There is a companion zoning request (Case No. REZ15-03) to amend certain conditions placed on the PDD zoning of this area. Property is zoned PDD Planned Development District. [6th Ward]
5. Resolution approving Case No. F15-04 being the final plat of Sally's Second Addition, which is located at the northwest corner of Jersey Ridge Road and Belle Avenue. [8th Ward]
6. Resolution authorizing the conveyance of vacated public right of way known as East 2nd Street, lying east of LeClaire Street and west of River Drive, Rejuvenate Davenport, petitioner.

7. Resolution setting a public hearing on the issuance of bonds by the Public Finance Authority on behalf of Trinity Affordable Housing Corporation, an Illinois nonprofit corporation.
8. Motion directing the City Administrator to sign and send the attached notice to extend the Right-to-Cure period for the Dock project and to request bids on the demolition of the existing structure on the site.

Public Safety

1. First Consideration: Ordinance amending Subsection 5.10.105(A) to allow the issuance of alcoholic beverages licenses or permits to an establishment within 600 feet of a state registered child development home or state licensed child care center upon an appeal with adequate buffering. [All Wards]
2. Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor events.
3. Motion approving beer and liquor license applications.

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

Ward 3

RME Courtyard (River Music Experience) - 121 W 2nd Street - Outdoor Area May 1 - Oct 31, 2015 - License Type: C Liquor

Ward 5

Rookie's Sports Bar (Rookies Inc.) - 2818 Brady Street - Outdoor Area April 25 - 26, 2015 - Customer Appreciation Event - License Type: C Liquor

Rudy's Tacos East (LaRosa S A Inc.) - 2214 East 11th Street - Outdoor Area May 2 - 3, 2015 - Cinco De Mayo Event - License Type: C Liquor

Rudy's Tacos East (LaRosa S A Inc.) - 2214 East 11th Street - Outdoor Area May 25 - 26, 2015 - Criterium Event - License Type: C Liquor

Ward 7

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

Ganzo's (Ganzo's Ltd.) - 3923 Marquette Street - Outdoor Area May 2, 2015 - Cinco De Mayo Event - License Type: C Liquor

Hooters of Davenport (HOA Restaurant Holder LLC) - 110 East Kimberly Rd - Outdoor Area May 8, 2015 - License Type: C Liquor

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

Ward 1

Gunchies (Big E Properties Inc.) - 2905 Telegraph Rd - Outdoor Area - License Type: C Liquor

Roadrunners Roadhouse (JW's First and Last Lap Inc.) - 3803 Rockingham Rd - Outdoor Area - License Type: C Liquor

Ward 2

Rina Mart LLC (Rina Mart LLC) - 2815 West Kimberly Rd - License Type: E Liquor/ C Beer

Rudy's Tacos (Majec Inc.) - 326 Cedar Street - License Type: B Beer

Ward 3

Front Street Brewery/Freight House (Front Street Brewery Inc.) - 421 West River Dr Suite 4 - Outdoor Area - License Type: C Liquor/High Proof Brew Pub

Re-Cre8 Studios (Re-Cre8 Studios LLC) - 201 Harrison St Suite 100 - License Type: C Liquor

Ward 4

Cedar Street Inn (Fleetfood Incorporated) - 810 Cedar St - License Type: C Liquor

Famous Liquors (Jay Liquors Inc.) - 2604 W Locust St - License Type: E Liquor/C Beer/ B Wine

Ward 5

Harris Pizza (Mister Pizza Inc.) - 524 East Locust St - License Type: B Beer

Ward 6

Azteca II (Azteca II Inc.) - 2843 East 53rd St - License Type: C Liquor

Ward 7

American Legion Post 26 (Davenport Post No 26 - The American Legion) - 702 West 35th St - Outdoor Area - License Type: C Liquor

Azteca 4 (Azteca 4 Inc.) - 3566 Brady St - License Type: C Liquor

Azteca Mexican Restaurant (Azteca Mexican Restaurant Inc.) - License Type: C Liquor

Sanchos (Lorbil Enterprises Inc.) - 207 E George Washington Blvd - License Type: C Liquor

Ward 8

Hawkeye Tap Sports Bar & Grill (Hawkeye Sports Bar and Grill LLC) - 4646 Cheyenne Ave - Outdoor Area - License Type: C Liquor

Mo Brady's (DRC Ventures Inc.) - 4830 North Brady St - License Type: C Liquor

C. Request for exemptions for 19 and 20 year olds on premises:

Ward 3

RME Courtyard (River Music Experience) - 121 West 2nd St - May 1 - Oct 31, 2015 - License Type: C Liquor

4. Motion approving noise variance request(s) for various events on the listed dates at the listed times.

Public Works

1. Resolution approving the plans, specifications, form of contract and estimate of cost covering the FY2016 Sidewalk Repair Program, CIP Project #28010. *[All Wards]*
2. Resolution on the plans, specifications, forms of contract and estimated cost for the FY2015 Street Resurfacing Project, CIP Project #10558. *[Wards 3, 4 & 5]*
3. Resolution approving the plans, specifications, form of contract and estimated cost for the River Heritage Park, Phase II Riverwalk Construction Project, CIP Project #10467. *[Ward 3]*
4. Resolution approving the private siding construction agreement between the City of Davenport and the Soo Line Railroad Company, d/b/a Canadian Pacific (CP) in the amount of \$205,265 for the EIRC Transload Facility Construction Project, (Ward 8), CIP Project #10325. The CP railroad has requested under this agreement that a non-refundable down payment of \$125,000 for the work be forwarded to them before beginning the said work involved.
5. Resolution granting permission to Unite Private Networks to install buried communications cable within public right-of-way in the City of Davenport along West Locust Street from the west side of I-280 to Fairmount Street, north along Fairmount Street to West Central Park Avenue, east along West Central Park Avenue to Clark Street and north along Clark Street to and existing cell tower at 2815 North Clark Street. *[Wards 1, 2 and 4]*
6. Resolution approving Change Order Number 8 to the the FY2013/2014 Contract Sewer Repair Program in the amount of \$271,480, CIP project #10405. *[Ward 3]*
7. Preliminary Resolution covering the Fiscal Year 2016 Manhole Boxout Repair Program, CIP Project # 30009. *[All Wards]*
8. Preliminary Resolution approving the specifications, form of contract and estimated cost for the fiscal year 2016 Manhole Boxout Repair Program. CIP Project #30009. *[All Wards]*
9. Resolution approving the FY16 Transit Assistance (STA) grant funding application and to sign the applications and grant. *[All Wards]*
10. Resolution accepting the Compost Facility Biofilter System construction project to Brandt Construction, Milan, IL, CIP Project #10563. *[Ward 1]*

11. Motion approving change order number 1 for the FY2015 Compost Facility Resurfacing Project, General Asphalt contract in the amount of \$75,000, GL Account #51151976-530319. *[Ward 1]*

Finance

1. Motion awarding the purchase of a fleet monitoring system for the Police Department to Stanmex, Inc. of Houston, TX in the amount of \$67,775. *[All Wards]*
2. Motion awarding a contract for the fire sprinkler replacement at the RiverCenter parking ramp to Ahrern Fire Protection of Davenport, IA in the amount of \$75,355. *[Ward 3]*

XIII. Other Ordinances, Resolutions and Motions

1. Motion to suspend the rules to add and vote on the following motion.
2. Motion authorizing staff to sign a revised letter of intent agreeing to the general terms and provisions provided in the Adler Theatre Tax Credit Wind-Up Sources and Uses report. The revised letter of intent does not change the City's previously approved contribution amount. *[Ward 3]*

XIV. Public with Business

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

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Committee: Council
Department: City Clerk
Contact Info: Jackie Holecek x6163
Wards: All

Action / Date
4/8/2015

Subject:
Ald. Dunn

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/23/2015 - 3:27 PM

City of Davenport

Committee: Council
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: All

Action / Date
4/8/2015

Subject:
City Council Meeting Minutes for March 25, 2015

Recommendation:

Relationship to Goals:

Background:

ATTACHMENTS:

Type	Description
 Cover Memo	Minutes 00322515

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/2/2015 - 9:36 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, March 25, 2015---The Council observed a moment of silence. Pledge of Allegiance. The Council met in regular session at 5:30 PM with Mayor Gluba presiding and all aldermen present except Ald. Gordon.

The minutes of the March 11, 2015 City Council meeting were approved as printed.

The report of the Committee of the Whole and the Standing Committees was as follows: COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, March 18, 2015--
-The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Gluba presiding and all alderman present except Ald. Boom and Gordon. The following Public Hearings were held: Community Development Committee: for the Ordinance for Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets; for the Ordinance for Case No. REZ15-02: Request of Glen Smithe for the rezoning of 11,025 square feet, of real property, more or less, located at 1655 West 17th Street from "R-4" Moderate Density Dwelling District to "C-1" Neighborhood Shopping District to allow retail sales. Property has been a non-conforming office-service use; for the Ordinance for Case No. REZ15-03 being the petition of Arrowhead, LLC for an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District; on the recommendations for Year 41 (July 1, 2015 – June 30, 2016) Community Development Block Grant funds; Public Works Committee: to vacate the north/south utility easement on Lot 2, of the Interstate 80 Airport Industrial Park, 6th Addition, owned by the City of Davenport and the Greater Davenport Redevelopment Corporation (GDRC). The following Proclamation was issued: National Community Development Week-April 6-11, 2015, 136. The Committee of the Whole recessed to the Standing Committees at 5:58 p.m.: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development Committee: Ald. Meeker called the meeting to order with all members present except Ald. Boom and Gordon. On motion by Ald. Matson, second by Ald. Tompkins items 2,

March 25, 2015

3, 4 moved to the Discussion Agenda; all other items moved to the Consent Agenda. The Committee adjourned at 6:05 p.m. Public Safety Committee: Ald. Matson called the meeting to order and all members were present except Ald. Gordon. Committee Action Only: The following motion was passed: approving noise variance requests for various events on the listed dates and times: St. Ambrose University, Last Blast Weekend, March 23-25 Noon-Midnight; Circle Tap, 1345 West Locust, Welcome Home Celebration, March 28th, 8PM – Midnight. On motion by Ald. Tompkins, second by Ald. Barnhill the agenda was approved and all items moved to the Consent Agenda. The Committee adjourned at 6:08 p.m. Public Works Committee: Ald. Ambrose called the meeting to order and all members were present. On motion by Ald. Edmond, second by Ald. Meeker the agenda was approved and all items moved to the Consent Agenda. The Committee adjourned at 6:15 p.m. Finance Committee: Ald. Justin called the meeting to order and all members were present except Ald. Boom. On motion by Ald. Barnhill, second by Ald. Meeker to substitute the following motion for item 6: approving agreements between the City of Davenport and Matthew V. Hasley and Ronnie W. Thrapp, for golf professional and other services at Duck Creek and Emeis golf courses, respectively. On motion by Ald. Edmond, second by Ald. Barnhill the agenda was approved and all items moved to the Consent Agenda. The Committee adjourned at 6:30 p.m. On motion by Ald. Barnhill, second by Ald. Meeker the rules were suspended (all aldermen voting aye) and the following motion passed: approving agreements between the City of Davenport and Matthew V. Hasley and Ronnie W. Thrapp, for golf professional and other services at Duck Creek and Emeis golf courses, respectively, 137. Ald. Barnhill moved, second by Ald. Boom to approve the Discussion and Consent Agendas as recommended by the Standing Committees (all Aldermen voting aye). Council adjourned at 6:35 p.m.

The following Appointment was approved: Civil Rights Commission: Susie Greenwalt.

The following Proclamations were issued: Junior Achievement Day, April 2.

The following Presentations were held: Trafficking, former State Senator Maggie Tinsman.

The Discussion Agenda items were as follows: NOTE: The votes on all ordinances and resolutions were by roll call vote. The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.

March 25, 2015

The following ordinance was adopted on first consideration, upon suspension of the rules (Ald. Tompkins voting nay), and passage onto second and third considerations (Ald. Tompkins voting nay): for Case No. REZ15-02: Request of Glen Smithe for the rezoning of 11,025 square feet, of real property, more or less, located at 1655 West 17th Street from "R-4" Moderate Density Dwelling District to "C-1" Neighborhood Shopping District to allow retail sales, 140.

The following ordinance moved to second consideration: for Case No. Case No. REZ15-03 being the petition of Arrowhead, LLC for an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District.

The following resolution was adopted: approving Case No. F15-03 being the petition of Arrowhead, LLC for the final plat of Jersey Farms Commercial Park Third Addition, being a replat of Lot 1 of Jersey Farms Commercial Park Second Addition, located south of Veterans Memorial Pkwy and west of Elmore Ave extended, containing three (3) commercial lots, 141.

The Consent Agenda was as follows: NOTE: These are routine items and are enacted at the City Council meeting by one roll call vote. The vote was unanimous unless otherwise noted.

Community Development: The following ordinance moved to second consideration: for Case No. ROW15-01, Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets.

The following resolution was adopted: approving Case No. F14-10 being the final plat of New Beginnings Addition located along the east side of Utah Avenue 835 North Utah Avenue, containing of 0.772 acres, more or less (Parcel # S3033- 02B), 142.

The following motions were passed: approving the allocations for Year 41 (July 1, 2015 – June 30, 2016) Community Development Block Grant funds and HOME Investment Partnership (HOME) funds and authorizing the City Administrator to sign necessary documents and agreements, 143; awarding the contractor for the construction of three single

March 25, 2015

family homes on East 6th Street to Daxon Construction Company of Rock Island, IL in the amount of \$547,520.00, 144; to set a public hearing on the proposed conveyance of the former right-of-way of the 500 block of E. 2nd Street for the Riverwatch Place project, 145.

Public Safety: The following resolution was adopted: closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor events, 146.

The following motion was passed: approving all submitted beer and liquor license applications, 147.

Public Works: The following resolutions were adopted: to vacate the north/south utility easement located on Lot 2, of the Interstate 80 Airport Industrial Park, 6th Addition (Greater Davenport Redevelopment Corporation Petitioner), 148; introducing the Proposed Resolution of Necessity covering the Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road, CIP Project #10556, 149; preliminary plans and specifications and plat and schedule covering the Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road, CIP Project #10556, 150; the contract for the Sanitary Sewer Manhole Rehabilitation Program Design and Preparation of Bid Documents to Strand Associates, Inc. in the amount Not-To-Exceed \$152,000; FY 2015 CIP Project #10144, #00051 and #01937, 151; accepting the agreement with the Iowa Department of Transportation for the Iowa Clean Air Attainment Program project for the Traffic Operations Center Project and authorizing the Mayor to sign the agreement, CIP Project #10153, 152; accepting the agreement with the Iowa Department of Transportation for the Iowa Clean Air Attainment Program project for the Kimberly Road corridor from Fairmount Street to Elmore Avenue and authorizing the Mayor to sign the agreement, CIP Project #10154, 153; accepting the agreement with the Iowa Department of Transportation for the Iowa Clean Air Attainment Program project for the 53rd Street corridor from Pine Street to Elmore Avenue and Brady Street from 53rd Street to 65th Street and authorizing the Mayor to sign the agreement, CIP Project #01630, 154.

The following motion was passed: determining property values for Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road, CIP Project #10556, 155.

March 25, 2015

Finance: The following resolution was adopted: adopting new Council rules reflecting the current process and elimination of the standing committees, 156.

The following motions were passed: approving the collective bargaining agreements for the AFSCME, AFSCME Library, and Transit unions, 157; approving a contract for pharmacy benefits management services to Express Scripts, Inc. of St Louis, MO, 158; awarding a contract for a streetscape project on the southwest corner of 4th Street and Iowa Street to Langman Construction, Inc. of Rock Island, IL in the amount of \$203,205, 159; awarding a contract for the sewer separation project at Fulton Court to Hometown Plumbing and Heating Co., Inc. of Davenport, IA in the amount of \$56,095.50, 160.

The following Civil Service Certification lists were received and filed: *Chief of Construction*: Jim Benje, Eric Hoversten, Steven Lawson, Nate Miller, Robert Musgrove; *Police Major*: Paul Sikorski; *Sewer Maintenance Worker*: Brandon Jones, 161.

On motion Council adjourned at 6:30 P.M.

A handwritten signature in black ink that reads "Jackie E. Holecek". The signature is written in a cursive, flowing style.

Jackie E. Holecek, MMC
Deputy City Clerk

City of Davenport

Committee: Council
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: All

Action / Date
4/8/2015

Subject:
Report of April 1, 2015

Recommendation:

Relationship to Goals:

Background:

ATTACHMENTS:

Type	Description
 Cover Memo	COW Report

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/2/2015 - 1:03 PM
City Clerk	Admin, Default	Approved	4/2/2015 - 1:03 PM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, April 1, 2015---The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 PM with Mayor Gluba presiding and all alderman present. The following Public Hearings were held: Community Development: for the Ordinance for Case No. REZ15-04 being the petition of Amerco Real Estate dba U-Haul for the rezoning of 10.1 acres, more or less, of real property located at 3616 West Kimberly Road from "C-2" General Commercial District to "PDD" Planned Development District to establish U-Haul self-storage facility and dealership; for the ordinance for Case No. ROW15-02 being the right-of-way vacation a portion of the South Farragut Street right of way, which contains 7,061 square feet of area (Schmidt Road Company, petitioner); on the proposed conveyance of vacated right-of-way of East 2nd Street to Rejuvenate Davenport, petitioner; Public Works: on the plans, specifications, form of contract and estimated cost for the River Heritage Park, Phase II Riverwalk Construction Project, CIP Project #10467; on the plans, specifications, form of contract, and estimate of cost covering the FY2016 Sidewalk Repair Program, CIP Project #28010; on the plans, specifications, forms of contract and estimated cost for the FY2015 Street Resurfacing Project, CIP Project #10558; on the specifications, form of contract and estimate of cost for the Fiscal Year 2016 Manhole Boxout Repair Program, CIP Project #30009]; on the FY16 Iowa Department State Transit Assistance Grant application for \$455,880. The following Proclamation was issued: Pro-Equality, 162. Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Boom reviewed all items listed. On motion by Ald. Gordon, second by Ald. Meeker items 1 and 4 moved to the Discussion Agenda; all other items moved to the Consent Agenda. Public Safety: Ald. Matson reviewed all items listed. On motion by Ald. Tompkins, second by Ald. Barnhill all items moved to the Consent Agenda. Public Works: Ald. Ambrose reviewed all items listed. On motion by Ald. Edmond, second by Ald. Justin the following item was added to the agenda: Resolution approving the FY16 Transit Assistance (STA) grant funding application and to sign the applications and grant. On motion by Ald. Edmond, second by Ald. Meeker all item moved to the Consent Agenda. Finance: Ald. Justin reviewed all items listed. On motion by Ald. Edmond, second by Ald. Boom all items moved to the Consent Agenda. Council adjourned at 6:13 p.m.

City of Davenport

Committee: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 1st

Action / Date
4/1/2015

Subject:

First Consideration: Ordinance for Case No. ROW15-02 being the right-of-way vacation a portion of the South Farragut Street right of way, which contains 7,061 square feet of area (Schmidt Road Company, petitioner). [1st]

RECOMMENDATION FOR SUSPENSION OF THE RULES AND PASSAGE ON FIRST CONSIDERATION.

1. Motion to suspend the rules.
2. Motion for passage of second and third considerations.

Recommendation:

The City Plan and Zoning Commission finds that:

1. This portion of South Farragut Street only serves property owned by the petitioner and the vacation would relieve a maintenance burden from the City.

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW15-02 to the City Council with a recommendation for approval subject to the following conditions:

1. That all primary utility facilities be abandoned to the right of way north of the subject property; and
2. That the abandonment of all utility facilities within the proposed right-of-way vacation be reviewed and approved by the entities owning each utility and by the Davenport Fire Department and that the each utility be physically abandoned prior to the conveyance of the right-of-way.

Please refer to the Commission's March 18, 2015 letter for more information.

The Commission vote for approval was 6-yes and 0-no.

Relationship to Goals:

Added emphasis on economic development.

Background:

The request to vacate this portion of South Farragut Street is to facilitate development. The petitioner owns property on either side of the subject right-of-way and at its terminus. There are utilities (water, internet, electric and gas) within the right-of-way. South Farragut Street is narrow and there is currently not a turnaround for snow plow or refuse collection trucks. Considering that South Farragut Street is only 30 feet wide, Public Works is not requesting that a truck turnaround be provided.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Ordinance	ROW15-02 - Ordinance
▣ Backup Material	ROW15-02 Plan and Zoning Commission Letter

Backup Material

ROW15-02 Plan and Zoning Commission Vote
Record

Backup Material

ROW15-02 - Plan and Zoning Commission Final
Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Admin, Default	Approved	4/2/2015 - 1:05 PM
City Clerk	Admin, Default	Approved	4/2/2015 - 1:05 PM

ORDINANCE NO.

AN ORDINANCE for Case ROW15-02 for the right-of-way vacation (abandonment) of 7,061 square feet, more or less, of South Farragut Street public right-of-way, which is located approximately .22 miles south of Rockingham Rod (Schmidt Road Company, petitioner) [Ward 1st].

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 vacated (abandoned). The property has the following legal description:

Part of the Southeast Quarter of Section 33 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at a point of beginning at the southeasterly corner of lot 7 in Halsey's Addition to the City of Davenport, Scott County, Iowa and the westerly right-of-way line of Farragut Street;

Thence north 53°45'10" east 30.00 feet to the easterly right -of-way line of Farragut Street;

Thence south 36°14'50" east 235.3t along the said easterly right-of-way line of Farragut Street to the southeasterly corner of the right of-way line of Farragut Street;

Thence south 53°45'10" west 30.00 feet along the southerly right .of-way line of Farragut Street to the southwesterly corner of the right .of-way line of Farragut Street;

Thence north 36°14'50" west 235.37 feet along the westerly right .of-way line of Farragut Street to the southeasterly corner of lot 7 in Halsey's Addition and the point of beginning.

Said tract contains 7,061 square feet or 0.162 acres more or less.

The City Plan and Zoning Commission accepted the listed finding and forwarded Case ROW15-02 to the City Council with a recommendation for approval subject to the following conditions:

1. That all primary utility facilities be abandoned to the right of way north of the subject property; and
2. That the abandonment of all utility facilities within the proposed right-of-way vacation be reviewed and approved by the entities owning each utility and by the Davenport Fire

Department and that the each utility be physically abandoned prior to the conveyance of the right-of-way.

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 _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

March 18, 2015

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of March 17, 2015, the City Plan and Zoning Commission considered Case No. ROW15-02 being the vacation of a portion of the South Farragut Street right of way.

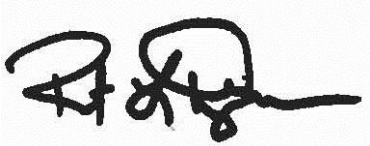
Finding:

1. This portion of South Farragut Street only serves property owned by the petitioner and the vacation would relieve a maintenance burden from the City.

The City Plan and Zoning Commission accepted the listed finding and forwards Case ROW15-02 to the City Council with a recommendation for approval subject to the following conditions:

1. That all primary utility facilities be abandoned to the right of way north of the subject property;
and
2. That the abandonment of all utility facilities within the proposed right-of-way vacation be reviewed and approved by the entities owning each utility and by the Davenport Fire Department and that the each utility be physically abandoned prior to the conveyance of the right-of-way.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED	APPROVED				
Name:	Roll Call	REZ15-04 AMERCO REAL ESTATE dba U-HAUL	FDP15-03 AMERCO REAL ESTATE dba U-HAUL	ROW15-02 SCHMIDT ROAD CO	F15-05 COVENTRY COMM PARK 2ND				
Connell	P	Y	Y	Y	Y				
D'Autremont	P	Y	Y	Y	Y				
Elgatian	EX								
Gere	P	Y	Y	Y	Y				
Inghram	P								
Kelling	EX								
Lammers	EX								
Martin	P	Y	Y	Y	Y				
Martinez	A								
Tallman	P	Y	Y	Y	Y				
		6-YES 0-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN				



PLAN AND ZONING COMMISSION

Meeting Date: March 17, 2015
Request: Right of Way Vacation
Location: South Farragut Street south of Rockingham Road
Case No.: ROW15-02
Applicant: Schmidt Road Company

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed finding and forward Case No. ROW15-02 to the City Council with a recommendation for approval subject to the conditions stated below.

Introduction:

This is a request to vacate a portion of the South Farragut Street right of way. The right-of-way is 7,061 square feet in area (approximately 30 feet wide by 235 feet long).

AREA CHARACTERISTICS:



 Subject Property



 Subject Property

Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation: Industrial. Industrial District (I) designates industrial uses including research, assembly/fabrication, warehousing, storage, and associated commercial/office uses.

Relevant Goals to be considered in this Case: Goal No. 7-*Create a positive business climate that encourages growth of existing and new businesses.* Objective b.-*Retain existing and attract new business and industry.*

The proposed use would comply with the Davenport 2025 proposed land use section.

Zoning:

The surrounding properties are zoned to "M-2" Heavy Industrial District.

Technical Review:**Streets**

South Farragut Street is a 30 foot right way serving the industrial properties south of Rockingham Road. South Farragut Street terminates at property owned by the petitioner. The petitioner is seeking to vacate the portion of South Farragut Street where it owns property on either side of the road and at its terminus.

South Farragut Street is narrow and there is currently not a turnaround for snow plow or refuse collection trucks.

Storm Water

Storm water management would be administratively reviewed when construction plans are submitted for future development of the property.

Sanitary Sewer.

It is unclear if there is a sanitary sewer main within the South Farragut Street right-of-way (a main is not mapped).

Other Utilities.

Iowa American Water has an 8 inch water main on the west side of this right-of-way, which provides service to 1021 and 1100 South Farragut Street. There is also a fire hydrant which provides fire protection to this area. The petitioner has indicated a willingness to abandon the water main to an area north of the proposed right-of-way vacation.

Century Link has aerial facilities within the right-of-way.

Mid-American Energy has indicated that there is has a gas distribution main and electrical facilities within the existing right-of-way.

Emergency Services.

The subject property is located approximately .85 miles from the nearest fire station (Fire Station No. 5).

Parks/Open Space.

The proposed plat does not impact any existing parks or public open spaces.

Public Input:

Notices have been sent to property owners to property owners within 200 feet of the subject property notifying of them of the March 3, 2015 Plan and Zoning Commission Public Hearing. There has been no objection to this request.

Discussion:

The request to vacate this portion of South Farragut Street is to facilitate development. The petitioner owns property on either side of the subject right-of-way and at its terminus. A sketch was provided showing a proposed building adjacent to east side of the portion of South Farragut Street being vacated. There are private utilities (water, internet, electric and gas) within the right-of-way. It is unclear if there is sanitary sewer main within the South Farragut Street right-of-way (a main is not mapped). South Farragut Street is narrow and there is currently not a turnaround for snow plow or refuse collection trucks. Considering that South Farragut Street is only 30 feet wide, Public Works is not requesting that a truck turnaround be provided.

Staff Recommendation:

Finding:

1. This portion of South Farragut Street only serves property owned by the petitioner and the vacation would relieve a maintenance burden from the City.

Staff recommends the City Plan and Zoning Commission accept the listed finding and forward Case ROW15-02 to the City Council with a recommendation for approval subject to the following conditions:

1. That all primary utility facilities be abandoned to the right of way north of the subject property; and
2. That the abandonment of all utility facilities within the proposed right-of-way vacation be reviewed and approved by the entities owning each utility and by the Davenport Fire Department and that the each utility be physically abandoned prior to the conveyance of the right-of-way.

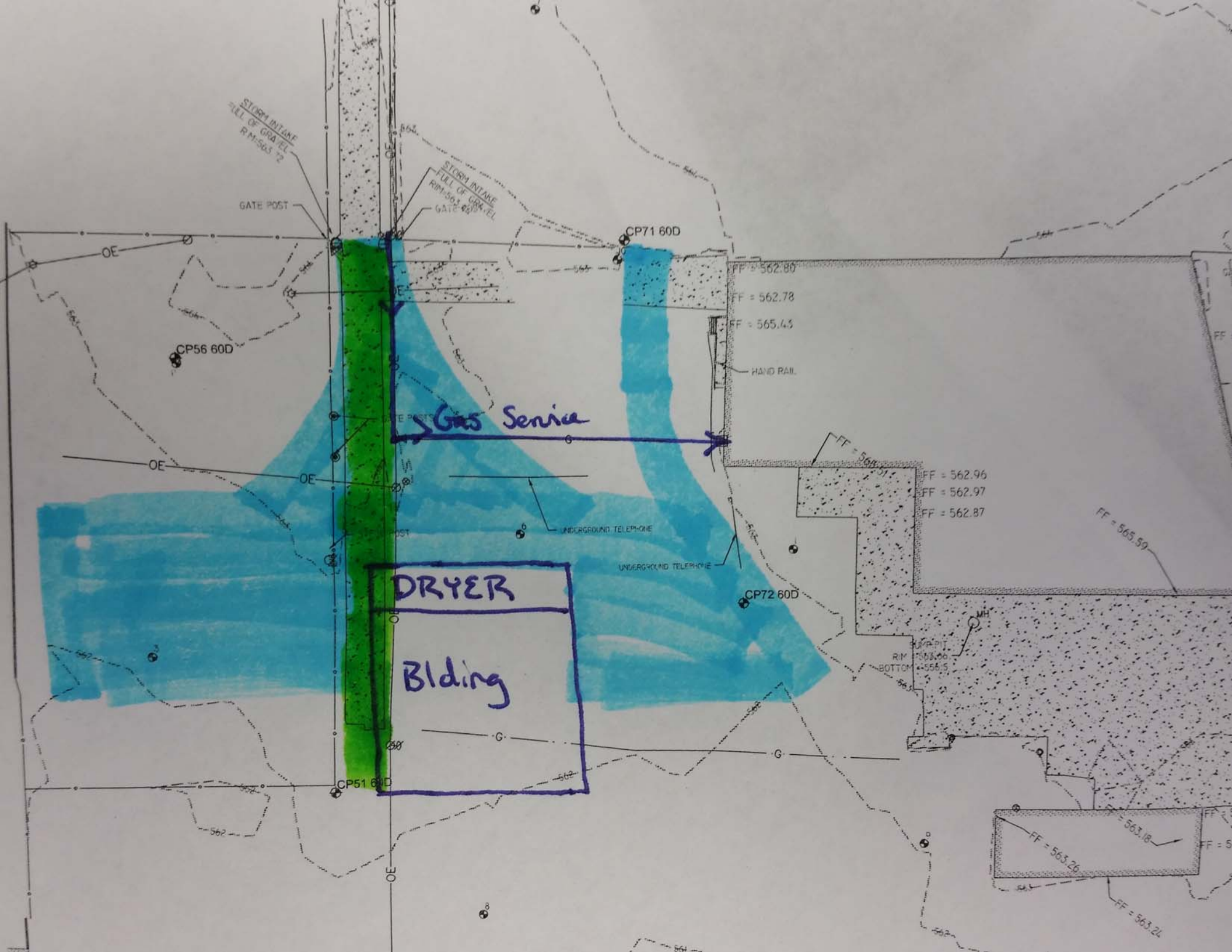
Prepared by:

A handwritten signature in blue ink, appearing to read 'Ryan Rusnak', with a stylized flourish at the end.

Ryan Rusnak, AICP
Planner III

Attachments:

Sketch provided by the petitioner.



City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
3/18/2015

Subject:

Second Consideration: Ordinance for Case No. Case No. REZ15-03 being the petition of Arrowhead, LLC for an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District. [6th Ward]

RECOMMENDATION FOR SUSPENSION OF THE RULES AND PASSAGE ON SECOND CONSIDERATION.

1. Motion to suspend the rules.
2. Motion for passage of third considerations.

Recommendation:

Findings:

- With the completion of Veterans Memorial Pkwy and the extension of Elmore Avenue the area is being readied for development.
- With the relocation/development of the land based casino additional commercial development can be expected.
- With advancements in technology related to development practices and with existing ordinance requirements as well as conditions related to specific development should protect surrounding properties.

The City Plan and Zoning Commission accepts the findings and forwards Case No. REZ15-03 to the City Council for approval subject to the following conditions:

1. That the restrictions in City Ordinance 2004-234 in Conditions 1L and 1M as they relate to the subject property be removed;
2. That the uses listed in City Ordinance 2004-234 in Condition No. 1 as amended also apply to the subject property

(Note:the subject property refers to Lots 1 and 2 of Jersey Farms Commercial Park 3rd Addition.)

The Commission vote was 7-yes and 0-no with 0-abstention.

THE PROTEST RATE IS 0.0%.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the amendment to add vehicle sales and service to the list of permitted uses as well as remove the restriction on building size to the ordinance which rezoned this area in 2004. The staff's report does list the rationale used by the Comprehensive Plan Committee and the Plan and Zoning Commission at the time of the rezoning for limiting

big box type or large commercial uses at that time. The addition of the land based casino and potential River 80 development has changed the character of expected development.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
 Ordinance	Ordinance
 Backup Material	PZ Letter
 Backup Material	PZ vote result
 Backup Material	Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	3/23/2015 - 3:24 PM

ORDINANCE NO.

An ORDINANCE for Case No. Case No. REZ15-03 being the petition of Arrowhead, LLC for an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District. [6th Ward]

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. The property has the following legal description:

Part of the Southwest Quarter of Section 5- Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Beginning at the Northwest Corner of Lot 1 of Jersey Farms Commercial Park Second Addition to the City of Davenport; thence South 09 degrees-52 minutes-59 seconds East along the west line of said Lot 1 a distance of 170.40 feet; thence South 00 degrees-01 minutes-52 seconds West along said west line a distance of 238.53 feet; thence South 04 degrees-50 minutes-36 seconds West a distance of 661.29 feet; thence North 88 degrees-41 minutes-51 seconds East a distance of 823.56 feet to the East Line of Elmore Avenue as dedicated as part of Jersey Farms Commercial Park Second Addition; thence North 01 degrees-18 minutes-09 seconds West along the West Line of said Elmore Avenue a distance of 1061.10 feet; thence North 14 degrees-12 minutes-03 seconds West a distance of 117.85 feet to a point of curvature; thence along a curve being concave southwesterly with a radius of 50 feet and a chord bearing and distance of North 53 degrees-16 minutes-53 seconds West 63.04 feet for a distance of 68.21 feet; South 87 degrees-38 minutes-17 seconds West a distance of 732.11 feet to the point of beginning. Said tract also known as Lot 1 and 2 of the proposed plat of Jersey Farms Commercial Park Third Addition to the City of Davenport. Said tract contains 19.00 acres more or less.

The City Plan and Zoning Commission accepted the findings and forwards Case No. REZ15-03 to the City Council for approval subject to the following conditions:

1. That the restrictions in City Ordinance 2004-234 in Conditions 1L and 1M as they relate to the subject property be removed;

2. That the uses listed in City Ordinance 2004-234 in Condition No. 1 as amended also apply to the subject property (Note: the
Note: the subject property refers to Lots 1 and 2 of Jersey Farms Commercial Park 3rd
Addition.

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 _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____



City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7711 TDD: 563-326-6145
www.cityofdavenportiowa.com

March 04, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of March 03, 2015, the City Plan and Zoning Commission considered Case No. REZ15-03 being the request of Arrowhead LLC for the an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District.

Findings:

- With the completion of Veterans Memorial Pkwy and the extension of Elmore Avenue the area is being readied for development.
- With the relocation/development of the land based casino additional commercial development can be expected.
- With advancements in technology related to development practices and with existing ordinance requirements as well as conditions related to specific development should protect surrounding properties.

Recommendation:

As per the listed findings it is the opinion of this staff that the restriction regarding vehicle sales can be removed for the subject property, therefore, staff recommends that Plan and Zoning Commission accept the listed findings and forward Case No. REZ15-03 to the City Council with a recommendation for approval subject to the following conditions:

1. That the restrictions in City Ordinance 2004-234 in Conditions 1L and 1M as they relate to the subject property be removed;
2. That the uses listed in City Ordinance 2004-234 in Condition No. 1 as amended also apply to the subject property (Note: the

Note: the subject property refers to Lots 1 and 2 of Jersey Farms Commercial Park 3rd Addition.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED	APPROVED	APPROVED			
Name:	Roll Call	REZ15-02 Glen Smithe 1655 W 17th St	REZ15-03 Arrowhead LLC Amend Ord 2004- 234	FDP15-02 Arrowhead LLC SW cor Elmore Ave & VMP	F15-04 Sally's 2nd	ROW15-01 City Sq LLC North Block LLC			
Connell	P	Y	Y	Y	Y	Y			
D'Autremont	EX								
Elgatian	P	Y	Y	Y	Y	Y			
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y	Y	Y			
Lammers	P	Y	Y	Y	Y	Y			
Maness	EX								
Martin	P	Y	Y	Y	Y	Y			
Martinez	P	Y	Y	Y	Y	Y			
Tallman	P	Y	Y	Y	Y	AB			
		7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	6-YES 0-NO 1-ABSTAIN			



City of Davenport
Community Planning & Economic Development Department
Final Staff REPORT

PLAN AND ZONING COMMISSION

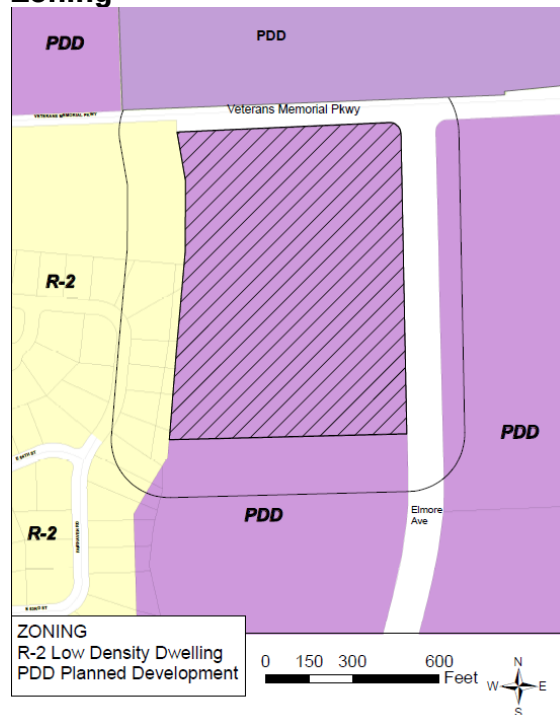
Meeting Date: February 17, 2015
Request: Amend conditions City Ordinance 2004-234
Address: South of Veterans Memorial Pkwy & West of Elmore Av extended
Case No.: REZ15-03
Applicant: Arrowhead LLC

INTRODUCTION

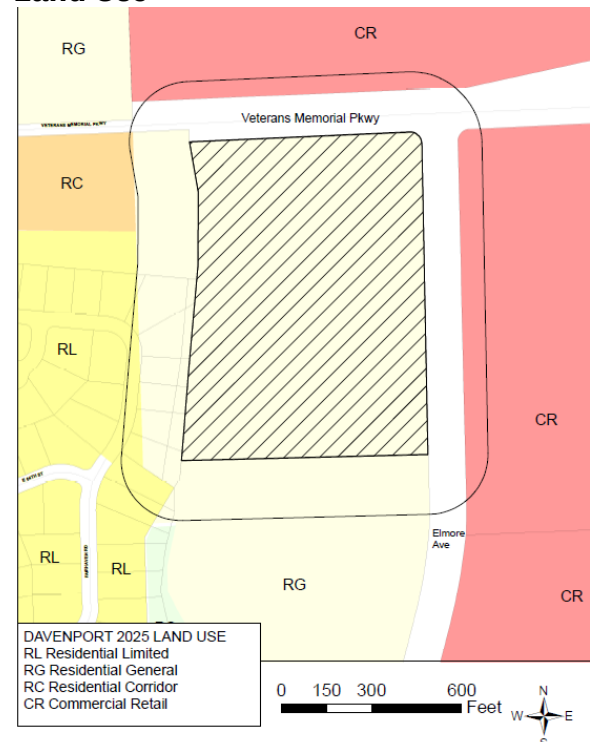
Request of Arrowhead LLC for the an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District.

Recommendation: Staff would recommend the Plan and Zoning Commission accept the listed findings and forward Case No. REZ15-03 to the City Council for approval subject to the listed conditions.

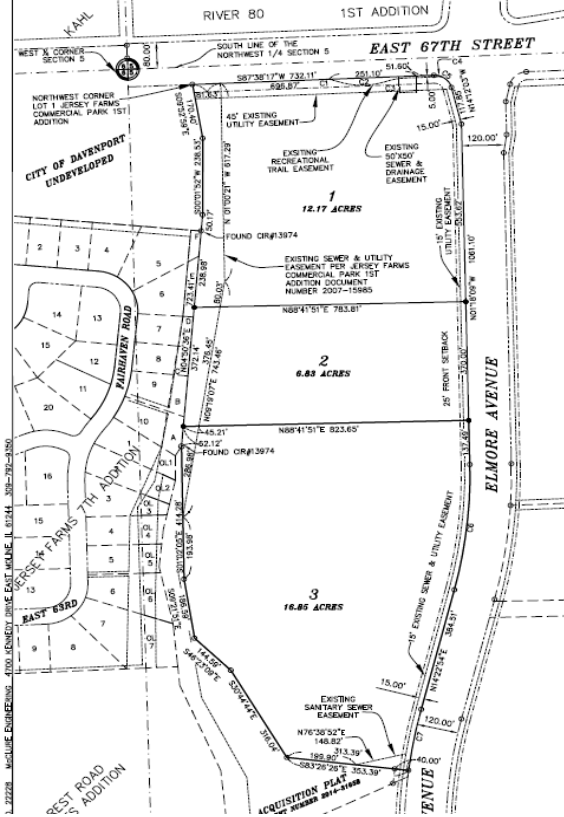
Zoning



Land Use



Plat



Aerial



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: RG Residential General

Previous Land Use Designation: Office Park with higher density residential to the west

The office park designation was in place at the time the property was rezoned to the PDD designation in 2004 (application was made in 2000). Subsequent to that rezoning Davenport 2025 was produced and the RG designation was applied in 2005. The RG allows for the higher density residential conceptually proposed south of the subject area with office and retail proposed for the subject area. See conditions of City Ordinance 2004-234 with the attached concept map Exhibit B – B5.

Relevant Davenport 2025 Goals and Objectives:

1. Strengthen the existing built environment.
 - b. Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.
 - d. Increase the number of mixed-use neighborhoods and districts.
2. Identify and reserve land for current and future development.
 - a. Develop land use policies that permit development with a wide variety of building types, uses, and densities.

Technical Review:

Streets. The area subject to the request is located along the proposed extension of Elmore Avenue and the proposed reconstruction of Veterans Memorial Pwky (VMP); lots 1 and 2 of a proposed replat, Jersey Farms Commercial Park Third Addition. Access to the area will need to be reviewed and approved by the City's Traffic Engineer with respect to proximity to the intersection of these two arterial streets as well as turn lane locations.

Storm Water. The stormwater basin located to the south of this area and required as part of the overall Jersey Farms development was to have been completed at the end of December 2014 as per agreement but is not yet done. The platting and final development plan will require that no additional construction should be permitted until the basin is completed to the City's satisfaction. In addition, the city would prefer to have the easement area dedicated as part of the replat to the city for management of the stream from Veterans Memorial Parkway to the detention basin to be constructed to the south. The stream is located along the west side of the subject area.

Sanitary Sewer. Sanitary sewer service will need to be extended to the northern boundary of the plat. A fifteen (15) inch line is located in the easement along the east line of Jersey Farms Seventh Addition near the south line of the proposed Lot 2. Sanitary Service is also located near the terminus of the existing Elmore Avenue (8-inch line) and in VMP near the Kahl Home (8-inch line).

Other Utilities. This is an urban area and normal utility services are available or can be extended to/through the site.

Emergency Services. With the completion of Elmore Avenue the plat will be within one (1) mile of Fire Station No. 8, which is located at 2802 E. 53rd Street.

Parks/Open Space. With the rezoning in 2004 (City Ordinance 2004-234) a condition required the dedication of an easement for an active greenway path along the unnamed tributary extending from Pheasant Creek to then 67th Street, along the west side of the subject area. The location is to be acceptable to the City. The creation of the park along the south side of VMP adjacent to the proposed Lot 1 makes this path more important.

PUBLIC INPUT

A neighborhood meeting was held on February 12th at the Public Works facility. At least one pre-meeting was held with neighborhood leaders prior to the neighborhood meeting. Questions raised at the neighborhood meeting related to building height, screening/buffering, operational noise (compressors, car wash, paging system, etc.), stormwater run-off, lighting, any buried oil/fuel tanks and the future use of Lot 2 to the south.

DISCUSSION

Note: There is a companion final development plan for consideration.

The subject area relates to Areas A and C of the land use plan adopted as part of City Ordinance 2004-234 and shown as part of Exhibit B.

Condition No. 1L and 1M of City Ordinance 2004-234 reads:

1. that the land uses in Area "A" be limited to the following:

L. that retail sale in Area "A" shall not include vehicle sales or rental, or public garages.

M. that retail structures in Area "A" be limited to no more than 30,000 square feet per building.

Condition 3 A through F of City Ordinance 2004-234 reads:

3. that the land uses in Area "C" be limited to the following:

A. Single-family detached;

B. Single-family attached;

C. Row houses;

D. Apartments;

E. Condominiums;

F. Independent, assisted and congregate care elderly housing.

No retail sales were allowed in Area "C". The developer is proposing that the northerly 470 feet, more or less, of area "C" allow retail sales including vehicle sales or rental, or public garages.



A question has been raised as to why the limitation on vehicle sales was placed as an ordinance condition. This rezoning predated the Davenport 2025 plan adopted in 2005. The "proposed land use map" at that time showed the area primarily as Office Park with a strip of Low Density Residential (which would allow Higher Density Residential in Appropriate Locations). The Comprehensive Plan Committee was asked to review the proposed land uses on either side of Elmore Avenue running north from the Super Wal-Mart to I-80. The March 16, 2004 Committee Report proposed various recommendations (relevant recommendations shown & paraphrased):

- Based on several meeting between City staff and IDOT staff, there is no expectation of a full interchange at 74th and 67th Street (now VMP). The Committee also feels that individual on- or off-ramps are not desirable;
- The Committee sees 67th Street as an arterial modeled on Jersey Ridge Road with commercial developed at various nodes rather than strip development as along 53rd Street or Kimberly Road. Limiting the commercial uses will preserve the arterials traffic capacity and reduce the probability of attracting business from older commercial strips;
- Without an interchange, the Committee sees Elmore Avenue “winding down” from the “big-box” development to the south to less intense retail in smaller buildings;
- The Committee would shift office park (PCP) zoning to the north between 67th Street and I-80. It also expects the land between Elmore Avenue and I-74 would have a substantial office component in what would be a mixed retail, service and office park development;
- To the extent possible existing grades should be maintained. Office development can achieve this on sites with substantial grade changes more easily (with less expense) than retail development;
- There should be no street connection between the commercial development and the residential to the west. One, or more, pedestrian connection is desirable;
- The Committee agrees with the developer for high density residential west of Elmore Avenue. This development could be condominiums, row house or townhouse, attached single-family, elderly housing in any variation, or apartments.
- The Committee proposes mixed commercial/office/retail at 67th Street and Elmore Avenue (southwest corner). This should be limited in scale and buffered as it abuts single family to the west.

The above Comprehensive Plan Committee recommendations were incorporated into the Zoning Committee's recommendations. In the Zoning Committee's report for area “A” City staff proposed restrictions on vehicle sales and rental as well as public garages and limiting retail buildings to under 20,000 square feet per building; increased to 30,000 square feet by the Commission. These restrictions along with office comprise at least 40% of the development, this was due to the Comp Plan Committee's stressing office uses next to the residential to the west; the Zoning Committee subsequently reduced this to 20%. The Commission's vote was 13-1 for approval.

There was merit to the consideration on use limitations at the time of the original rezoning. The track record of dealerships in the area with respect to lighting, noise and overall compatibility was a concern. To some extent these concerns are still valid but in a more general use category that specifically to dealerships. The concern was for this new commercial corridor and the need to review the type and look of development to ensure a quality of development enhanced by the “HCOD” requirements placed on the area by the City Council. There are still some uses which can give a negative impact or at least a negative impression of an area. The track record in the city of a strictly used car dealership has generally not provided a favorable area impact, think small lots filled with cars. Certain types of public garages also fit into this category. However the “HCOD” requirements with respect to screening and buffering can play a significant part in mitigating the impacts presented by undesirable uses but there may still be perceptions of negative impacts which can be as powerful as the real impact itself.

Allowing just a new car dealership as the principal use with ancillary used car sales and service center may be a better alternative to removing the restrictions carte-blanche. The same can be said for vehicle fuel sales (service stations) which is a category of public garage. Highway Corridor Overlay District standards can play a part in the considerations as noted below.

Highway Corridor Overlay District standards were applied to this area in the early 1990's by adoption through City Council action; no general condition is necessary. As development

occurs, site plan standards are required by ordinance; no general condition is necessary unless specifics of the development require and then will be added as part of the rezoning or development plan review.

17.41.050 Performance standards.

C. Restricted uses. There are some uses that require additional restrictions within the "HCOD" highway corridor overlay district to lessen their negative impact and make them more compatible with the goals of this chapter. The following uses are restricted:

1. Automobile salesroom or showroom, or new or used car sales or vehicle storage lots (underline added). Design principles shall be incorporated into the design of auto dealerships which minimize the unattractive aspects of large areas of parked cars. One-car-deep display areas along arterial and collector streets and freeways shall be permitted. Display rows shall be screened from public rights-of-way with an eighteen inch earth berm. Additional rows of cars shall be separated from the initial row by a shrubbery hedge that completely conceals the view of these additional rows of cars from the public right-of-way. Five percent of the balance of the parking lot shall be landscaped and permeable in the form of islands and peninsulas. Signs applied to, located in, or painted onto vehicle bodies or windshields on cars in the display area are prohibited with the exception of factory invoices. The use of pennants and tinsel are prohibited. Elevated or tilted vehicle display platforms are prohibited. An earth berm or other form of landscape buffer shall be located around the sides and rear of the property to shield the view of stored cars from adjoining residences and streets, if any. Berming and landscaping may be required to shield the view from commercial areas depending on sight lines. Lighting design shall be integrated with the design of the dealership. Non-glare, cut off luminaries shall be required so that lighting does not spill over onto adjacent properties. The leasing or renting of trucks intended for short term lease of less than seven days shall be prohibited either as a primary or an accessory use.

2. Public garages, service stations, car washes, repair shops, auto parts installation shops, auto service malls, and other similar uses (underline added). Building forms and materials shall emphasize masonry and be compatible with nearby retail buildings. Canopies over pumps and their supports shall have no lettering, logos, or striping, and shall be integrated with the building design. The use of pennants and tinsel are prohibited. Car wash structures shall be a minimum of fifty feet from any residential property line or residential zone. Outdoor storage shall be confined to areas enclosed by masonry walls. Stacks of tires, oil cans, and promotional items are not permitted. Garage bays shall be concealed from view from adjacent streets and parking lots whenever possible. The leasing or renting of trucks intended for short term lease of less than seven days shall be prohibited either as a primary or an accessory use.

STAFF RECOMMENDATION

Findings:

- With the completion of Veterans Memorial Pkwy and the extension of Elmore Avenue the area is being readied for development.
- With the relocation/development of the land based casino additional commercial development can be expected.
- With advancements in technology related to development practices and with existing ordinance requirements as well as conditions related to specific development should protect surrounding properties.

Recommendation:

As per the listed findings it is the opinion of this staff that the restriction regarding vehicle sales can be removed for the subject property, therefore, staff recommends that Plan and Zoning Commission accept the listed findings and forward Case No. REZ15-03 to the City Council with a recommendation for approval subject to the following conditions:

1. That the restrictions in City Ordinance 2004-234 in Conditions 1L and 1M as they relate to the subject property be removed;
2. That the uses listed in City Ordinance 2004-234 in Condition No. 1 as amended also apply to the subject property (Note: the

Note: the subject property refers to Lots 1 and 2 of Jersey Farms Commercial Park 3rd Addition.

Prepared by:

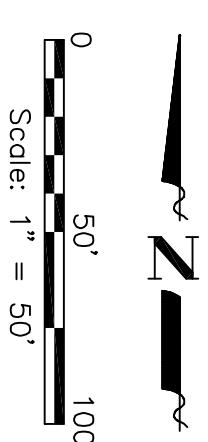
Wayne Wille, CFM

Planner II

Community Planning Division

Attachments: Proposed concept plan, City Ordinance 2004-234, Development/Area A & C comparison

X:\PLANNING\Plan and Zoning Commission\Cases\F15-03



LEGEND

- | | |
|---|---|
|  | HOT MIX ASPHALT PAVEMENT |
|  | P.C. CONCRETE PAVEMENT,
(W/IN CITY OF DAVENPORT, IOWA) |
|  | P.C. CONCRETE SIDEWALK |

- | | |
|---|-----------------------------------|
| --- | PROPOSED TRUCK MOVEMENT PATH |
| - - - - -590'- | EXISTING CONTOUR (1' INTERVALS) |
| —<— | EXISTING SANITARY SEWER |
| —C— | EXISTING STORM SEWER |
| —W— | EXISTING WATER MAIN |
| —OE— | EXISTING OVERHEAD ELECTRIC |
| —UE— | UNDERGROUND ELECTRIC |
| —UT— | EXISTING UNDERGROUND TELEPHONE |
| —G— | EXISTING GAS LINE |
|  | EXISTING STORM INLET |
|  | EXISTING MANHOLE |
|  | STORM / SANITARY MANHOLE |
|  | DIRECTION OF FLOW |
|  | EXISTING WATER VALVE |
|  | EXISTING FIRE HYDRANT |
|  | EXISTING UTILITY POLE |
|  | EXISTING UTILITY POLE W/ GUY WIRE |
|  | EXISTING UTILITY POLE W/ LIGHT |
|  | EXISTING SIGN |

PLANT SCHEDULE

PLANT SPECIES	QUANTITY	SIZE
SHADE/CANOPY TREE	89	2-2.5" CALIPER
EVERGREEN TREE	30	5-6" HEIGHT-BD
ORNAMENTAL/UNDERSATORY TREE	50	1.5" CALIPER
FLOWERING/EVERGREEN SHRUB	62	36" B&B
FLOWERING/EVERGREEN SHRUB	76	5 GALLON
FLOWERING/EVERGREEN SHRUB	96	3 GALLON
MIXED PERENNIALS	1300	SQUARE FEET

OWNER

QC SOUTH LANDS EQUITY INVESTMENT, L.L.C.
201 N. HARRISON STREET
SUITE 402

ELMORE AVENUE PAVEMENT AND UTILITIES AS SHOWN ARE NOT CURRENTLY CONSTRUCTED. PAVEMENT AND UTILITIES ARE TAKEN FROM ELMORE AVENUE EXTENSION DESIGN PLANS TO BE CONSTRUCTED IN 2015.

DEVELOPER

**DAVID MILLS
MILLS CHEVROLET
1610 39TH AVENUE
MOLINE IL 61265**

SOCIOECONOMY LIMITED
HANDICAP PARKING: 4 SPACES
INVENTORY DISPLAY/STORAGE: 637 SPACES
(INCLUDES CUSTOMER SERVICE STAGING SPACES)

ATTORNEY

THOMAS PASTRANAK
313 WEST THIRD STREET
DAVENPORT, IOWA 52801
563-323-7737

TOTAL AREA: 19 ACRES

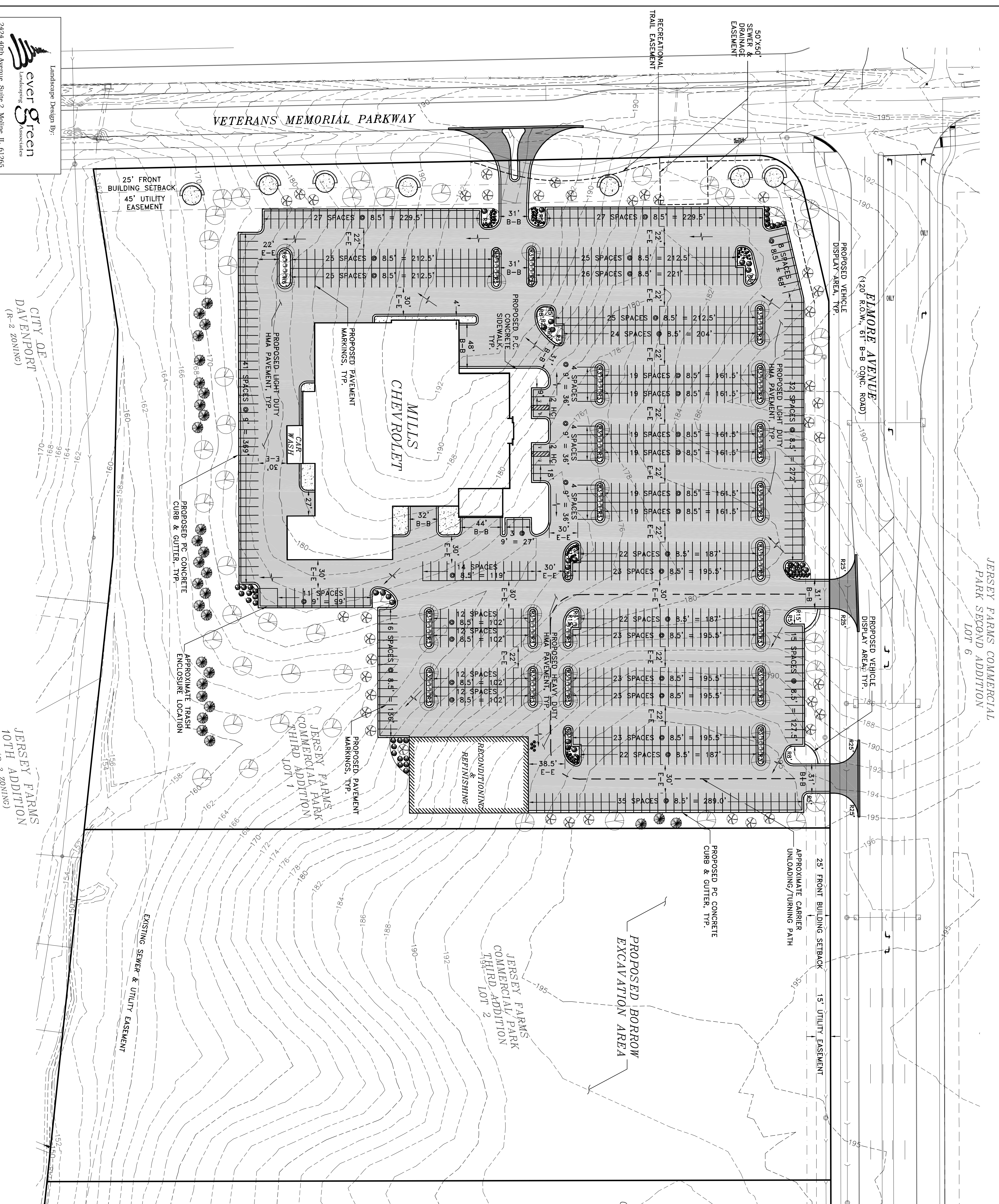
PDD SETBACK

BUILDING INFO.

SQUARE FOOTAGE: APPROX. 40,000 SF
OVERALL HEIGHT: APPROX. 20'-0"
OF STORIES: ONE (1)
SIDE YARD BUILDING SETBACK:
10' + 1' FT FOR EVERY FOOT OF BUILDING HEIGHT
(ADJACENT TO COMMERCIAL)

ENGINEER

MOCLURE ENGINEERING ASSOC., INC.
25' + 1" FT FOR EACH FOOT OF BUILDING HEIGHT
(ADJACENT TO RESIDENTIAL), NONE ADJACENT TO COMMERCIAL
ALTN. BRENT O. MORLOK, P.E., LEED AP
4700 KENNEDY DRIVE
EAST MOLINE, IL 61244
PHONE: 309-792-9350



Landscape Design By:



ever green
Landscaping Associates

2424 40th Avenue, Suite 2, Moline, IL 61265
www.evergreen-associates.com

MILLS CHEVROLET
1610 39TH AVENUE MOLINE, IL 61265

REVISONS		PLOTTING SCALE: 1" = 50'	
NO.	ITEM	DATE	
			DRAWN BY: BMS
			CHECKED BY: BOM
			DATE: JANUARY 26, 2015

McClure
Engineering Associates, Inc.
East Moline, Illinois 61242
Fax (309) 792-8974
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FINAL DEVELOPMENT PLAN

MILLS CREEK *DAVENPORT, IOWA*

FILE NAME: F:\M00114\271\DWG\MILLS CREEK\Mills Creek FDP.dwg

JOB NUMBER: 01-15-14-4-271

2004-22038

\$3100-PC
FEES

Artell Vargas
RECORDER OF DEEDS
SCOTT COUNTY, IOWA

2004 JUN 21 PM 2 52

ORDINANCE NO.

2004-234

ORDINANCE for the rezoning of 75.53 acres, more or less, of real property located east of Jersey Ridge Road and south of 67th Street from "A-1" Agricultural District to "PDD" Planned Development District to facilitate mixed use development along an extension of Elmore Avenue north to 67th Street (Jersey Farms Partners, petitioner).

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 from "A-1" Agricultural District to "PDD" Planned Development District (Jersey Farms Partners, petitioner). The property has the following legal description:

Part of the Southwest Quarter of Section 5, Township 78 North, Range 4 East of the 5th P.M. being more particularly described as follows:

Commencing as a point of reference, at the northwest corner of the Southwest Quarter of said Section 5; thence North 89 degrees-58'-55" East along the north line of the Southwest Quarter of said Section 5 to the point of beginning of the tract of land hereinafter described:

thence South 00 degrees-01'-05" East 32.02 feet; thence South 10 degrees-46'-20" East 180.00 feet; thence 02 degrees-26'-55" West 291.71 feet; thence South 11 degrees-11'50" West 424.77 feet; thence South 01 degrees-02'-55" West 235.00 feet; thence North 88 degrees-57'05" West 99.86 feet to the west line of the Southwest Quarter of said Section 5; thence South 00 degrees-43' 25" West 1,496 46 feet along the west line to the southwest corner of the Southwest Quarter of said Section 5; thence South 89 degrees-55'-50" East 1,562 17 feet along the south line of the Southwest Quarter of said Section 5; thence North 01 degrees-02'-55" East 1,246.07 feet; thence South 89 degrees-58'-55" West 498.00 feet; thence North 01 degrees-02'-55" East 1,406.15 feet to the north line of the Southwest Quarter of said Section 5; thence South 89 degrees-58'-55" West 928.38 feet along the north line of the Southwest Quarter of said Section 5 to the point of beginning. Said tract contains 75.53 acres, more or less.

The rezoning is to facilitate mixed use development along the extension of Elmore Avenue north to 67th Street. The rezoning is subject to the following special conditions:

1. that the land uses in Area "A" be limited to the following:
 - A. The retail sales of merchandise;
 - B. Offices;
 - C. Restaurants and food services;
 - D. Banking facilities;
 - E. Hotels and motels;
 - F. Indoor recreation uses;
 - G. Retail outlets, business parks, and mixed office;
 - H. Residential development;
 - I. Medical, dental, research testing, and experimental laboratories; and
 - J. other similar and compatible facilities.
- K. That office uses make up a minimum of 20% of the floor area of the buildings constructed in area "A";
- L. that retail sales in Area "A" shall not include vehicle sales or rental, or public garages;
- M. that retail structures in Area "A" be limited to no more than 30,000 square feet per building;
2. that land uses in Area "B" be limited to the following:
 - A. The retail sales of merchandise;
 - B. Offices;
 - C. Restaurants and food services;
 - D. Banking facilities;
 - E. Hotels and motels;
 - F. Indoor recreation uses and outdoor uses that relate to other activities developed on the site;
 - G. Retail outlets, business parks, mixed office, warehouse distribution uses (provided that all storage activities are carried out completely within a building);
 - H. Residential development;
 - I. Medical, dental, research testing, and experimental laboratories; and
 - J. other similar and compatible facilities.
- K. That retail sales shall not include vehicle sales or rental, or public garages;
3. that the land uses in Area "C" be limited to the following:
 - A. Single-family detached;
 - B. Single-family attached;
 - C. Row houses;
 - D. Apartments;
 - E. Condominiums;
 - F. Independent, assisted and congregate care elderly housing.
4. that land uses in Area "D" be limited to the following:
 - A. Office uses;
5. that the development comply with the provisions of Chapter 17.41 of the Davenport Municipal Code entitled, "HCOD" Highway Corridor Overlay District;
6. that a site plan in conformance with the provisions of Chapter 17.56 of the Davenport Municipal Code entitled "Site Plans" be submitted to, and approved by, the City of Davenport prior to the issuance of building permits;
7. that an erosion control plan be submitted to the Engineering Division of the Public Works Department of the City of Davenport for approval. Any erosion control plan shall be accompanied with a copy of the project's NPDES General Permit No. 2. All erosion control structures shall be in place prior to the beginning of any site grading;
8. that storm water calculations and a storm water management plan for the site at full development be submitted to, and approved by, the City of Davenport prior to the issuance of building permits. Retention

shall be required in the Pheasant Creek watershed and may be required in the Crow Creek watershed based on a study of downstream conditions;

9. that sewer shall be extended from the Pheasant Creek line which is located to the south and west of this property. For lots that fall within the area included in the Pheasant Creek Sanitary Sewer Extension Agreement, payment shall be made as required with that agreement with the final platting of the property;

10. that parking lot lights be limited to downcast luminaires;

11. that a landscape design plan for the proposed water feature be submitted to City Planning staff for review and approval. Said design shall be prepared by a landscape architect;

12. that an easement for an active greenway path be dedicated to the City of Davenport running the length of the unnamed tributary of Pheasant Creek approximately adjacent to and at a location acceptable to the City of Davenport, from the south line of the proposed rezoning to the north line adjacent to 67th Street. In addition, at least one pedestrian connection to the Jersey Farms subdivision to the west shall be required at a location acceptable to both the City and the developer.

13. 67th Street is an unimproved, seal coat street. The ROW width for this street has been established at 110' or 55' per side. ROW dedication is necessary to meet this requirement and shall be required with any final plat. The future elevation of 67th Street needs to be established prior to the approval of the grading plan in order to assure that development grades are compatible with the ultimate design of the street. The existing unimproved condition of 67th Street is not adequate for the increased traffic which would be generated by the development of this parcel. All improvement shall be at the petitioner's sole expense.

14. that the developer's engineer be required to submit proposed grades and alignments of 67th Street for review and approval of the Engineering Division of the Public Works Department of the City of Davenport prior to the approval of any construction or site development plans for the property. The developer's engineer shall also address the issues mentioned above concerning the proposed Elmore Avenue extension and submit the findings for discussion, review and approval.

15. Elmore Avenue is planned to be extended from its current end north of 53rd Street to 67th Street and constructed in the same manner. A route for this extension will need to be established. Three factors which limit the location are: the existing street location to the south, land topography to the west, and I-74 on the east. Some of the considerations for the extension of Elmore Avenue which must be considered with the development of the subject property include horizontal and vertical alignments, ROW needs and the proximity of the 67th Street - Elmore Avenue intersection. No structures shall be constructed until such time as the street has been improved to City standards. The extension of Elmore Avenue shall be at the petitioner's sole expense.

16. that a 5-lane section of Elmore Avenue shall be continued north in order to provide access to any development along Elmore Avenue. If Elmore Avenue is within 400 feet of 67th Street, then 67th Street shall be reconstructed and built to City standards. If Elmore Avenue is constructed to within 1,000 feet of 67th Street, a preliminary design of 67th Street shall be completed at the sole expense of the developer so that future grades can be established at the future intersection of Elmore Avenue and 67th Street. When, in the opinion of the City Traffic Engineer, the development along Elmore Avenue has grown to the point where access to 67th Street is needed, the developer shall extend Elmore Avenue to the north and connect it to

67th Street, which shall be improved by the developer at that time. If a traffic signal is needed at any point along this development in the future, it shall be paid for by the developer. A signal installation would have to meet the criteria of the Manual of Uniform Traffic Control Devices and the study would be conducted by the City Traffic Engineer.

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 April 7, 2004

Second Consideration April 21, 2004

Approved May 5, 2004



A handwritten signature in dark ink, appearing to be "C. Brooke", written over a horizontal line.

Charles W. Brooke
Mayor

Attest:

A handwritten signature in dark ink, appearing to be "Jackie E. Holecek", written over a horizontal line.

Jackie E. Holecek, CMC
Deputy City Clerk

Published in the Quad-City Times on

May 18, 2004

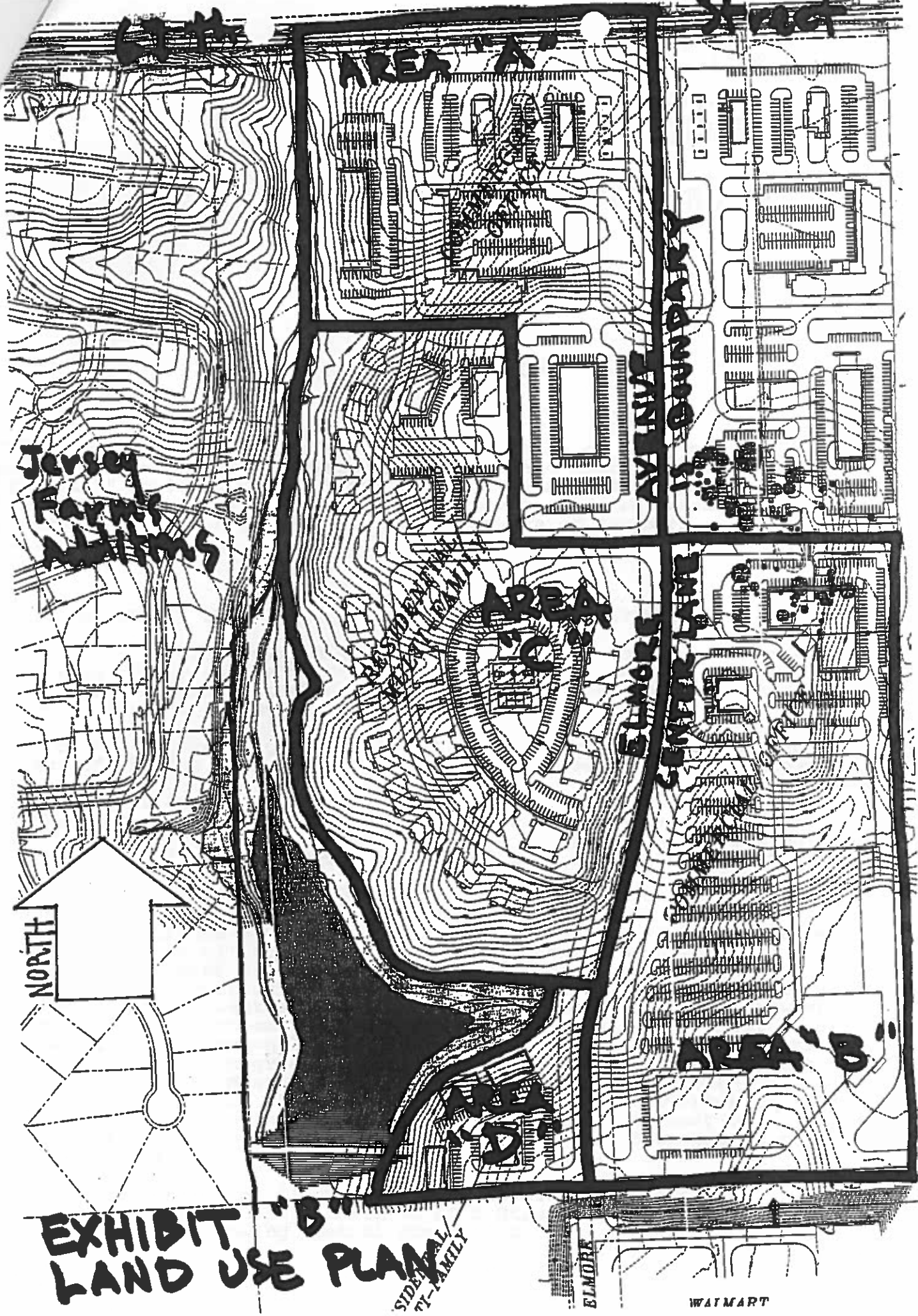


EXHIBIT "B"
LAND USE PLAN

City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 2nd

Action / Date
4/1/2015

Subject:

First Consideration: Ordinance for Case No. REZ15-04 being the petition of Amerco Real Estate dba U-Haul for the rezoning of 10.1 acres, more or less, of real property located at 3616 West Kimberly Road from "C-2" General Commercial District to "PDD" Planned Development District to establish U-Haul self-storage facility and dealership. [2nd Ward]

Recommendation:

Findings:

- The rezoning facilitates the reuse of a vacant big-box retail building and site.
- The rezoning conforms to the Comprehensive Plan.

The City Plan and Zoning Commission accepted the findings and forwards Case No. REZ15-04 to the City Council for approval subject to the following conditions:

1. That the rezoning be subject to compliance with Chapter 17.41 of the Davenport City Code entitled "HCOD" Highway Corridor Overlay District.
2. That development in general conform to the proposed site plan from AMERCO Real Estate Company dated 02/27/15 sheet SP-1 (shown below).
3. Additional storage units will require compliance with the PDD Final Development Plan process and due to concerns regarding access and screening the abutting owners will be notified.

The Commission vote was 6-yes and 0-no with 0-abstention.

THE PROTEST RATE IS 0.0%.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the amendment convert the existing vacant big-box retail building (old K-Mart) to climate controlled storage as well as a U-Haul dealership. There would be one additional free-standing storage building located along the Fairmount Street side of the parking. Two areas of the parking lot are also designated for display vehicle parking. The remainder of the lot which also contains cross access easements (according to the petitioner) for neighboring businesses would also be used for U-Haul equipment/vehicle parking.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	ORD REZ15-04 Americo
▣ Backup Material	REZ15-04-Americo-Background

REVIEWERS:

Department	Reviewer	Action	Date
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ORDINANCE NO.

ORDINANCE for Case No. REZ15-04 being the petition of Amerco Real Estate dba U-Haul for the rezoning of 10.1 acres, more or less, of real property located at 3616 West Kimberly Road from "C-2" General Commercial District to "PDD" Planned Development District to establish U-Haul self-storage facility and dealership. [2nd Ward]

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. The property has the following legal description:

Part of the Northwest Quarter of Section 16 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Lot 1 of the Replat of Lot 1 of the Replat of Lot 89 of Georgetown Square an addition to the City of Davenport, Scott County, Iowa. Said tract contains 10.1 acres, more or less.

The City Plan and Zoning Commission accepted the findings and forwards Case No. REZ15-04 to the City Council for approval subject to the following conditions:

1. That the rezoning be subject to compliance with Chapter 17.41 of the Davenport City Code entitled "HCOD" Highway Corridor Overlay District.
2. That development in general conform to the proposed site plan from AMERCO Real Estate Company dated 02/27/15 sheet SP-1 (shown below).
3. Additional storage units will require compliance with the PDD Final Development Plan process and due to concerns regarding access and screening the abutting owners will be notified.

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 _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____



City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7711 TDD: 563-326-6145
www.cityofdavenportiowa.com

March 18, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of March 17, 2015, the City Plan and Zoning Commission considered Case No. REZ15-04 being the petition of Amerco Real Estate dba U-Haul for the rezoning of 9.79 acres, more or less, of real property located at 3616 West Kimberly Road from "C-2" General Commercial District to "PDD" Planned Development District for the purpose of converting the former Kmart building a U-Haul dealership with climate controlled self-storage within the existing building.

Findings:

- The rezoning facilitates the reuse of a vacant big-box retail building and site.
- The rezoning conforms to the Comprehensive Plan.

Recommendation:

The City Plan and Zoning Commission accepts the listed findings and forwards Case No. REZ15-04 to the City Council for approval subject to the following conditions:

1. That the rezoning be subject to compliance with Chapter 17.41 of the Davenport City Code entitled "HCOD" Highway Corridor Overlay District.
2. That development in general conform to the proposed site plan from AMERCO Real Estate Company dated 02/27/15 sheet SP-1 (shown below).
3. Additional storage units will require compliance with the PDD Final Development Plan process and due to concerns regarding access and screening the abutting owners will be notified.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED	APPROVED				
Name:	Roll Call	REZ15-04 AMERCO REAL ESTATE dba U-HAUL	FDP15-03 AMERCO REAL ESTATE dba U-HAUL	ROW15-02 SCHMIDT ROAD CO	F15-05 COVENTRY COMM PARK 2ND				
Connell	P	Y	Y	Y	Y				
D'Autremont	P	Y	Y	Y	Y				
Elgatian	EX								
Gere	P	Y	Y	Y	Y				
Inghram	P								
Kelling	EX								
Lammers	EX								
Martin	P	Y	Y	Y	Y				
Martinez	A								
Tallman	P	Y	Y	Y	Y				
		6-YES 0-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN	6-YES 0-NO 0-ABSTAIN				



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: March 17, 2015
Request: Zoning Map Amendment (Rezoning) from C-2 to PDD
Address: 3616 West Kimberly Road
Case No.: REZ15-04
Applicant: Amerco Real Estate dba U-Haul

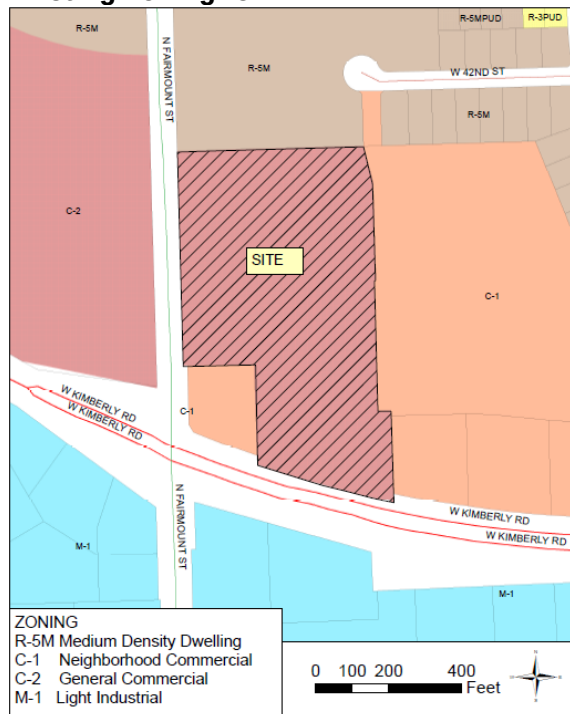
INTRODUCTION

Petition of Amerco Real Estate dba U-Haul for the rezoning of 9.79 acres, more or less, of real property located at 3616 West Kimberly Road from "C-2" General Commercial District to "PDD" Planned Development District for the purpose of converting the former Kmart building a U-Haul dealership with climate controlled self-storage within the existing building.

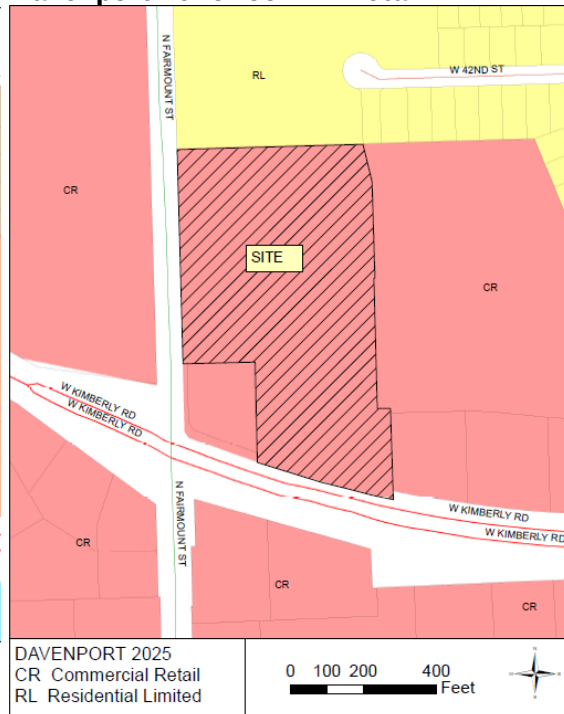
Recommendation: Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. REZ15-04 to the City Council for approval subject to the listed conditions.

AREA CHARACTERISTICS:

Existing Zoning: C-2



Davenport 2025: Comm. Retail



Aerial Photo:



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Commercial Retail (CR)

Description: *This category (CR) provides for a mixture of commercial uses, primarily retail which in this category can be best described as being the most intensive.*

Relevant *Davenport 2025* Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

- ***Revitalization***

Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. The subject rezoning area is bounded on the south by West Kimberly Road, a principal arterial street, and on the west by Fairmount Street, a collector street. Access to the site is from both streets.

Storm Water. There is existing stormwater infrastructure located in both Kimberly Road and Fairmount Street rights-of-way. No new impervious surface would be added with the rezoning.

Sanitary Sewer. Sanitary sewer service is located along the west side of Fairmount Street though a sanitary line with easement bisects the property from east to west just south of the existing building (old Kmart).

Other Utilities. This is an urban area and normal utility services are available. Several utility easements access and are within the property.

Emergency Services. The property is located approximately 2.2 miles from Fire Station No. 6, which is located at 1735 W. Pleasant Street and 2.9 miles from Fire Station No. 7, which is located at 2302 W. 67th Street. The building is currently fire sprinklered.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

Notices were sent to the 9 owners of property within the 200 foot notice area. A neighborhood meeting was held Thursday February 26th. One member of the public was present, the property owner to the east and southeast. The concern raised was if in the future additional outside storage units to be proposed and the impact on efforts to sell / develop the adjacent ten property. No additional comments were made at the March 3rd public hearing. Below are comments received regarding neighboring owner concerns:

From WK Development - I attended the first meeting for the rezoning request for the K-Mart building last Thursday. I was impressed with U-Haul and their company's business practices and beliefs. I think they would be a great addition to west Davenport. I do, however, have a great concern about exterior storage units being built on their property. Their drawing showed a small row of units on the far west side of the property, which Randy Dickson, Marketing Company Manager, explained are being built as a "billboard" to advertise they have storage. I do not object to those units. I own the 10 acres

directly to the east, right to the K-Mart building, with a zero lot line. If U-Haul decides in the future to build additional storage units along their easterly property, my land would be extremely hard to sell. Therefore, I would like to bless their project but would like some protection in place to block additional storage units being built until my land directly next to their proposed building has been sold. The 10 acres has been for sale for 11 years but I believe with the Genesis building and now potentially U-Haul, change is hopefully coming to west Davenport.

From IHMVCU - We are not opposed to the request of Amerco Real Estate dba U-Haul for rezoning the property located 3616 West Kimberly Road. However, our only concern would be to have access to our facility at 3646 West Kimberly Road as it is today.

DISCUSSION

The petitioner has indicated that they would make minor exterior changes to the front and the southwest corner of the building though architectural plans have not yet been submitted. A photo of the typical store front is included below.



The existing main entrance from Kimberly Road would remain and function as access for the area businesses. It would be the entrance to the storage facility with the U-Haul office / showroom would be located in the southwest corner of the building and have its own separate entrance. In addition to the interior storage facility, the developer is proposing the addition of a storage unit building to be located along the western side of the property north of the Credit Union building. The remainder of the site would contain vehicle parking and storage (subject to the existing cross access easements). A display row of vehicles is shown along the south line of the parking area between the main entrance drive and the credit union.

Future development: At this time the petitioner has indicated no additional exterior storage buildings are proposed nor is he aware that it is U-Hauls intent. However a check of other sites in Iowa using the U-Haul website shows exterior units, though not necessarily on a scale of the subject property (see below).



Storage

We offer a wide variety of convenient drive up access storage rooms as well as interior rooms. You can rent a room by calling us at 319-268-0471, come to our main facility at 3633 University Ave, Waterloo or on line at U-haul.com.



Outside Drive Up Storage

5710 West Lincoln Way Ames IA

Google and/or *Bing* maps show little or no screening on some of these sites, though most of these sites are in older commercial or industrial areas. Again one owner of the abutting commercial property is concerned of stand-alone storage unit buildings on the remainder of the lot, especially without screening. Future exterior storage units and screening can be addressed through the development plan process. There are some good examples of storage unit facilities in Davenport, Northwest Blvd is one where screening and materials/colors play a part. And at least one in Bettendorf has not slowed development along Devils Glen Road.

Another owner is concerned regarding open access to their business. There are apparently “cross access and reciprocal easements” throughout the parking lot to allow this access. While a document number is listed on the concept plan staff has not found this document in the electronic records of Scott County.

The property is located along the western gateway into Davenport, West Kimberly Road. As such heightened development standards should apply. Previous direction from this Commission indicated the placement of “HCOD” Highway Corridor Overlay District standard along such corridors as part of zoning, development plan or platting activity.

STAFF RECOMMENDATION

Findings:

- The rezoning facilitates the reuse of a vacant big-box retail building and site.
- The rezoning conforms to the Comprehensive Plan.

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. REZ15-04 to the City Council for approval subject to the following conditions:

1. That the rezoning be subject to compliance with Chapter 17.41 of the Davenport City Code entitled "HCOD" Highway Corridor Overlay District.
2. That development in general conform to the proposed site plan from AMERCO Real Estate Company dated 02/27/15 sheet SP-1 (shown below).
3. Additional storage units will require compliance with the PDD Final Development Plan process and due to concerns regarding access and screening the abutting owners will be notified.

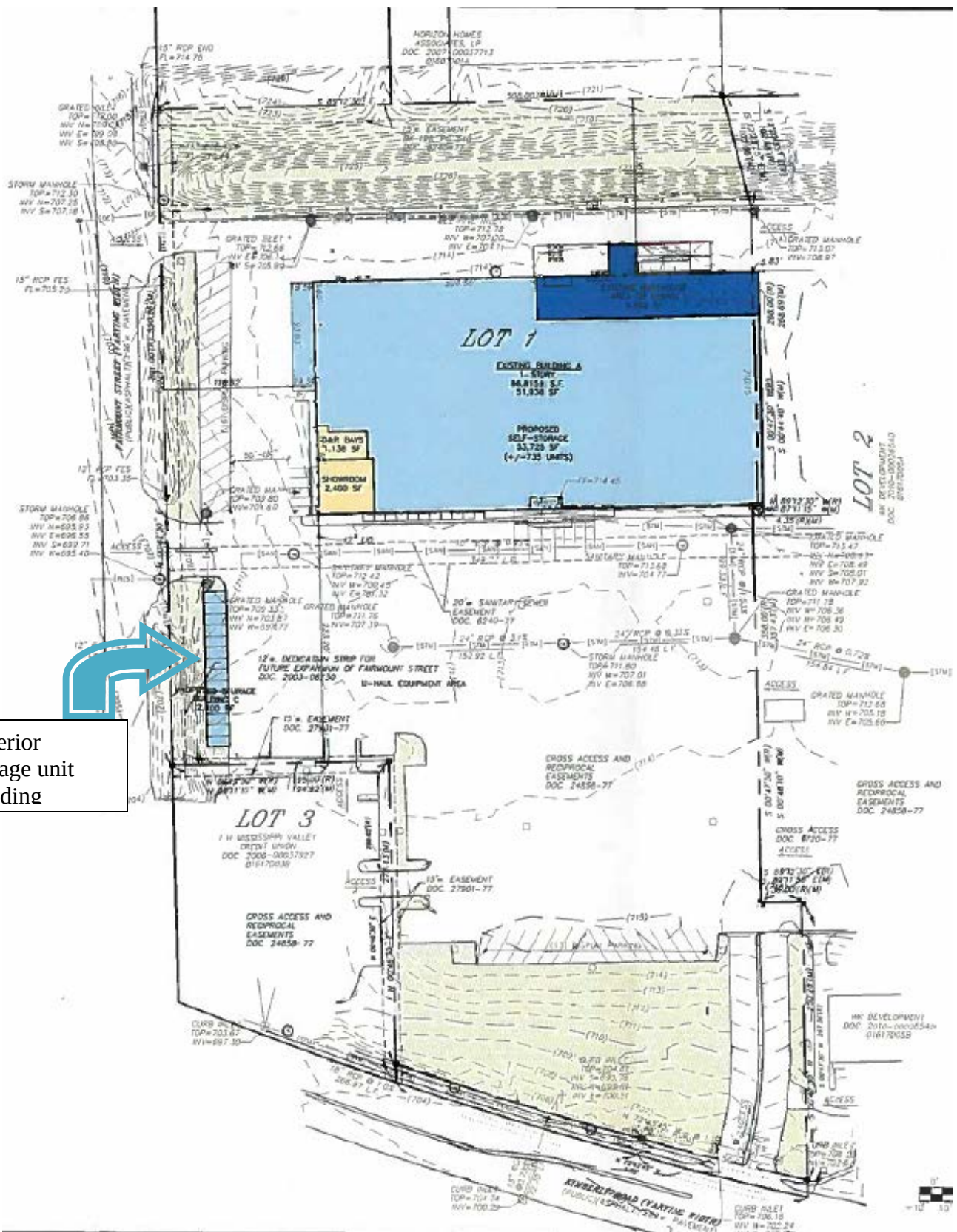
Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division

Attachments: None

X:\PLANNING\Plan and Zoning Commission\Cases\REZ15-04

Concept Plan



Exterior
storage unit
building

City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 3rd

Action / Date
3/18/2015

Subject:

Second Consideration: Ordinance for Case No. ROW15-01, Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets. [3rd Ward]

Recommendation:

Findings:

- The vacation would likely reduce ongoing (& likely increased) maintenance costs to the City.
- The proposed access easement should satisfy the City's and adjacent owner's needs.

The Plan and Zoning Commission accepts the listed finding(s) and forwards Case No. ROW15-01 to the City Council for approval subject to the following condition(s):

1. That a recorded easement shall grant access to all public utility providers (including the City of Davenport) for the maintenance, operation, removal, repair, construction, reconstruction, placement and/or replacement of all utilities within the entire vacated alley right-of-way; the petitioner shall record the easement and shall provide copies to all utility providers.

The Commission vote was 7-yes and 0-no.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner wishes to locate electrical transformer boxes in the center portion of the area to be vacated. Easements with all utility providers have been or will be negotiated in good faith to allow all existing and future utilities to be maintained in the area now designated as public alley way. Service delivery vehicles will be able to use approximately 20 feet at each end of the existing alley for future deliveries.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
☐ Ordinance	Ordinance
☐ Backup Material	ROW15-01 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	3/23/2015 - 3:24 PM

ORDINANCE NO.

An Ordinance for Case No. Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets. [3rd Ward]

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. The property has the following legal description:

Part of the Northeast Quarter Section 35, Township 78 North, Range 3 East of the 5th P.M. being more particularly described as follows: The entire east-west alley between Main Street and Brady Street of Block 43 of LeClaire's 1st Addition to the City of Davenport, Iowa.

The above described tract of land contains 6,400 sq. ft., more or less.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. ROW15-01 to the City Council for approval subject to the following:

1. A recorded easement shall grant access to all public utility providers (including the City of Davenport) for the maintenance, operation, removal, repair, construction, reconstruction, placement and/or replacement of all utilities within the entire vacated alley right-of-way; the petitioner shall record the easement and shall provide copies to all utility providers.

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 _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

March 4, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of March 3, 2015, the City Plan and Zoning Commission considered Case No. Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets. [3rd Ward]

Findings:

- The vacation would likely reduce ongoing (& likely increased) maintenance costs to the City.
- The proposed access easement should satisfy the City's and adjacent owner's needs.

The Plan and Zoning Commission accept the listed finding(s) and forward Case No. ROW15-01 to the City Council for approval subject to the following condition(s):

1. That a recorded easement shall grant access to all public utility providers (including the City of Davenport) for the maintenance, operation, removal, repair, construction, reconstruction, placement and/or replacement of all utilities within the entire vacated alley right-of-way; the petitioner shall record the easement and shall provide copies to all utility providers.

Respectfully submitted



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED	APPROVED	APPROVED			
Name:	Roll Call	REZ15-02 Glen Smithe 1655 W 17th St	REZ15-03 Arrowhead LLC Amend Ord 2004- 234	FDP15-02 Arrowhead LLC SW cor Elmore Ave & VMP	F15-04 Sally's 2nd	ROW15-01 City Sq LLC North Block LLC			
Connell	P	Y	Y	Y	Y	Y			
D'Autremont	EX								
Elgatian	P	Y	Y	Y	Y	Y			
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y	Y	Y			
Lammers	P	Y	Y	Y	Y	Y			
Maness	EX								
Martin	P	Y	Y	Y	Y	Y			
Martinez	P	Y	Y	Y	Y	Y			
Tallman	P	Y	Y	Y	Y	AB			
		7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	6-YES 0-NO 1-ABSTAIN			



City of Davenport
Community Planning & Economic Development Department
P&Z MEETING REPORT

PLAN AND ZONING COMMISSION

Meeting Date: March 3, 2015
Request: Alley Right-Of-Way vacation/abandonment
Address: 200 Block of Main St/Brady St
Case No.: ROW15-01
Applicant: City Square LLC/North Block LLC

INTRODUCTION

Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets.

Recommendation: Staff recommends approval of ROW15-01 with the conditions stated in this report under the recommendation section.

AREA CHARACTERISTICS:

Zoning Map:



Davenport 2025:



MAIN ST

W 3RD ST

W 2ND ST

BRADY ST

E 3RD ST

E 2ND ST

220 216 310 202 200

112 110 302

102 106

203

131

101

216

215 213 211 209

124 120 118 114 112

128

104 102

219

102 104 106 108

131 111 101

A Google Street View image of a city street. On the left is a brick building with a sign that reads "243 Brady St" and "Davenport, Iowa". A person is walking on the sidewalk. In the background, a tall, ornate building with a clock tower is visible. A white car is parked on the street to the right.



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Central Business District (CBD)

Description: This category is truly a mixed-use designation including residential and commercial uses of the highest density.

Relevant *Davenport 2025* Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*
 - c. *Establish guidelines whereby undeveloped / preserved areas may be opened to development.*

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

- ***Community Character***
Planning, zoning, development, and resource management should promote activities and development that are consistent with the character and

architectural style of the community and should respond to local values regarding the physical character of the community.

- **Revitalization**

Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. Existing street capacity will not be negatively impacted by the proposed vacation, only the removal of the alley on this block.

Storm Water. The site will continue to utilize existing city stormwater utilities. No change in the impact to these services is expected or likely.

Sanitary Sewer. Sanitary sewer service would continue to be utilized by the adjacent development.

Other Utilities. All local utilities have been notified of this request and are negotiating easements that would allow them to continue to have utilities located in this same location.

Emergency Services. Police and Fire have also been notified of the request. The Police Department has no issues with the request.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

Property owners within 200 feet of the subject property were also notified by city staff.

DISCUSSION

The petitioner wishes to locate electrical transformer boxes in the center portion of the area to be vacated. Easements with all utility providers have been or will be negotiated in good faith to allow all existing and future utilities to be maintained in the area now designated as public alley way. Service delivery vehicles will be able to use approximately 20 feet at each end of the existing alley for future deliveries.

STAFF RECOMMENDATION

Staff recommends approval of ROW15-01 the request subject to the following conditions:

- 1) A recorded easement shall grant access to all public utility providers (including the City of Davenport) for the maintenance, operation, removal, repair, construction, reconstruction, placement and/or replacement of all utilities within the entire vacated alley right-of-way; the petitioner shall record the easement and shall provide copies to all utility providers.

Prepared by:

Scott Koops, AICP

CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION

PETITIONER:

Name: CITY SQUARE LLC & NORTH BLOCK LLC
Address: 3701 LINDELL BLVD, STL, MO
Phone: 314-446-4525 FAX: 314-446-4546
Mobile Phone: 314-541-2698 Email: AMY@CHECKMATEDESIGN.COM
Interest in land: X title holder other** corr

** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON:

Name: AMY GILL
Address: 3701 LINDELL BLVD. ST LOUIS MO 63108
Phone: 314-446-4525 FAX: 314-446-4546
Mobile Phone: 314-541-2698 Email: AMY@CHECKMATEDESIGN.COM

LOCATION (DESCRIPTIVE):

ALLEY RUNNING EAST WEST BEHIND
PARCELS COMMONLY KNOWN AS PARKER/PUTNAM,
MIDWEST BANK AND SOCIAL SECURITY BUILDINGS.
PDF ATTACHED

LEGAL DESCRIPTION:

SEE ATTACHED FOR ALL PROPERTIES.

AREA: (in square feet)

6460 Sq. FT.

REASON FOR REQUEST:

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

SEE ATTACHED DRAWING. CLOSURE OF
ALLEY TO FACILITATE PLACEMENT
OF TRANSFORMERS, DRIVE AND LOADING
AREAS. SEE PDF

SIGNATURE OF PETITIONER:

Ammellea Gill DATE: 1-27-15

PROCESSING FEE:

\$400.00 PLEASE CALL
FOR CC #

DATE PAID:

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-11

 Property Location: **128 W 2ND ST**
 DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:001 Block:043 LECLAIRE'S 1ST ADD W 60' LOT 1

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 001

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

SubClass:

Transfer Document No.: 2012 -38649

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Deed Date: 12/4/2012

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Tax Certificate #: 092278

Certificate Buyer: B & V PARTNERS
LLC 216; 2490 HEATHER GLEN AVE;
Bettendorf, IA; 52722

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$24,481.00

Subsequent Tax Total: \$0.00

Redemption Total: \$25,460.00

Redemption Total as of: 2009-07-23

Status: Redeemed

Penalty: \$0.00

Interest: \$979.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 131429

Certificate Buyer: HI 53, LC; 2920 N
HARRISON STREET; DAVENPORT;
IA; 52803

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$25,869.00

Subsequent Tax Total: \$0.00

Redemption Total: \$27,939.00

Redemption Total as of: 2013-09-18

Status: Redeemed

Penalty: \$0.00

Interest: \$2,070.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 071674

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Parcel Ownership/Valuation/Tax Summary**

Scott County, Iowa

Parcel ID: L0010-12A

Property Location: 112 W 2ND ST
DAVENPORT, IA**Legal Description:**LECLAIRE'S 1ST ADD Lot:004 Block:043 LECLAIRE'S 1ST ADD E 4' OF LOT 1 & ALL OF LOTS 2 & 3 & W 20' LOT 4
(EXC NON- TAXABLE PORTION)**AddNum / Sect:**

Block / Twp: 043

Lot / Rng: 004

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

SubClass:

Transfer Document No.: 2012 -38649

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Deed Date: 12/4/2012

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Tax Certificate #: 092279

Certificate Buyer: HI 65, LC; 2920 N
HARRISON STREET; DAVENPORT;
IA; 52803

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$3,749.00

Subsequent Tax Total: \$0.00

Redemption Total: \$3,899.00

Redemption Total as of: 2009-07-23

Status: Redeemed

Penalty: \$0.00

Interest: \$150.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 131430

Certificate Buyer: ACC 85 LLC; PO
BOX 762; Dubuque; IA; 52004

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$12,140.00

Subsequent Tax Total: \$0.00

Redemption Total: \$13,111.00

Redemption Total as of: 2013-09-23

Status: Redeemed

Penalty: \$0.00

Interest: \$971.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-12B

Property Location: 116 W 2ND ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:004 Block:043 LECLAIRE'S 1ST ADD E 4' OF LOT 1 & ALL OF LOTS 2 & 3 & W 20' LOT 4
(EXC TAXABLE PORTION)

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 004

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108

Contract Holder:

Mail To:

Class: E EXEMPT CLASSES

Deed Date: 12/4/2012

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2012 -38649

Deed Page:

Contract Page:

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)*Special Assessment amounts are accurate through 1/26/2015.*Taxing District: DADDS - DAVENPORT DAVENPORT
DOWNTOWN SMID

School District: DAVENPORT SCHOOL

Misc. District:

	2014 VALUATION		2013 VALUATION		2012 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$0	-	\$0	\$0	\$0	\$0
Buildings	\$0	-	\$0	\$0	\$0	\$0
Dwellings	\$0	-	\$0	\$0	\$0	\$0
Exempt	\$261,100	-	\$261,100	-	\$261,100	-
Gross Taxable	\$261,100	-	\$261,100	\$0	\$0	\$0
Military	0	-	0	0	0	0
Net Taxable	\$0	-	\$0	\$0	(\$261,100)	\$0

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Parcel Ownership/Valuation/Tax Summary**

Scott County, Iowa

Parcel ID: L0010-13

Property Location: 104 W 2ND ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot:005 Block:043 LECLAIRE'S 1ST ADD E 44' LOT 4 & ALL OF

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 005

Gross Acres: 0**Exempt Acres:** N/A**Net Acres:** N/A**Deed Holder:**CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:****Class:** C COMMERCIAL**SubClass:****Transfer Document No.:** 2012 -38649**Revenue Stamp:** \$3,646.40**Purchase Price :** \$2,279,500 (Nearest
\$500)**Deed Date:** 12/4/2012**Deed Book:****Deed Page:****Contract Date:****Contract Book:****Contract Page:****Tax Certificate #:** 131431**Certificate Buyer:** FRTL-A150, LLC
AND UMB BANK NA; PO Box 17901;
Denver; CO; 80217**Tax Sale Cert. Date:** 6/17/2013**Tax Sale Total:** \$26,668.00**Subsequent Tax Total:** \$0.00**Redemption Total:** \$28,801.00**Redemption Total as of:** 2013-09-18**Status:** Redeemed**Penalty:** \$0.00**Interest:** \$2,133.00**Additional Costs:** \$0.00**Certificate Fee:** \$20.00**Bid Down Percentage:** 100 %**Tax Certificate #:** 092280**Certificate Buyer:** STEVE SODEMAN
QCA INVESTMENTS 3 LLC; 3719 N
THORNWOOD AV; DAVENPORT; IA;
52806**Tax Sale Cert. Date:** 6/15/2009**Tax Sale Total:** \$22,756.00**Subsequent Tax Total:** \$0.00**Redemption Total:** \$23,666.00**Redemption Total as of:** 2009-07-23**Status:** Redeemed**Penalty:** \$0.00**Interest:** \$910.00**Additional Costs:** \$0.00**Certificate Fee:** \$20.00**Bid Down Percentage:** 100 %

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-01

Property Location: 216 BRADY ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:007 Block:043 LECLAIRE'S 1ST ADD S 26' OF LOTS 6 &

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 007

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

Deed Date: 2/7/2013

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2013 -4364

Deed Page:

Contract Page:

Revenue Stamp: \$0.00

Purchase Price : n/a

Taxing District: DADDS - DAVENPORT DAVENPORT
DOWNTOWN SMID

School District: DAVENPORT SCHOOL

Misc. District:

	2014 VALUATION		2013 VALUATION		2012 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$68,300	-	\$68,300	\$64,885	\$68,300	\$68,300
Buildings	\$4,500	-	\$4,500	\$4,275	\$4,500	\$4,500
Dwellings	\$0	-	\$0	\$0	\$0	\$0
Exempt	\$0	-	\$0	-	\$0	-
Gross Taxable	\$72,800	-	\$72,800	\$69,160	\$72,800	\$72,800
Military	0	-	0	0	0	0
Net Taxable	\$72,800	-	\$72,800	\$69,160	\$72,800	\$72,800
Gross Taxes	-	-	-	\$3,155.18	-	\$3,388.30
Homestead Credit	-	-	-	\$0.00	-	\$0.00
Ag Land Credit	-	-	-	\$0.00	-	\$0.00

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-02A

Property Location: 101 W 3RD ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot:006 Block:043 LECLAIRE'S 1ST ADD LOTS 6 AND 7 (EXC S 26')

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 006

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

Deed Date: 2/7/2013

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2013 -4364

Deed Page:

Contract Page:

Revenue Stamp: \$0.00

Purchase Price : n/a

Special Assessment amounts are accurate through 1/26/2015.

Date/Project: 12/2/2013

Assessment: \$9.24

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	9/30/2014	311952	\$14.24	\$0.00

Date/Project: 10/1/2013

Assessment: \$12.66

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	9/30/2014	307007	\$17.66	\$0.00

Date/Project: 9/3/2013

Assessment: \$10.73

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	5/30/2014	305165	\$15.73	\$0.00

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-08B

Property Location: 131 W 3RD ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot: 010 Block: 043 LECLAIRE'S 1ST ADD LOTS 8, 9, & 10

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 010

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

Deed Date: 12/22/2014

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2014 -32519

Deed Page:

Contract Page:

Revenue Stamp: \$2,879.20

Purchase Price : \$1,800,000 (Nearest
\$500)*Special Assessment amounts are accurate through 1/26/2015.*

Date/Project: 1/2/2014

Assessment: \$87.13

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	1/15/2014	312763	\$92.13	\$0.00

Date/Project: 4/2/2013

Assessment: \$7.80

1st Payment Date: 9/30/2013

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2013	9/30/2013	351933	\$12.80	\$0.00

Date/Project: 3/21/2013

Assessment: \$90.00

1st Payment Date: 9/30/2013

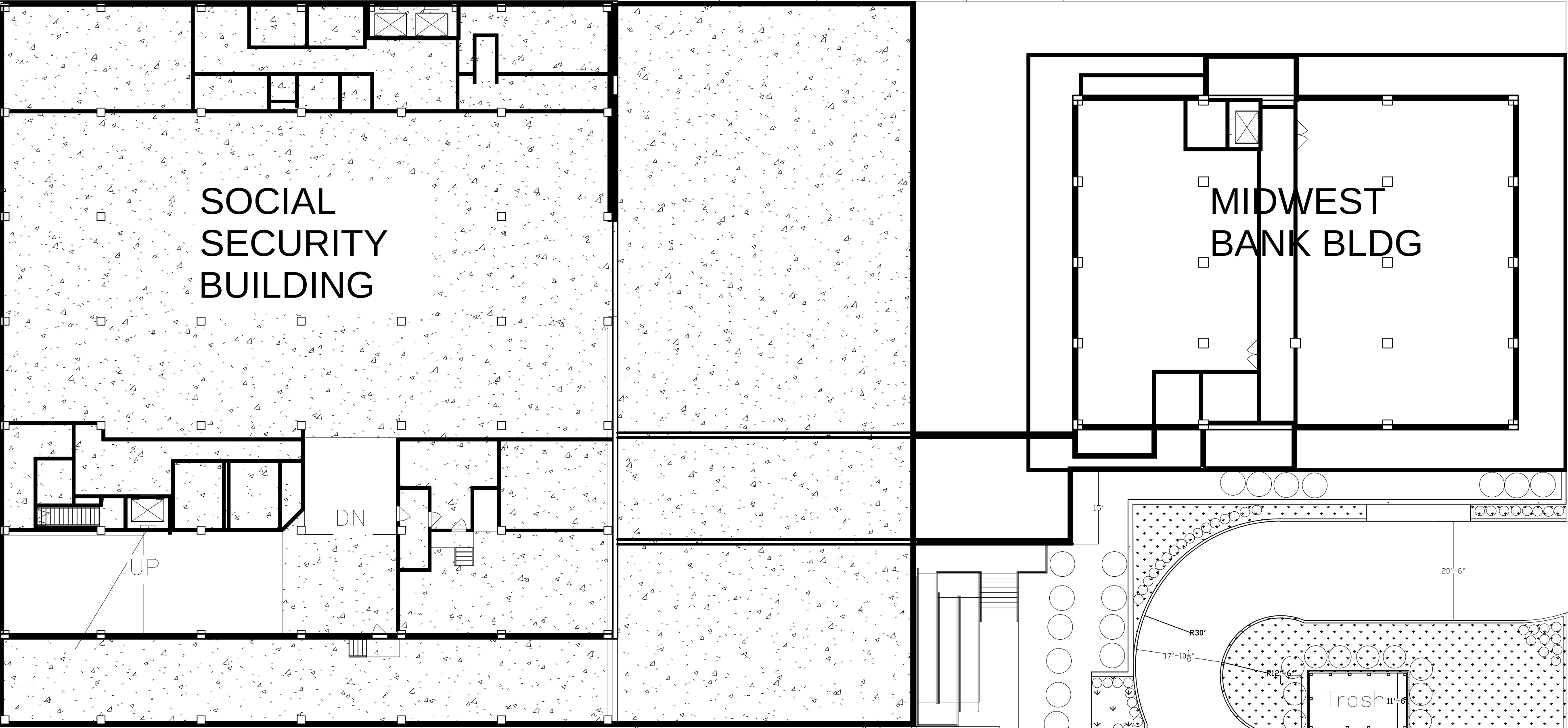
Pay Off: \$0.00

Type: SNOW REMOVAL

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2013	3/27/2013	351878	\$95.00	\$0.00

W. 3rd STREET

N MAIN STREET



SOCIAL
SECURITY
BUILDING

MIDWEST
BANK BLDG

PUTNAM
BUILDING

CENTER
BUILDING

PARKER
BUILDING

ALLEY

TRANSFORMER

PEDESTRIAN
WALK

LOADING
ZONE

LOADING
ZONE

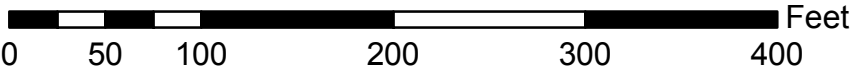
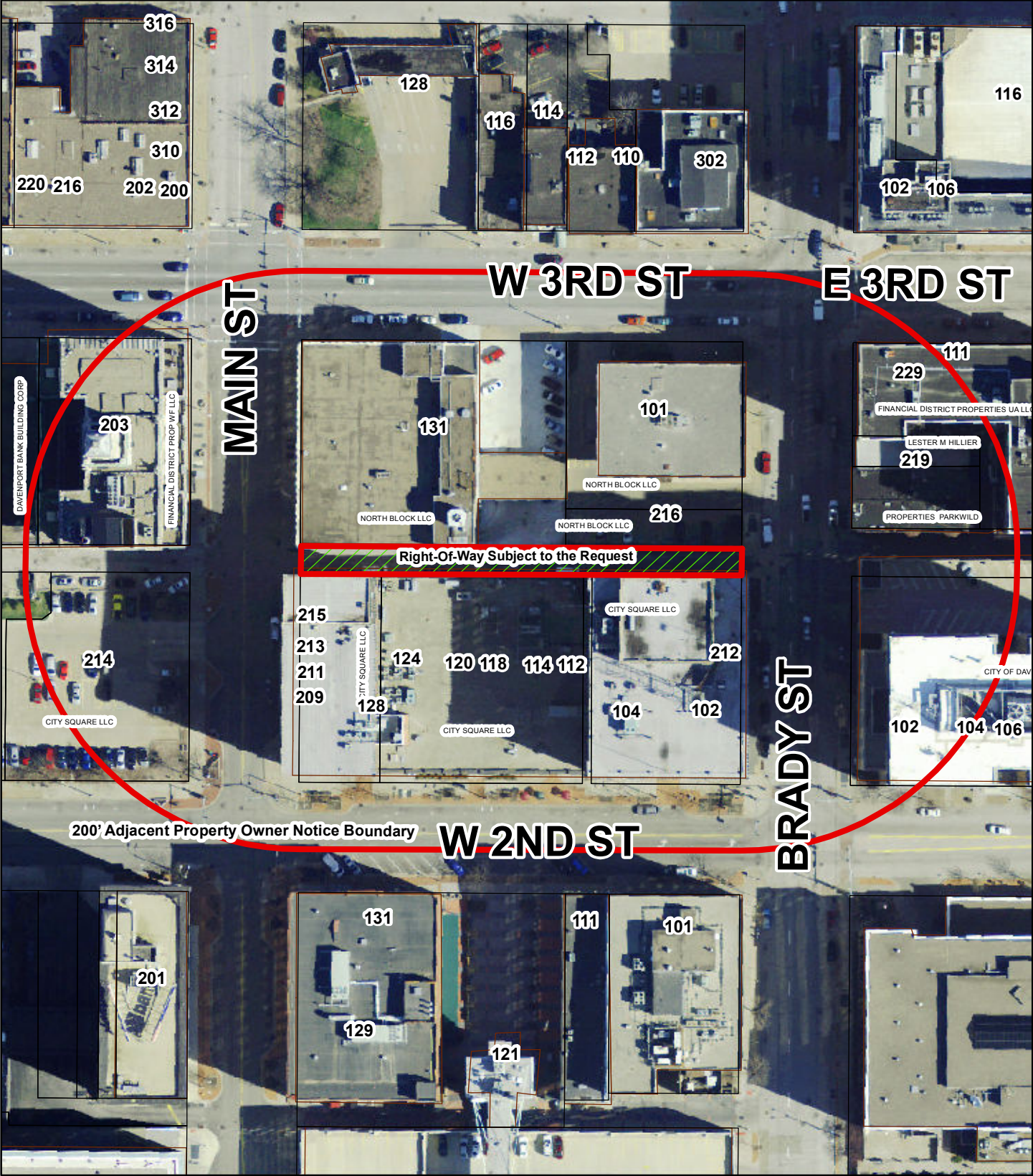
Trash

BRADY STREET

W 2nd STREET

SURFACE
PARKING

Plan & Zoning Commission: Adjacent Property Owner Notice Area
Request for a Right-of-Way Vacation (Abandonment)



1 inch = 100 feet



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2014** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will consider (vote on a recommendation) the petition at its regular meeting on Tuesday March 3, 2014. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose** (circle one) the Petition of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



MidAmerican Energy Company
106 East Second Street
P.O. Box 4350
Davenport, Iowa 52808-4350

February 9, 2015

Mr. Scott E. Koops, EICP
Planner II
226 West Fourth Street
Davenport, Iowa 52801

RE: Proposed Vacation #ROW 041-15
East/West Alley between Main Street and Brady Street between W. 2nd and 3rd Street
NE ¼ Section 35, Township 78N, Range 3 East, 5th PM, Scott County, IA

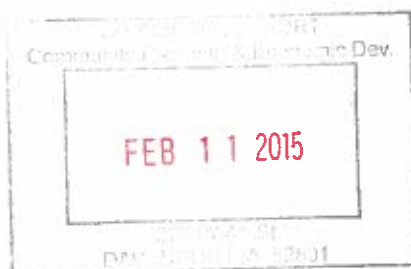
Dear Mr. Koops:

Thank you for your notice concerning the proposed 20' x 325'± wide alley vacation at the above referenced location.

MidAmerican Energy personnel have completed their review of the proposed vacation and do not oppose. MidAmerican maintains underground electric facilities within the proposed vacation area. In the event a vacation ordinance is adopted, it is requested that a reservation be included to maintain, operate, remove, repair, replace, construct, reconstruct or relocate the electric facilities within the entire vacated alley right of way. It is also requested a copy of the ordinance be forwarded to this office.

Sincerely,

Dawn M. Carlson
Right of Way Agent



CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION

PETITIONER:

Name: CITY SQUARE LLC & NORTH BLOCK LLC
Address: 3701 LINDELL BLVD, STL, MO
Phone: 314-446-4525 FAX: 314-446-4546
Mobile Phone: 314-541-2698 Email: AMY@CHECKMATEDESIGN.COM
Interest in land: X title holder other** corr

** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON:

Name: AMY GILL
Address: 3701 LINDELL BLVD. ST LOUIS MO 63108
Phone: 314-446-4525 FAX: 314-446-4546
Mobile Phone: 314-541-2698 Email: AMY@CHECKMATEDESIGN.COM

LOCATION (DESCRIPTIVE):

ALLEY RUNNING EAST WEST BEHIND
PARCELS COMMONLY KNOWN AS PARKER/PUTNAM,
MIDWEST BANK AND SOCIAL SECURITY BUILDINGS.
PDF ATTACHED

LEGAL DESCRIPTION:

SEE ATTACHED FOR ALL PROPERTIES.

AREA: (in square feet)

6460 Sq. FT.

REASON FOR REQUEST:

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

SEE ATTACHED DRAWING. CLOSURE OF
ALLEY TO FACILITATE PLACEMENT
OF TRANSFORMERS, DRIVE AND LOADING
AREAS. SEE PDF

SIGNATURE OF PETITIONER:

Ammellea Gill DATE: 1-27-15

PROCESSING FEE:

\$400.00 PLEASE CALL
FOR CC #

DATE PAID:

Scott County Parcel Records
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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-11

Property Location: 128 W 2ND ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:001 Block:043 LECLAIRE'S 1ST ADD W 60' LOT 1

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 001

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

SubClass:

Transfer Document No.: 2012 -38649

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Deed Date: 12/4/2012

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Tax Certificate #: 092278

Certificate Buyer: B & V PARTNERS
LLC 216; 2490 HEATHER GLEN AVE;
Bettendorf, IA; 52722

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$24,481.00

Subsequent Tax Total: \$0.00

Redemption Total: \$25,460.00

Redemption Total as of: 2009-07-23

Status: Redeemed

Penalty: \$0.00

Interest: \$979.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 131429

Certificate Buyer: HI 53, LC; 2920 N
HARRISON STREET; DAVENPORT;
IA; 52803

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$25,869.00

Subsequent Tax Total: \$0.00

Redemption Total: \$27,939.00

Redemption Total as of: 2013-09-18

Status: Redeemed

Penalty: \$0.00

Interest: \$2,070.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 071674

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Parcel Ownership/Valuation/Tax Summary**

Scott County, Iowa

Parcel ID: L0010-12A

Property Location: 112 W 2ND ST
DAVENPORT, IA**Legal Description:**LECLAIRE'S 1ST ADD Lot:004 Block:043 LECLAIRE'S 1ST ADD E 4' OF LOT 1 & ALL OF LOTS 2 & 3 & W 20' LOT 4
(EXC NON- TAXABLE PORTION)**AddNum / Sect:**

Block / Twp: 043

Lot / Rng: 004

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

SubClass:

Transfer Document No.: 2012 -38649

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Deed Date: 12/4/2012

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Tax Certificate #: 092279

Certificate Buyer: HI 65, LC; 2920 N
HARRISON STREET; DAVENPORT;
IA; 52803

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$3,749.00

Subsequent Tax Total: \$0.00

Redemption Total: \$3,899.00

Redemption Total as of: 2009-07-23

Status: Redeemed

Penalty: \$0.00

Interest: \$150.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 131430

Certificate Buyer: ACC 85 LLC; PO
BOX 762; Dubuque; IA; 52004

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$12,140.00

Subsequent Tax Total: \$0.00

Redemption Total: \$13,111.00

Redemption Total as of: 2013-09-23

Status: Redeemed

Penalty: \$0.00

Interest: \$971.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-12B

Property Location: 116 W 2ND ST
DAVENPORT, IA**Legal Description:**LECLAIRE'S 1ST ADD Lot:004 Block:043 LECLAIRE'S 1ST ADD E 4' OF LOT 1 & ALL OF LOTS 2 & 3 & W 20' LOT 4
(EXC TAXABLE PORTION)**AddNum / Sect:**

Block / Twp: 043

Lot / Rng: 004

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:**

Class: E EXEMPT CLASSES

Deed Date: 12/4/2012

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2012 -38649

Deed Page:

Contract Page:

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)*Special Assessment amounts are accurate through 1/26/2015.*Taxing District: DADDS - DAVENPORT DAVENPORT
DOWNTOWN SMID

School District: DAVENPORT SCHOOL

Misc. District:

	2014 VALUATION		2013 VALUATION		2012 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$0	-	\$0	\$0	\$0	\$0
Buildings	\$0	-	\$0	\$0	\$0	\$0
Dwellings	\$0	-	\$0	\$0	\$0	\$0
Exempt	\$261,100	-	\$261,100	-	\$261,100	-
Gross Taxable	\$261,100	-	\$261,100	\$0	\$0	\$0
Military	0	-	0	0	0	0
Net Taxable	\$0	-	\$0	\$0	(\$261,100)	\$0

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-13

Property Location: 104 W 2ND ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot:005 Block:043 LECLAIRE'S 1ST ADD E 44' LOT 4 & ALL OF

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 005

Gross Acres: 0**Exempt Acres:** N/A**Net Acres:** N/A**Deed Holder:**CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:****Class:** C COMMERCIAL**SubClass:****Transfer Document No.:** 2012 -38649**Revenue Stamp:** \$3,646.40**Purchase Price :** \$2,279,500 (Nearest
\$500)**Deed Date:** 12/4/2012**Deed Book:****Deed Page:****Contract Date:****Contract Book:****Contract Page:****Tax Certificate #:** 131431**Certificate Buyer:** FRTL-A150, LLC
AND UMB BANK NA; PO Box 17901;
Denver; CO; 80217**Tax Sale Cert. Date:** 6/17/2013**Tax Sale Total:** \$26,668.00**Subsequent Tax Total:** \$0.00**Redemption Total:** \$28,801.00**Redemption Total as of:** 2013-09-18**Status:** Redeemed**Penalty:** \$0.00**Interest:** \$2,133.00**Additional Costs:** \$0.00**Certificate Fee:** \$20.00**Bid Down Percentage:** 100 %**Tax Certificate #:** 092280**Certificate Buyer:** STEVE SODEMAN
QCA INVESTMENTS 3 LLC; 3719 N
THORNWOOD AV; DAVENPORT; IA;
52806**Tax Sale Cert. Date:** 6/15/2009**Tax Sale Total:** \$22,756.00**Subsequent Tax Total:** \$0.00**Redemption Total:** \$23,666.00**Redemption Total as of:** 2009-07-23**Status:** Redeemed**Penalty:** \$0.00**Interest:** \$910.00**Additional Costs:** \$0.00**Certificate Fee:** \$20.00**Bid Down Percentage:** 100 %

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-01

Property Location: 216 BRADY ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:007 Block:043 LECLAIRE'S 1ST ADD S 26' OF LOTS 6 &

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 007

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

Deed Date: 2/7/2013

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2013 -4364

Deed Page:

Contract Page:

Revenue Stamp: \$0.00

Purchase Price : n/a

Taxing District: DADDS - DAVENPORT DAVENPORT
DOWNTOWN SMID

School District: DAVENPORT SCHOOL

Misc. District:

	2014 VALUATION		2013 VALUATION		2012 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$68,300	-	\$68,300	\$64,885	\$68,300	\$68,300
Buildings	\$4,500	-	\$4,500	\$4,275	\$4,500	\$4,500
Dwellings	\$0	-	\$0	\$0	\$0	\$0
Exempt	\$0	-	\$0	-	\$0	-
Gross Taxable	\$72,800	-	\$72,800	\$69,160	\$72,800	\$72,800
Military	0	-	0	0	0	0
Net Taxable	\$72,800	-	\$72,800	\$69,160	\$72,800	\$72,800
Gross Taxes	-	-	-	\$3,155.18	-	\$3,388.30
Homestead Credit	-	-	-	\$0.00	-	\$0.00
Ag Land Credit	-	-	-	\$0.00	-	\$0.00

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-02A

Property Location: 101 W 3RD ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot:006 Block:043 LECLAIRE'S 1ST ADD LOTS 6 AND 7 (EXC S 26')

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 006

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

Deed Date: 2/7/2013

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2013 -4364

Deed Page:

Contract Page:

Revenue Stamp: \$0.00

Purchase Price : n/a

Special Assessment amounts are accurate through 1/26/2015.

Date/Project: 12/2/2013

Assessment: \$9.24

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	9/30/2014	311952	\$14.24	\$0.00

Date/Project: 10/1/2013

Assessment: \$12.66

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	9/30/2014	307007	\$17.66	\$0.00

Date/Project: 9/3/2013

Assessment: \$10.73

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	5/30/2014	305165	\$15.73	\$0.00

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-08B

Property Location: 131 W 3RD ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot: 010 Block: 043 LECLAIRE'S 1ST ADD LOTS 8, 9, & 10

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 010

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

Deed Date: 12/22/2014

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2014 -32519

Deed Page:

Contract Page:

Revenue Stamp: \$2,879.20

Purchase Price : \$1,800,000 (Nearest
\$500)*Special Assessment amounts are accurate through 1/26/2015.*

Date/Project: 1/2/2014

Assessment: \$87.13

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	1/15/2014	312763	\$92.13	\$0.00

Date/Project: 4/2/2013

Assessment: \$7.80

1st Payment Date: 9/30/2013

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2013	9/30/2013	351933	\$12.80	\$0.00

Date/Project: 3/21/2013

Assessment: \$90.00

1st Payment Date: 9/30/2013

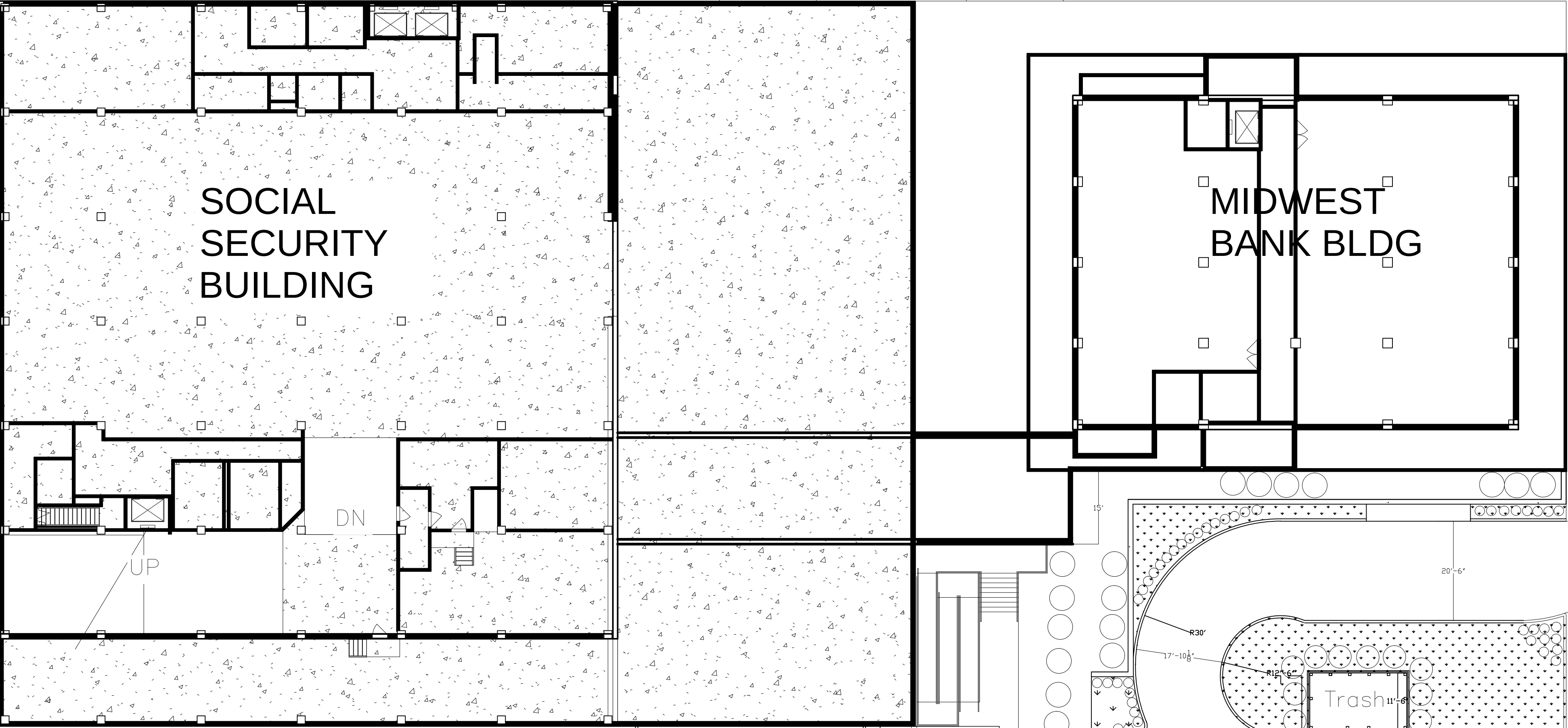
Pay Off: \$0.00

Type: SNOW REMOVAL

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2013	3/27/2013	351878	\$95.00	\$0.00

W. 3rd STREET

N MAIN STREET



BRADY STREET

W 2nd STREET

SURFACE
PARKING

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
REQUEST FOR PUBLIC RIGHT-OF-WAY VACATION**

PETITIONER:

Name: CITY SQUARE LLC & NORTH BLOCK LLC
Address: 3701 LINDELL BLVD, STL, MO
Phone: 314-446-4525 FAX: 314-446-4546
Mobile Phone: 314-541-2698 Email: AMY@CHECKMATEDESIGN.COM
Interest in land: X title holder other** corr

** if petitioner is other than title holder (i.e., lessee), documentation will be required to show prior approval for site development plans by owner.

CONTACT PERSON:

Name: AMY GILL
Address: 3701 LINDELL BLVD. ST LOUIS MO 63108
Phone: 314-446-4525 FAX: 314-446-4546
Mobile Phone: 314-541-2698 Email: AMY@CHECKMATEDESIGN.COM

LOCATION (DESCRIPTIVE):

ALLEY RUNNING EAST WEST BEHIND
PARCELS COMMONLY KNOWN AS PARKER/PUTNAM,
MIDWEST BANK AND SOCIAL SECURITY BUILDINGS.
PDF ATTACHED

LEGAL DESCRIPTION:

SEE ATTACHED FOR ALL PROPERTIES.

AREA: (in square feet)

6460 Sq. FT.

REASON FOR REQUEST:

*(The applicant MUST be as detailed and specific as possible in completing this section. Complete and descriptive information is vital to the timely submission of the petitioner's request. Incomplete applications may delay the application process.)

SEE ATTACHED DRAWING. CLOSURE OF
ALLEY TO FACILITATE PLACEMENT
OF TRANSFORMERS, DRIVE AND LOADING
AREAS. SEE PDF

SIGNATURE OF PETITIONER:

Aminella Gill DATE: 1-27-15

PROCESSING FEE:

\$400.00 PLEASE CALL
FOR CC #

DATE PAID:

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-11

Property Location: 128 W 2ND ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:001 Block:043 LECLAIRE'S 1ST ADD W 60' LOT 1

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 001

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

Deed Date: 12/4/2012

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2012 -38649

Deed Page:

Contract Page:

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Tax Certificate #: 092278

Certificate Buyer: B & V PARTNERS
LLC 216; 2490 HEATHER GLEN AVE;
Bettendorf, IA; 52722

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$24,481.00

Penalty: \$0.00

Subsequent Tax Total: \$0.00

Interest: \$979.00

Redemption Total: \$25,460.00

Additional Costs: \$0.00

Redemption Total as of: 2009-07-23

Certificate Fee: \$20.00

Status: Redeemed

Bid Down Percentage: 100 %

Tax Certificate #: 131429

Certificate Buyer: HI 53, LC; 2920 N
HARRISON STREET; DAVENPORT;
IA; 52803

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$25,869.00

Penalty: \$0.00

Subsequent Tax Total: \$0.00

Interest: \$2,070.00

Redemption Total: \$27,939.00

Additional Costs: \$0.00

Redemption Total as of: 2013-09-18

Certificate Fee: \$20.00

Status: Redeemed

Bid Down Percentage: 100 %

Tax Certificate #: 071674

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Parcel Ownership/Valuation/Tax Summary**

Scott County, Iowa

Parcel ID: L0010-12A

Property Location: 112 W 2ND ST
DAVENPORT, IA**Legal Description:**LECLAIRE'S 1ST ADD Lot:004 Block:043 LECLAIRE'S 1ST ADD E 4' OF LOT 1 & ALL OF LOTS 2 & 3 & W 20' LOT 4
(EXC NON- TAXABLE PORTION)**AddNum / Sect:**

Block / Twp: 043

Lot / Rng: 004

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

SubClass:

Transfer Document No.: 2012 -38649

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Deed Date: 12/4/2012

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Tax Certificate #: 092279

Certificate Buyer: HI 65, LC; 2920 N
HARRISON STREET; DAVENPORT;
IA; 52803

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$3,749.00

Subsequent Tax Total: \$0.00

Redemption Total: \$3,899.00

Redemption Total as of: 2009-07-23

Status: Redeemed

Penalty: \$0.00

Interest: \$150.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 131430

Certificate Buyer: ACC 85 LLC; PO
BOX 762; Dubuque; IA; 52004

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$12,140.00

Subsequent Tax Total: \$0.00

Redemption Total: \$13,111.00

Redemption Total as of: 2013-09-23

Status: Redeemed

Penalty: \$0.00

Interest: \$971.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0010-12B

Property Location: 116 W 2ND ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:004 Block:043 LECLAIRE'S 1ST ADD E 4' OF LOT 1 & ALL OF LOTS 2 & 3 & W 20' LOT 4
(EXC TAXABLE PORTION)

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 004

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108

Contract Holder:

Mail To:

Class: E EXEMPT CLASSES

Deed Date: 12/4/2012

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2012 -38649

Deed Page:

Contract Page:

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)*Special Assessment amounts are accurate through 1/26/2015.*Taxing District: DADDS - DAVENPORT DAVENPORT
DOWNTOWN SMID

School District: DAVENPORT SCHOOL

Misc. District:

	2014 VALUATION		2013 VALUATION		2012 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$0	-	\$0	\$0	\$0	\$0
Buildings	\$0	-	\$0	\$0	\$0	\$0
Dwellings	\$0	-	\$0	\$0	\$0	\$0
Exempt	\$261,100	-	\$261,100	-	\$261,100	-
Gross Taxable	\$261,100	-	\$261,100	\$0	\$0	\$0
Military	0	-	0	0	0	0
Net Taxable	\$0	-	\$0	\$0	(\$261,100)	\$0

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Parcel Ownership/Valuation/Tax Summary**

Scott County, Iowa

Parcel ID: L0010-13

Property Location: 104 W 2ND ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot:005 Block:043 LECLAIRE'S 1ST ADD E 44' LOT 4 & ALL OF

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 005

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:CITY SQUARE LLC
3701 LINDELL BLVD
SAINT LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

SubClass:

Transfer Document No.: 2012 -38649

Revenue Stamp: \$3,646.40

Purchase Price : \$2,279,500 (Nearest
\$500)

Deed Date: 12/4/2012

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Tax Certificate #: 131431

Certificate Buyer: FRTL-A150, LLC
AND UMB BANK NA; PO Box 17901;
Denver; CO; 80217

Tax Sale Cert. Date: 6/17/2013

Tax Sale Total: \$26,668.00

Subsequent Tax Total: \$0.00

Redemption Total: \$28,801.00

Redemption Total as of: 2013-09-18

Status: Redeemed

Penalty: \$0.00

Interest: \$2,133.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Tax Certificate #: 092280

Certificate Buyer: STEVE SODEMAN
QCA INVESTMENTS 3 LLC; 3719 N
THORNWOOD AV; DAVENPORT; IA;
52806

Tax Sale Cert. Date: 6/15/2009

Tax Sale Total: \$22,756.00

Subsequent Tax Total: \$0.00

Redemption Total: \$23,666.00

Redemption Total as of: 2009-07-23

Status: Redeemed

Penalty: \$0.00

Interest: \$910.00

Additional Costs: \$0.00

Certificate Fee: \$20.00

Bid Down Percentage: 100 %

Scott County Parcel Records


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[\[Assessment Report | Auditor/Treasurer Report | Map \]](#)

Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-01

Property Location: 216 BRADY ST
DAVENPORT, IA

Legal Description:

LECLAIRE'S 1ST ADD Lot:007 Block:043 LECLAIRE'S 1ST ADD S 26' OF LOTS 6 &

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 007

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

Deed Date: 2/7/2013

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2013 -4364

Deed Page:

Contract Page:

Revenue Stamp: \$0.00

Purchase Price : n/a

Taxing District: DADDS - DAVENPORT DAVENPORT
DOWNTOWN SMID

School District: DAVENPORT SCHOOL

Misc. District:

	2014 VALUATION		2013 VALUATION		2012 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$68,300	-	\$68,300	\$64,885	\$68,300	\$68,300
Buildings	\$4,500	-	\$4,500	\$4,275	\$4,500	\$4,500
Dwellings	\$0	-	\$0	\$0	\$0	\$0
Exempt	\$0	-	\$0	-	\$0	-
Gross Taxable	\$72,800	-	\$72,800	\$69,160	\$72,800	\$72,800
Military	0	-	0	0	0	0
Net Taxable	\$72,800	-	\$72,800	\$69,160	\$72,800	\$72,800
Gross Taxes	-	-	-	\$3,155.18	-	\$3,388.30
Homestead Credit	-	-	-	\$0.00	-	\$0.00
Ag Land Credit	-	-	-	\$0.00	-	\$0.00

Scott County Parcel Records

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Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-02A

Property Location: 101 W 3RD ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot:006 Block:043 LECLAIRE'S 1ST ADD LOTS 6 AND 7 (EXC S 26')

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 006

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108**Contract Holder:****Mail To:**

Class: C COMMERCIAL

Deed Date: 2/7/2013

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2013 -4364

Deed Page:

Contract Page:

Revenue Stamp: \$0.00

Purchase Price : n/a

Special Assessment amounts are accurate through 1/26/2015.

Date/Project: 12/2/2013

Assessment: \$9.24

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	9/30/2014	311952	\$14.24	\$0.00

Date/Project: 10/1/2013

Assessment: \$12.66

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	9/30/2014	307007	\$17.66	\$0.00

Date/Project: 9/3/2013

Assessment: \$10.73

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	5/30/2014	305165	\$15.73	\$0.00

Scott County Parcel Records
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[\[Assessment Report \]](#) | [Auditor/Treasurer Report](#) | [Map](#)

Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: L0007-08B

Property Location: 131 W 3RD ST
DAVENPORT, IA**Legal Description:**

LECLAIRE'S 1ST ADD Lot: 010 Block: 043 LECLAIRE'S 1ST ADD LOTS 8, 9, & 10

AddNum / Sect:

Block / Twp: 043

Lot / Rng: 010

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

NORTH BLOCK LLC
3701 LINDELL BLVD
ST LOUIS MO 63108

Contract Holder:

Mail To:

Class: C COMMERCIAL

Deed Date: 12/22/2014

Contract Date:

SubClass:

Deed Book:

Contract Book:

Transfer Document No.: 2014 -32519

Deed Page:

Contract Page:

Revenue Stamp: \$2,879.20

Purchase Price : \$1,800,000 (Nearest
\$500)*Special Assessment amounts are accurate through 1/26/2015.*

Date/Project: 1/2/2014

Assessment: \$87.13

1st Payment Date: 9/30/2014

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2014	1/15/2014	312763	\$92.13	\$0.00

Date/Project: 4/2/2013

Assessment: \$7.80

1st Payment Date: 9/30/2013

Pay Off: \$0.00

Type: UTILITY FEES

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2013	9/30/2013	351933	\$12.80	\$0.00

Date/Project: 3/21/2013

Assessment: \$90.00

1st Payment Date: 9/30/2013

Pay Off: \$0.00

Type: SNOW REMOVAL

Payment #	Year Due	Date Paid	Receipt	Installment	Unpaid Balance
1	2013	3/27/2013	351878	\$95.00	\$0.00

W. 3rd STREET

N MAIN STREET

BRADY STREET

W 2nd STREET

SOCIAL
SECURITY
BUILDING

MIDWEST
BANK BLDG

PUTNAM
BUILDING

CENTER
BUILDING

PARKER
BUILDING

ALLEY

TRANSFORMER

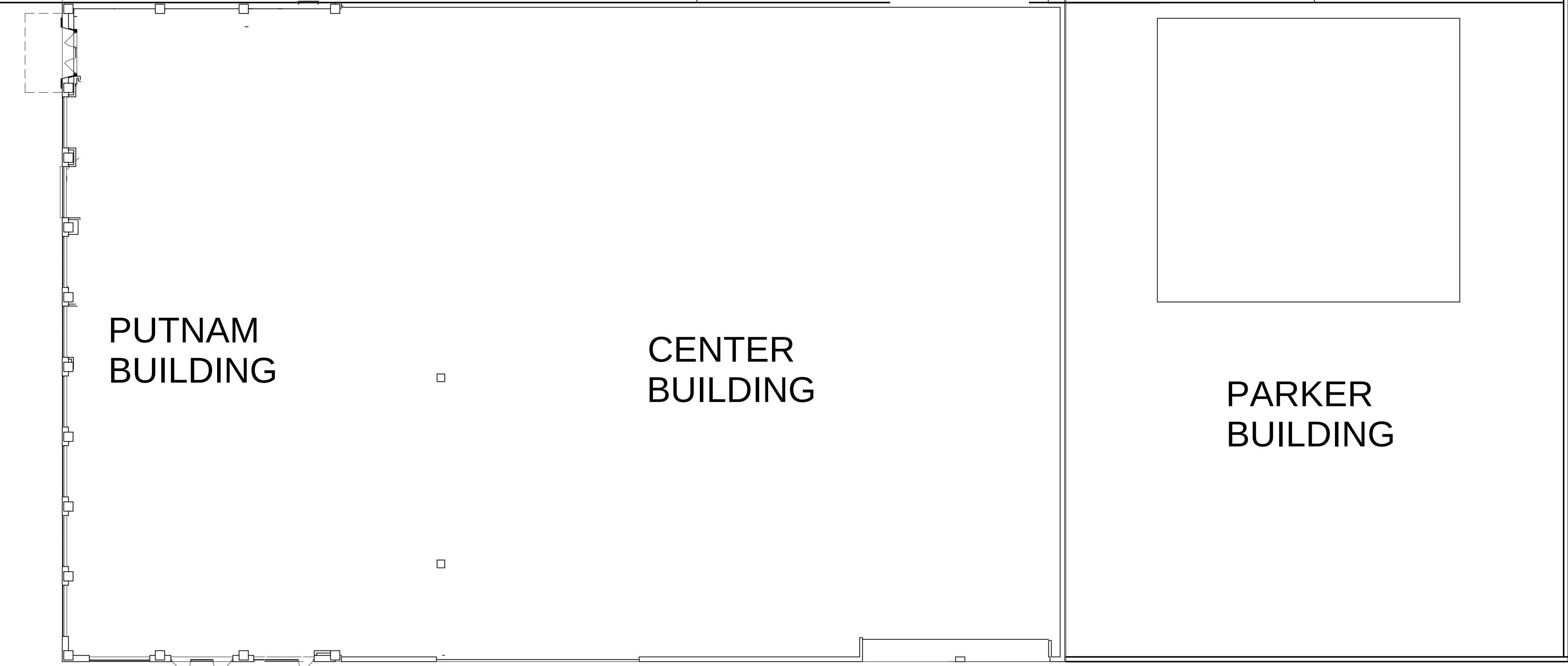
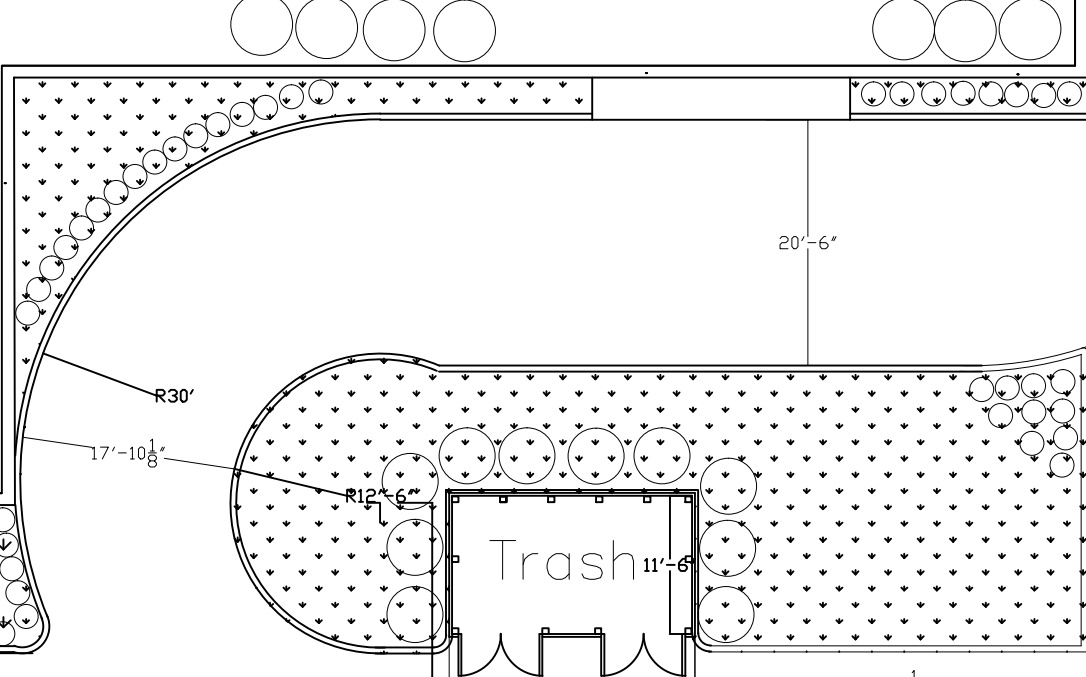
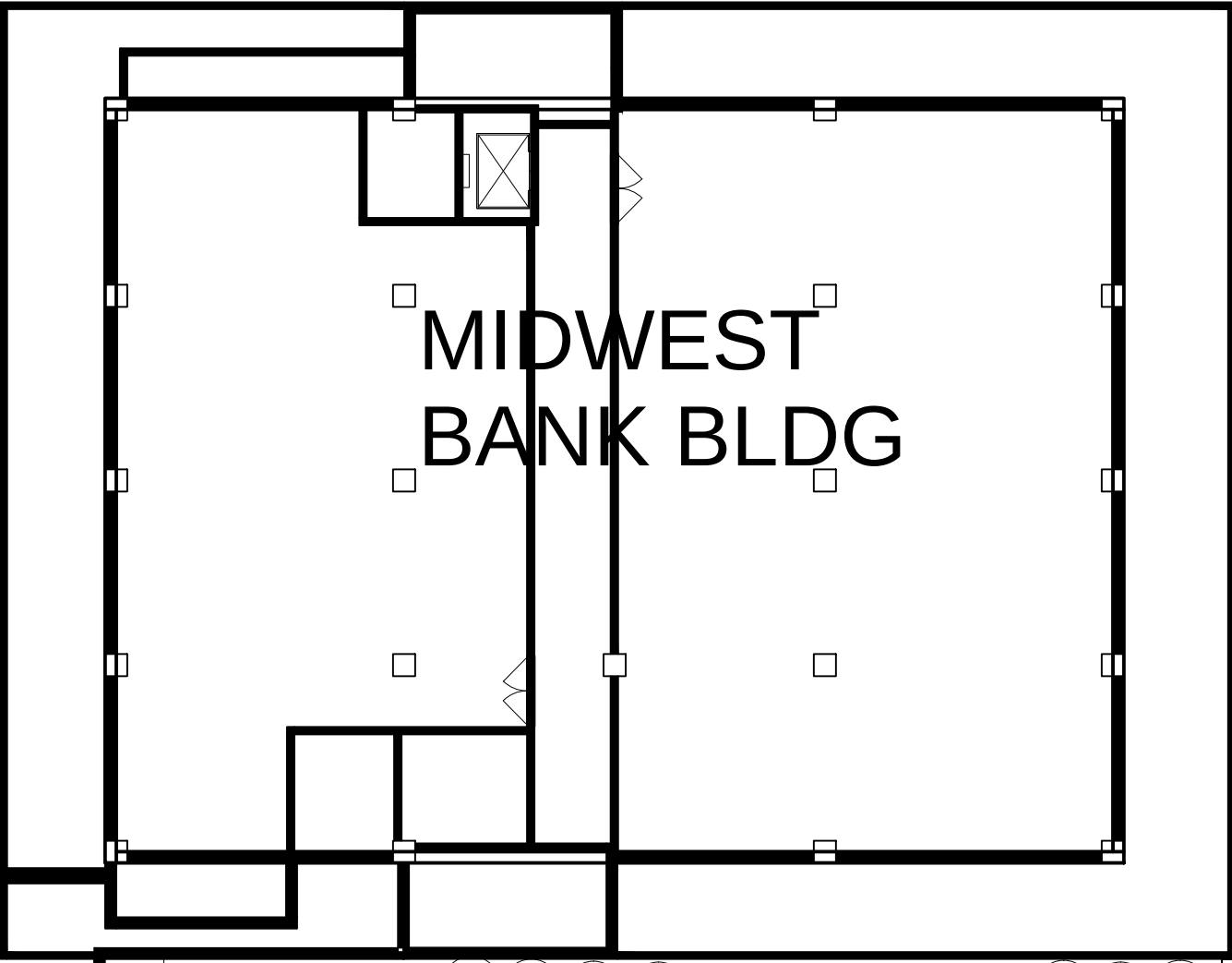
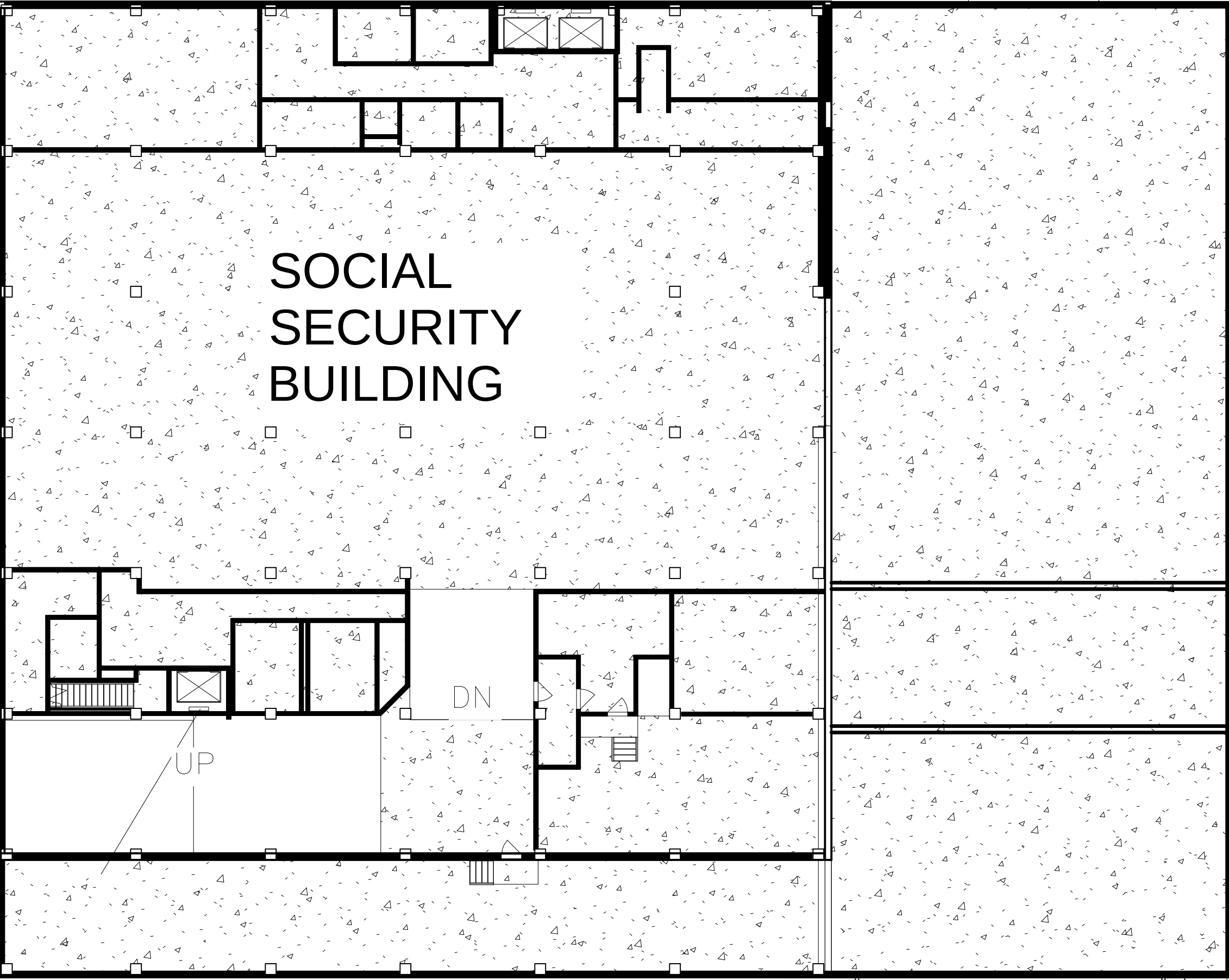
PEDESTRIAN
WALK

LOADING
ZONE

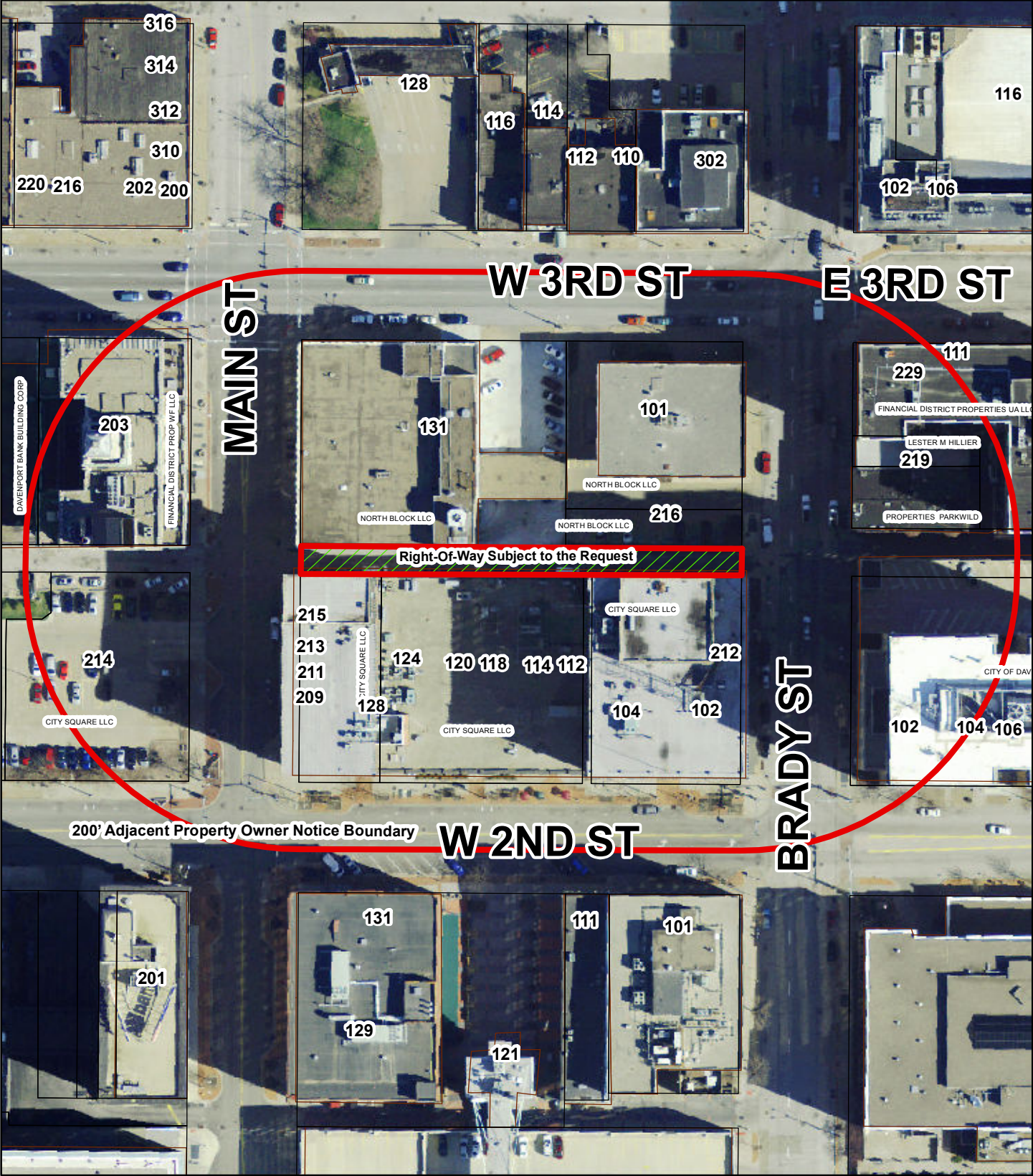
LOADING
ZONE

Trash

SURFACE
PARKING



Plan & Zoning Commission: Adjacent Property Owner Notice Area
Request for a Right-of-Way Vacation (Abandonment)



0 50 100 200 300 400 Feet

1 inch = 100 feet



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2014** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will consider (vote on a recommendation) the petition at its regular meeting on Tuesday March 3, 2014. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose** (circle one) the Petition of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS



MidAmerican Energy Company
106 East Second Street
P.O. Box 4350
Davenport, Iowa 52808-4350

February 9, 2015

Mr. Scott E. Koops, EICP
Planner II
226 West Fourth Street
Davenport, Iowa 52801

RE: Proposed Vacation #ROW 041-15
East/West Alley between Main Street and Brady Street between W. 2nd and 3rd Street
NE ¼ Section 35, Township 78N, Range 3 East, 5th PM, Scott County, IA

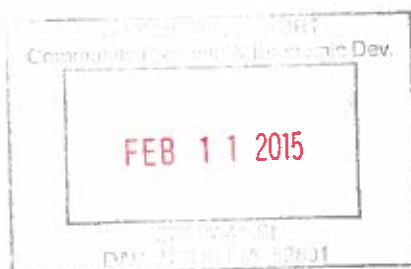
Dear Mr. Koops:

Thank you for your notice concerning the proposed 20' x 325'± wide alley vacation at the above referenced location.

MidAmerican Energy personnel have completed their review of the proposed vacation and do not oppose. MidAmerican maintains underground electric facilities within the proposed vacation area. In the event a vacation ordinance is adopted, it is requested that a reservation be included to maintain, operate, remove, repair, replace, construct, reconstruct or relocate the electric facilities within the entire vacated alley right of way. It is also requested a copy of the ordinance be forwarded to this office.

Sincerely,

Dawn M. Carlson
Right of Way Agent



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2015 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2014** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will consider (vote on a recommendation) the petition at its regular meeting on Tuesday March 3, 2014. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose** (circle one) the Petition of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less

Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

COPY OF NOTICE
EXHIBIT "A"

AFFIDAVIT OF PUBLICATION

NOTICE
PUBLIC HEARING
TUESDAY - FEBRUARY 17, 2015
5:00 P.M.
COUNCIL CHAMBERS
DAVENPORT CITY HALL
226 WEST 4th STREET
DAVENPORT, IOWA

THERE is on file in the office of Community Planning, on behalf of the City Plan and Zoning Commission, the following petitions:

1. Case No. REZ15-02: Request of Glen Smith for the rezoning of 11,025 square feet, of real property, more or less, located at 1655 West 17th Street from "R-4" Moderate Density Dwelling District to "C-1" Neighborhood Shopping District to allow retail sales. Property has been a non-conforming office-service use.

2. Case No. REZ15-03: Request of Arrowhead LLC for an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with a car dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore Avenue extended. Property is zoned PDD Planned Development District.

3. Case No. ROW15-01: Request of City Square LLC/North Block LLC for the right-of-way vacation (abandonment) of 6,400 square feet, more or less, of a twenty (20) foot east-west alley located in the block bounded by 2nd and 3rd Streets and Main and Brady Streets.

Public hearings on the above matter(s) are scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, February 17, 2015 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. It is your privilege to submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO 1511265

Community Planning
& Economic Development
Phone: (563) 326-7765
E-MAIL: planning@ci.davenport.iowa.us

STATE OF IOWA }
SCOTT COUNTY, } SS.

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

2-7

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

Kim Coopman

Subscribed and sworn to before me by said affiant this

7th

day of

February

20

15

Stephen H. Thor

NOTARIAL SEAL
STEPHEN H. THOR
Commission Number 168839
My Commission Expires
3-24-15

Notary Public in and for Scott County, Iowa

City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn
Wards: 6th

Action / Date
4/1/2015

Subject:

Resolution approving Case No. F15-02 being the final plat of Village Cooperative First Addition located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road containing two (2) residential lots and one lot designated for stormwater detention. The plat will facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative. [6th Ward]

Recommendation:

The City Plan and Zoning Commission concurs with the finding(s) and recommendation of City staff and forwards Case No. F15-02 for approval subject to the following conditions as stated in the Commission's letter January 21, 2015.

Findings:

- The platting provides for this and additional infill development utilizing existing services.
- The development provides for a transition between commercial and residential development.

Recommendation: The Commission accepted the listed findings and forwards Case No. F15-02 to the City Council for approval subject to the following conditions:

Non-standard conditions:

1. A standard cul-de-sac is provided at the north end of the street.
2. Standard 15 foot right-of-way radii are dedicated at the Village Drive and Crow Creek Road intersection.
3. A note is added to the plat stating that stormwater detention is required for the platted area, that the note includes where the detention area is located, and the party responsible for maintenance.
4. The detention is located within an easement.
5. That the utility easement continue around the cul-de-sac.

Note that Conditions 6 through 11 are standard requirements of City Ordinances and not repeated here (please refer to the Commission's January 21, 2015 letter for more details).

The Commission vote for approval was unanimous with 6-yes, 0-no and 1-abstention (Tallman).

Relationship to Goals:

Added emphasis on economic development.

Background:

The rezoning and final development plan were considered and approved by the City Council in December of 2014 and January 2015 respectively. Conditions specific to the proposed development are dealt with as part of the rezoning and final development plans. The conditions of the approved ordinance (2014-422) and development plan (2015-49) are part of the background materials. The plat separates the cooperative building site from the remainder of the site which includes an area for additional single family (attached or detached) development and an enhanced stormwater detention area.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
 Resolution Letter	F15-02 Resolution
 Backup Material	F15-02 Vill Coop 1st Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	4/1/2015 - 12:52 PM

Resolution No. _____

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F15-02 being the final plat of Village Cooperative Frist Addition located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road containing two (2) residential lots and one lot designated for stormwater detention. The plat will facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative. [6th Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Jersey Farms Commercial Park Third Addition to the City of Davenport, Iowa, be the same and is hereby approved and accepted subject to all the conditions as stated in the Commission's letter dated January 21, 2015 and as follows:

Nonstandard Conditions:

1. A standard cul-de-sac is provided at the north end of the street.
2. Standard 15 foot right-of-way radii are dedicated at the Village Drive and Crow Creek Road intersection.
3. A note is added to the plat stating that stormwater detention is required for the platted area, that the note includes where the detention area is located, and the party responsible for maintenance.
4. The detention is located within an easement.
5. That the utility easement continue around the cul-de-sac.

Note that Conditions 6 through 11 are standard requirements of City Ordinances and not repeated here (please refer to the Commission's January 21, 2015 letter for more details); and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record the attached waiver of assessment.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk



January 21, 2015

Honorable Mayor and City Council
City Hall
Davenport, IA 52801

Honorable Mayor and City Council:

At its regular meeting of January 20, 2015, the City Plan and Zoning Commission considered Case No. F15-02 being the final plat Village Cooperative Frist Addition located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road containing two residential lots and one lot designated for stormwater detention. The plat will facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative.

Findings:

- The platting provides for this and additional infill development utilizing existing services.
- The development provides for a transition between commercial and residential development.

Recommendation:

The Commission accepted the listed findings and forwards Case No. F15-02 to the City Council for approval subject to the following conditions:

Non-standard conditions

1. A standard cul-de-sac is provided at the north end of the street.
2. Standard 15 foot right-of-way radii are dedicated at the Village Drive and Crow Creek Road intersection.
3. A note is added to the plat stating that stormwater detention is required for the platted area, that the note includes where the detention area is located, and the party responsible for maintenance.
4. The detention is located within an easement.
5. That the utility easement continue around the cul-de-sac.

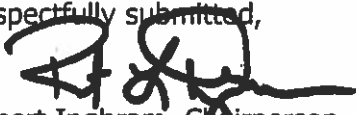
Standard conditions

6. The surveyor signs the plat.
7. The utility companies sign the plat when their easement needs have been met.
8. Sanitary sewer is located on one side of the street or the other within a dedicated Sewer Easement.
9. Plans for grading, drainage, stormwater detention and erosion control are submitted to the Engineering Division and the Natural Resources Division for review and approval.
10. Plans for public streets and sewers are submitted to the Public Works Department for review and approval prior to Council approval of the plat.



11. That the developer submit and received approval of a Construction Site Erosion and Sediment Control (COSESCO) permit along with submission of a copy of its NPDES permit prior to any grading occurring.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', written over the typed name.

Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED						
Name:	Roll Call	F15-02 VILLAGE COOPERATIVE 1ST	ED15-01 VEDSSMID						
Connell	P	Y	Y						
D'Autremont	P	Y	Y						
Elgatian	EX								
Gere	P	Y	Y						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Martin	P	Y	Y						
Martinez	P		Y						
Tallman	P	ABSTAIN	Y						
		6-YES 0-NO 1-ABSTAIN	8-YES 0-NO 0-ABSTAIN						



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

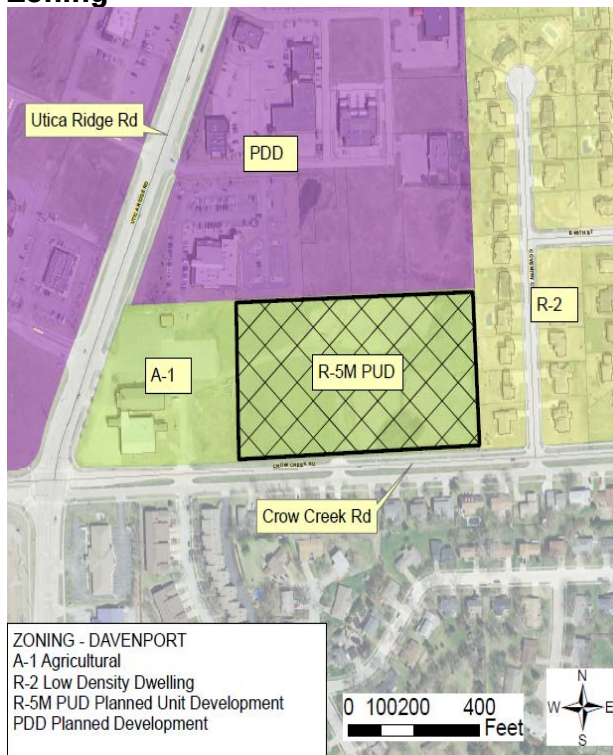
Meeting Date: January 20, 2014
Request: Final Plat – Village Cooperative First Addition
Address: Rear of 4601 Utica Ridge Road
Case No.: F15-02
Applicant: Real Estate Equities Homes – Crow Creek Road LLC

INTRODUCTION

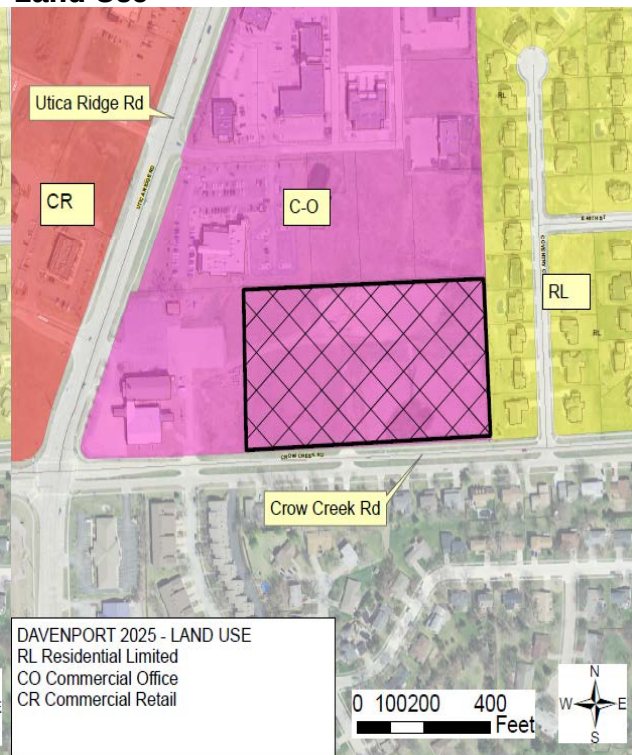
Petition of Real Estate Equities Homes – Crow Creek Road, LLC for the final plat Village Cooperative First Addition located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road containing two residential lots and one lot designated for stormwater detention. The plat will facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative.

Recommendation: Staff recommends the Commission accept the listed findings and forward Case No. F15-02 to the City Council for approval subject to the listed conditions.

Zoning



Land Use



SHIVE HATTERY
ARCHITECTURE • ENGINEERING

100 West Main Street, Suite 1000, Ames, Iowa 50010
562 No. Third Street, Suite 100, Mt. Pleasant, IA 52603
Phone / Office / Mobile / Home
Fax / Telex / Email / Website

FINAL PLAN

FOR

VILLAGE COOPERATIVE
FIRST ADDITION

TO THE CITY OF DAVENPORT, IOWA

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION
TOWNSHIP 36 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, 5TH
CITY OF DAVENPORT, SOUTHWEST CORNER.

PLANNING & ZONING COMMISSION

BY _____ DATE _____

CITY OF DAVENPORT, IOWA

BY _____ DATE _____

CENTURYLINK (TELEPHONE)

BY _____ DATE _____

MIDAMERICAN ENERGY COMPANY (GAS/ELECTRIC)

BY _____ DATE _____

IOWA-AMERICAN WATER COMPANY (WATER)

BY _____ DATE _____

MEDIACOM (CABLEVISION)

BY _____ DATE _____

SURVEYOR'S NOTES

1. THIS SUBDIVISION CONTAINS 1.97 ACRES LESS OR MORE OF WHICH 0.01 ACRES
MORE OR LESS TO BE DESIGNATED TO THE CITY OF DAVENPORT FOR PUBLIC PARK/
STREET PURPOSES.

2. IMPROVEMENTS WILL BE CONSTRUCTED ALONG ALL PUBLIC STREET FRONTAGES
RECALCULATING AT EXISTENCE AND LATER WHEN THE EXISTING PROPERTY IS
DEVELOPED OR WHEN SO ORDERED BY THE CITY.

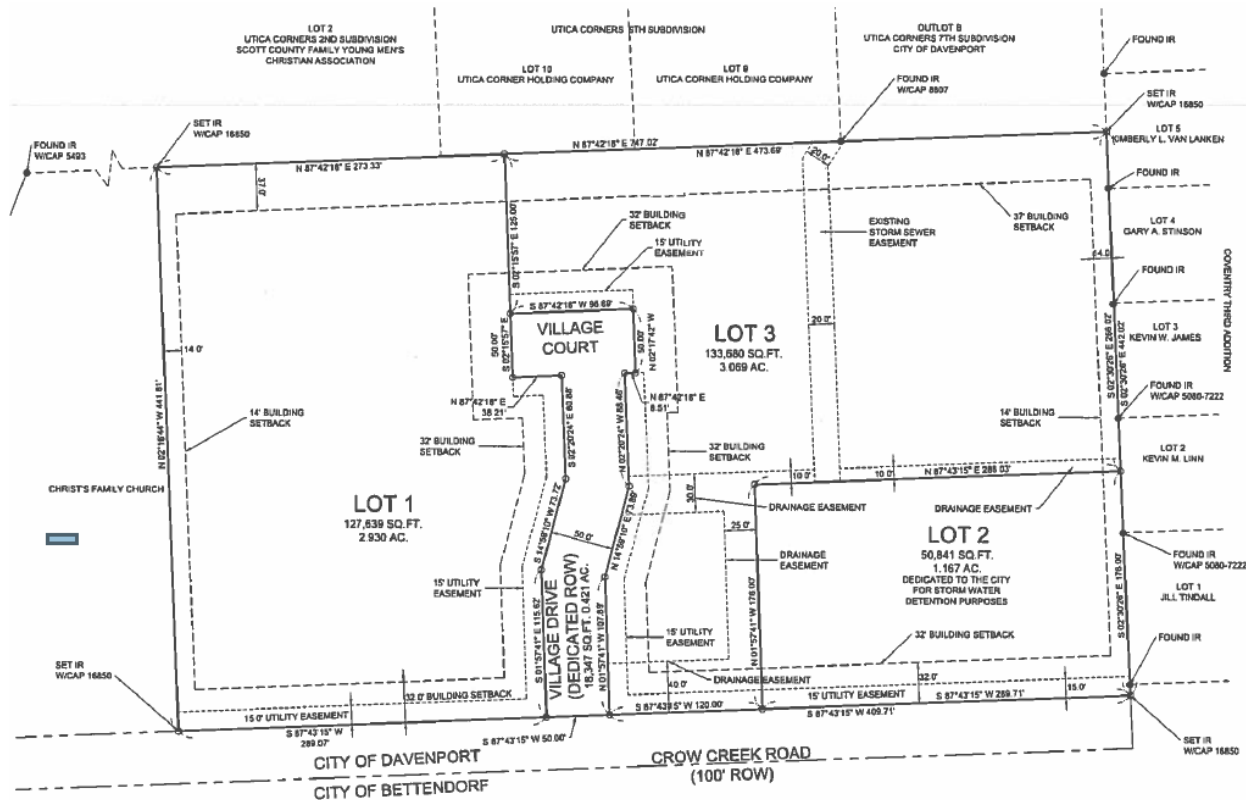
3. THE OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN GRANTED IN-BE-
HOLD, MANDATORY EASEMENT AS A VARIATION PLATTED IS COULD HAVE OTHER TYPES
OF EASEMENTS. ALL BOUNDARY, EASEMENT, TYPES SHOWN ON OTHER LANDSCAPES THAT
WOULD AFFECT THE PLAN OF SUBDIVISION.

KEY PLAN

OWNER	
SUBMITTER	
CITY ENGINEER	
PLAT NUMBER	
PROJECT NO.	
DRAWN BY	
CHECKED BY	
DATE	

FINAL
PLAN

B1.01



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Commercial Office (CO)

Description: *The Commercial Office (CO) category provides for a mixture of commercial uses, generally more office than retail. Retail in the CO can be best described as being of smaller scale and less intensity than Commercial Retail (CR).*

Relevant Davenport 2025 Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

- **Revitalization**

Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development

that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. This plat shows a dedicated right-of-way for Village Drive and a short “T” intersection for Village Court. The senior housing cooperative portion of the development is proposed for access by private drives from this dedicated right-of-way. It is not known at this time how the future single family development would be accessed. It could be a dedicated public street or a private street since this is a Planned Unit Development. Since this is unknown the “T” will need to either contain or be changed to the standard cul-de-sac to allow service vehicles area to turn around, including garbage and snow plows. Future private drives or a private or public street can come off of the cul-de-sac. Plans for this street will need to be submitted and approved prior to Council approval of the plat.

Storm Water. A developer cannot just dedicate an existing detention pond to the City, for the City to take over the detention pond area the developer will need to complete an application, then if the City decides that it is willing to take it over, the developer will be required to maintain it for the first three years and then if it is in good shape, the City will assume responsibility.

Stormwater calculations have been submitted for review. Development is utilizing the eastern detention pond area. This pond was developed as part of the Coventry residential development and was to accommodate future development on the remaining church site. The commercial development to the north is served by several existing detention/retention ponds. According to the submitted calculations the pond is proposed to be resized and additional storage capacity created. The additional storage being provided is beyond what is required for the proposed development.

Sanitary Sewer. Sanitary sewer service is located along the north side of Crow Creek Road. This is an eight-inch sanitary line. Plans for public sewers will need to be submitted to the Public Works Department for review and approval prior to Council approval of the plat.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 1.7 miles from Fire Station No. 8, which is located at 2802 E. 53rd Street. The closest Bettendorf fire service is approximately 2-miles away.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

No public input is required through the final plat process. If the plat meets the state platting requirements as well as local ordinance requirements it should be approved. During the rezoning process at least five neighborhood meeting and public hearings were held.

DISCUSSION

Conditions of the rezoning and proposed final development plan are:

- Access to Crow Creek Road should be limited to the existing median cross over locations.
- The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.
- That a revised landscape plan be submitted prior to submission to City Council showing the required plantings and the enhanced buffers along the parking lot and east property line;
- That colored elevations and/or a materials list with colors called out (shown) be submitted prior to building or foundation permits being issued;
- That site lighting plan shall be downcast with full cut-off fixtures and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical;
- That both Davenport and Bettendorf Public Works Department's agree in writing to the detention modifications prior to the issuance of any permits.

STAFF RECOMMENDATION

Findings:

- The platting provides for this and additional infill development utilizing existing services.
- The development provides for a transition between commercial and residential development.

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. F15-02 to the City Council for approval subject to the following conditions:

Non-standard conditions

1. A standard cul-de-sac is provided at the north end of the street.
2. Standard 15 foot right-of-way radii are dedicated at the Village Drive and Crow Creek Road intersection.
3. A note is added to the plat stating that stormwater detention is required for the platted area, that the note includes where the detention area is located, and the party responsible for maintenance.
4. The detention is located within an easement.
5. That the utility easement continue around the cul-de-sac.

Standard conditions

6. The surveyor signs the plat.
7. The utility companies sign the plat when their easement needs have been met.
8. Sanitary sewer is located on one side of the street or the other within a dedicated Sewer Easement.
9. Plans for grading, drainage, stormwater detention and erosion control are submitted to the Engineering Division and the Natural Resources Division for review and approval.

10. Plans for public streets and sewers are submitted to the Public Works Department for review and approval prior to Council approval of the plat.
11. That the developer submit and received approval of a Construction Site Erosion and Sediment Control (COSESCO) permit along with submission of a copy of its NPDES permit prior to any grading occurring.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division

Attachments:

X:\PLANNING\Plan and Zoning Commission\Cases\F15-02

[illegible][illegible]

MEMORANDUM

Date: January 7, 2015

To: Wayne Wille
Community Planning and Economic Development

From: Tom Leabhart, P.E.
Development Engineer

Re: Proposed Final Plat of Village Cooperative First Addition

It is recommended that the above referenced plat be approved subject to the following conditions and comments:

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.
3. Sanitary sewer is located on one side of the street or the other within a dedicated Sewer Easement.
4. A standard cul-de-sac is provided at the north end of the street.
5. Standard 15 foot right-of-way radii are dedicated at the Village Drive and Crow Creek Road intersection.
6. A note is added to the plat stating that stormwater detention is required for the platted area, that the note includes where the detention area is located, and the party responsible for maintenance.
7. The detention is located within an easement.
8. Plans for grading, drainage, stormwater detention and erosion control are submitted to the Engineering Division and the Natural Resources Division for review and approval.
9. Plans for public streets and sewers are submitted to the Public Works Department for review and approval prior to Council approval of the plat.

cc: Brian Schadt, City Engineer
File



FINAL PLAT FOR VILLAGE COOPERATIVE FIRST ADDITION TO THE CITY OF DAVENPORT, IOWA

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, IN THE
CITY OF DAVENPORT, SCOTT COUNTY, IOWA

PLANNING & ZONING COMMISSION

BY: _____

DATE: _____

CITY OF DAVENPORT, IOWA

BY: _____

ATTEST: _____

DATE: _____

CENTURYLINK (TELEPHONE)

BY: _____

DATE: _____

MIDAMERICAN ENERGY COMPANY (GAS/ELECTRIC)

BY: _____

DATE: _____

IOWA-AMERICAN WATER COMPANY (WATER)

BY: _____

DATE: _____

MEDIACOM (CABLEVISION)

BY: _____

DATE: _____

SURVEYOR'S NOTES

- THIS SUBDIVISION CONTAINS 7.587 ACRES MORE OR LESS OF WHICH 0.421 ACRES MORE OR LESS TO BE DEDICATED TO THE CITY OF DAVENPORT FOR RIGHT-OF-WAY/ STREET PURPOSES.
- SIDEWALKS WILL BE CONSTRUCTED ALONG ALL PUBLIC STREET FRONTAGES. INSTALLATION OF SIDEWALKS SHALL OCCUR WHEN THE ADJUTING PROPERTY IS DEVELOPED OR WHEN SO ORDERED BY THE CITY.
- THE OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED SHALL MAINTAIN SAID EASEMENT AS A LAWN PLANTED IN GRASS AND FREE OF STRUCTURES, FENCES, FILL, BUSHES, TREES, SHRUBS OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORMWATER.

SHIVEHATTERY ARCHITECTURE • ENGINEERING

1701 River Drive Suite 200 | Moline, Illinois 61205
309.764.7650 | fax: 309.764.8616 | shive-hattery.com

Iowa | Illinois | Indiana | Missouri

Illinois Firm Number: 184-000214

VILLAGE COOPERATIVE

REAL ESTATE EQUITIES, L.L.C.

CROW CREEK ROAD
DAVENPORT, IOWA

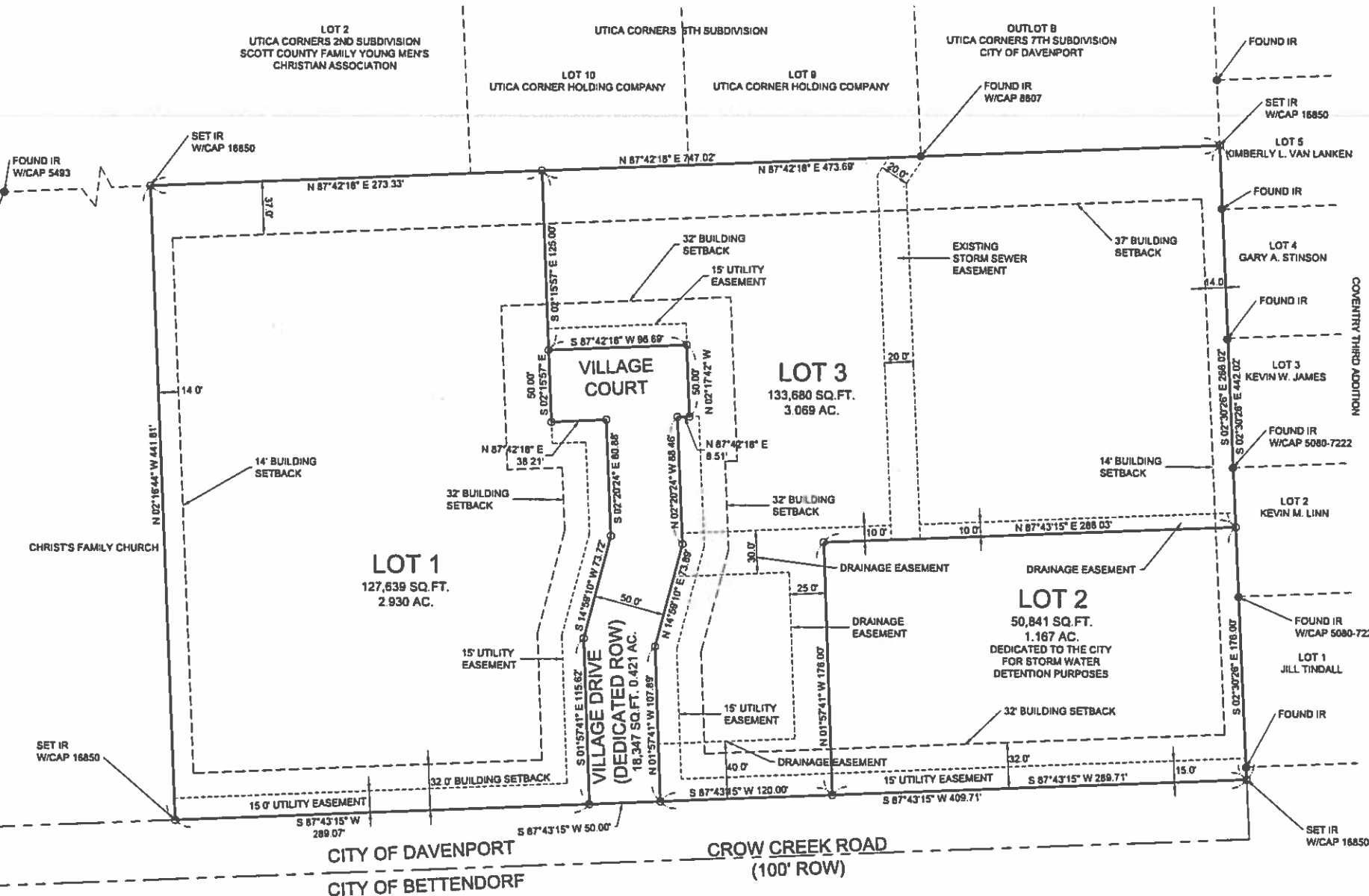
KEY PLAN

DRAWN	PS
APPROVED	RAM
ISSUED FOR	CITY SUBMITTAL
DATE	12/08/2014
FIELD BOOK	

PROJECT NO.: 314188-0

FINAL
PLAT

B1.01



OWNER/DEVELOPER

REAL ESTATE EQUITIES, L.L.C.

FLOOD ZONE

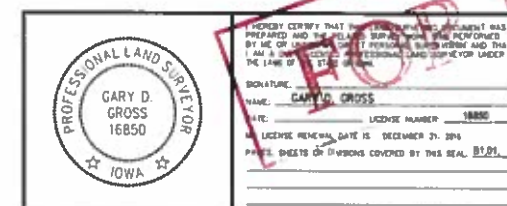
THIS PARCEL IS LOCATED WITHIN FLOOD ZONE X
ACCORDING TO THE FEDERAL EMERGENCY
MANAGEMENT AGENCY AS SHOWN ON FLOOD
INSURANCE RATE MAP, MAP NUMBER 19163C0360F
DATED FEBRUARY 18, 2011.

ZONING

- THIS PARCEL IS IN THE PROCESS OF BEING REZONED FROM A-1 AGRICULTURAL TO PUD-RSM (PLANNED UNIT DEVELOPMENT) DAVENPORT, IOWA JURISDICTION
- BUILDING SETBACKS FOR PUD ARE AS FOLLOWS:
FRONT YARD SETBACK = 32'
SIDE YARD SETBACK = 14'
REAR YARD SETBACK = 37'
HEIGHT RESTRICTION = 80'

LEGEND

PLAN MARK	DESCRIPTION
●	IRON ROD - FOUND
○	IRON ROD W/CAP 16850



City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
3/18/2015

Subject:

Resolution approving Case No. FDP15-02 being the petition of Arrowhead LLC Real Estate Equities Homes – Crow Creek Road, LLC for a PDD final development plan on 12.17 acres, more or less, located in the southwest corner of Veterans Memorial Parkway and west of Elmore Avenue extended (proposed Lot 1 of Jersey Farms Commercial Park Third Addition) to allow vehicle sales and rental along with ancillary public garage services associated with a new car dealership. There is a companion zoning request (Case No. REZ15-03) to amend certain conditions placed on the PDD zoning of this area. Property is zoned PDD Planned Development District. [6th Ward]

Recommendation:

The City Plan and Zoning Commission concurs with the findings and recommendation of staff and recommends that the final development plan be approved as stated in the letter from the Chairperson dated March 04, 2015.

Findings:

- With the completion of Veterans Memorial Pkwy and the extension of Elmore Avenue the area is being readied for development.
- With the relocation/development of the land based casino additional commercial development can be expected.
- With advancements in technology related to development practices and with existing ordinance requirements as well as conditions related to specific development should protect surrounding properties.

Recommendation: Staff recommends the Commission accept the listed findings and forward Case No. FDP15-02 to the City Council with a recommendation for approval subject to the following conditions:

1. "The Pastrnak Law Firm has in escrow sufficient sums to to complete the stormwater detention facility to the south of the subdivision (Jersey Farms Commercial Park Third Addition-within parenthesis added for clarification). Contract for such facility shall be let by April 1, 2015, with construction to begin as weather and soil conditions allow immediately thereafter. If construction has begun on the stormwater facility, construct shall be allowed on Lots 1 and 2. However, no certificate of occupancy shall be allowed until the stormwater detention facility is complete and accepted by the City.
2. The developer will need to submit grading, stormwater and erosion control plans along with a copy of the NPDES permit to the Natural Resources Division of Public Works. These plans will need to be approved and erosion control measures in place prior to the start of any site work including clearing or grading.
3. That access point to Veterans Memorial Parkway and Elmore Avenue shall be reviewed and approved by the City Traffic Engineer. In no case shall access points be closer than 350 feet centerline to centerline. The closest access point to Veterans Memorial Parkway shall be 460 feet centerline to centerline (this note has been noted on the plat).
4. Access points as shown on the final development plan prepared by McClure and dated 01-26-2015 or as amended by the City's Traffic Engineer.
5. That all lighting shall downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical. Light shall be directed away from adjacent residential areas and development. A

photometric plan along with specifications of the proposed lighting standards and fixtures shall be submitted prior to the administrative approval of the site plan.

6. That silent paging and/or cell phone paging systems (or equivalent technology) shall be used for contacting sales people or staff within the lot areas. Operational systems such as car washing, repair garages (including air/impact equipment) shall be operated with closed garage doors or minimal disruption to the neighboring properties. Compressors and other equipment shall be noise buffered so as to comply with Chapter 8.19 of the Davenport Municipal Code and not create a nuisance.
7. That a minimum of a class "E" buffer yard should be installed within the upper setback area (high point of the lot) along the west side of the commercial development (along the west parking lot edges); locating the buffer along the west and southwest parking lot edge areas. All buffer plantings shall meet the requirements of Chapter 17.56 "Site Plans" and as supplemented by the requirements of Chapter 7.41 "HCOD" Highway Corridor Overlay District as to the types and sizes of plant materials.
8. That building elevations and materials will need to be similar to those shown in the elevation plans by Modern Design Architects dated 01-30-15. Materials and colors will need to be called out and approved administratively with the site plan and meet the requirements of Chapter 17.41 "HCOD" Highway Corridor Overlay District.
9. That a site plan in compliance with the regulations of Chapters 17.56 "Site Plans" and 17.41 "HCOD" Highway Corridor Overlay District or as amended herein will need to be submitted and approved administratively prior to the issuance of any foundation or building permit.
10. That the vehicle display pads be setback from the property twenty-five (25) feet in accordance with the regulations of Chapter 17.42 "HCOD" Highway Corridor Overlay District.
11. That a signage plan in compliance with the regulations of Chapters 17.45 "Sign Regulations" and 17.41 "HCOD" Highway Corridor Overlay District including all building mounted and exterior lot signage (business identification signs, directional signs, pavement arrows, etc.) shall be submitted and approved prior to the administrative approval of the site plan.

The Commission vote for approval was 7-yes, 0-no and 0-abstention.

Relationship to Goals:

Added emphasis on economic development.

Background:

This is the companion final development plan to the ordinance amendment (Case No. REZ15-03) allowing vehicle sales and service to the list of permitted uses as well as remove the restriction on building size to the ordinance which rezoned this area in 2004. The development is a proposed Mills Chevrolet dealership. There is also a companion subdivision plat Jersey Farms Commercial Park Third Addition (Case No. F15-03).

ATTACHMENTS:

Type	Description
☐ Backup Material	PZ Letter
☐ Backup Material	PZ vote result
☐ Backup Material	FDP15-02 Background

REVIEWERS:

Department	Reviewer	Action	Date
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March 04, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of March 03, 2015, the City Plan and Zoning Commission considered the Case No. FDP15-02 being the request of Arrowhead LLC for a PDD final development plan on 12.17 acres, more or less, located in the southwest corner of Veterans Memorial Parkway and west of Elmore Avenue extended (proposed Lot 1 of Jersey Farms Commercial Park Third Addition) to allow vehicle sales and rental along with ancillary public garage services associated with a new car dealership. There is a companion zoning request (Case No. REZ15-03) to amend certain conditions placed on the PDD zoning of this area. Property is zoned PDD Planned Development District.

Findings:

- With the completion of Veterans Memorial Pkwy and the extension of Elmore Avenue the area is being readied for development.
- With the relocation/development of the land based casino additional commercial development can be expected.
- With advancements in technology related to development practices and with existing ordinance requirements as well as conditions related to specific development should protect surrounding properties.

Recommendation:

The Commission accepts the listed findings and forwards Case No. FDP15-02 to the City Council with a recommendation for approval subject to the following conditions:

1. "The Pastrnak Law Firm has in escrow sufficient sums to to complete the stormwater detention facility to the south of the subdivision (*Jersey Farms Commercial Park Third Addition-within parenthesis added for clarification*). Contract for such facility shall be let by April 1, 2015, with construction to begin as weather and soil conditions allow immediately thereafter. If construction has begun on the stormwater facility, construct shall be allowed on Lots 1 and 2. However, no certificate of occupancy shall be allowed until the stormwater detention facility is complete and accepted by the City.
2. The developer will need to submit grading, stormwater and erosion control plans along with a copy of the NPDES permit to the Natural Resources Division of Public Works. These plans will need to be approved and erosion control measures in place prior to the start of any site work including clearing or grading.
3. That access point to Veterans Memorial Parkway and Elmore Avenue shall be reviewed and approved by the City Traffic Engineer. In no case shall access points be closer than



- 350 feet centerline to centerline. The closest access point to Veterans Memorial Parkway shall be 460 feet centerline to centerline (this note has been noted on the plat).
4. Access points as shown on the final development plan prepared by McClure and dated 01-26-2015 or as amended by the City's Traffic Engineer.
 5. That all lighting shall downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical. Light shall be directed away from adjacent residential areas and development. A photometric plan along with specifications of the proposed lighting standards and fixtures shall be submitted prior to the administrative approval of the site plan.
 6. That silent paging and/or cell phone paging systems (or equivalent technology) shall be used for contacting sales people or staff within the lot areas. Operational systems such as car washing, repair garages (including air/impact equipment) shall be operated with closed garage doors or minimal disruption to the neighboring properties. Compressors and other equipment shall be noise buffered so as to comply with Chapter 8.19 of the Davenport Municipal Code and not create a nuisance.
 7. That a minimum of a class "E" buffer yard should be installed within the upper setback area (high point of the lot) along the west side of the commercial development (along the west parking lot edges); locating the buffer along the west and southwest parking lot edge areas. All buffer plantings shall meet the requirements of Chapter 17.56 "Site Plans" and as supplemented by the requirements of Chapter 7.41 "HCOD" Highway Corridor Overlay District as to the types and sizes of plant materials.
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Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED	APPROVED	APPROVED			
Name:	Roll Call	REZ15-02 Glen Smithe 1655 W 17th St	REZ15-03 Arrowhead LLC Amend Ord 2004- 234	FDP15-02 Arrowhead LLC SW cor Elmore Ave & VMP	F15-04 Sally's 2nd	ROW15-01 City Sq LLC North Block LLC			
Connell	P	Y	Y	Y	Y	Y			
D'Autremont	EX								
Elgatian	P	Y	Y	Y	Y	Y			
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y	Y	Y			
Lammers	P	Y	Y	Y	Y	Y			
Maness	EX								
Martin	P	Y	Y	Y	Y	Y			
Martinez	P	Y	Y	Y	Y	Y			
Tallman	P	Y	Y	Y	Y	AB			
		7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	6-YES 0-NO 1-ABSTAIN			



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

PLAN AND ZONING COMMISSION

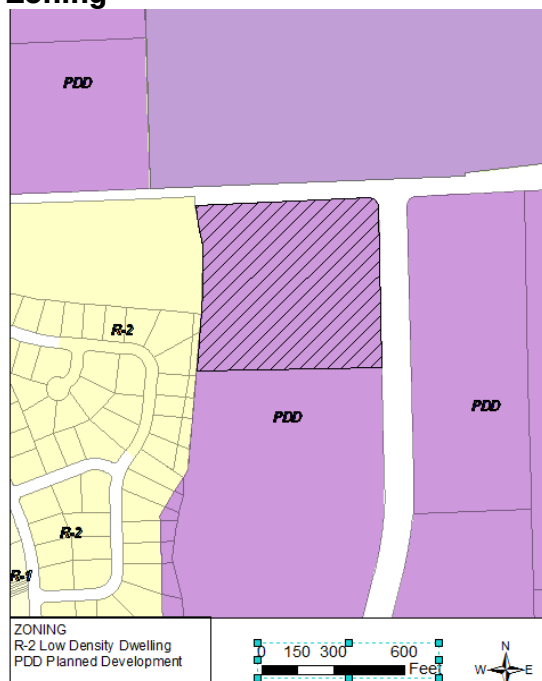
Meeting Date: March 03, 2015
Request: PDD Final Development Plan approval
Address: South of Veterans Memorial Pkwy & West of Elmore Av extended
Case No.: FDP15-02
Applicant: Arrowhead LLC

INTRODUCTION

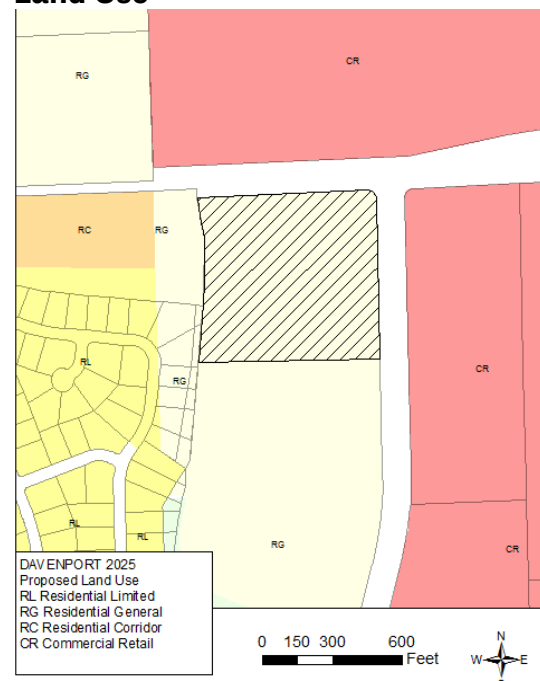
Request of Arrowhead LLC for a PDD final development plan on 12.17 acres, more or less, located in the southwest corner of Veterans Memorial Parkway and west of Elmore Avenue extended (proposed Lot 1 of Jersey Farms Commercial Park Third Addition) to allow vehicle sales and rental along with ancillary public garage services associated with a new car dealership. There is a companion zoning request (Case No. REZ15-03) to amend certain conditions placed on the PDD zoning of this area. Property is zoned PDD Planned Development District.

Recommendation: Staff recommends the Commission accept the listed findings and forward Case No. FDP15-02 to the City Council with a recommendation for approval subject to the listed conditions.

Zoning



Land Use



KAH

EAST 67TH STREET

SOUTH LINE OF THE NORTHWEST 1/4 SECTION 5

NORTHWEST CORNER LOT 1 JERSEY FARM COMMERCIAL PARK 1ST ADDITION

CITY OF DAYTON UNDEVELOPED

1
12.17 ACRES

EXISTING RECREATIONAL TRAIL EASEMENT

EXISTING UTILITY EASEMENT

EXISTING 30" SEWER & DRAINAGE EASEMENT

FOUND CR#13874

EXISTING SENTRY & UTILITY EASEMENT PER JERSEY FARMS COMMERCIAL PARK 1ST ADDITION DOCUMENT NUMBER 2007-15985

N82°41'51"E 783.81'

2
8.83 ACRES

EXISTING SANITARY SEWER EASEMENT

N82°41'51"E 823.65'

FOUND CR#13874

3
16.85 ACRES

EXISTING SANITARY SEWER EASEMENT

N76°50'30"E 148.82'

N82°29'25"E 513.39'

ACQUISITION PLAT SEE RECORD 2011-2168

ELM AVE

JERSEY FARMS 7TH ADDITION

RIVER RD

WEST 65RD

REST ROAD 1ST ADDITION

L 222ZL MCCLURE ENGINEERING 4700 LENEXY DRIVE EAST WILMAH IL 61744 309-789-7390

AERIAL PHOTO 2010

0 150 300 600 Feet

N
W E

Comprehensive Plan:

Proposed Land Use Designation:	RG Residential General
Previous Land Use Designation:	Office Park with higher density residential to the west

Relevant *Davenport 2025* Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*

Technical Review:

Streets. The area subject to the request is located along the proposed extension of Elmore Avenue and the proposed reconstruction of Veterans Memorial Pkwy (VMP). Lot 1 is part of a proposed replat, Jersey Farms Commercial Park Third Addition. Access restrictions for this development have been reviewed with the plat. As development occurs to the area these and additional access points will need to be reviewed and approved by the City's Traffic Engineer with respect to proximity to the intersection of these two arterial streets as well as turn lane locations.

An approximate time line for Elmore Avenue construction is grading in Spring (as weather permits) with paving in early to mid-Fall. Elmore Avenue is proposed for completion through this area and continuing north and west to Jersey Ridge in September. Sewer work in Elmore Avenue is currently underway. An approximate time line for Veterans Memorial Pkwy is bidding this Spring or Summer with construction more likely in 2016. These approximate time lines would allow the use of the Veterans Memorial Pkwy this year for any proposed construction to the south, assuming all other requirements are met. Signalization of the intersection is proposed with Veterans Memorial Parkway construction and is the responsibility of the developer to the north for the 20% match for federal funding.

Storm Water. The stormwater basin located to the south of this area and required as part of the overall Jersey Farms development was to have been completed at the end of December 2014 as per agreement but is not yet started, let alone completed (see additional comments in the discussion). No additional construction should be permitted until the basin is completed to the City's satisfaction. An easement area is to be dedicated to the city as part of the Third Addition for management of the stream from Veterans Memorial Parkway to the detention basin to be constructed to the south allows the City to improve and maintain the drainage way. The stream is located along the west side of the subject area.

Any development will need to meet infiltration requirements (1.25-inch rain event) as well as other requirements of the new stormwater management ordinance. A bio-swale/retention area will likely be proposed for the southwest corner of the development

Sanitary Sewer. Sanitary sewer service will need to be extended to the northern boundary of the plat. A fifteen (15) inch line is located in the easement along the east line of Jersey Farms Seventh Addition near the south line of the proposed Lot 2. Sanitary Service is also located near the terminus of the existing Elmore Avenue (8-inch line) and in VMP near the Kahl Home (8-inch line).

Other Utilities. This is an urban area and normal utility services are available or can be extended to/through the site.

Emergency Services. With the completion of Elmore Avenue the plat will be within one (1) mile of Fire Station No. 8, which is located at 2802 E. 53rd Street.

Parks/Open Space. With the rezoning in 2004 (City Ordinance 2004-234) a condition required the dedication of an easement for an active greenway path along the unnamed tributary extending from Pheasant Creek to then 67th Street, along the west side of the

subject area. The location is to be acceptable to the City. The creation of the park along the south side of VMP adjacent to the proposed Lot 1 makes this path more important.

PUBLIC INPUT

Normally there is no public input with a final development plan however there is a companion request to remove the restriction within City Ordinance 2004-234 which prohibited vehicle sale, rental and public garages and limited building size on Lots 1 and 2 of the proposed Jersey Farms Commercial Park Third Addition. A neighborhood meeting regarding the development was held on February 12th at the Public Works facility. At least one pre-meeting was held with neighborhood leaders prior to the neighborhood meeting. Questions raised at the neighborhood meeting related to building height, screening/buffering, operational noise (compressors, car wash, paging system, etc.), stormwater run-off, lighting, any buried oil/fuel tanks and the future use of Lot 2 to the south. The public hearing for the amendment removing certain conditions of City Ordinance 2004-234 was held before the Commission was held February 17th.

DISCUSSION

Again there is a companion request to remove the restriction within City Ordinance 2004-234 which prohibited vehicle sale, rental and public garages and limited building size on Lots 1 and 2 of the proposed Jersey Farms Commercial Park Third Addition. In addition there have been two subdivisions re-platting this area Jersey Farms Commercial Park Second and Third Additions.

The conditions of those recent approvals impacting this area are as follows:

- Jersey Farms Commercial Park Second Addition was recently approved and recorded as Document 2015-2182. Conditions of that plat relevant to the proposed development are:
 - a. That no building permits be issued for Lot 1 until provisions are made with the Public Works Department Natural Resources Division to protect the Pheasant Creek tributary located adjacent to the west boundary of said lot.
 - b. All right-of-way, permanent and temporary easements necessary for the Veterans Memorial Parkway Paving Project are to be dedicated with this plat. Adjustments need to be made in this regard.
 - c. A note is to be added to the plat stating that each development within the platted area will trigger a traffic review by the City Traffic Engineer. The cost of designing and constructing additional turn lanes and or traffic signals on Elmore Avenue deemed to be needed shall be borne by the developer and or property owner. Additional right-of-way needed for these improvements shall be dedicated to the City.
 - d. A note is to be added to the plat stating that the Elmore Avenue access location for each development shall be reviewed and approved by the City Traffic Engineer. In no case shall access points be closer than 350 feet centerline to centerline. The closest access point to Veterans Memorial Parkway shall be 460 feet centerline to centerline.
- Jersey Farms Commercial Park Third Addition recently recommended for approval by the Commission but not yet submitted to City Council. Conditions related to this specific development plan:
 - a. That no building permits be issued within this plat until provisions are made with the Public Works Department Natural Resources Division to protect the Pheasant Creek tributary located adjacent to the west boundary of said lot.

- b. That the easement containing the tributary along the west side of the plat be dedicated as a utility, sewer and drainage easement to the City for management of the stream from Veterans Memorial Parkway to the detention basin to be constructed to the south.
- c. That no construction or building permits be issued until the detention basin to the south is completed to the City's satisfaction.
- d. All right-of-way, permanent and temporary easements necessary for the Veterans Memorial Parkway Paving Project are to be dedicated with this plat. Adjustments need to be made in this regard.
- e. That each development within the platted area will trigger a traffic review by the City Traffic Engineer (this note has been added to the plat). The cost of designing and constructing additional turn lanes and or traffic signals on Elmore Avenue deemed to be needed shall be borne by the developer and or property owner. Additional right-of-way needed for these improvements shall be dedicated to the City.
- f. That access point to Veterans Memorial Parkway and Elmore Avenue shall be reviewed and approved by the City Traffic Engineer. In no case shall access points be closer than 350 feet centerline to centerline. The closest access point to Veterans Memorial Parkway shall be 460 feet centerline to centerline (this note has been added to the plat).
- g. That the conditions of City Ordinance 2004-234 apply to this plat unless or as amended by City Council.
- h. That Note 3 be amended to allow a right-in and right-out access on Veterans Memorial Parkway at a distance no closer to the centerline of Elmore Avenue of 390 feet.
- i. The developer will need to submit stormwater and erosion control plans along with a copy of the NPDES permit to the Natural Resources Division of Public Works. These plans will need to be approved and erosion control measures in place prior to the start of any site work including clearing or grading. Please refer to attached Checklist Exhibit "C" for Construction Site Erosion and Sediment Control (COSESCO) permit application checklist.

Stormwater: The detention basin, referenced as "c" above and Condition No. 3 in the Jersey Farms Commercial Park Third Addition approval, was originally to have been constructed with the development of the apartment complex "Cross Creek" apartments. The apartment development appears to have provided its own detention and the basin was not pursued. To assure that the detention basin is constructed and completed the condition was added in the Third Addition since these properties appear to impact the basin the most as with the residential to the west. Since the overall owner/developer of the Jersey Farms area is the responsible party this is the one effective way of assuring completion.

Additional discussions have occurred with the overall land owner/developer and an escrow account has been established for construction/completion of the detention basin. The Director of Public Works and the City Engineer in consultation with the City's Natural Resource Manager have agreed to the following language:

"The Pastrnak Law Firm has in escrow sufficient sums to to complete the stormwater detention facility to the south of the subdivision (*Jersey Farms Commercial Park Third Addition-within parenthesis added for clarification*). Contract for such facility shall be let by April 1, 2015, with construction to begin as weather and soil conditions allow immediately thereafter. If construction has begun on the stormwater facility, construction shall be allowed on Lots 1 and 2. However, no certificate of occupancy shall be allowed until the stormwater detention facility is complete and accepted by the City.

The site is required to capture/retain on site the first 1.25 inch rainfall as part of the City's Stormwater Management Ordinance. This does two things the first improves overall water quality both in pollutants and temperature, and second reduces overall runoff from the property thereby reducing the effects of erosion on surrounding drainage ways.

Traffic: Again, access restrictions were placed on the plat though the specific items as they relate to Lot 1 should be added to the development plan conditions. The access point to Veterans Memorial Parkway (VMP) is to be a right-in and right-out only since a significant median will divide the east-west lanes of VMP and the location as shown on the development plan dated 01-26-15 is acceptable. Separation between access points should be no closer than 350 feet centerline to centerline. The closest access point to Veterans Memorial Parkway shall be 460 feet centerline to centerline (this note has been added to the plat); this is due to the median and turn lanes proposed in Elmore Avenue.

Site Lighting: The City is moving toward utilizing dark sky technology which is readily available. A sight lighting plan including a photometric plan, specific light fixture details/specification for building mounted canopy mounted and pole lights. All lighting shall downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical. Light shall be directed away from adjacent residential areas and development. A photometric plan along with specifications of the proposed lighting standards and fixtures will need to be submitted prior to the administrative approval of the site plan.

Noise: Silent paging and/or cell phone paging systems (or equivalent technology) shall be used for contacting sales people or staff within the lot areas. Operational systems such as car washing, repair garages (including air/impact equipment) shall be operated with closed garage doors or minimal disruption to the neighboring properties. Compressors and other equipment shall be noise buffered so as to comply with Chapter 8.19 of the Davenport Municipal Code and not create a nuisance.

Buffering/Screening: During the neighborhood meeting an example of a commercial-residential buffer yard was noted as the one south of 53rd Street along the west side of Elmore Avenue; behind the Aldi's and Dick's Sporting Goods area. This was a class "E" buffer yard with a six (6) foot fence. The fence to the rear of the residential properties along Fairhaven Road was placed near the high point of the slope and thereby provides a more effective screen than if it were beyond the rise closer to the commercial development. A seventy (70) foot buffer yard was provided and has been reduced in at least one instance.

The closest point to a residential property line is approximately 125 feet (park property). The closest developed residential property is approximately 140 feet from any paved surface. A minimum a class "E" buffer yard should be installed within the upper setback area along the west side of the commercial development (along the west parking lot edges); locating the buffer along the west and southwest parking lot edge areas. This should be the most effective location for screening given the preliminary grades proposed for the site; which appear to be ten feet higher than the residential lots sites located to the southwest. All buffers will need to meet the requirements of Chapter 17.56 "Site Plans" and as supplemented by the requirements of Chapter 7.41 "HCOD" Highway Corridor Overlay District as to the types and sizes of plant materials.

Building Elevations: Building elevations and materials will need to be similar to those shown in the elevation plans by Modern Design Architects dated 01-30-15. Materials and colors will need to be called out and meet the requirements of Chapter 17.41 "HCOD" Highway Corridor Overlay District.

Display areas: There are nine (9) vehicle display pads shown on the plan with seven (7) along Veterans Memorial Parkway. All display areas within the twenty-five (25) foot building setback

area, with four less than ten (10) feet from the property line. All individual vehicle display pads will need to be located back beyond the building setback line, a minimum of twenty-five feet from the property lines. The HCOD standards require a twenty-five foot landscape buffer shall be required on all major arterial or minor arterial streets. Parking lot circulation may cross the landscape buffer area but parking may not be developed within the required setback. On all other streets a similar ten foot landscape buffer shall be required. The vehicle display areas will need to be setback twenty-five (25) feet from the property line.

Signage: Two building mounted signs are shown on the building elevations on the east and north facades. No free-standing signage is shown or location noted on the development plan. The property is over eight (8) acres in size allowing a monument sign of up to twenty-five (25) feet in height. Signage will need to meet the requirements of Chapter 17.45 "Sign Regulations" and 17.41 "HCOD" Highway Corridor Overlay District.

STAFF RECOMMENDATION

Findings:

- With the completion of Veterans Memorial Pkwy and the extension of Elmore Avenue the area is being readied for development.
- With the relocation/development of the land based casino additional commercial development can be expected.
- With advancements in technology related to development practices and with existing ordinance requirements as well as conditions related to specific development should protect surrounding properties.

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. FDP15-02 to the City Council with a recommendation for approval subject to the following conditions:

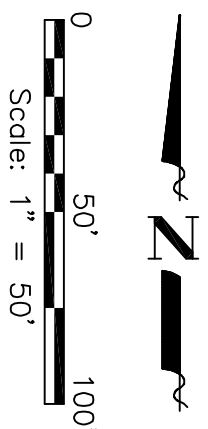
1. "The Pastrnak Law Firm has in escrow sufficient sums to to complete the stormwater detention facility to the south of the subdivision (*Jersey Farms Commercial Park Third Addition-within parenthesis added for clarification*). Contract for such facility shall be let by April 1, 2015, with construction to begin as weather and soil conditions allow immediately thereafter. If construction has begun on the stormwater facility, construct shall be allowed on Lots 1 and 2. However, no certificate of occupancy shall be allowed until the stormwater detention facility is complete and accepted by the City.
2. The developer will need to submit grading, stormwater and erosion control plans along with a copy of the NPDES permit to the Natural Resources Division of Public Works. These plans will need to be approved and erosion control measures in place prior to the start of any site work including clearing or grading.
3. That access point to Veterans Memorial Parkway and Elmore Avenue shall be reviewed and approved by the City Traffic Engineer. In no case shall access points be closer than 350 feet centerline to centerline. The closest access point to Veterans Memorial Parkway shall be 460 feet centerline to centerline (this note has been noted on the plat).
4. Access points as shown on the final development plan prepared by McClure and dated 01-26-2015 or as amended by the City's Traffic Engineer.
5. That all lighting shall downcast with full cut-off and shielded so as to minimize light trespass and glare so that light is restrained to no more than 85 degrees from vertical. Light shall be directed away from adjacent residential areas and development. A photometric plan along with specifications of the proposed lighting standards and fixtures shall be submitted prior to the administrative approval of the site plan.

6. That silent paging and/or cell phone paging systems (or equivalent technology) shall be used for contacting sales people or staff within the lot areas. Operational systems such as car washing, repair garages (including air/impact equipment) shall be operated with closed garage doors or minimal disruption to the neighboring properties. Compressors and other equipment shall be noise buffered so as to comply with Chapter 8.19 of the Davenport Municipal Code and not create a nuisance.
7. That a minimum of a class "E" buffer yard should be installed within the upper setback area (high point of the lot) along the west side of the commercial development (along the west parking lot edges); locating the buffer along the west and southwest parking lot edge areas. All buffer plantings shall meet the requirements of Chapter 17.56 "Site Plans" and as supplemented by the requirements of Chapter 7.41 "HCOD" Highway Corridor Overlay District as to the types and sizes of plant materials.
8. That building elevations and materials will need to be similar to those shown in the elevation plans by Modern Design Architects dated 01-30-15. Materials and colors will need to be called out and approved administratively with the site plan and meet the requirements of Chapter 17.41 "HCOD" Highway Corridor Overlay District.
9. That a site plan in compliance with the regulations of Chapters 17.56 "Site Plans" and 17.41 "HCOD" Highway Corridor Overlay District or as amended herein will need to be submitted and approved administratively prior to the issuance of any foundation or building permit.
10. That the vehicle display pads be setback from the property twenty-five (25) feet in accordance with the regulations of Chapter 17.42 "HCOD" Highway Corridor Overlay District.
11. That a signage plan in compliance with the regulations of Chapters 17.45 "Sign Regulations" and 17.41 "HCOD" Highway Corridor Overlay District including all building mounted and exterior lot signage (business identification signs, directional signs, pavement arrows, etc.) shall be submitted and approved prior to the administrative approval of the site plan.

Prepared by:
Wayne Wille, CFM
Planner II
Community Planning Division

Attachments:

X:\PLANNING\Plan and Zoning Commission\Cases\FDP15-02



LEGEND

- HOT MIX ASPHALT PAVEMENT
- P.C. CONCRETE PAVEMENT, (W/IN CITY OF DAVENPORT ROW)
- P.C. CONCRETE SIDEWALK
- P.C. CONCRETE CURB & GUTTER
- PROPERTY BOUNDARY LINE
- PROPOSED TRUCK MOVEMENT PATH
- EXISTING CONTOUR (1' INTERVALS)
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATER MAIN
- EXISTING OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND TELEPHONE
- EXISTING GAS LINE
- EXISTING STORM INLET
- EXISTING MANHOLE
- STORM / SANITARY MANHOLE
- DIRECTION OF FLOW
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING UTILITY POLE
- EXISTING UTILITY POLE W/ GUY WIRE
- EXISTING UTILITY POLE W/ LIGHT
- EXISTING SIGN

PLANT SCHEDULE

PLANT SPECIES	QUANTITY	SIZE
SHADE/CANOPY TREE	89	2-2.5" CALIPER
EVERGREEN TREE	30	5-6" HEIGHT BAB
ORNAMENTAL/UNDERSTORY TREE	50	1.5" CALIPER
FLOWERING/EVERGREEN SHRUB	62	36" B&B
FLOWERING/EVERGREEN SHRUB	76	5 GALLON
FLOWERING/EVERGREEN SHRUB	96	3 GALLON
MIXED PERENNIALS	1300	SQUARE FEET

OWNER

QC SOUTH LANDS EQUITY INVESTMENT, L.L.C.
201 N. HARRISON STREET
SUITE 402
DAVENPORT, IA 52801
PHONE: 563-324-9898

DEVELOPER

DAVID MILLS
MILLS CHEVROLET
1610 39TH AVENUE
MOLINE, IL 61265
PHONE: 563-650-0174

ATTORNEY

THOMAS PASTRNAK
314 EAST THIRD STREET
DAVENPORT, IOWA 52801
563-323-7737

BUILDING INFO.

SQUARE FOOTAGE: APPROX. 40,000 SF
OVERALL HEIGHT: APPROX. 20'-0"

OF STORES: ONE (1)

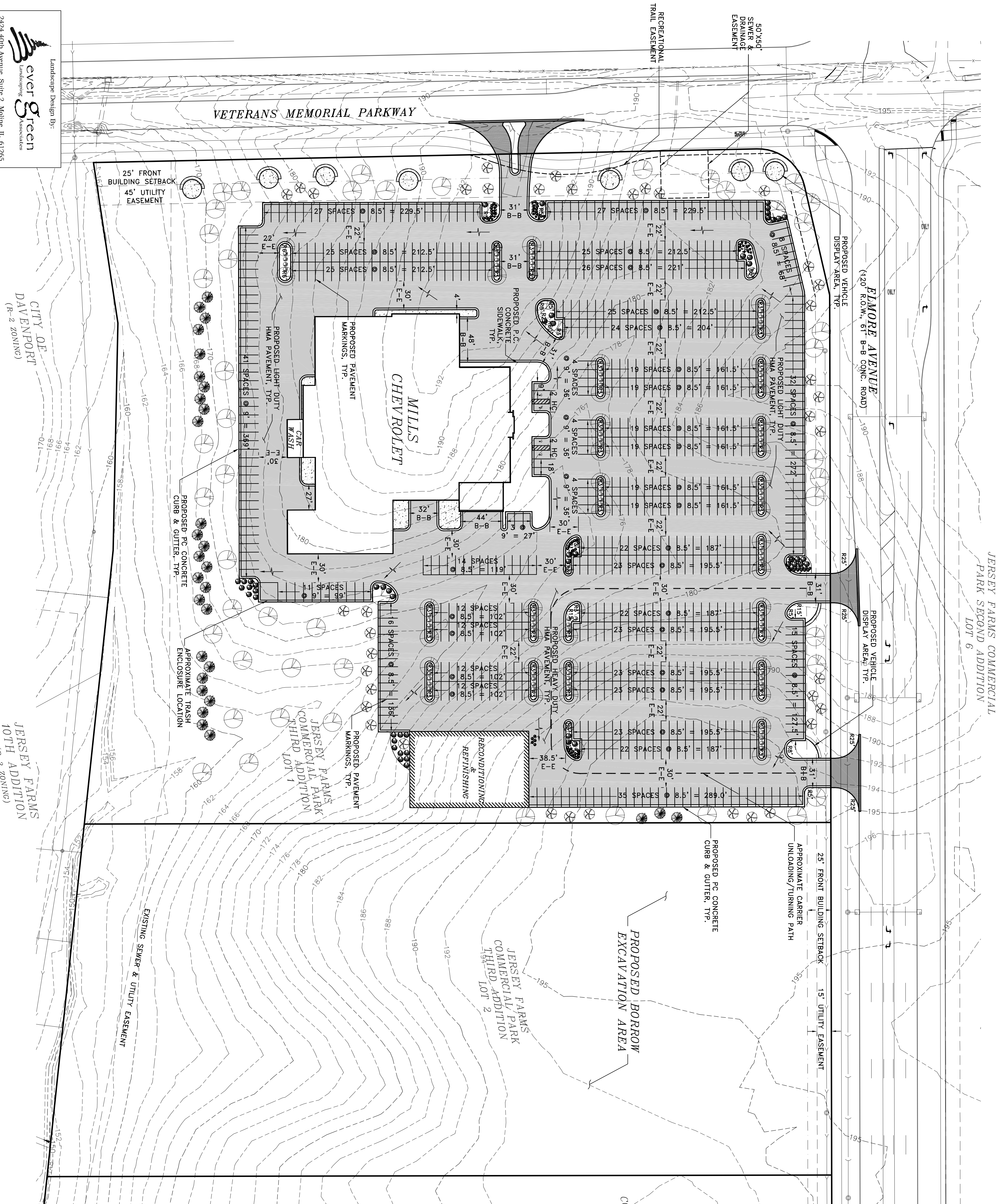
ENGINEER

MCCLURE ENGINEERING ASSOC., INC.
ATTN: BRENT O. MORLOCK, P.E., LEED AP
4700 KENNEDY DRIVE
EAST MOLINE, IL 61244
PHONE: 309-792-9350

FINAL DEVELOPMENT PLAN

MILLS CHERY	DAVENPORT, IOWA
FILE NAME: F:\A04\14-271\DWG\MILLS CHEVY\MILLS Chevy TDP.dwg	JOB NUMBER: 01-15-14-271

SHEET NO.
1
OF
1



Landscape Design By:

evergreen
Landscape Associates

2424 40th Avenue, Suite 2, Moline, IL 61265
www.evergreen-landscape.com

MILLS CHEVROLET
1610 39TH AVENUE MOLINE, IL 61265

NO.	ITEM	DATE

NO.	ITEM	DATE

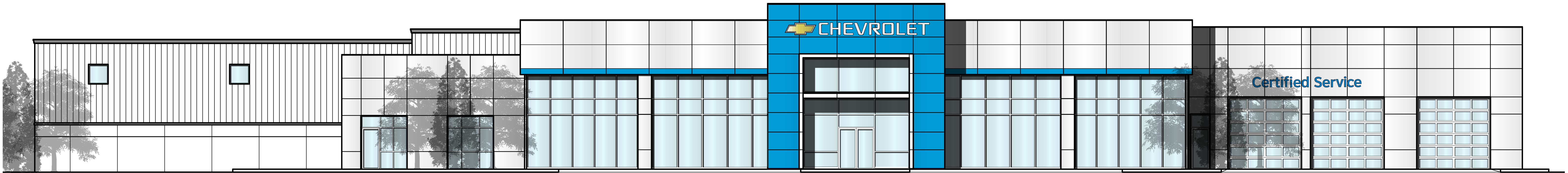
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Drawn By: BMS

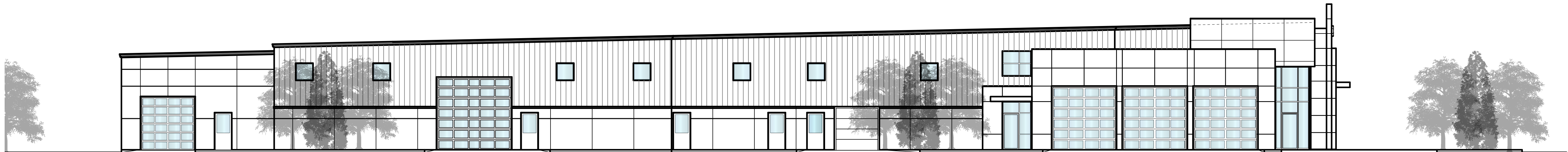
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Date: JANUARY 26, 2015

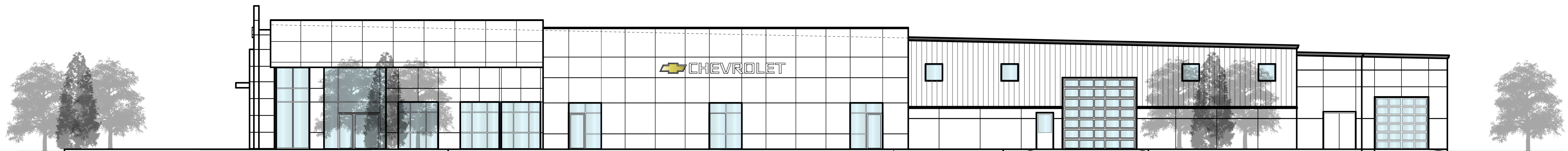
McClure
Engineering Associates, Inc.
4700 Kennedy Drive
(309) 792-9350
Fax (309) 792-8974
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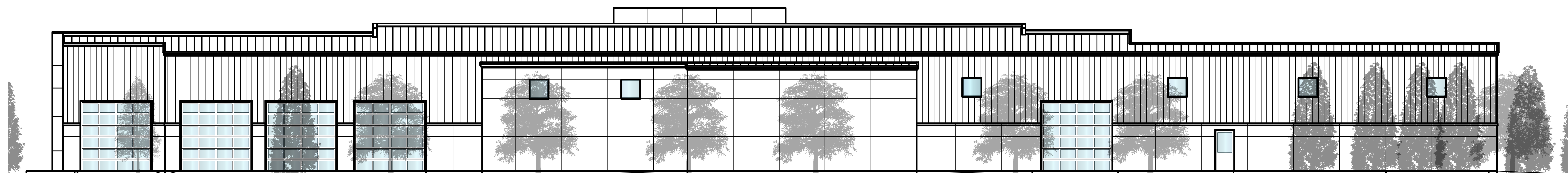
1 EAST ELEVATION
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2 SOUTH ELEVATION
Scale: 3/32"=1'-0"



3 NORTH ELEVATION
Scale: 3/32"=1'-0"



4 WEST ELEVATION
Scale: 3/32"=1'-0"



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MILLS Chevrolet
WEST OF ELMORE AVENUE & VETERANS MEMORIAL PARKWAY
DAVENPORT, IOWA 52807

REVISION	DATE	DESCRIPTION
1	10/15/15	ISSUED FOR PERMIT
2	10/15/15	ISSUED FOR PERMIT
3	10/15/15	ISSUED FOR PERMIT
4	10/15/15	ISSUED FOR PERMIT
5	10/15/15	ISSUED FOR PERMIT

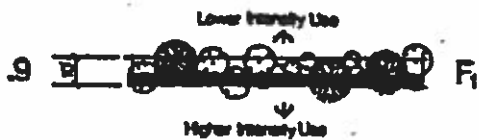
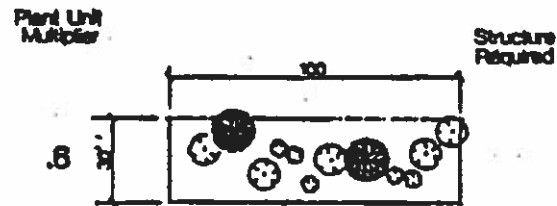
DATE: 10/15/15
SCALE: AS NOTED
JOB NO: D180-14
DRAWN: RJS
CHECKED:

ELEVATIONS

SHEET NUMBER

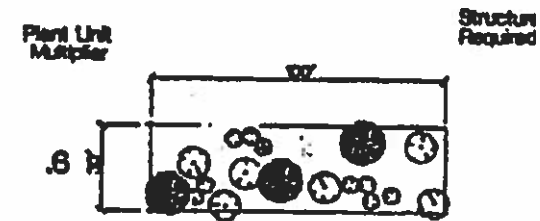
DC3.0

17.56.040



BUFFERYARD E

TABLE OF BUFFERYARD REQUIREMENTS P-4



BUFFERYARD F

REQUIRED PLANT UNITS / 100'

- 3 Canopy Trees
- 6 Understory Trees
- 9 Shrubs
- Evergreens/Conifers

REQUIRED PLANT UNITS / 100'

- 3 Canopy Trees
- 6 Understory Trees
- 9 Shrubs
- Evergreens/Conifers

City of Davenport

Committee: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 8th

Action / Date
4/1/2015

Subject:

Resolution approving Case No. F15-04 being the final plat of Sally's Second Addition, which is located at the northwest corner of Jersey Ridge Road and Belle Avenue. [8th Ward]

Recommendation:

1. The City Plan and Zoning Commission finds that: The City Traffic Engineer has opined that the additional driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.
1. The City Plan and Zoning Commission accepted the listed finding and forwards Case F15-04 to the City Council with a recommendation for approval subject to the following conditions: That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met;
3. That a note be added to the plat articulating that there shall be a maximum of one driveway access to Jersey Ridge Road and this driveway be located along the north side of Lot 2;
4. That a note be added to the plat articulating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits;
5. That an easement allowing Lots 1 and 2 to shared access to Belle Avenue across the existing access be shown on the Plat; and
6. That the development comply with the requirements of Chapter 17.41 of the Davenport Municipal Code entitled "HCOD" Highway Corridor Overlay District.

Please refer to the Commission's March 4, 2015 letter.

The Commission's vote for approval was 7-yes and 0-no.

Relationship to Goals:

Added emphasis on economic development.

Background:

This is a final plat two lot commercial subdivision, which a replat of Sally's First Addition. Sally's First Addition restricts vehicular access to Belle Avenue. This condition is the purpose of managing the number of access points to Jersey Ridge Road. The City Traffic Engineer recently opined that a single driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building. This driveway access would facilitate development of Lot 1.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	F15-04 Resolution
▣ Backup Material	F15-04 Plan and Zoning Commission Letter
▣ Backup Material	F15-04 Plan and Zoning Commssion Vote Record

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	3/23/2015 - 3:24 PM

City of Davenport

Committee: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn 326-7743
Ward: 8th

Action / Date
CD 4/1/15

Subject:

RESOLUTION approving Case No. F15-04 being the final plat of Sally's Second Addition, which is located at the northwest corner of Jersey Ridge Road and Belle Avenue. [8th Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

1. The City Traffic Engineer has opined that the additional driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.

The City Plan and Zoning Commission accepted the listed finding and forwards Case F15-04 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met;
3. That a note be added to the plat articulating that there shall be a maximum of one driveway access to Jersey Ridge Road and this driveway be located along the north side of Lot 2;
4. That a note be added to the plat articulating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits;
5. That an easement allowing Lots 1 and 2 to shared access to Belle Avenue across the existing access be shown on the Plat; and
6. That the development comply with the requirements of Chapter 17.41 of the Davenport Municipal Code entitled "HCOD" Highway Corridor Overlay District.

Please refer to the Commission's March 4, 2015 letter

The Commission vote for approval was 7-yes and 0-no.

Relationship to Goals:

Added emphasis on economic development

Background:

This is a final plat two lot commercial subdivision, which a replat of Sally's First Addition. Sally's First Addition restricts vehicular access to Belle Avenue. This condition is the purpose of managing the number of access points to Jersey Ridge Road. The City Traffic Engineer recently opined that a single driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.

Please refer to the Commission's letter and background materials for further information.

Marcy 4, 2015

Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

At its regular meeting of March 3, 2015, the City Plan and Zoning Commission considered Case No. F15-04 being the final plat for a two lot commercial subdivision (Sally's Second Addition).

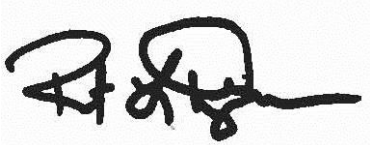
Finding:

1. The City Traffic Engineer has opined that the additional driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.

The City Plan and Zoning Commission accepted the listed finding and forwards Case F15-04 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met;
3. That a note be added to the plat articulating that there shall be a maximum of one driveway access to Jersey Ridge Road and this driveway be located along the north side of Lot 2;
4. That a note be added to the plat articulating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits;
5. That an easement allowing Lots 1 and 2 to shared access to Belle Avenue across the existing access be shown on the Plat; and
6. That the development comply with the requirements of Chapter 17.41 of the Davenport Municipal Code entitled "HCOD" Highway Corridor Overlay District.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED	APPROVED	APPROVED			
Name:	Roll Call	REZ15-02 Glen Smithe 1655 W 17th St	REZ15-03 Arrowhead LLC Amend Ord 2004- 234	FDP15-02 Arrowhead LLC SW cor Elmore Ave & VMP	F15-04 Sally's 2nd	ROW15-01 City Sq LLC North Block LLC			
Connell	P	Y	Y	Y	Y	Y			
D'Autremont	EX								
Elgatian	P	Y	Y	Y	Y	Y			
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y	Y	Y			
Lammers	P	Y	Y	Y	Y	Y			
Maness	EX								
Martin	P	Y	Y	Y	Y	Y			
Martinez	P	Y	Y	Y	Y	Y			
Tallman	P	Y	Y	Y	Y	AB			
		7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN	6-YES 0-NO 1-ABSTAIN			



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: March 3, 2015
Request: Final plat for a two lot commercial subdivision (Sally's Second Addition)
Location: Northwest corner of Jersey Ridge Road and Belle Avenue
Case No.: F15-04
Applicant: Mega Properties, Inc.

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed finding and forward Case No. F15-04 to the City Council with a recommendation for approval subject to the conditions stated below.

Introduction:

This is a two (2) lot final plat, which is a replat of Lots 1 and 2 of Sally's First Addition. The property contains three acres, more or less, of property and is located at the northwest corner of Jersey Ridge Road and Belle Avenue.

AREA CHARACTERISTICS:

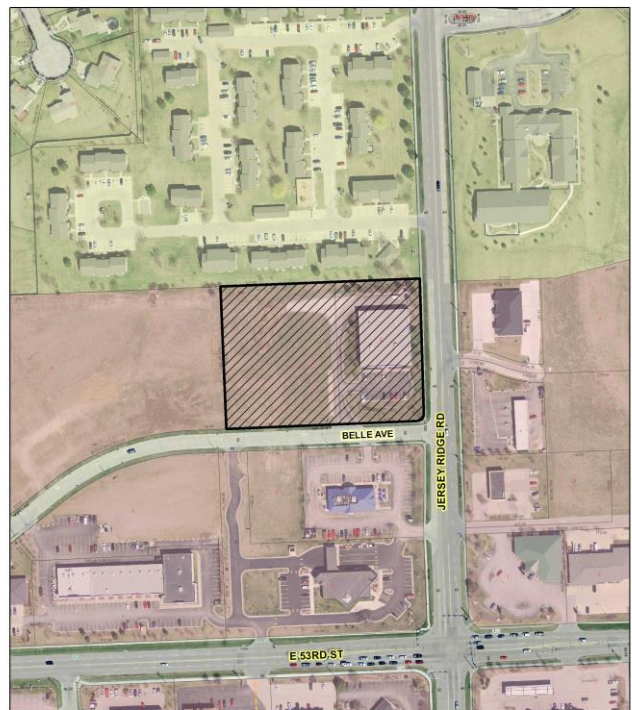
Zoning Map



-  Subject Property
-  R-5M Medium Density Dwelling District
-  C-1 Neighborhood Shopping District



Davenport 2025 Proposed Land Use Map



-  Subject Property
-  RG - Residential General
-  CC - Commercial Corridor



Background:**Comprehensive Plan:**

Within Urban Service Area: Yes

Proposed Land Use Designation: Commercial Corridor. Commercial Corridor (CC) Identifies areas which are

- a) Generally commercial in nature,
- b) Oriented toward a major corridor,
- c) More intense than CN – Commercial Neighborhood, and
- d) Less intense than CR – Commercial Retail.

This category can be a transition between a “residential corridor” and a “commercial district.” Higher density commercial uses are allowed with residential uses.

Relevant Goals to be considered in this Case: Goal No. 7-Create a positive business climate that encourages growth of existing and new businesses. Objective b.-Retain existing and attract new business and industry.

The proposed use would comply with the Davenport 2025 proposed land use section.

Zoning:

The subject and surrounding property are zoned to “C-1” Neighborhood Shopping.

Technical Review:Streets

The subject properties are located on the north side of Belle Avenue, with Lot 2 also being located on the west side of Jersey Ridge Road. The Final Plat for Sally’s First Addition includes a condition that that access to Lot 2 is restricted to Belle Avenue. This condition was for the purpose of managing the number of access points to Jersey Ridge Road.

The City Traffic Engineer recently opined that a driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.

Storm Water

Storm water management would be administratively reviewed when construction plans are submitted for development of the property.

Sanitary Sewer.

There is an 8 inch sewer line on the south side of Belle Avenue.

Other Utilities. This is an urban area and other utility services are available.

Emergency Services.

The subject property is located approximately .6 mile from the nearest fire station (Fire Station No. 8).

Parks/Open Space.

The proposed plat does not impact any existing parks or public open spaces.

Public Input:

There is no public input for a final plat.

Discussion:

The Final Plat for Sally's First Addition was approved in 2009. Relevant, non-standard conditions include:

1. That the development comply with the requirements of Chapter 17.41 of the Davenport Municipal Code entitled "HCOD" Highway Corridor Overlay District";
2. That an easement allowing shared access for both lots to Belle Avenue across the existing access be shown on the plat; and
3. Access to Lot 2 is restricted to Belle Avenue.

Condition 3 is the purpose of managing the number of access points to Jersey Ridge Road. The City Traffic Engineer recently opined that a single driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.

Staff Recommendation:

Finding:

1. The City Traffic Engineer has opined that the additional driveway access to Jersey Ridge Road would be acceptable for use by truck deliveries turning into the property north of the existing building.

Staff recommends the City Plan and Zoning Commission accept the listed finding and forward Case F15-04 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. That the utility companies sign the plat when their easement needs have been met;
3. That a note be added to the plat articulating that there shall be a maximum of one driveway access to Jersey Ridge Road and this driveway be located along the north side of Lot 2;
4. That a note be added to the plat articulating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits; and
5. That an easement allowing Lots 1 and 2 to shared access to Belle Avenue across the existing access be shown on the Plat.

Prepared by:



Ryan Rusnak, AICP
Planner III

Attachments:

Sally's First Addition
Proposed Concept Plan



POWER - DEVELOPMENT
GEIFMAN FOOD STORES, INC.
D/R/A FIRST SOURTY DEVELOPMENT GROUP
2580 NEELE ROAD
BETTENDORF, IOWA 52722
AGENT: STEVE GEIFMAN

FINAL PLAT OF
SALLY'S FIRST ADDITION
TO THE CITY OF DAVENPORT, IOWA
BEING PART OF THE NORTHWEST QUARTER OF SECTION 7
TOWNSHIP 76 NORTH, RANGE 4 EAST OF THE 5th P.M.
AND BEING A REPLAT OF LOT 4
CROSSROADS COMMERCIAL PARK SECOND ADDITION

GENERAL NOTES

IRON MONUMENTS FOUND SHOWN THUS ——— (5/8" IRON PIN)
IRON MONUMENTS SET SHOWN THUS ——— (5/8" IRON PIN)

SET CUT % IN CONCRETE SHOWN THIS ———

SUBDIVISION CONTAINS 300 ACRES, MORE OR LESS.

BANKET UNDERGROUND AND OVERHEAD ELEMENTS GRANTED WITHIN THE MINIMUM WIDTH OF SIDE YARD PROVISIONS OF CHAPTER 17.42 OF THE ZONING ORDINANCE OF THE CITY OF DAVENPORT, IOWA, ALONG THE SIDE LOT LINES OF EACH LOT HEREIN FOR STREET LIGHTS, TRAFFIC SIGNALS, MEDIAN, RETRACTION MARKS, AND GAS RETRACTION MARKS.

SERVICE WIRES, TELEPHONE WIRES AND GAS SERVICES.

FOR THE SURVEY THE EAST LINE OF THE NORTHWEST QUARTER

OF SECTION 7-7B-4 WAS ASSUMED TO BEAR 5.00'-05'-55" E.

PLANNET INCREASING PASEMENTS GRANTED FOR ELECTRIC

TRANSFORMERS AND PRIMARY ELECTRIC CABLE.

SIDEWALK SHALL BE CONSTRUCTED ALONG THE STREET FRONTAGE OF EACH LOT SHOWN HEREON WHEN SO ORDERED BY THE CITY.

ACCESS TO LOT 2 IS RESTRICTED TO BELLE AVENUE.

REQUIREMENTS OF CHAPTER 17.4H OF THE 1990 DAVENPORT MUNICIPAL
CODE ENTITLED "HCD" HIGHWAY CORRIDOR OVERLAY DISTRICT APPLY

AN EASEMENT IS HEREBY GRANTED FOR THE SANITARY SEWER SERVICE

THAT EXTENDS FROM THE BUILDING ON LOT 2 ACROSS THE SOUTHEAST CORNER OF LOT 1 TO A POINT ON THE NORTH RIGHT OF WAY LINE OF

SELLE AVENUE APPROXIMATELY 176 FEET EAST OF THE SOUTHWEST CORNER OF LOT 1, THE EXTENT OF THIS EASEMENT IS INTENDED TO BE SUFFICIENT TO ALLOW FOR MAINTENANCE OR REPLACEMENT OF THE

NOT ENOUGH TO ALLOW FOR IMPROVEMENT ON THE PRESENT SERVICE AS IT EXISTS AS OF THIS DATE.

THE STORM WATER DETENTION FACILITY FOR THIS ADDITION IS LOCATED ON THE SOUTHWEST CORNER OF THE ADDITION. THE DESIGNATED EASEMENT ON LOT 5 OF CROSSROADS COMMERCIAL PARKWAY, 11' WIDE, SHALL BE USED TO CONVEY WATER FROM THE ADDITION TO THE STORM WATER DETENTION FACILITY.

SECOND ADDITIONAL ALL STORMWATER FROM THIS ADDITION MUST BE DIRECTED TOWARD THAT DETENTION FACILITY, THAT FACILITY IS TO BE MAINTAINED BY THE OWNER OF LOT B. THEIR SUCCESSORS AND/OR ASSIGNS.

.....

SECRET

...the ... of ...

David L. Green

Date DECEMBER 24, 2008
By James Edward L. Hays

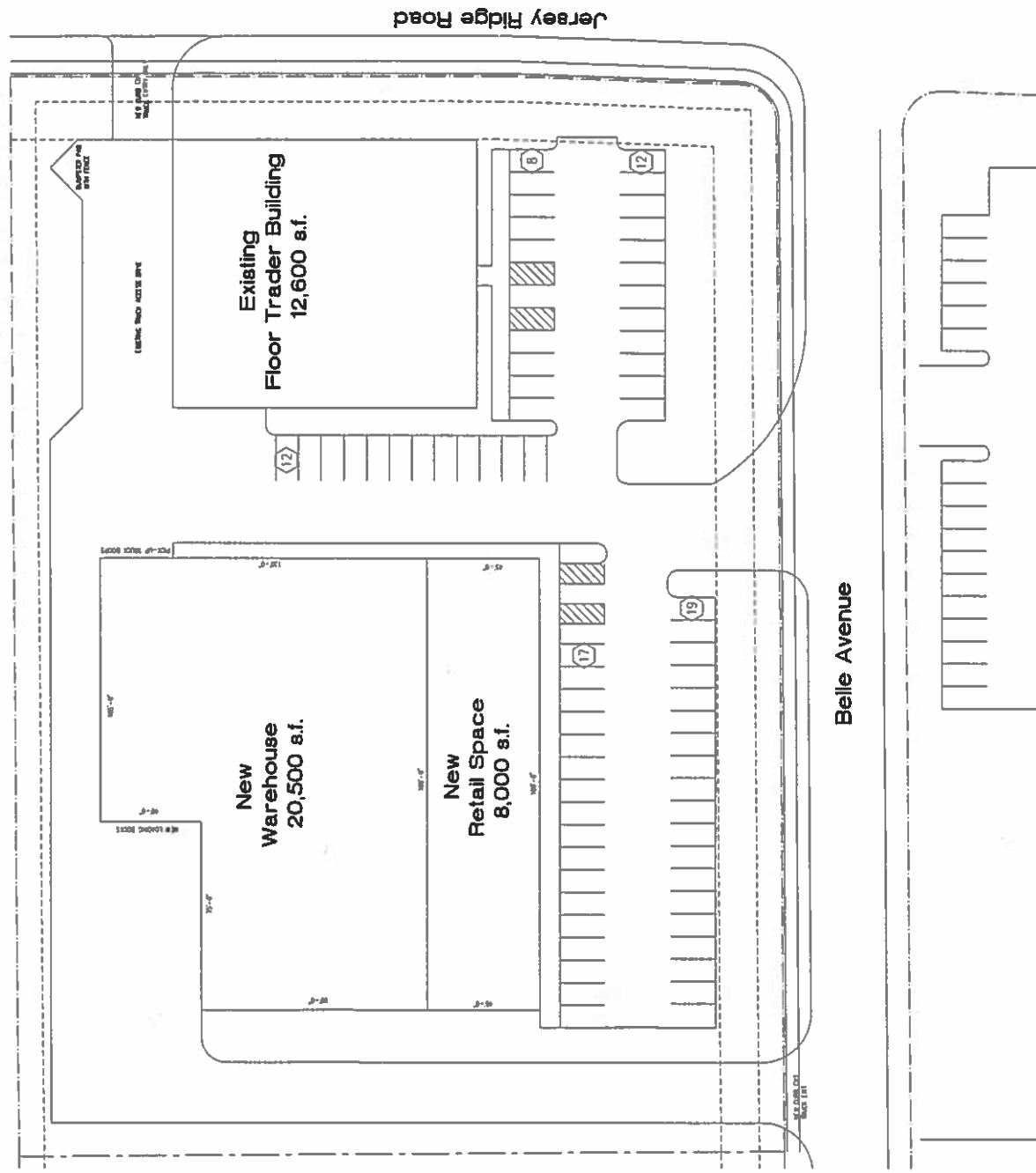
THE OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK
ALBANY, N. Y.

ON CITY OF DAVENPORT, IOWA

 [Signature] _____

ATTENTION Jacky Ellsworth FEB 05 2000

DATE 12-29-2013



City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 3

Action / Date
4/1/2015

Subject:

Resolution authorizing the conveyance of vacated public right of way known as East 2nd Street, lying east of LeClaire Street and west of River Drive, Rejuvenate Davenport, petitioner.

Recommendation:

Approve the resolution.

Relationship to Goals:

Added emphasis on economic development.

Background:

In previous Council action, the City vacated the right-of-way (ROW) of E. 2nd Street that is adjacent to the proposed Riverwatch Place project (former Howard Johnson site). The current owner of the adjacent property is Rejuvenate Davenport. Upon completion of demolition of the current structures, Rejuvenate plans to convey the entire property to the development entity to begin the \$25 million Riverwatch Place project.

In order to develop the project, this additional land is critical and the City no longer has a need for it. A public hearing on the matter was previously held. Approval of this resolution would direct the City Administrator and/or his designee to execute the documents necessary to convey the property to the petitioner.

ATTACHMENTS:

Type	Description
 Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	4/1/2015 - 12:52 PM

Resolution No. _____

Resolution offered by Alderman Boom.

RESOLVED by the City Council of the City of Davenport.

Resolution authorizing the conveyance of vacated public right of way known as East 2nd Street, lying east of LeClaire Street and west of River Drive, Rejuvenate Davenport, petitioner.

WHEREAS, the City of Davenport is the legal owner of the following described real estate:

Part of LeClaire's 6th Addition as follows:

All of Block 75 of LeClaire's 6th Addition (Except commencing at the South West corner of said Block 75; thence Northerly along the Westerly line of said Block 38 feet; thence Easterly parallel with the Northerly line of said Block to the South Easterly side of said Block; thence South Westerly along the South East line of said Block to the Point of Beginning), all in the City of Davenport, Scott County, Iowa;

In addition, this agreement shall encompass the recently vacated portion of East 2nd Street, more particularly described as:

Commencing at the Northwest Corner of Lot 10, Block 75 of LeClaire's 6th Addition to the City of Davenport, Iowa; Thence S00°-00'-00"E along the Westerly line of Block 75 of said LeClaire's 6th Addition and the present Easterly Right of Way line of LeClaire Street a distance of 281.99 feet to the present Northerly Right of Way line of E. 2nd Street and the Point of Beginning; Thence S89°-23'-49"E along the present Northerly Right of Way line of said E. 2nd Street a distance of 60.80 feet; Thence N58°-23'-49"E along the present Northerly Right of Way line of said E. 2nd Street a distance of 398.15 feet; Thence N00°-12'-26"W along the present Northerly Right of Way line of said E. 2nd Street a distance of 11.29 feet; Thence N58°-25'-29"E along the present Northerly Right of Way line of said E. 2nd Street a distance of 62.97 feet; Thence N00°-08'-14"W along the present Northerly Right of Way line of said E. 2nd Street a distance of 25.04 to the intersection with the Southerly Right of Way line of E. 3rd Street; Thence S44°-00'-35"E along the new Southerly Right of Way line of said E. 3rd Street a distance of 23.71 feet to the intersection with the New Northerly Right of Way line of E. River Drive; Thence in a Southwesterly direction along the arc of a curve concave Southeasterly with a radius of 1300.00 feet, with a chord bearing of S43°-19'-02"W and a chord distance of 193.20 feet, for a distance of 193.38 feet said arc being the new Northerly Right of Way line of said E. River Drive; Thence S44°-26'-11"W along the new Northerly Right of Way line of said E. River Drive a distance of 72.73 feet; Thence S58°-23'-49"W along the new Northerly Right of Way line of said E. River Drive a distance of 299.42 feet to the intersection with the new Easterly Right of Way line of said LeClaire Street; Thence N31°35'-58"W along the new Easterly Right of Way line of said LeClaire Street a distance of 60.00 feet to the Southwest corner of Lot 1, Block 75 of said LeClaire's 6th Addition; Thence N00°-00'-00"W along the Westerly line of Lot 1, Block 10 of said LeClaire's 6th Addition and the present Easterly Right of Way line of said LeClaire Street a distance of 38.05 feet to the Point of Beginning. Subject to utility easements over and across said Tract No. 1. The above described tract of land contains 26,505 sq. ft., more or less.

WHEREAS, the City of Davenport wishes to convey the same to Rejuvenate Davenport subject to easements and restrictions of record and existing utilities for the purpose of allowing the Riverwatch Place project to be built; and

WHEREAS, a public hearing on the matter was held on Wednesday, April 1, 2015, as required by law.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the above-described real estate be conveyed to Rejuvenate Davenport subject to easements and restrictions of record and existing utilities; and

BE IT FURTHER RESOLVED that the proposed conveyance shall be executed by the City Administrator and/or his designee on behalf of the City.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 6

Action / Date
4/1/2015

Subject:

Resolution setting a public hearing on the issuance of bonds by the Public Finance Authority on behalf of Trinity Affordable Housing Corporation, an Illinois nonprofit corporation.

Recommendation:

Approve the resolution.

Relationship to Goals:

Neighborhood improvements.

Background:

Trinity-Brady Village, LLC, is seeking to acquire and rehabilitate Brady Village, a 44-unit multifamily rental housing facility located at 1928 E. 38th Street. This entity is also seeking to acquire and rehabilitate several other properties in Iowa and Missouri as part of a multi-site, multi-jurisdictional project. As these existing properties are project-based Section 8 properties, the LLC is seeking bond financing from the Public Finance Authority (PFA).

The PFA was authorized under the Internal Revenue Code of 1986 and exists, in part, to issue private activity bonds for qualifying multi-jurisdictional projects. This is useful especially when the aggregated project cost is substantial and there are benefits in issuing bonds once, rather than for individual sites.

Section 147(f) of the Internal Revenue Code of 1986 requires that the City of each jurisdiction hold a hearing on the proposed issuance and pass a resolution approving the issuance of the bonds by the PFA. The City will have no responsibilities or liability with relation to the bonds; this procedural step is to merely make sure that the local jurisdiction is aware of the proposed project.

Approximately \$2,485,000 of the proceeds from the bond sale is expected to be used to improve the Brady Village property. Depending upon the timing of the financing, the project is expected to begin later this year.

ATTACHMENTS:

Type	Description
 Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	4/1/2015 - 12:52 PM

Resolution No. _____

Resolution offered by Alderman Boom.

RESOLVED by the City Council of the City of Davenport.

Resolution setting a public hearing on the issuance of bonds by the Public Finance Authority on behalf of Trinity Affordable Housing Corporation, an Illinois nonprofit corporation.

WHEREAS, the Public Finance Authority (PFA) is a commission organized under Wisconsin Statutes and is authorized to issue tax-exempt, taxable, and tax credit conduit bonds for public and private entities throughout all 50 states; and

WHEREAS, Trinity-Brady Village, LLC, is an Iowa limited liability company that has requested that the PFA issue Multifamily Housing Revenue Bonds to finance and/or refinance the acquisition, rehabilitation, equipping and/or improvement of Brady Village, a 44-unit multi-family rental housing facility located at 1928 E. 38th Street, Davenport; and

WHEREAS, this LLC is seeking to acquire, refinance, rehab, and otherwise improve several other properties in Iowa and Missouri and has requested bond financing from PFA in aggregating all of the properties into a single project; and

WHEREAS, the bonds or a portion thereof will be “private activity bonds” for purposes of the Internal Revenue Code of 1986 and prior to their issuance, PFA’s action is required to be approved by the “applicable elected representative” of a governmental unit having jurisdiction over the entire area in which each project site is located, after a public hearing held following reasonable public notice.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that a public hearing on the proposed approval of PFA’s issuance of bonds for the Brady Village project shall be held at the April 22 City Council meeting in Davenport City Council Chambers which begins at 5:30 p.m.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 3

Action / Date
4/1/2015

Subject:

Motion directing the City Administrator to sign and send the attached notice to extend the Right-to-Cure period for the Dock project and to request bids on the demolition of the existing structure on the site.

Recommendation:

Approve the motion.

Relationship to Goals:

Added emphasis on economic development.

Background:

In September 2014, the City and Raufeisen Development signed a Development Agreement regarding the Dock project. In that Agreement, several deadlines for performance were established, including demolition of the existing structure, as well as demonstrating financial capacity to complete the project.

In January and February, after two deadlines had passed, the City notified Raufeisen Development of those particular defaults and provided a period to cure the defaults. Earlier this month as the deadlines were expiring, Raufeisen submitted a request for further extension.

Attached is a proposed Extension of Notice of Opportunity to Cure that provides additional time and conditions for Raufeisen to meet. In addition, based upon Raufeisen's revised schedule, it is proposed that the City request bids to demolish the existing structure. The additional conditions require Raufeisen to pay for the City's costs for the demolition. Approval of this motion directs the City Administrator to sign and send the Notice as well as to solicit bids for demolition.

ATTACHMENTS:

Type	Description
 Cover Memo	Extension of Notice to Cure

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	4/1/2015 - 12:52 PM

EXTENSION OF
NOTICE OF OPPORTUNITY TO CURE

TO: Raufeisen Development, LLC

DATE: April 9, 2015

You have been sent two prior notices to cure - one related to demolition and one related to proof of financial capacity to perform. Both deadlines have passed without sufficient corrective action by you. In lieu of terminating our agreement at this time, the City will extend your cure period so long as you continue to meet each condition by the date shown below:

- PROVIDE BY NOON, APRIL 10, 2015 an original copy of this extension and notice countersigned by you committing you to strict adherence to its terms.
- PROVIDE BY NOON, APRIL 30, 2015 a fully executed lease for the second floor as referenced in your undated memorandum received by us on March 15, 2015.
- PROVIDE BY NOON, JUNE 1, 2015 floor plans for the CRO, LLC space provided by and designed for CRO, LLC.
- PROVIDE BY NOON, JUNE 25, 2015 proof of adequate, available and committed financial capacity demonstrating sufficient liquid assets or secured financing or a combination thereof to perform under your agreements with the City. Such commitment must be a legally enforceable commitment by the creditor or investor.
- BY NOON, JUNE 30, 2015 fully reimburse the City for the amounts spent by the City related to and incurred in: the demolition and proper disposal of the existing dock building and all

related appurtenances and infrastructure;
utility abandonments; and securing of the site.

The above conditions and timeframes of this extension will be strictly applied. Failure to meet any condition or its timeframe will automatically and immediately terminate our agreement.

by _____
Craig Malin, City Administrator

Raufeisen Development, LLC, and Todd Raufeisen, as an individual, hereby agree to the foregoing terms and conditions of this extension of the cure period and agree to strictly adhere to them.

By _____
Todd Raufeisen, its authorized representative

Todd Raufeisen, individually

State of Iowa, County of Scott) ss.

Voluntarily subscribed and sworn to before me this ____ day of April, 2015, by Todd Raufeisen, in his authorized capacity as well as on behalf of himself.

Notary in and for Said State

Mailed via Certified and Regular Mail to:

Todd Raufeisen
P.O. Box 3726
Davenport, IA 52808

Emailed to: todd@trlanddevelopment.com

City of Davenport

Committee: Public Safety
Department: Legal
Contact Info: T Warner x7735
Wards: All

Action / Date
4/1/2015

Subject:

First Consideration: Ordinance amending Subsection 5.10.105(A) to allow the issuance of alcoholic beverages licenses or permits to an establishment within 600 feet of a state registered child development home or state licensed child care center upon an appeal with adequate buffering. [All Wards]

Recommendation:

Consider and pass if acceptable

Relationship to Goals:

Background:

A request was made to provide a process whereby an alcohol license or permit applicant could be granted a license within 600 feet of a daycare if the City Council determined adequate buffering was present; currently a blanket prohibition is in place.

ATTACHMENTS:

Type	Description
 Cover Memo	Ord Daycare Alcohol Separation

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	4/1/2015 - 12:54 PM

ORDINANCE NO. _____

ORDINANCE amending Subsection 5.10.105(A) to allow the issuance of alcoholic beverages licenses or permits to an establishment within 600 feet of a state registered child development home or state licensed child care center upon an appeal with adequate buffering

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

Section 1. That Subsection 5.10.105(A) is hereby amended to read as follows:

A. No application for a class A, class B, class C, or class E liquor store control license or a wine permit or a beer permit shall be approved if the property upon which such licensed or permitted activity will occur is located within six hundred feet, including public rights-of-way, of a state registered child development home, state licensed child care center, or public or private elementary or secondary school. However, an application within 600 feet, but not immediately abutting, a state registered child development home or state licensed child care center may be approved if the city council upon a hearing grants a waiver to this rule. The city council may grant the waiver if it determines the following exists: 1) the affected child development home or care center consents to the granting of the waiver; or 2) sufficient buffering exists to adequately mitigate the visual, sound, and foot traffic likely to be generated by the applicant, such as: a) an arterial roadway as defined in section 17.04.010.15, b) at least 100 feet of natural buffering like woods, ravines, waterways, or wetlands, or c) similar or greater visual, sound, and physical separation as set forth in “a” and “b” immediately above. “Physical separation” refers to the ease and options for pedestrian movement.

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 _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the Quad City Times on _____

City of Davenport

Committee: Public Safety
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: 3

Action / Date
4/1/2015

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

Recommendation:
Approve the resolution.

Relationship to Goals:
Support local events.

Background:

ATTACHMENTS:

Type	Description
 Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/1/2015 - 12:54 PM

RESOLUTION NO. 2015-



Resolution offered by Alderman Matson

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

RESOLVED by the City Council of the City of Davenport.

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

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

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

Entity: QC River Bandits & J&M Displays

Event: Fireworks after Games

Date: Various dates starting April 24 – Sept 3

Time: After games end

Closure Location: Bikepath and sidewalk in shoot area

Ward: 3

Entity: St. Ambrose University

Event: Dash for Derek

Date: April 25th

Time: 8:30 AM – 11:00 AM

Closure Location: Ripley Street from High Street to West Dover Court, west to North Gaines Street, south to West Rusholme St, west to Lillie Avenue, south to Berg Place, east to North Myrtle Street, north to West Rusholme, east to Scott Street, north to West Dover Court, east to Ripley Street and south to the campus

Wards: 4, 5

Approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Committee: Public Safety
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: 3

Action / Date
4/1/2015

Subject:
Motion approving noise variance request(s) for various events on the listed dates at the listed times.

Recommendation:
Approve the motion.

Relationship to Goals:
Support of local events.

Background:
The following requests for noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances. Applications are attached for your review.

J&M Displays, Fireworks for River Bandits, April - September after 9:00 PM until Midnight, LeClaire Park behind the Stadium, Over 50 dBA requested, Ward 3

Ganzo's Mexican Restaurant, 3923 Marquette St., Cinco de Mayo Festival, May 2nd, 9:00 am to Midnight, Over 50 dBA, Wards 7 & 8

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	4/1/2015 - 12:54 PM

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: All

Action / Date
4/1/2015

Subject:

Resolution approving the plans, specifications, form of contract and estimate of cost covering the FY2016 Sidewalk Repair Program, CIP Project #28010.*[All Wards]*

Recommendation:

Pass the resolution

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.
Revitalized Neighborhoods and Corridors.

Background:

This is an annual program for the repair of existing sidewalks. Repair costs are split 50/50 with the property owners for residential properties. This program includes \$150,000 in CIP #28010.

ATTACHMENTS:

Type	Description
 Resolution Letter	PW_RES 2016 SIDEWALK
 Backup Material	Sidewalk Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution approving the plans, specifications, form of contract and estimate of cost covering the FY2016 Sidewalk Repair Program, CIP Project #28010.

Whereas, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the FY2016 Sidewalk Repair Program within the City of Davenport, Iowa; and

Whereas, Notice of Hearing on plans, specifications and form of contract was published as required by law:

Now, therefore, be it resolved by the City Council of the City of Davenport, 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 said FY2016 Sidewalk Repair Program.

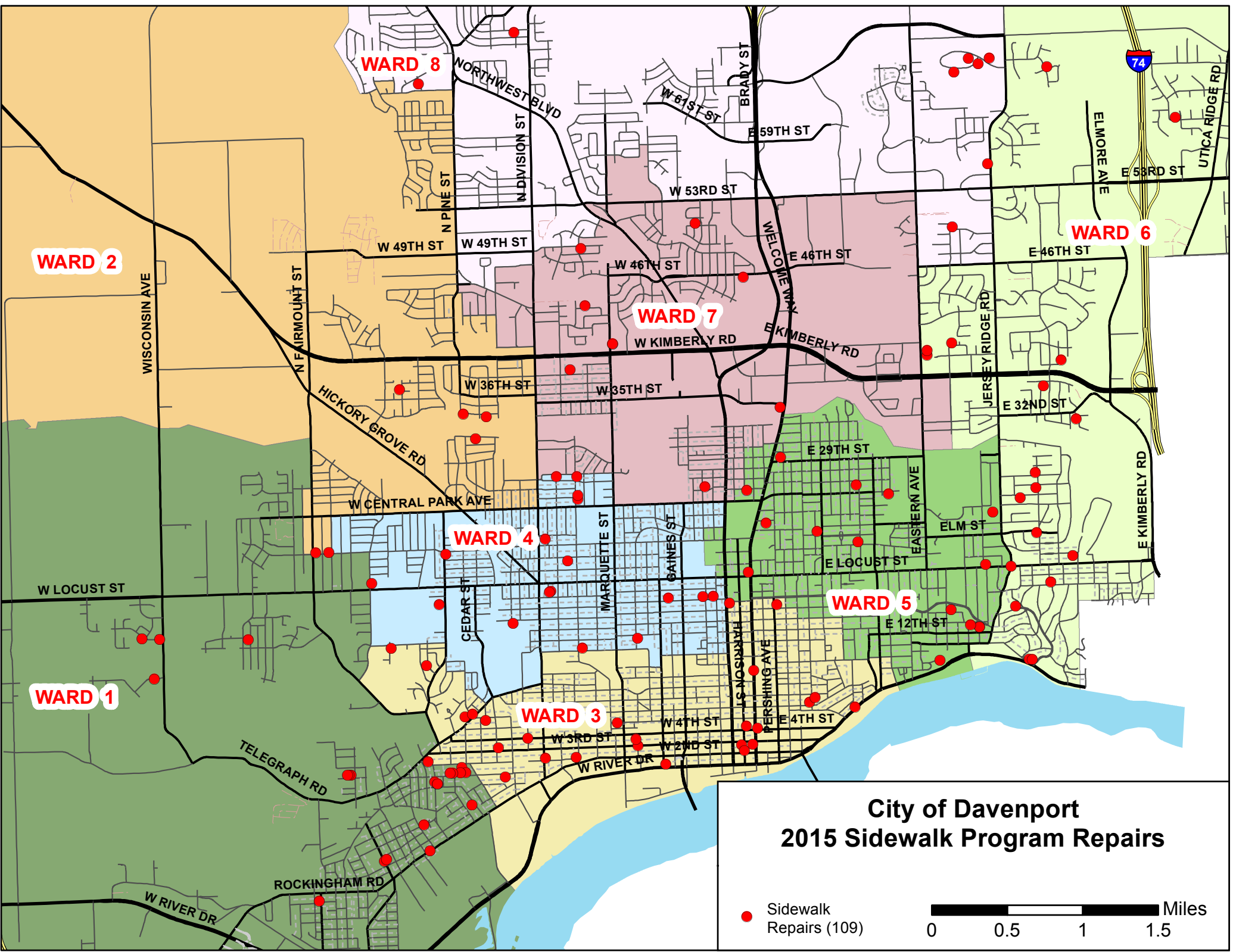
Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk



WARD 2

WARD 8

WARD 7

WARD 6

WARD 4

WARD 5

WARD 1

WARD 3

City of Davenport 2015 Sidewalk Program Repairs

● Sidewalk
Repairs (109)

0 0.5 1 1.5 Miles

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: 3, 4 & 5

Action / Date
4/1/2015

Subject:
Resolution on the plans, specifications, forms of contract and estimated cost for the FY2015 Street Resurfacing Project, CIP Project #10558. *[Wards 3, 4 & 5]*

Recommendation:
Approve the resolution.

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities.

Background:
Street Resurfacing is a yearly maintenance program performed on asphalt streets.

The process of full street resurfacing include multiple operations: roto-milling to remove the existing asphalt, full depth patching any underlying base problems and curb and gutter as necessary, laying the new asphalt, raising storm and sanitary sewer castings and rehabilitating ADA ramps.

After reviewing priority and budget, the streets selected for this year's program are: Eastern Avenue from Locust Street to Rusholme Street, Marquette Street from 12th Street to 17th Street, 39th Street from Eastern Avenue to 300' west of Davenport Avenue, Lombard from Division Street to Washington Street and Lombard Street from Western Avenue to Harrison Street.

This project is budgeted at \$1,228,000 in CIP #10558.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	2 PW_RES_STRESURFACING 2
▣ Backup Material	Maps
▣ Backup Material	Maps
▣ Backup Material	Maps
▣ Backup Material	Maps
▣ Backup Material	Maps

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution on the plans, specifications, forms of contract and estimated cost for the FY2015 Street Resurfacing Project, CIP Project #10558.

Whereas, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Street Resurfacing Project.

Whereas, Notice of Hearing on plans, specifications and form of contract was published as required by law:

Now, therefore, be it resolved, by the City Council of the City of Davenport that, said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Street Resurfacing Project.

Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

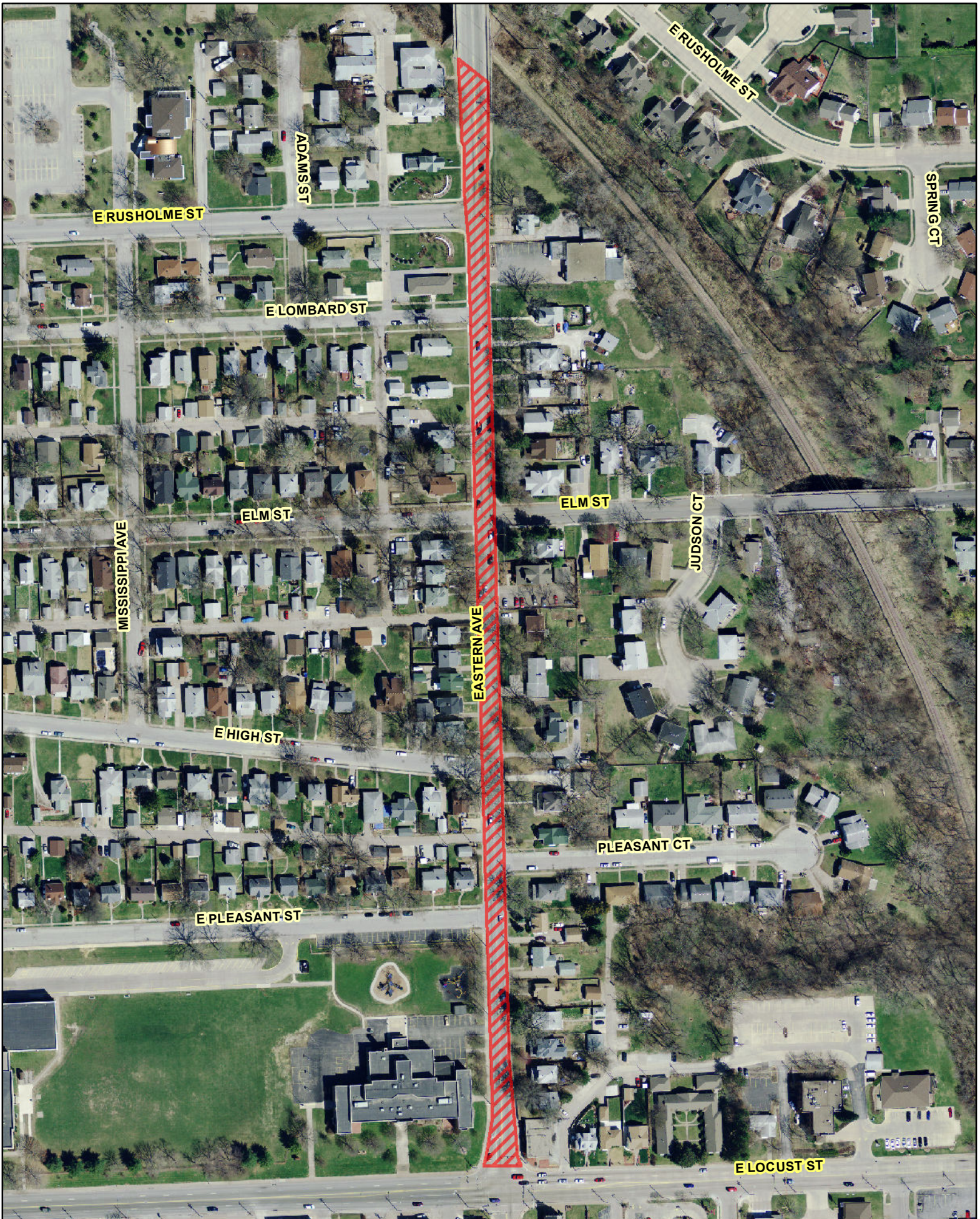
Jackie E. Holecek, City Clerk



0 50 100 200
Feet

Resurfacing Extents E 39th St: Eastern Ave to 300' W of Davenport Ave

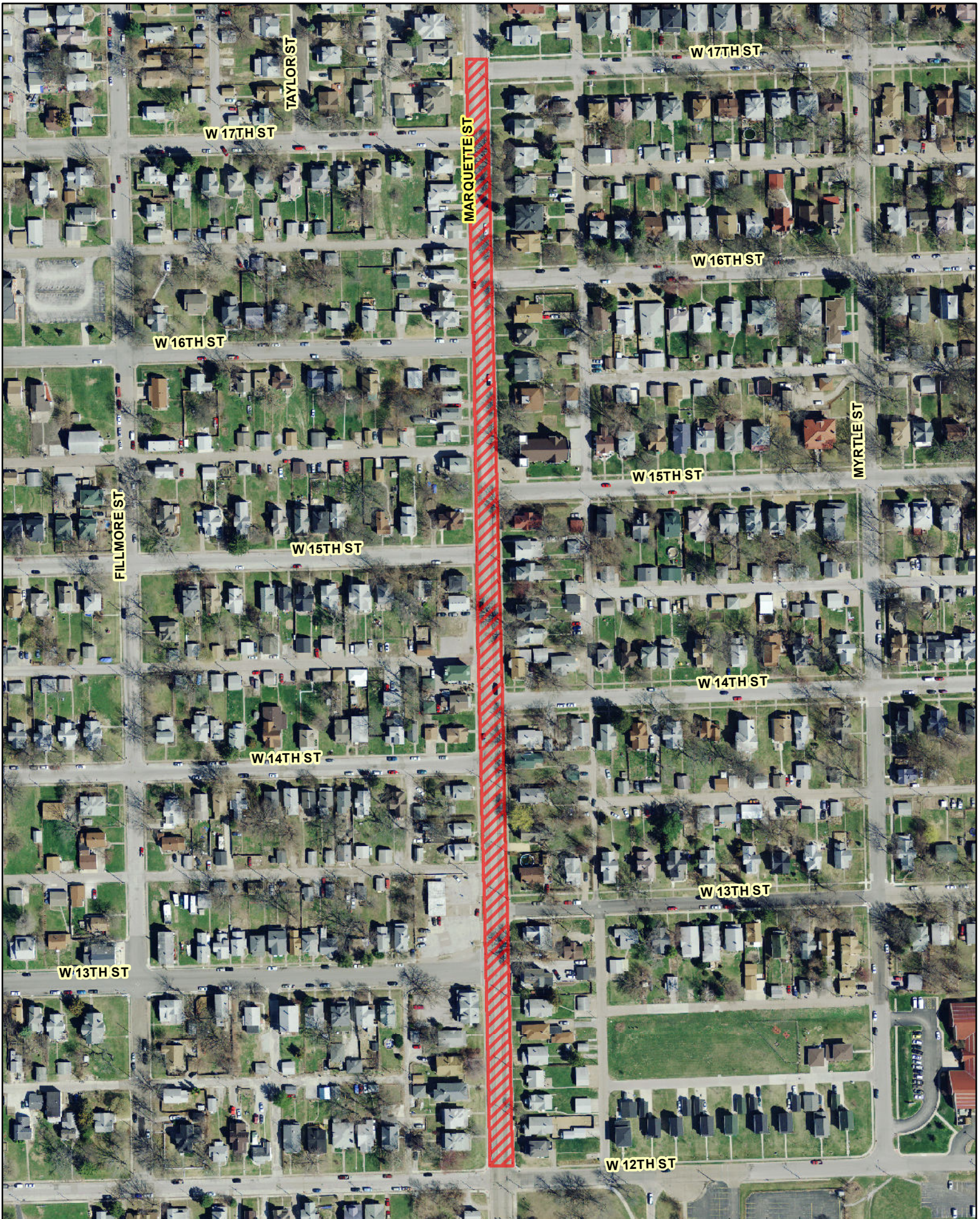




0 50 100 200
Feet

Resurfacing Extents
Eastern Ave: E Locust St to RR Bridge





0 50 100 200
Feet

Resurfacing Extents
Marquette St: W 12th St to W 17th St





0 50 100 200
Feet

Resurfacing Extents
W Lombard St: N Division St to Washington St





Resurfacing Extents
W Lombard St: Western Ave to Harrison St

0 50 100 200
Feet



City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Zach Peterson; (563) 328-6709
Wards: 3

Action / Date
4/1/2015

Subject:

Resolution approving the plans, specifications, form of contract and estimated cost for the River Heritage Park, Phase II Riverwalk Construction Project, CIP Project #10467. *[Ward 3]*

Recommendation:

Approve the resolution

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

This project will construct the final 500 feet of sidewalk at River Heritage Park. Upon completion the river front sidewalk will extend all the way from the Government Bridge to the upstream end of the park.

The project letting is proposed for May 15, 2015 with completion expected by September 7, 2015. The total cost of the project, is estimated to be \$196,940 and is funded through CIP Project #10467 and the State of Iowa Resource Enhancement and Protection (REAP) Grant awarded to the City.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	PW_RES_RVRWALK_PG2
☐ Backup Material	Rvr Heritage Pk Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution approving the plans, specifications, form of contract and estimated cost for the River Heritage Park, Phase II Riverwalk Construction Project, CIP Project #10467.

Whereas, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the River Heritage Park, Phase II Riverwalk Construction Project within the City of Davenport, Iowa; and

Whereas, Notice of Hearing on plans, specifications and form of contract was published as required by law:

Now, therefore, be it resolved, by the City Council of the City of Davenport that said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the River Heritage Park, Phase II Riverwalk Construction Project.

Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk



River Heritage Park Phase II Riverwalk - Illustrative Plan

March 27, 2015

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Jim Bengé; (563) 327-5141
Wards: 8

Action / Date
4/1/2015

Subject:

Resolution approving the private siding construction agreement between the City of Davenport and the Soo Line Railroad Company, d/b/a Canadian Pacific (CP) in the amount of \$205,265 for the EILC Transload Facility Construction Project, (Ward 8), CIP Project #10325. The CP railroad has requested under this agreement that a non-refundable down payment of \$125,000 for the work be forwarded to them before beginning the said work involved.

Recommendation:

Pass the Resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The project includes construction of a Transload Facility and related infrastructure improvements. The Transload Facility will be used to transfer goods to and/or from rail cars, onto or from semi-trailers. This facility will service the local market, either supplying goods or shipping the goods manufactured locally. The project includes the construction of three rail spur lines connecting to the EILC (Eastern Iowa Industrial Center) Rail Spur. This will link to the existing Canadian Pacific mainline, a staging pad and warehouse that will accommodate an office, maintenance and storage of commodities to be picked up or shipped. This agreement between City of Davenport and CP provides for the mainline connection to the City of Davenport spur rail line. This new mainline switch connection to the spur line allows for the CP rail, the rail service provider, to then service the newly constructed Transload Facility. By approving this resolution, the Mayor is authorized to sign and execute the agreement. Whereas check(s) in the amount of \$125,000.00 for deposit and \$80,265.00 that is the remaining amount shall be paid. The total amount to be paid is then \$205,265.00 for the construction costs for the mainline switch installation for the Transload Facility. The deposit check of \$125,000 will be forwarded per said agreement to CP to allow them to immediately start the installations of the described rail connection. Note that these rail installations need to be installed in the 2nd quarter of calendar year 2015. This shall insure and maintain project schedule as the project close out begins in the 3rd quarter of the calendar year and then must be completed by or before September 13, 2015. This schedule for completion is required to maintain the in place federal funding by the Economic Development Administration (EDA).

ATTACHMENTS:

Type	Description
Backup Material	PW_RES_TLF_CP_RAILROAD-AGREEMENT Page 2
Backup Material	Agreement - Siding

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolution approving the private siding construction agreement between the City of Davenport and the Soo Line Railroad Company, d/b/a Canadian Pacific (CP) in the amount of \$205,265 for the EIIC Transload Facility Construction Project, (Ward 8), CIP Project #10325. The CP railroad has requested under this agreement that a non-refundable down payment of \$125,000 for the work be forwarded to them before beginning the said work involved.

Whereas, the City of Davenport entered into a contract with CP for the EIIC Transload Facility Construction; and

Whereas, the said railroad work or mainline switch installation herein described and then subject of the agreement is to be installed for the Transload Facility project; and

Whereas, funding for this project is by Federal Grant/Award Number 06-79-05588 U.S. Department of Commerce Economic Development Administration (EDA) and all associated work and then respective closeouts of the project work must be complete per the grant agreement date of 9/13/15; and

Whereas, pricing and agreement has been reviewed and approved by the Public Works Department;

Now, therefore, be it resolved, by the City Council of the City of Davenport that the agreement is executed and payment to the CP shall be made in the total amount of \$205,265.00 for the EIIC Transload Facility Construction is hereby approved, and the Mayor is hereby authorized to execute said document.

Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

PRIVATE SIDING CONSTRUCTION AGREEMENT

THIS AGREEMENT made as of _____, 2015 between Soo Line Railroad Company, d/b/a Canadian Pacific ("CP"), a Minnesota corporation having offices at 120 South 6th St., Minneapolis, Minnesota 55402 and City of Davenport, Iowa, a municipality having an office at 226 W4th Street, Davenport, Iowa ("**Applicant**") witnesses that:

A. Applicant is the owner or in occupation of land situated at or near the City of Davenport, in the State of Iowa (the "**Lands**");

B. Applicant wishes to construct a private siding on its land to connect with CP's railway line approximately at Mile Post 7.5 of the Eldridge Spur (the "**Private Siding**");

C. The parties have agreed that the construction of the Private Siding shall be subject to the terms, covenants and conditions in this Agreement.

THE PARTIES agree as follows:

1.0 Applicant's Responsibilities: Applicant agrees to:

- a) Pay CP for its work in constructing the Private Siding in accordance with Section 3;
- b) Prepare, at its expense, and submit to CP for review and approval, a detailed construction schedule and detailed construction plans and designs to be stamped by a Professional Engineer, as required by CP, including, but not limited to:
 - i) profile and alignment of the new trackage and grade;
 - ii) detailed drainage and grading design plans of the proposed Private Siding and completed facilities to be constructed by the Applicant;
 - iii) utility crossing encasement plans, if required; and
 - iv) road crossing plans as per specifications of the appropriate regulatory agencies, if any road crossings are required.(collectively the "**Plans**")
- c) No work shall proceed until the Applicant receives written or verbal instructions from CP's Business Development Manager or his or her designate.
- d) Obtain all necessary authorizations and permits, public and private, for the construction, maintenance and operation of the Private Siding.
- e) Complete all grading and drainage work required on CP's right-of-way and the Lands, at its expense, and in accordance with the approved Plans and all applicable permits and authorizations. Upon completion of such work, Applicant shall promptly provide CP with written notice that the grading and drainage work has been completed;

- f) Construct the Private Siding on the Lands, at its expense, in accordance with the approved Plans. Applicant is responsible for all necessary grading, construction of the track bed (including sub-ballast) and construction of the Private Siding to CP's standards as per the approved Plans, and in conformance with AREMA engineering standards, and any applicable laws, regulations, rules and standards (including those administered by Federal Railroad Administration).
- g) Subject to Section 2.0, provide all required track materials (including rails, rail anchors, fastenings, spikes, switch materials, derails, bumping posts, tie plates and track and switch ties) and materials required for sub-grade, grade and track construction, as well as all supervision, labor and equipment for the Private Siding construction;
- h) Procure and install a switch for the Roll and Hold facility off the Applicants Private Siding. Realign and build any track that is needed to re-establish the Roll and Hold facility track to the Applicants Private Siding.
- i) Construct and modify drainage ditches, supply and install drainage culverts and structures as required pursuant to the approved Plans;
- j) Complete the Private Siding in accordance with the requirements of the approved Plans; and
- k) Provide CP with as-built plans upon completion of all the Private Siding work.

2.0 CP's Responsibilities:

- a) CP will be responsible to complete the following work, at Applicant's expense:
 - i) Provide materials and install one (1) turnouts on CP's right-of-way as identified in Appendix "A" – "Scope of Work" and Appendix "B" – "Engineering Drawings"; and
 - ii) Perform any other work identified in Appendix "A" - Scope of Work.
- b) CP's obligation to commence work will be subject to Applicant providing CP with payment pursuant to Section 3, approval of Applicant's Plans (Section 1 b), and Applicant completing all grading work on CP's right-of-way and the Lands to CP's satisfaction (Section 1 c).
- c) If at any time CP determines that Applicant's work within CP's right-of-way, as described in Section 1, is not being performed in accordance with CP's standards or that such work must be performed by CP forces (e.g. because of labor agreements), CP reserves the right to perform such work, at Applicant's expense. All work within the right-of-way shall be:
 - i) carried out in accordance with the requirements of all regulatory authorities having jurisdiction (including, without limitation, Federal Railroad Administration and the Surface Transportation Board)

ii) carried out in accordance with CP's labor agreements, safety requirements (including Minimum Safety Requirements for Contractors on Railway Property) and to the customary engineering and operating requirements of CP, and

iii) carried out in a manner that ensures continuous, uninterrupted and unhindered railway operations of CP on its railway line.

- d) CP's construction schedule for its work in this Section 2 shall be subject to the availability of materials, workers and equipment based on CP's usual practices and applicable labor agreements for the allocation of such resources. The parties also acknowledge that CP's construction work cannot be completed during winter months and will be scheduled at CP's sole discretion taking into consideration weather and ground conditions, its railway operations, train schedules, maintenance blocks, and the need for efficient operations on its railway line.
- e) CP agrees to inspect the Private Siding upon completion of construction by the Applicant, and provide Applicant with a copy of CP's final inspection report. The Private Siding must meet final inspection requirements and be satisfactory for safe and efficient railway operations.

3.0 Payment for Work by CP.

- a) All work that must be carried out by CP shall be carried out by CP at Applicant's cost and expense. Applicant shall pay CP for its costs associated with the carrying out of any work under this Agreement based on the applicable rates and CP internal overheads (including labor, material and equipment overheads) and any value added, sales, goods and services, or similar tax which may be imposed on any such amounts pursuant to any federal, provincial, state, or local legislation which is or may be enacted.
- b) Upon execution of this Agreement, Applicant agrees to provide CP with a non-refundable deposit of \$125,000.00 toward CP's construction costs.
- c) CP currently estimates that CP's construction costs, based on Appendix "A" - CP Scope Of Work, will be approximately \$205,265.00; however, this is a non-binding estimate only and Applicant shall pay the actual costs as set out in Section 3 (a).
- d) Upon completion of CP's work in Section 2, CP will prepare a written invoice identifying the costs incurred (including all materials) and identify the balance owing after deducting the Applicant's deposit. Each invoice issued by CP to Applicant shall constitute a requisition for payment and Applicant shall pay the full amount stated in each invoice within 30 days. Any balance owing after 30 days shall bear interest at the rate of 12% per annum. CP shall also reserve the right, at its sole discretion, to progressively invoice for any work contemplated in Section 2 of this agreement.

4.0 Private Siding Agreement. The parties agree that, prior to or upon completion of the Private Siding, Applicant will execute CP's standard Private Siding Agreement, a copy of which Applicant acknowledges previous receipt. Applicant shall not use the Private Siding or commence any operations on the Private Siding prior to executing the Private Siding Agreement.

5.0 Termination:

- a) In the event that Applicant fails to complete its grading responsibilities pursuant to Section 1 d) within one year of the date of this Agreement, CP will retain Applicant's non-refundable deposit and this Agreement will automatically terminate;
- b) In the event that Applicant,
 - i) fails to pay the balance due under this Agreement pursuant to Section 3;
 - ii) fails to complete construction of the Private Siding within one year of the date of this Agreement; or
 - iii) fails to execute CP's Private Siding Agreement within 90 days of completion of the Private Siding;

CP may, at its option, terminate this Agreement immediately upon written notice, retain the non-refundable deposit, remove the turnout on CP's right-of-way, and invoice the Applicant for any additional costs incurred by CP.

6.0 Liability

- a) Except where and to the extent CP is negligent, Applicant shall make no claim or demand against CP for any injury, including injury resulting in death, loss or damage to property suffered or sustained by Applicant or its employees, officers or agents which arises out of or is connected with the Private Siding construction work or this Agreement.
- b) Except where and to the extent that CP is negligent, Applicant shall indemnify and save harmless CP:
 - i) from and against any and all claims, judgments or awards made under Workers' Compensation legislation;
 - ii) from and against any and all claims, demands, awards, actions and proceedings by whomsoever made, brought or prosecuted;
 - iii) from and against any and all loss, damages or expenses, including attorney's fees, suffered or incurred by CP including injuries, as well as those resulting in death, and damage to or destruction of CP property or third party property (including without limitation, engines, rolling stock and all other equipment and their contents)

which are based upon, arise out of or are connected with the Private Siding construction work or this Agreement.

- c) Notwithstanding any other provision of this Agreement, Applicant shall indemnify and save harmless CP from any and all loss, costs and damages, including attorney's fees, caused by Applicant's non-compliance with any of the provisions of this Agreement.

- d) For purposes of this Section, "CP" shall mean CP, its parents and corporate affiliates, and each of their officers, directors, employees, agents and insurers.
- e) The provisions of Section 6 shall survive the termination of this Agreement.

7.0 Insurance: Applicant agrees to maintain the insurance coverage set out in Schedule C.

8.0 General:

- a) All notices or communications required hereunder shall be given by courier or facsimile and addressed to the other party as follows:

To CP: Canadian Pacific
120 South 6th Street, Suite 1000
Minneapolis, Minnesota 55402
Attention: Project Manager Network Strategy
Fax #: (612)-904-6117

To Applicant: City of Davenport
226 W 4th Street
Davenport, IA 52701
Attention: City Administrator
Fax #: 563-326-7736

or such other address as may be furnished from time to time by either party. Any notice, shall be deemed to have been given or made i) on the date delivered if delivered by courier, or ii) on the date that a confirmation of receipt of the facsimile was recorded by the sender if delivered by facsimile. In the event of an actual or imminent disruption in postal service, any notice shall be delivered by courier.

- b) This Agreement may not be modified or amended except in writing signed by the parties.
- c) This Agreement shall be construed in accordance with the laws of the state in which the Private Siding is situated.
- d) This Agreement, supersedes and cancels all prior agreements and understandings, oral or written, with respect to the construction of the Private Siding. This Agreement and the Private Siding Agreement contain the entire agreement of the parties with respect to the Private Siding.

The parties hereto have executed this Agreement on the date first above written.

SOO LINE RAILROAD COMPANY
d/b/a CANADIAN PACIFIC

Per: _____

Title: _____

I have the authority to bind the corporation.

CITY OF DAVENPORT

Per: _____

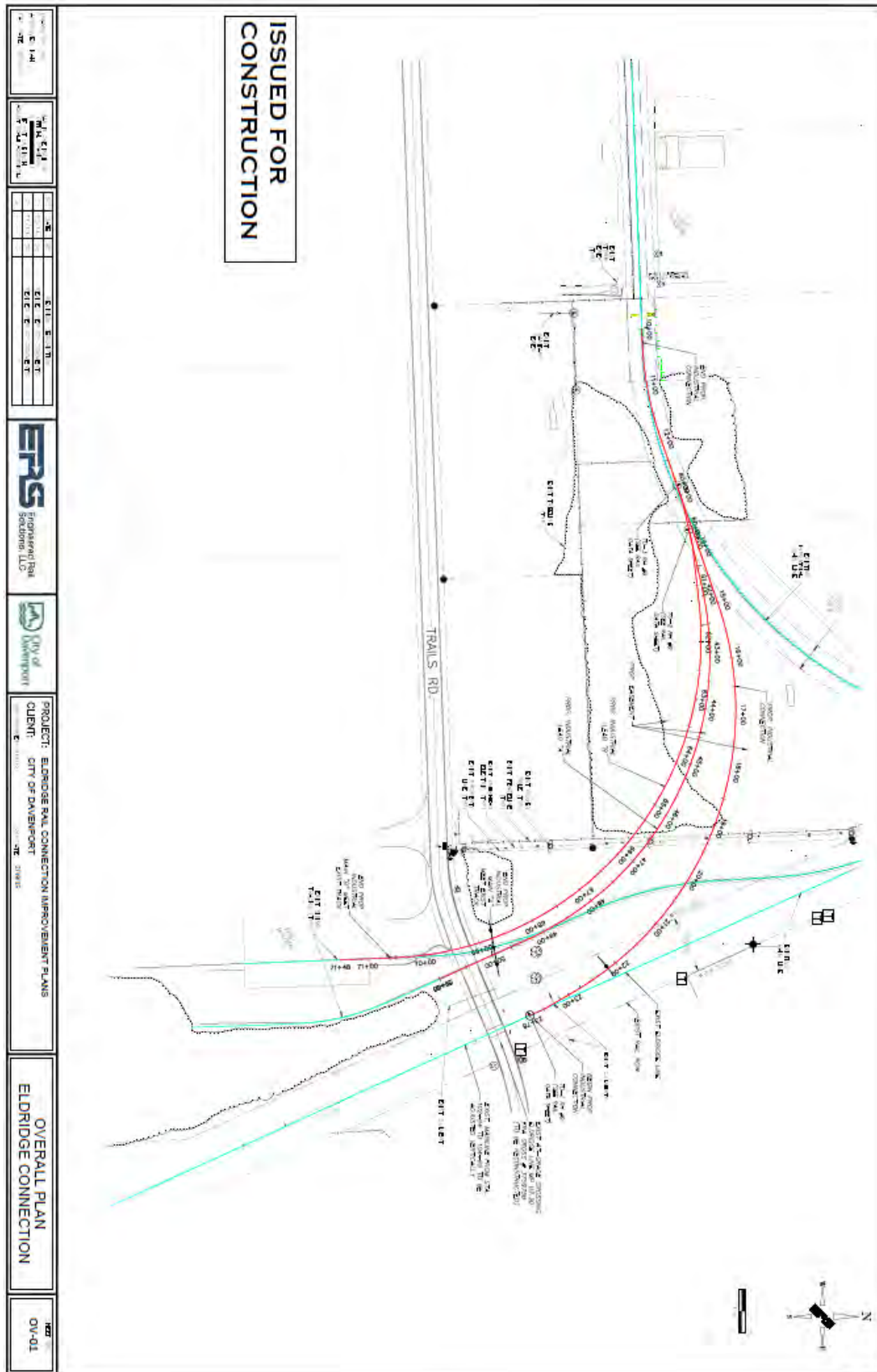
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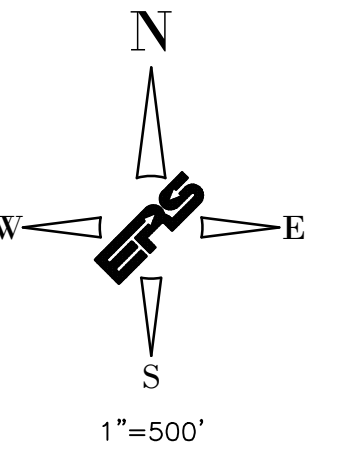
I have the authority to bind the corporation

APPENDIX "A" – CP SCOPE OF WORK

1. Install 1 turnout within CP's right-of-way as shown on the Engineering Plan attached as Appendix "B";
2. Switch Removal of old Industry switch to the Roll and hold facility.
3. Install, modify or upgrade any signal equipment if and when required to accommodate the new turnout installation;
4. Provide flagging protection as required for any work pursuant to this Agreement, including without limitation, in support of survey or geotechnical work at Applicants expense;
5. Provide engineering or supervisory work as required, in support of the work to be performed by CP;
6. Provide material ordering, supply distribution and clean-up work associated with the project work to be performed by CP; and
7. Provide any other work required to be completed by CP within the right-of-way.

APPENDIX "B" – ENGINEERING DRAWINGS







EASTERN IOWA INDUSTRIAL CENTER TRANSLOAD FACILITY

CITY OF DAVENPORT, IA

100% DESIGN SUBMITTAL – FOR CONSTRUCTION

EDA Award #067905588

INDEX OF DRAWINGS

G-001	Cover Sheet
G-002	General Notes
G-003	Key Plan
G-004	Abbreviations & Legend
G-005 – G-007	Typical Sections & Details
G-008	Quantity Sheets (not yet included)
AA-001 – AA-401	Site Architectural Plans
AE-101 – AE-102	Site Architectural – HVAC
AF-001 – AF-004	Site Architectural – Foundation
AH-101	Site Architectural – Electrical
AP-101 – AP-501	Site Architectural – Plumbing
AS-100 – AS-400	Site Architectural – Typical Sections
CD-101 – CD-103	Site Demolition Plan
CE-101 – CE-113	Erosion Control Plans/Details
CG-101 – CG-103	Mass Grading Plan
CG-501	Pavement Sections
CL-100 – CL-110	Site Landscape Plans
CP-101 – CP-103	Detailed Site Grading Plan
CR-101 – CR-816	Roadway Plan & Profile, Geometrics & Grading, & Cross Sections
CS-101 – CS-504	Facility Site Layout
CT-001 – CT-808	Track Typicals, Plan & Profile, & Cross Sections
CU-101 – CU-152	Site Utility Plan
CU-201 – CU-304	Roadway & Site Storm & Sanitary Sewer Details and Plan & Profile
EU-101 – EU-161	Electrical & Lighting Plan
EU-301 – EU-304	Roadway Lighting Plan
ST-001 – ST-003	Suggested Construction Staging

CITY STANDARDS
SUDAS STANDARDS
IOWA DOT STANDARDS
AREMA STANDARDS
ALL STANDARDS
LISTED ON SHEET G-002

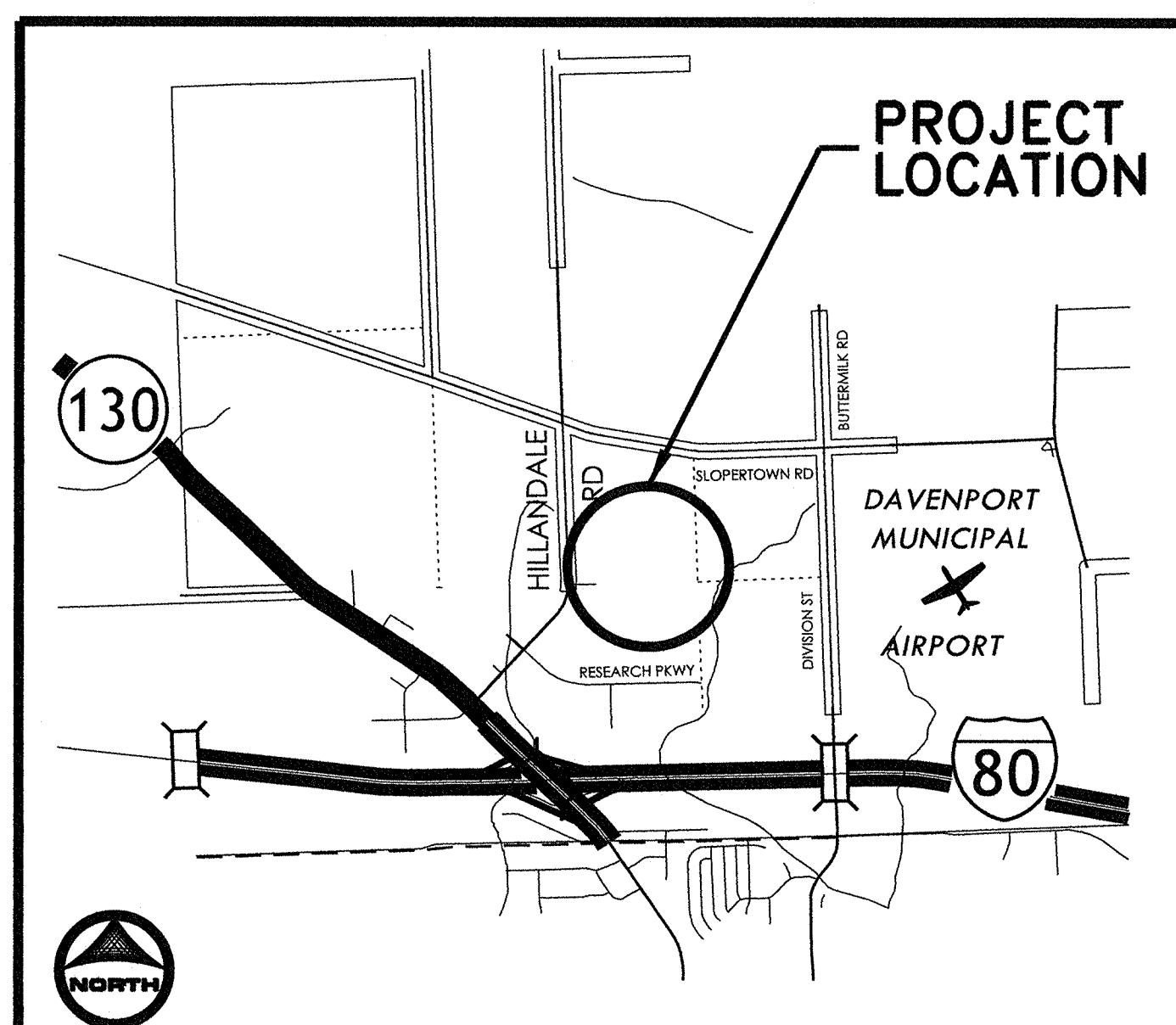


THESE PLANS COMPLY WITH
THE CURRENT POLICY TO
FACILITATE THE MOBILITY OF
THE HANDICAPPED.



PROJECT LOCATION MAP

NO SCALE



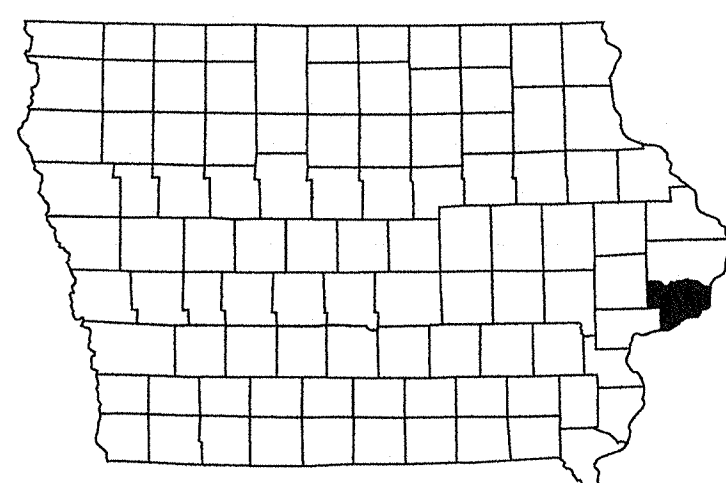
LOCATION MAP

NO SCALE

INDEX OF SEALS		
SHEETS	NAME	TYPE
G, CP, CR & ST	RICHARD WHITE	PRIMARY SIGNATURE BLOCK
CL	MARISA ROMME	LANDSCAPE
EU	MARK R. REYNOLDS	ELECTRICAL & LIGHTING
EU	STEVE JUNOD	ROADWAY LIGHTING
CD, CG, CS, CT & CU	JOSEPH Cwynar	SITE PLANS
CE, CP & CU	LUIS LEON	EROSION CONTROL & UTILITY
AA	PERRY GERE	ARCHITECTURAL
AE, AH & AP	GARY P. MINER	ARCHITECTURAL
AF & AS	CHAD M. CARR	ARCHITECTURAL

PRIMARY CONSULTANT
HR GREEN, INC.
8710 Earhart Lane SW
Cedar Rapids, IA 52404
WWW.HRGREEN.COM

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
LUIS LEON, P.E.
License Number: 18685
My license renewal date is: DECEMBER 31, 2015
Pages or sheets covered by this seal:
ALL CE SHEETS,
AND CU-201 THRU CU-223



Approved for Letting

Gene Hellige – City Engineer
City of Davenport



86110082



401110038



018.001



11-1016.01



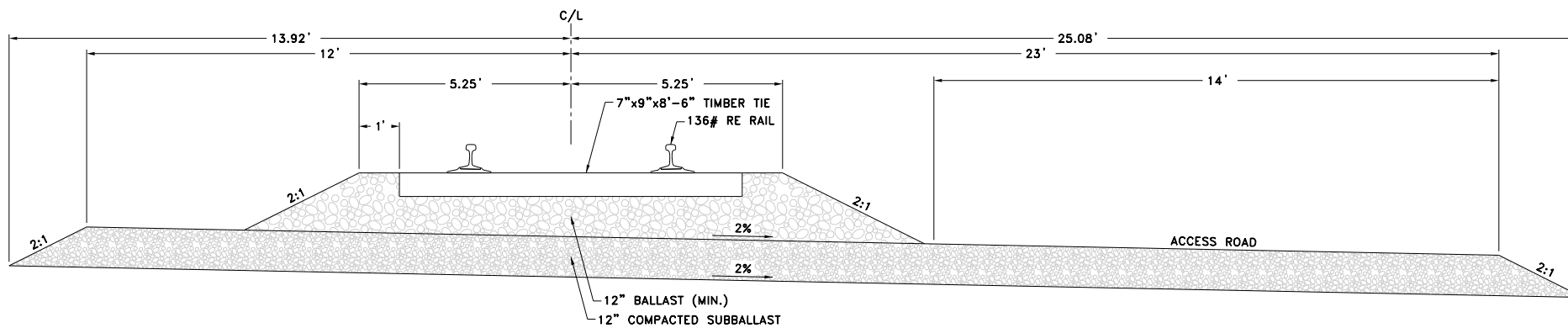
City of Davenport, Iowa
Engineering Division

1200 E. 46th Street
(563) 326-7729
Davenport, Iowa 52807
Fax (563) 327-5182

EASTERN IOWA INDUSTRIAL CENTER
DAVENPORT TRANSLOAD FACILITY

COVER SHEET

DESIGNED BY: HR GREEN, INC.
DRAWN BY: \$(username)\$
CHECKED BY: ADG
DWG FILE: \\hrgmhas\data\86110082\CAD\Design\11-10325-G-sht.dgn
SCALE: SHEET NO.
CITY PROJECT NO.: 11-10325
G-001
DATE: 2/17/2014 3:28:51 PM
REVISED:

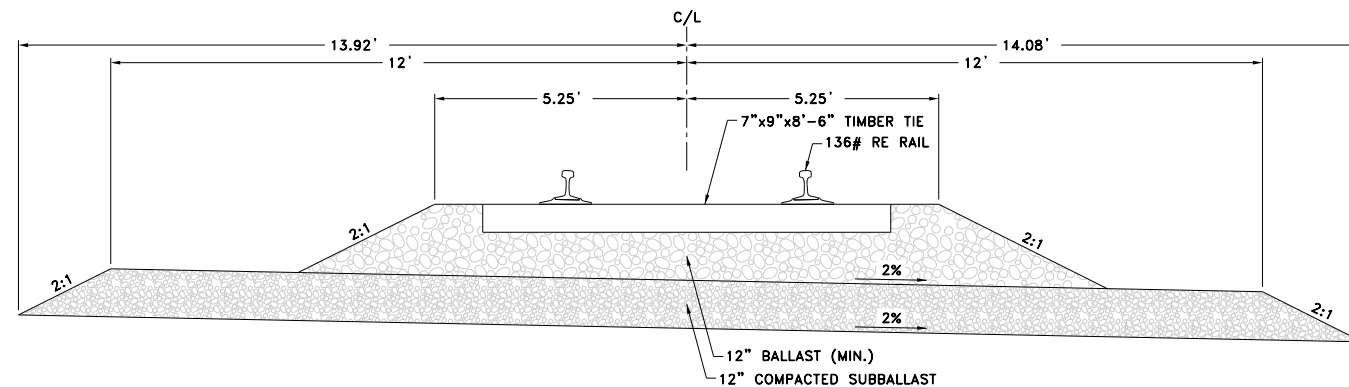


TYPICAL SECTION - TRACK WITH ACCESS ROAD

NOT TO SCALE
W-1 STA. 0+00 TO 9+97.85
W-3 STA. 0+00 TO 8+32.30

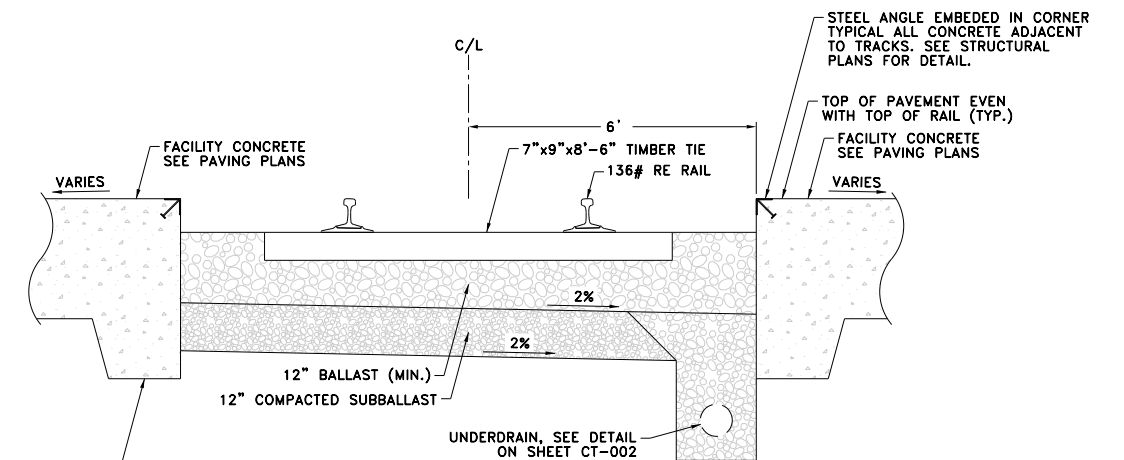
NOTES:

1. BALLAST AND SUBBALLAST DEPTHS ARE AS MEASURED UNDER THE CENTERLINE OF THE TRACK.
2. TIES SPACING SHALL BE 20" UNLESS SPECIFICALLY NOTED OTHERWISE.
3. SEE SITE PLANS FOR ACCESS ROAD LOCATIONS.
4. SEE UTILITY PLANS FOR UNDERDRAIN LOCATIONS.
5. FOR CONTAINMENT AREA DETAILS, SEE SHEET CS-202.



TYPICAL SECTION - TRACK

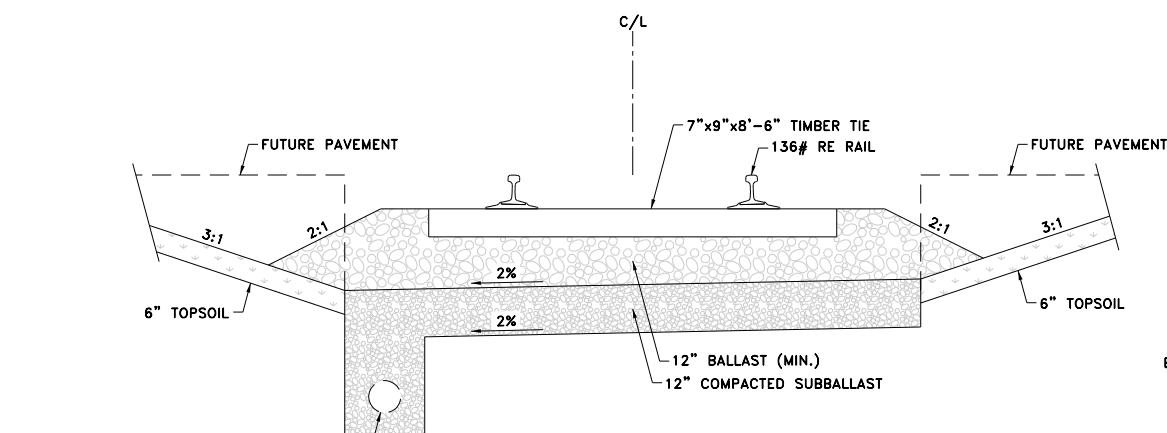
NOT TO SCALE
W-2 STA. 0+00 TO 6+18.37



TYPICAL SECTION - TRACK IN TERMINAL

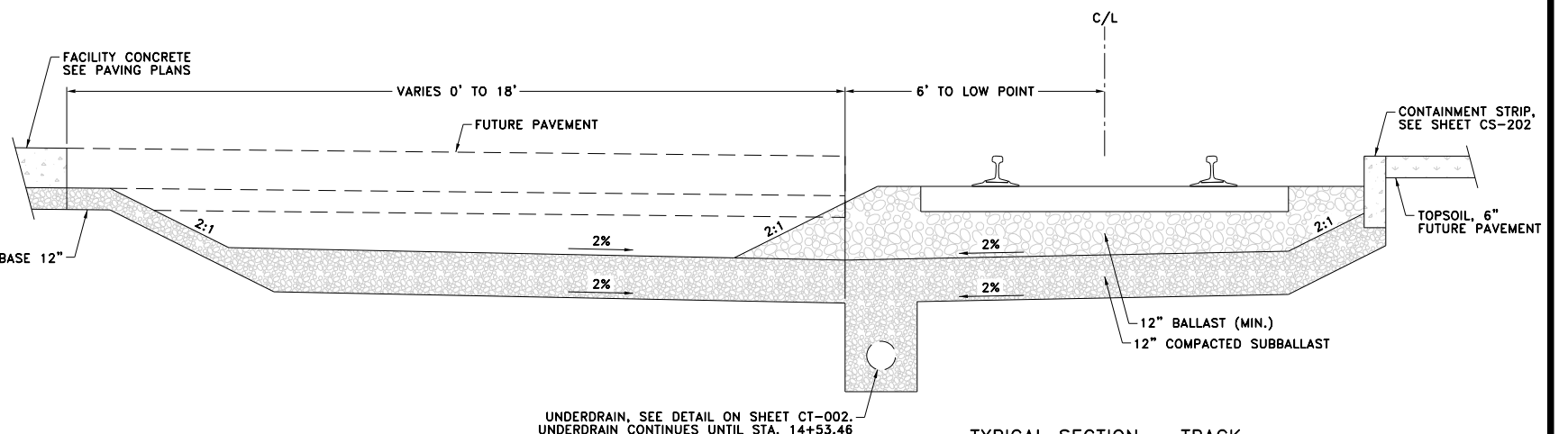
NOT TO SCALE
W-1 STA. 9+97.85 TO 10+97.85
W-2 STA. 6+18.37 TO 7+18.37
W-3 STA. 8+32.30 TO 15+88.50

NOTE:
UNDERDRAIN MAY BE LOCATED ON EITHER SIDE OF TRACK.



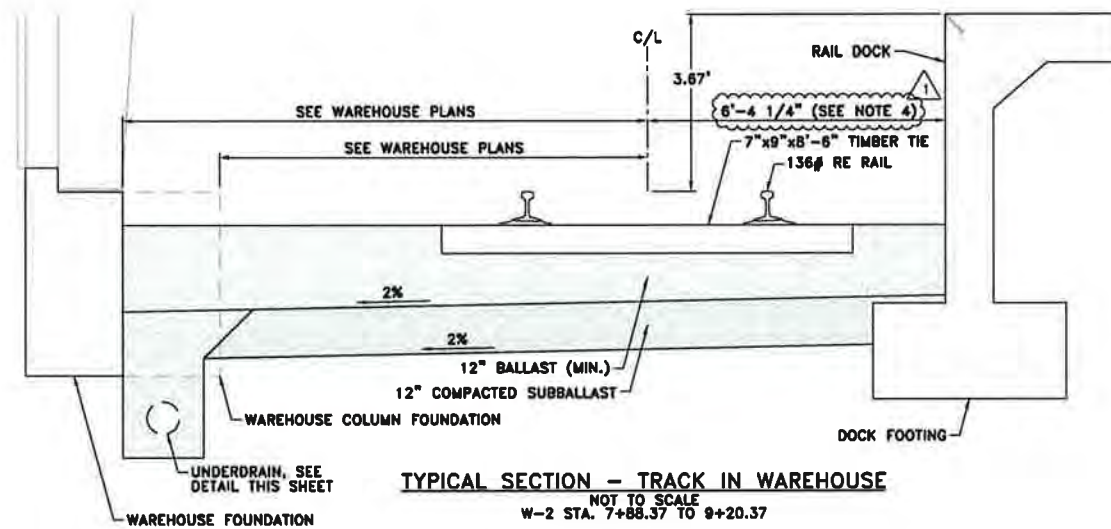
TYPICAL SECTION - TRACK

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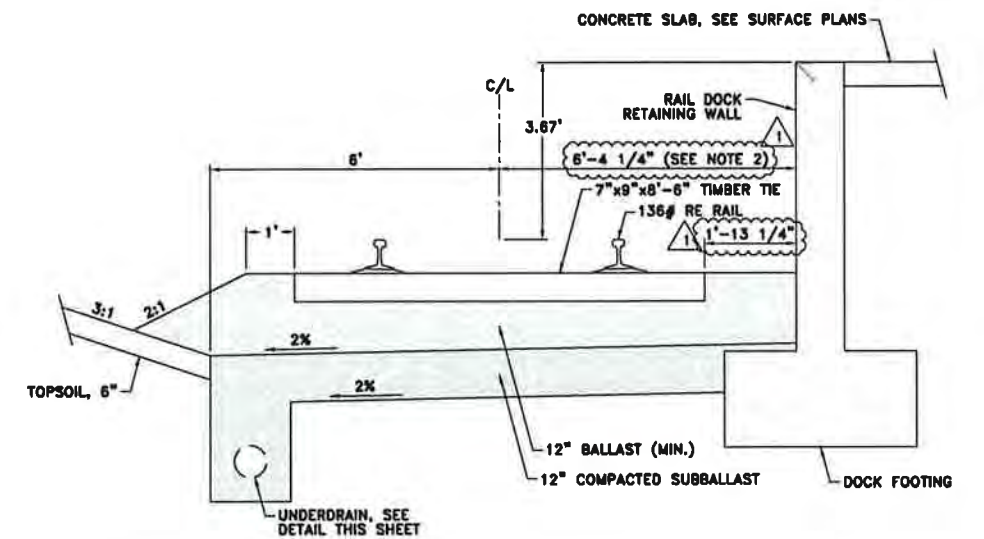


TYPICAL SECTION - TRACK

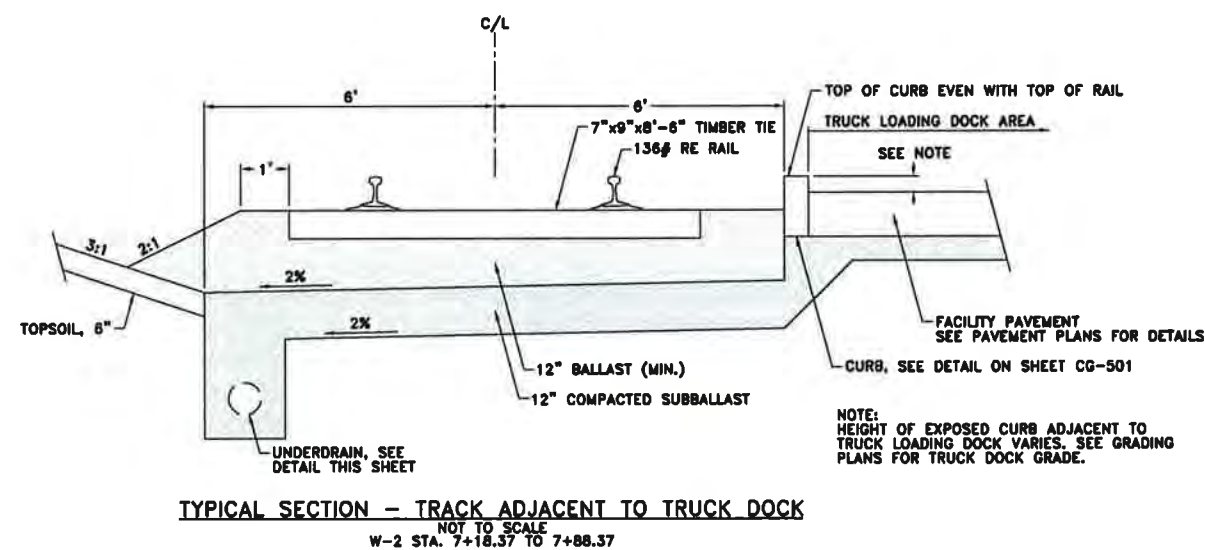
NOT TO SCALE
W-1 STA. 10+97.85 TO STA. 14+24.00



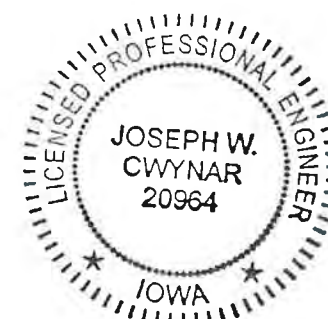
- NOTES:
1. SEE ARCHITECTURAL PLANS FOR DETAILS REGARDING THE WAREHOUSE.
 2. SEE STRUCTURAL PLANS FOR DETAILS REGARDING THE FOUNDATIONS AND RAIL DOCK.
 3. BALLAST AND SUBBALLAST DEPTHS MEASURED AT THE CENTERLINE.
 4. MEETS CP CLEARANCE FOR PLUG DOOR BOX CAR.



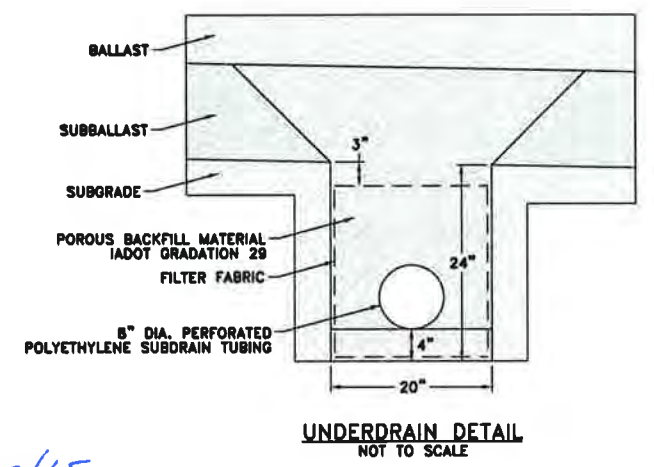
- NOTES:
1. SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR DETAILS REGARDING THE WAREHOUSE, FOUNDATIONS, AND RAIL DOCK.
 2. MEETS CP CLEARANCE FOR PLUG DOOR BOX CAR.

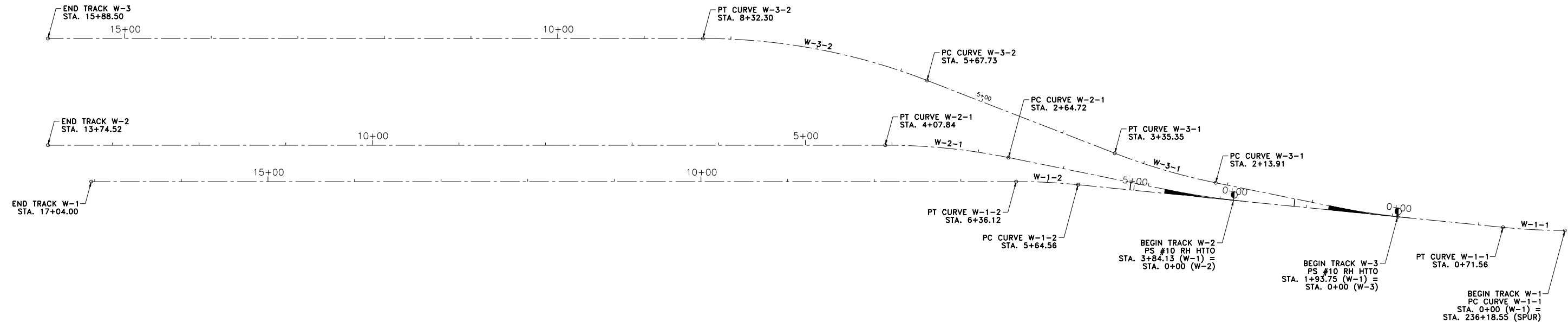


NOTE:
HEIGHT OF EXPOSED CURB ADJACENT TO TRUCK LOADING DOCK VARIES. SEE GRADING PLANS FOR TRUCK DOCK GRADE.

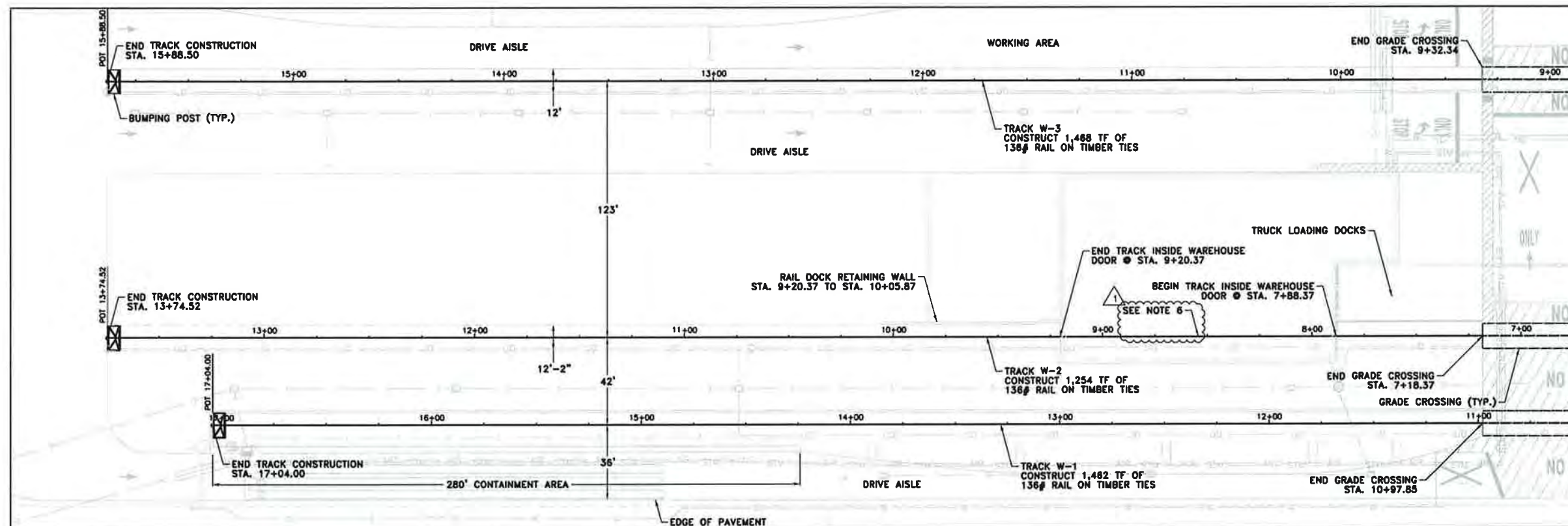


Joseph W. Cwynar 3/20/15





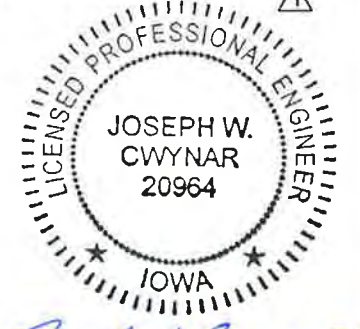
CURVE W-1-1 Dc = 8°00'00" Δ = 5°43'29" RT R = 716.78' L = 71.56' PC = N: 601,028.9144 E: 2,431,131.8277 PI = N: 600,993.1013 E: 2,431,133.1752 PT = N: 600,957.3324 E: 2,431,130.9436	CURVE W-1-2 Dc = 8°00'00" Δ = 5°43'29" LT R = 716.78' L = 71.56' PC = N: 600,465.2876 E: 2,431,100.2453 PI = N: 600,429.5188 E: 2,431,098.0137 PT = N: 600,393.7057 E: 2,431,099.3612	CURVE W-2-1 Dc = 8°00'00" Δ = 11°26'58" LT R = 716.78' L = 143.12' PC = N: 600,383.7552 E: 2,431,071.9797 PI = N: 600,312.8421 E: 2,431,060.3739 PT = N: 600,241.0365 E: 2,431,063.0755	CURVE W-3-1 Dc = 8°00'00" Δ = 9°42'57.14" RT R = 716.78' L = 121.45' PC = N: 600,623.9185 E: 2,431,092.0418 PI = N: 600,563.7988 E: 2,431,082.2025 PT = N: 600,506.2018 E: 2,431,062.3583	CURVE W-3-2 Dc = 8°00'00" Δ = 21°09'55.14" LT R = 716.78' L = 264.57' PC = N: 600,286.5022 E: 2,430,986.6642 PI = N: 600,159.8892 E: 2,430,943.0417 PT = N: 600,026.0668 E: 2,430,948.0767
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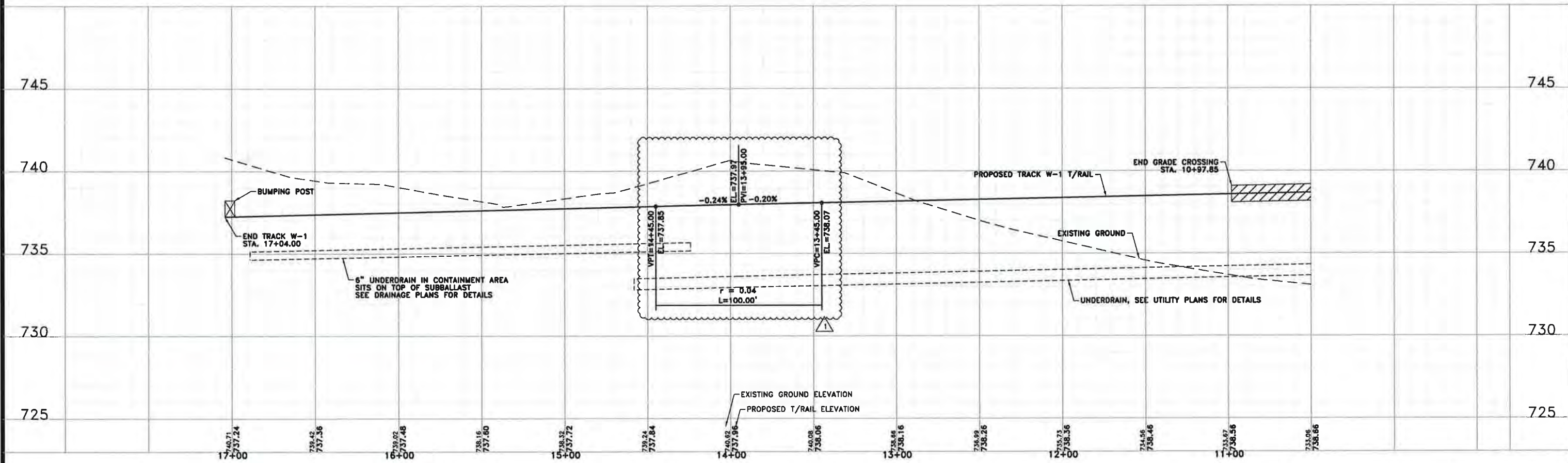
MATCH LINE STA. 10+50 (W-1)

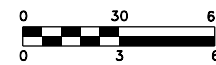
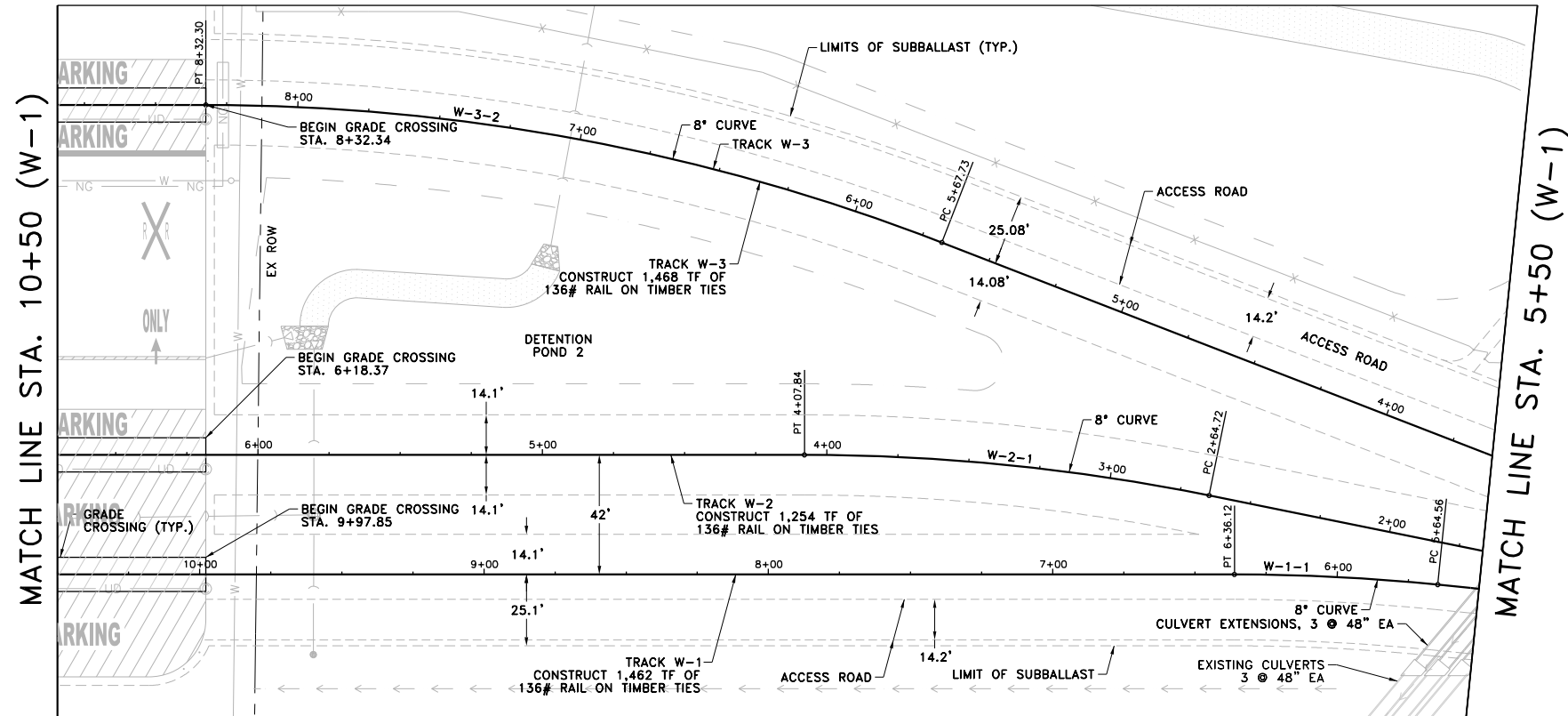
NOTES:

1. FOR TRACK W-2 AND W-3 PROFILES, SEE SHEETS CT-201 AND CT-202.
2. FOR SITE LAYOUT, SEE SHEETS CS-101 THROUGH CS-104.
3. FOR GRADING PLANS, SEE SHEETS CG-101 THROUGH CG-103.
4. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
5. FOR TRACK ALIGNMENT AND CURVE DATA, SEE SHEET CT-003.
6. SEE SECTIONS ON SHEET CT-002 FOR CLEARANCE AT RAIL DOCK, TRUCK DOCK, AND WITHIN WAREHOUSE.

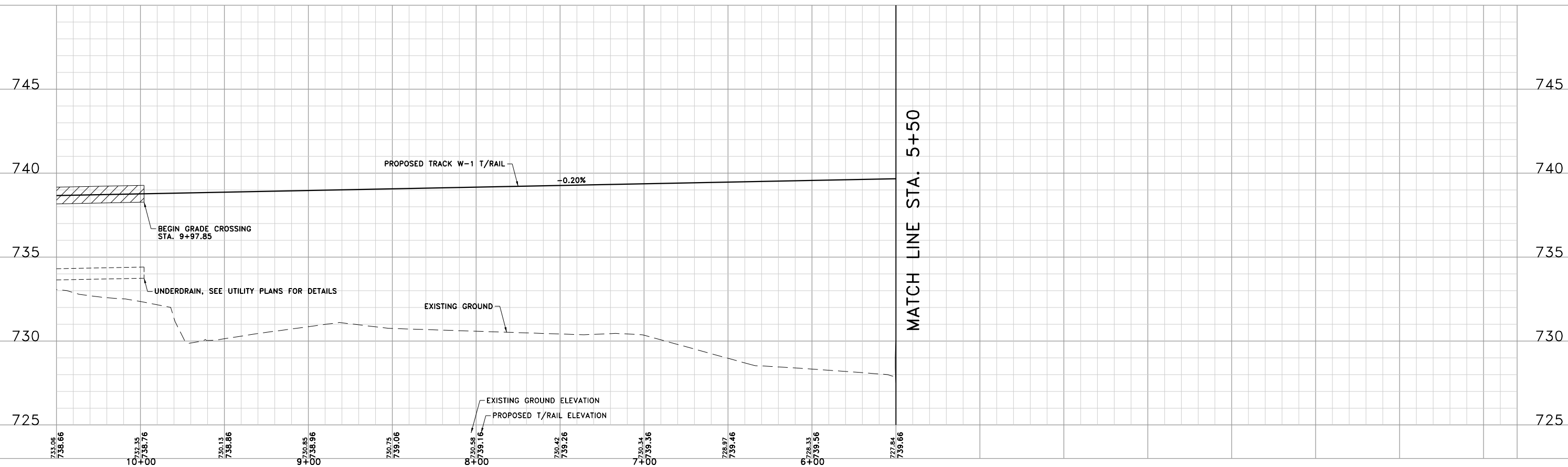


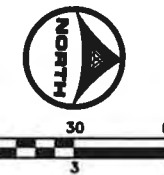
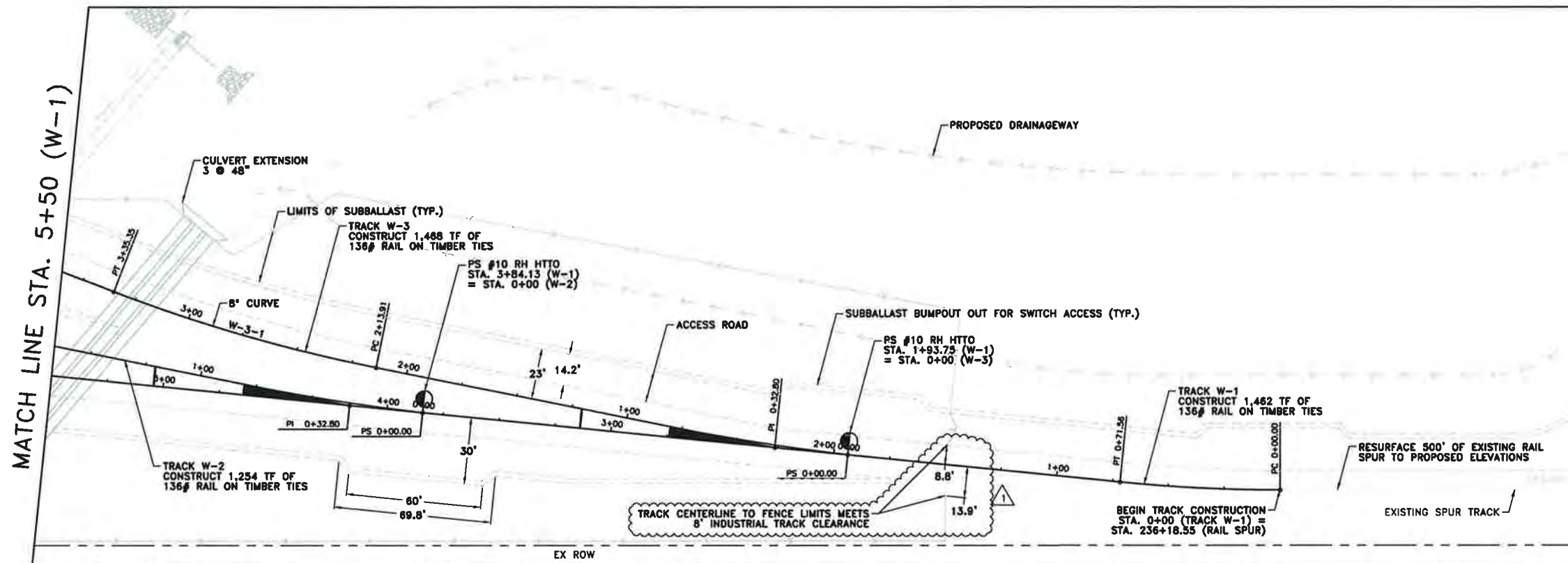
Joseph W. Cwynar 3/20/15



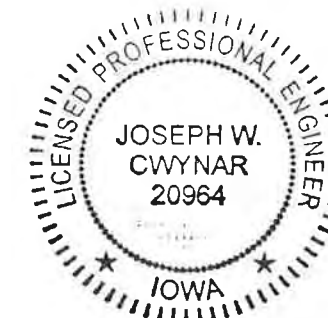


- NOTES:
1. FOR TRACK W-2 AND W-3 PROFILES, SEE SHEETS CT-201 AND CT-202.
 2. FOR SITE LAYOUT, SEE SHEETS CS-101 THROUGH CS-104.
 3. FOR GRADING PLANS, SEE SHEETS CG-101 THROUGH CG-103.
 4. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
 5. FOR TRACK ALIGNMENT AND CURVE DATA, SEE SHEET CT-003.

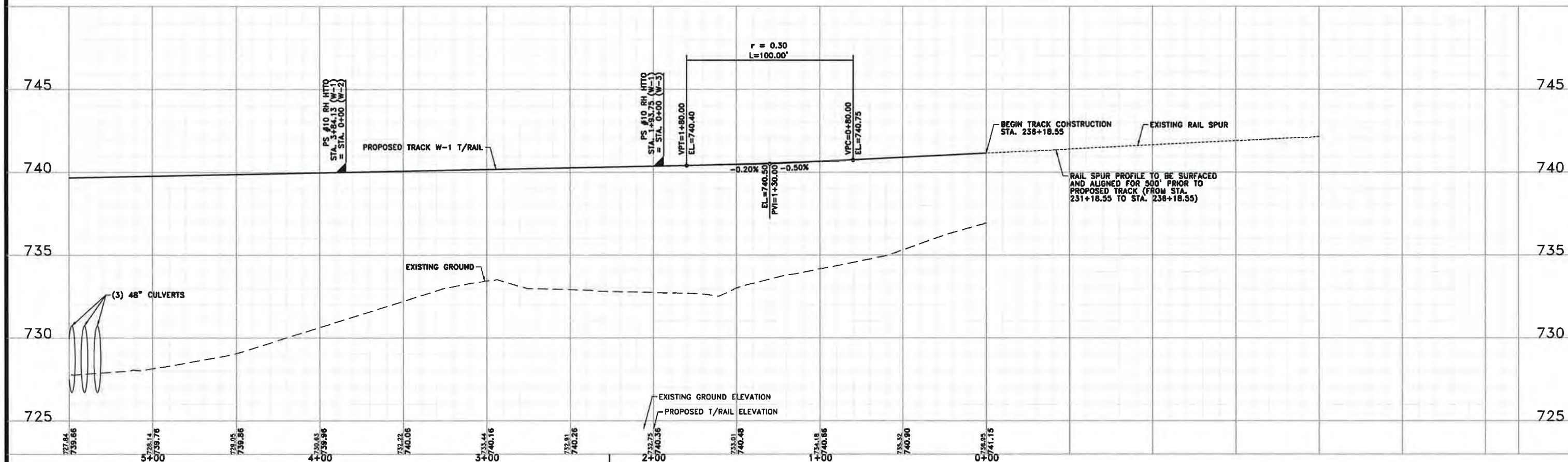


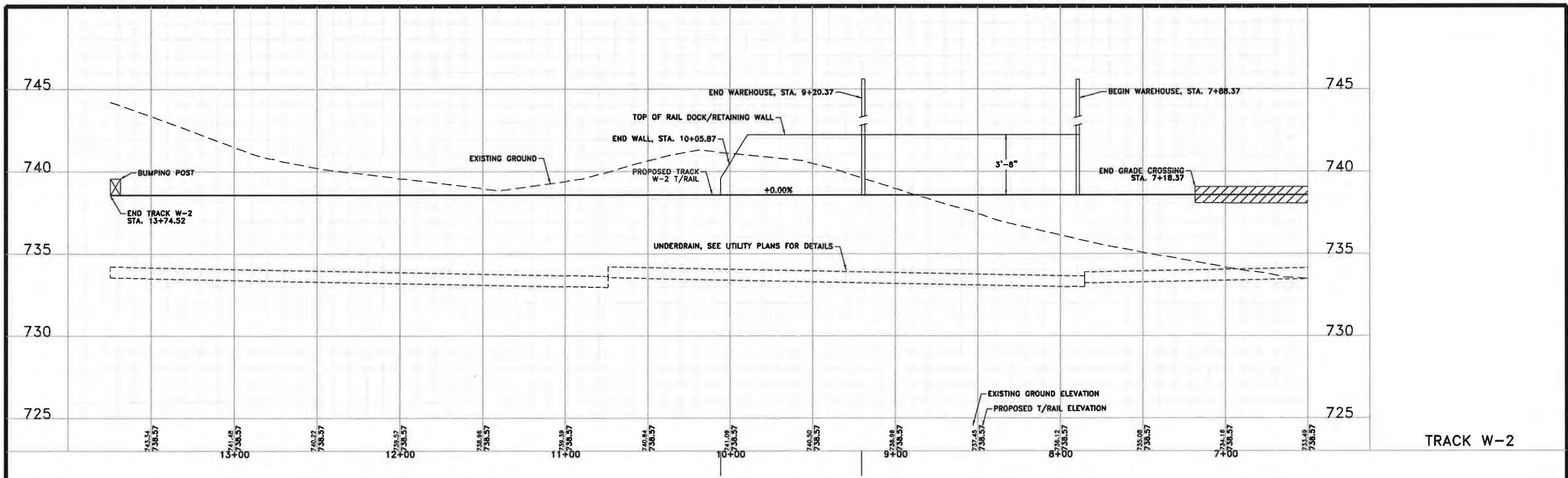


- NOTES:
1. FOR TRACK W-2 AND W-3 PROFILES, SEE SHEETS CT-201 AND CT-202.
 2. FOR SITE LAYOUT, SEE SHEETS CS-101 THROUGH CS-104.
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 4. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
 5. FOR TRACK ALIGNMENT AND CURVE DATA, SEE SHEET CT-003.

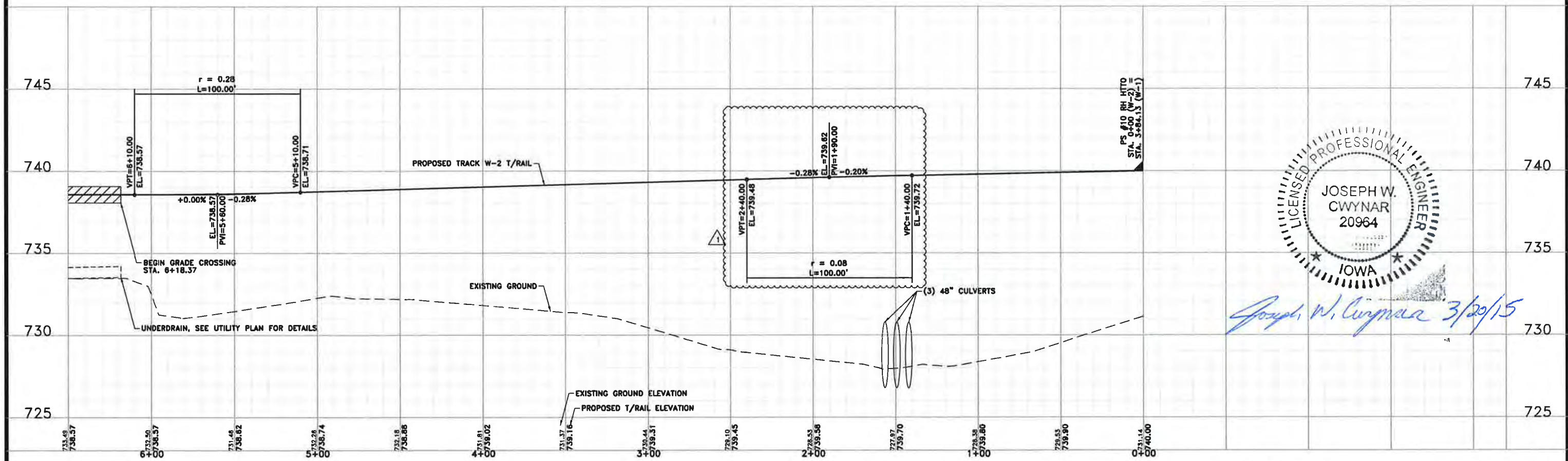


Joseph W. Cwynar 3/20/15

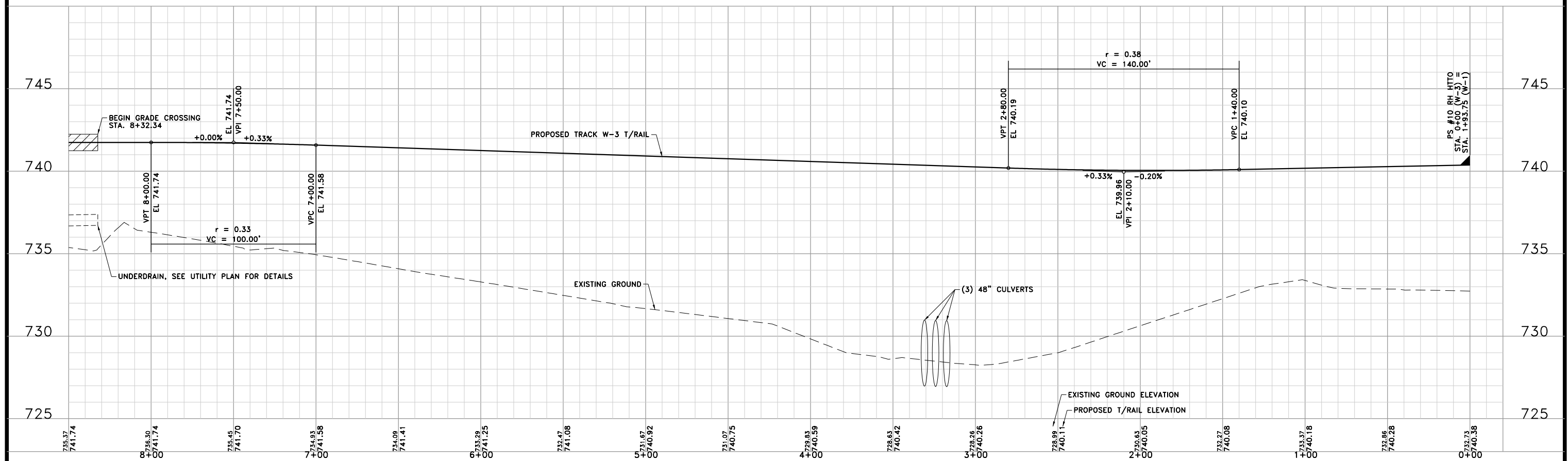
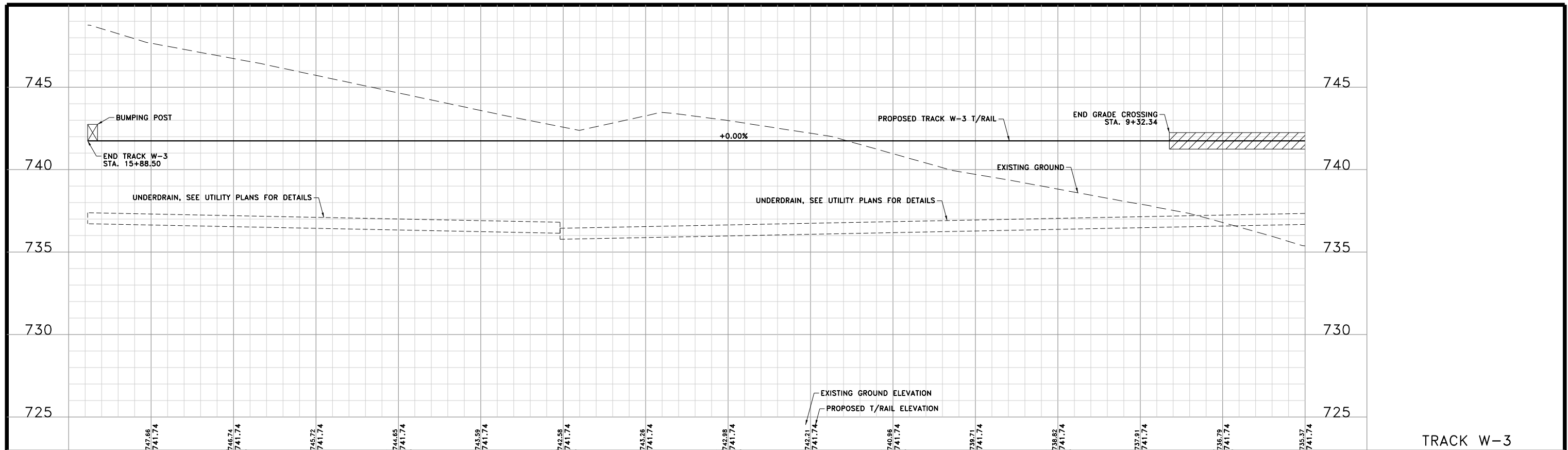


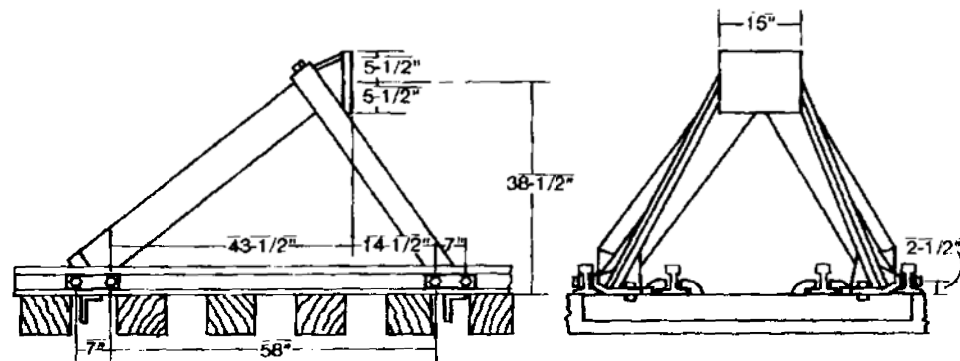


TRACK W-2



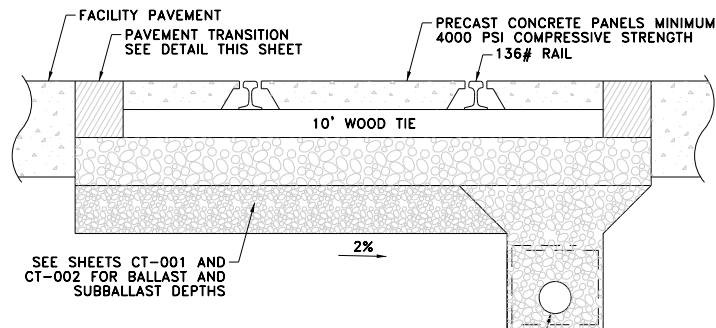
Joseph W. Cwynar 3/20/15



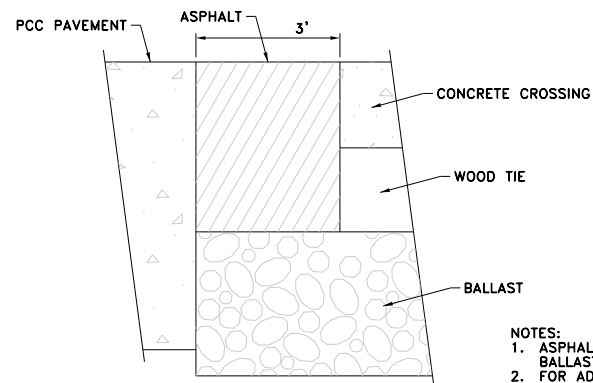


BUMPING POST
NOT TO SCALE

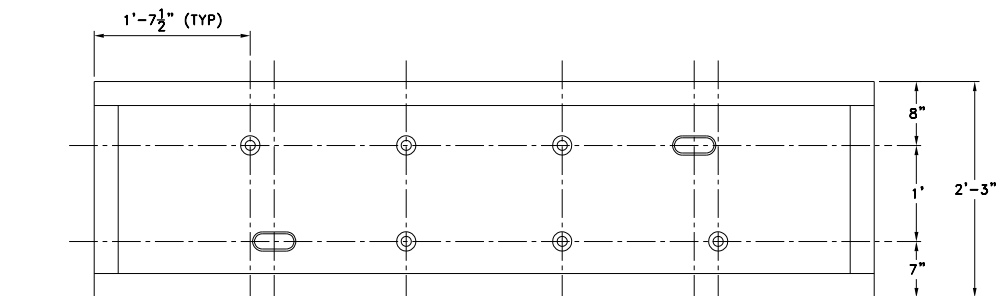
- NOTES:
1. BUMPING POSTS ARE WESTERN-CULLEN-HAYES.
2. SEE TRACK SPECIFICATION FOR MORE INFORMATION.



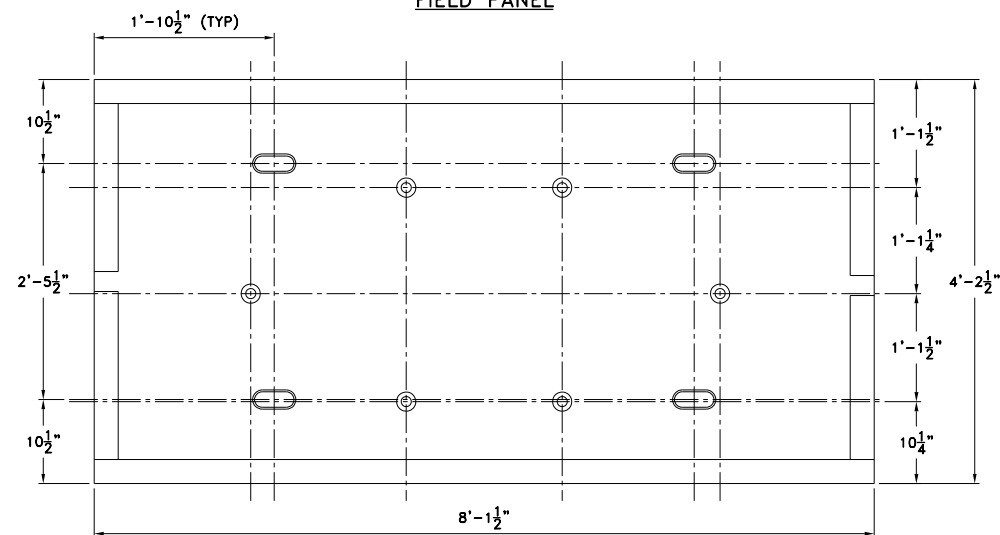
PRECAST CONCRETE AT ROAD CROSSING
NOT TO SCALE



PAVEMENT TRANSITION DETAIL
NOT TO SCALE



FIELD PANEL

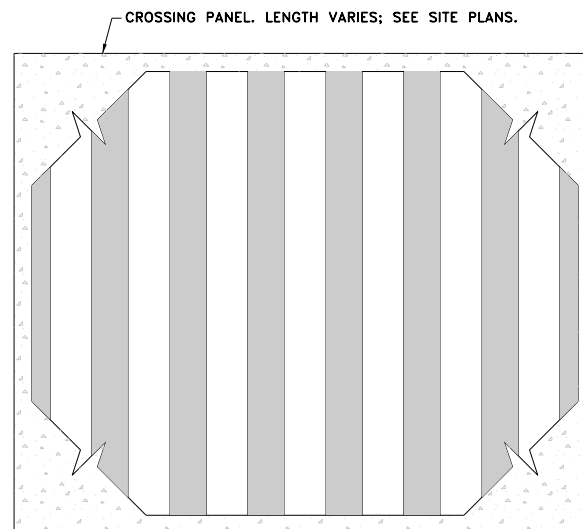
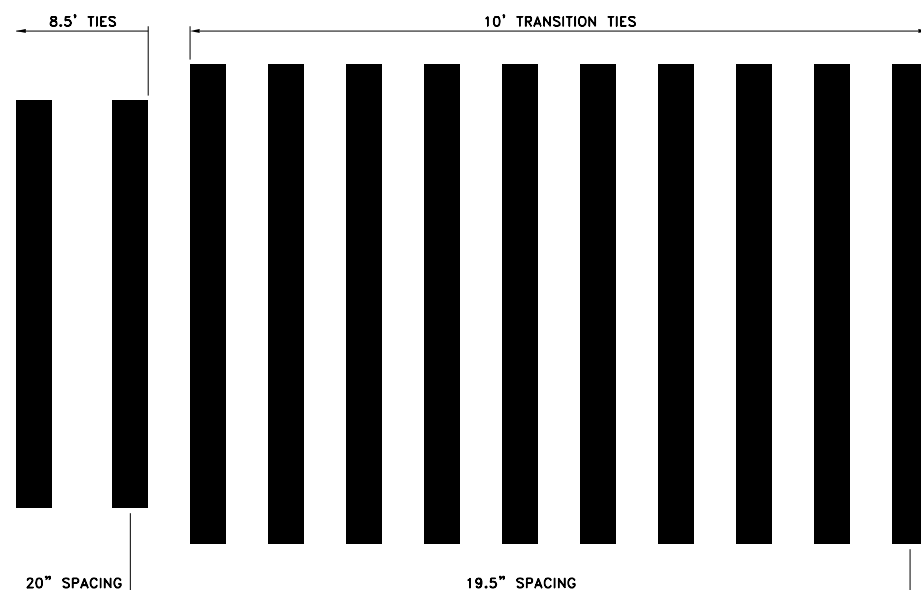


GAGE PANEL

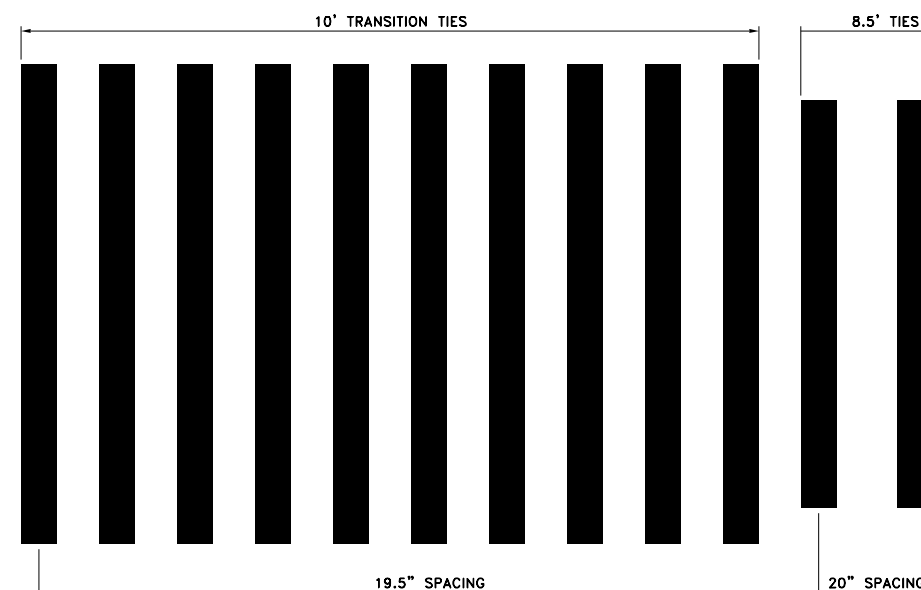
LAYOUT FOR CONCRETE PANELS ON 10' WOOD TIES
NOT TO SCALE

- NOTES:
1. 10' - 10' WOOD TRANSITION TIES SHALL BE USED AT BOTH SIDES OF WOOD TIE CROSSINGS. SPACE WOOD TIES AT MINIMUM 19.5" SPACING.
2. RAIL SHALL BE 136# MINIMUM THROUGH CROSSINGS.
3. SEE SHEETS CT-001 AND CT-002 FOR MINIMUM BALLAST DEPTH UNDER TIES FOR LEAD AND YARD TRACKS.
4. UNDERDRAIN PIPES SHALL BE INSTALLED PER DETAILS ON SHEET CT-002.

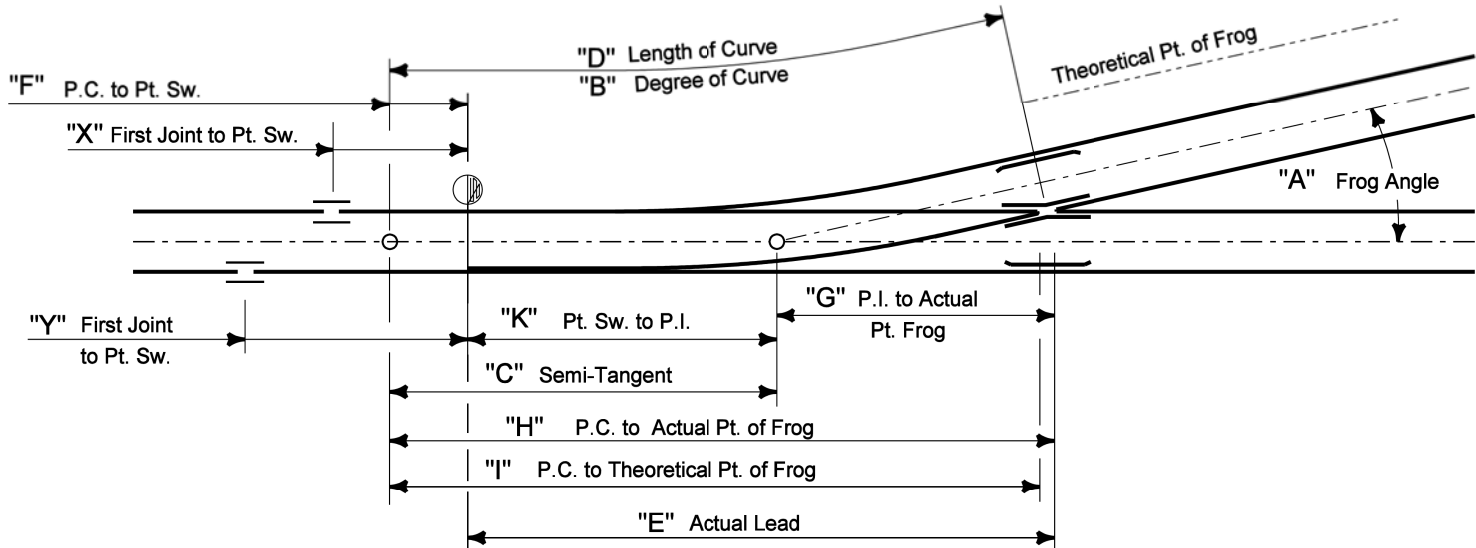
RAIL SIZE	PANEL HEIGHT	GAGE PANEL WEIGHT	FIELD PANEL WEIGHT
136	7 7/8"	3125 LBS.	1675 LBS.



TRANSITION TIE LAYOUT
NOT TO SCALE



FROG NO.	SWITCH POINTS	A	B	RADIUS	C	D	E	F	G	H	I	K	X	Y
7	16.5'	8°10'16"	12°26'29"	461.43	32.96	65.68	64.52	1.69	33.25	66.21	65.92	31.27	7.78	7.78
8	15.0'	7°09'10"	9°31'02"	602.71	37.67	75.16	69.00	6.67	38.00	75.67		31.00		
8 1/2" MP	16.5'	6°43'59"	8°25'46"	680.32	40.02	79.81	70.00	10.40	40.38	80.40		29.62		
8 1/2" WP	16.5'	6°44'00"	8°25'47"	680.30	40.02	79.88	71.253	9.14	40.38	80.40		30.88		8.50
9	16.5'	6°21'35"	7°31'04"	762.68	42.37	84.60	75.97	9.15	42.75	85.12	84.75	33.23	8.18	10.93
10	16.5'	5°43'29"	6°05'14"	941.70	47.08	94.05	80.30	14.28	47.50	94.59	94.17	32.80	7.45	10.20
14	24.0'	4°05'27"	3°06'17"	1845.67	65.92	131.76	115.70	16.72	66.50	132.42	131.83	49.20	9.58	12.33



UNION PACIFIC RAILROAD
OFFICE OF THE CHIEF ENGINEER OF DESIGN

INDUSTRY STANDARDS

STANDARD TURNOUT DATA
FOR INDUSTRIAL TRACKS
PREVIOUS TURNOUTS

SHEET 2 OF 5



ADOPTED: AUG. 1, 1969
REVISED: NOV. 6, 2008
FILE NO.: EXHIBIT F

EXHIBIT

"F"

Copyright © 2008 by Union Pacific Railroad

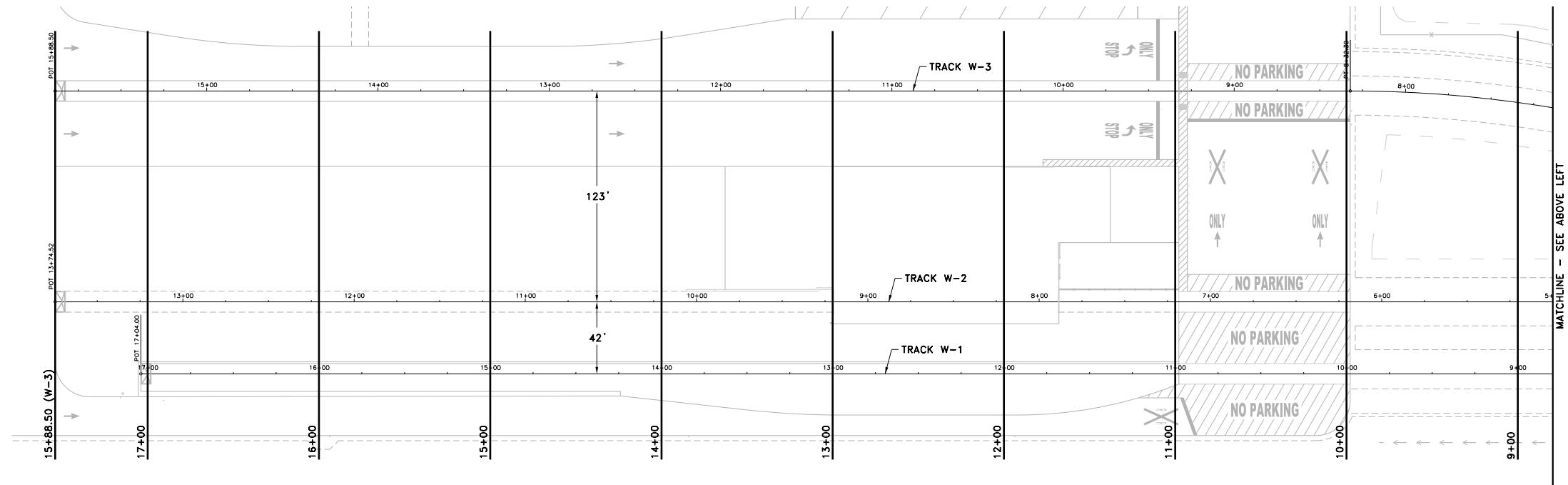
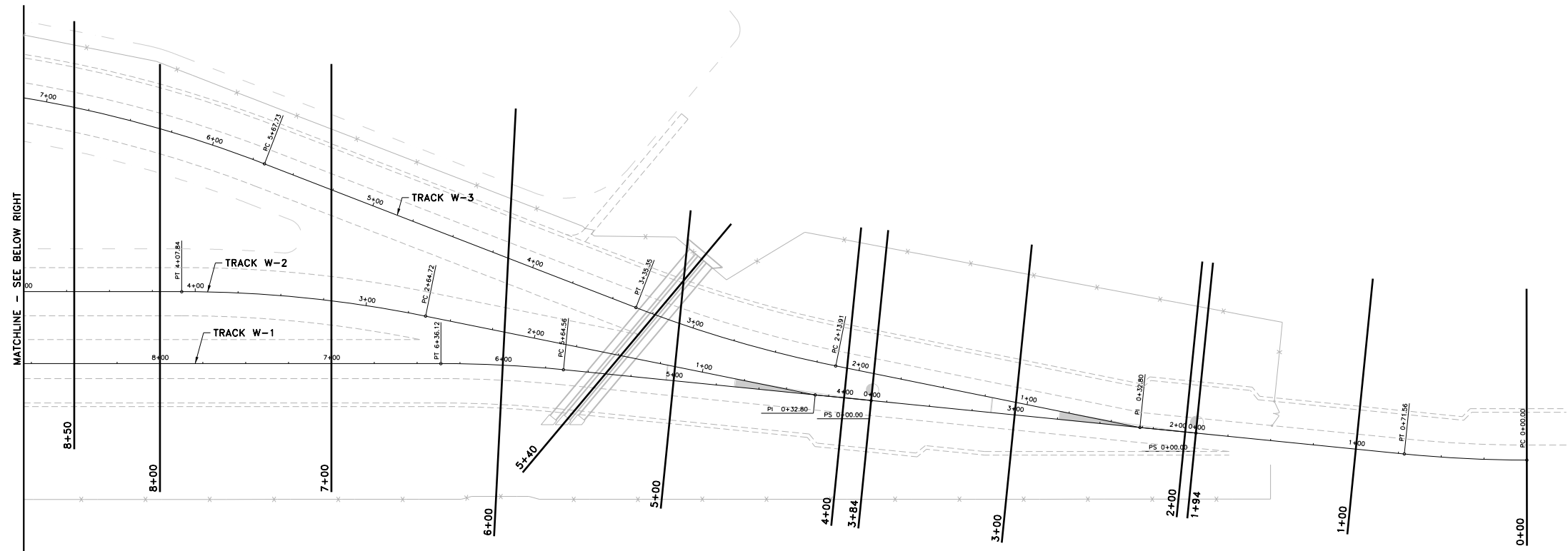
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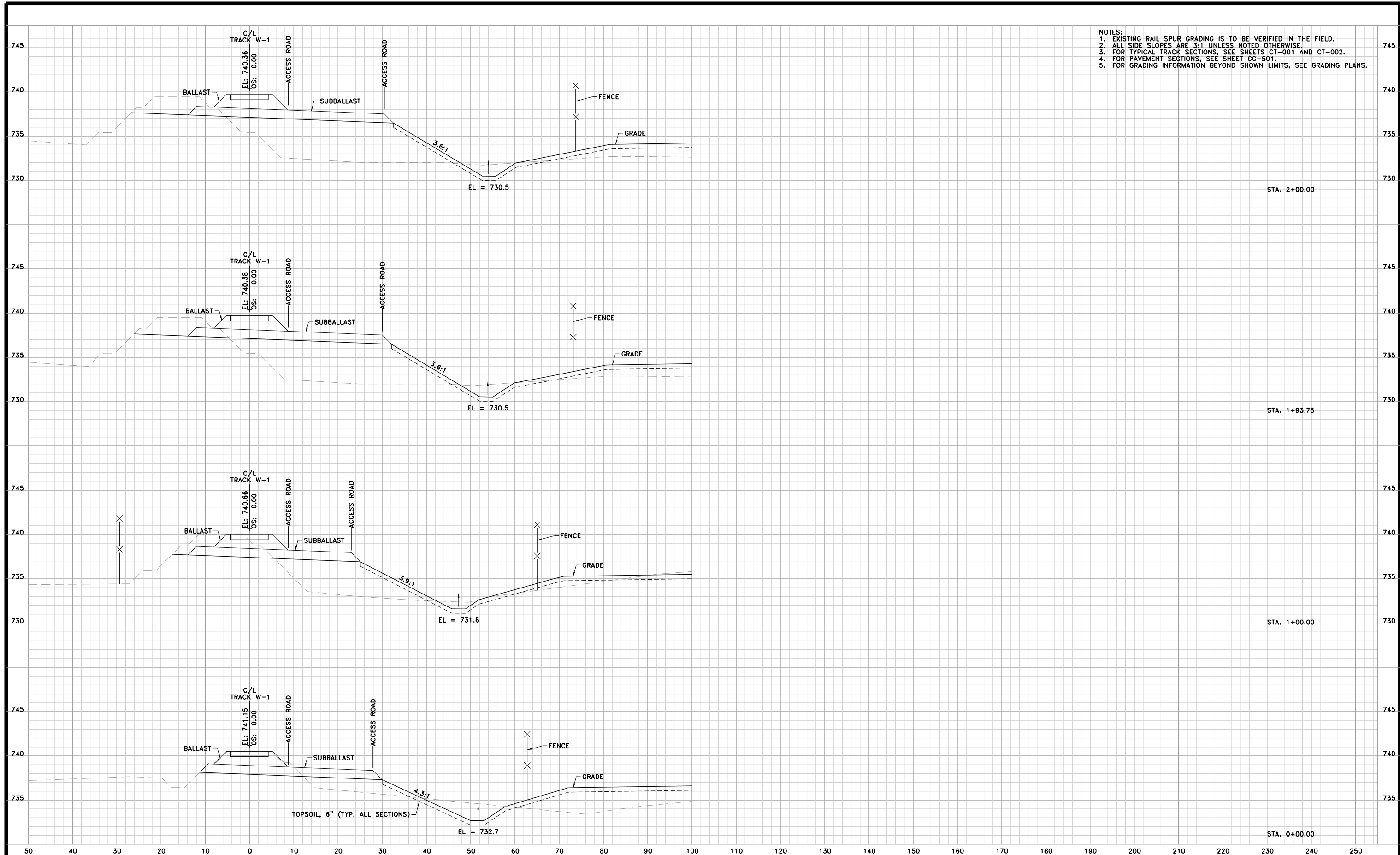
SHEET 2 OF 5





- NOTES:
1. FOR CROSS SECTIONS, SEE SHEETS CT-801 THROUGH CT-808.
2. ALL STATIONS SHOWN ARE TRACK W-1 UNLESS NOTED OTHERWISE.

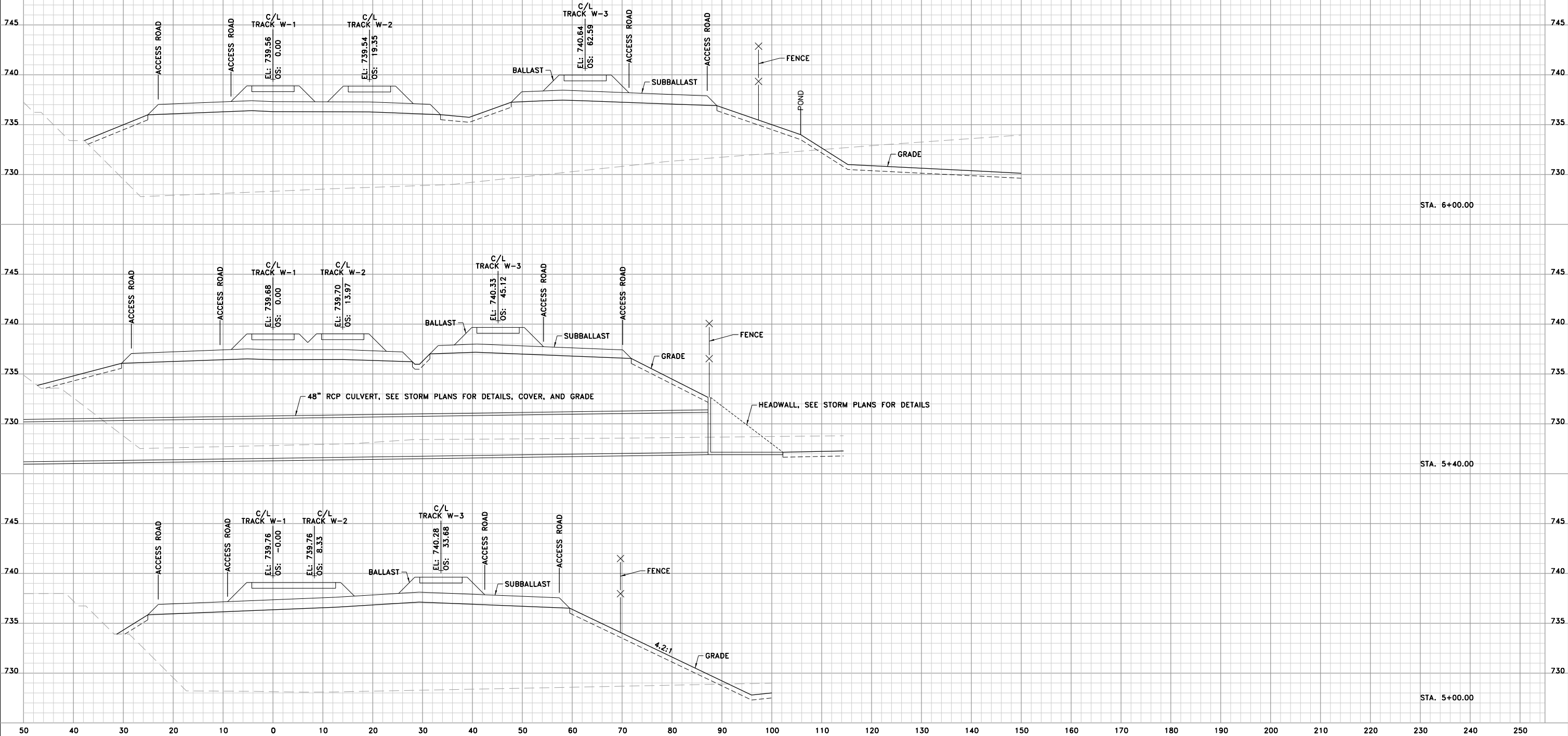




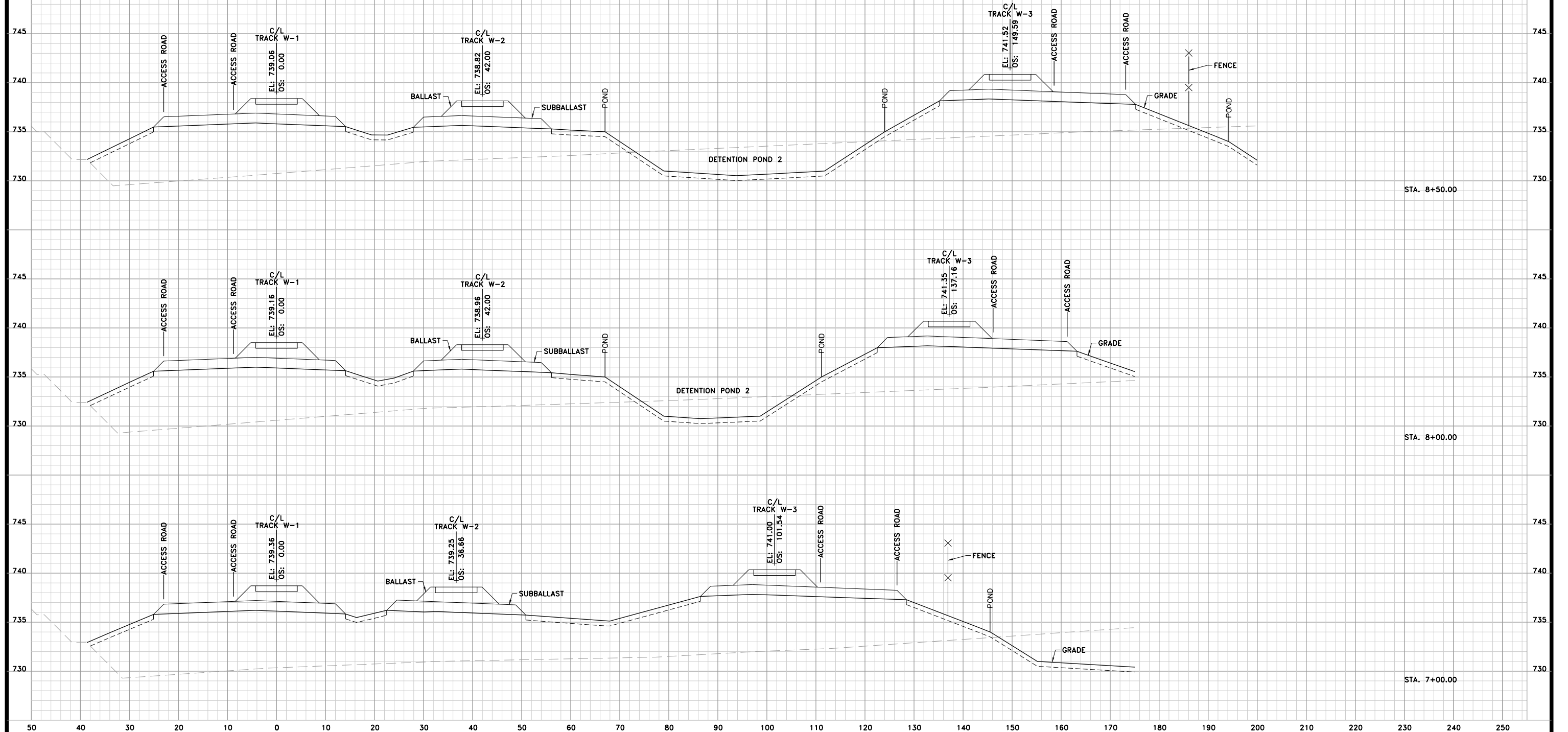
- NOTES:
1. EXISTING RAIL SPUR GRADING IS TO BE VERIFIED IN THE FIELD.
2. ALL SIDE SLOPES ARE 3:1 UNLESS NOTED OTHERWISE.
3. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
4. FOR PAVEMENT SECTIONS, SEE SHEET CG-501.
5. FOR GRADING INFORMATION BEYOND SHOWN LIMITS, SEE GRADING PLANS.



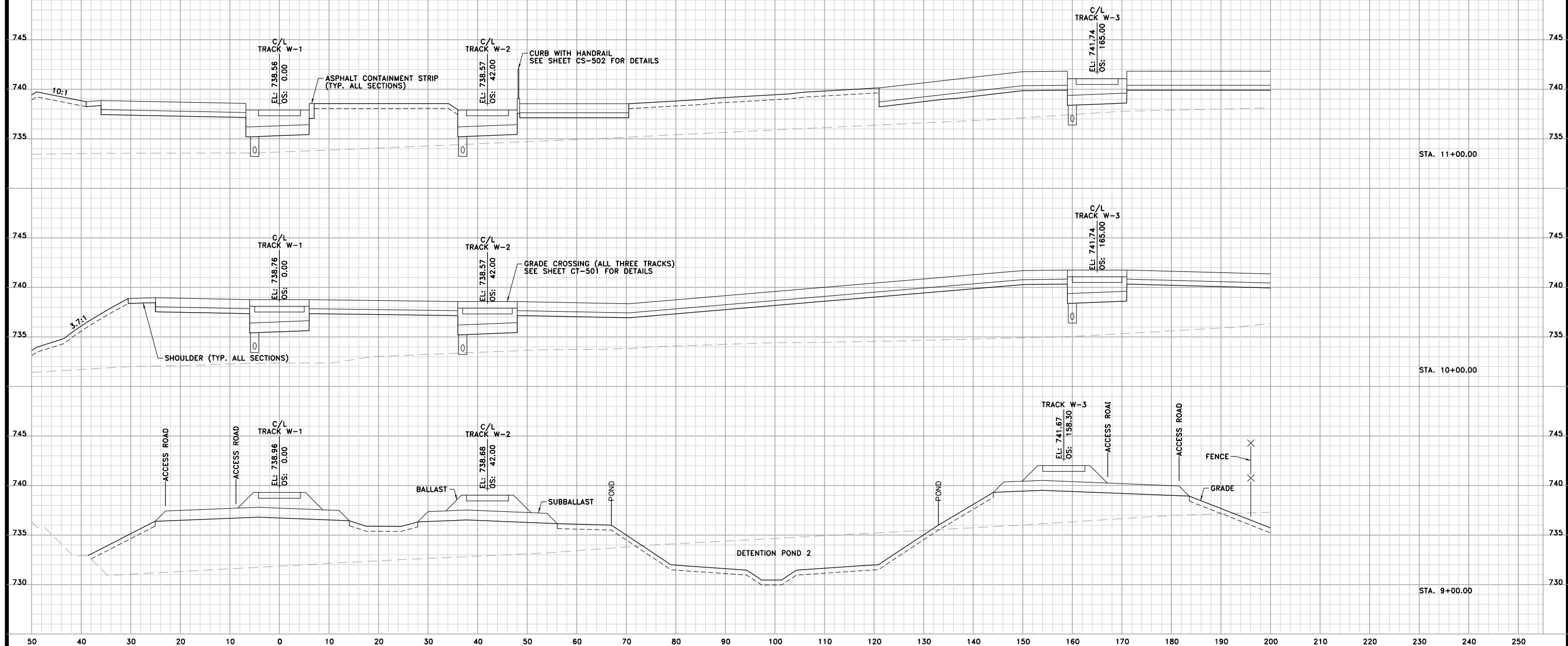
- NOTES:
1. EXISTING RAIL SPUR GRADING IS TO BE VERIFIED IN THE FIELD.
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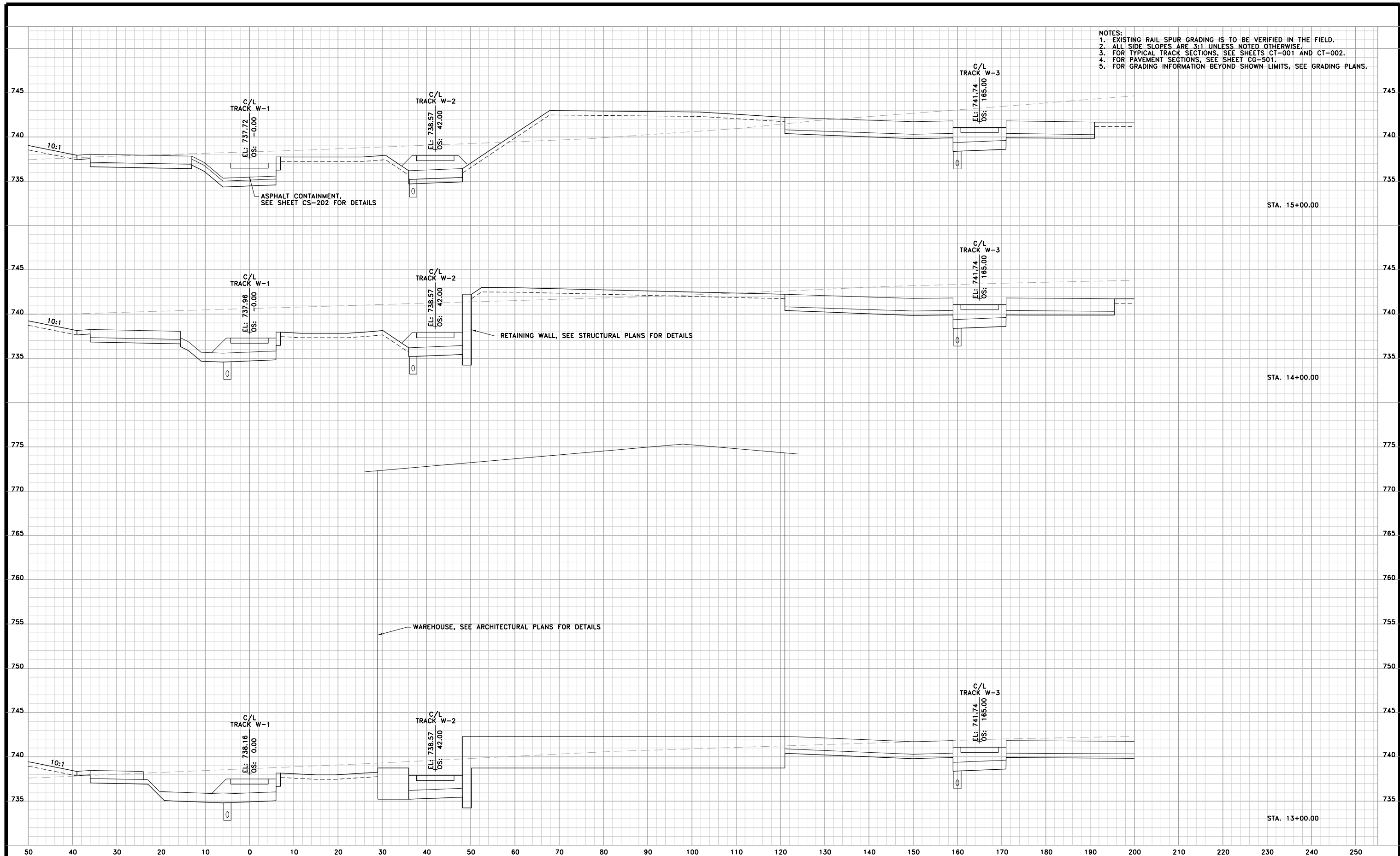


- NOTES:
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 2. ALL SIDE SLOPES ARE 3:1 UNLESS NOTED OTHERWISE.
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 4. FOR PAVEMENT SECTIONS, SEE SHEET CG-501.
 5. FOR GRADING INFORMATION BEYOND SHOWN LIMITS, SEE GRADING PLANS.

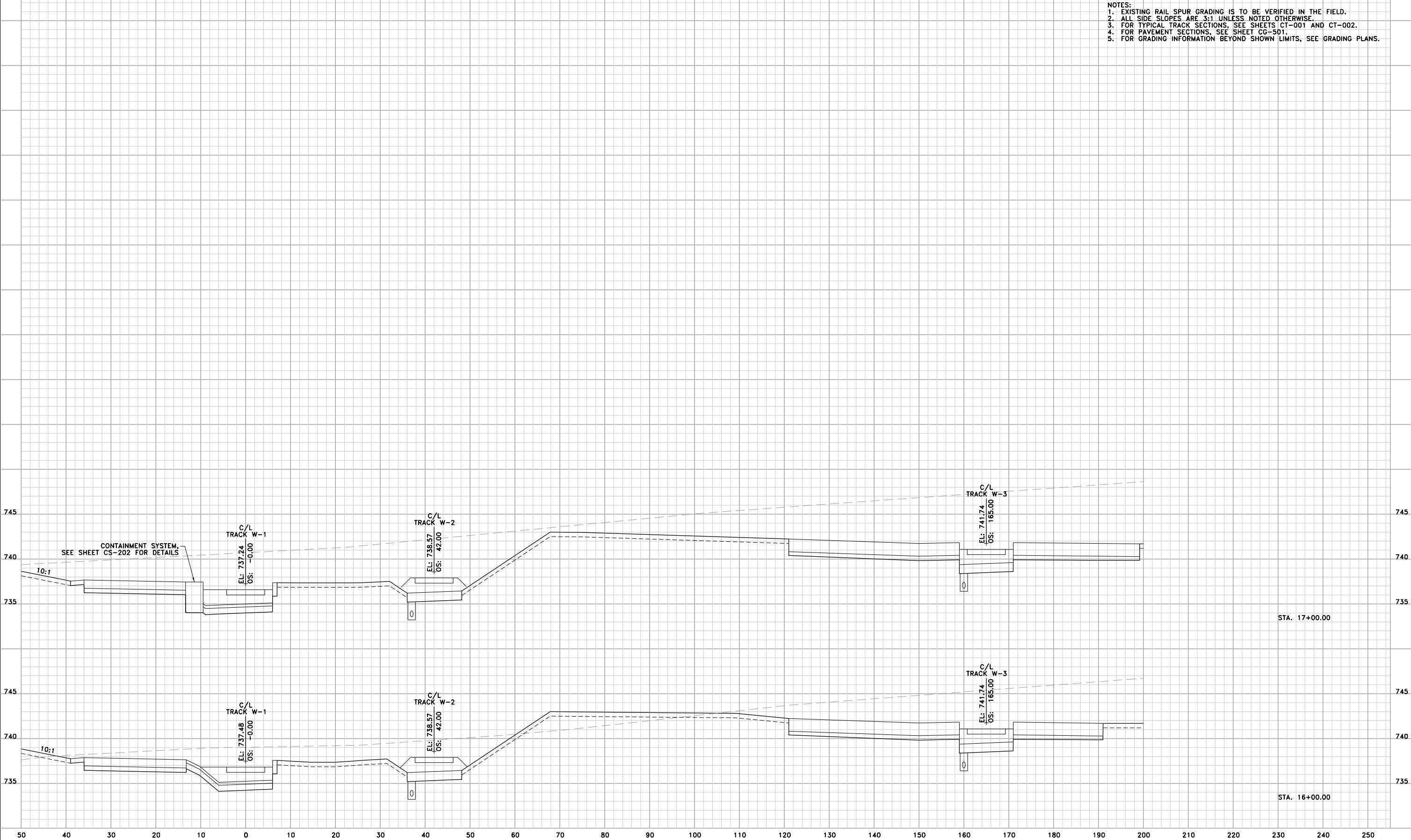


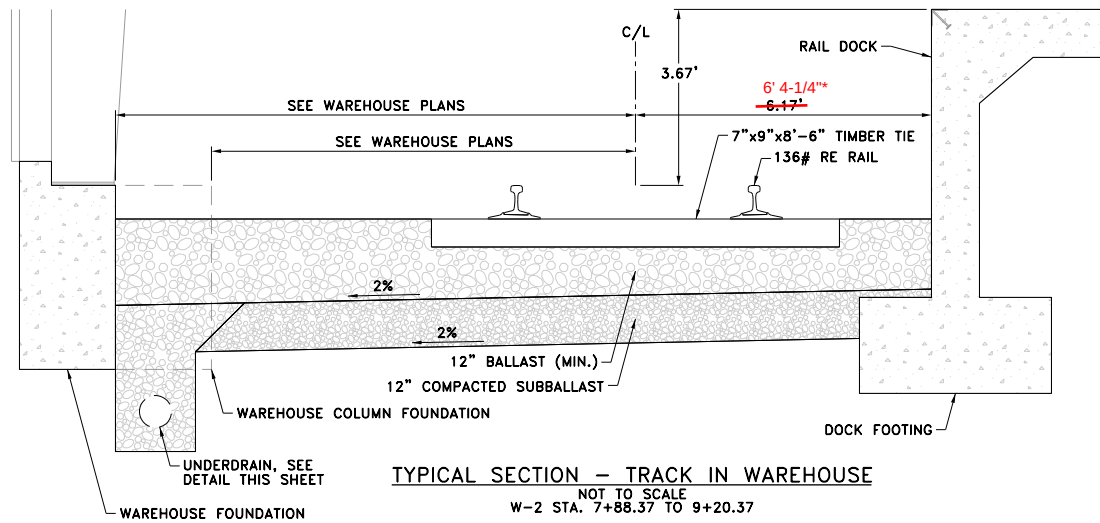
- NOTES:
- 1. EXISTING RAIL SPUR GRADING IS TO BE VERIFIED IN THE FIELD.
 - 2. ALL SIDE SLOPES ARE 3:1 UNLESS NOTED OTHERWISE.
 - 3. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
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 - 5. FOR GRADING INFORMATION BEYOND SHOWN LIMITS, SEE GRADING PLANS.





- NOTES:
- 1. EXISTING RAIL SPUR GRADING IS TO BE VERIFIED IN THE FIELD.
 - 2. ALL SIDE SLOPES ARE 3:1 UNLESS NOTED OTHERWISE.
 - 3. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
 - 4. FOR PAVEMENT SECTIONS, SEE SHEET CG-501.
 - 5. FOR GRADING INFORMATION BEYOND SHOWN LIMITS, SEE GRADING PLANS.

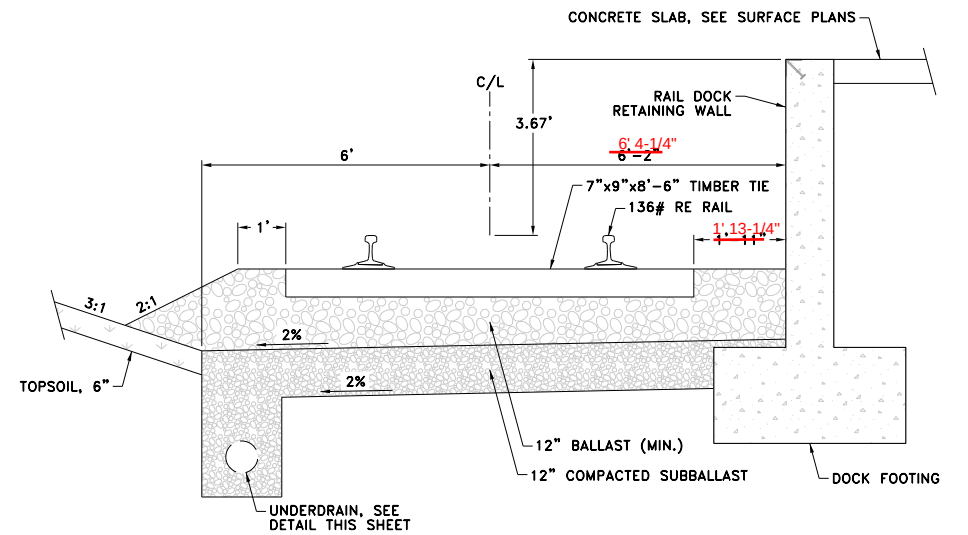




TYPICAL SECTION - TRACK IN WAREHOUSE
NOT TO SCALE
W-2 STA. 7+88.37 TO 9+20.37

- NOTES:
1. SEE ARCHITECTURAL PLANS FOR DETAILS REGARDING THE WAREHOUSE.
 2. SEE STRUCTURAL PLANS FOR DETAILS REGARDING THE FOUNDATIONS AND RAIL DOCK.
 3. BALLAST AND SUBBALLAST DEPTHS MEASURED AT THE CENTERLINE.

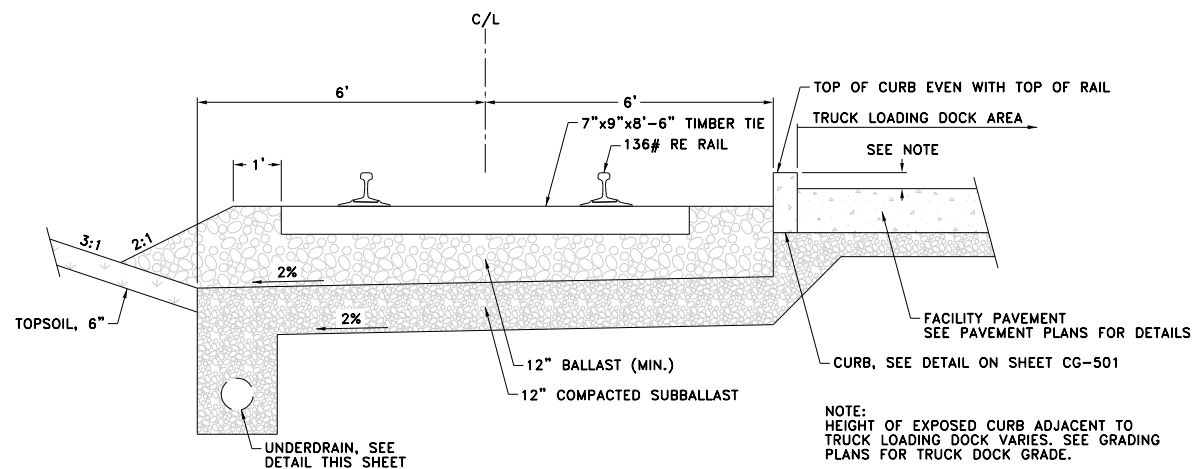
*Meets CP Clearance for Plug Door Box Car



TYPICAL SECTION - TRACK ADJACENT TO RAIL DOCK RETAINING WALL
NOT TO SCALE
W-2 STA. 9+20.37 TO 10+05.87

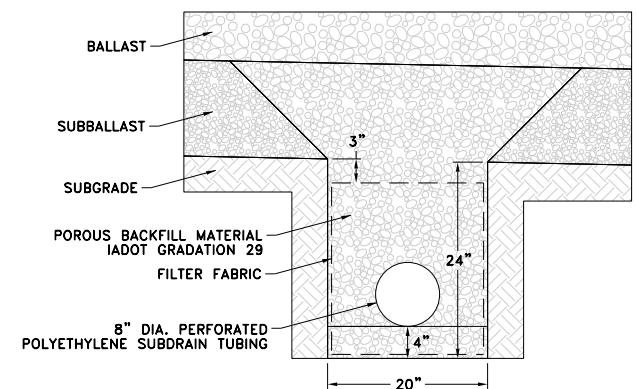
NOTE: SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR DETAILS REGARDING THE WAREHOUSE, FOUNDATIONS, AND RAIL DOCK

*Meets CP Clearance for Plug Door Box Car

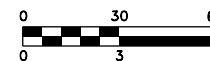
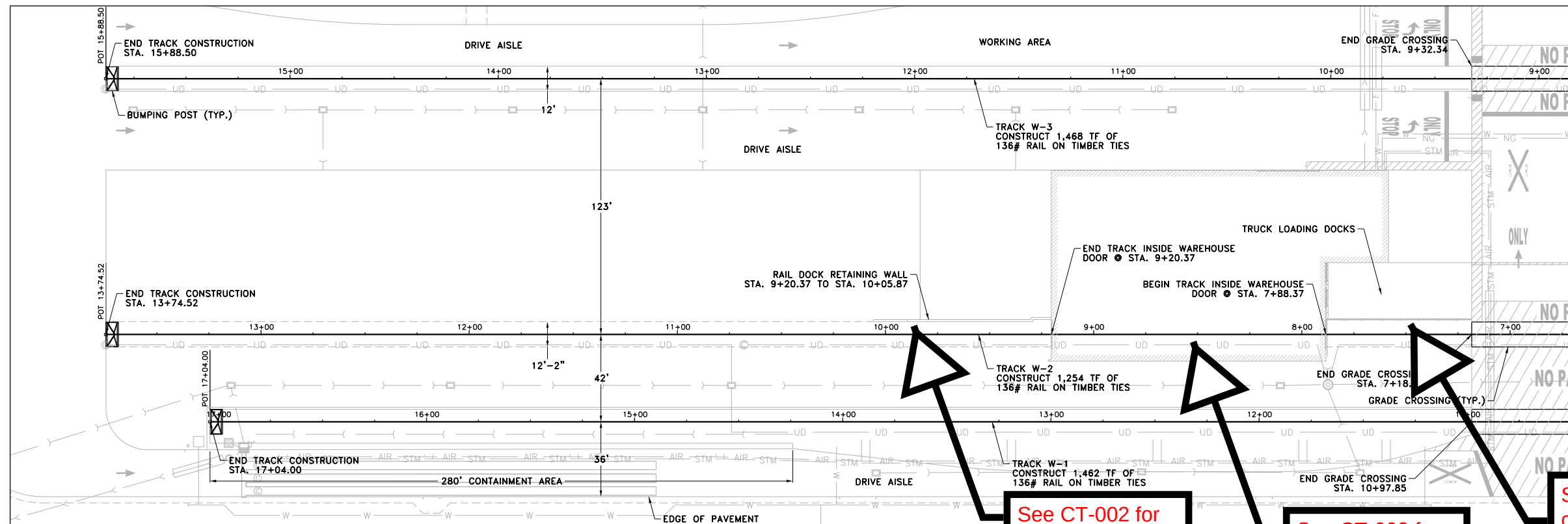


TYPICAL SECTION - TRACK ADJACENT TO TRUCK DOCK
NOT TO SCALE
W-2 STA. 7+18.37 TO 7+88.37

NOTE: HEIGHT OF EXPOSED CURB ADJACENT TO TRUCK LOADING DOCK VARIES. SEE GRADING PLANS FOR TRUCK DOCK GRADE.

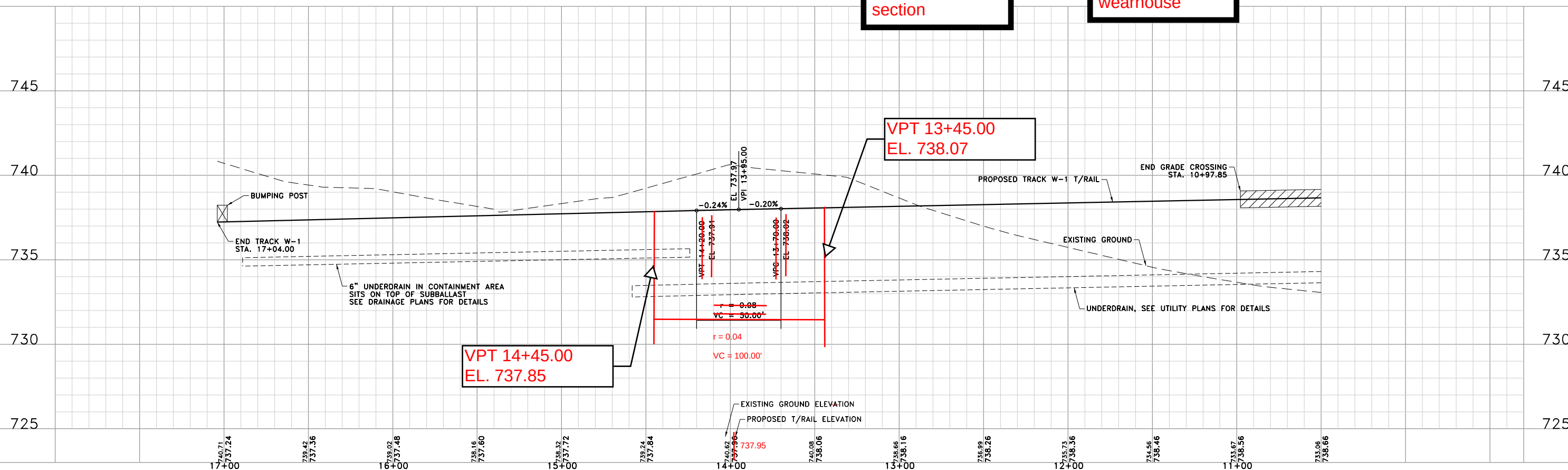


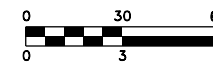
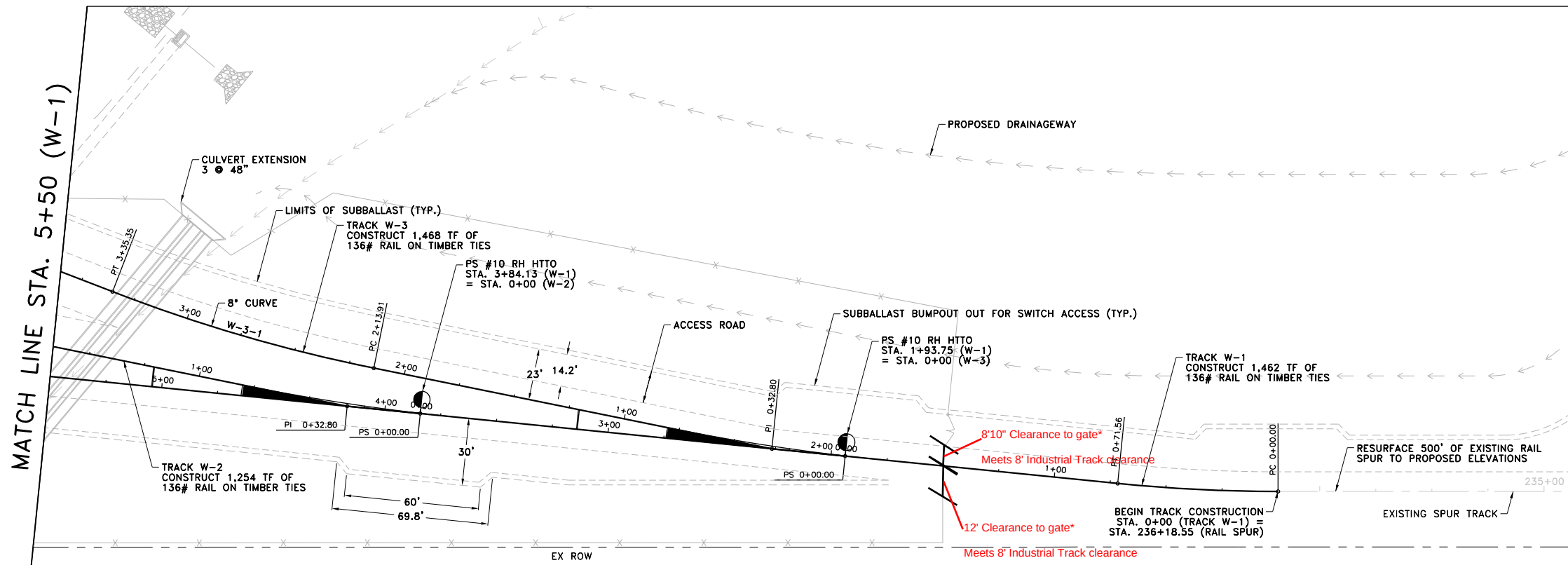
UNDERDRAIN DETAIL
NOT TO SCALE



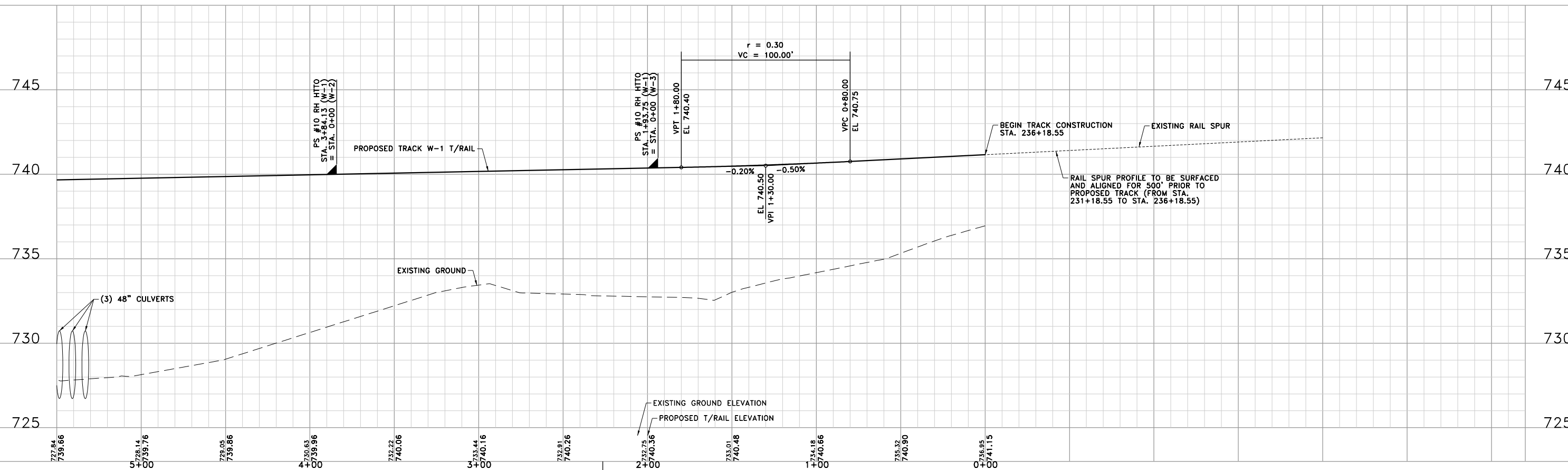
- NOTES:
1. FOR TRACK W-2 AND W-3 PROFILES, SEE SHEETS CT-201 AND CT-202.
 2. FOR SITE LAYOUT, SEE SHEETS CS-101 THROUGH CS-104.
 3. FOR GRADING PLANS, SEE SHEETS CG-101 THROUGH CG-103.
 4. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
 5. FOR TRACK ALIGNMENT AND CURVE DATA, SEE SHEET CT-003.

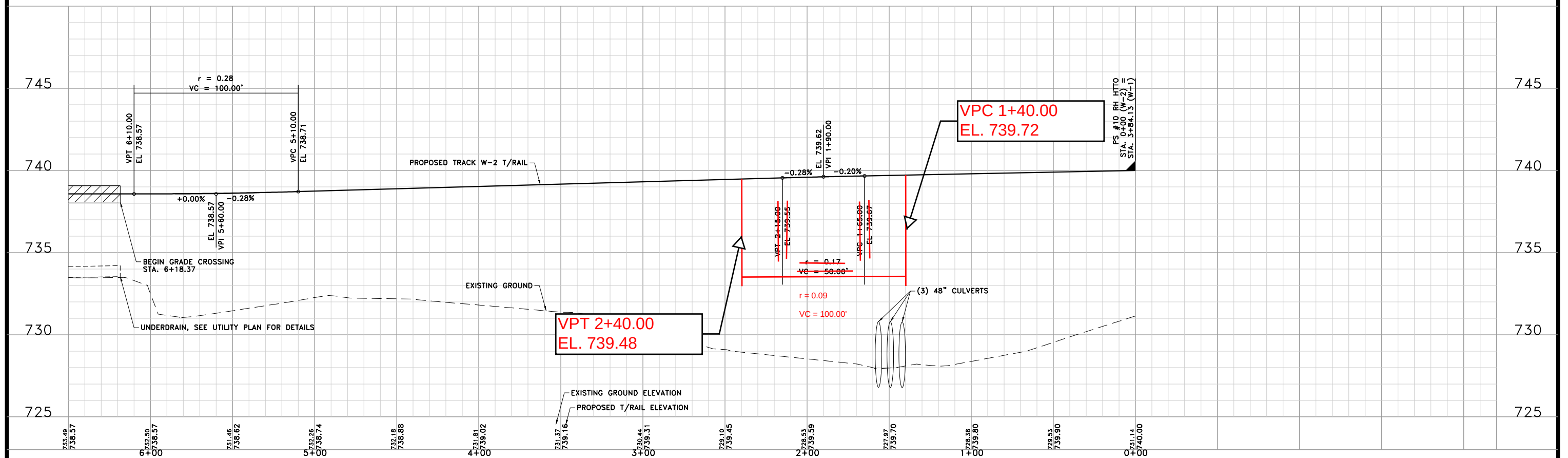
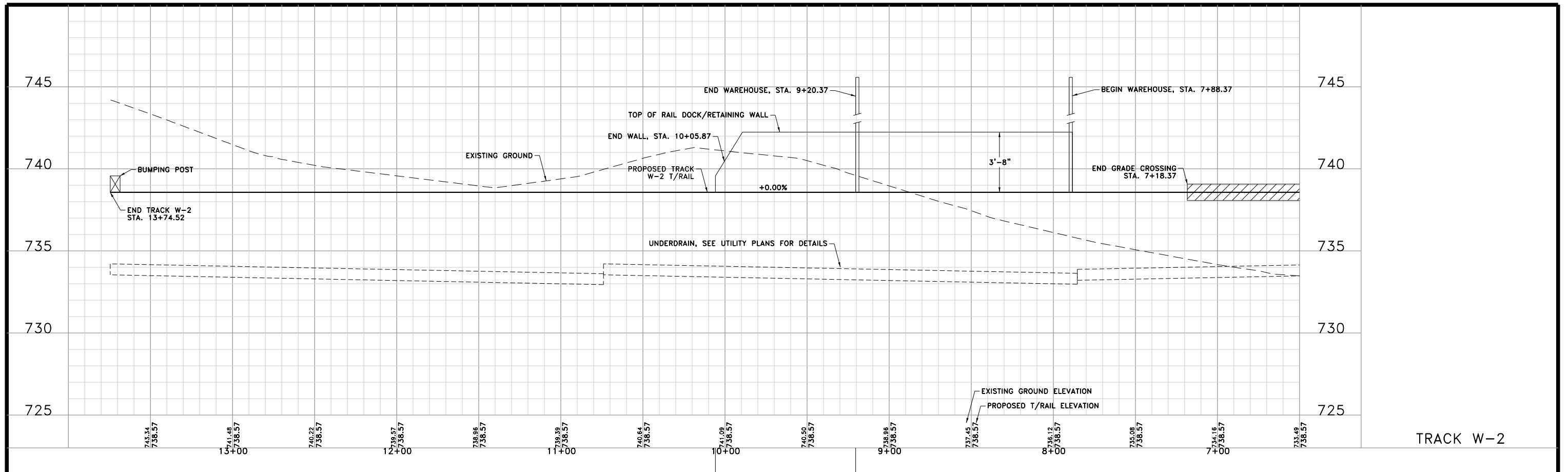
MATCH LINE STA. 10+50 (W-1)





- NOTES:
1. FOR TRACK W-2 AND W-3 PROFILES, SEE SHEETS CT-201 AND CT-202.
 2. FOR SITE LAYOUT, SEE SHEETS CS-101 THROUGH CS-104.
 3. FOR GRADING PLANS, SEE SHEETS CG-101 THROUGH CG-103.
 4. FOR TYPICAL TRACK SECTIONS, SEE SHEETS CT-001 AND CT-002.
 5. FOR TRACK ALIGNMENT AND CURVE DATA, SEE SHEET CT-003.





APPENDIX “C” - INSURANCE

1. Applicant shall at its own cost and expense, take out and keep in full force and effect a Commercial General Liability Insurance policy with an inclusive limit of not less than **Five Million Dollars (\$5,000,000)** per occurrence for bodily injury and property damage, or any other increased amount as CP may reasonably require upon conducting reviews from time to time. Such insurance shall specifically state by its wording or by endorsement:
 - (a) CP and its associated or affiliated companies (and the Directors, Officers, employees, agents and trustees of all of the foregoing) as an additional insured with respect to obligations of the Supplier under this Agreement and incidental thereto;
 - (b) "cross liability" or "severability of interest" clause which shall have the effect of insuring each entity named in the policy as an insured in the same manner and to the same extent as if a separate policy had been issued to each;
 - (c) blanket contractual liability, including the insurable liabilities assumed by the Supplier under this Agreement;
 - (d) products & completed operations;
 - (e) non-owned auto liability;
 - (f) employers liability;
 - (g) shall not exclude operations on or in the vicinity of the railway right of way;
 - (h) the policies shall be endorsed to provide CP with not less than thirty (30) days written notice in advance of cancellation, material change or amendments restricting coverage.
2. **Automobile Liability** insurance covering bodily injury and property damage in an amount not less than **Two Million Dollars (\$2,000,000)** per accident, covering the ownership, use and operation of any motor vehicles and trailers which are owned, leased or controlled by the Applicant and used in regards to this Agreement.
3. Applicant shall, prior to the effective date of this Agreement, and upon the insurance renewal date thereafter, furnish to CP or Certificates of Insurance evidencing the above coverages. Upon request, Applicant shall provide CP with certified copies of the insurance policies. Such notice shall be by registered mail to the specific attention of: Canadian Pacific Railway Company, c/o Ebix BPO, 151 North Lyon, Hemet, CA 92543. Alternatively, such notice can be sent by email to cprail@ebix.com.
4. The acquisition and maintenance of insurance policies by Applicant shall in no manner limit or restrict the liabilities incurred by Applicant under the provisions of this Agreement.
5. The Applicant shall ensure that all subcontractors, if any, maintain substantially the same insurance as is required of the Contractor under this Agreement.

6. If the Contractor fails to maintain the Insurance required under this Agreement, the Company may at its option terminate this Agreement.

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: 1, 2 and 4

Action / Date
4/1/2015

Subject:

Resolution granting permission to Unite Private Networks to install buried communications cable within public right-of-way in the City of Davenport along West Locust Street from the west side of I-280 to Fairmount Street, north along Fairmount Street to West Central Park Avenue, east along West Central Park Avenue to Clark Street and north along Clark Street to and existing cell tower at 2815 North Clark Street. *[Wards 1, 2 and 4]*

Recommendation:

Pass the resolution.

Relationship to Goals:

A growing local economy.

Background:

Unite Private Networks has requested permission to install Buried Communications Cable within City right-of-way along West Locust Street from the west side of I-280 to Fairmount Street, north along Fairmount Street to West Central Park Avenue, east along West Central Park Avenue to Clark Street and north along Clark Street to the existing cell tower at 2815 North Clark Street. A plan sheet of the general location is attached.

The City's Legal, Engineering and IT Departments have reviewed and approved the proposed route and terms of the resolution. The Agreement Reference number is 2015-F4.

ATTACHMENTS:

Type	Description
 Resolution Letter	4_PW_RES_GRANT PG2
 Backup Material	4 PW_RES_GRNT FIBER UNITE W LOCUST 2015 F4 Page 3
 Backup Material	4 PW_RES_GRNT FIBER UNITE W LOCUST 2015 F4 Page 4

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution granting permission to Unite Private Networks to install buried communications cable within public right-of-way in the City of Davenport along West Locust Street from the west side of I-280 to Fairmount Street, north along Fairmount Street to West Central Park Avenue, east along West Central Park Avenue to Clark Street and north along Clark Street to and existing cell tower at 2815 North Clark Street.

Whereas, Unite Private Networks (Owner) has submitted a request (Ref #2015-F4) to construct Buried Communications Cable along within public right-of-way in the City of Davenport along West Locust Street from the west side of I-280 to Fairmount Street, north along Fairmount Street to West Central Park Avenue, east along West Central Park Avenue to Clark Street and north along Clark Street to and existing cell tower at 2815 North Clark Street; and

Whereas, the Engineering Division as well as IT and Legal Departments of the City of Davenport, Iowa (the City) have reviewed said plans and recommend permission be granted for the installation, as described, subject to conditions.

Now, therefore, be it resolved by the City Council of the City of Davenport, Iowa: that permission is hereby granted to the Owner to install Buried Communications Cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by the Owner

1. That the Owner shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed by the Owner as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, except as otherwise limited by the provisions of paragraph 9, and that the Owner hold harmless, defend and indemnify the City from any such claims. Further, that the Owner shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That the Owner shall pay all costs for the construction and maintenance of their cable.
3. That the Owner shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, the Owner shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City owned utility or public improvements within the City of Davenport, Iowa, or, for any other reasonable public cause determined at the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes or infrastructure theretofore laid and

so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof, and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by the Owner and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation with in any street or alley rights of way, the Owner shall secure from said City a written permit to do so, except in case of emergency, which permit said City shall issue to the Owner upon reasonable terms and conditions. The Owner shall be responsible for payment of the Standard Excavation Permit Fees established by City Council prior to receiving said permit. The permit fee includes a \$1.00 per foot Disruption Fee where applicable.

6. That the contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That the Owner shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That the Owner shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such entities.
9. Unless caused by gross negligence or willful, intentional or malicious conduct by city employees, the Owner releases the City and its employees for and from any and all liability for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. The Owner will provide the City of Davenport as built drawings in an electronic format suitable to the City of the entire route.
11. The Owner shall, at no cost to the City, install a separate 2" conduit and handholes from the west side of section 1 to the south side of section 26 as identified in the plans provided by the Owner. The City may at its discretion provide 144 strand fiber to the Owner which the Owner shall then install within the City owned conduit and handholes. These installations shall be exclusively for City use. The Owner agrees that they will install these facilities for the City. In exchange for installing these facilities the City shall wave the \$1.00 per foot disruption fee called out in paragraph number five above.

Passed and approved this 8th day of April, 2015

Be it further resolved by the City Council of the City of Davenport, Iowa: That the City Engineer is authorized to issue a permit for construction of said cable when the applicable terms and conditions have been met.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

ACCEPTANCE OF PROVISIONS OF RESOLUTION NO. 2015-_____

The undersigned hereby accepts all the terms and conditions of Resolution No. 2015-____, and agrees that the same shall be binding upon undersigned and its successors and assigns.

Unite Private Networks

By: _____

Name: _____

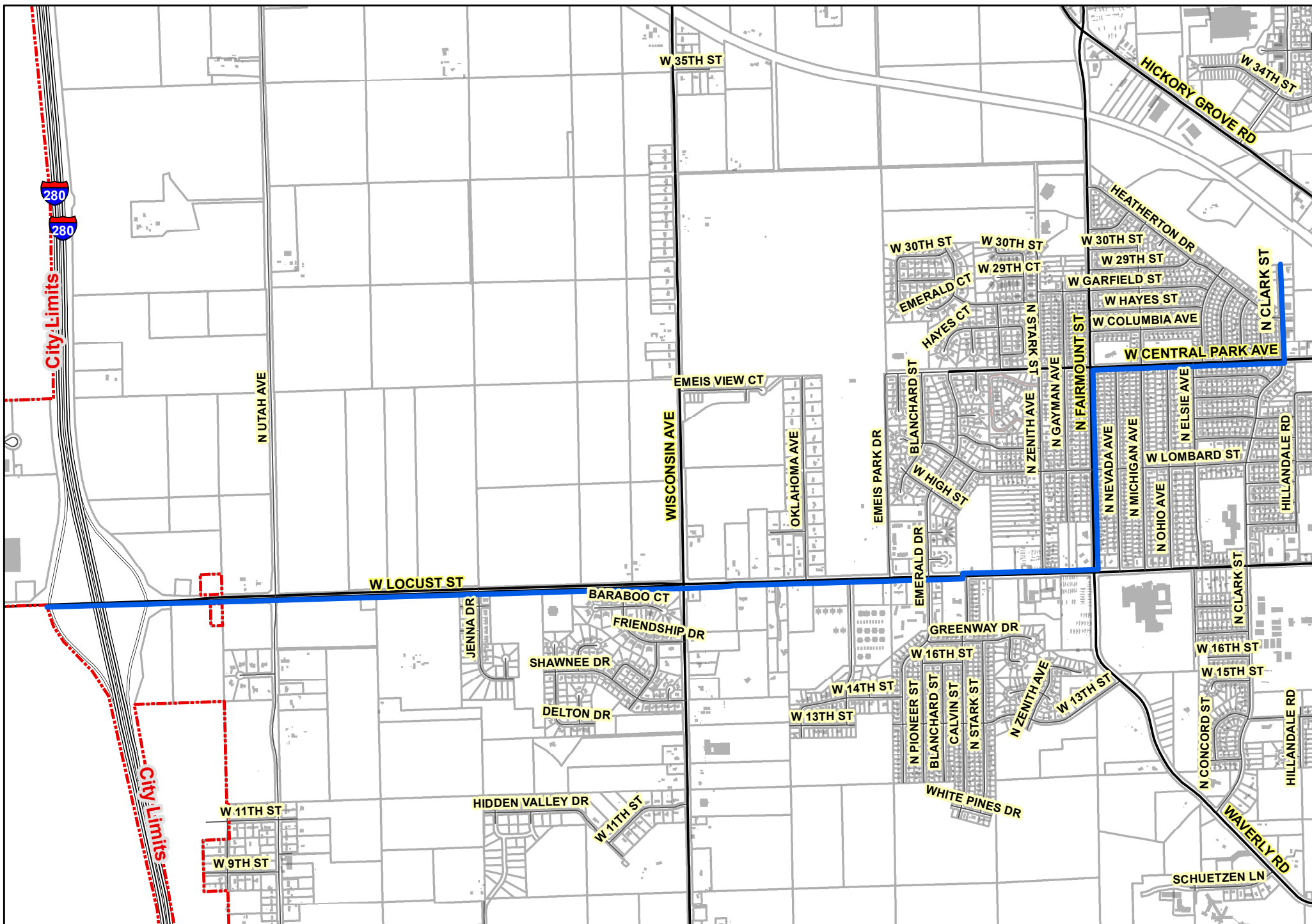
Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me to be the _____ of Unite Private Networks and the person whose name is subscribed to the fore-going instrument and acknowledged that he/she is duly authorized to execute such agreements on behalf of Unite Private Networks to the obligations and duties contained therein and executed the fore-going instrument as his/her voluntary act and deed and as the voluntary act and deed of Unite Private Networks.

In witness whereof, I have hereunto set my hand and official seal.

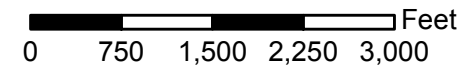
Notary Public



Proposed Fiber Optic Route

2015 - F4

Map Date: 3/18/15



City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Ron Hocker; (563) 327-5169
Wards: 3

Action / Date
4/1/2015

Subject:

Resolution approving Change Order Number 8 to the the FY2013/2014 Contract Sewer Repair Program in the amount of \$271,480, CIP project #10405. *[Ward 3]*

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

During the investigation and cleaning of the City's main trunk line sanitary sewers, the City's engineering consultant (Veenstra & Kimm) identified 17 storm water lines which are connected to the 1930's sanitary sewer main. These cross connections are tied to the Government Box, the large storm water structure constructed by the Corps of Engineers which runs parallel to the Mississippi River. The connections allow a significant volume of storm water into the sanitary collection system, which must then be treated at the Water Pollution Control Plant. These investigations and repairs support the Administrative Consent Order Section V. Paragraph 3 – Removal of I & I sources from the Interceptor Sewers. Eliminating the sources of inflow and infiltration into the sanitary sewer system will reduce the size and cost of future wet weather improvements such as the Equalization Basin.

The work involves excavating along the edge of the Government Box, removing the connected pipes and plugging each end. Since the City has currently contracted with Hagerty Earthworks for a similar scope of work under the Contract Sewer Repair Program, this work is being added to that program and will be completed at current contract unit prices.

This resolution will approve Change Order Number 8 for the FY2013/2014 Contract Sewer Repair Program in the amount of \$271,480.00. This is CIP project #10405. Funds for this work will be transferred from the 1930's Riverfront Interceptor Cleaning/Replacement Project, CIP project #00790.

Contract Summary:

Original Contract:	\$ 250,000
Second Year Contract	\$ 250,000
Previous Change Orders:	\$ 785,250
This Change Order:	<u>\$ 271,480</u>
New Contract Total:	\$1,556,730

ATTACHMENTS:

Type	Description
☐ Resolution Letter	PW_RES_CO8_SEWER REPAIR
☐ Cover Memo	Change Order

REVIEWERS:

Department	Reviewer	Action	Date
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Public Works -
Engineering

Admin, Default

Approved

4/1/2015 - 12:55 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose.

RESOLUTION approving Change Order Number 8 to the the FY2013/2014 Contract Sewer Repair Program in the amount of \$271,480, CIP project #10405.

WHEREAS, the City of Davenport entered into a contract with Hagerty Earthworks, LLC for the FY2013/2014 Contract Sewer Repair Program, and

WHEREAS, seventeen storm water cross connections have been previously identified for removal from the City's sanitary system, and

WHEREAS, said work supports the Iowa Department of Natural Resources Administrative Consent Order requirements, and

WHEREAS, a satisfactory change to the contract has been negotiated and approved by the Public Works Department;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that Change Order Number 8 in the amount of \$271,480 for the FY2013/2014 Contract Sewer Repair Program is hereby approved, and the Public Works Director is hereby authorized to execute said change order.

Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk



City of Davenport

Public Works Department

1200 East 46th Street • Davenport, Iowa 52807
Telephone: 563-326-7923 Fax: 563-327-5182

CERTIFICATIONS

CITY ENGINEER _____
(Work is Required)

CIP MANAGEMENT ANALYST _____
(Funds are Available)

CONSTRUCTION MGR _____
(Work is Constructible)

PUBLIC WORKS DIRECTOR _____
(Approval)

CONTRACTOR: Hagerty Earthworks, LLC
CONTRACTING COMPANY: Hagerty Earthworks, LLC
ADDRESS: 300 East 2nd Street, Suite 304 Muscatine, Iowa 52761

PROJECT TITLE: FY13-FY14 Contract Sewer Repair
CHANGE ORDER #8
CIP #: 10405, ORG #: 70780685, OBJECT #: 530350

Description to Contractor:

Considering the contract between the City of Davenport and your Company which covers the above-referenced project, the following shall be Change Order #8.

CHANGE ORDER DESCRIPTION:

1. The proposed work consists of removing 17 storm water connections to the 1930's sanitary sewer trunk line. The work will be done based on contract unit prices plus the contractor's costs for sewer plugs and concrete if needed. Quantities for contract bid items are not to exceed quantities; a contingency has been included to cover the cost of sewer plugs and concrete. This work will be funded by the 1930's Riverfront Interceptor Cleaning/Replacement Project (CIP #00790).

Cost: Remove 17 cross connections from the 1930's sanitary sewer trunk line:

1805 Cubic Yards of Excavation @ \$135/CY =	\$243,675.00
1805 Cubic Yards of Soil Backfill @ \$1.00/CY =	\$1805.00
6000 Square Yards of Seed, Fertilize & Mulch @ \$1.00/SY =	\$6000.00
Contingency for plugs/concrete =	<u>\$20,000.00</u>
Total Cost =	\$271,480.00

Working Days Adjustment: NA

SUMMARY OF CONTRACT AMOUNT:

First Year Contract:	\$ 250,000.00
Increased Amount	\$ 150,000.00
Second Year Contract	\$ 250,000.00
Increased Amount	\$ 300,000.00
Increased Amount	\$ 300,000.00
Change Order #4	\$ 14,500.00
Change Order #5	\$ 10,250.00
Change Order #6	\$ 0.00
Change Order #7	\$ 10,500.00
This Change Order	\$ <u>271,480.00</u>
Amended Contract Amount:	\$ 1,556,730.00



City of Davenport
Public Works Department

1200 East 46th Street • Davenport, Iowa 52807
Telephone: 563-326-7923 Fax: 563-327-5182

Recommend/Approved: _____ Date: _____
(Up to \$5,000) Project Manager

Recommend/Approved: _____ Date: _____
Contractor

Recommend/Approved: _____ Date: _____
(Up to \$15,000) Michael Clarke, Public Works Director

Recommend/Approved: _____ Date: _____
(Up to \$25,000) Craig Malin, City Administrator

Recommend/Approved: _____ Date: _____
(Up to \$100,000) Chair, Public Works Committee
Required: Green Sheet Motion to Approve Council Meeting Date: _____

Recommend/Approved: _____ Date: _____
(Over \$100,000) City Clerk, City of Davenport
Required: Green Sheet Resolution to Approve Council Meeting Date: _____

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Ron Hocker; (563) 327-5169
Wards: All

Action / Date
4/1/2015

Subject:
Preliminary Resolution covering the Fiscal Year 2016 Manhole Boxout Repair Program, CIP Project # 30009. *[All Wards]*

Recommendation:
Approve the resolution.

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities.

Background:
This program is to replace sewer manhole boxouts in pavement to improve the road surface and mitigate storm water runoff into sanitary manholes. The concrete boxout is the area of the road surface that immediately surrounds the manhole cover on the street surface.

Defective boxouts have been identified by the Sewer Division for inclusion in the program. The work will be administered by the Sewer Division with quality assurance inspections being completed by Engineering Division Staff. The program letting is proposed for May 2015.

Funds for the FY2016 Manhole Boxout Repair Program are budgeted in CIP #30009 at \$120,000.

ATTACHMENTS:

Type	Description
 Cover Memo	Preliminary Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport

PRELIMINARY RESOLUTION covering the Fiscal Year 2016 Manhole Boxout Repair Program, CIP Project # 30009.

WHEREAS, it is deemed advisable and necessary to construct certain site improvements in the City of Davenport, Iowa, as follows: manhole boxout and pavement removal and replacement and other work thereto, for improvements and repairs to the City of Davenport's infrastructure; and

WHEREAS, funding for this project in the amount of \$120,000 is provided in the CIP budget;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa, that the City Council hereby orders the Engineering Division to prepare plans, specifications, an estimate of the cost and contract documents to be filed with the City Clerk.

BE IT FURTHER RESOLVED that when the plans, specifications, estimate of cost and contract documents are completed, the Engineering Division fix a time and place for a public hearing thereon before the City Council and cause the notice for said hearing to be published as required by law. That when the plans, specifications, estimate of costs and contract documents are completed, the Engineering Division is ordered to publish a Notice to Bidders and accept bids. This program will be called the Fiscal Year 2016 Manhole Boxout Repair Program.

Passed and approved the 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Ron Hocker; 563-326-5169
Wards: All

Action / Date
4/1/2015

Subject:

Preliminary Resolution approving the specifications, form of contract and estimated cost for the fiscal year 2016 Manhole Boxout Repair Program. CIP Project #30009. *[All Wards]*

Recommendation:

Pass the Resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

This program is to replace sewer manhole boxouts in pavement to improve the road surface and mitigate storm water runoff into sanitary manholes. The concrete boxout is the area of the road surface that immediately surrounds the manhole cover on the street surface.

Defective boxouts have been identified by the Sewer Division for inclusion in the program. The work will be administered by the Sewer Division with quality assurance inspections being completed by Engineering Division Staff. The program letting is proposed for May 2015.

Funds for the FY2016 Manhole Boxout Repair Program are budgeted in CIP #30009 at \$120,000.

ATTACHMENTS:

Type	Description
 Resolution Letter	PW_RES_MANHOLEBOXOUT PG 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION Approving the specifications, form of contract and estimated cost for the Fiscal Year 2016 Manhole Boxout Repair Program.

WHEREAS, on the 25th day of March, 2015, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the Fiscal Year 2016 Manhole Boxout Repair Program within the City of Davenport, Iowa; and

WHEREAS, Notice of Hearing on specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said specifications, form of contract and estimate of cost are hereby approved as the specifications, form of contract and estimate of cost for said Fiscal Year 2016 Manhole Boxout Repair Program.

Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee:
Department: Public Works
Contact Info: Kurt Scheible; (563) 888-2150
Wards: All

Action / Date
4/1/2015

Subject:

Resolution approving the FY16 Transit Assistance (STA) grant funding application and to sign the applications and grant.

[All Wards]

Recommendation:
Approve the resolution.

Relationship to Goals:
Financially Responsible City Government.

Background:

Each transit fiscal year, the IDOT (Iowa Department of Transportation), provides financial operating assistance to Davenport Public Transit. To receive these funds, IDOT requires a public hearing to be held for interested individuals to submit comments on the proposed funding. Staff has been advised that the projected STA allocation for FY2016 will be \$455,880. The public hearing was held April 1, 2015.

ATTACHMENTS:

Type	Description
 Resolution Letter	PW_RES_STA Grant pg2
 Backup Material	STA Grant Application

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/2/2015 - 1:06 PM
Public Works Committee	Admin, Default	Approved	4/2/2015 - 1:06 PM
City Clerk	Admin, Default	Approved	4/2/2015 - 3:37 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the FY16 Transit Assistance (STA) grant funding application and to sign the applications and grant.

WHEREAS, the Iowa Department of Transportation provides operations and capital financial assistance for the City of Davenport Public Transit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the application for STA is hereby approved.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

Authorizing Resolution

We, hereby, authorize William E. Gluba

(Name of Authorized Signatory)

on behalf of City of Davenport/CitiBus

(Legal Name of Applicant)

to apply for financial assistance as noted below and to enter into related contract(s) with the Iowa Department of Transportation.

From the State Transit Assistance Program:

3.267548 % of formula funds;

\$ _____ of Special Project funds

From federal funds for transit in non-urbanized areas and/or for transit serving primarily elderly persons and person with disabilities:

\$ _____

From statewide federal capital assistance for transit:

\$ _____

We understand acceptance of federal transit assistance involves an agreement to comply with certain labor protection provisions.

We certify that City of Davenport/CitiBus

(Legal Name of Applicant)

has sufficient non-federal funds to provide required local match for capital projects and at time of delivery will have the funds to operate and maintain vehicles and equipment purchased under this project.

We request that State Transit Assistance formula funding be advanced as allowed by law, to improve transit system cash flow.

Adopted the 8th day of April, 2015

Name: City Council

(Applicant's Governing Body)

By: _____

(Signature of Chief Executive Officer)

Title: Mayor

Address: 226 W. 4th St. Davenport, IA 52801

Telephone: 563-326-7701

Labor Protection Agreement

The City of Davenport/CitiBus

(Legal Name of Applicant)

as an applicant for federal non-urbanized area agrees that in the absence of a waiver by the Department of Labor, the terms and conditions of the Special Warranty Arrangement For Application to Other Than Urbanized and Over-the-Road Bus Accessibility Projects Pursuant to Section 5333(b) of Title 49, of the U.S. Code, Chapter 53 (hereinafter referred to as "Warranty"), shall apply for the protection of the employees of any employer providing transportation services assisted by the project and the employees of any other surface public transportation providers in the transportation service area of the Project. The Warranty shall be made part of the contract of assistance with the Iowa Department of Transportation and shall be binding and enforceable by and upon the parties thereto, by any covered employee or his/her representative.

Additionally, pursuant to the Department of Labor's procedures for application of the Warranty, included with this submission is a listing of all transportation providers which will be recipients of transportation assistance funded by the Project, a listing of other transportation providers in the geographic area of such Project, and any labor organization representing the employees of such providers.

I further certify that I have read and understand the terms and conditions of the Warranty, which can be found at http://www.dol.gov/olms/regs/compliance//transit/07_Special_Warranty.htm

Signature

Michael Clarke

Print Name

Public Works Director

Title

City of Davenport/CitiBus

Name of Organization

Date Signed

Listing of Surface Transportation Providers in Project Area

Table 1: Transit Providers Operating Under Authority of Applicant

Note: List applicant as number one if it actually operates/provides services

Provider Operating Under Contract to (Legal Name of Applicant)								
City of Davenport/CitiBus								
List transit operations showing their current status as of (date)		Use Union Code	check if Yes					
April 1, 2015			Union Local Number	Union/ Bargaining Unit	Crosses Urban Boundary	Crosses Regional Boundary	Crosses State Boundary	Receiving Public Money
Union Code								
ATU - Amalgamated Transit Union; AFSCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBT - International Brotherhood of Teamsters; IUOE - International Union of Operating Engineers; IUPAT - International Union of Painters and Allied Trades; NONE; OTHER								
Address and e-Mail Address must be included for all agencies with a union affiliation.								
1.	City of Davenport/CitiBus Charles White Ground Transportation Center 300 West River Dr Davenport, IA 52801 http://www.cityofdavenportiowa.com/departments/division.php	312	ATU	☒	☒	☒	☒	☐
2.	River Bend Transit 7440 Vine Street Court Davenport, IA 52806 www.riverbendtransit.org rzohrist@riverbendtransit.org		NONE	☒	☒	☒	☒	☒
3.				☐	☐	☐	☐	☐
4.				☐	☐	☐	☐	☐
5.				☐	☐	☐	☐	☐
6.				☐	☐	☐	☐	☐
7.				☐	☐	☐	☐	☐

Listing of Surface Transportation Providers in Project Area

Table 2: Transit Providers Not Operating Under Authority of Applicant

List all other public, private, and non-profit transportation providers which operate or offer services in Applicant's service area, including intercity bus companies, taxis, and social service agencies.

Services/Programs Operating Independently From: (Legal Name of Applicant)

City of Davenport/CitiBus

List transit operations showing their current status as of (date) April 1, 2015		Use Union Code	check if Yes					
Union Code	Address and e-Mail Address must be included.	Union Local Number	Union/ Bargaining Unit	Crosses Urban Boundary	Crosses Regional Boundary	Crosses State Boundary	Receiving Public Money	Private-For-Profit
ATU - Amalgamated Transit Union; AFSCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBT - International Brotherhood of Teamsters; IUOE - International Union of Operating Engineers; IUPAT - International Union of Painters and Allied Trades; NONE; OTHER								
1.	7th Judicial District Correctional Services 1330 West 3rd St Davenport, IA 52802 563-342-2130			☒	☒	☐	☒	☐
2.	Act II Transportation 310 E. 1st Ave Coal Valley, IL 61240 800-769-8891 www.actiitransportations.com			☒	☐	☒	☐	☒
3.	A Limo Experience 300 NW Bank Davenport, IS 52803 563-340-2550			☐	☐	☐	☐	☐
4.	Bettendorf Transit 4403 Devil's Glen Road Bettendorf, IA 52722 563-344-4416 http://www.bettendorf.org/department/?PID=22-0	3589	AFSCME	☒	☐	☐	☒	☐
5.	Buddy Boy Cab 1120 15th Ave East Moline, IL 309-755-5266			☐	☐	☒	☐	☒
6.	On The Go Transportation 3705 W. Locust St, Lot 82 Davenport, IA 52804 563-388-7179			☒	☐	☐	☐	☒
7.	Clydes Taxi Service 8 Birchwood Ct Davenport, IA 52804 563-639-8053			☒	☐	☐	☐	☒

List transit operations showing their current status as of (date)		Use Union Code		check if Yes				
April 1, 2015								
Union Code		Union Local Number	Union/ Bargaining Unit	Crosses Urban Boundary	Crosses Regional Boundary	Crosses State Boundary	Receiving Public Money	Private-For-Profit
Address and e-Mail Address must be included								
ATU - Amalgamated Transit Union; AFSCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBT - International Brotherhood of Teamsters; IUOE - International Union of Operating Engineers; IUPAT - International Union of Painters and Allied Trades; NONE; OTHER								
8.	Dana's Cab 1740 W. 4th St Davenport, IA 52802 www.danacabbsqc.com 563-323-2227			☒	☐	☐	☐	☒
9.	Davenport Good Samaritan 700 Waverly Rd Davenport, IA 52804 www.goodsam.com 563-324-1651			☒	☒	☒	☐	☒
10.	Durham School Transportation 3640 Davenport Ave Davenport, IA 52807 563-386-1436 ewheeler@durhamschoolservices.com			☐	☐	☐	☒	☐
11.	Engle Taxi Service 1543 State Bettendorf, IA 52722 563-265-5896 www.engletaxiservice.com			☒	☐	☐	☐	☒
12.	Family Resources 2800 Eastern Ave Davenport, IA 52803 info@famres.org 563-326-6431			☐	☐	☐	☐	☐
13.	Friendly House 1221 Myrtle St Davenport, IA 52804 602-257-1870 http://www.friendlyhouse.org/contact-us			☐	☐	☐	☐	☐
14.	Good to Go Taxi Cab Service 2905 Brady St Davenport, IA 52803 www.goodtogotaxi.com 563-424-2039			☐	☐	☐	☒	☐
15.	Greyhound Bus Lines 1200 River Dr Moline, IL 309-764-4257			☒	☒	☒	☐	☒

List transit operations showing their current status as of (date)
April 1, 2015

Use
Union
Code

check if Yes

Union Code		Union Local Number	Union/ Bargaining Unit	Crosses Urban Boundary	Crosses Regional Boundary	Crosses State Boundary	Receiving Public Money	Private-For-Profit
Address and e-Mail Address must be included								
16.	Home Instead Senior Care 1977 Spruce Hills Bettendorf, IA 52722 563-359-0027 www.homeinstead.com			☒	☒	☒	☐	☒
17.	Lighthouse Homecare, Inc 4026 46th Ave #3 Rock Island, IL 61201 309-786-9982			☒	☒	☒	☐	☒
18.	Lucky Enterprises 509 12th St Rock Island, IL 61201 309-788-8182 callluckv.com			☒	☒	☒	☐	☒
19.	Luxury Limousine 15875 106th St Davenport, IA 52804 563-265-3982 1.11X1.1M@aol.com			☒	☒	☒	☐	☒
20.	Helping Hands Transportation Services, LLC 23847 284th Ave Le Claire, IA 52753 563-729-1147 1fowler@netins.net			☐	☐	☐	☒	☐
21.	QC Cabs 4018 Marquette St Davenport, IA 52806 563-349-9993 www.qccabs.com			☐	☐	☐	☐	☒
22.	Rave Luxury Transport 3532 W. Locust Davenport, IA 528704 610-255-7283 www.allravetransportation.com			☐	☐	☐	☐	☒
23.	Supreme Limousine Incorporated W. Garfield Ct Davenport, IA 52805 563-328-4722			☐	☐	☐	☐	☒

List transit operations showing their current status as of (date)
April 1, 2015

Use
Union
Code

check if Yes

Union Code ATU - Amalgamated Transit Union; AFSCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBT - International Brotherhood of Teamsters; IUOE - International Union of Operating Engineers; IUPAT - International Union of Painters and Allied Trades; NONE; OTHER		Union Local Number	Union/ Bargaining Unit	Crosses Urban Boundary	Crosses Regional Boundary	Crosses State Boundary	Receiving Public Money	Private-For-Profit
Address and e-Mail Address must be included								
24.	CIT Signature Transportation N. Division St Davenport, IA 52806 563-514-0781			☐	☐	☐	☐	☒
25.	Havri Transportation Incorporated 2009 N Nevada Ave Davenport IA 52804 563-396-3019			☐	☐	☐	☐	☒
26.	Four Diamonds Transportation Incorporated 409 E 15th St Davenport, IA 52803 563-424-4556			☐	☐	☐	☐	☒
27.	Max's Cab Company 1025 W. 4th St Davenport, IA 52802 309-788-4100			☐	☐	☐	☐	☒
28.	Hawkeye Transportation E. 3rd St Davenport, IA 52801 563-499-6619			☐	☐	☐	☐	☒
29.	Big Bang Party Bus W. 3rd St Davenport, IA 52801 563-508-1101			☐	☐	☐	☐	☒
30.	VIP Transportation 2524 E 32nd St Davenport, IA 52807 309-314-1165 www.vintransportation.com			☐	☐	☐	☐	☒
31.	Quad City Trolley Company 1410 Hillside Dr Betendorf, IA 52722 563-340-3645 www.quadcitytrolley.com			☐	☐	☐	☐	☒

List transit operations showing their current status as of (date)
April 1, 2015

Use
Union
Code

check if Yes

Union Code ATU - Amalgamated Transit Union; AFSCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBT - International Brotherhood of Teamsters; IUOE - International Union of Operating Engineers; IUPAT - International Union of Painters and Allied Trades; NONE; OTHER		Union Local Number	Union/ Bargaining Unit	Crosses Urban Boundary	Crosses Regional Boundary	Crosses State Boundary	Receiving Public Money	Private-For-Profit
Address and e-Mail Address must be included								
32.	Yellow Checker Cab E. Locust St Davenport, IA 52803 563-323-8294			☐	☐	☐	☐	☒
33.	Burlington Trailways 300 West River Rd Davenport, IA 52801 563-322-1876 burlingtontrailways.com			☒	☒	☒	☐	☒
34.	MegaBus 300 West River Rd Davenport, IA 52801 us.megabus.com/			☒	☒	☒	☐	☒
35.				☐	☐	☐	☐	☐
36.				☐	☐	☐	☐	☐
37.				☐	☐	☐	☐	☐
38.				☐	☐	☐	☐	☐
39.				☐	☐	☐	☐	☐

CERTIFICATE OF COST ALLOCATION PLAN

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief that:

- (1) All costs and information included in this proposal dated _____ to establish cost allocations or billings for FY 2016 are allowable in accordance with (please check the applicable CFR):
 - ☒ 2 CFR Part 225 (formerly OMB Circular A-87), "Cost Principles for State, Local and Indian Tribal Governments.", or
 - ☐ 2 CFR Part 230 (formerly OMB Circular A-122), "Cost Principles for Non-profit Organizations."
- (2) All costs have been accorded consistent treatment in accordance with generally accepted accounting principles,
- (3) An adequate accounting and statistical system exists to support claims that will be made under the Plan,
- (4) The information provided in support of the Cost Allocation Plan is accurate, and
- (5) All federally unallowable costs have been excluded from allocations.

I declare under penalty of perjury that the foregoing is true and correct.

Signed by the official having the authority to negotiate indirect cost rates for the organization or by a higher level official.

Signature

Brandon Wright

Print Name

Finance Director

Title

City of Davenport/CitiBus

Name of Organization

Date Signed

CERTIFICATE OF INDIRECT COSTS

This is to certify that I have reviewed the indirect cost proposal submitted herewith and to the best of my knowledge and belief:

- (1) All costs included in this proposal dated _____ to establish billing or final indirect costs for FY 2016 are allowable in accordance with the requirements of the Federal award(s) to which they apply and (please check the applicable CFR):

- ☒ 2 CFR Part 225 (formerly OMB Circular A-87), "Cost Principles for State, Local and Indian Tribal Governments.", or
☐ 2 CFR Part 230 (formerly OMB Circular A-122), "Cost Principles for Non-profit Organizations."

All unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan or indirect cost rate proposal.

- (2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently, and the Federal Government will be notified of any accounting changes that would affect the negotiated rate (if any).

Subject to the provisions of the Program Fraud Civil Remedies Act of 1986, (31 USC 3801 et seq.), and the Department of Labor's implementing regulations, (29 CFR Part 22), the False Claims Act (18 USC 287 and 31 USC 3729); and the False Statement Act (18 USC 1001), I declare to the best of my knowledge that the foregoing is true and correct.

Signed by the official having the authority to negotiate indirect cost rates for the organization or by a higher level official.

Signature

Brandon Wright

Print Name

Finance Director

Title

City of Davenport/CitiBus

Name of Organization

Date Signed

LOBBYING COST CERTIFICATE

I hereby certify that City of Davenport/CitiBus

(Legal Name of Applicant)

has complied with the requirements and standards on lobbying costs in 2 CFR Part 230 (formerly OMB Circular A-122), "Cost Principles for Non-profit Organizations." for FY 2016 in that:

- (1) No costs are used to attempt to influence outcomes of any Federal, State, or local election, referendum, initiative, or similar procedure, through in kind or cash contributions, endorsements, publicity, or similar activity.
- (2) No costs are used to establish, administer, contribute to, or pay the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcomes of elections.
- (3) No costs are used to attempt to influence and Federal or State legislation enactment or modification of any pending Federal or State legislation through communication with any member or employee of the Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), or with any Government official or employee in connection with a decision to sign or veto enrolled legislation or by preparing, distributing or using publicity or propaganda, or by urging members of the general public or any segment thereof to contribute to, or participate in, any mass demonstration, march, rally, fundraising drive, lobbying campaign or letter writing or telephone campaign.
- (4) No costs are used for legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried on in support of or in knowing preparation for an effort to engage in unallowable lobbying

I declare under penalty of perjury that the foregoing is true and correct.

Signed by the official having the authority to negotiate indirect cost rates for the organization or by a higher level official.

Signature

Brandon Wright

Print Name

Finance Director

Title

City of Davenport/CitiBus

Name of Organization

Date Signed

FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS (Signature pages alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: City of Davenport (City Bus)

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. _____

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<u>Group</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	<u>X</u>
02.	Lobbying.	<u>X</u>
03.	Procurement and Procurement Systems.	<u>X</u>
04.	Private Sector Protections.	<u>Y</u>
05.	Rolling Stock Reviews and Bus Testing.	<u>X</u>
06.	Demand Responsive Service.	<u>Y</u>
07.	Intelligent Transportation Systems.	<u>Y</u>
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	<u>X</u>
09.	Transit Asset Management Plan and Public Transportation Agency Safety Plan.	<u>Y</u>
10.	Alcohol and Controlled Substances Testing.	<u>Y</u>
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21 Became Effective.	_____
12.	State of Good Repair Program.	<u>X</u>
13.	Fixed Guideway Modernization Grant Program.	_____
14.	Bus and Bus Facilities Formula Grants Program and Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary).	<u>X</u>
15.	Urbanized Area Formula Grants Programs/ Passenger Ferry Grants Program/Job Access and Reverse Commute (JARC) Formula Grant Program.	_____
16.	Seniors/Elderly/Individuals with Disabilities Programs/New Freedom Program.	<u>X</u>
17.	Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.	_____
18.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
19.	Low or No Emission/Clean Fuels Grant Programs.	<u>X</u>
20.	Paul S. Sarbanes Transit in Parks Program.	_____
21.	State Safety Oversight Grant Program.	_____
22.	Public Transportation Emergency Relief Program.	_____
23.	Expedited Project Delivery Pilot Program.	_____
24.	Infrastructure Finance Programs.	_____

FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2015 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE (Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of the Applicant: CITY OF DAVENPORT (CITIBUS)

Name and Relationship of the Authorized Representative: General Manager

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2015, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Project for which it seeks now, or may later seek FTA funding during Federal Fiscal Year 2015.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature: [Signature]

Date: 19 Feb 15

Name: KURT M. SCHEIBLE
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): City of Davenport

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

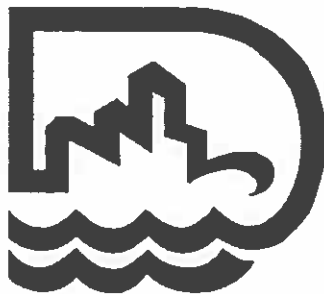
I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA Project or Projects.

Signature: [Signature]

Date: 2/27/15

Name: Thomas D. Warner
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.



Davenport Public Transit

Citibus

TO: Office of Public Transportation

March 25, 2015

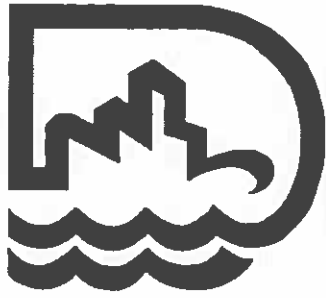
FROM: Kurt Scheible
General Manager

SUBJECT: Discrimination Complaints for FY15

Davenport CitiBus had two complaints in the last fiscal year. The first complaint was withdrawn by the complainant. This complaint alleged the driver was not allowing the person adequate time to sit along with a complaint of harassing comments. CitiBus could not find any evidence of this type of behavior from the driver. Once again, the complaint was withdrawn by the complainant. There second complaint was against River Bend Transit and Bettendorf Transit, but happened in the city limits of Davenport. The complaint was for denial of service and rude behavior. The driver was retrained. River Bend will emphasize when to provide service and customer service requirements in their quarterly training. CitiBus was not involved in the resolution.

Respectfully,

Kurt M. Scheible
General Manager



Davenport Public Transit

Citibus

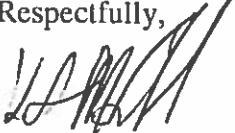
TO: Office of Public Transportation

March 25, 2015

FROM: Kurt Scheible
General Manager

SUBJECT: Lawsuits

CitiBus has no lawsuits to report.

Respectfully,


Kurt M. Scheible
General Manager

MINORITY IMPACT STATEMENT

Pursuant to 2008 Iowa Acts, HF 2393, Iowa Code Section 8.11, all grant applications submitted to the state of Iowa that are due beginning January 1, 2009 shall include a Minority Impact Statement. This is the state's mechanism for requiring grant applicants to consider the potential impact of the grant project's proposed programs or policies on minority groups.

Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s). Submit additional pages as necessary.

- ☒ The proposed grant project programs or policies could have a disproportionate or unique **positive** impact on minority persons.

Describe the positive impact expected from this project. All of our vehicles and facilities meet ADA requirements and our ADA paratransit service provides an enhanced level of service that uniquely suits the needs of passengers with disabilities. Our operation also has a DBE goal, which will positively impact minority owned businesses.

Indicate which group is impacted:

- | | | | | |
|---|---|--|---|--|
| ☒ Women | ☒ Persons with a disability | ☒ Blacks | ☒ Latinos | ☒ Asians |
| ☒ Pacific Islanders | ☒ American Indians | ☒ Alaskan Native Americans | ☒ Other | |

- ☐ The proposed grant project programs or policies could have a disproportionate or unique **negative** impact on minority persons.

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.

Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

- ☐ Women ☐ Persons with a disability ☐ Blacks ☐ Latinos ☐ Asians
☐ Pacific Islanders ☐ American Indians ☐ Alaskan Native Americans ☐ Other

- ☐ The proposed grant project programs or policies are not expected to have a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge:

Name: Kurt M Scheible

Title: General Manager

Definitions

"Minority Persons," as defined in Iowa Code Section 8.11, means individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

"Disability," as defined in Iowa Code Section 15.102, subsection 7, paragraph "b," subparagraph (1):

b. As used in this subsection:

- (1) "*Disability*" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

"*Disability*" does not include any of the following:

- (a) Homosexuality or bisexuality.
- (b) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments or other sexual behavior disorders.
- (c) Compulsive gambling, kleptomania, or pyromania.
- (d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.

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City Council

Click any of the buttons below to access department specific information.

[Links](#)[Staff](#)[Services](#)[Documents](#)[Videos](#)

Name	Email	Phone
Ambrose, Raymond A	rambrose@ci.davenport.ia.us	326-7721
Barnhill, Barney	bbarnhill@ci.davenport.ia.us	322-1819
Boom, William J	bboom@ci.davenport.ia.us	326-7721
Dunn, Rick	rdunn@ci.davenport.ia.us	326-7721
Edmond, Bill	bedmond@ci.davenport.ia.us	888-2070
Gordon, Jason	jgordon@ci.davenport.ia.us	529-4468
Justin, Jeffrey W	jjustin@ci.davenport.ia.us	326-7721
Matson, Michael J	mmatson@ci.davenport.ia.us	326-7721
Meeker, R Eugene	gmeeker@ci.davenport.ia.us	326-7721
Thompson, Tiffany	tthompson@ci.davenport.ia.us	563-888-2066
Tompkins, Kerri	Ktompkins@ci.davenport.ia.us	563-326-7721

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Stromberg Time Clock

[E-Timesheet Login \(Users\)](#)[E-Supervisor Login](#)

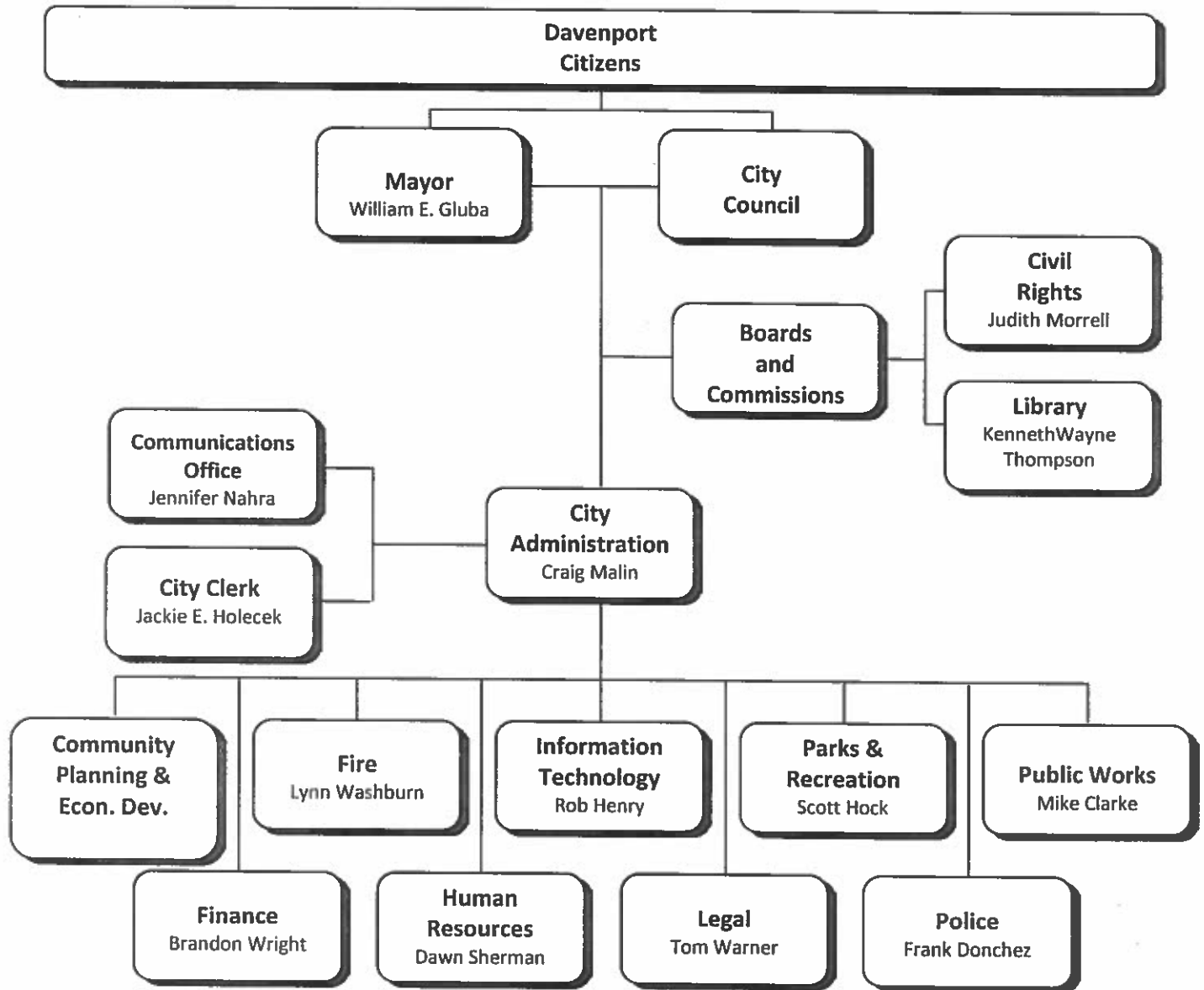
Munis Dashboard

[Munis Test](#)[Munis Train](#)[Munis Live](#)

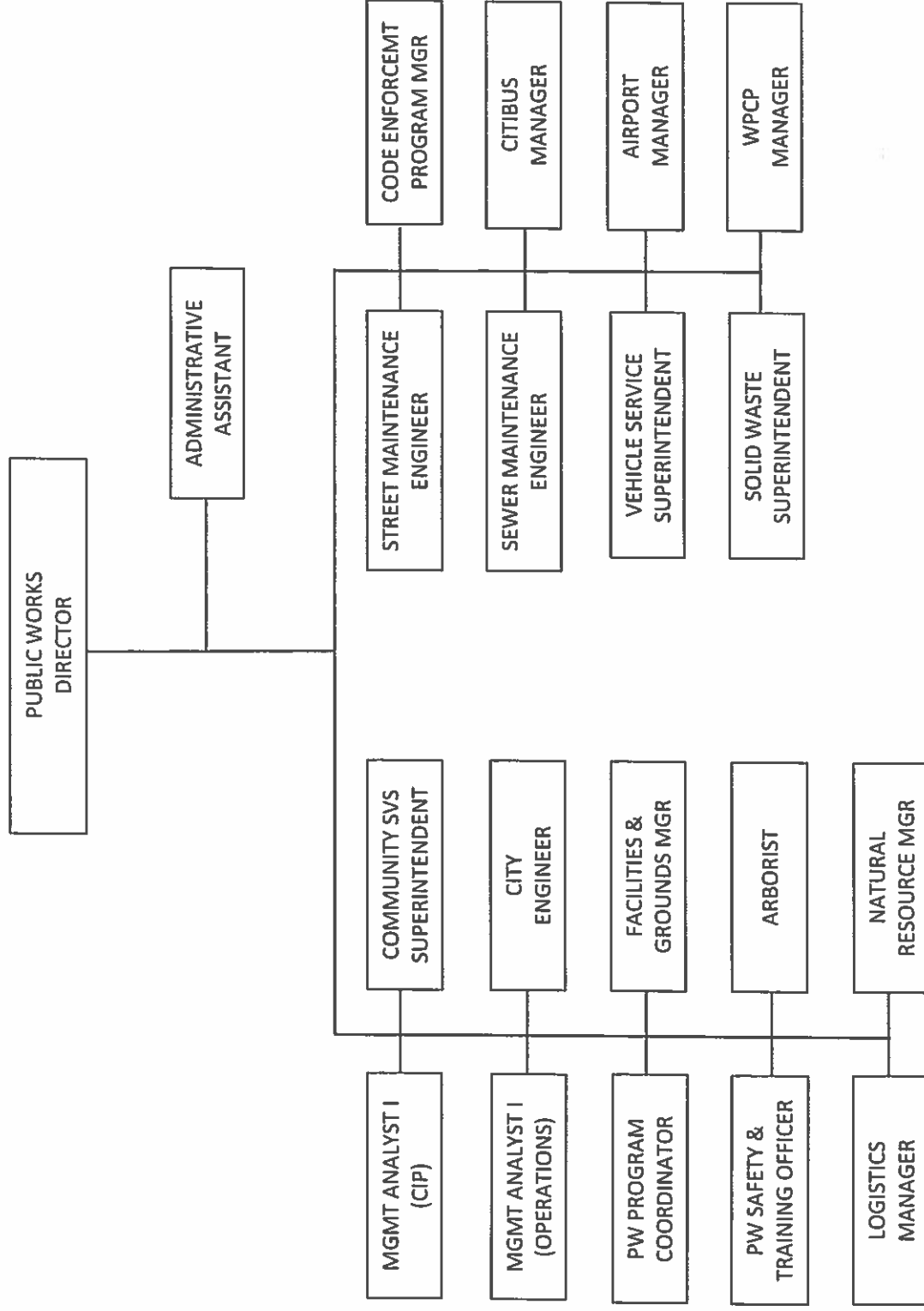
Novus Agenda

[Staff Login](#)

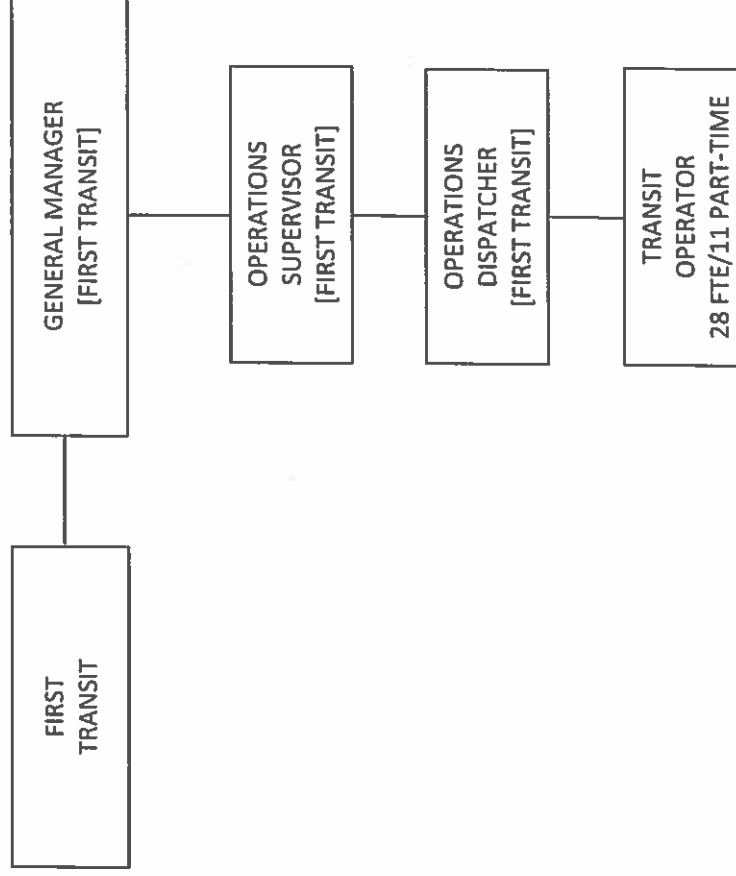
CITY-WIDE ORGANIZATION CHART 2015 BUDGET

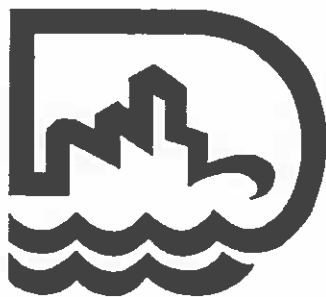


PUBLIC WORKS ADMINISTRATION



CITIBUS DIVISION





Davenport Public Transit

Citibus

TO: Office of Public Transportation

March 25, 2015

FROM: Kurt Scheible
General Manager

SUBJECT: Contact Information

CitiBus immediate supervisor contact information:

Mike Clarke
mclarke@ci.davenport.ia.us
563-326-7734

Respectfully,

Kurt M. Scheible
General Manager

Draft 2016 Transit Program

(Filtered)

MPO-25 / BSRC (14 Projects)

Fund	Sponsor	Transit # Expense Class Project Type	Desc / Add Ons / Addnl Info	FY16	FY17	FY18	FY19
STA, 5339, 5307	Davenport	979 Operations Misc	General Operations	Total 5,250,000	5,980,000	6,468,000	
				FA 850,000	900,000	1,000,000	
				SA 400,000	480,000	500,000	
5307	Davenport	980 Capital Replacement	Preventative maintenance	Total 658,393	659,793	665,000	
				FA 526,500	526,700	530,000	
				SA 131,893			
5307	Davenport	981 Operations Misc	ADA paratransit assistance	Total 480,981	483,600	487,808	
				FA 350,000	350,000	350,000	
				SA 130,981			
5307	Davenport	2595 Capital Expansion	Bus Shelters	Total 60,000	60,000	60,000	
				FA 48,000	48,000	48,000	
				SA 12,000			
5307	Davenport	3022 Operations Other	JARC Projects	Total 145,656	148,568	150,000	
				FA 72,828	74,284	75,000	
				SA 72,828			
5307	Davenport	3389 Capital Expansion	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 2501	Total 431,600			
				FA 366,860			
				SA 64,740			
5339	Davenport	3424 Capital Expansion	Heavy Duty Bus (40-42 ft.) Diesel, UFR, VSS, Low Floor Unit #: 4402	Total 452,400			
				FA 384,540			
				SA 67,860			
5339	Davenport	2145 Capital Replacement	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3203	Total 431,600			
				FA 366,860			
				SA 64,740			
5339	Davenport	2146 Capital Replacement	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3204	Total 431,600			
				FA 366,860			
				SA 64,740			
5339	Davenport	2147 Capital Replacement	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3205	Total 431,600			
				FA 366,860			
				SA 64,740			
5339	Davenport	2148 Capital Replacement	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3206	Total 448,864	448,864		
				FA 381,534	381,534		
				SA 67,330			
5339	Davenport	2594 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3801	Total 470,496	470,496		
				FA 399,922	399,922		
				SA 70,574			
5339	Davenport	2143 Capital Replacement	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3201	Total 466,819		466,819	
				FA 396,796		396,796	
				SA 70,023			
5339	Davenport	2144 Capital Replacement	Heavy Duty Bus (35-39 ft.) Diesel, UFR, VSS, Low Floor Unit #: 3202	Total 466,819		466,819	
				FA 396,796		396,796	
				SA 70,023			

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Jim Bengé; (563) 327-5141
Wards: 1

Action / Date
4/1/2015

Subject:
Resolution accepting the Compost Facility Biofilter System construction project to Brandt Construction, Milan, IL, CIP Project #10563. *[Ward 1]*

Recommendation:
Pass the resolution.

Relationship to Goals:
Upgraded City Infrastructure & Public Facilities.

Background:
The biofilter system at the Compost Facility which is used to control odors from the composting process has been completed.

The original system was installed in the early 1990's, reached its life expectancy and was replaced with a new biofilter system.

Improvements in technology and design will ensure improved odor control, cost less in maintenance, and will lower operating costs.

The contract work was satisfactorily completed by Brandt Construction at a cost of \$2,786,641.

ATTACHMENTS:

Type	Description
 Resolution Letter	PW_RES_FINAL_BIOFILTER

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution accepting the Compost Facility Biofilter System construction project to Brandt Construction, Milan, IL, CIP Project #10563.

Whereas, the City of Davenport entered into a contract with Brandt Construction, Milan, IL, for the Compost Facility Biofilter System construction project; and

Whereas, work on the project has been satisfactorily completed

Now, therefore, be it resolved, by the City Council of the City of Davenport, Iowa: that the Compost Facility Biofilter System construction project is hereby accepted.

Passed and approved this 8th day of April, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: 1

Action / Date
4/1/2015

Subject:

Motion approving change order number 1 for the FY2015 Compost Facility Resurfacing Project, General Asphalt contract in the amount of \$75,000, GL Account #51151976-530319.
[Ward 1]

Recommendation:

Approve the motion.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

To achieve optimum pricing, the Compost Facility Resurfacing Project was bid jointly with the Duck Creek Bike Path Resurfacing Project. A contract has been awarded to General Asphalt in the amount of \$300,000.

Favorable contract prices and available funding within the Compost Facility operating budget allow for an additional \$75,000 of resurfacing to be completed at the Compost Facility. As operational funds this money must be spent at the Compost Facility.

If approved, this additional funding will be used to expand the area being resurfaced within the outdoor work yard (map attached). The work will be performed using current bid prices and will be completed along with the original contract work scheduled for this spring and summer.

The additional \$75,000 is available within the annual operational budget of the Compost Facility, GL Account #511551976-530319

ATTACHMENTS:

Type	Description
 Backup Material	3 PW_PBH_Compost Facility Resurfacing Page 2
 Backup Material	PW_MO_Compost Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	4/1/2015 - 12:55 PM



City of Davenport

Public Works Department

1200 East 46th Street • Davenport, Iowa 52807
Telephone: 563-326-7923 Fax: 563-327-5182

CERTIFICATIONS

CITY ENGINEER _____
(Work is Required)

CIP MANAGEMENT ANALYST _____
(Funds are Available)

CHIEF OF CONSTRUCTION _____
(Work is Constructible)

PUBLIC WORKS DIRECTOR _____
(Approval)

Matthew J. Thompson
General Asphalt Construction Company
5400 Rockingham Rd
P.O. Box 3923
Davenport, Iowa 52808-3923

RE: COMPOST FACILITY RESURFACING PROJECT, CHANGE ORDER #1, ORG #51151976 AND OBJECT #530319

Dear Mr. Thompson:

This document shall be Change Order Number 1 to your existing contract for resurfacing at the Davenport Compost Facility and Bike Path. This additional work is to be completed at the Compost Facility.

CHANGE ORDER DESCRIPTION:

1. Extend the area to be resurfaced using current bid items and bid prices. Exact area to determined with Compost Facility staff and the project manager:
Cost: \$75,000.00
Working Days Adjustment: 3

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$300,000.00
Previous Change Orders	\$0
<u>This Change Order</u>	<u>\$75,000.00</u>
Amended Contract Amount:	\$375,000.00

Recommend/Approved: _____
(Up to \$5,000) Project Manager

Date: _____

Recommend/Approved: _____
Contractor

Date: _____

Recommend/Approved: _____
(Up to \$15,000) Michael Clarke, Public Works Director

Date: _____

Recommend/Approved: _____
(Up to \$25,000) Craig Malin, City Administrator

Date: _____

Recommend/Approved: _____
(Up to \$100,000) Chair, Public Works Committee

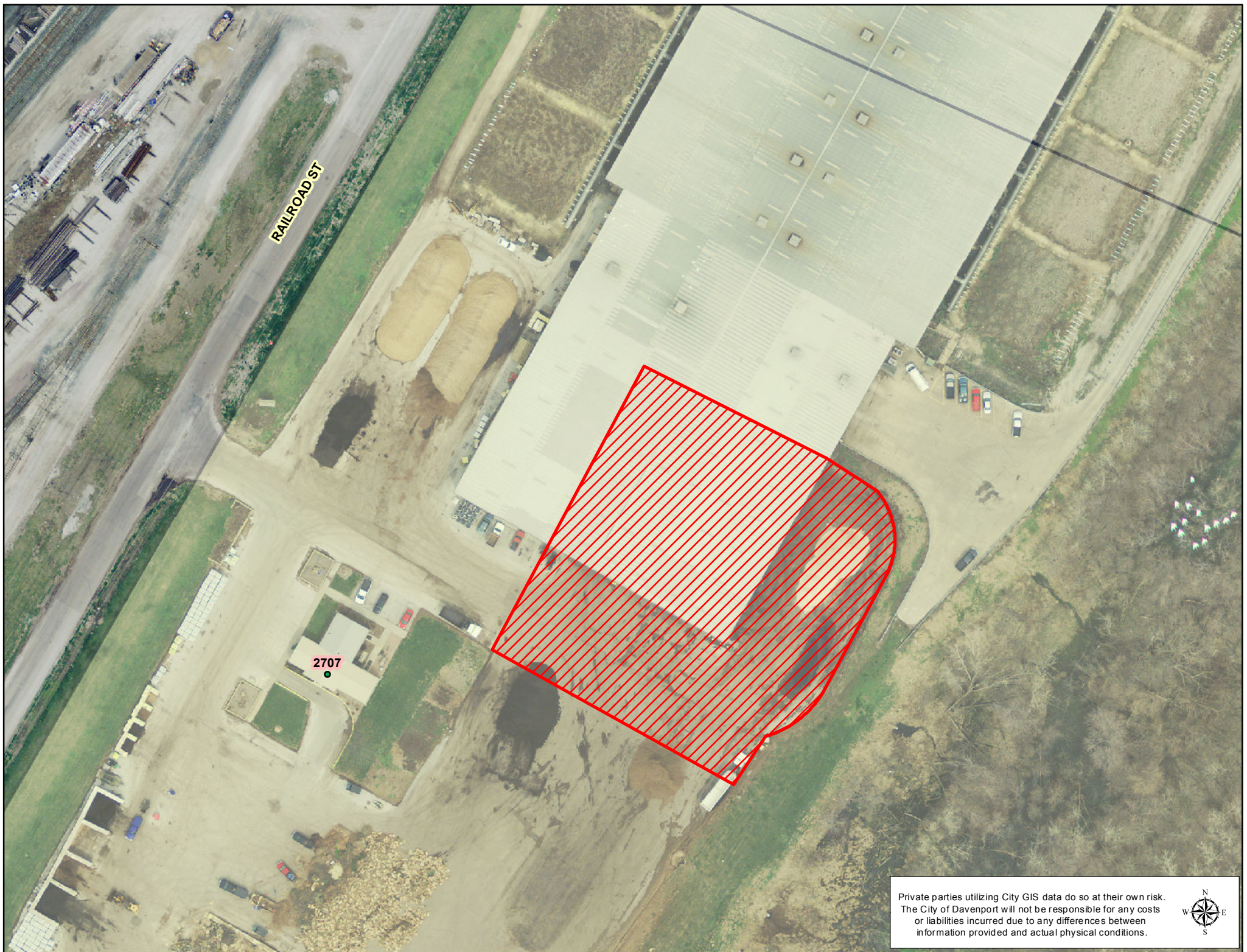
Date: _____

Required: Green Sheet Motion to Approve Council Meeting Date: 04/01/2015

Recommend/Approved: _____
(Over \$100,000) N.A.
City Clerk, City of Davenport

Date: _____

Required: Green Sheet Resolution to Approve Council Meeting Date: N.A.



RAILROAD ST

2707

Private parties utilizing City GIS data do so at their own risk.
The City of Davenport will not be responsible for any costs
or liabilities incurred due to any differences between
information provided and actual physical conditions.



City of Davenport

Committee: Finance
Department: Police
Contact Info: Mark Hanssen 888-3566
Wards: All

Action / Date
3/4/2015

Subject:
Motion awarding the purchase of a fleet monitoring system for the Police Department to Stanmex, Inc. of Houston, TX in the amount of \$67,775. [All Wards]

Recommendation:
Approve the Motion.

Relationship to Goals:
Financially Responsible City Government

Background:
On November 5, 2014, a Request for Proposals was issued and sent to nine vendors. On December 2, 2014, the Purchasing Division opened one response. A response tabulation is attached.

The current program that the Police Department uses was purchased in 1999. It is technologically obsolete and becoming unreliable. A new system will utilize GPS and the vehicle's on-board diagnostic computer to continuously collect data for each of our police vehicles as they're working in the city. This data provides critical information for crash analysis, monitoring driver behavior, and alerting vehicle maintenance staff to mechanical problems in a timely manner.

An evaluation committee consisting of staff members from the Police Department, IT Department, and Public Works/Fleet Division rated the proposal on the following: (1) Total cost - 25%; (2) Ability of application to meet department needs - 25%; (3) Vendor qualifications, references, experience, staying power and financial stability, including staffing and ability to meet the milestone dates - 15%; (4) Integration into existing vehicles - 10%; and (5) User ease of operating the system, report generation, and designing custom reports - 25%. The committee had several online and phone discussions about this product with the vendor and the references. This product is still the best solution that the department has found. Stanmex, Inc. is a responsive and responsible vendor.

Funding for this project is from the equipment operating budget of the Police Department, #54912510 530303; with a current balance of \$157,667. The funding source is Local Option Sales Tax.

ATTACHMENTS:

Type	Description
 Backup Material	BIDTAB POLICE FLEET MGMT

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	4/1/2015 - 12:56 PM

CITY OF DAVENPORT, IOWA
TABULATION OF RFP

DESCRIPTION: FLEET MANAGEMENT PROGRAM FOR POLICE DEPARTMENT

BID NUMBER: 15-63

OPENING DATE DECEMBER 2, 2014

GL ACCOUNT NUMBER: 54912510 530303

RECOMMENDATION: AWARD THE CONTRACT TO STANMEX, INC
OF HOUSTON, TX

<u>VENDOR NAME</u>	<u>AMOUNT</u>
Stanmex Inc. of Houston, TX	\$61,275
Extended Warranty/Maintenance Contract	<u>\$ 6,500</u>
Total	\$67,775

Prepared By Krista Keller
Purchasing

Approved By Chief Don Schaeffer
Department Director

Approved By BV
Budget/CIP

Approved By BW
Finance Director

City of Davenport

Committee: Finance
Department: Public Works
Contact Info: Chris Dibbern 326-7891
Wards: 3

Action / Date
4/1/2015

Subject:

Motion awarding a contract for the fire sprinkler replacement at the RiverCenter parking ramp to Ahrern Fire Protection of Davenport, IA in the amount of \$75,355. [Ward 3]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

A request for bids was issued on January 21, 2015 and was sent to 75 contractors. On February 20, 2015, the Purchasing Division opened and received three bids. Ahern Fire Protection was the lowest responsive and responsible bidder and is recommended for the contract.

The current system is outdated and has leaks which create problems in the winter by freezing and making the system inoperable at times. The recommended contract is to replace piping on floors 2, 3, and 4 with Schedule 40 Black Pipe. This contract also includes engineering and removal of the drum drips on P4 of the Mid American Energy elevator lobby.

Funding for this project is from CIP account number 77016675-530350-10430 with an available balance of \$100,000. The source of funding is from Local Option Sales Tax.

ATTACHMENTS:

Type	Description
 Backup Material	BID TAB SPRINKLER REPLACEMENT

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	4/1/2015 - 12:56 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: FIRE SPRINKLER REPLACEMENT AT RIVERCENTER
PARKING RAMP

BID NUMBER: 15-87

OPENING DATE FEBRUARY 10, 2015

RECOMMENDATION: AWARD THE CONTRACT TO AHERN FIRE PROTECTION OF
DAVENPORT, IA

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>AMOUNT</u>
AHERN FIRE PROTECTION	DAVENPORT, IA	\$75,355
CONTINENTAL FIRE SPRINKLER CO.	DAVENPORT, IA	\$83,930
TRI-STATE AUTOMATIC SPRINKLER, INC.	DAVENPORT, IA	\$79,263*

*Did not include cost to eliminate drip drums in the elevator shaft.

Prepared By

C Whitaker
Purchasing

Approved By

M. J. Clark
Department Director

Approved By

Brandi Coyle
Budget/CIP

Approved By

BW
Finance Director

City of Davenport

Committee: Council
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: All

Action / Date
4/8/2015

Subject:
Motion to suspend the rules to add and vote on the following motion.

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/6/2015 - 11:21 AM

City of Davenport

Committee: Finance
Department: Finance
Contact Info: Brandon Wright - 7750
Wards: 3

Action / Date
FIN4/8/2015

Subject:

Motion authorizing staff to sign a revised letter of intent agreeing to the general terms and provisions provided in the Adler Theatre Tax Credit Wind-Up Sources and Uses report. The revised letter of intent does not change the City's previously approved contribution amount. [Ward 3]

Recommendation:

Approve the motion.

Relationship to Goals:

Supporting talent.

Background:

On March 4, 2015, the City Council approved a motion approving the previous sources and uses report that will transfer ownership of the Adler Theatre from the RiverCenter for the Performing Arts, Inc. (RCPA) back to the City of Davenport. After reviewing the report, the National Trust Community Investment Fund, LLC rejected the offer and countered with details outlined in the the revised sources and uses report.

The revised report does not change the City's contribution amount for the Adler Theatre. The additional amounts necessary to complete the transfer are being provided by the RCPA and the Adler Schermer Foundation in the amounts of \$251,810 and \$25,503, respectively. These revisions are being transmitted to the City of Davenport and require a new approval of the overall document, even though the City's contribution amount has not changed.

In 2004, the City transferred ownership of the Adler Theatre to the RCPA in order to capture financing through three tax credit financing programs (Federal Historic, State Historic, and New Market) not directly available to the City. These programs provided most of the funding for the \$14 million expansion project at the Adler Theatre as part of Vision Iowa. The intent of the Adler transfer was for the facility to remain in the ownership of the RCPA so long as the historic tax investors were involved.

In February 2015, the National Trust Community Investment Fund (NTCIF) exercised its put-option signaling the collapse of the historic tax structure. As such, agreements must be reached between the RCPA, NTCIF, Quad City Bank & Trust (QCBT), and US Bancorp Community Development Corporation. The first step in this process is for all the entities to agree upon the general monetary components of the future agreements. The Alder Theatre Tax Credit Wind-Up Sources and Uses Report states that the City of Davenport will contribute \$1.25 million to the RCPA on or after July 15, 2015 to use as proceeds. Simultaneously, the City would become a direct obligor for the RCPA's loan at QCBT and assume ownership of the Adler Theatre. The remaining debt owed to the QCBT at that time will be approximately \$500,000, which is scheduled in the Capital Improvement Program to be paid over FY 2017 and FY 2018.

Funding for the \$1.25 million payment made after July 15, 2015 will come from bonds abated by Alder Theatre revenue. Funding for the remaining \$500,000 owed to the QCBT will come from general obligation bonds.

ATTACHMENTS:

Type	Description
 Backup Material	Adler Sources and Uses Report

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	4/6/2015 - 1:08 PM
Finance Committee	Admin, Default	Approved	4/6/2015 - 1:08 PM
City Clerk	Admin, Default	Approved	4/6/2015 - 1:08 PM

ADLER THEATRE TAX CREDIT WIND-UP SOURCES AND USES

Sources of Funds:

City of Davenport	\$1,250,000.00 ¹
PUT Reserve	\$300,818.00
Operating Reserve	\$164,432.00
Replacement Reserve	\$1811.00
The Adler Schermer Foundation	\$25,503
TOTAL SOURCES	<u>\$1,742,564.00</u>

Uses of Funds:

Replacement Reserve	\$1.00
NTCIF Put Price	\$1,242,563.00 ²
NTCIF would be paid immediately the PUT and Operating Reserve with \$479,890.00 coming from the City of Davenport after 7/15/15	
City of Davenport – salary reimbursement	\$-0- ³
Quad City Bank & Trust	\$500,000.00 principal reduction of debt ⁴
TOTAL USES	<u>\$1,742,564.00</u>

¹ Funding not available until July 15, 2015 from Series 2015 General Obligation Corporate Bonds.

² National Trust Community Investment Fund, LLC ("NTCIF") accepts \$1,242,563.00 as full payment of the total amount due to NTCIF under all documents (including, but not limited to, any unpaid priority or administration fees, attorneys fees or exit fees) and will exit (which shall include transfer of all membership interests and release or termination of all guaranties and letter of credit immediately upon receipt of payment).

³ City of Davenport waives repayment of Lance Willet salary expenses of \$252,000.

⁴ Debt is approx. \$1,028,000. Upon the \$500,000 payment to bank and City taking title subject to bank's mortgage, bank will release prior obligors and guarantors and allow the City of Davenport to become a direct obligor on the remaining debt. The City of Davenport has agreed to provide the funds stated herein, assume the remaining bank debt, take title subject to the mortgage and pay the assumed debt (in 2016 and 2017) in exchange for ownership of the theatre. River Center for the Performing Arts, Inc., which shall hold all ownership interests in the theatre after the tax credit investor exit, will transfer the theatre to the City (subject to the bank's mortgage) upon completion of the City's obligations and exiting of NTCIF.

ACCEPTANCE OF SOURCES AND USES

The undersigned has reviewed the attached Adler Theatre Tax Credit Wind-up Sources and Uses statement and agrees to the general terms and provisions stated therein. The undersigned will take all actions necessary to complete the funding, making and/or acceptance of payments as applicable and to complete the actions required upon payment.

NATIONAL TRUST COMMUNITY INVESTMENT FUND, LLC

By: _____
_____ its _____

ACCEPTANCE OF SOURCES AND USES

The undersigned has reviewed the attached Adler Theatre Tax Credit Wind-up Sources and Uses statement and agrees to the general terms and provisions stated therein. The undersigned will take all actions necessary to complete the funding, making and/or acceptance of payments as applicable and to complete the actions required upon payment.

City of Davenport, Iowa

By: _____

ACCEPTANCE OF SOURCES AND USES

The undersigned has reviewed the attached Adler Theatre Tax Credit Wind-up Sources and Uses statement and agrees to the general terms and provisions stated therein. The undersigned will take all actions necessary to complete the funding, making and/or acceptance of payments as applicable and to complete the actions required upon payment.

River Center for the Performing Arts, Inc.

By: _____
_____ its _____

ACCEPTANCE OF SOURCES AND USES

The undersigned has reviewed the attached Adler Theatre Tax Credit Wind-up Sources and Uses statement and agrees to the general terms and provisions stated therein. The undersigned will take all actions necessary to complete the funding, making and/or acceptance of payments as applicable and to complete the actions required upon payment.

QUAD CITY BANK & TRUST

By: _____
_____ its _____