

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, March 18, 2015; 5:30 PM

Council Chambers, City Hall

REVISED MARCH 17, 2015

I. Moment of Silence

II. Pledge of Allegiance

Ald. Meeker

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public hearing 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. [3rd Ward]
2. Public Hearing 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. [4th Ward]
3. Public Hearing 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. [6th Ward]
4. Public Hearing on the recommendations for Year 41 (July 1, 2015 – June 30, 2016) Community Development Block Grant funds *[All Wards]*.

B. Public Works

1. Public hearing 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). *[Ward 8]*

VII. Presentations

- A. Proclamation: National Community Development Week - April 6-11, 2015

VIII. Recess to Standing Committees - DO NOT USE

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Jason Gordon, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. First 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]
2. First Consideration: 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. [4th Ward]
3. First 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]
4. Resolution 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. [6th Ward]
5. Resolution 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). [1st Ward]
6. Motion 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 *[All Wards]*.
7. Motion awarding the contractor for the construction of three single family homes on East 6th Street to Daxon Construction Company of Rock Island, IL in the amount of \$547,520.00
8. Motion 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.

II. Motion Setting Council Agenda for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Kerri Tompkins, Vice Chairman

III. PUBLIC SAFETY

1. Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor events.
2. Motion approving beer and liquor license applications.

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

Ward 5

Rudy's Tacos East (LaRosa S. A. Inc.) - 2214 E 11th Street - Outdoor Area April 4-5, 2015 Easter Egg Hunt After Party - License Type: C Liquor

Ward 6

Holiday Inn Express Hotel and Suites (Davenport Lodging Associates, LLC) - 401 Veteran's Memorial Pkwy - License Type: B Liquor/B Wine/Native Wine

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

Ward 1

Dominga's (Dominga's Authentic Mexican Food Inc.) - 1525 S Concord Street - License Type: B Beer

QC Mart (Bethany Enterprises Inc.) - 2747 Rockingham R. - License Type: C Beer

Ward 3

Blackhawk Bowl & Martini Lounge (Blackhawk Bowl & Martini Lounge LLC) - 200 E 3rd Street - License Type: C Liquor

Boozies Bar and Grill (BZE Holdings, Inc.) - 114 1/2 W 3rd Street - License Type: C Liquor

Gateway Pub (Doo-Dah Incorporated) - 702 W 3rd Street - License Type: C Liquor

Geezer's Draffhouse (Geezer's Inc.) - 1654 W 3rd Street - Outdoor Area - License Type: C Liquor

The Redstone Room (River Music Experience) - 129 Main Street - License Type: C Liquor

Scott's Shovelhead Shed (S.S.S. Inc.) - 220 N Pine Street - Outdoor Area - License

Type: C Liquor

Ward 4

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

Ward 5

Grumpy's Saloon (2118-2120 Inc.) - 2120 E 11th Street - License Type: C Liquor

Ward 6

Aldi No. 80 (Aldi Inc.) - 5262 Elmore Avenue - License Type: C Beer/B Wine

Biaggi's Ristorante Italiano (Biaggi's Ristorante Italiano L.L.C.) - 5195 Utica Ridge Road - License Type: C Liquor/B Wine

Ward 7

Los Agaves Mexican Grill (Los Agaves Inc.) - 4882 Utica Ridge Road - Outdoor Area - License Type: C Liquor

Los Portales Mexican Restaurant 2 (Los Portales Mexican Restaurant 2 Inc.) - 1012 E Kimberly Road - License Type: C Liquor

Ward 8

Big 10 Mart (Molo Quint L.L.C.) - 5310 N Brady Street - License Type: C Beer

C. Request for exemptions for 19 and 20 year-olds on premises (Committee Action Only):

Ward 3

The Redstone Room (River Music Experience) - 129 Main Street - License Type: C Liquor

3. Motion approving noise variance request(s) for various events on the listed dates at the listed times. **(COMMITTEE ACTION ONLY)**

IV. Motion setting Council Agenda for Public Safety items

PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

V. PUBLIC WORKS

1. Resolution 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). *[Ward 8]*
2. Resolution 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. *[Ward 6]*
3. Resolution approving and adopting 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. *[Ward 6]*
4. Resolution approving 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. *[All Wards]*
5. Resolution 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. *[All Wards]*
6. Resolution 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. *[Wards 2, 6, 7]*
7. Resolution 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. *[Wards 2, 6, 7 & 8]*
8. Motion determining property values for Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road, CIP Project #10556. *[Ward 6]*

VI. Motion setting Council Agenda for Public Works items

FINANCE

Jeff Justin, Chairman; Bill Edmond, Vice Chairman

VII. FINANCE

1. Resolution adopting new Council rules reflecting the current process and elimination of the standing committees. *[All Wards]*
2. Motion approving the collective bargaining agreements for the AFSCME, AFSCME Library, and Transit unions. *[All Wards]*
3. Motion approving a contract for pharmacy benefits management services to Express Scripts, Inc. of St Louis, MO. *[All Wards]*
4. Motion 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. [Ward 3]

5. Motion 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. [Ward 5]
6. Motion approving the agreement between the City of Davenport and the most responsive and responsible vendor for golf professional and other services at Duck Creek and Emeis golf courses for the 2015 golf season. [Wards 1 & 6] **Please note the motion will be voted on when Committee of the Whole reconvenes. Staff recommends a substitution.**

VIII. Motion setting Council Agenda for Finance items

1. a. Graybar Electric Co. - Fiber to Transload Facility - Amount: \$21,208
b. Johnson Contracting Co. - Emergency HVAC at Freight House - Amount: \$13,015

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

X. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to vote on the following item:
2. Motion 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. [Wards 1 & 6]

XI. Approval of Discussion and Consent Agenda

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

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

Action / Date
3/18/2015

Subject:
Ald. Meeker

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/12/2015 - 12:34 PM

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:

Public hearing 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. [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 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.

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
□ Cover Memo	Public Hearing text
□ Cover Memo	PH CD Row15-01 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:18 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:18 PM

City Clerk

Admin, Default

Approved

3/12/2015 - 9:44 AM

TO BE PUBLISHED IN THE MARCH 11, 2015 ADDITION OF THE QUAD CITY TIMES,
HAVING THE NOTICE BILLED TO PO No. 1513195 AND RECEIVING THE PROOF OF
PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

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 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 City Plan and Zoning Commission recommends approval of Case No. ROW15-01 on condition 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.

A public hearing on this ordinance will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, March 11, 2015, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances.
PO No. 1513195.

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

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. 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:

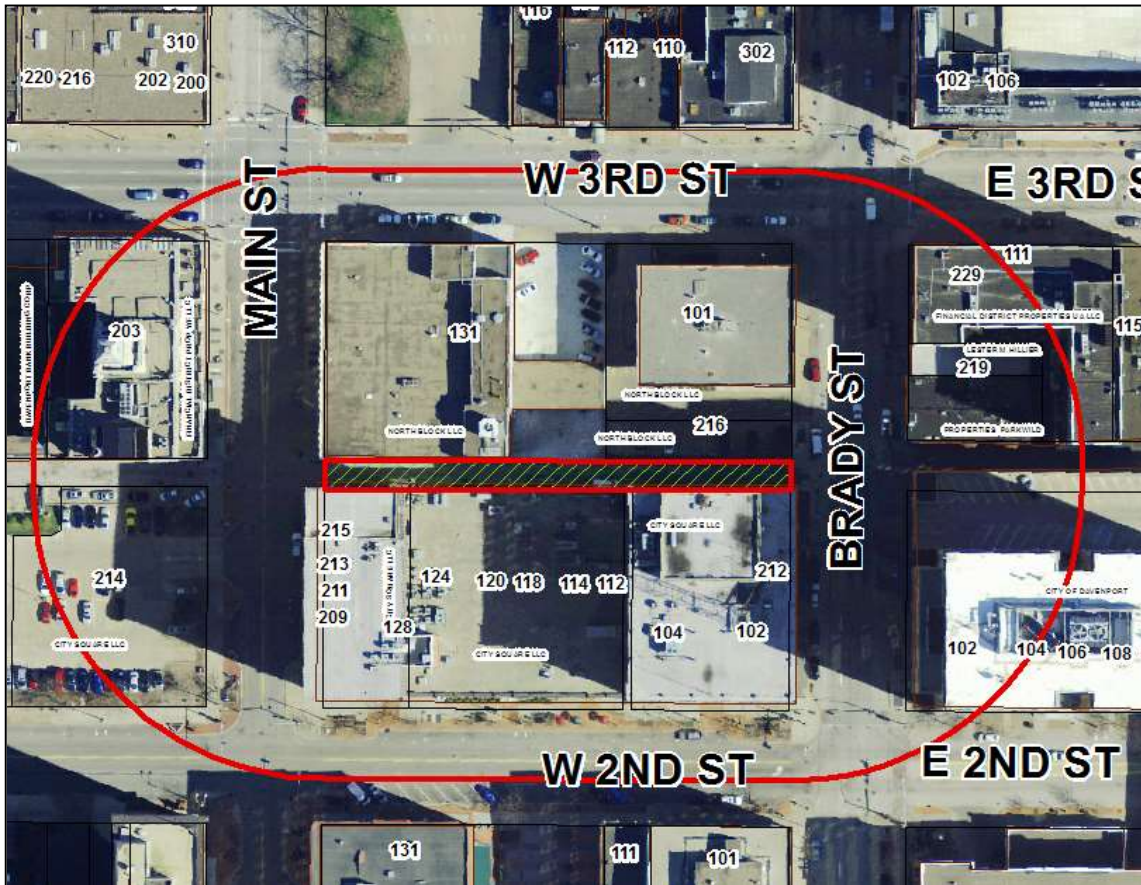
Zoning Map:



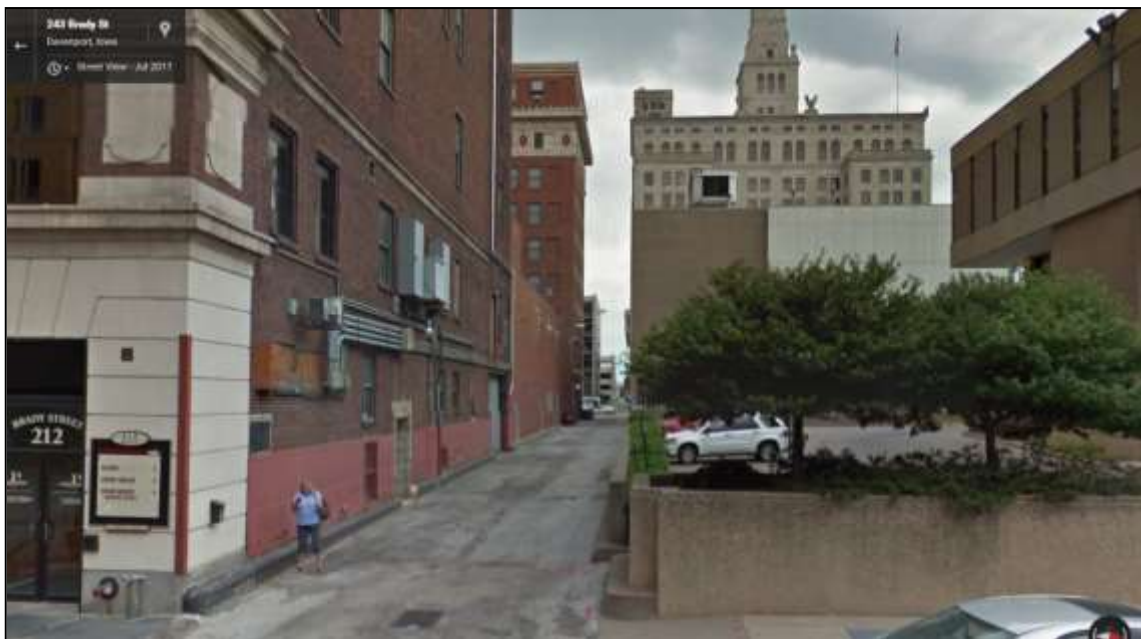
Davenport 2025:



Aerial Photo:



Site Photo:





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

(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.)

SIGNATURE OF PETITIONER:

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

Scott County Parcel Records

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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

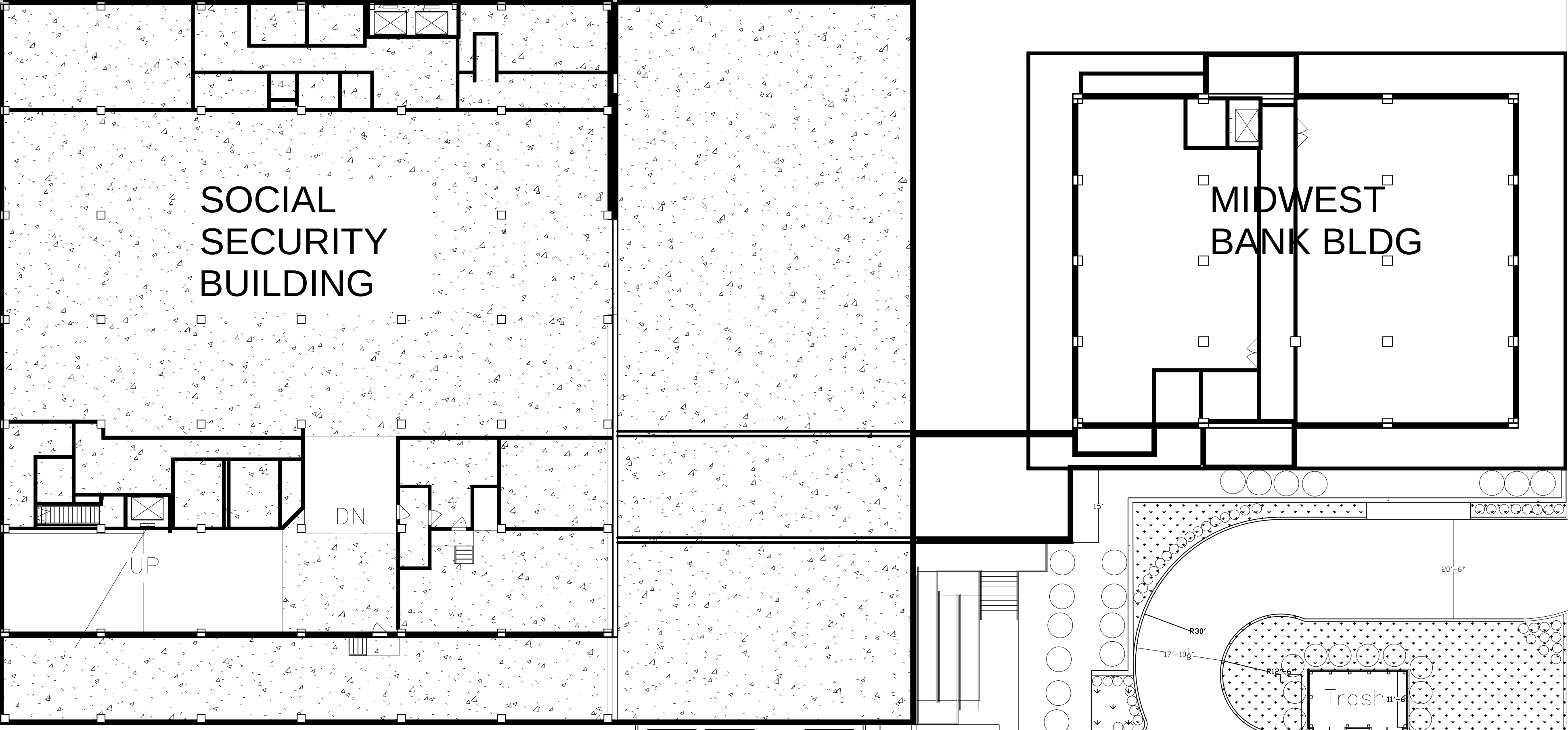
Pay Off: \$0.00

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

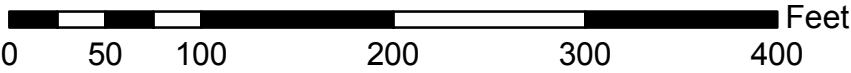
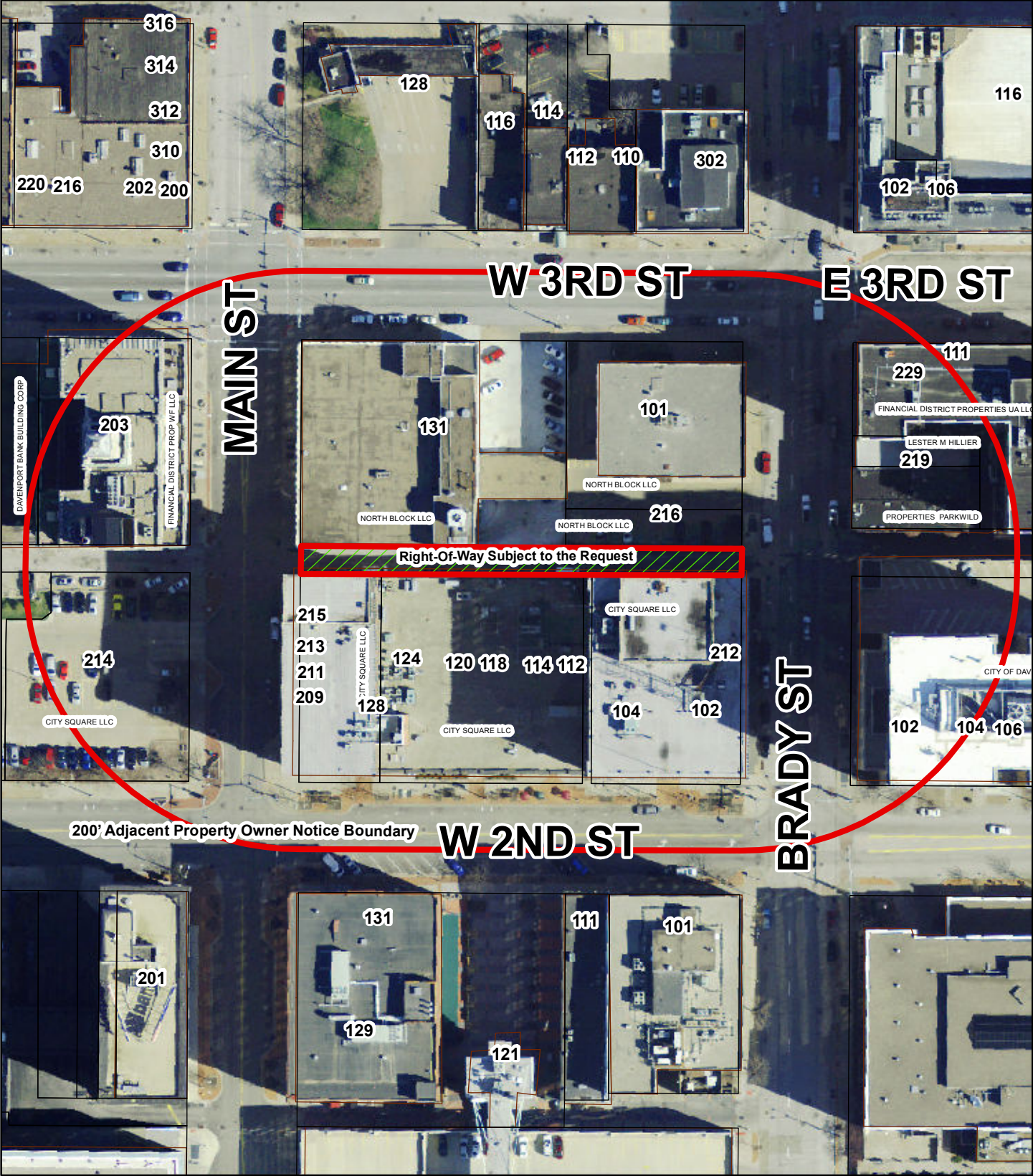
Trash

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

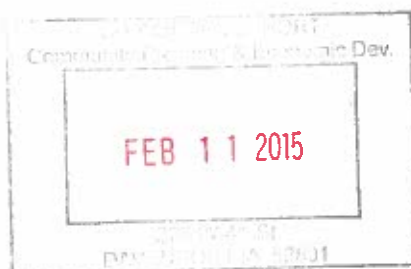
Dear Mr. Koops:

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:

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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

SOCIAL
SECURITY
BUILDING

MIDWEST
BANK BLDG

PUTNAM
BUILDING

CENTER
BUILDING

PARKER
BUILDING

ALLEY

TRANSFORMER

PEDESTRIAN
WALK

LOADING
ZONE

LOADING
ZONE

Trash

SURFACE
PARKING

82'-10 1/2"

removable pipe bollards

47'-5 1/2"

11'-7 3/4"

20'-7 3/4"

removable pipe bollards

33'-8 1/2"

20'-5 3/4"

20'-6"

15'-0 9/16"

R30'

17'-10 1/8"

R15'-6"

UP

DN

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

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

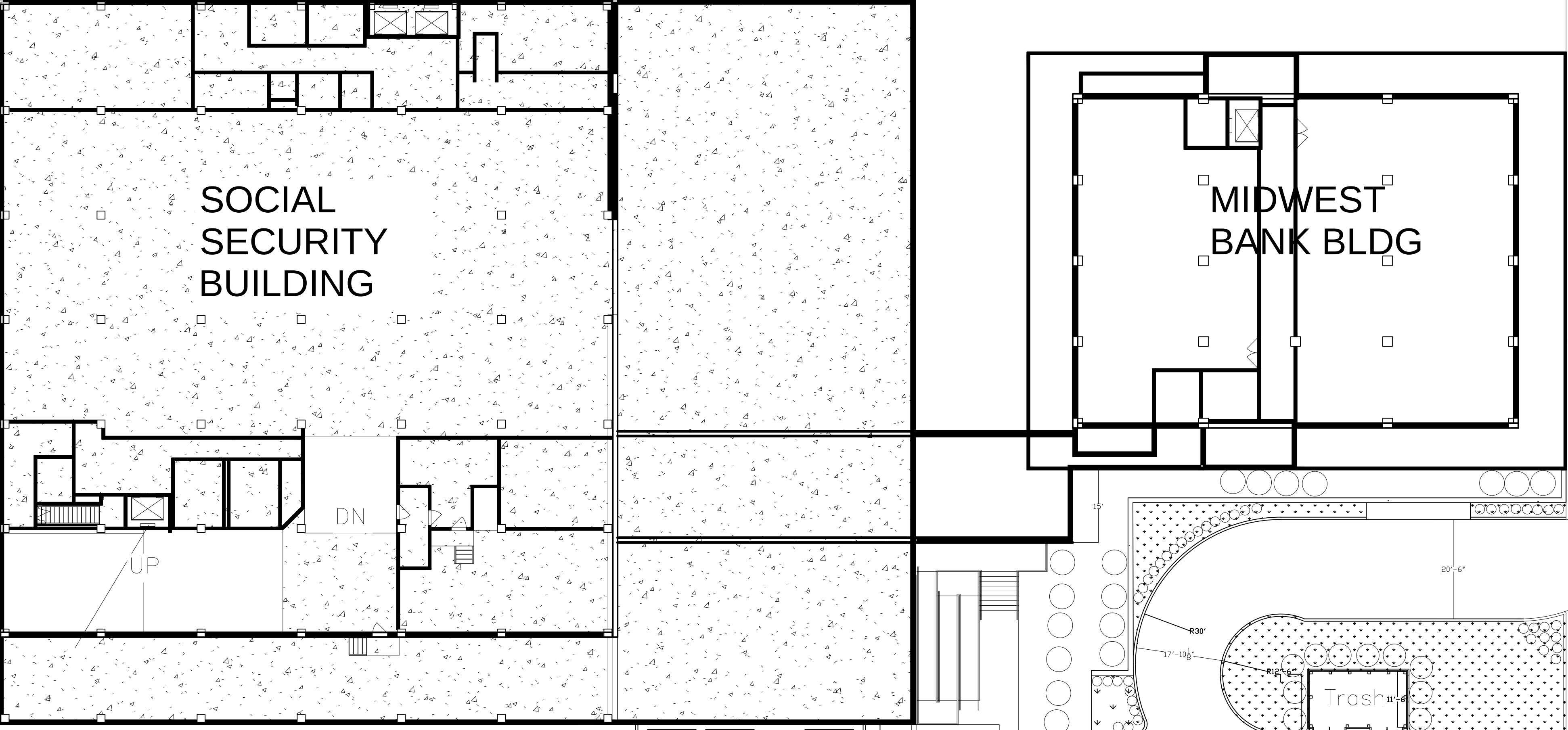
Pay Off: \$0.00

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



SOCIAL
SECURITY
BUILDING

MIDWEST
BANK BLDG

PUTNAM
BUILDING

CENTER
BUILDING

PARKER
BUILDING

ALLEY

TRANSFORMER

PEDESTRIAN
WALK

LOADING
ZONE

LOADING
ZONE

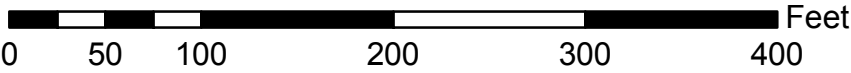
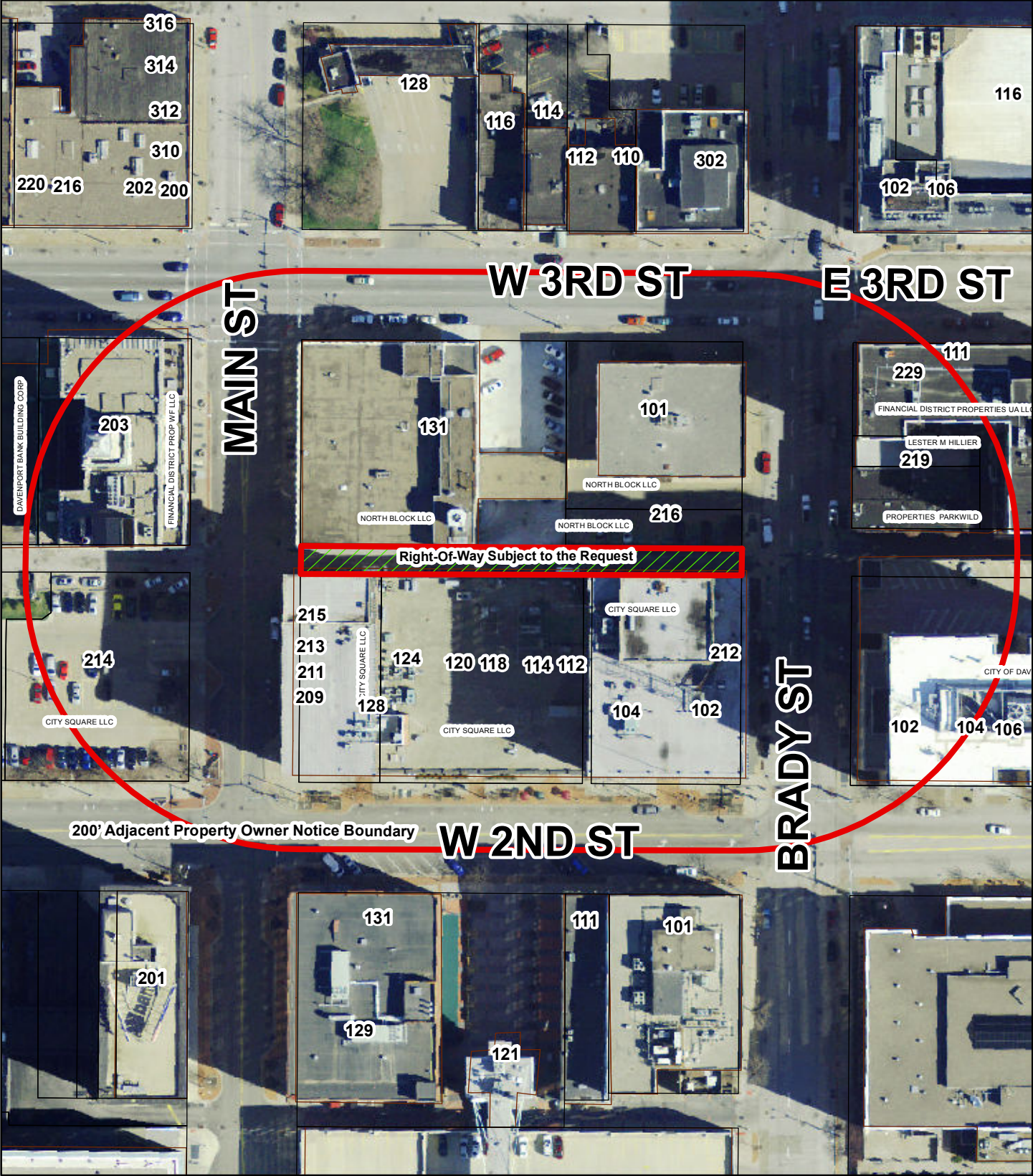
Trash

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

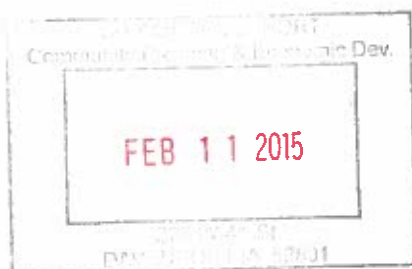
Dear Mr. Koops:

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



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 326-7743
Wards: 4th

Action / Date
3/18/2015

Subject:

Public Hearing 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. [4th Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

- The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, Davenport 2025, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc
- The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. REZ15-02 to the City Council for approval on condition that all security bars protecting windows and doors be placed on the inside of the structure.

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

THE PROTEST RATE IS 2.2%.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the rezoning to the property to facilitate to allow retail sales.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▢ Cover Memo	PH CD REZ15-02 Notice
▢ Backup Material	REZ15-02 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:19 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:19 PM

City Clerk

Admin, Default

Approved

3/12/2015 - 9:43 AM

TO WHOM IT MAY CONCERN:

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.

The property has the following legal description:

Part of the Northeast Quarter Section 27, Township 78 North, Range 3 East of the 5th P.M. being more particularly described as follows:

Lot 16 of Block 12 of Sturdevant's Map of Town Lots to the City of Davenport. Said tract contains 11,025 square feet, more or less.

The City Plan and Zoning Commission recommends approval of Case No. REZ15-02 on condition that all security bars protecting windows and doors be placed on the inside of the structure.

TO BE PUBLISHED IN THE MARCH 11, 2015 ADDITION OF THE QUAD CITY TIMES,
HAVING THE NOTICE BILLED TO PO No. 1513195 AND RECEIVING THE PROOF OF
PUBLICATION PRIOR TO THE PUBLIC HEARING

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. 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.

Findings:

- The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, *Davenport 2025*, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.
- The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ15-02 to the City Council for approval on condition that all security bars protecting windows and doors be placed on the inside of the structure.

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			

REZ15-02 Mailing List & Protest Calculation

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
H0004-04	3026	1.4%		0.0%	1711 W 17TH ST	SARAH A WILLIAMS	1711 W 17TH ST	DAVENPORT IA 52804
H0004-01	4989	2.3%		0.0%	1622 N DIVISION ST	VICTORIA A HARDY	1622 DIVISION ST	DAVENPORT IA 52804
H0005-45A	603	0.3%		0.0%	1777 N DIVISION ST	CVS CORP	1777 N DIVISION ST	DAVENPORT IA 52804
H0004-02	4991	2.3%		0.0%	1628 N DIVISION ST	SHERRY M CAMARENA	1628 DIVISION ST	DAVENPORT IA 52804
H0004-03	4994	2.3%		0.0%	1632 N DIVISION ST	BRITTANY C DALY & DALY RYAN M	1632 N DIVISION ST	DAVENPORT IA 52804
H0004-37B	9061	4.2%	NO	0.0%	1700 N DIVISION ST	QUAD CITY BANK AND TRUST CO	ATTN: ACCOUNTS PAYABLE	MOLINE IL 61265
H0005-08	5503	2.6%		0.0%	1641 W 17TH ST	SARAH N HARTMAN	2510 BELLE AV	DAVENPORT IA 52803
H0005-09	5502	2.6%		0.0%	1645 W 17TH ST	ANNE M QUINN	5710 SHAWNEE DR	DAVENPORT IA 52804
H0005-10	1100	0.5%		0.0%	1651 W 17TH ST	HABITAT FOR HUMANITY QUAD CITIES	3625 MISSISSIPPI AV	DAVENPORT IA 52807
H0005-12	4564	2.1%		0.0%	1703 N DIVISION ST	MARILYN E TRACY	11163 145TH ST	DAVENPORT IA 52804
H0005-13	4565	2.1%		0.0%	1646 W 17TH ST	HARDEE'S FOOD SYSTEMS INC	1646 W 17TH ST	DAVENPORT IA 52804
H0005-14	6706	3.1%		0.0%	1640 W 17TH ST	SHIPLEY DAWN M	1640 W 17TH ST	DAVENPORT IA 52804
H0005-15	2109	1.0%		0.0%	1634 W 17TH ST	BUTZ GERHARDT G	1625 W 17TH ST	DAVENPORT IA 52804
H0005-46	8452	3.9%		0.0%	1715 N DIVISION ST	SEDRAH LLC	1715 N DIVISION ST	DAVENPORT IA 52804
H0005-50	8011	3.7%		0.0%	1633 W 17TH ST	TIA K EWING	1633 W 17TH ST	DAVENPORT IA 52804
H0012-01	6311	2.9%	NO	0.0%	1613 N DIVISION ST	JASON C MICHEL & MICHEL TRISTA S	1613 N DIVISION ST	DAVENPORT IA 52804
H0012-02	4701	2.2%	YES	2.2%	1611 N DIVISION ST	FINANCIAL GROUP FIRST	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0012-03	4702	2.2%		0.0%	1607 N DIVISION ST	FABRE CHAMIRRA	1607 N DIVISION ST	DAVENPORT IA 52804
H0012-04	6314	2.9%		0.0%	1603 N DIVISION ST	WILLIAM D BRYANT	1603 N DIVISION ST	DAVENPORT IA 52804
H0012-27	7404	3.4%		0.0%	1640 W 16TH ST	KELLY GARROW	1640 W 16TH ST	DAVENPORT IA 52804
H0012-28	5714	2.7%		0.0%	1638 W 16TH ST	TERESA M PHILLIPS	1638 W 16TH ST	DAVENPORT IA 52804
H0012-29	1339	0.6%		0.0%	1630 W 16TH ST	JAMES STREMLow	1630 W 16TH ST	DAVENPORT IA 52804
H0013-34	735	0.3%		0.0%	1716 W 16TH ST	MICHAEL R BEVERLIN	1716 W 16TH ST	DAVENPORT IA 52804
H0013-35	4445	2.1%	NO	0.0%	1706 W 16TH ST	SAMUEL FOLEY	6730 DOUBLE EAGLE DR	DAVENPORT IA 52804
H0013-36	5118	2.4%		0.0%	1604 N DIVISION ST	ANGELA KELLEY	1604 N DIVISION ST	DAVENPORT IA 52804
H0013-37	2743	1.3%		0.0%	1614 N DIVISION ST	STACEY S SPEIGHTS	1614 N DIVISION ST	DAVENPORT IA 52804

PARCELS	123,702.0	57.6%						
ROW	91,215.9	42.4%					Alderman: Ambrose	
TOTAL								
NOTICE AREA	214,917.9	100%		2.2%	PROTEST RATE	Protests: 1	Properties: 26	



City of Davenport
Community Planning & Economic Development Department
PREVIEW REPORT

PLAN AND ZONING COMMISSION

Preview Date: February 3, 2015
Request: Rezoning: From R-4 Moderate Density To: C-1 Neighborhood Shopping
Location: 1655 W 17th St.
Case No.: Case No. REZ15-02
Applicant: Glenn Smithe

Recommendation:

Staff recommends approval of REZ15-02 with the conditions stated in the recommendation section of this report.

Introduction:

The rezoning is being proposed to facilitate retail sales.

AREA CHARACTERISTICS:





Zoning Map

**R-4: Moderate Density Dwelling
Neighborhood**

C-1: Neighborhood Shopping

C-2: General Commercial



Davenport 2025 Proposed Land Use

RG: Residential General

RC: Residential Corridor

Background:

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation:

*Residential General Neighborhood (RG) designates **mixed-use** neighborhoods that are mostly residential **but include**, or are within one-half mile (walking distance) of scattered neighborhood-**compatible commercial services** as well as other neighborhood uses like schools, churches, corner stores, etc.*

Relevant Goals to be considered in this Case:

Neighborhood Improvements

Technical Review:

Streets. The property utilizes the existing street pattern. No physical changes should occur.

Storm Water. Storm water currently utilizes existing services; no impact projected

Sanitary Sewer. Sanitary sewer utilizes existing services; no impact projected

Other Utilities. This is an urban area; no impact projected.

Emergency Services. The property is all located less than ½ mile from Fire Station No. 6 at 1735 West Pleasant Street.

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

PUBLIC INPUT

The applicant is mailing and meeting with the neighboring property owners. Notices sent by staff are being sent to the adjacent property owners as well.

DISCUSSION

The petitioner is proposing to open a retail sales business (a fishing/hunting/firearms store) on the subject property. The property will be required to meet all business, police and fire department licensing and regulations, including those for the retail sale of firearms.

The petitioner has indicated that the business will be compliant with all local business requirements and has made statements regarding the security of the firearms that would be sold on the premises. Windows will be barred on the inside.

Findings:

- The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, *Davenport 2025*, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.
- The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

Staff Recommendation:

Staff recommends the Commission approve REZ15-02 on condition that all security bars protecting windows and doors be placed on the inside of the structure.

Prepared by:



Scott Koops, AICP
Planner II

REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

City Hall * Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714
planning@ci.davenport.ia.us

Legal Description:

ADDRESS OF PROPERTY: 1655 West 17th Street EXISTING ZONING: R-4
REQUESTED ZONING: _____
TOTAL AREA: _____

PETITIONER/
Contact

Name: Kimberly S. Smithe, Glen Smithe
Address: 2031 North Ohio Avenue Davenport IA 52804
Phone: 563-370-2639 FAX: 563-391-6907
Mobile Phone: 563-370-2639 Email: glennsmithe@aol.com
Interest in land: _____ title holder _____ other **

** if petitioner is other than title holder, documentation will be required to show control of property - accepted offer to purchase, offer, option, etc

TITLE HOLDER:

Name: Great Southern Bank
Address: 3031 Lake St Louis Blvd St Louis MO 63367
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

CONTACT PERSON:

Name: Corey Wolf
Address: 10801 MARTIN Blvd ST 222
Phone: 913-344-6801 FAX: 855-432-0767
Mobile Phone: _____ Email: CWOLF@GREATSOUTHERNBANK.COM
Ovenland Park KS. 66210

EXPLANATION OF REZONING (for Public Hearing Notice) From R-4 zoning
to Retail store commercial

Does the property contain a drainageway or floodplain area: ____ Yes ____ ☒ No

Signature of Petitioner: Kimberly Smithe Date: 01/20/2015

Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres ($\geq$ acre < 10 acres)	\$750 plus \$25/acre
Ten acres or more ($\geq$ 10 acres)	\$1,000 plus \$25/acre

* plus \$10.00 per sign; 1 or more signs required depending upon the size of the subject property

JAN 20 2015

226 W 4th St
DAVENPORT IA 52801

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend the Zoning Ordinance of 1981
of the City of Davenport, Iowa by changing the zoning classification

from B-4
to C-1

for the following legally described real property:

1655 West 17TH Street
Davenport, IA

Respectfully submitted,

Kembele Amelle
[Signature]

Date: 01-20-2015



January 20, 2015

To Whom It May Concern:

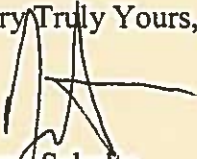
It is my pleasure to inform you that Glen Smith has been pre-qualified to purchase 1655 West 17th Street, Davenport, IA. This pre-approval is valid thru April of 2015.

Full loan approval will be subject to the following:

- *Satisfactory appraisals.
- *Insurance binders.
- *Satisfactory title opinion.
- *No significant changes in your financial condition that would prevent repayment. Along with full committee approval.

If you should have further questions please feel free to contact me at (563) 441-9600.

Very Truly Yours,


Jason Schulte
Loan Officer
jschulte@choosethechief.com

Davenport
3889 Elmore Avenue, Davenport, IA 52807
P (563) 441-9600 F (563) 344-2187

Member FDIC 

PURCHASE AGREEMENT FOR COMMERCIAL REAL ESTATE*

This Purchase Agreement for Commercial Real Estate ("Agreement") is entered into on this 16 day of January, 2015, between Great Southern Bank ("Seller"), and Glen Smith or as assigned ("Purchaser"). In consideration of the mutual covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. TERMS

Purchaser agrees to purchase from the Seller and the Seller agrees to sell to Purchaser the real estate and any improvement thereon, commonly known as: 1655 West 17th Street, Parcel #H0005-11, Davenport and legally known as: Lot 16 in Block 12 in Sturdevant's Map of Town Lots in the City of Davenport situated in the County of Scott and the State of Iowa (the "subject property"), for the sum of \$110,000.00 to be paid as follows:

A.) **Earnest Money** of \$2,500.00 in the form of a check submitted within 48 hours from full execution of this agreement which shall be held in trust by Ruhl Commercial Company is a part of the cash at closing. In the event any contingency is not met by the date contained in such contingency, the Seller recognizes the Earnest Money will be returned to the Purchaser and this Agreement shall be void. Seller and Purchaser agree to indemnify, defend and hold harmless NAI Ruhl Commercial Company from and against any and all liabilities and claims arising out of NAI Ruhl Commercial Company's duties as escrow agent.

B.) At closing, the remainder funds due and owing, subject to any credits or deductions as agreed to by the parties, shall be paid in full in cash or cash equivalent.

C.) **Contingent Financed Transaction.** This Agreement is subject to Purchaser securing a loan commitment on the subject property in an amount and upon commercially reasonable terms acceptable to the Purchaser. Purchaser agrees to apply immediately, to use all diligence and best efforts to obtain the loan. In the event, after using best efforts and all diligence, Purchaser is unable to obtain a commercially reasonable loan commitment within ninety (90) calendar days from date hereof, the Earnest Money and any additional down payment shall be refunded in full, and this Agreement shall be void. All costs associated with securing such mortgage shall be paid by Purchaser.

2. EVIDENCE OF TITLE

Within a reasonable time, Seller shall deliver an abstract of title demonstrating merchantable title of record in Seller and certified to a current date by an abstractor. If title evidence discloses exceptions other than those permitted under the rules for examination for abstracts of title adopted by the local County Bar Association, Purchaser or Purchaser attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed if Seller so wishes, or any such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the

NAI Ruhl Commercial
Company

INITIAL
G.S.
CS

time of closing. If Seller is unable or unwilling to cure such exception, Purchaser shall be entitled to a refund of the Earnest Money. The title to be conveyed shall be by Special Warranty Deed to Purchaser and free and clear of all liens and encumbrances not herein specifically waived or assumed by Purchaser.

3. CONVEYANCE OF TITLE AND DOCUMENTS OF SALE

The parties agree to execute any transfer declarations or other documents required by the state, county or municipality in which the subject property is located, as well as any documents required by the title insurance company in order to issue title insurance.

4. POSSESSION AND CLOSING

Seller shall deliver possession of the subject property to Purchaser concurrently with the closing of this transaction which shall be held on or before within fifteen (15) calendar days after removal of contingencies contained herein.

5. PRORATIONS AND ADJUSTMENTS

The following items shall be prorated at closing as of the date of delivery of possession:

A. Prorations

- (1) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;
- (2) Rent, if any, (with transfer in full of any security/damage deposit);
- (3) Insurance premiums if policy assigned to Purchaser;
- (4) Other income and operation expenses, if any;
- (5) Special assessments, if any.

B. Adjustments

Utility charges shall be adjusted by the parties by appropriate meter readings at or about the time of delivery and surrender of possession.

6. ASSESSMENTS

Seller shall pay all special assessments, which are a lien on the subject property as of the date of closing. Purchaser shall use its own investigation to determine any assessments or fees associated with the subject property.

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Company

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7. CONDITION OF SUBJECT PROPERTY

The parties agree that the purchase price reflects the condition of the subject property and Purchaser acknowledges that the real estate and improvements thereof have been inspected, and Purchaser is acquainted with the condition thereof and accepts the same in "As Is" condition.

Purchaser is aware that Seller acquired the property which is the subject of this transaction by way of foreclosure, deed in-lieu of foreclosure, settlement and comprise or any combination thereof and that Seller is selling and Purchaser is purchasing the property in its present "AS IS" **CONDITION WITHOUT REPRESENTATIONS OR WARRANTIES OF ANY KIND OR NATURE**. Purchaser acknowledges that Purchaser has been given a reasonable opportunity to inspect and investigate the property and all improvements thereon, either independently or through agents of Buyer's choosing, and that in purchasing the property Purchaser is not relying on Seller, or its agents, as to the condition or safety of the property and/or any improvements thereon including, but not necessarily limited to electrical, plumbing, heating sewage, roof, air conditioning, if any, foundations, soils and geology, lot size or suitability of the property and/or improvements for particular purposes, or that any appliances, if any, plumbing and/or utilities are in working order, and/or that the improvements are structurally sound and/or in compliance with any city, county, state and/or Federal statutes, codes or ordinances. Any reports, repairs, or work required by Buyer's Lender is to be the sole responsibility of the Buyer. Seller does not warrant the suitability of the property for its intended use. Seller does not warrant existing structure or its land as to its habitability or suitability for occupancy. Purchaser assumes responsibility to check with appropriate planning authority for intended use and holds Seller harmless as to suitability for Purchaser intended use. Purchaser agrees that Seller shall bear no liability or responsibility for any actions, problems, or damages surrounding the platting of said Property or any causing arising from or coming out of said platting. Purchaser further states that they are relying solely upon their own inspection of subject property and not upon any representation made to them by any person whomsoever, and is purchasing subject property in the condition in which it now is, without any obligation on the part of the Seller to make any changes, alterations, or repair thereto. Seller is not selling or transferring any personal property and gives no warranties or representations regarding such personal property that may exist on the premises. The closing of this transaction shall constitute as an acknowledgment by the Purchaser that **THE PREMISES WERE ACCEPTED WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND OR NATURE AND IT ITS PRESENT "AS IS" CONDITION BASED SOLELY ON BUYER'S OWN INSPECTION**. The parties agree that this disclaimer is controlling and shall supersede any and all conflicting terms in any contract, agreement or understanding between the parties. All terms provided herein shall survive closing and not merge with the deed.

Purchaser shall be permitted to make an inspection of the property prior to possession or closing, whichever is sooner, in order to determine whether any change in the condition of the property has occurred. Seller agrees to deliver the property in the same condition as exists as of the date of this Agreement.

8. FIXTURES AND PERSONAL PROPERTY

All personal property and fixtures presently installed or that integrally belongs to the subject property, whether attached or detached, including but not limited to brackets and fixtures, all carpeting, electric light fixtures, bathroom fixtures and accessories, telephone lines, storm doors, awnings, outside television equipment, window treatments, heating and cooling units and attached equipment and all shrubs and trees shall be left by Seller in or upon said subject property as they are as of the date of this Agreement, and shall be deemed a part of the subject property and title thereto shall pass to Purchaser at closing except the following: None.

9. DEFAULT

If Purchaser fails to make any payment or to perform any obligation imposed upon Purchaser by this Agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the Earnest Money and any additional down payment as damages or may pursue any available legal remedy including specific performance.

In the event Seller fails to perform any obligation imposed upon Seller by this Agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, Purchaser may terminate this Contract and receive the Earnest Money and any additional down payment deposit returned to Purchaser as its sole and exclusive remedy.

10. CASUALTY CLAUSE

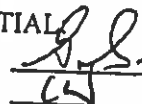
Seller shall bear the risk of loss and damage to the subject property prior to closing or possession, whichever first occurs. In the event all or a material part of the subject property is damaged or destroyed prior to closing or possession, whichever first occurs, this contract shall terminate and be of no further force and effect, unless the Subject Property can be restored to its present condition on or before the closing date. Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the Subject Property until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title to or possession of the Subject Property, whichever occurs first.

11. EXPENSES OF TRANSFER

A. Seller shall pay:

- (1) Broker's commission in accordance with a separate agreement between the Broker and Seller.
- (2) Cost of owner's title policy or continued abstract of title.
- (3) Revenue stamps and recording of any releases.

NAI Ruhl Commercial
Company

INITIAL 


B. Purchaser shall pay:

- (1) Recording fee for deed and mortgage
- (2) Cost of Purchaser's mortgage title insurance policy as required by mortgage.

12. LEASES

As of the date of this Agreement, the Subject Property is subject to the following leases:
None

Prior to closing, Seller shall not enter into any new leases or agree to extend any existing leases without Purchaser's prior written consent.

13. ZONING

For a period of not more than ninety (90) calendar days from full execution of this agreement, Purchaser at its sole cost, shall rezone the Subject Property to a zoning classification to allow the property to be used and occupied as a new and used gun and related items retail store. If Purchaser does not succeed in rezoning the subject property for its intended purpose, Purchaser may terminate this agreement and all Earnest Money submitted herewith shall be returned to the Purchaser without delay.

14. NOTICES

All notices required hereunder shall be in writing and shall be served upon the parties at the addresses designated herein by personal service, certified mail (return receipt requested), or Federal Express or other overnight mail.

Seller:
Corey Wolf
Great Southern Bank
10801 Mastin Blvd
Suite 222
Overland Park, KS 66201

Copy to:
Richard J. Schaefer
Ruhl Commercial Company
5111 Utica Ridge Road
Davenport, Iowa 52807

Purchaser:
Glen Smith
2031 N. Ohio Ave.
Davenport, Iowa 52804

Copy to:
Richard J. Schaefer
Ruhl Commercial Company
5111 Utica Ridge Road
Davenport, Iowa 52807

15. GENERAL CONDITIONS

This Agreement shall be binding upon the parties and their successors and assigns. Time is of the essence of this Agreement. This Agreement shall be governed by and enforced in

NAI Ruhl Commercial
Company

INITIAL 

accordance with the laws of the state in which the subject property is located. This Agreement contains the entire agreement of the parties and no representations, warranties, or agreements have been made by either party as set forth herein. No modification, waiver, or amendment of the Agreement shall be effective unless made in writing and signed by the parties. All representations, warranties and covenants made by the parties shall survive closing. Paragraph headings are for the convenience of reference and shall not limit or affect the meaning of the Agreement.

16. BROKER REPRESENTATIONS

It is understood that no representation made by the Broker or Salesperson in the negotiation of this Agreement are being relied upon unless incorporated herein in writing. Broker and Salesperson make no representations or warranties, either express or implied, as to the physical or mechanical condition of the subject property, either real or personal.

17. BROKERS AS AGENTS

Parties acknowledge that agency disclosures have been made and signed prior to signing of this purchase agreement. The Broker, the Broker's agents, employees, and associates must respond to all questions of the parties accurately and honestly and must disclose all material defects about which they have knowledge, but are not required to discover hidden defects in the subject property or give advice on matters outside the scope of their real estate licenses.

18. AGENCY

Seller and Purchaser acknowledge that the NAI Ruhl Commercial Company agent is acting as a dual agent with full knowledge and consent. The undersigned confirm that they have previously consented to Richard J. Schaefer acting as a Dual Agent providing brokerage services on their behalf and specifically consent to Licensee acting as a Dual Agent in regard to the transaction referred to in this document.

Initial only required if Dual Agency exists:

Purchaser-Client's initials: RS

Seller-Client's initials: CW

Purchaser-Client's initials: _____

Seller-Client's initials: _____

19. LEGAL ASSISTANCE

The Seller and Purchaser are aware that when fully executed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their respective interests, Seller and Purchaser are advised to consult legal counsel before this Agreement is signed.

NAI Ruhl Commercial
Company

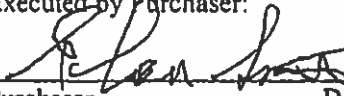
INITIAL: RS
CW

20. ACCEPTANCE BY SELLER

Until accepted by Seller, this document constitutes an offer by Purchaser on the terms stated above. This Offer shall expire within 48 hours after presentation to the Seller. If not accepted by such date, it shall become null and void and all payments hereunder shall be refunded to Buyer.

Executed by Purchaser:

Executed by Seller:

<u></u>	<u></u>
Purchaser	Seller
<u>1/15/15</u>	<u>1/16/15</u>
Date	Date

_____	_____	_____	_____
Purchaser	Date	Seller	Date



City of
Davenport

City of Davenport
FINANCE - REVENUE
226 W 4th St
Davenport, IA 52801
563-326-7707

www.cityofdavenportiowa.com

007171-0018 Vicki R. 01/20/2015 02:20PM

MISCELLANEOUS

Description: REZONING
(ZR)

REZONING

1 @ 410.00

REZONING

410.00

Payment Id: 109446

410.00

Subtotal

410.00

Total

410.00

CHECK

410.00

Check Number 02578

Change due

0.00

Paid by: GLEN SMITHE

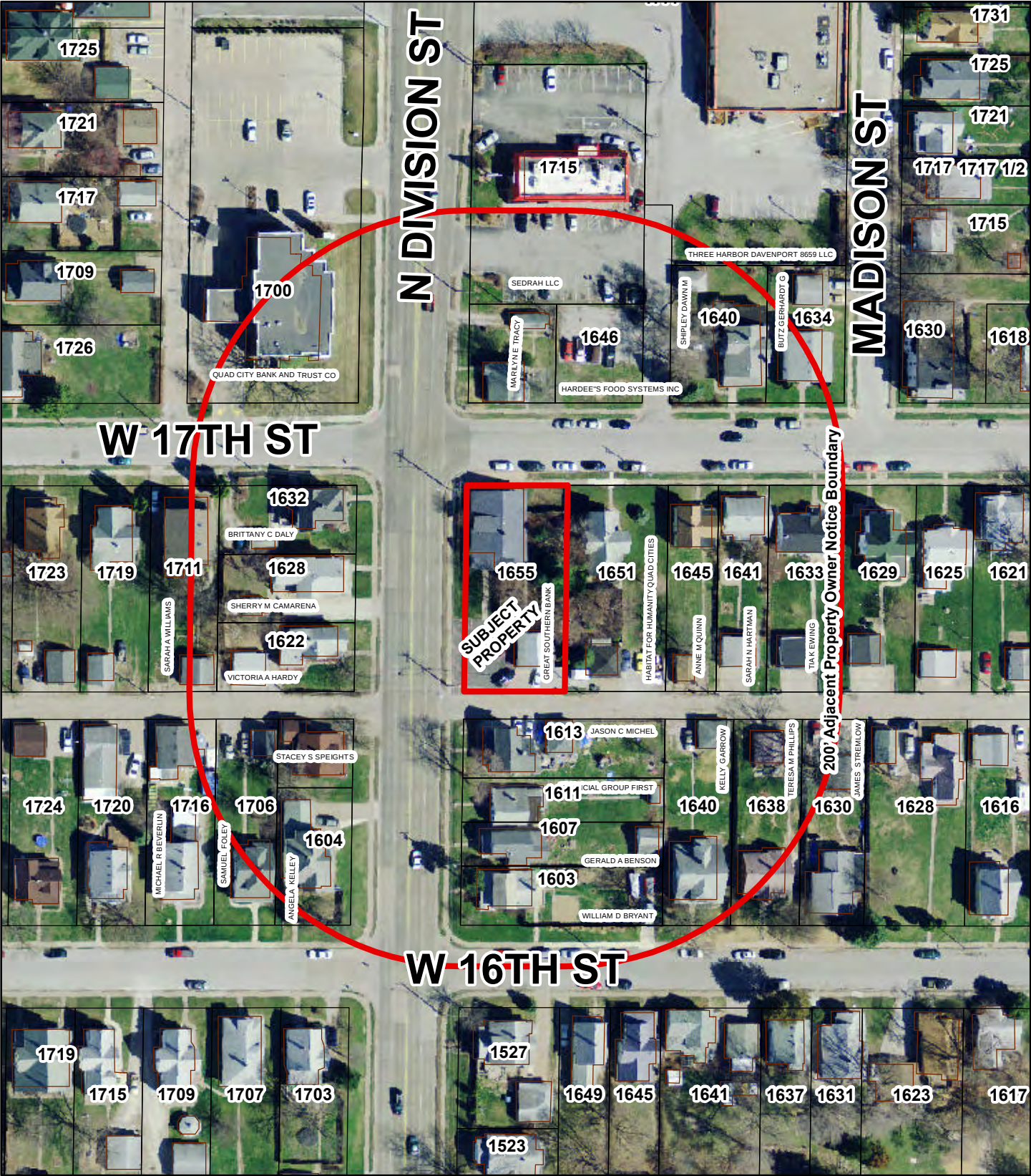
Comments: 2031 N OHIO AVE

GLEN H SMITHE 2031 N OHIO AVE DAVENPORT, IA 52804		2578
1/20/15		
Pay to the Order of	CITY OF Davenport	\$410.00
Four Hundred Ten & 00/100		Dollars & 00/100
For		Glen H. Smith

Thank you for your payment

CUSTOMER COPY

Plan & Zoning Commission: Adjacent Property Owner Notice Area



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

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.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2015** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

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Community Planning & Economic Development

Email: planning@ci.davenport.ia.us Phone: (563) 326-7765

The undersigned – **opposes / does not oppose (circle one)** the petition of REZ15-02

Comments: _____

Email to **planning@ci.davenport.ia.us** or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA *IF OTHER THAN MAILING ADDRESS*

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ
H0004-04	1711 W 17TH ST	SARAH A WILLIAMS	1711 W 17TH ST	DAVENPORT IA 52804
H0004-01	1622 N DIVISION ST	VICTORIA A HARDY	1622 DIVISION ST	DAVENPORT IA 52804
H0005-45A	1777 N DIVISION ST	CVS	1777 N DIVISION ST	DAVENPORT IA 52804
H0004-02	1628 N DIVISION ST	SHERRY M CAMARENA	1628 DIVISION ST	DAVENPORT IA 52804
H0004-03	1632 N DIVISION ST	BRITTANY C DALY	1632 N DIVISION ST	DAVENPORT IA 52804-3533
H0004-37B	1700 N DIVISION ST	QUAD CITY BANK AND TRUST CO	ATTN: ACCOUNTS PAYABLE	MOLINE IL 61265
H0005-08	1641 W 17TH ST	SARAH N HARTMAN	2510 BELLE AV	DAVENPORT IA 52803
H0005-09	1645 W 17TH ST	ANNE M QUINN	5710 SHAWNEE DR	DAVENPORT IA 52804
H0005-10	1651 W 17TH ST	HABITAT FOR HUMANITY QUAD CITIES	3625 MISSISSIPPI AV	DAVENPORT IA 52807
H0005-11	1655 W 17TH ST	GREAT SOUTHERN BANK	3031 LAKE ST ST LOUIS BD	ST LOUIS MO 63367
H0005-12	1703 N DIVISION ST	MARILYN E TRACY	11163 145TH ST	DAVENPORT IA 52804
H0005-13	1646 W 17TH ST	HARDEE'S FOOD SYSTEMS INC	1646 W 17TH ST	DAVENPORT IA 52804
H0005-14	1640 W 17TH ST	SHIPLEY DAWN M	1640 W 17TH ST	DAVENPORT IA 52804
H0005-15	1634 W 17TH ST	BUTZ GERHARDT G	1625 W 17TH ST	DAVENPORT IA 52804
H0005-46	1715 N DIVISION ST	SEDRAH LLC	ATTN: TAX DEPT	ANAHEIM CA 92803
H0005-50	1633 W 17TH ST	TIA K EWING	1633 W 17TH ST	DAVENPORT IA 52804
H0012-01	1613 N DIVISION ST	JASON C MICHEL	1613 N DIVISION ST	DAVENPORT IA 52804
H0012-02	1611 N DIVISION ST	FINANCIAL GROUP FIRST	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0012-03	1607 N DIVISION ST	FABRE CHAMIRRA	1607 N DIVISION ST	DAVENPORT IA 52804
H0012-04	1603 N DIVISION ST	WILLIAM D BRYANT	1603 N DIVISION ST	DAVENPORT IA 52804
H0012-27	1640 W 16TH ST	KELLY GARROW	1640 W 16TH ST	DAVENPORT IA 52804
H0012-28	1638 W 16TH ST	TERESA M PHILLIPS	1638 W 16TH ST	DAVENPORT IA 52804
H0012-29	1630 W 16TH ST	JAMES STREMLow	1630 W 16TH ST	DAVENPORT IA 52804
H0013-34	1716 W 16TH ST	MICHAEL R BEVERLIN	1716 W 16TH ST	DAVENPORT IA 52804
H0013-35	1706 W 16TH ST	SAMUEL FOLEY	6730 DOUBLE EAGLE DR	DAVENPORT IA 52804
H0013-36	1604 N DIVISION ST	ANGELA KELLEY	1604 N DIVISION ST	DAVENPORT IA 52804
H0013-37	1614 N DIVISION ST	STACEY S SPEIGHTS	1614 N DIVISION ST	DAVENPORT IA 52804

Alderman: Ray Ambrose, 4th Ward

7 February, 2015

12:00 P.M.

The neighborhood meeting started at 12:00/noon.

Explained ground rule, as to say the meeting was to be a fact -finding (to include a tour of the facilities) and issue identification.

G&G Retailers Inc, Glen and Kimberly Smithe, explained they are a family owned business in Davenport, Iowa for 28 years with no issues. Presented were neighbors Police Officer Mike Colclasure and Doug Tice for personal references. Also explained the property would be renovated along with ADT, security cameras inside and out, bars on windows, basement windows blocked in, fence removed, and lighting outside. Focus on personal and public safety.

G&G Retailers has intentions of not only carrying firearms but to include fishing and hunting equipment, teaching hunting and firearms safety courses, and self defense courses for women.

Attendees were positive and supportive with their comments.

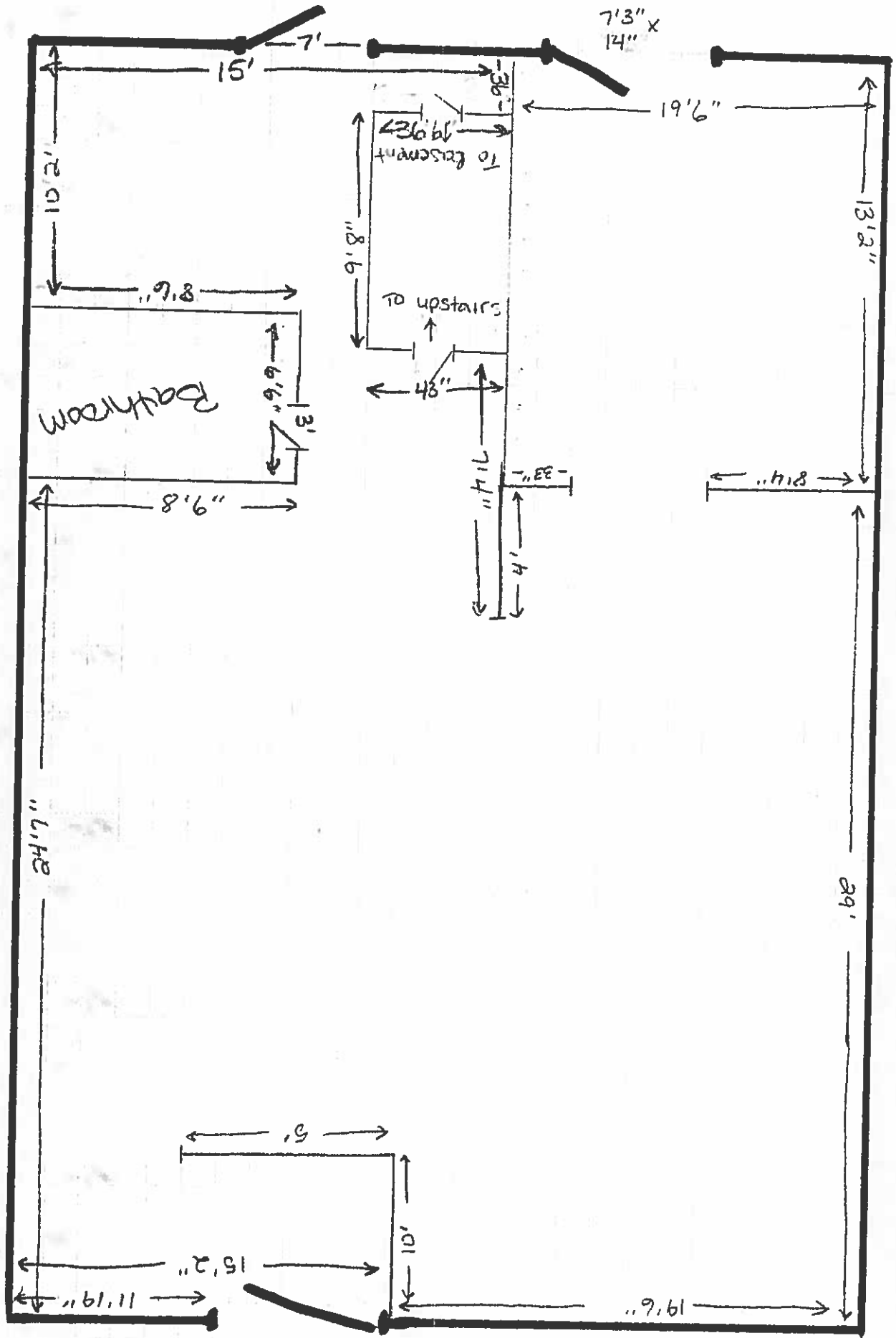
The meeting was concluded at 12:30 P.M.

Neighborhood Meeting Attendance List

Case: _____

Date: 7 FEB 2015 12:00 NOON

Name	Address	Phone	Email
1 DOUG TICE	2038 N O'HIO	386-7447	
2 Linda Blakely	1835 Calvin	570-1502	lkblakely66@gmail.com
3 BOB EMMETT	#4 OAKWOOD CT	CAVALLEY, IL	309-234-5524
4 MIKE COLCLASURE	2103 N O'HIO	320 5436	
5 MARK HORCHER/TRIKON	1802 129 TH ST	FLUDD IOWA	563-590-2954
6 MIKE BURNER SR	1716 W 16 TH ST	DAV IA	52864
7 Trista Michel	1613 N Division St	563-370-6827	tristamichel@mchsi.com
8			
9			
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11			
12			
13			
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15			
16			
17			
18			
19			
20			
21			
22			



Division St

17th Street

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

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.

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Community Planning & Economic Development

Email: planning@ci.davenport.ia.us Phone: (563) 326-7765

The undersigned opposes / does not oppose (circle one) the petition of REZ15-02

Comments: As the owner of a residence two doors away, occupied by a family with children, we are very uncomfortable having a gun shop so close by. There are plenty of locations throughout the City that are already appropriately zoned for such a business. Also, as a customer of Quad City Bank, which is across the street, I believe that it is a bad idea to have a gun shop so close to a bank. Having the two so close together just encourages potential criminals. I fear for the safety of the bank's customers and employees.

Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME First Financial Group LC
ADDRESS 1987 Spruce Hills Dr, Bettendorf IA 52722
DATE 2/10/15
(please write legibly)

1611 Division Street, Davenport, IA 52804
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Koops, Scott E.

From: tneyens@mchsi.com
Sent: Tuesday, February 17, 2015 10:51 AM
To: Planning Division – CPED
Subject: Case no. REZ15-02

Hello my name is Trista Michel. My husband and I live at 1613 N Division St. Our home is right next door to the building that is up for rezoning (1655 West 17th St). I had the pleasure of meeting Glen and his daughter Kim a few weeks ago. They took me thru the building and showed me the improvements and security features they would like to add to the building. It is my opinion that they are going above and beyond to not only improve the building but the security of the building and neighborhood. I believe that having G&G retailers here would be a great asset to our neighborhood. We would be happy to see the property rezoned and to have G&G retailer open in that location.

Thank you,

Trista Michel
1613 N Division St
Davenport, IA 52804
563-370-6827
tneyens@mchsi.com

Sent from my iPhone

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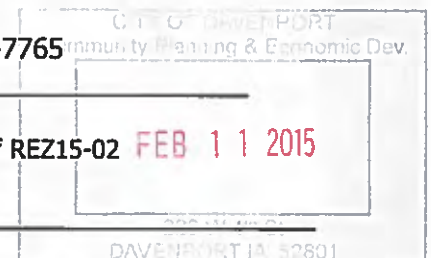
Community Planning & Economic Development

Email: planning@ci.davenport.ia.us

Phone: (563) 326-7765

The undersigned – **opposes** / **does not oppose** (circle one) the petition of REZ15-02

Comments: _____



Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Samuel Foley
ADDRESS 1730 Double Eagle Dr Davenport, IA
DATE 2/9/15
(please write legibly)

1706 W 16th St
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

PUBLIC HEARING NOTICE
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TUESDAY – FEBRUARY 17, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
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Comments: _____

Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME QUAD CITY BANK & TRUST BY John M. Log
ADDRESS 1700 N DIVISION ST
DATE 02/11/15
(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

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City Hall
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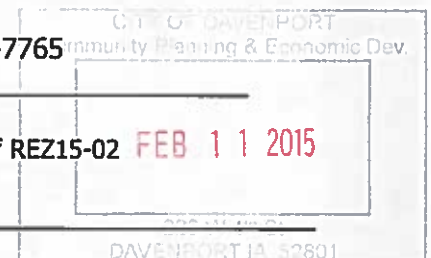
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Comments: _____



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Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Samuel Foley
ADDRESS 1730 Double Eagle Dr Davenport, IA
DATE 2/9/15
(please write legibly)

1706 W 16th St
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Koops, Scott E.

From: tneyens@mchsi.com
Sent: Tuesday, February 17, 2015 10:51 AM
To: Planning Division – CPED
Subject: Case no. REZ15-02

Hello my name is Trista Michel. My husband and I live at 1613 N Division St. Our home is right next door to the building that is up for rezoning (1655 West 17th St). I had the pleasure of meeting Glen and his daughter Kim a few weeks ago. They took me thru the building and showed me the improvements and security features they would like to add to the building. It is my opinion that they are going above and beyond to not only improve the building but the security of the building and neighborhood. I believe that having G&G retailers here would be a great asset to our neighborhood. We would be happy to see the property rezoned and to have G&G retailer open in that location.

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Email: planning@ci.davenport.ia.us Phone: (563) 326-7765

The undersigned opposes / does not oppose (circle one) the petition of REZ15-02

Comments: As the owner of a residence two doors away, occupied by a family with children, we are very uncomfortable having a gun shop so close by. There are plenty of locations throughout the City that are already appropriately zoned for such a business. Also, as a customer of Quad City Bank, which is across the street, I believe that it is a bad idea to have a gun shop so close to a bank. Having the two so close together just encourages potential criminals. I fear for the safety of the bank's customers and employees.

Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME First Financial Group LLC
ADDRESS 1987 Spruce Hills Dr, Bettendorf IA 52722
DATE 2/10/15
(please write legibly)

1611 Division Street, Davenport, IA 52804
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

City of Davenport

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

Action / Date
COW3/18/2015

Subject:

Public Hearing 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. [6th Ward]

Recommendation:

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 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.

ATTACHMENTS:

Type

Description

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:16 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:17 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:44 AM

TO BE PUBLISHED IN THE MARCH 11, 2015 EDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# PO 1513195 AND RECEIVING THE PROOF OF PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

There is on file in the Community Planning and Economic Development Department of the City of Davenport, the following petitions:

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 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.

A public hearing on this ordinance will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, March 18, 2015 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances. PO# 1513195

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Rita Pribyl, 326-6171
Wards: All

Action / Date
CD3/18/2015

Subject:

Public Hearing on the recommendations for Year 41 (July 1, 2015 – June 30, 2016) Community Development Block Grant funds *[All Wards]*.

Recommendation:

Hold the public hearing

Relationship to Goals:

Neighborhood Improvements

Background:

The Citizens Advisory Committee (CAC) completed its process for funding recommendations for the Year 41 CDBG program, which is a subpart of the City's FY 16 operating budget. The CAC reviewed the applications at a work session and held two public meetings at which applicants made presentations and answered questions about their programs and projects. The CAC's process concluded on March 2nd when the CAC unanimously approved the attached slate of recommendations.

For FY16, the City's CDBG allocation is estimated to be \$1,155,587.

On the CD Committee agenda there is an action item to approve the CAC's recommendations.

ATTACHMENTS:

Type	Description
□ Cover Memo	CDBG YR 41 Recommendations

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:12 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:12 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:44 AM

CDBG YR41 RECOMMENDATION SUMMARY JULY 1, 2015 – JUNE 30, 2016

	<u>YEAR 40</u> 7.1.14-6.30.15 <u>APPROVED</u>	<u>YEAR 41</u> AGENCY <u>REQUESTED</u>	<u>Year 41</u> CAC <u>RECOMMENDED</u>
ADMINISTRATION			
City Administration/Planning	\$349,246	\$288,664	\$288,664
SUBTOTAL	\$349,246	\$288,664	\$288,664
ECONOMIC DEVELOPMENT			
City Economic Development Fund	\$163,518	\$200,000	\$89,916
SUBTOTAL	\$163,518	\$200,000	\$89,916
HOUSING			
City Housing Progs. Staff & Operations	\$193,865	\$287,024	\$287,024
City Rehab Grants/Loans/Infrastructure	\$92,466	\$350,000	\$130,292
NHS Loans/Grants	\$56,580	\$150,000	\$75,407
UNI DREAM Program Downpayment Assistance	\$34,508	\$30,000	\$30,000
UNI DREAM Program staff/supplies	\$11,924	\$34,284	\$34,284
UNI Accessibility/ Wheelchair Ramp Program	\$49,124	\$60,000	\$0
SUBTOTAL	\$438,467	\$911,308	\$557,007
PUBLIC SERVICES			
The Project of Q.C.	\$15,545	N/A	N/A
Big Brothers/Big Sisters of Q.C.	\$17,036	\$30,000	\$17,987
Boys & Girls Club	\$15,673	\$30,000	\$19,725
CASI - Senior Wellness	\$16,527	N/A	N/A
Family Resources DV Services	\$16,582	\$26,300	\$21,521
Friendly House Year-Round Youth Program	\$16,982	\$25,272	\$23,276
Humility of Mary Housing, Inc.	\$25,274	\$70,000	\$22,742
Humility of Mary Shelter	\$26,000	\$60,000	\$24,794
Project Renewal	\$26,000	\$39,309	\$23,776
River Bend Transit - JARC	\$26,000	N/A	N/A
Salvation Army Family Service Center	\$26,000	\$30,000	\$24,192
UNI Summer Youth	\$15,545	\$35,000	\$21,987
Vera French Community Mental Health	\$16,836	\$20,000	\$20,000
SUBTOTAL	\$260,000	\$365,881	\$220,000
ALL PROGRAMS TOTAL	\$1,211,231	\$1,765,853	\$1,155,587

Projected Year 41 Entitlement Amount	\$	1,155,587
Projected plng/admin cap	\$	291,117
Projected public service cap	\$	220,000

CAC approved allocation of RLF program income :

\$38,600 in ED prog income for program delivery

\$119,000 in Hsg prog income for program delivery

\$136,000 in NHS prog income for program delivery

Agencies marked with N/A did not apply for Year 41 funding.

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Mike Atchley; (563) 327-5149
Wards: 8

Action / Date
PW3/18/2015

Subject:

Public hearing 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). *[Ward 8]*

Recommendation:

Conduct the public hearing.

Relationship to Goals:

Financially Responsible City Government
A Growing Local Economy

Background:

The GDRC is asking the City of Davenport to vacate the north / south utility easement on Lot 2, of the Interstate 80 Airport Industrial Park, 6th Addition.

Utilities are being placed within the east / west utility easement along the south side of the Transload Facility access road. The north / south utility easement is no longer necessary and vacating allows for additional development.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Notice of Hearing
▢ Backup Material	PH notice of resolution Airport
▢ Cover Memo	Interstate 80 Airport Industrial Park 6th Addition
▢ Cover Memo	Mid-American Release
▢ Cover Memo	Iowa-American Water Co. Release
▢ Cover Memo	Mediacom Release
▢ Cover Memo	CenturyLink Release

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:17 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:17 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:28 PM

Notice of Hearing

On a Resolution Regarding Vacating a Utility Easement

Notice is hereby given that at 5:30 P.M., on Wednesday, March 18, 2015, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on a RESOLUTION vacating a north/south utility easement located on Lot 2 of the Interstate 80 Airport Industrial Park 6th Addition (Greater Davenport Redevelopment Corporation, Petitioner).

At said hearing any interested person may file written objection or comments with respect to the proposed conveyance of above said vacated right-of-way.

Jackie E. Holecek
Deputy City Clerk

Davenport, Iowa
March 5, 2015

Publish once March 11, 2015
QUAD-CITY TIMES

NOTICE OF A PUBLIC HEARING ON A RESOLUTION TO VACATE A NORTH/SOUTH
UTILITY EASEMENT LOCATED ON LOT 2, OF THE INTERSTATE 80 AIRPORT
INDUSTRIAL PARK, 6TH ADDITION.

Notice is hereby given that there is on file in the office of the City Attorney, City Hall, Davenport, Iowa a RESOLUTION vacating a north/south utility easement located on Lot 2, of the Interstate 80 Airport Industrial Park, 6th Addition (Greater Davenport Redevelopment Corporation, Petitioner).

This Resolution will come on for a public hearing before the Davenport City Council, City Hall, Davenport, Iowa, on the 18th day of March, 2015, commencing at 5:30 P.M., Local Time, or as soon thereafter as the matter can be considered. At said hearing; interested persons may appear and be heard for or against said Resolution.

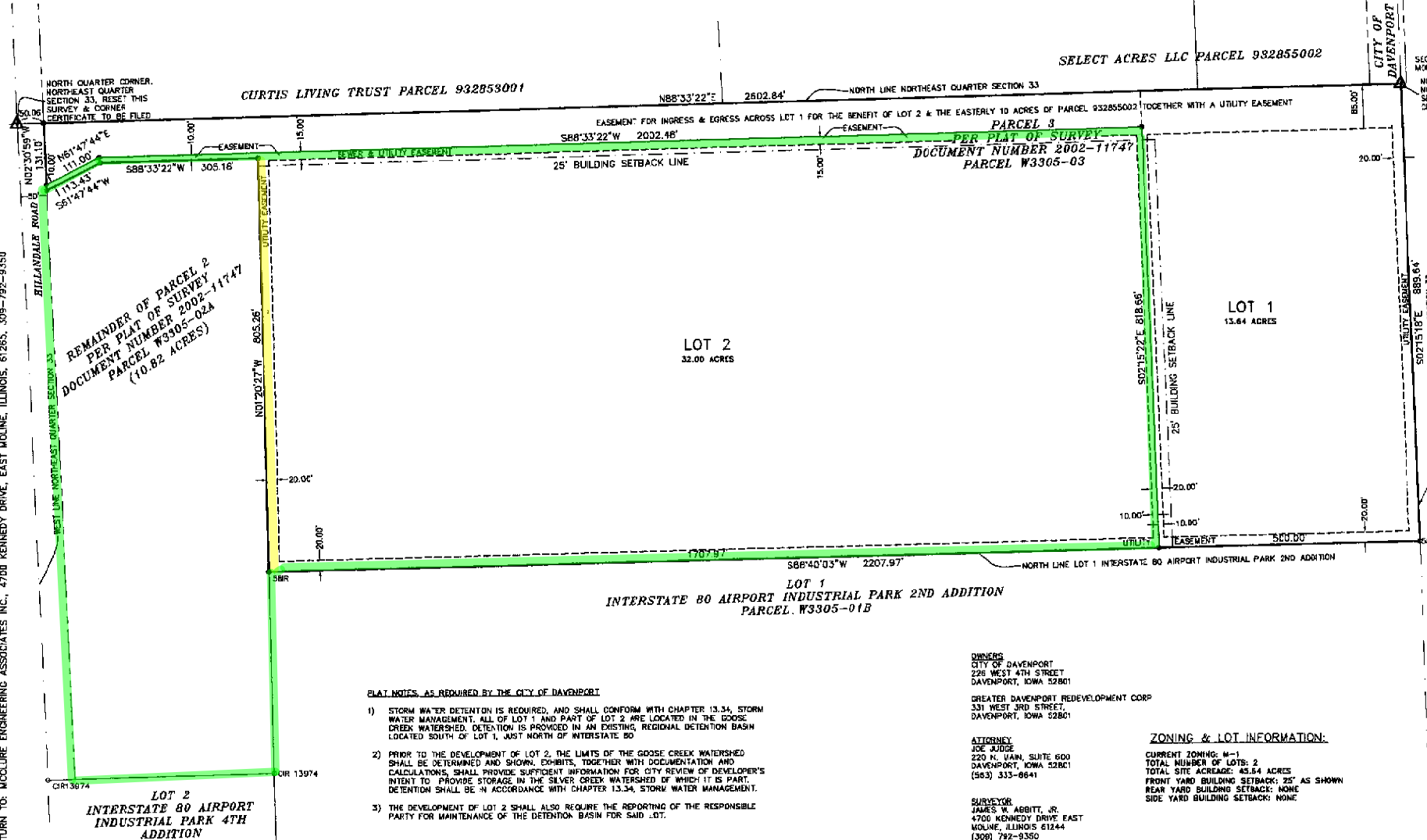
City of Davenport
Thomas D. Warner
City Attorney
563-326-7735

Doc ID: 018964000013 Type: PLA
Recorded: 03/13/2012 at 03:45:04 PM
Fee Amt: \$62.00 Page 1 of 13
Scott County Iowa
Rita A. Vargas Recorder

File 2012-00007008

PLAT OF SUBDIVISION
INTERSTATE 80 AIRPORT INDUSTRIAL PARK 6TH ADDITION
TO THE CITY OF DAVENPORT, IOWA

ALL OF PARCEL 3 & PART OF PARCEL 2 PER PLAT OF SURVEY DOCUMENT NUMBER 2002-11747
BEING A PART OF NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 3 EAST, IN
THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA



LEGEND

- SET 5/8" IRON ROD & GREEN PLASTIC CAP #18485
- ⊗ SET MAG NAIL
- ⊗ SET CHISELED "X"
- △ FOUND 1" IRON ROD
- FOUND 5/8" IRON ROD (WITH DR W/O CAP)
- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- RIGHT OF WAY LINE

M.D. AMERICAN ENERGY COMPANY
BY: *Mike Ballant*
DATE: 3-7-12

IOWA-AMERICAN WATER COMPANY
BY: *James Alexander*
DATE: 3-7-12

CENTURY LINK COMMUNICATIONS
BY: *John Smith*
DATE: 3-7-12

MEDIA.COM
BY: *John Smith*
DATE: 3-7-12

CITY OF DAVENPORT, IOWA
BY: *Alvin Plater*
DATE: 3-7-12

PLANNING AND ZONING COMMISSION
BY: *Rene E. Stapp*
DATE: 3-7-12

PLAT NOTES, AS REQUIRED BY THE CITY OF DAVENPORT

- 1) STORM WATER DETENTION IS REQUIRED, AND SHALL CONFORM WITH CHAPTER 13.34, STORM WATER MANAGEMENT. ALL OF LOT 1 AND PART OF LOT 2 ARE LOCATED IN THE GOOSE CREEK WATERSHED. DETENTION IS PROVIDED IN AN EXISTING REGIONAL DETENTION BASIN LOCATED SOUTH OF LOT 1, JUST NORTH OF INTERSTATE 80.
- 2) PRIOR TO THE DEVELOPMENT OF LOT 2, THE LIMITS OF THE GOOSE CREEK WATERSHED SHALL BE DETERMINED AND SHOWN. EXHIBITS, TOGETHER WITH DOCUMENTATION AND CALCULATIONS, SHALL PROVIDE SUFFICIENT INFORMATION FOR CITY REVIEW OF DEVELOPER'S INTENT TO PROVIDE STORAGE IN THE SILVER CREEK WATERSHED OF WHICH IT IS PART. DETENTION SHALL BE IN ACCORDANCE WITH CHAPTER 13.34, STORM WATER MANAGEMENT.
- 3) THE DEVELOPMENT OF LOT 2 SHALL ALSO REQUIRE THE REPORTING OF THE RESPONSIBLE PARTY FOR MAINTENANCE OF THE DETENTION BASIN FOR SAID LOT.

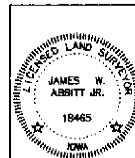
OWNERS
CITY OF DAVENPORT
228 WEST 4TH STREET
DAVENPORT, IOWA 52801

GREATER DAVENPORT REDEVELOPMENT CORP
331 WEST 3RD STREET
DAVENPORT, IOWA 52801

ATTORNEY
JOE JUDGE
220 N. LAM, SUITE 600
DAVENPORT, IOWA 52801
(563) 333-8641

SURVEYOR
JAMES W. ABBITT, JR.
4700 KENNEDY DRIVE, EAST
MOLINE, ILLINOIS 61244
(309) 792-9350

ZONING & LOT INFORMATION:
CURRENT ZONING: M-1
TOTAL NUMBER OF LOTS: 2
TOTAL SITE ACREAGE: 45.64 ACRES
FRONT YARD BUILDING SETBACK: 25' AS SHOWN
REAR YARD BUILDING SETBACK: NONE
SIDE YARD BUILDING SETBACK: NONE



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

Signature: *James W. Abbitt, Jr.*
Date: 3-7-12 Reg. No. 18485

My license renewal date is December 31, 2012.

Page(s) of sheets covered by this plat: 1

THIS SHEET ONLY

GREATER DAVENPORT REDEVELOPMENT CORP
331 WEST 3RD STREET, DAVENPORT, IOWA 52801

REVISIONS		
NO.	ITEM	DATE
A	ADDED 10' UTILITY EASEMENT BY M.D. AMERICAN ENERGY	03/29/12
B	CHANGED 10' UTILITY EASEMENT TO 15' BY CITY REQUEST	03/29/12

PLATTING SCALE: 1" = 1"
DRAWN BY: LHM
CHECKED BY: JWA
DATE: 12/9/11

McClure
Engineering Associates, Inc.
4700 Kennedy Drive East Moline, Illinois 61244
(309) 792-9350 Fax: (309) 792-8874
Copyright 2010 by McClure Engineering Associates, Inc.

PLAT OF SUBDIVISION
BOUNDARY SURVEY
DAVENPORT, IOWA
FILE NAME: T:\JWM\11-28\JWS\1128-BV-Lowg
JOB NUMBER: 01-13-11-218

SHEET NO.
1
OF 1



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

February 20, 2015

Greater Davenport Redevelopment Corporation
331 West 3rd Street
Davenport, Iowa 52801

Re: 046-15 Proposed Public Utility Easement Release
Lot 2 and the Remainder of Parcel 2 per Plat of Survey recorded as Document No. 2002-11747, Parcel #W3305-02A, as shown on the recorded Plat of Subdivision of Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport, Scott County, Iowa, Document No. 2012-00007008.

To whom it may concern:

MidAmerican Energy Company has received your request to release any interest MidAmerican may have in a Twenty (20) foot wide public utility easement along the West line of Lot 2 of Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport, Scott County, Iowa.

MidAmerican Energy Company does have facilities in the North Fifteen (15) feet of said Lot 2, and as such, does not approve of the release of that portion of the PUE. MidAmerican does not, however, have any electric or gas facilities in the remaining Twenty (20) foot PUE along the West Line of Lot 2. Therefore, MidAmerican does not object to and with this present letter, states its approval for the proposed release of public utility easement, except the North 15 feet thereof.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dawn M. Carlson", is written over a circular stamp.

Dawn M. Carlson

Right-of-Way Services

MidAmerican Energy Company

Phone: 563.333.8150

Iowa-American Water Company

Quad Cities District
5201 Grand Avenue
Davenport, IA 52806

February 17, 2015

Tim Wilkinson
Greater Davenport Redevelopment Corporation
331 W. 3rd Street, Suite 106
Davenport, IA 52801

Re: Lot 2 of Interstate 80 Airport Industrial Park 6th Addition, Davenport, Iowa

Dear Mr. Wilkinson:

Iowa-American Water Company hereby waives the north-south 20 foot utility easement located along the west lot line of Lot 2 of Interstate 80 Airport Industrial Park 6th Addition in Davenport, Iowa.

Sincerely,

By: Mary Jane Canney Midgett
Printed Name: MARY JANE CANNEY MIDGETT
Title: DIRECTOR OF OPERATIONS



February 6, 2015

Angi Chapman
Lane & Waterman LLP
220 N. Main Street, Suite 600
Davenport, Iowa 52801

To Whom It May Concern:

Mediacom holds no objection to the release of a North to South (20') twenty foot utility easement located along the Westerly portion of Lot 2 of the Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport, Scott County Iowa.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Jarding", is written over a horizontal line.

Dennis Jarding
Construction Manager
Mediacom Communications
3900 26th Avenue
Moline, IL 61265

CenturyLink
3908 Utica Ridge Road
Bettendorf, Iowa 52722

February 9, 2015

Tim Wilkinson
Greater Davenport Redevelopment Corporation
331 W. 3rd Street, Suite 106
Davenport, IA 52801

Re: Lot 2 of Interstate 80 Airport Industrial Park 6th Addition, Davenport, Iowa

Dear Mr. Wilkinson:

CenturyLink hereby waives the north-south 20 foot utility easement located along the west lot line of Lot 2 of Interstate 80 Airport Industrial Park 6th Addition in Davenport, Iowa.

Sincerely,

Antonio Glessner
OSP Project Engineer
CenturyLink

A handwritten signature in black ink, appearing to read "Antonio Glessner", written in a cursive style.

City of Davenport

Committee: Council
Department: CPED
Contact Info: Rita Pribyl
Wards: All

Action / Date
3/18/2015

Subject:
Proclamation: National Community Development Week - April 6-11, 2015

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	3/12/2015 - 4:19 PM

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:

First 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	Berger, Bruce	Approved	3/11/2015 - 6:14 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:14 PM

City Clerk

Admin, Default

Approved

3/12/2015 - 9:43 AM

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:

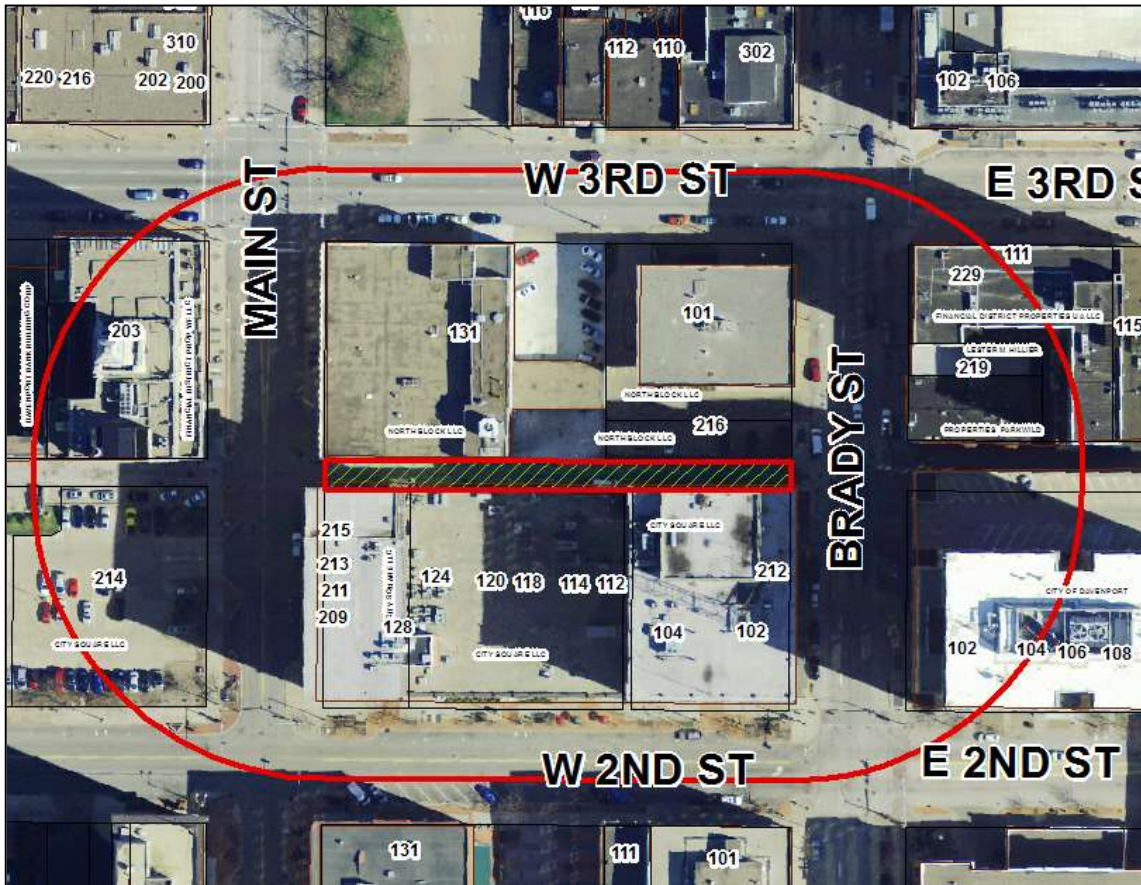
Zoning Map:



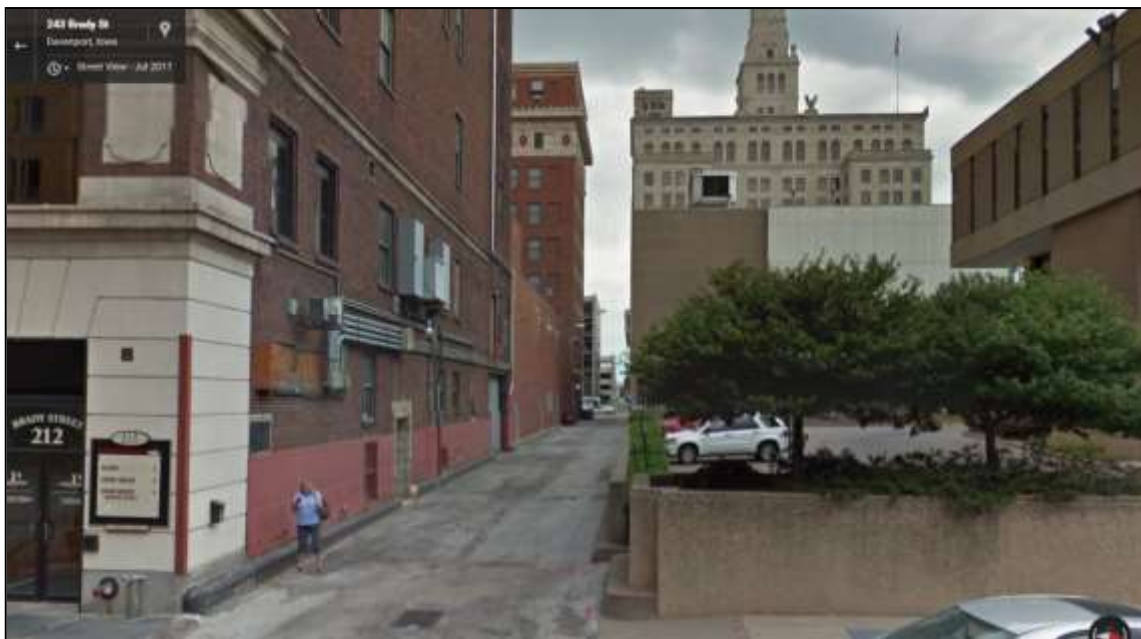
Davenport 2025:



Aerial Photo:



Site Photo:





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:

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 %

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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

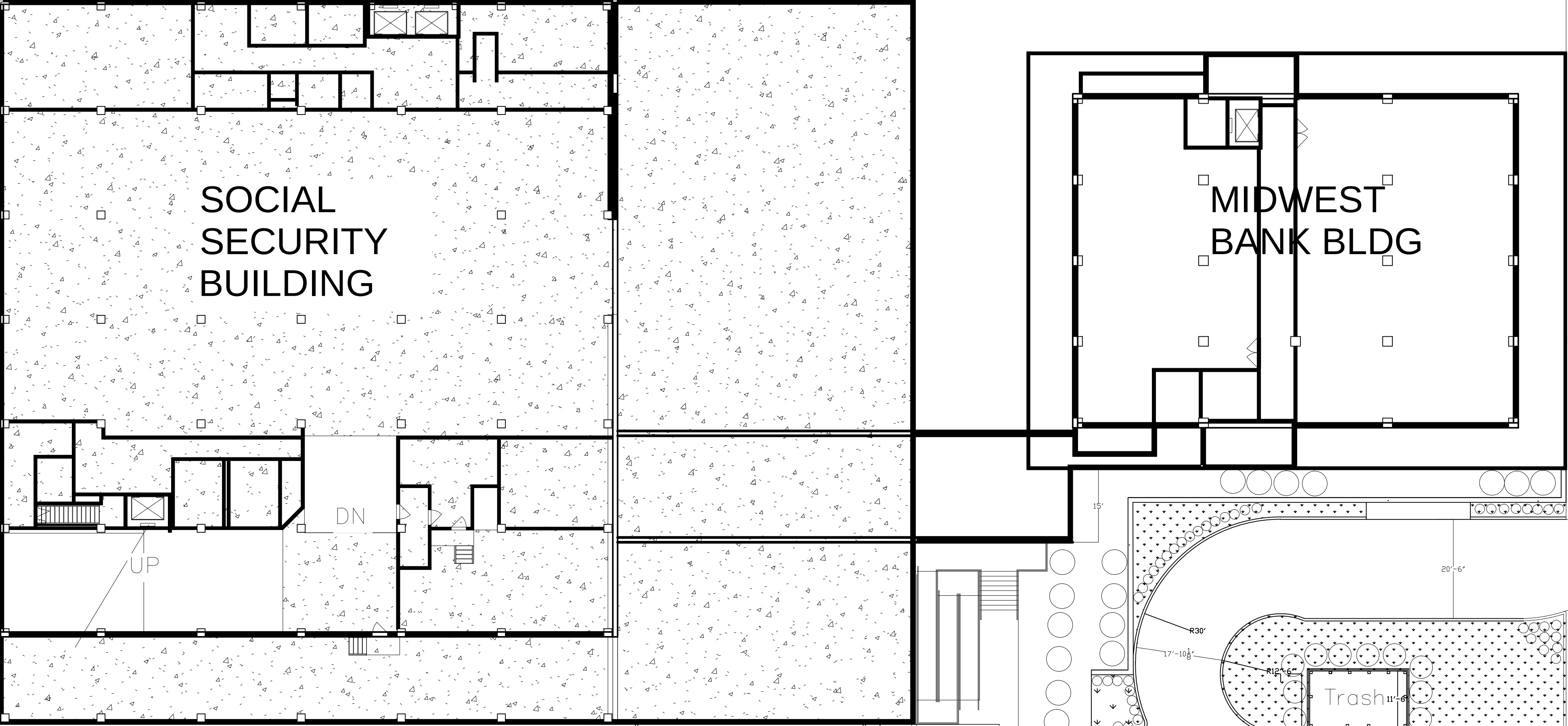
Pay Off: \$0.00

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

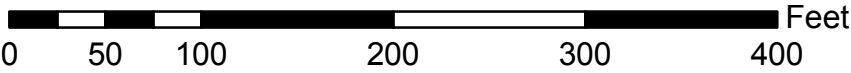
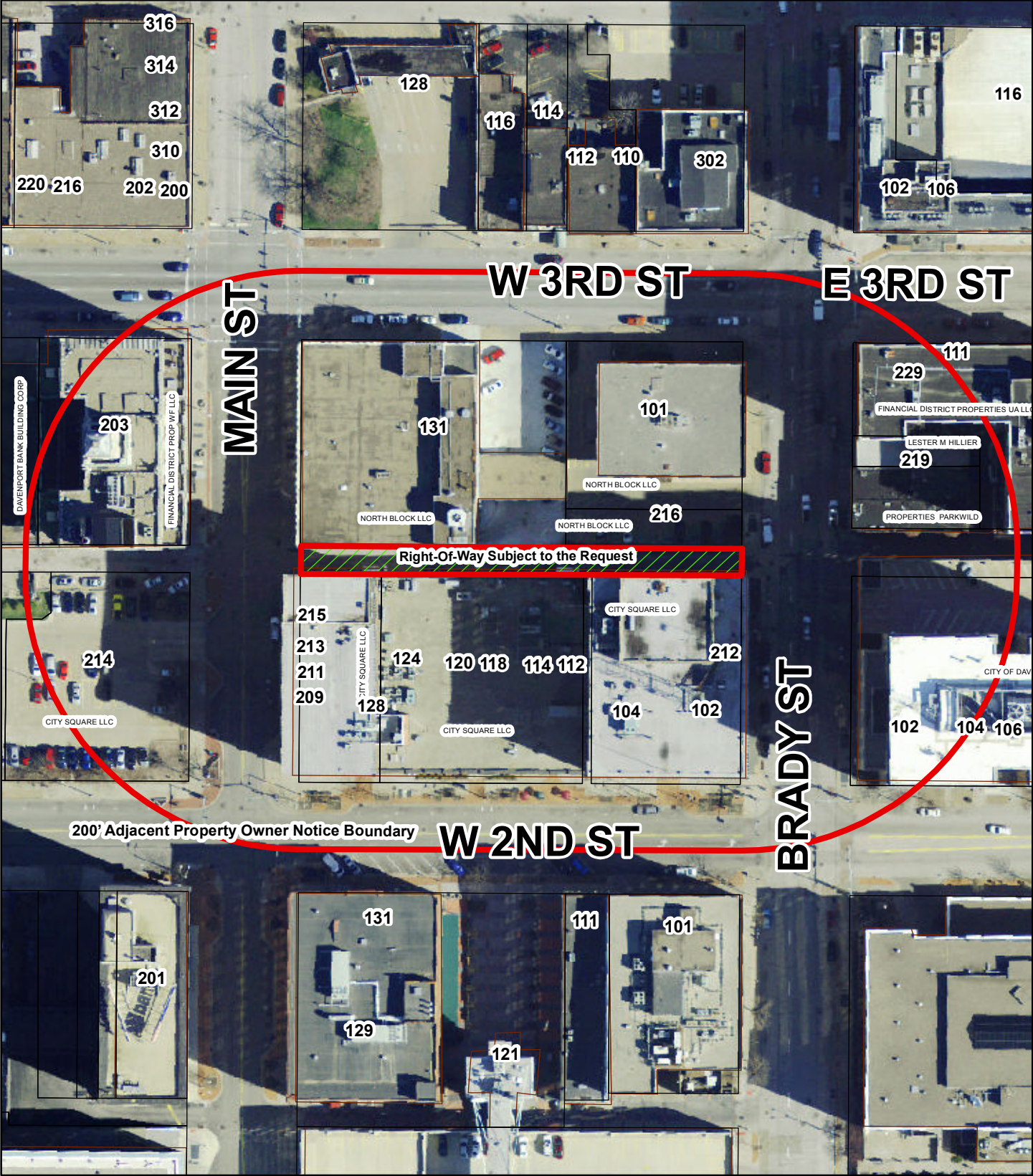
Trash

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

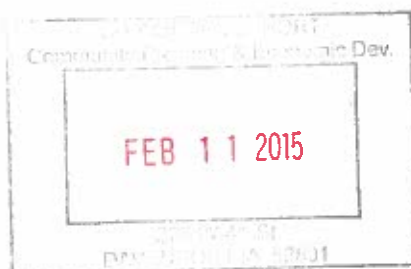
Dear Mr. Koops:

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:

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

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

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:

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

SOCIAL
SECURITY
BUILDING

MIDWEST
BANK BLDG

PUTNAM
BUILDING

CENTER
BUILDING

PARKER
BUILDING

ALLEY

TRANSFORMER

PEDESTRIAN
WALK

LOADING
ZONE

LOADING
ZONE

Trash

SURFACE
PARKING

82'-10 1/2"

removable pipe bollards

11'-7 3/4"

47'-5 1/8"

11'-7 3/4"

20'-7 3/4"

removable pipe bollards

17'-10 1/8"

R30'

11'-6"

33'-8 1/2"

20'-5 3/4"

22'-8 1/8"

20'-6"

15'-0 9/16"

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

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

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

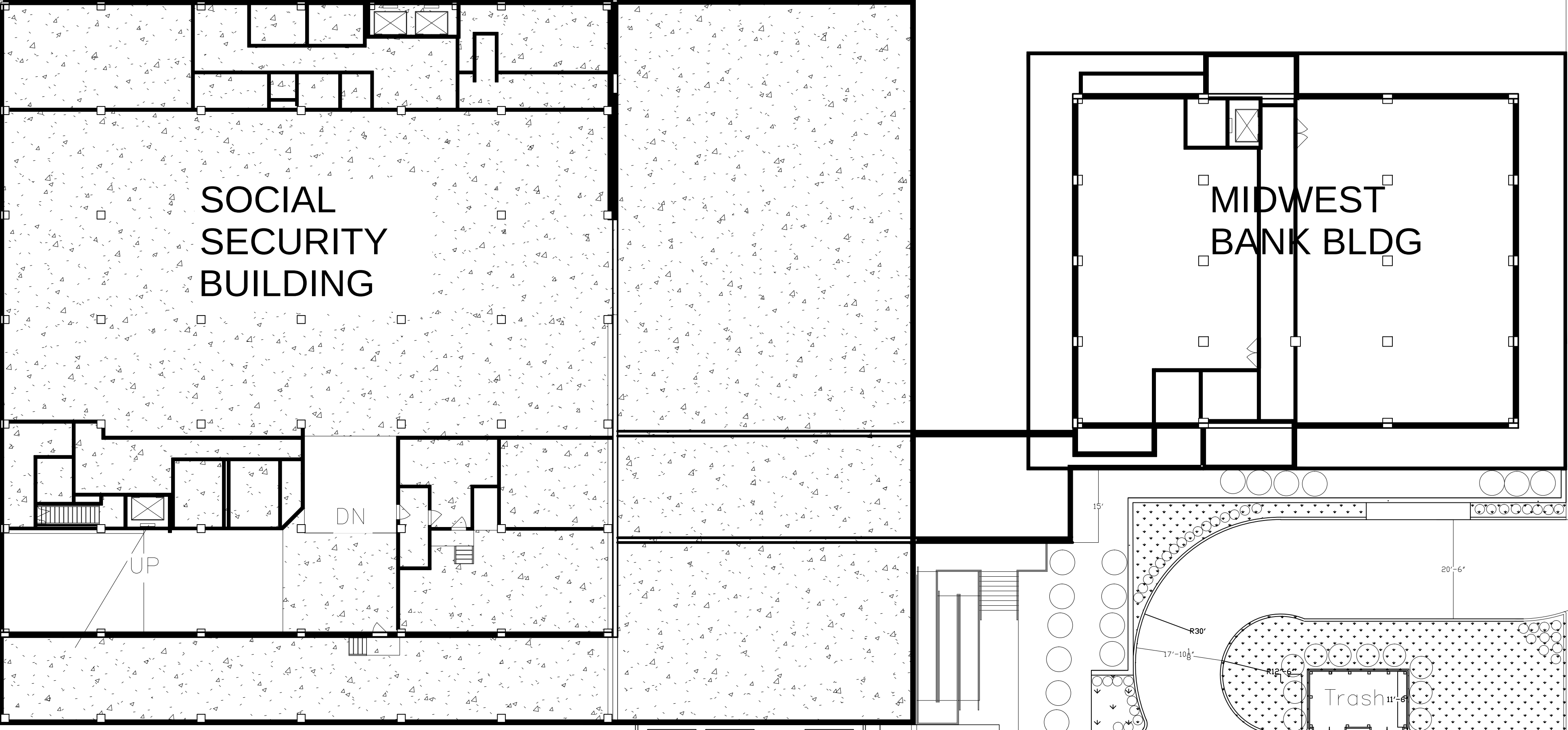
Pay Off: \$0.00

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



SOCIAL
SECURITY
BUILDING

MIDWEST
BANK BLDG

PUTNAM
BUILDING

CENTER
BUILDING

PARKER
BUILDING

ALLEY

TRANSFORMER

PEDESTRIAN
WALK

LOADING
ZONE

LOADING
ZONE

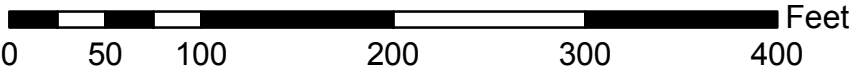
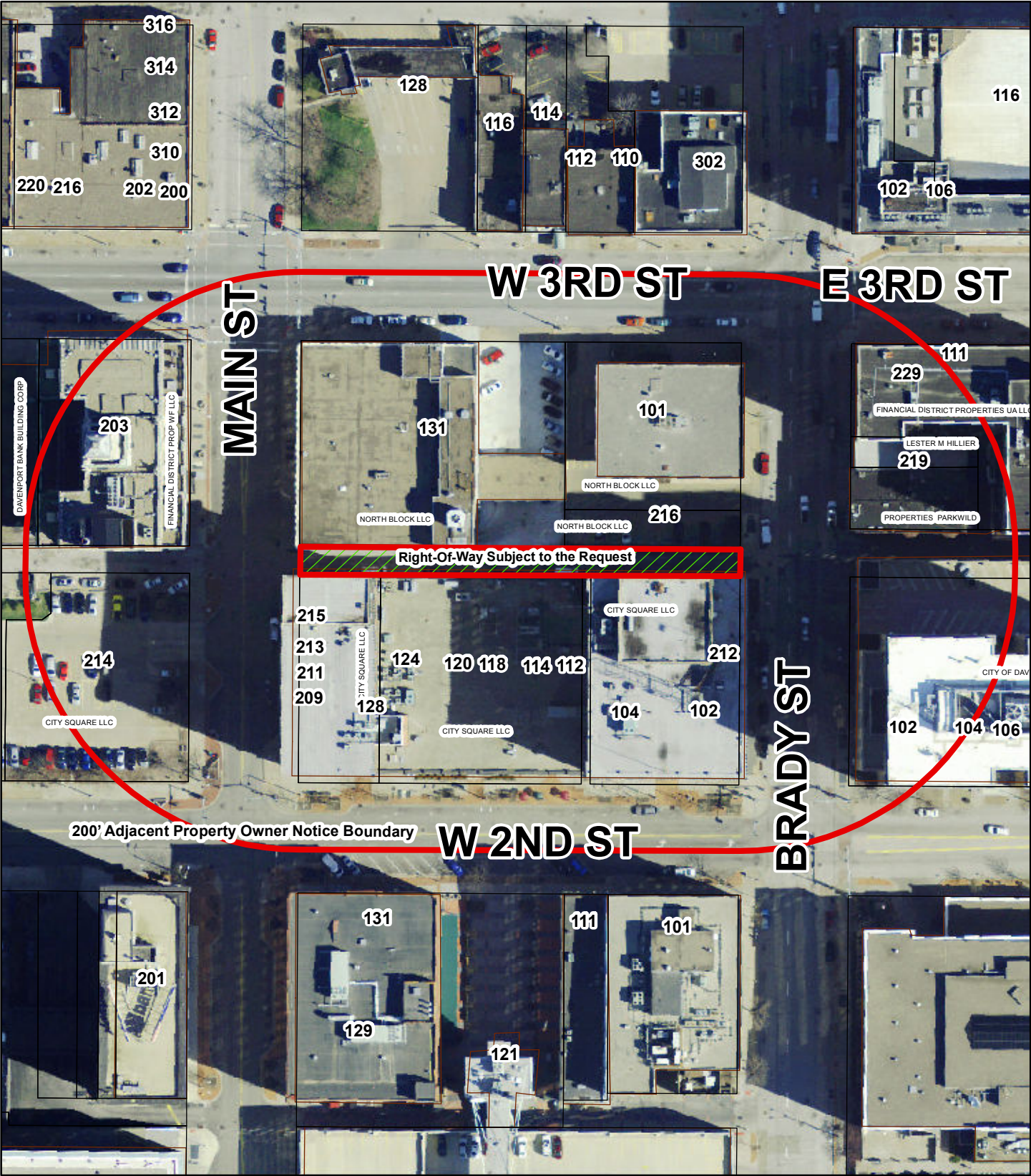
Trash

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

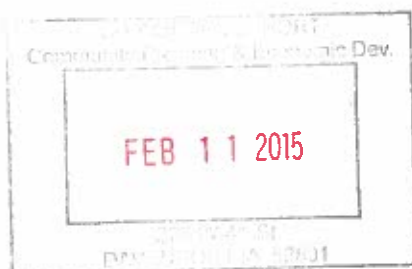
Dear Mr. Koops:

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



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 326-7743
Wards: 4th

Action / Date
3/18/2015

Subject:

First Consideration: 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. [4th Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

1. The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, Davenport 2025, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.
2. The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. REZ15-02 to the City Council with a recommendation on condition that all security bars protecting windows and doors be placed on the inside of the structure.

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

THE PROTEST RATE IS 2.2%.

Relationship to Goals:

Goal No. 2 – Added emphasis on economic development.

Background:

The petitioner is proposing to open a retail sales business (a fishing/hunting/firearms store) on the subject property. The property will be required to meet all business, police and fire department licensing and regulations, including those for the retail sale of firearms.

The petitioner has indicated that the business will be compliant with all local business requirements and has made statements regarding the security of the firearms that would be sold on the premises. Windows will be barred on the inside if the owner chooses to do so.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
□ Ordinance	ORD CD REZ15-02
□ Backup Material	REZ15-02 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:12 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:12 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:43 AM

ORDINANCE NO.

An 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. [4th 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 27, Township 78 North, Range 3 East of the 5th P.M. being more particularly described as follows:

Lot 16 of Block 12 of Sturdevant's Map of Town Lots to the City of Davenport.

Said tract contains 11,025 square feet, more or less.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. REZ15-02 to the City Council for approval subject to the following:

Findings:

1. The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, Davenport 2025, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.
2. The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

Conditions:

1. All security bars protecting windows and doors shall be placed on the inside of the structure.

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. Ordinance 2013-362 and 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. 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.

Findings:

- The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, *Davenport 2025*, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.
- The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

The Plan and Zoning Commission accepts the findings and forwards Case No. REZ15-02 to the City Council for approval on condition that all security bars protecting windows and doors be placed on the inside of the structure.

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			

REZ15-02 Mailing List & Protest Calculation

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
H0004-04	3026	1.4%		0.0%	1711 W 17TH ST	SARAH A WILLIAMS	1711 W 17TH ST	DAVENPORT IA 52804
H0004-01	4989	2.3%		0.0%	1622 N DIVISION ST	VICTORIA A HARDY	1622 DIVISION ST	DAVENPORT IA 52804
H0005-45A	603	0.3%		0.0%	1777 N DIVISION ST	CVS CORP	1777 N DIVISION ST	DAVENPORT IA 52804
H0004-02	4991	2.3%		0.0%	1628 N DIVISION ST	SHERRY M CAMARENA	1628 DIVISION ST	DAVENPORT IA 52804
H0004-03	4994	2.3%		0.0%	1632 N DIVISION ST	BRITTANY C DALY & DALY RYAN M	1632 N DIVISION ST	DAVENPORT IA 52804
H0004-37B	9061	4.2%	NO	0.0%	1700 N DIVISION ST	QUAD CITY BANK AND TRUST CO	ATTN: ACCOUNTS PAYABLE	MOLINE IL 61265
H0005-08	5503	2.6%		0.0%	1641 W 17TH ST	SARAH N HARTMAN	2510 BELLE AV	DAVENPORT IA 52803
H0005-09	5502	2.6%		0.0%	1645 W 17TH ST	ANNE M QUINN	5710 SHAWNEE DR	DAVENPORT IA 52804
H0005-10	1100	0.5%		0.0%	1651 W 17TH ST	HABITAT FOR HUMANITY QUAD CITIES	3625 MISSISSIPPI AV	DAVENPORT IA 52807
H0005-12	4564	2.1%		0.0%	1703 N DIVISION ST	MARILYN E TRACY	11163 145TH ST	DAVENPORT IA 52804
H0005-13	4565	2.1%		0.0%	1646 W 17TH ST	HARDEE'S FOOD SYSTEMS INC	1646 W 17TH ST	DAVENPORT IA 52804
H0005-14	6706	3.1%		0.0%	1640 W 17TH ST	SHIPLEY DAWN M	1640 W 17TH ST	DAVENPORT IA 52804
H0005-15	2109	1.0%		0.0%	1634 W 17TH ST	BUTZ GERHARDT G	1625 W 17TH ST	DAVENPORT IA 52804
H0005-46	8452	3.9%		0.0%	1715 N DIVISION ST	SEDRAH LLC	1715 N DIVISION ST	DAVENPORT IA 52804
H0005-50	8011	3.7%		0.0%	1633 W 17TH ST	TIA K EWING	1633 W 17TH ST	DAVENPORT IA 52804
H0012-01	6311	2.9%	NO	0.0%	1613 N DIVISION ST	JASON C MICHEL & MICHEL TRISTA S	1613 N DIVISION ST	DAVENPORT IA 52804
H0012-02	4701	2.2%	YES	2.2%	1611 N DIVISION ST	FINANCIAL GROUP FIRST	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0012-03	4702	2.2%		0.0%	1607 N DIVISION ST	FABRE CHAMIRRA	1607 N DIVISION ST	DAVENPORT IA 52804
H0012-04	6314	2.9%		0.0%	1603 N DIVISION ST	WILLIAM D BRYANT	1603 N DIVISION ST	DAVENPORT IA 52804
H0012-27	7404	3.4%		0.0%	1640 W 16TH ST	KELLY GARROW	1640 W 16TH ST	DAVENPORT IA 52804
H0012-28	5714	2.7%		0.0%	1638 W 16TH ST	TERESA M PHILLIPS	1638 W 16TH ST	DAVENPORT IA 52804
H0012-29	1339	0.6%		0.0%	1630 W 16TH ST	JAMES STREMLow	1630 W 16TH ST	DAVENPORT IA 52804
H0013-34	735	0.3%		0.0%	1716 W 16TH ST	MICHAEL R BEVERLIN	1716 W 16TH ST	DAVENPORT IA 52804
H0013-35	4445	2.1%	NO	0.0%	1706 W 16TH ST	SAMUEL FOLEY	6730 DOUBLE EAGLE DR	DAVENPORT IA 52804
H0013-36	5118	2.4%		0.0%	1604 N DIVISION ST	ANGELA KELLEY	1604 N DIVISION ST	DAVENPORT IA 52804
H0013-37	2743	1.3%		0.0%	1614 N DIVISION ST	STACEY S SPEIGHTS	1614 N DIVISION ST	DAVENPORT IA 52804

PARCELS	123,702.0	57.6%						
ROW	91,215.9	42.4%					Alderman: Ambrose	
TOTAL								
NOTICE AREA	214,917.9	100%		2.2%	PROTEST RATE	Protests: 1	Properties: 26	



City of Davenport
Community Planning & Economic Development Department
PREVIEW REPORT

PLAN AND ZONING COMMISSION

Preview Date: February 3, 2015
Request: Rezoning: From R-4 Moderate Density To: C-1 Neighborhood Shopping
Location: 1655 W 17th St.
Case No.: Case No. REZ15-02
Applicant: Glenn Smithe

Recommendation:

Staff recommends approval of REZ15-02 with the conditions stated in the recommendation section of this report.

Introduction:

The rezoning is being proposed to facilitate retail sales.

AREA CHARACTERISTICS:





Zoning Map

R-4: Moderate Density Dwelling Neighborhood

C-1: Neighborhood Shopping

C-2: General Commercial



Davenport 2025 Proposed Land Use

RG: Residential General

RC: Residential Corridor

Background:

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation:

*Residential General Neighborhood (RG) designates **mixed-use** neighborhoods that are mostly residential **but include**, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.*

Relevant Goals to be considered in this Case:

Neighborhood Improvements

Technical Review:

Streets. The property utilizes the existing street pattern. No physical changes should occur.

Storm Water. Storm water currently utilizes existing services; no impact projected

Sanitary Sewer. Sanitary sewer utilizes existing services; no impact projected

Other Utilities. This is an urban area; no impact projected.

Emergency Services. The property is all located less than ½ mile from Fire Station No. 6 at 1735 West Pleasant Street.

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

PUBLIC INPUT

The applicant is mailing and meeting with the neighboring property owners. Notices sent by staff are being sent to the adjacent property owners as well.

DISCUSSION

The petitioner is proposing to open a retail sales business (a fishing/hunting/firearms store) on the subject property. The property will be required to meet all business, police and fire department licensing and regulations, including those for the retail sale of firearms.

The petitioner has indicated that the business will be compliant with all local business requirements and has made statements regarding the security of the firearms that would be sold on the premises. Windows will be barred on the inside.

Findings:

- The proposed rezoning and the proposed land use is consistent with the City's Comprehensive Plan, *Davenport 2025*, which classifies the subject property as Residential General, which designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.
- The adjacent area is characterized by other commercial uses to the north. The rezoning to "C-1" Neighborhood Shopping, if granted, will not alter the essential character of the neighborhood and will not be a substantial/undue detriment to adjacent property.

Staff Recommendation:

Staff recommends the Commission approve REZ15-02 on condition that all security bars protecting windows and doors be placed on the inside of the structure.

Prepared by:



Scott Koops, AICP
Planner II

REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

City Hall * Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714
planning@ci.davenport.ia.us

Legal Description:

ADDRESS OF PROPERTY: 1655 West 17th Street EXISTING ZONING: R-4
REQUESTED ZONING: _____
TOTAL AREA: _____

PETITIONER/
Contact

Name: Kimberly S. Smithe, Glen Smithe
Address: 2031 North Ohio Avenue Davenport IA 52804
Phone: 563-370-2639 FAX: 563-391-6907
Mobile Phone: 563-370-2639 Email: glennsmithe@aol.com
Interest in land: _____ title holder _____ other **

** if petitioner is other than title holder, documentation will be required to show control of property - accepted offer to purchase, offer, option, etc

TITLE HOLDER:

Name: Great Southern Bank
Address: 3031 Lake St Louis Blvd St Louis MO 63367
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

CONTACT PERSON:

Name: Corey Wolf
Address: 10801 MARTIN Blvd ST 222
Phone: 913-344-6801 FAX: 855-432-0767
Mobile Phone: _____ Email: CWOLF@GreatSouthernBank.com
Ovenland Park KS. 66210

EXPLANATION OF REZONING (for Public Hearing Notice) From R-4 zoning
to Retail store commercial

Does the property contain a drainage way or flood plain area: ____ Yes ____ ☒ No

Signature of Petitioner: Kimberly Smithe Date: 01/20/2015

Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres ($\geq$ acre < 10 acres)	\$750 plus \$25/acre
Ten acres or more ($\geq$ 10 acres)	\$1,000 plus \$25/acre

* plus \$10.00 per sign; 1 or more signs required depending upon the size of the subject property

JAN 20 2015

226 W 4th St
DAVENPORT IA 52801

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend the Zoning Ordinance of 1981
of the City of Davenport, Iowa by changing the zoning classification

from B-4
to C-1

for the following legally described real property:

1655 West 17TH Street
Davenport, IA

Respectfully submitted,

Kembele Amelle
[Signature]

Date: 01-20-2015



January 20, 2015

To Whom It May Concern:

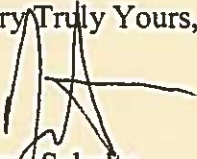
It is my pleasure to inform you that Glen Smith has been pre-qualified to purchase 1655 West 17th Street, Davenport, IA. This pre-approval is valid thru April of 2015.

Full loan approval will be subject to the following:

- *Satisfactory appraisals.
- *Insurance binders.
- *Satisfactory title opinion.
- *No significant changes in your financial condition that would prevent repayment. Along with full committee approval.

If you should have further questions please feel free to contact me at (563) 441-9600.

Very Truly Yours,


Jason Schulte
Loan Officer
jschulte@choosethechief.com

Davenport
3889 Elmore Avenue, Davenport, IA 52807
P (563) 441-9600 F (563) 344-2187

Member FDIC 

PURCHASE AGREEMENT FOR COMMERCIAL REAL ESTATE*

This Purchase Agreement for Commercial Real Estate ("Agreement") is entered into on this 16 day of January, 2015, between Great Southern Bank ("Seller"), and Glen Smith or as assigned ("Purchaser"). In consideration of the mutual covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. TERMS

Purchaser agrees to purchase from the Seller and the Seller agrees to sell to Purchaser the real estate and any improvement thereon, commonly known as: 1655 West 17th Street, Parcel #H0005-11, Davenport and legally known as: Lot 16 in Block 12 in Sturdevant's Map of Town Lots in the City of Davenport situated in the County of Scott and the State of Iowa (the "subject property"), for the sum of \$110,000.00 to be paid as follows:

A.) **Earnest Money** of \$2,500.00 in the form of a check submitted within 48 hours from full execution of this agreement which shall be held in trust by Ruhl Commercial Company is a part of the cash at closing. In the event any contingency is not met by the date contained in such contingency, the Seller recognizes the Earnest Money will be returned to the Purchaser and this Agreement shall be void. Seller and Purchaser agree to indemnify, defend and hold harmless NAI Ruhl Commercial Company from and against any and all liabilities and claims arising out of NAI Ruhl Commercial Company's duties as escrow agent.

B.) At closing, the remainder funds due and owing, subject to any credits or deductions as agreed to by the parties, shall be paid in full in cash or cash equivalent.

C.) **Contingent Financed Transaction.** This Agreement is subject to Purchaser securing a loan commitment on the subject property in an amount and upon commercially reasonable terms acceptable to the Purchaser. Purchaser agrees to apply immediately, to use all diligence and best efforts to obtain the loan. In the event, after using best efforts and all diligence, Purchaser is unable to obtain a commercially reasonable loan commitment within ninety (90) calendar days from date hereof, the Earnest Money and any additional down payment shall be refunded in full, and this Agreement shall be void. All costs associated with securing such mortgage shall be paid by Purchaser.

2. EVIDENCE OF TITLE

Within a reasonable time, Seller shall deliver an abstract of title demonstrating merchantable title of record in Seller and certified to a current date by an abstractor. If title evidence discloses exceptions other than those permitted under the rules for examination for abstracts of title adopted by the local County Bar Association, Purchaser or Purchaser attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed if Seller so wishes, or any such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the

NAI Ruhl Commercial
Company

INITIAL G.S.
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time of closing. If Seller is unable or unwilling to cure such exception, Purchaser shall be entitled to a refund of the Earnest Money. The title to be conveyed shall be by Special Warranty Deed to Purchaser and free and clear of all liens and encumbrances not herein specifically waived or assumed by Purchaser.

3. CONVEYANCE OF TITLE AND DOCUMENTS OF SALE

The parties agree to execute any transfer declarations or other documents required by the state, county or municipality in which the subject property is located, as well as any documents required by the title insurance company in order to issue title insurance.

4. POSSESSION AND CLOSING

Seller shall deliver possession of the subject property to Purchaser concurrently with the closing of this transaction which shall be held on or before within fifteen (15) calendar days after removal of contingencies contained herein.

5. PRORATIONS AND ADJUSTMENTS

The following items shall be prorated at closing as of the date of delivery of possession:

A. Prorations

- (1) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;
- (2) Rent, if any, (with transfer in full of any security/damage deposit);
- (3) Insurance premiums if policy assigned to Purchaser;
- (4) Other income and operation expenses, if any;
- (5) Special assessments, if any.

B. Adjustments

Utility charges shall be adjusted by the parties by appropriate meter readings at or about the time of delivery and surrender of possession.

6. ASSESSMENTS

Seller shall pay all special assessments, which are a lien on the subject property as of the date of closing. Purchaser shall use its own investigation to determine any assessments or fees associated with the subject property.

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7. CONDITION OF SUBJECT PROPERTY

The parties agree that the purchase price reflects the condition of the subject property and Purchaser acknowledges that the real estate and improvements thereof have been inspected, and Purchaser is acquainted with the condition thereof and accepts the same in "As Is" condition.

Purchaser is aware that Seller acquired the property which is the subject of this transaction by way of foreclosure, deed in-lieu of foreclosure, settlement and comprise or any combination thereof and that Seller is selling and Purchaser is purchasing the property in its present "AS IS" **CONDITION WITHOUT REPRESENTATIONS OR WARRANTIES OF ANY KIND OR NATURE**. Purchaser acknowledges that Purchaser has been given a reasonable opportunity to inspect and investigate the property and all improvements thereon, either independently or through agents of Buyer's choosing, and that in purchasing the property Purchaser is not relying on Seller, or its agents, as to the condition or safety of the property and/or any improvements thereon including, but not necessarily limited to electrical, plumbing, heating sewage, roof, air conditioning, if any, foundations, soils and geology, lot size or suitability of the property and/or improvements for particular purposes, or that any appliances, if any, plumbing and/or utilities are in working order, and/or that the improvements are structurally sound and/or in compliance with any city, county, state and/or Federal statutes, codes or ordinances. Any reports, repairs, or work required by Buyer's Lender is to be the sole responsibility of the Buyer. Seller does not warrant the suitability of the property for its intended use. Seller does not warrant existing structure or its land as to its habitability or suitability for occupancy. Purchaser assumes responsibility to check with appropriate planning authority for intended use and holds Seller harmless as to suitability for Purchaser intended use. Purchaser agrees that Seller shall bear no liability or responsibility for any actions, problems, or damages surrounding the platting of said Property or any causing arising from or coming out of said platting. Purchaser further states that they are relying solely upon their own inspection of subject property and not upon any representation made to them by any person whomsoever, and is purchasing subject property in the condition in which it now is, without any obligation on the part of the Seller to make any changes, alterations, or repair thereto. Seller is not selling or transferring any personal property and gives no warranties or representations regarding such personal property that may exist on the premises. The closing of this transaction shall constitute as an acknowledgment by the Purchaser that **THE PREMISES WERE ACCEPTED WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND OR NATURE AND IT ITS PRESENT "AS IS" CONDITION BASED SOLELY ON BUYER'S OWN INSPECTION**. The parties agree that this disclaimer is controlling and shall supersede any and all conflicting terms in any contract, agreement or understanding between the parties. All terms provided herein shall survive closing and not merge with the deed.

Purchaser shall be permitted to make an inspection of the property prior to possession or closing, whichever is sooner, in order to determine whether any change in the condition of the property has occurred. Seller agrees to deliver the property in the same condition as exists as of the date of this Agreement.

8. FIXTURES AND PERSONAL PROPERTY

All personal property and fixtures presently installed or that integrally belongs to the subject property, whether attached or detached, including but not limited to brackets and fixtures, all carpeting, electric light fixtures, bathroom fixtures and accessories, telephone lines, storm doors, awnings, outside television equipment, window treatments, heating and cooling units and attached equipment and all shrubs and trees shall be left by Seller in or upon said subject property as they are as of the date of this Agreement, and shall be deemed a part of the subject property and title thereto shall pass to Purchaser at closing except the following: None.

9. DEFAULT

If Purchaser fails to make any payment or to perform any obligation imposed upon Purchaser by this Agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the Earnest Money and any additional down payment as damages or may pursue any available legal remedy including specific performance.

In the event Seller fails to perform any obligation imposed upon Seller by this Agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, Purchaser may terminate this Contract and receive the Earnest Money and any additional down payment deposit returned to Purchaser as its sole and exclusive remedy.

10. CASUALTY CLAUSE

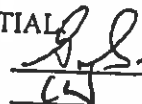
Seller shall bear the risk of loss and damage to the subject property prior to closing or possession, whichever first occurs. In the event all or a material part of the subject property is damaged or destroyed prior to closing or possession, whichever first occurs, this contract shall terminate and be of no further force and effect, unless the Subject Property can be restored to its present condition on or before the closing date. Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the Subject Property until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title to or possession of the Subject Property, whichever occurs first.

11. EXPENSES OF TRANSFER

A. Seller shall pay:

- (1) Broker's commission in accordance with a separate agreement between the Broker and Seller.
- (2) Cost of owner's title policy or continued abstract of title.
- (3) Revenue stamps and recording of any releases.

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Company

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B. Purchaser shall pay:

- (1) Recording fee for deed and mortgage
- (2) Cost of Purchaser's mortgage title insurance policy as required by mortgage.

12. LEASES

As of the date of this Agreement, the Subject Property is subject to the following leases:
None

Prior to closing, Seller shall not enter into any new leases or agree to extend any existing leases without Purchaser's prior written consent.

13. ZONING

For a period of not more than ninety (90) calendar days from full execution of this agreement, Purchaser at its sole cost, shall rezone the Subject Property to a zoning classification to allow the property to be used and occupied as a new and used gun and related items retail store. If Purchaser does not succeed in rezoning the subject property for its intended purpose, Purchaser may terminate this agreement and all Earnest Money submitted herewith shall be returned to the Purchaser without delay.

14. NOTICES

All notices required hereunder shall be in writing and shall be served upon the parties at the addresses designated herein by personal service, certified mail (return receipt requested), or Federal Express or other overnight mail.

Seller:
Corey Wolf
Great Southern Bank
10801 Mastin Blvd
Suite 222
Overland Park, KS 66201

Copy to:
Richard J. Schaefer
Ruhl Commercial Company
5111 Utica Ridge Road
Davenport, Iowa 52807

Purchaser:
Glen Smith
2031 N. Ohio Ave.
Davenport, Iowa 52804

Copy to:
Richard J. Schaefer
Ruhl Commercial Company
5111 Utica Ridge Road
Davenport, Iowa 52807

15. GENERAL CONDITIONS

This Agreement shall be binding upon the parties and their successors and assigns. Time is of the essence of this Agreement. This Agreement shall be governed by and enforced in

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Company

INITIAL 

accordance with the laws of the state in which the subject property is located. This Agreement contains the entire agreement of the parties and no representations, warranties, or agreements have been made by either party as set forth herein. No modification, waiver, or amendment of the Agreement shall be effective unless made in writing and signed by the parties. All representations, warranties and covenants made by the parties shall survive closing. Paragraph headings are for the convenience of reference and shall not limit or affect the meaning of the Agreement.

16. BROKER REPRESENTATIONS

It is understood that no representation made by the Broker or Salesperson in the negotiation of this Agreement are being relied upon unless incorporated herein in writing. Broker and Salesperson make no representations or warranties, either express or implied, as to the physical or mechanical condition of the subject property, either real or personal.

17. BROKERS AS AGENTS

Parties acknowledge that agency disclosures have been made and signed prior to signing of this purchase agreement. The Broker, the Broker's agents, employees, and associates must respond to all questions of the parties accurately and honestly and must disclose all material defects about which they have knowledge, but are not required to discover hidden defects in the subject property or give advice on matters outside the scope of their real estate licenses.

18. AGENCY

Seller and Purchaser acknowledge that the NAI Ruhl Commercial Company agent is acting as a dual agent with full knowledge and consent. The undersigned confirm that they have previously consented to Richard J. Schaefer acting as a Dual Agent providing brokerage services on their behalf and specifically consent to Licensee acting as a Dual Agent in regard to the transaction referred to in this document.

Initial only required if Dual Agency exists:

Purchaser-Client's initials: RS

Seller-Client's initials: CW

Purchaser-Client's initials: _____

Seller-Client's initials: _____

19. LEGAL ASSISTANCE

The Seller and Purchaser are aware that when fully executed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their respective interests, Seller and Purchaser are advised to consult legal counsel before this Agreement is signed.

NAI Ruhl Commercial
Company

INITIAL: RS
CW

20. ACCEPTANCE BY SELLER

Until accepted by Seller, this document constitutes an offer by Purchaser on the terms stated above. This Offer shall expire within 48 hours after presentation to the Seller. If not accepted by such date, it shall become null and void and all payments hereunder shall be refunded to Buyer.

Executed by Purchaser:

Executed by Seller:

<u>[Signature]</u>	<u>1/15/15</u>	<u>[Signature]</u>	<u>1/16/15</u>
Purchaser	Date	Seller	Date

_____	_____	_____	_____
Purchaser	Date	Seller	Date



City of
Davenport

City of Davenport
FINANCE - REVENUE
226 W 4th St
Davenport, IA 52801
563-326-7707

www.cityofdavenportiowa.com

007171-0018 Vicki R. 01/20/2015 02:20PM

MISCELLANEOUS

Description: REZONING
(ZR)

REZONING

1 @ 410.00

REZONING

410.00

Payment Id: 109446

410.00

Subtotal

410.00

Total

410.00

CHECK

410.00

Check Number 02578

Change due

0.00

Paid by: GLEN SMITHE

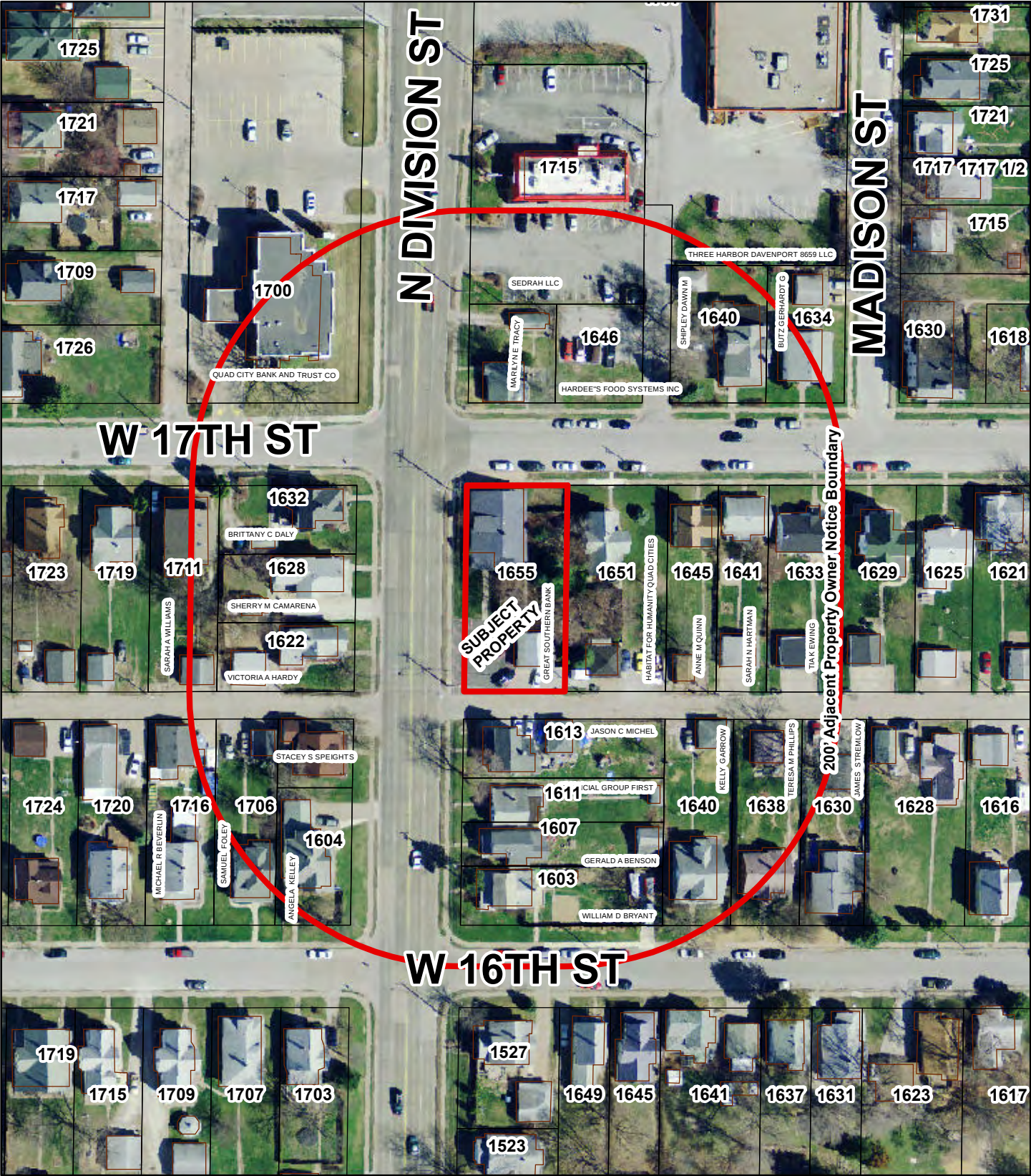
Comments: 2031 N OHIO AVE

GLEN H SMITHE 2031 N OHIO AVE DAVENPORT, IA 52801		2578
1/20/15		
Pay to the Order of	CITY OF Davenport	\$410.00
Four Hundred Ten & 00/100		Dollars & 00/100
For		Glen H. Smith

Thank you for your payment

CUSTOMER COPY

Plan & Zoning Commission: Adjacent Property Owner Notice Area



0 50 100 200 300 400 Feet

1 inch = 100 feet



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

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.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2015** 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 then consider the petition at its regular meeting on Tuesday March 3, 2015. 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/mailed comments on this petition and/or to attend the public hearing to express your views. All protests within the 200 foot notice area or the area being considered must be emailed or in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Land Use Regulations, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received through the City Council's public hearing.

Community Planning & Economic Development

Email: planning@ci.davenport.ia.us Phone: (563) 326-7765

The undersigned – **opposes / does not oppose (circle one)** the petition of REZ15-02

Comments: _____

Email to **planning@ci.davenport.ia.us** or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA *IF OTHER THAN MAILING ADDRESS*

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ
H0004-04	1711 W 17TH ST	SARAH A WILLIAMS	1711 W 17TH ST	DAVENPORT IA 52804
H0004-01	1622 N DIVISION ST	VICTORIA A HARDY	1622 DIVISION ST	DAVENPORT IA 52804
H0005-45A	1777 N DIVISION ST	CVS	1777 N DIVISION ST	DAVENPORT IA 52804
H0004-02	1628 N DIVISION ST	SHERRY M CAMARENA	1628 DIVISION ST	DAVENPORT IA 52804
H0004-03	1632 N DIVISION ST	BRITTANY C DALY	1632 N DIVISION ST	DAVENPORT IA 52804-3533
H0004-37B	1700 N DIVISION ST	QUAD CITY BANK AND TRUST CO	ATTN: ACCOUNTS PAYABLE	MOLINE IL 61265
H0005-08	1641 W 17TH ST	SARAH N HARTMAN	2510 BELLE AV	DAVENPORT IA 52803
H0005-09	1645 W 17TH ST	ANNE M QUINN	5710 SHAWNEE DR	DAVENPORT IA 52804
H0005-10	1651 W 17TH ST	HABITAT FOR HUMANITY QUAD CITIES	3625 MISSISSIPPI AV	DAVENPORT IA 52807
H0005-11	1655 W 17TH ST	GREAT SOUTHERN BANK	3031 LAKE ST ST LOUIS BD	ST LOUIS MO 63367
H0005-12	1703 N DIVISION ST	MARILYN E TRACY	11163 145TH ST	DAVENPORT IA 52804
H0005-13	1646 W 17TH ST	HARDEE'S FOOD SYSTEMS INC	1646 W 17TH ST	DAVENPORT IA 52804
H0005-14	1640 W 17TH ST	SHIPLEY DAWN M	1640 W 17TH ST	DAVENPORT IA 52804
H0005-15	1634 W 17TH ST	BUTZ GERHARDT G	1625 W 17TH ST	DAVENPORT IA 52804
H0005-46	1715 N DIVISION ST	SEDRAH LLC	ATTN: TAX DEPT	ANAHEIM CA 92803
H0005-50	1633 W 17TH ST	TIA K EWING	1633 W 17TH ST	DAVENPORT IA 52804
H0012-01	1613 N DIVISION ST	JASON C MICHEL	1613 N DIVISION ST	DAVENPORT IA 52804
H0012-02	1611 N DIVISION ST	FINANCIAL GROUP FIRST	1987 SPRUCE HILLS DR	BETTENDORF IA 52722
H0012-03	1607 N DIVISION ST	FABRE CHAMIRRA	1607 N DIVISION ST	DAVENPORT IA 52804
H0012-04	1603 N DIVISION ST	WILLIAM D BRYANT	1603 N DIVISION ST	DAVENPORT IA 52804
H0012-27	1640 W 16TH ST	KELLY GARROW	1640 W 16TH ST	DAVENPORT IA 52804
H0012-28	1638 W 16TH ST	TERESA M PHILLIPS	1638 W 16TH ST	DAVENPORT IA 52804
H0012-29	1630 W 16TH ST	JAMES STREMLow	1630 W 16TH ST	DAVENPORT IA 52804
H0013-34	1716 W 16TH ST	MICHAEL R BEVERLIN	1716 W 16TH ST	DAVENPORT IA 52804
H0013-35	1706 W 16TH ST	SAMUEL FOLEY	6730 DOUBLE EAGLE DR	DAVENPORT IA 52804
H0013-36	1604 N DIVISION ST	ANGELA KELLEY	1604 N DIVISION ST	DAVENPORT IA 52804
H0013-37	1614 N DIVISION ST	STACEY S SPEIGHTS	1614 N DIVISION ST	DAVENPORT IA 52804

Alderman: Ray Ambrose, 4th Ward

7 February, 2015

12:00 P.M.

The neighborhood meeting started at 12:00/noon.

Explained ground rule, as to say the meeting was to be a fact -finding (to include a tour of the facilities) and issue identification.

G&G Retailers Inc, Glen and Kimberly Smithe, explained they are a family owned business in Davenport, Iowa for 28 years with no issues. Presented were neighbors Police Officer Mike Colclasure and Doug Tice for personal references. Also explained the property would be renovated along with ADT, security cameras inside and out, bars on windows, basement windows blocked in, fence removed, and lighting outside. Focus on personal and public safety.

G&G Retailers has intentions of not only carrying firearms but to include fishing and hunting equipment, teaching hunting and firearms safety courses, and self defense courses for women.

Attendees were positive and supportive with their comments.

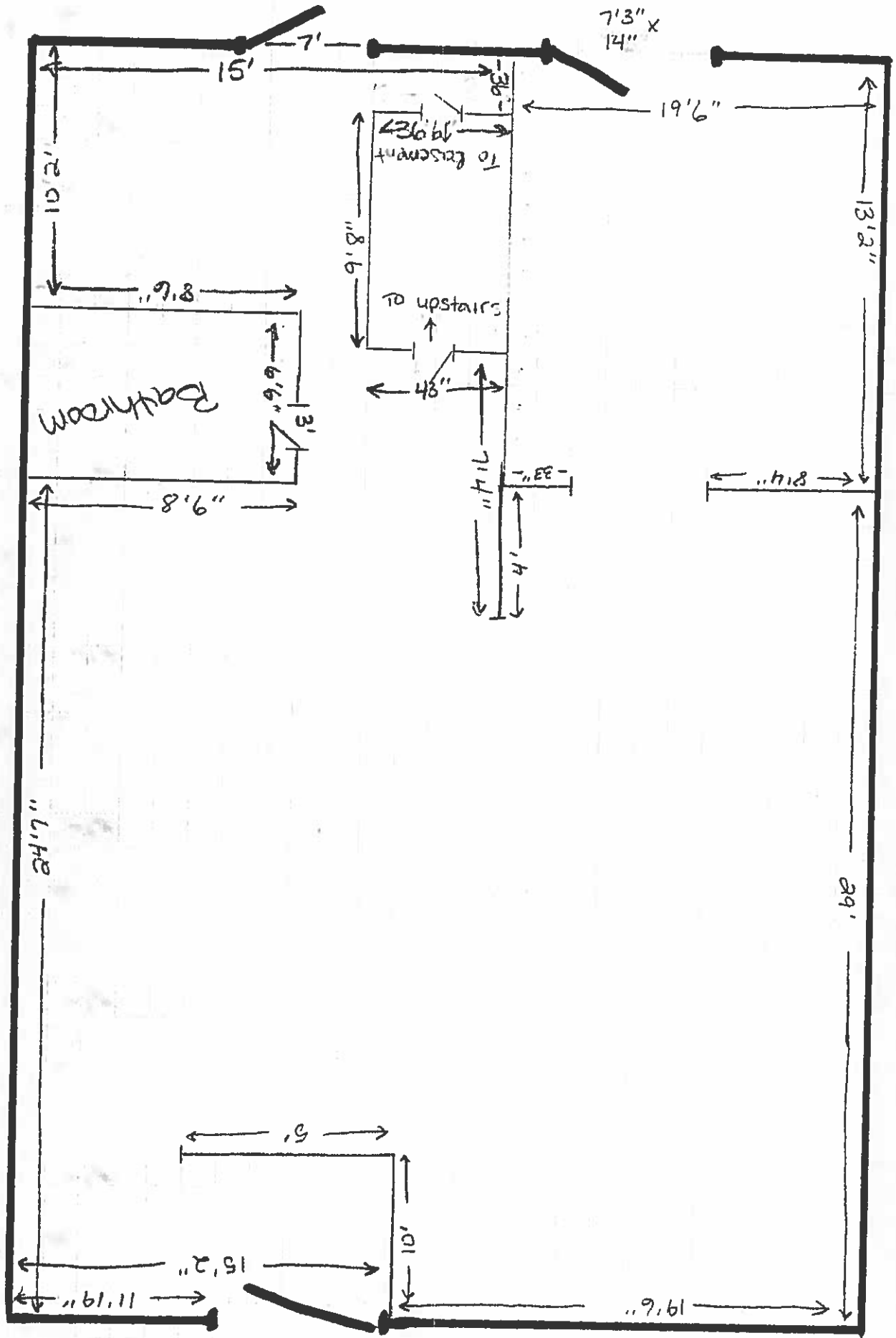
The meeting was concluded at 12:30 P.M.

Neighborhood Meeting Attendance List

Case: _____

Date: 7 FEB 2015 12:00 NOON

Name	Address	Phone	Email
1 DOUG TICE	2038 N O'HIO	386-7447	
2 Linda Blakely	1835 Calvin	570-1502	lkbblakely66@gmail.com
3 BOB EMMETT	#4 OAKWOOD CT	CAVALLEY, IL	309-234-5524
4 MIKE COLCLASURE	2103 N O'HIO	320 5436	
5 MARK HORCHER/TRIKON	1802 129 TH ST	FLUDD IOWA	563-590-2954
6 MIKE BURNER SR	1716 W 16 TH ST	DAV IA	52864
7 Trista Michel	1613 N Division St	563-370-6827	tristamichel@mchsi.com
8			
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11			
12			
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15			
16			
17			
18			
19			
20			
21			
22			



Division St

17th Street

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

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.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2015** 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 then consider the petition at its regular meeting on Tuesday March 3, 2015. 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/emailed comments on this petition and/or to attend the public hearing to express your views. All protests within the 200 foot notice area or the area being considered must be emailed or in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Land Use Regulations, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received through the City Council's public hearing.

Community Planning & Economic Development

Email: planning@ci.davenport.ia.us Phone: (563) 326-7765

The undersigned opposes / does not oppose (circle one) the petition of REZ15-02

Comments: As the owner of a residence two doors away, occupied by a family with children, we are very uncomfortable having a gun shop so close by. There are plenty of locations throughout the City that are already appropriately zoned for such a business. Also, as a customer of Quad City Bank, which is across the street, I believe that it is a bad idea to have a gun shop so close to a bank. Having the two so close together just encourages potential criminals. I fear for the safety of the bank's customers and employees.

Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME First Financial Group LC
ADDRESS 1987 Spruce Hills Dr, Bettendorf IA 52722
DATE 2/10/15
(please write legibly)

1611 Division Street, Davenport, IA 52804
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Koops, Scott E.

From: tneyens@mchsi.com
Sent: Tuesday, February 17, 2015 10:51 AM
To: Planning Division – CPED
Subject: Case no. REZ15-02

Hello my name is Trista Michel. My husband and I live at 1613 N Division St. Our home is right next door to the building that is up for rezoning (1655 West 17th St). I had the pleasure of meeting Glen and his daughter Kim a few weeks ago. They took me thru the building and showed me the improvements and security features they would like to add to the building. It is my opinion that they are going above and beyond to not only improve the building but the security of the building and neighborhood. I believe that having G&G retailers here would be a great asset to our neighborhood. We would be happy to see the property rezoned and to have G&G retailer open in that location.

Thank you,

Trista Michel
1613 N Division St
Davenport, IA 52804
563-370-6827
tneyens@mchsi.com

Sent from my iPhone

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – FEBRUARY 17, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

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.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday February 17, 2015** 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 then consider the petition at its regular meeting on Tuesday March 3, 2015. 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.

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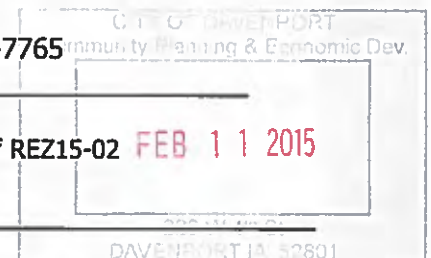
Community Planning & Economic Development

Email: planning@ci.davenport.ia.us

Phone: (563) 326-7765

The undersigned – **opposes** / **does not oppose** (circle one) the petition of REZ15-02

Comments: _____



Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Samuel Foley
ADDRESS 1730 Double Eagle Dr Davenport, IA
DATE 2/9/15
(please write legibly)

1706 W 16th St
ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

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Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME QUAD CITY BANK & TRUST BY John M. Log
ADDRESS 1700 N DIVISION ST
DATE 02/11/15
(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

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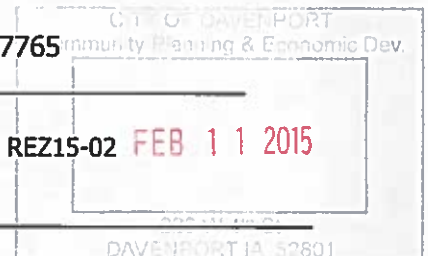
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Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME
ADDRESS
DATE

Samuel Foley
1730 Double Eagle Dr Davenport, IA
2/9/15
(please write legibly)

1706 W 16th St
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Koops, Scott E.

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Sent: Tuesday, February 17, 2015 10:51 AM
To: Planning Division – CPED
Subject: Case no. REZ15-02

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1611 Division Street, Davenport, IA 52804
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City of Davenport

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

Action / Date
COW3/18/2015

Subject:

First 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:

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	Berger, Bruce	Approved	3/11/2015 - 6:13 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:13 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:43 AM

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

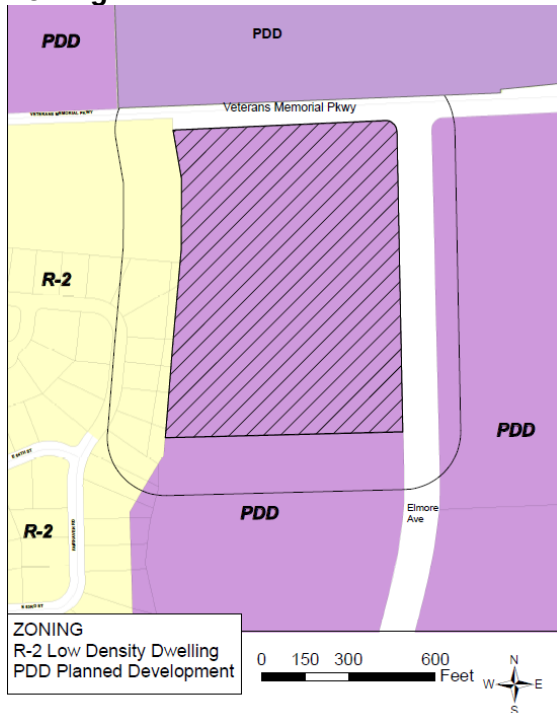
Meeting Date: February 17, 2015
Request: Amend conditions City Ordinance 2004-234
Address: South of Veterans Memorial Pkwy & West of Elmore Av extended
Case No.: REZ15-03
Applicant: Arrowhead LLC

INTRODUCTION

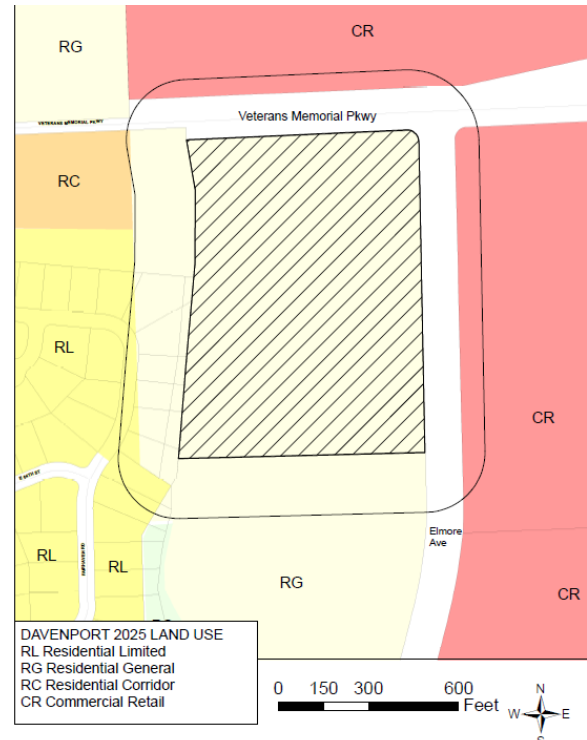
Request of Arrowhead LLC for the an amendment to conditions for City Ordinance 2004-234 to allow vehicle sales and rental along with ancillary public garage services associated with the dealership on 19.00 acres, more or less, of real property located south of Veterans Memorial Parkway and west of Elmore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

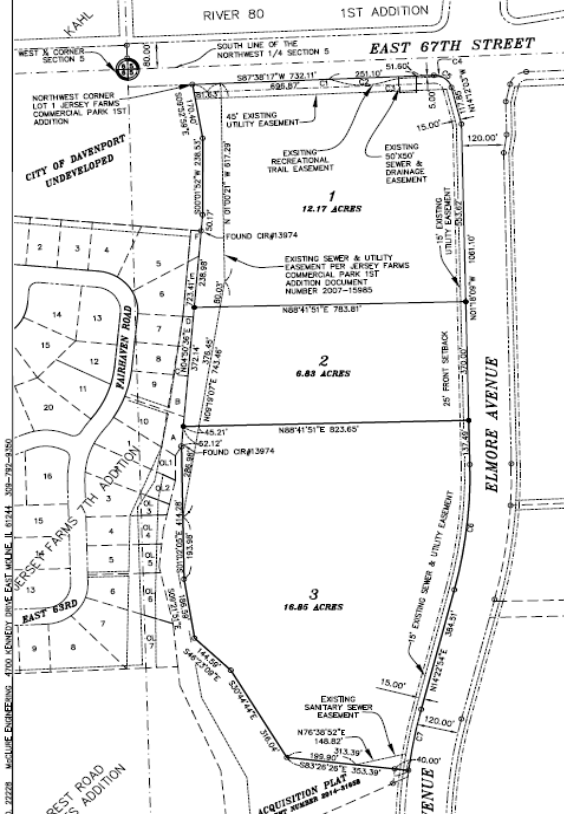
Zoning



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 I-74 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:

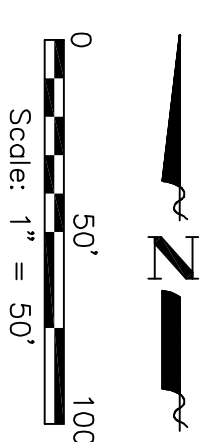
Wayne Wille, CFM

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

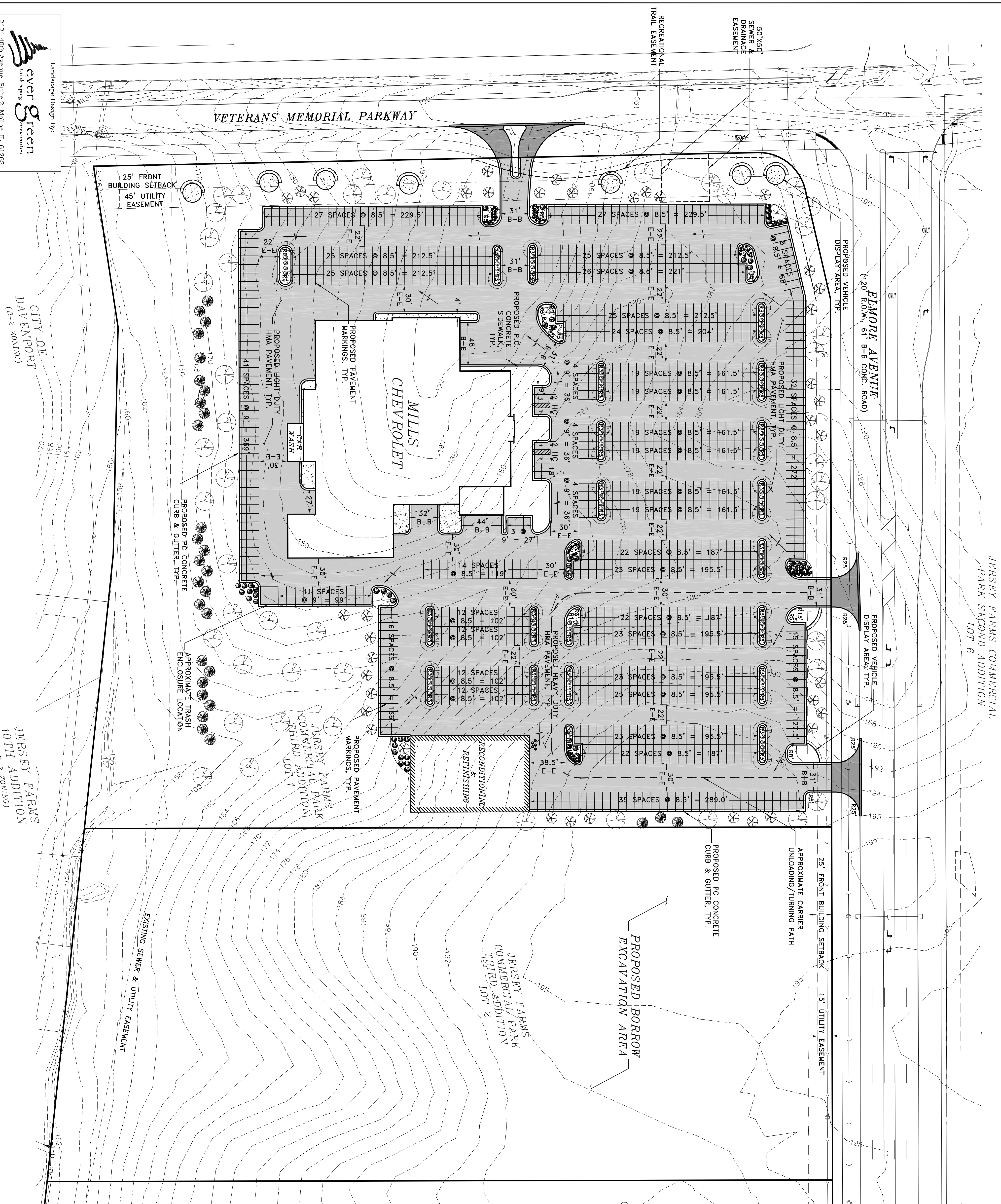
TOTAL AREA: 19 ACRES
THOMAS PASTRANAK
313 WEST THIRD STREET
DAVENPORT, IOWA 52801
563-323-7737
PDD SETBACK

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.
ATTN: BRENT O. MORLOK, P.E., LEED AP
4700 KENNEDY DRIVE
EAST MOLINE, IL 61244
PHONE: 309-792-9350
NEARLY 100' BUILDING OVER FOOT-
25' + 1" FT FOR EACH FOOT OF BUILDING HEIGHT
(ADJACENT TO RESIDENTIAL), NONE ADJACENT TO COMMERCIAL



Landscape Design By:

 evergreen
 Landscaping
 Associates
 2424 40th Avenue, Suite 2, Moline, IL 61265
 (312) 466-0000 • www.evergreenlandscaping.com

MILLS CHEVROLET
1610 39TH AVENUE MOLINE, IL 61265

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE:	1" = 50'
DRAWN BY:	BMS
CHECKED BY:	BOM
DATE:	JANUARY 26, 2015

McClure
Engineering Associates, Inc.
4700 Kennedy Drive
(309) 792-9350
Fax (309) 792-8974
East Moline, Illinois 61724
Design Firm License: Illinois #184-000816
Copyright 2015 By McClure Engineering Associates, Inc.

FINAL DEVELOPMENT PLAN

<i>MILLS CHEVY</i>	<i>DAVENPORT, IOWA</i>
--------------------	------------------------

FILE NAME: F:\W00114\271\DWG\MILLS CHEVY\MILLS Chevy.FDP.dwg

JOB NUMBER: 0-15-14-271

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

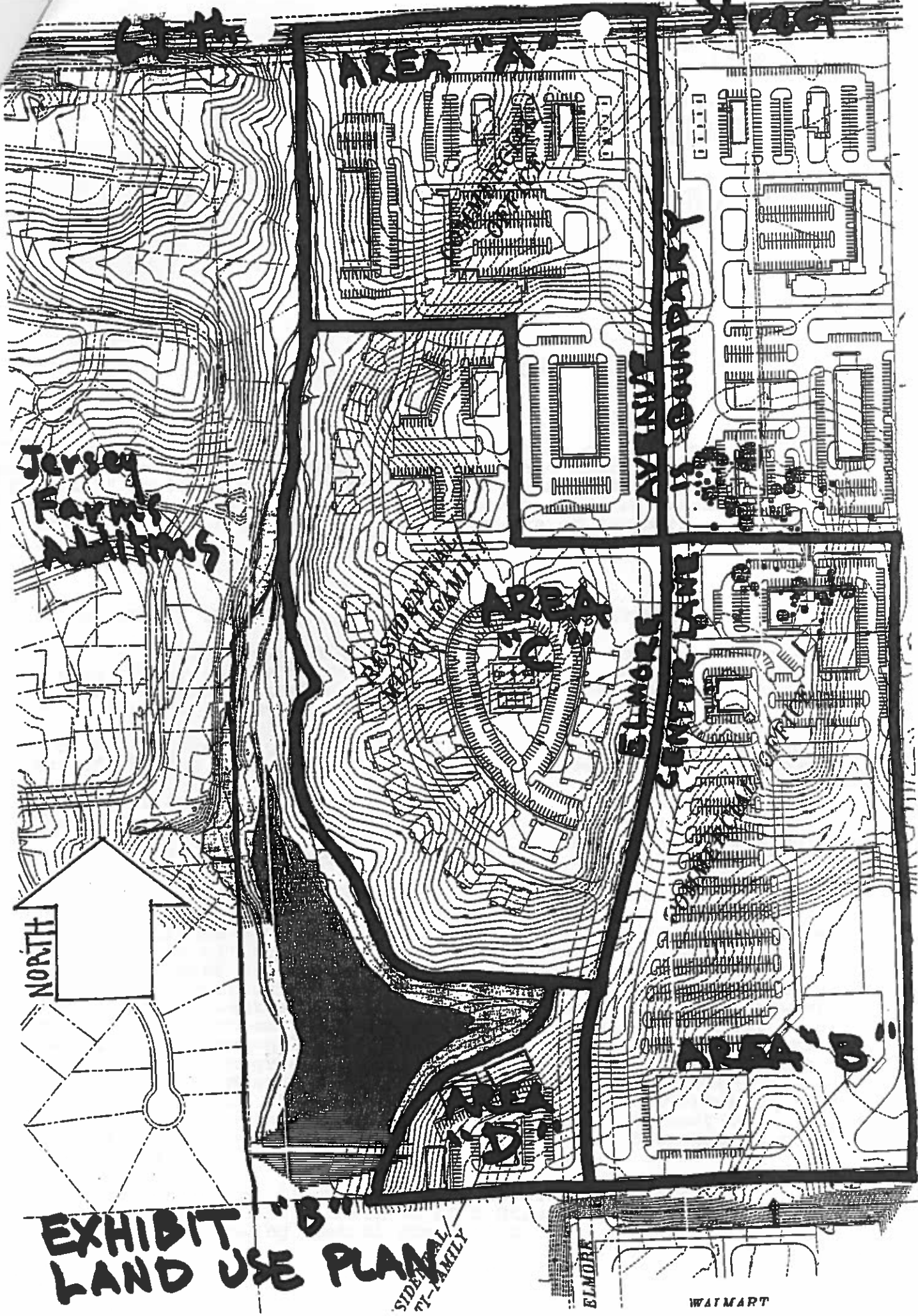
Attest:

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



Jersey Farms Addition

AREA "A"

AREA "C"

AREA "D"

AREA "B"

ELMORE AVENUE
CENTER LANE

BOUNDARY

NORTH

EXHIBIT "B"
LAND USE PLAN

SIDEWALK
TI-FAMILY

ELMORE

WALMART

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. 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. [6th Ward]

Recommendation:

The City Plan and Zoning Commission concurs with the finding(s) and recommendation of City staff and forwards Case No. F15-03 for approval subject to the following conditions as stated in the Commission's letter February 18, 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.

The Plan and Zoning Commission forwards Case No. F15-03 to the City Council for approval subject to the following conditions:

Nonstandard Conditions:

1. 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.
2. 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.
3. That no construction or building permits be issued until the detention basin to the south is completed to the City's satisfaction.
4. 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.
5. 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.
6. 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).
7. That the conditions of City Ordinance 2004-234 apply to this plat unless or as amended by City Council.
8. That the bearing and dimensions of the north and south line of Lot 2 be corrected.
9. That Jersey Farms Tenth Addition be identified on the plat as an adjoining subdivision.

10. That all property being dedicated to the City be outlined and identified.
11. That East 67th Street be changed/corrected to Veterans Memorial Parkway.
12. That the right-of-way width of Veterans Memorial Parkway south of the section line is dimensioned as 55 feet.
13. That the note located in Lot 1 referencing the “existing “sewer and utility easement as per Doc. No. 2007-15985 be corrected since that document only identifies this easement as a “drainage” easement. This drainage easement be dedicated to the City and called out as Lot A and noted on the plat as used for Stormwater management, utility and sewer easement, bicycle and pedestrian trail.
14. That Note No. 1 be corrected; this note references a document (Acquisition Plat Doc. No.2014-31658) and lists uses allowed by that document however that document only references detention.
15. 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.
16. That temporary construction easements for Veterans Memorial Parkway be dedicated to the City. These easement need not be shown on the plat and the Public Works Department will provide the needed information to the developer.

Note that Conditions 17 through 22 are standard requirements of City Ordinances and not repeated here (please refer to the Commission’s February 18, 2015 letter for more details).

The Commission vote for approval was 7-yes, 2-no (Kelling and Lammers) and 0-abstention.

Relationship to Goals:

Added emphasis on economic development

Background:

There is a companion zoning and final development plan which is requiring this plat, though the platting can stand alone and has been reviewed as such. Conditions specific to the proposed development are dealt with as part of the rezoning and final development plans. Please refer to Exhibit B for previous zoning conditions applying to this platted area.

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

ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution F15-03
▢ Cover Memo	P&Z Letter
▢ Cover Memo	PZ vote result
▢ Cover Memo	F15-03 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:20 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:20 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:45 AM

Resolution No. _____

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION 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. [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 February 18, 2015 and as follows:

Nonstandard Conditions:

1. 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.
2. 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.
3. That no construction or building permits be issued until the detention basin to the south is completed to the City's satisfaction.
4. 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.
5. 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.
6. 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).

7. That the conditions of City Ordinance 2004-234 apply to this plat unless or as amended by City Council.
8. That the bearing and dimensions of the north and south line of Lot 2 be corrected.
9. That Jersey Farms Tenth Addition be identified on the plat as an adjoining subdivision.
10. That all property being dedicated to the City be outlined and identified.
11. That East 67th Street be changed/corrected to Veterans Memorial Parkway.
12. That the right-of-way width of Veterans Memorial Parkway south of the section line is dimensioned as 55 feet.
13. That the note located in Lot 1 referencing the "existing" sewer and utility easement as per Doc. No. 2007-15985 be corrected since that document only identifies this easement as a "drainage" easement. This drainage easement be dedicated to the City and called out as Lot A and noted on the plat as used for Stormwater management, utility and sewer easement, bicycle and pedestrian trail.
14. That Note No. 1 be corrected; this note references a document (Acquisition Plat Doc. No. 2014-31658) and lists uses allowed by that document however that document only references detention.
15. 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.
16. That temporary construction easements for Veterans Memorial Parkway be dedicated to the City. These easement need not be shown on the plat and the Public Works Department will provide the needed information to the developer.

Note that Conditions 17 through 22 are standard requirements of City Ordinances and not repeated here (please refer to the Commission's February 18, 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

February 18, 2015

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of February 17, 2014, the City Plan and Zoning Commission considered 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.

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.

The Commission accepts the listed findings and forwards Case No. F15-03 to the City Council for approval subject to the following conditions:

Non-Standard Conditions-

1. 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.
2. 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.
3. That no construction or building permits be issued until the detention basin to the south is completed to the City's satisfaction.
4. 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.
5. 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.
6. 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).
7. That the conditions of City Ordinance 2004-234 apply to this plat unless or as amended by City Council.
 8. That the bearing and dimensions of the north and south line of Lot 2 be corrected.
 9. That Jersey Farms Tenth Addition be identified on the plat as an adjoining subdivision.
 10. That all property being dedicated to the City be outlined and identified.
 11. That East 67th Street be changed/corrected to Veterans Memorial Parkway.
 12. That the right-of-way width of Veterans Memorial Parkway south of the section line is dimensioned as 55 feet.
 13. That the note located in Lot 1 referencing the "existing" sewer and utility easement as per Doc. No. 2007-15985 be corrected since that document only identifies this easement as a "drainage" easement. This drainage easement be dedicated to the City and called out as Lot A and noted on the plat as used for Stormwater management, utility and sewer easement, bicycle and pedestrian trail.
 14. That Note No. 1 be corrected; this note references a document (Acquisition Plat Doc. No.2014-31658) and lists uses allowed by that document however that document only references detention.
 15. 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.
 16. That temporary construction easements for Veterans Memorial Parkway be dedicated to the City. These easement need not be shown on the plat and the Public Works Department will provide the needed information to the developer.

Standard Conditions

17. The surveyor sign the plat.
18. The utility companies sign the plat when their easement needs have been met.
19. That the description of the platted area under the title be amended to include "Part of the Southwest Quarter of Section 5, Township 78 North, Range 4 East of the 5th P.M., also being a replat"...
20. That either two quarter corners or existing subdivision lot corners are tied to the plat and identified; either the found pin in the northeast corner of Jersey Farms Tenth Addition or the southeast corner of Lot 1 of Jersey Farms Commercial Park Second Addition could be used.
21. That plans for public sanitary sewers be submitted to Public Works for review and approval prior to acceptance of the plat by City Council.
22. 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.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission

APPROVED									
Name:	Roll Call	F15-03 Jersey Farms Comm Pk 3rd							
Connell	P	Y							
D'Autremont	P	Y							
Elgatian	EX								
Gere	P	Y							
Inghram	P								
Kelling	P	N							
Lammers	P	N							
Maness	P	Y							
Martin	P	Y							
Martinez	P	Y							
Tallman	P	Y							
		7-YES 2-NO 0-ABSTAIN							



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

PLAN AND ZONING COMMISSION

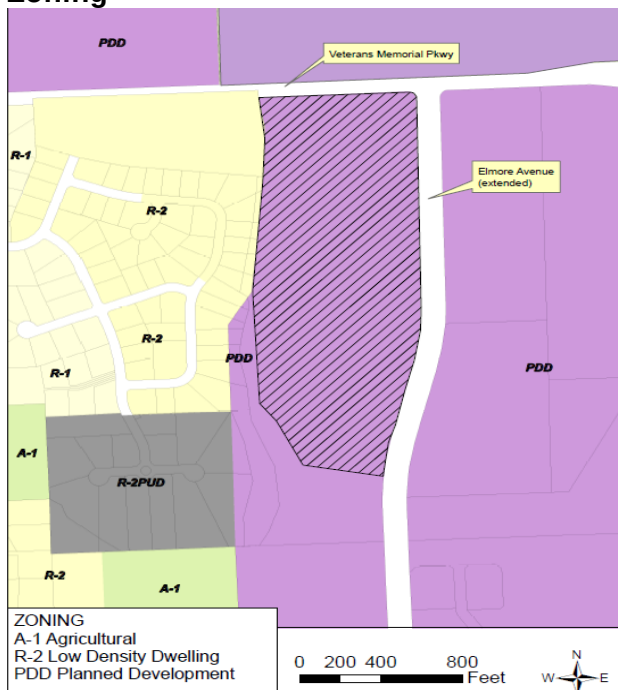
Meeting Date: February 03, 2015
Request: Final Plat – Jersey Farms Commercial Park Third Addition
Address: South of Veterans Memorial Pkwy & West of Elmore Av extended
Case No.: F15-03
Applicant: Arrowhead LLC

INTRODUCTION

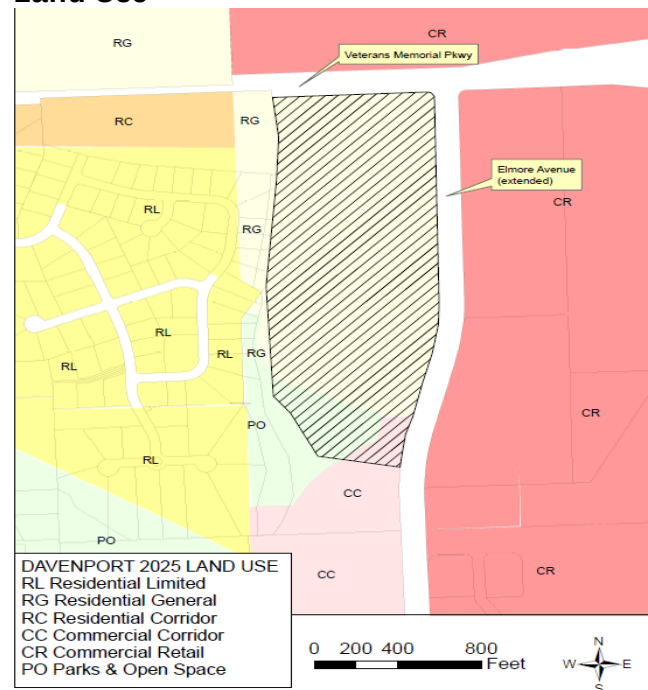
Petition of Arrowhead, LLC for the final plat of Jersey Farms Commercial Park Third Addition, being a replat of Lot 1 of Jersey Farms Commercial Park Second Addition, located south of Veterans Memorial Pkwy and west of Elmore Ave extended, containing three (3) commercial lots.

Recommendation: Staff recommends the Commission accept the listed findings and forward Case No. F15-03 to the City Council for approval subject to the listed conditions.

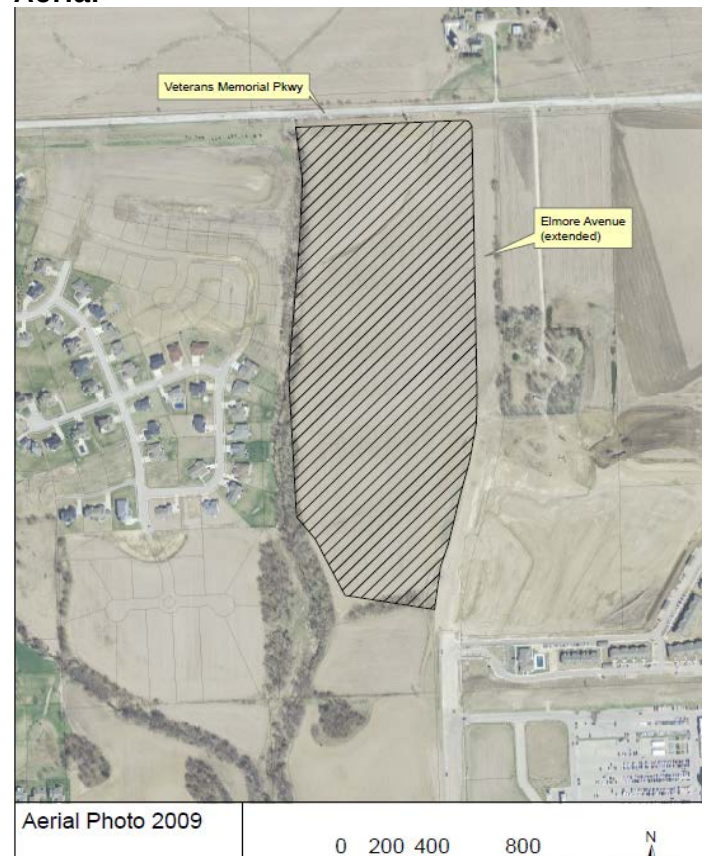
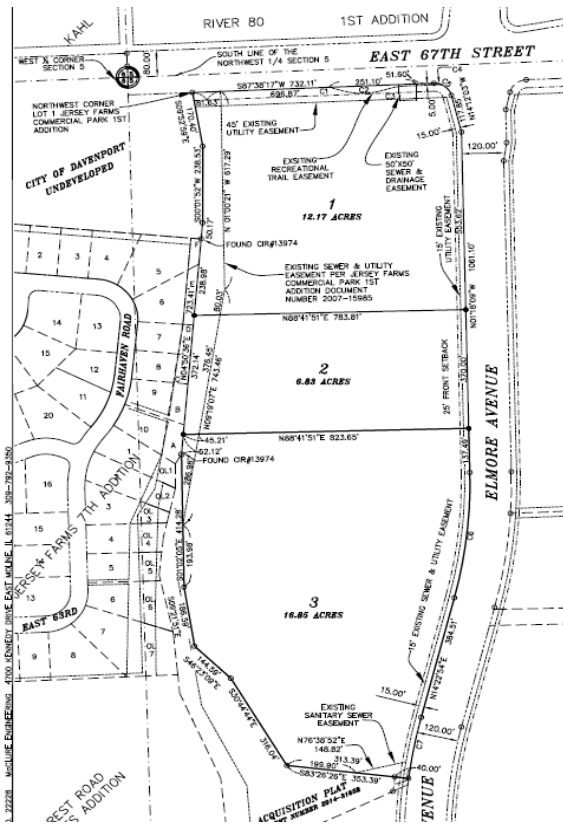
Zoning



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. Subsequent to that rezoning the RG designation was applied in 2005. The RG allows for the higher density residential conceptually proposed for the southern part of the plat with office and retail proposed for the northern half. 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 replat is located along the proposed extension of Elmore Avenue and the proposed reconstruction of Veterans Memorial Pwky (VMP). Access to Lot 1 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. Access limitations to Elmore Avenue were part of the Second Addition conditions and shall be included with this replat.

Storm Water. The stormwater basin located to the south of this plat 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. 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 to the city for management of the stream from Veterans Memorial Parkway to the detention basin to be constructed to the south. Any development will need to meet infiltration requirements (1.25-inch rain event) as well as other requirements of the new stormwater management ordinance.

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). Sewer work for the extension of Elmore is currently underway.

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. 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

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. A neighborhood meeting on the proposed ordinance amendments was held February 12th at the Public Works facility.

DISCUSSION

Proposed uses: There is a companion zoning and final development plan, though the platting can stand alone and is being reviewed as such. Conditions specific to the proposed development will be dealt with as part of the rezoning and final development plans. Please refer to Exhibit B for previous zoning conditions applying to this platted area.

The replat Jersey Farms Commercial Park Second Addition was recently approved and recorded as Document 2015-2182. Conditions of that plat relevant to the proposed Third Addition are:

- 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.
- 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.
- 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.
- 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.

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.

An approximate time line for Elmore Avenue construction is grading in Spring (as weather permits) with paving in early to mid-Fall. 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.

There are several "housekeeping" corrections required on the plat and listed as conditions.

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.

Recommendation: Staff recommends the Commission accept the listed findings and forward Case No. F15-03 to the City Council for approval subject to the following conditions:

Non-Standard Conditions-

1. 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.

2. 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.
3. That no construction or building permits be issued until the detention basin to the south is completed to the City's satisfaction.
4. 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.
5. 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.
6. 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).
7. That the conditions of City Ordinance 2004-234 apply to this plat unless or as amended by City Council.
8. That the bearing and dimensions of the north and south line of Lot 2 be corrected.
9. That Jersey Farms Tenth Addition be identified on the plat as an adjoining subdivision.
10. That all property being dedicated to the City be outlined and identified.
11. That East 67th Street be changed/corrected to Veterans Memorial Parkway.
12. That the right-of-way width of Veterans Memorial Parkway south of the section line is dimensioned as 55 feet.
13. That the note located in Lot 1 referencing the "existing" sewer and utility easement as per Doc. No. 2007-15985 be corrected since that document only identifies this easement as a "drainage" easement. This drainage easement be dedicated to the City and called out as Lot A and noted on the plat as used for Stormwater management, utility and sewer easement, bicycle and pedestrian trail.
14. That Note No. 1 be corrected; this note references a document (Acquisition Plat Doc. No. 2014-31658) and lists uses allowed by that document however that document only references detention.
15. 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.
16. That temporary construction easements for Veterans Memorial Parkway be dedicated to the City. These easements need not be shown on the plat and the Public Works Department will provide the needed information to the developer.

Standard Conditions

17. The surveyor sign the plat.
18. The utility companies sign the plat when their easement needs have been met.
19. That the description of the platted area under the title be amended to include "Part of the Southwest Quarter of Section 5, Township 78 North, Range 4 East of the 5th P.M., also being a replat"...
20. That either two quarter corners or existing subdivision lot corners are tied to the plat and identified; either the found pin in the northeast corner of Jersey Farms Tenth Addition or the southeast corner of Lot 1 of Jersey Farms Commercial Park Second Addition could be used.
21. That plans for public sanitary sewers be submitted to Public Works for review and approval prior to acceptance of the plat by City Council.

22. 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.

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

Attachments: Subdivision plat, City Ordinance 2004-234, SWMP checklist, PW memorandum
X:\PLANNING\Plan and Zoning Commission\Cases\F15-03



SHEET NO. 1
OF 1

2004-22038

\$3100 PC
FEES

Patricia Vayns
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



Charles W. Brooke

Charles W. Brooke
Mayor

Attest:

Jackie E. Holecek
Jackie E. Holecek, CMC
Deputy City Clerk

Published in the Quad-City Times on

May 18, 2004

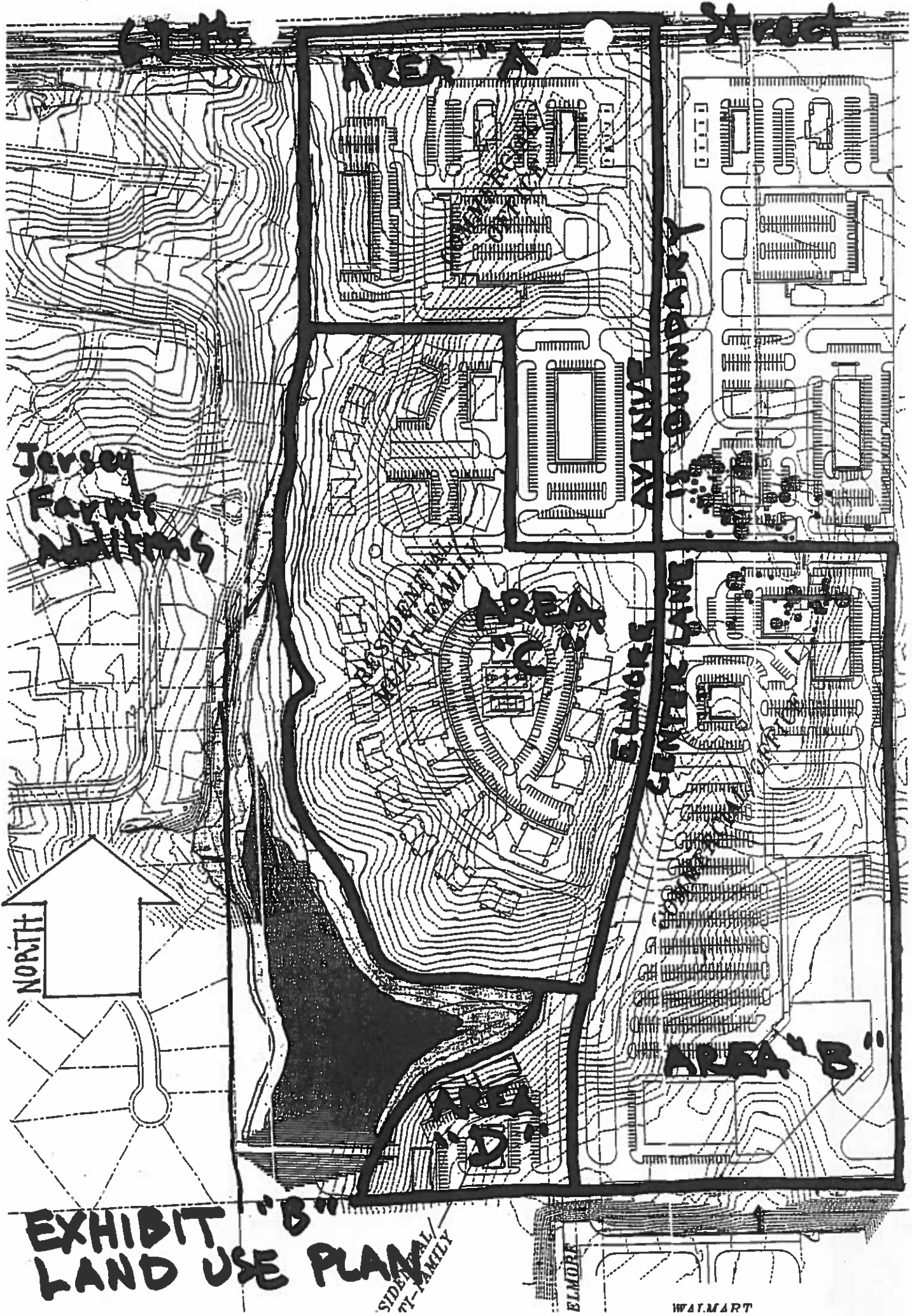


EXHIBIT "B"
LAND USE PLAN

WALMART

MEMORANDUM

Date: February 6, 2015
To: Wayne Wille, CFM
Planner II
Community Planning and Economic Development
From: Tom Leabhart, P.E.
Development Engineer
Re: Proposed Final Plat of Jersey Farms Commercial Park Third Addition

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

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.
3. The bearings are corrected on the north and south lot lines of Lot 2.
4. Jersey Farms 10th Addition is identified on the plat as an adjoining addition.
5. All property being dedicated to the City is outlined and labeled.
6. The southeast corner of Lot 1 of Jersey Farms Commercial Park 2nd Addition is identified thus providing two ties to established lot corners.
7. The street name East 67th Street is removed and replaced with Veterans Memorial Parkway.
8. The Veterans Memorial Parkway right-of-way width south of the section line is dimensioned as 55 feet.
9. There is a note which references an "existing" sewer and utility easement on Lots 1, 2 and 3. However the document cited only calls out the area as a "drainage" easement. The note needs to be corrected.
10. The drainage area noted in the above condition 9 is to be dedicated to the City and called out as Outlot A. This changes the acreages shown for lots 1, 2 and 3.
11. A note is added to the plat stating that Outlot A is dedicated to the City with the platting and that Outlot A shall be used as for stormwater management, utility and sewer easement, bicycle and pedestrian trail.
12. Note 1 on the plat refers to a document number and describes the uses allowed by that document. The uses included in the note are not the uses called out on the referenced document. Note 1 should be corrected accordingly.
13. Note 3 should be amended to allow a right in-right out only entrance on Veterans Memorial Parkway at a distance no closer to centerline of Elmore than 390 feet. The other restrictions are to remain as shown.
14. The description of the platted area under the title should be amended to include "part of the SW quarter section of section 5, township 78 N range 4 E of the 5th PM, also being a replat".....
15. All temporary easements necessary for construction of the Veterans Memorial Parkway Paving Project are to be dedicated to the City. Public will provide the needed information to the Developer. These temporary easements do not need to be shown on the plat.
16. A red-lined plat noting the technical changes needed has been provided to the developer's engineer. The changes are to be made prior to Council acceptance of the plat.

cc: Brian Schadt, City Engineer
Gary Statz, City Traffic Engineer
Brian Stineman, Natural Resources Manager
File

From: Stineman, Brian
To: Fisher, William (Billy); Wille, Wayne
Cc: Sim, Nicholas; Schadt, Brian; Clarke, Michael
Subject: RE: Technical Review development plan & subdivision
Date: Wednesday, January 28, 2015 9:39:47 AM

In addition, the city would prefer to have the easement area dedicated to the city for management of the stream from Veterans Memorial Parkway to the detention basin to be constructed to the south.

Development of this area should also not be allowed to begin until the basin has been constructed per our agreement with Tom Pastrnak who is serving as executor of the Jersey Roads Parcel. This basin was to be completed by 12/31/14 but was not. At this time I feel we should hold all future construction until such a time as the basin is completed to our satisfaction.

This project will have to submit everything on the attached SWMP checklist. Are these the official drawings for review or are we going to receive a complete set of plans? I do not see an erosion plan. Also, it appears from the site plan that they are grading into the drainage easement. That would not be allowed.

They will be required to infiltrate the water quality volume (1.25" rain event) along with providing detention before development. They will also be required to have our COSESCO permit prior to any site work. They will need to provide a copy of their NPDES permit, storm water pollution prevention plan and grading/erosion plan for review.

Brian Stineman, CSM, CPESC, CESSWI
Natural Resources Manager

Billy Fisher, CMS4S
Urban Conservationist

3.3 Stormwater Management Final Plan

A final Stormwater Management Plan will be required with the submittal of a Construction Site Erosion and Sediment Control (COSECO) application for grading, or submittal of a Building Permit Application for any project that will create 10,000 square feet or more of impervious area. The stormwater management final plan shall include the following elements:

- Completed Application Form (if altered from the concept application)
- Signature and stamp of registered engineer/surveyor and design/owner certification
- Vicinity map
- Existing and proposed mapping and plans (recommended scale of 1" = 50' or greater detail) which illustrate at a minimum:
 - Existing and proposed topography (minimum of 2-foot contours recommended)
 - Perennial and intermittent streams
 - Mapping of predominant soils from USDA soil surveys as well as location of any site-specific borehole investigations that may have been performed.
 - Boundaries of existing predominant vegetation and proposed limits of clearing
 - Location and boundaries of resource protection areas such as wetlands, lakes, ponds, and other setbacks (e.g., stream buffers, drinking water well setbacks, septic setbacks)
 - Location of existing and proposed roads, buildings, and other structures
 - Location of existing and proposed utilities (e.g., water, sewer, gas, electric) and easements
 - Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains
 - Flow paths
 - Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainages
 - Location and dimensions of proposed channel modifications, such as bridge or culvert crossings
 - Location, size, maintenance access, and limits of disturbance of proposed structural stormwater Management practices
- Representative cross-section and profile drawings and details of structural stormwater Management practices and conveyances (i.e., storm drains, open channels, swales, etc.) which include:
 - Existing and proposed structural elevations (e.g., invert of pipes, manholes, etc.)
 - Design water surface elevations
 - Structural details of outlet structures, embankments, spillways, stilling basins, grade control structures, conveyance channels, etc.
 - Logs of borehole investigations that may have been performed along with supporting geotechnical report.
- Hydrologic and hydraulic analysis for all structural components of stormwater system (e.g., storm drains, open channels, swales, management practices, etc.) for applicable design storms including:
 - Existing condition analysis for time of concentrations, runoff rates, volumes, velocities, and water surface elevations showing methodologies used and supporting calculations
 - Proposed condition analysis for time of concentrations, runoff rates, volumes, velocities, water surface elevations, and routing showing the methodologies used and supporting calculations
 - Final sizing calculations for structural stormwater management practices including, contributing drainage area, storage, and outlet configuration
 - Stage-discharge or outlet rating curves and inflow and outflow hydrographs for storage facilities (e.g., stormwater ponds and wetlands)
 - Final analysis of potential downstream impact/effects of project, where necessary
 - Dam breach analysis, where necessary
- Final landscaping plans for structural stormwater management practices and any site reforestation or re-vegetation

City of Davenport

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

Action / Date
3/18/2015

Subject:

Resolution 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). [1st Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

1. the plat conforms to the comprehensive plan
2. the plat conforms (or will conform) to subdivision/zoning requirements

The City Plan and Zoning Commission accepted the listed findings and forwards Case F14-10 to the City Council with a recommendation for approval subject to the following conditions:

1. That the surveyor signs the plat;
2. The utility companies sign the plat when their easement needs have been met. At a minimum there is to be a 15' utility easement along the Utah Avenue Right-of-Way.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. Right-of-Way is dedicated along Utah Avenue as needed for a width of 40 feet from the section line.

Please refer to the Commission's January 15, 2015 letter for more information.

The Commission vote for approval was 7-yes, 0-no, and 1 abstention.

Relationship to Goals:

Added emphasis on economic development

Background:

This is a final plat of a one lot residential subdivision. The property contains 0.772 acres, more or less, of property and is located at 835 North Utah Avenue. No streets are proposed with this subdivision.

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

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resoution F14-10
▣ Backup Material	F14-10 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:18 PM

Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:19 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:45 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F14-10 being the final plat of New Beginnings Addition. [1st Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of New Beginnings Addition, be the same and is hereby approved and accepted subject to all the conditions as stated in the Commission's letter dated January 15, 2015.

Note that conditions 1 through 4 have either been added to the plat or are standard requirements of City Ordinances and not repeated here (please refer to the Commission's January 15, 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 assessment waiver.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

January 15, 2014

Honorable Mayor and City Council:

At its regular meeting of September 2, 2014, the City Plan and Zoning Commission considered the 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).

Findings:

- the plat conforms to the comprehensive plan
- the plat conforms (or will conform) to subdivision/zoning requirements

Plan and Zoning Recommendation:

The Plan and Zoning Commission accepts the listed findings and forward Case No. F14-10 to the City Council with a recommendation for approval subject to the following –

Site & Plat Specific Conditions:

1. That the surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met. At a minimum there is to be a 15' utility easement along the Utah Avenue Right-of-Way.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. Right-of-Way is dedicated along Utah Avenue as needed for a width of 40 feet from the section line.

Standard Conditions (These items are typical ordinance requirements and will not be repeated on the Council resolution):

5. that a note is added to the plat stating that sidewalks shall be constructed along all public streets when so ordered by the City;
6. that grading, drainage and erosion control plans are submitted for review and approval and that a copy of the developer's NPDES General Permit No. 2 is submitted to the Public Works Department prior to City permits being issued;
7. that plans for public streets and sewers (if any) are submitted to the Engineering Division of Public Works for review and approval prior to Council approval of the plat;

Respectfully submitted,



Robert Ingram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED	APPROVED				
Name:	Roll Call	REZ14-06 PARCO LTD 1723 N STURD- EVANT ST	REZ14-07 SOULTS 835 N UTAH	CP14-05 RIVERVISION 2014 UPDATE	F14-10 NEW BEGINNINGS ADD'N				
Cartee	EX								
Connell	EX								
D'Autremont	P	Y	Y	Y	Y				
Elgatian	P	Y	Y	Y	Y				
Gere	P	Y	Y	Y	Y				
Inghram	P								
Kelling	P	Y	Y	Y	Y				
Lammers	P	Y	Y	Y	Y				
Martin	P	Y	Y	Y	Y				
Martinez	P	Y	Y	Y	Y				
Tallman	P	Y	AB	Y	AB				
		8-YES 0-NO 0-ABSTAIN	7-YES 0-NO 1-ABSTAIN	8-YES 0-NO 0-ABSTAIN	7-YES 0-NO 1-ABSTAIN				



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

PLAN AND ZONING COMMISSION

Meeting Date: September 2, 2014
Request: Final Plat for one lot subdivision
Location: 835 N Utah Ave
Case No.: Case No. F14-10
Applicant: Deann Soultis

Recommendation:

The staff recommends the City Plan and Zoning Commission accepts the listed findings and forward F14-10 to the City Council for approval subject to the conditions stated below.

Introduction:

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

AREA CHARACTERISTICS:

Zoning Map

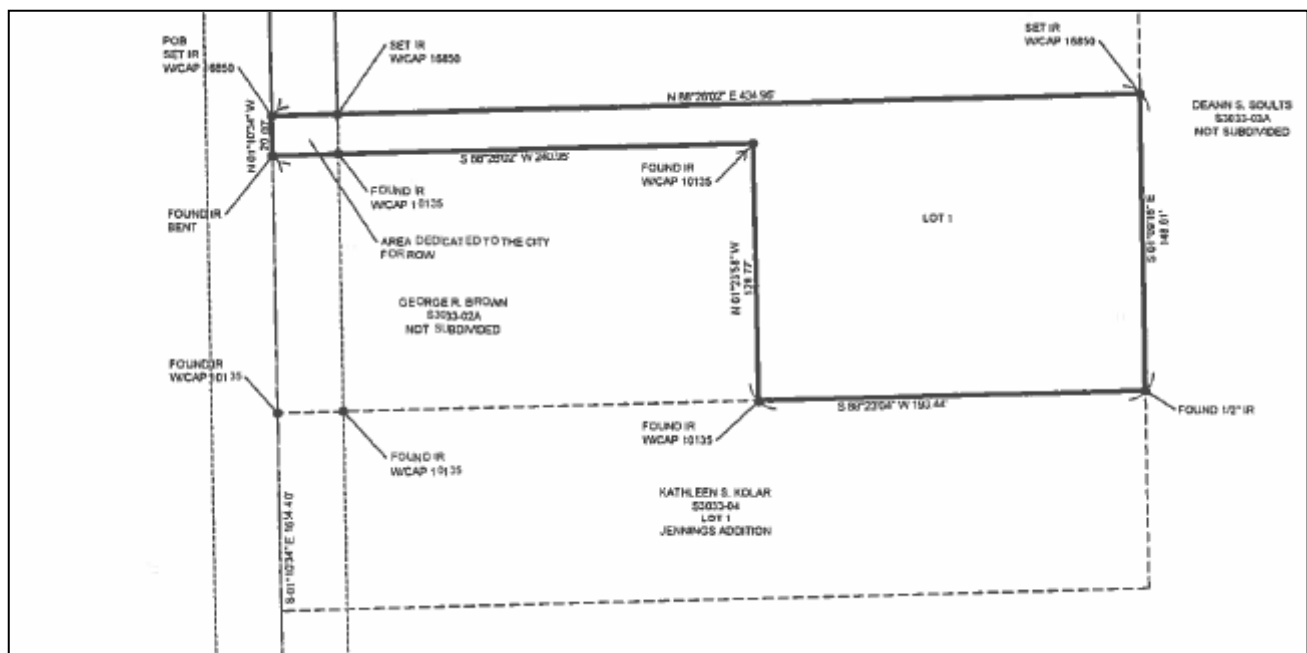


R-1: Low Density Dwelling
A-1: Agricultural

Davenport 2025 Proposed Land Use



RL: Residential Limited Neighborhood
RG: Residential General Neighborhood



Background:

Comprehensive Plan:

Within Urban Service Area: No

Proposed Land Use Designation:

Residential Limited Neighborhood (RL) designates neighborhoods that are composed of primarily residential uses; commercial and other uses are generally prohibited. These uses are typically "stand-alone" subdivisions or neighborhoods. Some RL neighborhoods are close or adjacent to commercial land uses but are separated by a natural or infrastructure barrier.

Residential General Neighborhood (RG) designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.

Relevant Goals to be considered in this Case:

Neighborhood Improvements

Technical Review:

Streets. The property utilizes the existing street pattern. No physical changes are anticipated to Utah Avenue for the foreseeable future.

Storm Water. Storm water currently drains to the northeast onto the petitioner's property. The development is less than one acre in size and should not trigger any other stormwater permitting.

Sanitary Sewer. Sanitary sewer service does not currently exist for the property. The property would be serviced by septic field or tank with drain field.

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

Emergency Services. The property is all located less than three (3) miles from Fire Station No. 5 at 2808 Telegraph Road.

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

Public Input:

There is no public input for a Final Plat.

Discussion:

The petitioner is seeking a Final Plat for a one lot subdivision containing 0.772 acres of property located at 835 N Utah Avenue.

STAFF RECOMMENDATION:

Findings:

- the plat conforms to the comprehensive plan
- the plat conforms (or will conform) to subdivision/zoning requirements

Recommendation:

Staff recommends the Plan and Zoning Commission accepts the listed findings and forward Case No. F14-10 to the City Council with a recommendation for approval with the following –

Site & Plat Specific Conditions:

1. That the surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met. At a minimum there is to be a 15' utility easement along the Utah Avenue Right-of-Way.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. Right-of-Way is dedicated along Utah Avenue as needed for a width of 40 feet from the section line.

Standard Conditions (These items are typical ordinance requirements and will not be repeated on the Council resolution):

5. that a note is added to the plat stating that sidewalks shall be constructed along all public streets when so ordered by the City;
6. that grading, drainage and erosion control plans are submitted for review and approval and that a copy of the developer's NPDES General Permit No. 2 is submitted to the Public Works Department prior to City permits being issued;
7. that plans for public streets and sewers (if any) are submitted to the Engineering Division of Public Works for review and approval prior to Council approval of the plat;

Prepared by:



Scott Koops, AICP
Planner II

Attachments: Aerial Photo, Final Plat

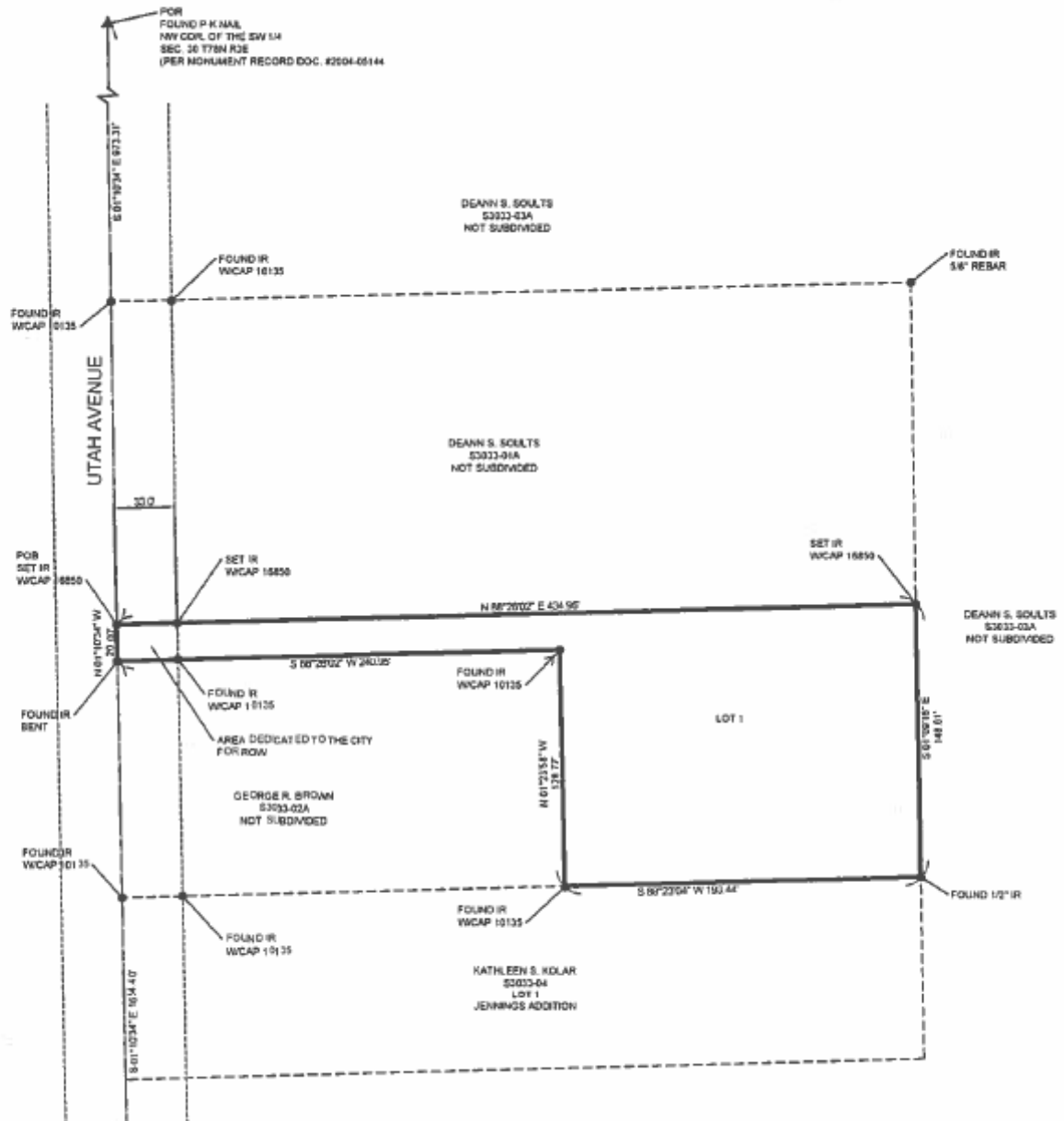


FLOOD ZONE

THIS PARCEL IS LOCATED WITHIN FLOOD ZONE X
ACCORDING TO THE FEDERAL EMERGENCY
MANAGEMENT AGENCY AS SHOWN ON FLOOD
INSURANCE RATE MAP, MAP NUMBER 19165C0345F
DATED FEBRUARY 10, 2011.

ZONING

1. THIS PARCEL IS ZONED R-1.
2. SETBACKS: FRONT = 30' REAR = 30' SIDE = 7'



CITY OF DAVENPORT
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)
SUBDIVISION REFERENCE FILE

PRELIM / FINAL / PUD (circle the appropriate designation)

SUBDIVISION NAME: NEW BEGINNINGS ADDITION

LOCATION: N. UTAH - BETWEEN #825 & #905

DEVELOPER:

Name: DEANN SOULTS

Address: P.O. BOX 3594 DAVENPORT, IOWA 52808

Phone: 563-940-9062

FAX: _____

Mobile Phone: _____

Email: deannsoult@gmail.com

ENGINEER:

Name: SHIVE-HATTERY, INC. - MYRON SCHRIEBE

Address: 1701 RIVER DR. MOLINE, IL 61265

Phone: 309-764-7650

FAX: 309-764-8616

Mobile Phone: _____

Email: mschriebe@shive-hattery.com

ATTORNEY:

Name: RALPH HENINGER

Address: 101 W. 22ND STE 501, DAVENPORT, IA 52801

Phone: 563-324-0418

FAX: _____

Mobile Phone: _____

Email: _____

OWNER:

Name: DEANN SOULTS

Address: PO BOX 3594 DAVENPORT, IA 52808

Phone: 563-940-9062

FAX: _____

Mobile Phone: _____

Email: _____

NUMBER OF LOTS: 1

ACRES: 0.772

SF

2F

MF & EST. UNITS

COMM

IND

STREETS ADDED: 0

LINEAR FEET

Does the plat contain a drainage way or floodplain area: Yes X No

Fee per Plat		Fee
Ten or fewer lots	(< 10 lots)	\$400 plus \$25/lot
Eleven to twenty-five lots	(≥ 11 lots ≤ 25 lots)	\$700 plus \$25/lot
More than twenty-five lots	(> 25 lots)	\$1,000 plus \$25/lot
Reforestation fee	(submit to Land Use Office Prior to City Council review)	\$150 per 50 feet of lineal lot frontage

NOTE: THE PLAT WILL NOT BE PROCESSED UNTIL THE FEE AND COMPLETED REFERENCE FILE ARE RECEIVED BY THE PLANNING AND LAND DEVELOPMENT OFFICE.

User: JIBLAN Drawing: P:\Projects\MO3142730\Design_Exist\Cond\FP-B1-01.dwg Layout1
Last Modified: Aug. 01, 14 - 08:44
B1.dwg | P:\Projects\MO3142730\Design_Exist\Cond\FP-B1-01.dwg | 8/1/2014 8:44 AM



OWNER/DEVELOPER

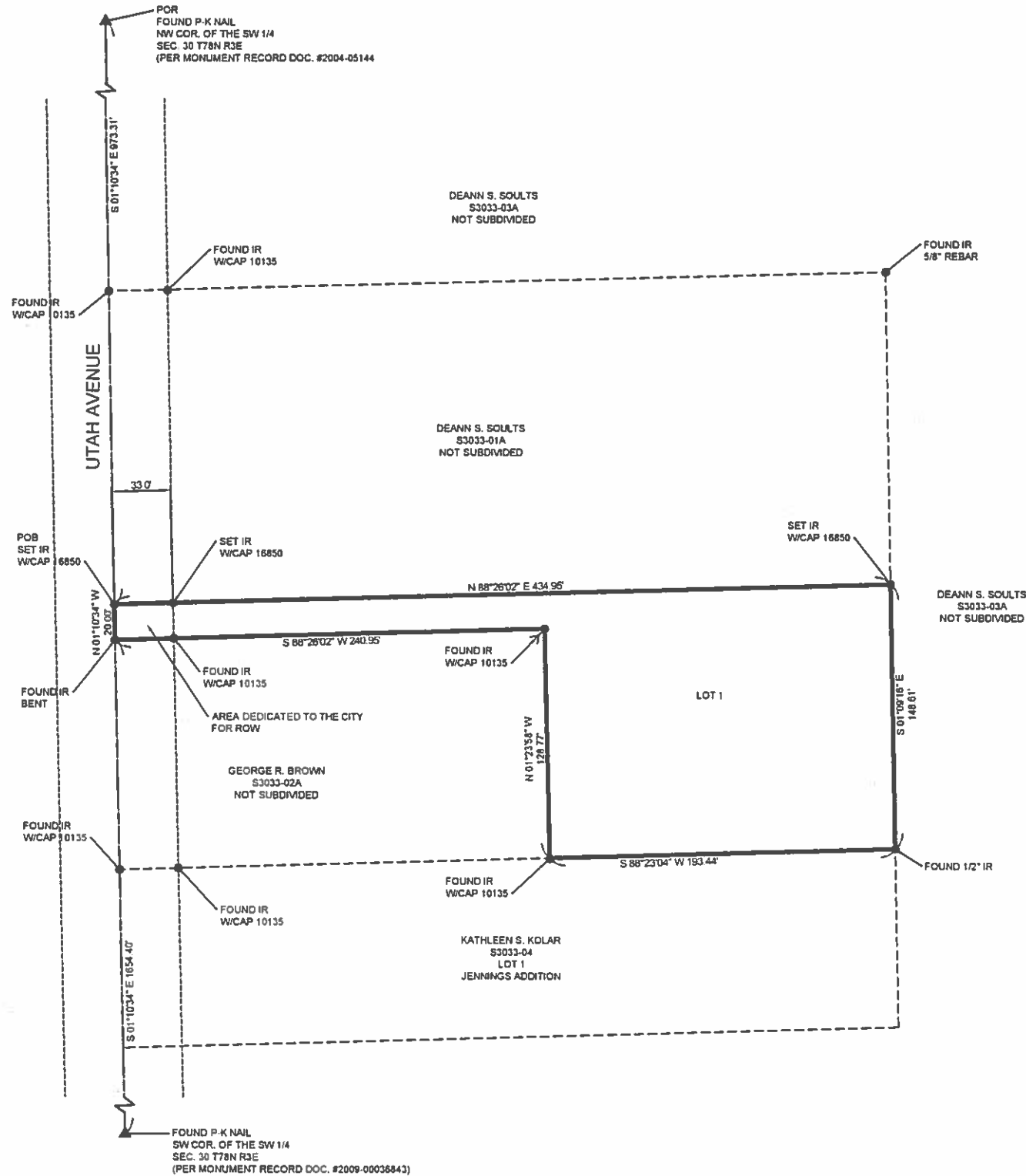
DEANN SOULTS
P.O. BOX 3594
DAVENPORT, IOWA 52808

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 19183C0345F
DATED FEBRUARY 18, 2011.

ZONING

- THIS PARCEL IS ZONED R-1.
- SETBACKS: FRONT = 30' REAR = 30' SIDE = 7'



FINAL PLAT FOR NEW BEGINNINGS ADDITION

TO THE CITY OF DAVENPORT, IOWA

PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 78 NORTH, RANGE
3 EAST OF THE 5TH P.M., 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: _____

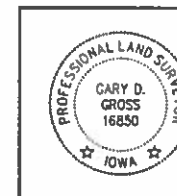
DATE: _____

LEGEND

SURVEY	
PLAN MARK	DESCRIPTION
●	IRON ROD - FOUND
○	IRON ROD - SET
▲	SECTION CORNER FOUND
00	MEASURED BEARING/DISTANCE
POB	POINT OF BEGINNING
FOR	POINT OF REFERENCE

SURVEYOR'S NOTES

- THIS SUBDIVISION CONTAINS 33,627 SQUARE FEET OR 0.772 ACRES MORE OR LESS OF WHICH 660 SQUARE FEET OR 0.015 ACRES MORE OR LESS TO BE DEDICATED TO THE CITY OF DAVENPORT FOR RIGHT-OF-WAY/ STREET PURPOSES.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS
PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED
BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT
I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER
THE LAWS OF THE STATE OF IOWA.

SIGNATURE: _____
NAME: GARY D. GROSS
DATE: _____ LICENSE NUMBER: 16850
MY LICENSE EXPIRES DATE OF: DECEMBER 31, 2014
PAGES, SHEETS OF DIVISIONS COVERED BY THIS SEAL: BLANK

SHIVEHATTERY ARCHITECTURE • ENGINEERING

1701 River Drive Suite 200 | Moline, Illinois 61205
309.764.7650 | fax: 309.764.0010 | shive-hattery.com
Iowa | Illinois | Indiana | Missouri
Illinois Firm Number: 184-000214

NEW BEGINNINGS ADDITION TO THE CITY OF DAVENPORT

DEVELOPER:
DEANN SOULTS

PROJECT LOCATION:
CITY OF DAVENPORT, IOWA

UTILITY NOTE

THE LOCATIONS OF UTILITY MARKS, STRUCTURES, AND SERVICE
CONNECTIONS PLOTTED ON THIS DRAWING ARE APPROXIMATE ONLY AND
WERE OBTAINED FROM RECORDS MADE AVAILABLE TO SHIVE-HATTERY,
INC. THERE MAY BE OTHER EXISTING UTILITY MARKS, STRUCTURES, AND
SERVICE CONNECTIONS NOT KNOWN TO SHIVE-HATTERY, INC., AND NOT
SHOWN ON THIS DRAWING.

KEY PLAN

DRAWN: JIB
APPROVED: GDG
ISSUED FOR: REVIEW
DATE: AUGUST 1, 2014
FIELD BOOK: 560
PROJECT NO: 314273-0

FINAL PLAT

B1.01

MEMORANDUM

Date: August 12, 2014

To: Scott Koops, AICP, Planner II
Community Planning and Economic Development

From: Tom Leabhart, P.E.
Development Engineer

Re: Proposed Final Plat of New Beginnings Addition

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

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met. At a minimum there is to be a 15' utility easement along the Utah Avenue Right-of-Way.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. That a note is added to the plat stating that sidewalks shall be constructed along the public right-of-way when so ordered by the City.
5. Right-of-Way is dedicated along Utah Avenue as needed for a width of 40 feet from the section line.

cc: Brian Schadt, City Engineer
File

September 3, 2014

DeAnn Soultz
deannsoults@gmail.com

Myron Scheibe
mscheibe@shive-hattery.com

Ralph Heninger
rrh@heningerlaw.com

Subject: City Plan and Zoning Commission action on agenda item

Dear Madam and Sirs:

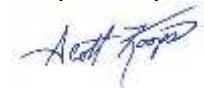
Please find attached a copy of the Commission's letter of recommendation regarding your agenda item. Also enclosed with this mailing is the *tentative* schedule for the processing of this item through the City Council.

A subdivision plat is a resolution requiring only one consideration before City Council, however **a subdivision plat is not submitted to City Council for their consideration until all required certificates, the signed/corrected plat, and any other required fee is submitted.**

You may verify these dates on the attached calendar by calling 326-7765. We will be following the items as they are processed through City Council; therefore, you may also call on us to find out the current status as processing continues.

If you have any questions regarding the Commission's recommendation please email me at sek@ci.davenport.ia.us.

Respectfully,



Scott Koops, AICP • Planner II
Community Planning

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Rita Pribyl, 326-6171
Wards: All

Action / Date
CD3/18/2015

Subject:

Motion 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 *[All Wards]*.

Recommendation:

Approve the motion

Relationship to Goals:

Neighborhood Improvements

Background:

The Citizens Advisory Committee (CAC) completed its process for funding recommendations for the Year 41 CDBG program, which is a subpart of the City's FY 16 operating budget. The CAC reviewed the CDBG applications at a work session and held two public meetings at which applicants made presentations and answered questions about their programs and projects.

The CAC's process concluded on March 2nd when the CAC voted on its Year 41 funding recommendations for the FY16 CDBG entitlement of \$1,155,587. The vote on the entire slate of recommended allocations was unanimous.

The purpose of the HOME Program is to create affordable housing opportunities for low and very low income residents. City HOME dollars are targeted to the construction or rehabilitation of single and multi-unit housing. In addition, HOME funds are available to non-profits, for-profits, or Community Housing Development Organizations (CHDO). For FY16, the HOME entitlement is \$387,045.

The attached Funding Summary lists for each of these programs: the agency receiving funds, its purpose, the services it will provide, and the amount of funding to be used. HOME dollars are reflected in bold.

Awarding of these funds is contingent upon the City receiving the entitlements as indicated from the Department of Housing and Urban Development.

A public hearing on these recommendations will be held. If Council wishes to make changes to these recommendations, this motion should be amended following the public hearing at the Community Development Committee meeting. Final Council action will take place at the March 25 Council meeting.

ATTACHMENTS:

Type	Description
▢ Backup Material	Year 41 CDBG Recommendations and HOME Funds

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:11 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:11 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:43 AM

Year 41 (July 1, 2015 – June 30, 2016)

CDBG Recommendations and HOME funds

Non-Public Service Programs

This category is not capped by HUD regulation. At its discretion, the City could award the entire CDBG grant in this category.

PROPOSED
ALLOCATION
AMOUNT

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	AMOUNT
PLANNING & ADMINISTRATION			
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)	Coordinates, administers, and monitors CDBG program; prepares reports and plans required by HUD; prepares needs assessments and other planning efforts including historic and environmental studies and coordination with neighborhood groups on planning Activities	CDBG STAFF & OPERATIONS	\$288,664
		HOME STAFF & OPERATIONS	\$38,705
ECONOMIC DEVELOPMENT:			
CPED DEVELOPMENT	Formulation, coordination, and implementation of local economic development strategies	STAFF	\$0 ¹
		ECONOMIC DEVELOPMENT FUND	\$89,916
HOUSING:			
CPED DEVELOPMENT / HOUSING REHABILITATION	Provides financing for rehabilitation and purchase of housing; elimination of blight; infrastructure in support of housing activities; and accessibility improvements.	STAFF	\$287,024 ²
		CITY REHAB LOANS/ GRANTS/RELOCATION	\$130,292
		HOME LOANS / GRANTS	\$348,341
MISSISSIPPI VALLEY NEIGHBORHOOD HOUSING SERVICES	Provides technical assistance and financing for purchase and/or rehabilitation of owner-occupied homes.	STAFF & OPERATIONS	\$0 ³
		LOANS/GRANTS	\$75,407
UNITED NEIGHBORS, INC.	Provides downpayment assistance, home buyer classes, pre-purchase inspections	DREAM PROGRAM DOWNPAYMENT	\$30,000
		DREAM PROGRAM STAFF	\$34,284
NON-PUBLIC SERVICE TOTAL:			\$935,587

¹ \$38,640 in Economic Development Revolving Loan Fund Program Income for program delivery

² \$119,000 in Housing Rehabilitation Revolving Loan Fund Program Income for program delivery

³ \$150,000 in Neighborhood Housing Services Loan Fund Program Income for program delivery

Year 41 (July 1, 2015 – June 30, 2016)

CDBG Recommendations and HOME funds

Public Service Programs

This category is capped by HUD regulation. The maximum available under the cap for public services has been recommended by the CAC.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
BIG BROTHERS/ BIG SISTERS OF THE QUAD CITIES	Provides adult mentoring for children	ADULT MENTORING	\$17,987
BOYS & GIRLS CLUBS OF THE IOWA MISSISSIPPI VALLEY	Provides recreation, education, cultural arts and leadership programs	DAVENPORT PROGRAMS	\$19,725
FAMILY RESOURCES	Provides individual and family therapy; counseling; domestic violence advocacy program and shelter; and crisis intervention.	DOMESTIC VIOLENCE	\$21,521
FRIENDLY HOUSE	Provides recreational and educational activities for youth year-round	RECREATION & EDUCATION	\$23,276
HUMILITY OF MARY HOUSING, INC.	Provides transitional and supportive housing and services	SUPPORTIVE HOUSING	\$22,742
HUMILITY OF MARY SHELTER, INC.	Provides emergency shelter and services for adult men and women.	EMERGENCY SHELTER	\$24,794
PROJECT RENEWAL	Provides after school program with social, recreational, educational Activities	AFTER SCHOOL PROGRAM	\$23,776
SALVATION ARMY FAMILY SERVICE CENTER	Provides emergency shelter, meal site and case management services. This is the only site for single male head of household with children and intact two parent families with children.	EMERGENCY SHELTER	\$24,192
UNITED NEIGHBORS, INC.	Provides recreational and educational activities for youth at three area parks Herington, Emeis, and Cork Hill Parks	SUMMER PARKS (YOUTH)	\$21,987
VERA FRENCH COMM MENTAL HEALTH CTR.	Provides supportive services to Vera French Housing Corp tenants	TENANT SUPPORT SERVICES	\$20,000
PUBLIC SERVICE TOTAL:			\$220,000
CDBG TOTAL:			\$1,155,587
HOME TOTAL:			\$387,045

City of Davenport

Committee: Community Development
Department: Community Planning & Economic Development
Contact Info: Bruce Berger, 563-326-7769
Wards: 3

Action / Date
CD3/18/2015

Subject:

Motion awarding the contractor for the construction of three single family homes on East 6th Street to Daxon Construction Company of Rock Island, IL in the amount of \$547,520.00

Recommendation:

Approve the motion.

Relationship to Goals:

Neighborhood Improvements.

Background:

On December 15, 2014 the City of Davenport released a Request for Proposal for the construction of three new single family homes on three vacant City owned lots on East 6th Street. A map of the area is shown below. These properties will be constructed utilizing federal funding from the Housing and Urban Development HOME fund. On February 6, 2015, the Purchasing Division opened two responses.

An evaluation committee consisting of City of Davenport staff from the Community Planning and Economic Development Department and the Building Department reviewed the submitted proposals. The criteria used for the evaluation were 1) Ability to meet timeline – 20%, 2) Quality/Detail of plans – 20%, 3) History of Ability/experience – 20%, 4) Sufficient and qualified personnel – 15%, 5) Pricing – 15%, 6) Licensing – 5% and 7) References – 5%. From these scoring criteria Daxon Construction Company scored the highest. Funds for the project are budgeted in 54601044 520258 HM200 at \$547,520. This funding is from federal funds provided by HUD through the HOME program. Per federal regulations, these funds can only be spent to provide affordable homeownership and rental opportunities to working families in Davenport.

The constructed homes will be a mix of one and two story properties. Each home is approximately 1,300 SF with three bedrooms and a detached garage. Exterior façade plans for the homes will be reviewed by the Design Review Board during the March 23rd meeting. Daxon Construction Company will begin construction in April 2015 and complete the projects in August 2015. Once complete the properties will be sold to qualifying homebuyers.

ATTACHMENTS:

Type	Description
□ Backup Material	Aerial photo

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	3/11/2015 - 6:09 PM
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 6:10 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:42 AM



Blue = Project sites

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Bruce Berger
Wards: 3

Action / Date
CD3/18/2015

Subject:

Motion 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.

Recommendation:

Approve the motion.

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. Approval of this motion would direct staff to advertise the State required public hearing for the Committee-of-the-Whole meeting on April 1.

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	3/11/2015 - 12:28 PM
City Clerk	Admin, Default	Approved	3/11/2015 - 4:02 PM

City of Davenport

Committee: Public Safety Committee
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: 5

Action / Date
PS3/18/2015

Subject:

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

Recommendation:

Consider the resolution.

Relationship to Goals:

Support local events.

Background:

The attached resolution list(s) various requests for street(s), lane(s) or public grounds to be temporarily closed to hold outdoor events.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/11/2015 - 4:12 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: St. Paul the Apostle Catholic Church

Event: Living Stations of the Cross

Date: April 3, 2015

Time: 2:00 p.m. to 4:45 PM

Closure Location: Rusholme Street between Arlington Avenue and Carey Avenue

Ward: 5

Approved this 11th day of March, 2015.

Approved:

Attest:



William E. Gluba, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Committee: Public Safety
Department: Finance
Contact Info: Sherry Eastman 326-7795
Wards: Various

Action / Date
PS3/18/2015

Subject:
Motion approving beer and liquor license applications.

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

Ward 5

Rudy's Tacos East (LaRosa S. A. Inc.) - 2214 E 11th Street - Outdoor Area April 4-5, 2015
Easter Egg Hunt After Party - License Type: C Liquor

Ward 6

Holiday Inn Express Hotel and Suites (Davenport Lodging Associates, LLC) - 401 Veteran's Memorial Pkwy - License Type: B Liquor/B Wine/Native Wine

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

Ward 1

Dominga's (Dominga's Authentic Mexican Food Inc.) - 1525 S Concord Street - License Type: B Beer

QC Mart (Bethany Enterprises Inc.) - 2747 Rockingham R. - License Type: C Beer

Ward 3

Blackhawk Bowl & Martini Lounge (Blackhawk Bowl & Martini Lounge LLC) - 200 E 3rd Street - License Type: C Liquor

Boozies Bar and Grill (BZE Holdings, Inc.) - 114 1/2 W 3rd Street - License Type: C Liquor

Gateway Pub (Doo-Dah Incorporated) - 702 W 3rd Street - License Type: C Liquor

Geezer's Draffhouse (Geezer's Inc.) - 1654 W 3rd Street - Outdoor Area - License Type: C Liquor

The Redstone Room (River Music Experience) - 129 Main Street - License Type: C Liquor

Scott's Shovelhead Shed (S.S.S. Inc.) - 220 N Pine Street - Outdoor Area - License Type: C Liquor

Ward 4

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

Ward 5

Grumpy's Saloon (2118-2120 Inc.) - 2120 E 11th Street - License Type: C Liquor

Ward 6

Aldi No. 80 (Aldi Inc.) - 5262 Elmore Avenue - License Type: C Beer/B Wine

Biaggi's Ristorante Italiano (Biaggi's Ristorante Italiano L.L.C.) - 5195 Utica Ridge Road - License Type: C Liquor/B Wine

Ward 7

Los Agaves Mexican Grill (Los Agaves Inc.) - 4882 Utica Ridge Road - Outdoor Area - License Type: C Liquor

Los Portales Mexican Restaurant 2 (Los Portales Mexican Restaurant 2 Inc.) - 1012 E Kimberly Road - License Type: C Liquor

Ward 8

Big 10 Mart (Molo Quint L.L.C.) - 5310 N Brady Street - License Type: C Beer

C. Request for exemptions for 19 and 20 year-olds on premises (Committee Action Only):

Ward 3

The Redstone Room (River Music Experience) - 129 Main Street - License Type: C Liquor

Recommendation:
Consider the license applications.

Relationship to Goals:
Support local business.

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Answerer	Approved	3/11/2015 - 2:30 PM
Finance Committee	Answerer	Approved	3/11/2015 - 2:30 PM
City Clerk	Admin, Default	Approved	3/11/2015 - 4:02 PM

City of Davenport

Committee: Public SaFety
Department: City Clerk
Contact Info: Jackie Holecek 563-326-6163
Wards: 4

Action / Date
PS3/18/2015

Subject:

Motion approving noise variance request(s) for various events on the listed dates at the listed times. **(COMMITTEE ACTION ONLY)**

Recommendation:

Consider the motion.

Relationship to Goals:

Supporting local events.

Background:

St. Ambrose University, Last Blast Weekend, March 23 8-11 PM; March 24;8-Midnight; March 25 Noon - Midnight, Over 50 dBA

Circle Tap, 1345 West Locust, Welcome Home Celebration, March 28th, 8 PM - Midnight, Over 50 dBA

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/4/2015 - 12:18 PM

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Mike Atchley; (563) 327-5149
Wards: 8

Action / Date
PW3/18/2015

Subject:

Resolution 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). *[Ward 8]*

Recommendation:

Approve the resolution.

Relationship to Goals:

Financially Responsible City Government
A Growing Local Economy

Background:

The GDRC is asking the City of Davenport to vacate the north / south utility easement on Lot 2, of the Interstate 80 Airport Industrial Park, 6th Addition.

Utilities are being placed within the east / west utility easement along the south side of the Transload Facility access road. The north / south utility easement is no longer necessary and vacating allows for additional development.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES GDRC PG2
▣ Cover Memo	Subdivision Plat
▣ Cover Memo	Mid-American Release
▣ Cover Memo	Iowa-American Release
▣ Cover Memo	Mediacom Release
▣ Cover Memo	CenturyLink Release

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:25 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:25 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:31 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolution 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).

Resolution authorizing the Mayor to execute the necessary documents to vacate a utility easement located on Lot 2 in the Interstate 80 Airport industrial Park 6th Addition.

Resolved by the City Council of the City of Davenport.

Whereas, the City of Davenport acquired a utility easement along the south side of the access road to the Transload Facility:

Whereas, the utility easement along the access road is being used by the utility companies.

Whereas, the utility companies have signed a release letter and do not object to the vacating of the north/south utility easement.

Now, therefore, be it resolved, by the City Council of the City of Davenport that the Mayor and City Clerk are authorized to execute all documents necessary to vacate the north/south utility easement located on Lot 2 in the Interstate 80 Airport industrial Park 6th Addition.

Passed and approved this 25nd day of March, 2015

Approved:

Attest:

William E. Gluba, Mayor

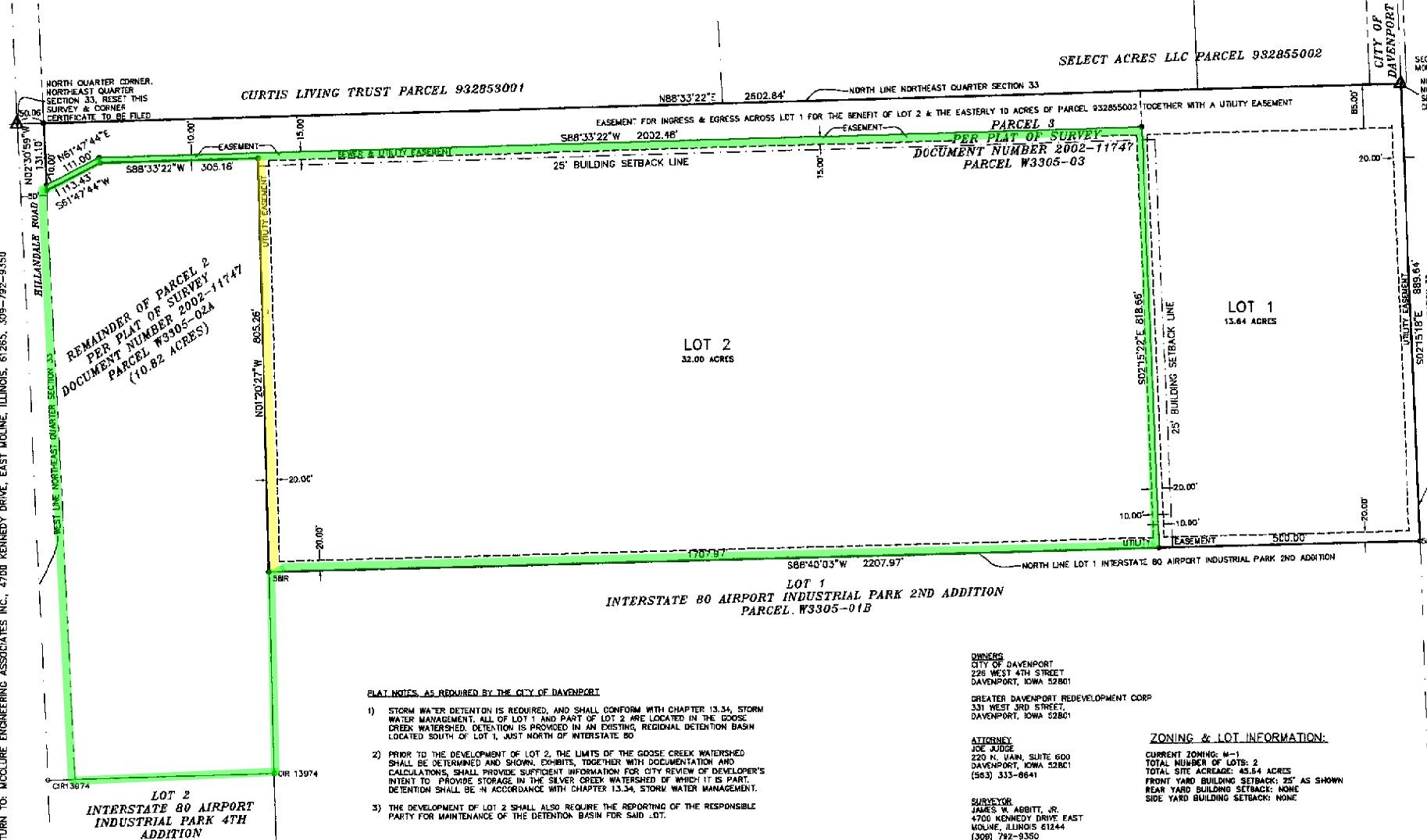
Jackie E. Holecek, City Clerk

Doc ID: 018964000013 Type: PLA
Recorded: 03/13/2012 at 03:45:04 PM
Fee Amt: \$62.00 Page 1 of 13
Scott County Iowa
Rita A. Vargas Recorder

File 2012-00007008

PLAT OF SUBDIVISION
INTERSTATE 80 AIRPORT INDUSTRIAL PARK 6TH ADDITION
TO THE CITY OF DAVENPORT, IOWA

ALL OF PARCEL 3 & PART OF PARCEL 2 PER PLAT OF SURVEY DOCUMENT NUMBER 2002-11747
BEING A PART OF NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 3 EAST, IN
THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA



LEGEND

- SET 5/8" IRON ROD & GREEN PLASTIC CAP #18485
- ⊗ SET MAG NAIL
- ⊗ SET CHISELED "X"
- △ FOUND 1" IRON ROD
- FOUND 5/8" IRON ROD (WITH DR W/O CAP)
- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- RIGHT OF WAY LINE

M.D. AMERICAN ENERGY COMPANY
BY: *Mike Ballant*
DATE: 3-7-12

IOWA-AMERICAN WATER COMPANY
BY: *James Alexander*
DATE: 3-7-12

CENTURY LINK COMMUNICATIONS
BY: *John Smith*
DATE: 3-7-12

MEDIA.COM
BY: *John Smith*
DATE: 3-7-12

CITY OF DAVENPORT, IOWA
BY: *Alvin Plater*
DATE: 3-7-12

PLANNING AND ZONING COMMISSION
BY: *Rene E. Stapp*
DATE: 3-7-12

PLAT NOTES, AS REQUIRED BY THE CITY OF DAVENPORT

- 1) STORM WATER DETENTION IS REQUIRED, AND SHALL CONFORM WITH CHAPTER 13.34, STORM WATER MANAGEMENT. ALL OF LOT 1 AND PART OF LOT 2 ARE LOCATED IN THE GOOSE CREEK WATERSHED. DETENTION IS PROVIDED IN AN EXISTING REGIONAL DETENTION BASIN LOCATED SOUTH OF LOT 1, JUST NORTH OF INTERSTATE 80.
- 2) PRIOR TO THE DEVELOPMENT OF LOT 2, THE LIMITS OF THE GOOSE CREEK WATERSHED SHALL BE DETERMINED AND SHOWN. EXHIBITS, TOGETHER WITH DOCUMENTATION AND CALCULATIONS, SHALL PROVIDE SUFFICIENT INFORMATION FOR CITY REVIEW OF DEVELOPER'S INTENT TO PROVIDE STORAGE IN THE SILVER CREEK WATERSHED OF WHICH IT IS PART. DETENTION SHALL BE IN ACCORDANCE WITH CHAPTER 13.34, STORM WATER MANAGEMENT.
- 3) THE DEVELOPMENT OF LOT 2 SHALL ALSO REQUIRE THE REPORTING OF THE RESPONSIBLE PARTY FOR MAINTENANCE OF THE DETENTION BASIN FOR SAID LOT.

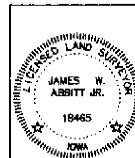
OWNERS
CITY OF DAVENPORT
228 WEST 4TH STREET
DAVENPORT, IOWA 52801

GREATER DAVENPORT REDEVELOPMENT CORP
331 WEST 3RD STREET
DAVENPORT, IOWA 52801

ATTORNEY
JOE JUDGE
220 N. LAM, SUITE 600
DAVENPORT, IOWA 52801
(563) 333-8641

SURVEYOR
JAMES W. ABBITT, JR.
4700 KENNEDY DRIVE, EAST
MOLINE, ILLINOIS 61244
(309) 792-9350

ZONING & LOT INFORMATION:
CURRENT ZONING: M-1
TOTAL NUMBER OF LOTS: 2
TOTAL SITE AREA: 45.64 ACRES
FRONT YARD BUILDING SETBACK: 25' AS SHOWN
REAR YARD BUILDING SETBACK: NONE
SIDE YARD BUILDING SETBACK: NONE



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

Signature: *James W. Abbitt, Jr.*
Date: 3-7-12 Reg. No. 18485

My license renewal date is December 31, 2022.

Page(s) of sheets covered by this seal: 1

THIS SHEET ONLY

GREATER DAVENPORT REDEVELOPMENT CORP
331 WEST 3RD STREET, DAVENPORT, IOWA 52801

REVISIONS		
NO.	ITEM	DATE
A	ADDED 10' UTILITY EASEMENT BY M.D. AMERICAN ENERGY	03/29/12
B	CHANGED 10' UTILITY EASEMENT TO 15' BY CITY REQUEST	03/29/12

PLATTING SCALE: 1" = 1"
DRAWN BY: LHM
CHECKED BY: JWA
DATE: 12/9/11

McClure
Engineering Associates, Inc.
4700 Kennedy Drive East Moline, Illinois 61244
(309) 792-9350 Fax (309) 792-8874
Copyright 2010 by McClure Engineering Associates, Inc.

PLAT OF SUBDIVISION
BOUNDARY SURVEY
DAVENPORT, IOWA
FILE NAME: T:\JWM\11-28\JWS\1128-BV-Lowg
JOB NUMBER: 01-13-11-218

SHEET NO.
1
OF 1



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

February 20, 2015

Greater Davenport Redevelopment Corporation
331 West 3rd Street
Davenport, Iowa 52801

Re: 046-15 Proposed Public Utility Easement Release
Lot 2 and the Remainder of Parcel 2 per Plat of Survey recorded as Document No. 2002-11747, Parcel #W3305-02A, as shown on the recorded Plat of Subdivision of Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport, Scott County, Iowa, Document No. 2012-00007008.

To whom it may concern:

MidAmerican Energy Company has received your request to release any interest MidAmerican may have in a Twenty (20) foot wide public utility easement along the West line of Lot 2 of Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport, Scott County, Iowa.

MidAmerican Energy Company does have facilities in the North Fifteen (15) feet of said Lot 2, and as such, does not approve of the release of that portion of the PUE. MidAmerican does not, however, have any electric or gas facilities in the remaining Twenty (20) foot PUE along the West Line of Lot 2. Therefore, MidAmerican does not object to and with this present letter, states its approval for the proposed release of public utility easement, except the North 15 feet thereof.

Sincerely yours,

Dawn M. Carlson

Right-of-Way Services

MidAmerican Energy Company

Phone: 563.333.8150

Iowa-American Water Company

Quad Cities District
5201 Grand Avenue
Davenport, IA 52806

February 17, 2015

Tim Wilkinson
Greater Davenport Redevelopment Corporation
331 W. 3rd Street, Suite 106
Davenport, IA 52801

Re: Lot 2 of Interstate 80 Airport Industrial Park 6th Addition, Davenport, Iowa

Dear Mr. Wilkinson:

Iowa-American Water Company hereby waives the north-south 20 foot utility easement located along the west lot line of Lot 2 of Interstate 80 Airport Industrial Park 6th Addition in Davenport, Iowa.

Sincerely,

By: Mary Jane Canney-Middett
Printed Name: MARY JANE CANNEY MIDDETT
Title: DIRECTOR OF OPERATIONS



February 6, 2015

Angi Chapman
Lane & Waterman LLP
220 N. Main Street, Suite 600
Davenport, Iowa 52801

To Whom It May Concern:

Mediacom holds no objection to the release of a North to South (20') twenty foot utility easement located along the Westerly portion of Lot 2 of the Interstate 80 Airport Industrial Park 6th Addition to the City of Davenport, Scott County Iowa.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Jarding", is written over a horizontal line.

Dennis Jarding
Construction Manager
Mediacom Communications
3900 26th Avenue
Moline, IL 61265

CenturyLink
3908 Utica Ridge Road
Bettendorf, Iowa 52722

February 9, 2015

Tim Wilkinson
Greater Davenport Redevelopment Corporation
331 W. 3rd Street, Suite 106
Davenport, IA 52801

Re: Lot 2 of Interstate 80 Airport Industrial Park 6th Addition, Davenport, Iowa

Dear Mr. Wilkinson:

CenturyLink hereby waives the north-south 20 foot utility easement located along the west lot line of Lot 2 of Interstate 80 Airport Industrial Park 6th Addition in Davenport, Iowa.

Sincerely,

Antonio Glessner
OSP Project Engineer
CenturyLink

A handwritten signature in black ink that reads "Antonio Glessner". The signature is written in a cursive style with a large initial "A" and "G".

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gene Hellige; (563) 326-7729
Wards: 6

Action / Date
PW3/18/2015

Subject:

Resolution 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.
[Ward 6]

Recommendation:

Pass the resolution.

Relationship to Goals:

A Growing Local Economy

Background:

The Bi-State Regional Transportation Plan and the Comprehensive Plan of the City of Davenport includes upgrading Veteran Memorial Parkway to a four-lane minor arterial/major collector across the northeastern part of the City.

This project will design and construct the portion from I-74 to Utica Ridge Road and includes a bridge over Crow Creek. The new alignment will meet Forest Grove Road at Utica Ridge Road.

The pavement will be four lanes with a median with a 5' wide sidewalk along the north side and a 10' wide shared path along the south side. The project will be specially assessed to the adjacent properties; this motion establishing property values within the assessment district is a requirement of state law covering the special assessment procedure. These property values are those within the defined assessment district, as shown on the assessment plat. The project is currently funded under CIP #10556 and is budgeted at \$7,319,000, with 80% federal funding.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW_RES_VMP

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:21 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:21 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:29 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution 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.

Whereas, this Council has adopted a preliminary resolution pursuant to Section 384.42 of the Code of Iowa, 2013, as amended, covering the Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road (herein referred to as the "Improvement Project"); and

Whereas, pursuant thereto, the Project Engineers have prepared preliminary plans and specifications, an estimated cost of the work, and a plat and preliminary schedule, including the valuation of each lot as previously determined by this Council, and the same have been duly adopted and are now on file with the Clerk;

Now, therefore, be it resolved, by the City Council of the City of Davenport:

- A. That it is hereby found and determined to be necessary and in the best interest of the City and its inhabitants to proceed with the aforementioned Improvement Project, and to assess the cost thereof to the property benefited thereby;
- B. That the Improvement Project shall constitute a single improvement and shall consist of, generally: Paving Veterans Memorial Parkway from I-74 to Utica Ridge Road, including a bridge and all associated appurtenances, all as more particularly described in the Preliminary Resolution relating to the Improvement Project previously adopted by this Council, which resolution is hereby referred to for a more complete description of the location and terminal points of the Improvement Project and the property benefited thereby and proposed to be assessed to pay the cost of such improvement.
- C. That it is hereby found and determined that there is now on file in the office of the Clerk an estimated total cost of the proposed work and a preliminary plat and schedule showing the amount proposed to be assessed to each lot by reason of such improvement project.
- D. That this Council will meet at 5:30 P.M., in City Hall, on the 15th day of April, 2015, at which time and place it will hear the property owners subject to the proposed assessment or assessments and interested parties for or against the Improvement Project, its cost, the assessment thereof, or the boundaries of the properties to be assessed. Unless a property owner files objections with the Clerk at the time of the hearing on the resolution of necessity, he shall have deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using the special assessment procedure.
- E. That the Clerk is hereby authorized and directed to give notice as required by Section 384.50 of the Code of Iowa, 2015, as amended, by publication once each week for two consecutive weeks in the Quad-City Times, a newspaper published at least once weekly

and having general circulation in the City and shall likewise mail a copy of such notice to each property owner whose property is subject to assessment for the Improvement Project as shown by the records in the office of the County Auditor not less than fifteen days prior to the hearing on this resolution. The first publication of such notice shall not be less than ten (10) nor more than twenty (20) days prior to the hearing.

F. That such notice shall be in the form substantially as follows:

Notice is hereby given: That there is now on file for public inspection in the office of the City Clerk of Davenport, Iowa, a proposed resolution of necessity, an estimate of cost, and a plat and schedule showing the amounts proposed to be assessed against each lot and the valuation of each lot within a district approved by the City Council of Davenport, Iowa, for paving improvements, described in general as the Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road of the type(s) and in the location(s) as follows:

Construct PCC paving with median and appurtenances and a bridge over Crow Creek, including a 10' wide recreational trail along the southerly side and a 5' wide sidewalk along the northerly side, from I-74 to Utica Ridge Road.

The Council will meet at 5:30 p.m. on the 15th day of April, 2015, at the Council Chambers, City Hall, Davenport, Iowa, at which time the owners of the property subject to assessment for the proposed improvement or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the district, the cost, the assessment against any lot or the final adoption of the a resolution of necessity. A property owner will be deemed to have waived all objections unless at the time of the hearing he has filed objections with the Deputy Clerk.

G. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Passed and approved this 25th day of March, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gene Hellige; (563) 326-7729
Wards: 6

Action / Date
PW3/18/2015

Subject:

Resolution approving and adopting 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. *[Ward 6]*

Recommendation:

Pass the Resolution.

Relationship to Goals:

Davenport – The Choice Community for Living Upgraded City Infrastructure and Public Facilities A Growing Local Economy

Background:

The Bi-State Regional Transportation Plan and the Comprehensive Plan of the City of Davenport includes upgrading Veteran Memorial Parkway to a four-lane minor arterial/major collector across the northeastern part of the City.

This project will design and construct the portion from I-74 to Utica Ridge Road and includes a bridge over Crow Creek. The new alignment will meet Forest Grove Road at Utica Ridge Road.

The pavement will be four lanes with a median with a 5' wide sidewalk along the north side and a 10' wide shared path along the south side. The project will be specially assessed to the adjacent properties; this motion establishing property values within the assessment district is a requirement of state law covering the special assessment procedure. These property values are those within the defined assessment district, as shown on the assessment plat. The project is currently funded under CIP #10556 and is budgeted at \$7,319,000, with 80% federal funding.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_PRE PLAN PLAT VMP PG2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:25 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:25 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:30 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport

Resolution approving and adopting 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.

Whereas, this Council has adopted a preliminary resolution pursuant to Section 384.42 of the Code of Iowa, 2013, as amended covering the Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road (herein referred to as the "Improvement Project"); and

Whereas, in accordance with such preliminary resolution, the Project Engineers have prepared preliminary plans and specifications, an estimated cost of the work, and a plat and preliminary schedule and have filed the same with the Clerk; and

Whereas, this Council has determined the valuation of each lot proposed to be assessed for such Improvement Project and such valuations are now shown on the schedule, and this Council deems it advisable that the said preliminary plans and specifications, estimated cost of the work and plat and preliminary schedule should be approved.

Now, therefore, be it resolved, by the City Council of the City of Davenport:

- A. That the preliminary plans and specifications referred to in the preamble hereof be and the same are hereby approved.
- B. That the plat and schedule and estimate of cost are hereby ratified and approved.
- C. That this Council proposes to proceed with the Improvement Project and a proposed resolution of necessity shall be prepared in accordance with provisions of the Code of Iowa, 2015, as amended.
- D. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Passed and approved this 25th day of March, 2015

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: All

Action / Date
PW3/18/2015

Subject:

Resolution approving 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. *[All Wards]*

Recommendation:

Pass the resolution.

Relationship to Goals:

Davenport – *The Choice Community for Living*
Upgraded City Infrastructure & Public Facilities

Background:

Many of the manholes of the sanitary collection system are structurally deficient and allow for inflow and infiltration. Rehabilitation is needed to address these issues to further comply with the IDNR Administrative Consent Order. This program includes various strategies such as cured-in-place manhole lining, spray-applied materials, casting and adjusting ring replacement, chimney seals and total manhole replacement. This portion of the project is for design and preparation of bid documents.

Manhole repairs are scheduled to be completed in Summer/Fall of calendar year 2015. Strand Associates, Inc. was selected as a result of their expertise and experience with this type of project. The Scope of Work is for Strand Associates, Inc. to provide engineering services to the City for the design and preparation of bid documents for the Sanitary Sewer Manhole Rehabilitation Program designated in the FY 2015 CIP.

This resolution is the approval of the contract award and is within the budget. The scope of work addresses the recommendations from the Lower 14th District I & I Study, the Silver Creek I & I study as well as several other Infiltration and Inflow (I&I) Studies, which provided recommendations for removal of I & I sources related to manhole rehabilitation.

Funds for the Sanitary Sewer Manhole Rehabilitation Program are budgeted in CIP Project #10144, #00051 and #01937 for a total Not-To-Exceed \$152,000.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_pg2_SewerManhole
▣ Backup Material	PW_SewerManhole_Strand

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:24 AM

Public Works Committee
City Clerk

Lechvar, Gina
Admin, Default

Approved
Approved

3/12/2015 - 11:24 AM
3/12/2015 - 12:30 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport.

Resolution approving 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.

Whereas, the City of Davenport previously completed I & I investigations of the sanitary sewers;

Whereas, as a result of the I & I Studies, recommendations were made for repair/rehabilitation of the sanitary sewer manholes;

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

Now, therefore, be it resolved, by the City Council of the City of Davenport, Iowa: that the Contract is hereby approved, and the Public Works Director is hereby authorized to execute said document.

Passed and approved this 25th day of March, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk



Task Order No. 15-01
City of Davenport, Iowa (OWNER)
and Strand Associates, Inc.® (ENGINEER)
Pursuant to Technical Services Agreement dated _____, 20____

Project Information

Project Name: 2015 Manhole Rehabilitation Program

Scope of Services

ENGINEER will provide the following services to OWNER.

Manhole Assessment Program

1. Participate in one project kickoff meeting with OWNER at OWNER's Public Works Center to gather project information and review existing information including previous collection system infiltration/inflow reports.
2. Assess the condition of approximately 300 manholes in OWNER's existing collection system. Complete a field observation form for each manhole included in the program. The intent of the assessment program is to determine a means of rehabilitating manholes in the collection system.
3. Prepare an assessment summary report and review with OWNER. This report will summarize the findings of the field observations and compare deficiencies with currently utilized manhole rehabilitation techniques. Include completed assessment forms with the assessment report.
4. Prepare a proposed manhole assessment/rehabilitation program for OWNER. This program will include a summary of the findings of the field observations, a summary of the recommended rehabilitation techniques based on the field observations, and an opinion of probable construction cost for the recommended rehabilitation program.

Manhole Rehabilitation Program

1. Design Services
 - a. Prepare bidding documents including technical specifications and engineering drawings. Prepare construction drawings and technical specifications using OWNER's Standard Specifications and drawing standards. Technical specifications will include necessary special provisions for inclusion into the bidding documents. OWNER agrees to require selected contractor to name ENGINEER on Contractor's General Liability, Auto Liability, and Employer's Liability insurance through endorsement acceptable to ENGINEER.
 - b. Submit bidding documents to OWNER for review and input.
 - c. Prepare prebid opinion of probable construction cost for project and submit to OWNER.
 - d. Review the draft bidding documents with OWNER, incorporate review comments as appropriate, and submit one hard copy and one electronic copy in Microsoft Word of the final documents to OWNER.

City of Davenport
 Task Order No. 15-01
 Page 2
 March 9, 2015

2. Bidding-Related Services

Assist OWNER during the bid process and during construction to answer questions regarding construction drawings and technical specifications.

3. Construction-Related Services

- a. Provide contract administration services including attendance at preconstruction conference, review of contractor's shop drawing submittals, review of contractor's periodic pay requests, attendance at construction progress meetings, periodic site visits, and participation in project closeout.
- b. Provide resident project representative for part time observation of construction. In furnishing observation services, ENGINEER's efforts shall be directed toward determining for OWNER that the completed PROJECT will, in general, conform to the Contract Documents, but ENGINEER shall not supervise, direct, or have control over contractor's work and shall not be responsible for contractor's construction means, methods, techniques, sequences, procedures, health and safety precautions or programs, or for contractor's failure to perform the construction work in accordance with the Contract Documents.

Compensation

OWNER shall compensate ENGINEER for Services under this Task Order on an hourly rate basis plus expenses a not-to-exceed fee of \$152,000 allocated as follows:

Task	Estimated Fee
Manhole Assessments, including Summary Report and recommended Rehabilitation Plan	\$ 41,200
Design Services, including Preparation of Drawings and Specifications	\$ 30,500
Bidding-Related Services	\$ 5,300
Construction-Related and Part-Time Observation Services	\$ 75,000
Total	\$152,000

Schedule

Services will begin upon execution of this Task Order, which is anticipated on March 25, 2015. Services are scheduled for completion on February 1, 2016.

TASK ORDER AUTHORIZATION AND ACCEPTANCE:

ENGINEER:

STRAND ASSOCIATES, INC.®

OWNER:

CITY OF DAVENPORT

Matthew S. Richards
 Corporate Secretary

Date

Michael Clarke
 Public Works Director

Date

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gary Statz; (563) 326-7754
Wards: All

Action / Date
PW3/18/2015

Subject:

Resolution 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. *[All Wards]*

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Iowa Department of Transportation (IDOT) provides funds through the Iowa Clean Air Attainment Program (ICAAP) for projects that help reduce congestion and pollution.

The primary purpose of this project is to have a traffic operations center that will link the traffic signals together and allow for remote signal timing and live video from many of the busiest intersections in Davenport. This will allow for better timing of the traffic signals and improve traffic flow. It will also provide images of the traffic corridors that will enable traffic engineering staff to better analyze problems in the field. The estimated cost of this project is \$300,000 with federal funding of \$240,000 (80%). The City will be obligated to pay \$60,000. This project will be constructed in early 2016. The result will be more efficient signalization along the corridors that will be connected to the center and video imagery of those corridors.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_PG2_TrafficOperCTR

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:23 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:23 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:30 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolved by the City Council of the City of Davenport

Resolution 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.

Whereas, the City of Davenport believes it is necessary to improve the signalized intersections of major corridors of Davenport by interconnecting all of the signals to a traffic operations center, which will also show video of the traffic along these corridors; and

Whereas, the State of Iowa has agreed to provide funding for 80% of the project cost up to \$240,000 with the City share of this project at \$60,000, through its Iowa Clean Air Attainment Program (ICAAP);

Now, therefore, be it hereby resolved by the City Council of the City of Davenport, Iowa, that the agreement for the ICAAP funding for the project be approved as prepared and that the Mayor shall be authorized to sign the agreement.

Passed and approved this 25th day of March, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gary Statz; (563) 326-7754
Wards: 2, 6, 7

Action / Date
PW3/18/2015

Subject:

Resolution 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.

[Wards 2, 6, 7]

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Iowa Department of Transportation (IDOT) provides funds through the Iowa Clean Air Attainment Program (ICAAP) for projects that help reduce congestion and pollution. The primary purpose of this project is to interconnect all of the traffic signals along Kimberly Road with fiber optic cable. This will allow for better timing of the traffic signals improves traffic flow. The grant will also include replacement of all of the traffic signal controllers along this corridor. Video cameras will be added at the higher-volume intersections with those images coming back to a traffic operations center, which will be constructed with a different ICAAP grant in the next year. The estimated cost of this project is \$248,750 with federal funding of \$199,000 (80%). The City will be obligated to pay \$49,750. This project will be constructed in 2016. The result will be more efficient signalization along Kimberly Road with better traffic flow and better air quality.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW_RES_IDOT_Kimberly

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:22 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:22 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:29 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution 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.

Whereas, the City of Davenport believes it is necessary to improve the signalized intersections of the Kimberly Road corridor by interconnecting all of the signals on Kimberly Road, replacing all of the traffic signal controllers and adding video cameras; and

Whereas, the State of Iowa has agreed to provide funding for 80% of the project cost up to \$199,000 with the City share of this project at \$49,750, through its Iowa Clean Air Attainment Program (ICAAP);

Now, therefore, it is hereby resolved by the City Council of the City of Davenport, Iowa, that the agreement for the ICAAP funding for the project be approved as prepared and that the Mayor shall be authorized to sign the agreement.

Passed and approved this 25th day of March, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gary Statz; (563) 326-7754
Wards: 2, 6, 7 & 8

Action / Date
PW3/18/2015

Subject:

Resolution 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. *[Wards 2, 6, 7 & 8]*

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Iowa Department of Transportation (IDOT) provides funds through the Iowa Clean Air Attainment Program (ICAAP) for projects that help reduce congestion and pollution.

The primary purpose of this project is to interconnect all of the traffic signals along 53rd Street from Pine Street to Elmore Avenue and Brady Street from 53rd Street to 65th Street with fiber optic cable. This allows for better timing of the traffic signals and improves traffic flow. The grant will also include replacement of all of the traffic signal controllers along this corridor.

Video cameras will be added at higher-volume intersections with those images coming back to a traffic operations center, which will be constructed with a different ICAAP grant next year. The estimated cost of this project is \$295,000 with federal funding of \$236,000 (80%). The City will be obligated to pay \$59,000. This project will be constructed in early 2016. The result will be more efficient signalization along 53rd Street with better traffic flow and better air quality.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_IDOT_Pg2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:21 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:22 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:29 PM

Resolution No. _____

Resolution offered by Alderman Ambrose.

Resolved by the City Council of the City of Davenport.

Resolution 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.

Whereas, the City of Davenport believes it is necessary to improve the signalized intersections of the 53rd Street corridor by interconnecting all of the signals on 53rd Street in addition to Brady Street north of 53rd Street, replacing all of the traffic signal controllers and adding video cameras; and

Whereas, the State of Iowa has agreed to provide funding for 80% of the project cost up to \$236,000 with the City share of this project at \$59,000, through its Iowa Clean Air Attainment Program (ICAAP);

Now, therefore, it is hereby resolved by the City Council of the City of Davenport, Iowa, that the agreement for the ICAAP funding for the project be approved as prepared and that the Mayor shall be authorized to sign the agreement.

Passed and approved this 25th day of March, 2015.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Gene Hellige; (563) 326-7729
Wards: 6

Action / Date
PW3/18/2015

Subject:

Motion determining property values for Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road, CIP Project #10556. *[Ward 6]*

Recommendation:

Pass the motion.

Relationship to Goals:

A Growing Local Economy.

Background:

The Bi-State Regional Transportation Plan and the Comprehensive Plan of the City of Davenport includes upgrading Veteran Memorial Parkway to a four-lane minor arterial/major collector across the northeastern part of the City.

This project will design and construct the portion from I-74 to Utica Ridge Road and includes a bridge over Crow Creek. The new alignment will meet Forest Grove Road at Utica Ridge Road.

The pavement will be four lanes with a median with a 5' wide sidewalk along the north side and a 10' wide shared path along the south side. The project will be specially assessed to the adjacent properties; this motion establishing property values within the assessment district is a requirement of state law covering the special assessment procedure. These property values are those within the defined assessment district, as shown on the assessment plat. The project is currently funded under CIP #10556 and is budgeted at \$7,319,000, with 80% federal funding.

ATTACHMENTS:

Type	Description
▣ Backup Material	PW_MO_PROP VALUE VMP 74 TO 74 Page 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/12/2015 - 11:21 AM
Public Works Committee	Lechvar, Gina	Approved	3/12/2015 - 11:21 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:29 PM

RE: Veterans Memorial Parkway Paving and Bridge Project from I-74 to Utica Ridge Road

BY: Alderman Ambrose (Public Works)

I move that the following list be adopted as present fair market value for the properties within the assessment boundaries of the referenced project with the project complete.

Assessment Parcel No.	Property Value	Parcel Owner
1	\$ 25,500	Stanley M. and Betty Jean Birley
2	\$ 951,750	½ Myra J. Watkins Revocable Trust and ½ Merle E. Doerscher Revocable Trust
3	\$ 780,750	Glen A. and Kathleen A. Moeller
4	\$ 1,083,000	Glen A. and Kathleen A. Moeller
5	\$ 945,750	Glen A. and Kathleen A. Moeller

I, Jackie E. Holecek, Deputy Clerk of the City of Davenport, in the County of Scott and the State of Iowa, do hereby certify that the above is a true, accurate, and complete copy of the motion passed by the City Council of the City of Davenport, Iowa on this 25th day of March, 2015, and duly entered on the records of the City of Davenport, Iowa.

Attest:

Jackie E. Holecek, CMC
Deputy City Clerk

(Seal)

City of Davenport

Committee: Finance
Department: Legal
Contact Info: Tom Warner 326-7752
Wards: All

Action / Date
FIN3/18/2015

Subject:
Resolution adopting new Council rules reflecting the current process and elimination of the standing committees. [All Wards]

Recommendation:
Pass the resolution

Relationship to Goals:

Background:
With the elimination of the standing committees the Council rules needed to be amended to reflect this change as well as the current process.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	RESOLUTION
▣ Backup Material	Council Rules
▣ Backup Material	Toms Short Form Rules of Order

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	3/11/2015 - 3:32 PM
Finance Committee	Answerer	Approved	3/11/2015 - 5:03 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 9:44 AM

Resolution No. _____

Resolution offered by Alderman Justin

RESOLVED by the City Council of the City of Davenport.

RESOLUTION adopting new Council rules reflecting the current process and elimination of the standing committees

WHEREAS, the City has eliminated the formal standing council committees; and

WHEREAS, the Council's current rules need to be updated to reflect said change and conform to current processes;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that the attached council rules and procedures are adopted.

Attest:

Approved:

Jackie E. Holecek, CMC
Deputy City Clerk

William E. Gluba
Mayor

RULES OF ORDER FOR THE CITY COUNCIL
OF DAVENPORT, IOWA
Adopted March 25, 2015

MEETINGS

Rule 1. Unless otherwise set, the City Council shall meet on the 2nd and 4th Wednesdays of each month, except for holidays, at 5:30 P.M., and the Committee of the Whole shall meet at 5:30 P.M. on the prior Wednesdays.

Rule 2. Items may be set by the City Administrator, the Mayor, a committee chair or two Council Members. The agenda for each meeting shall be posted at City Hall at least 24 hours in advance of the meeting and posted on the City web page. Agenda changes may not be made at a City Council meeting unless three-fourths of the members of the council vote to suspend the rules and approve the addition of the action item. Proclamations and recognitions, being symbolic in nature, may be added or deleted by the Mayor at any time.

Rule 3. During a meeting of the Committee of the Whole, the Committee shall consider only those items on the posted agenda or added to the agenda by a majority of the members present.

Rule 4. The Mayor or two Council Members may call a special meeting of the City Council upon verbal or written notice to the City Clerk at least 24 hours before the special meeting. The City Clerk shall provide personal notice of such a meeting to each Council Member.

Rule 5. The Chief of Police or the Chief's designee shall attend and act as sergeant at arms during all Council and Committee of the Whole meetings.

Rule 6. At Council and Committee of the Whole meetings, the City Clerk or the Clerk's designee shall call the roll and announce the presence of a Quorum. A majority of the Council constitutes a quorum. If less than a quorum is present, the Council may adjourn and compel the attendance of absent members.

Rule 7. Prior to roll call, the Mayor may ask for a moment of silence and the Pledge of Allegiance.

Rule 8. Participation shall be considerate, relevant to Council business and to the point.

Adopted March 25, 2015

Rule 9. The following is the customary order of business at council meetings:

1. Moment of Silence
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
5. Reports of City Officials
6. Approval of the Report of the Committee of the Whole, etc.
7. Approval of Appointments and Proclamations
8. Presentations to the Council, limited to five minutes each
9. Petitions and Communications from Council Members and the Mayor
10. Discussion Agenda. Action items anticipated to be individually discussed and voted upon by the Council. The Mayor and Council Members may request members of staff to explain issues on the Discussion Agenda, and may ask members of the public or staff to answer questions or speak. The discussion agenda is to be set at the Committee of the Whole meeting.
11. Consent Agenda. Council may pass these items en masse by one vote. Items on the Consent Agenda may be removed for discussion by the Mayor or a City Council member by right. After discussion the removing member may direct the item be placed back upon the consent agenda. The consent agenda is to be set at the Committee of the Whole meeting.
12. Other Ordinances, Resolutions and Motions
13. Public with Business to Present to Council
(any person may address the Council, for no more than five minutes, to discuss business relative to the City of Davenport).
14. Reports of City Officials
15. Any executive session meeting
16. Adjourn

The following is the customary order of business at Committee of the Whole meetings.

1. Moment of Silence
2. Pledge of Allegiance
3. Roll Call
4. Reports of City Officials
5. Public Hearings
6. Presentations to the Committee of the Whole, limited to five minutes each
7. Discussion of agenda items by topical area
 - a. Community Development
 - b. Public Safety
 - c. Public Works
 - d. Finance
8. Other Ordinances, Resolutions and Motions
9. Establishment of Discussion and Consent Agenda for City Council Meeting
10. Public with Business
(any person may address the Council, for no more than five minutes, to discuss business relative to the City of Davenport).
11. Reports of City Officials

- 12 Any executive session meeting
- 13 Adjourn

PRIORITY OF BUSINESS

Rule 10. All questions relating to the priority of business shall be decided without debate.

Rule 11. Council Members should address the Council no more than two (2) times on a single item of business; the Chair may enforce a strict limit if the Chair chooses.

DUTIES AND PRIVILEGES OF THE MAYOR/ CHAIR

Rule 12. The Mayor shall preserve order and decorum and shall decide all questions of order, subject to an appeal to the collective body meeting. The members of the body may override the decision of the Mayor by a two-thirds vote of those members present. The Mayor may set time limits and ground rules of process for public input for any given action item(s) appearing on the agenda; the default rules shall be one opportunity to speak with a 5 minute time limit, except for public hearings wherein there is no set time limit. The Chairs will read the items and conduct business for the topical portion of the committee of the whole meeting that corresponds with their respective chairships in accordance with these rules.

Rule 13. The Mayor may cast a vote only on questions upon which the City Council is equally divided. The Chair may vote on all items.

Rule 14. Prior to speaking, Council Members shall wait until they are recognized by the Mayor or Chair.

Rule 15. A Council Member called to order while speaking shall immediately cease speaking. The Council Member may appeal the decision to the members of the body and they shall decide the issue on appeal without further debate.

Rule 16. While a Council Member is speaking, no other member shall hold any private discourse or create a disturbance.

Rule 17. Each Council Member shall vote "yes" or "no" or "abstain" on each question. If there is an abstention, the reason for the abstention, including a conflict of interest, will be disclosed.

MOTIONS AND RESOLUTIONS

Rule 18. No motion or resolution shall be debated unless it is seconded. The Mayor / Chair may restate the motion before the vote upon it. A pending motion shall be reduced to writing if requested by the Mayor or two Council Members.

Rule 19. A motion or resolution may be withdrawn by its maker at any time before decision or amendment.

Rule 20. When a motion or resolution is entered into the minutes the name of the maker and second shall be entered also.

Rule 21. A roll call vote is required for the adoption of an ordinance, resolution, or motion (when the motion appears as a legislative action item on the discussion or consent portion of the city council agenda). The committee of the whole is primarily an agenda setting meeting for the next following City Council meeting, so accordingly all legislative action items on the committee of the whole agenda automatically advance to the next following City Council meeting unless the members table or otherwise delete the item.

Rule 22. When a question is under debate, a motion to table takes priority over other motions except a motion to adjourn.

Rule 23. Motion to Adjourn. A motion to adjourn the City Council is always in order except when adjournment was the last preceding motion. A simple motion to adjourn cannot be amended or debated; however, a motion to adjourn to a time certain is open to amendment and debate.

Chairships

Rule 24. Chairships. The Mayor shall appoint one Council Member as chair and one as vice chair for the areas of Community Development, Public Safety, Public Works, and Finance. The chair and vice chair shall act as liaisons between the Council and the staff in regards to these areas. As former Standing Committees are abolished, all Council Members and the Mayor may participate as of right in the debate or discussion of agenda items under these topical areas during committee of the whole meetings.

Rule 25. Other Special Council Chairships. The Mayor may appoint special council committees. All such special committees shall consist of three Council Members, unless some other number is specified. The Mayor shall appoint one of the Council Members as chair. All special committee reports shall briefly describe the matter referred, and the conclusion to which the committee arrived, to be stated in the form of a recommendation. The acceptance of a final report from a special committee shall discharge that committee.

Rule 26. Persons wishing to address the Council on specific issues are encouraged to attend meetings of the Committee of the Whole so that their comments may be taken into consideration when setting the agenda for the following Council meetings.

Rule 27. Chairs shall be mindful that the public is provided with the opportunity to speak to the items to be discussed.

SUSPENSION AND AMENDMENT OF RULES

Rule 28. These rules may be suspended by three-fourths vote of the members of the Council.

Rule 29. These rules may be amended at a regular council meeting by two-thirds vote of all members upon notice at a preceding regular meeting.

APPROPRIATIONS

Rule 30. Appropriations. No appropriation of City funds shall be passed by the Council at the same meeting it is first proposed; without unanimous consent. This provision does not apply to items previously budgeted by the Council.

ADDITIONAL AUTHORITY

Rule 31. The most recent version of the document entitled "Basic Procedures Used to Conduct Business in Davenport" is herein incorporated by reference.

Rule 32. The most 10th edition of Robert's Rules of Order shall serve as guidance on any question as to procedure not covered under these rules, "Basic Procedures Used to Conduct Business in Davenport", city ordinance or state law.

Basic Procedures Used to Conduct Business in Davenport

RULES & CUSTOMS

Intent Controls – Form does not trump substance. The intention of the body determines the result even if the Body's rules were not followed precisely. The official, approved minutes will be the definitive expression of the body's intent.

Compound motions are allowed - Compound motions are allowed and require only one vote unless a member requests the item be split into parts to be voted on separately.

Voice Vote v. Roll Call – Legislative agenda items on the Discussion and Consent Agendas (e.g. Ordinances, Resolutions, and Motions), Motion to Go into Executive Session, and Motions to Suspend the Rules require a roll call vote. Voice votes may be used for all other motions (approving minutes, reports, appointments, and proclamations; motions to table, delete, amend, substitute, reconsider, add to agenda by itself, adjourn and close debate; etc.). However, if a member requests a roll call on an item, a roll call will be conducted.

Acquiescence/Approval by Consent – If the mayor or chair takes action on an item or issue in the discussion, and no member challenges the action or requests a vote it will be deemed to have been acquiesced or consented to by the body. This result will not be true in the case of approval of items that require a roll call vote. If any member of the body requests staff take a lawful action that is clearly understood by staff and within its power, staff will take action unless another member of the body challenges the directive.

Withdrawing a motion – a pending motion can be withdrawn simply by the movant and the second stating a desire to withdraw the motion.

Friendly Amendment – a pending motion can be amended without a formal vote, so long as the movant and the second agree to the change and adopt it.

Clarification and Restatement – a pending motion can be clarified and restated prior to a vote by the movant and second.

“So moved” – The statement of a proposed or requested motion may be transformed into an actual motion by a member of the body by simply stating “so moved” as opposed to repeating the same.

MOTIONS

Motion to approve or “move the consideration” – once seconded begins the body's discussion of the agenda item. “Move the consideration” is the equivalent of a moving to approve.

Move to Amend – Voice vote. Once an item has been moved and seconded for consideration amendments may be offered. A motion to amend an amendment while it is pending is okay, but another layer of amendment is not.

Move to Table – No Debate is allowed on the motion, so an immediate voice vote is taken. Out of courtesy a member may say, “I am going to move to table this item later” in order to allow some

discussion prior to the actual motion being made. Unless another time is specified, a motion to table will put the matter aside until the next meeting cycle.

Move to Suspend the Rules – No Debate, roll call, approval by $\frac{3}{4}$ of the total membership of the body required for passage (i.e. 8 votes for Council meetings). This motion suspends all applicable and contrary rules to accomplish a particular goal that is otherwise prohibited. Can be combined with a motion to add something to the agenda in order to accomplish both aims with one vote instead of voting upon each separately (e.g. “I move to suspend the rules and add the following item(s) [read caption(s) of item]”).

Move to Add an Item or Items to the Agenda – No Debate, voice vote. This motion is frequently combined with a Motion to Suspend the Rules as noted above, in order to avoid two separate votes on each motion. If combined, a roll call and $\frac{3}{4}$ approval are necessary. Multiple items can be added in one motion if all are referenced in the motion.

Move to Pass Second and Third Consideration – Used to pass an ordinance in one Council cycle as opposed to the normal three cycles. By state law the rules must be suspended first.

Move to Reconsider – No Debate. Must be made later in the same meeting or at the next meeting of that body. Must be made by someone who voted with the prevailing side or was not present to vote. A Motion to Reconsider cannot be reconsidered. If the Motion to Reconsider passes, the action item is placed back on the agenda and must then be moved and voted upon again unless tabled.

Move to Delete – No Debate. Removes the action item from the Agenda until some new action is taken to reintroduce it. When reintroduced the item would start anew, but this motion is not the equivalent of a motion to approve the item being defeated. Not being the same makes a difference for the one year bar for a failed rezoning.

Motion to Substitute – No Debate. As opposed to doing a series of motions to amend, after explaining generally the changes desired a Motion to Substitute can be used to replace one greensheet with another greensheet prepared in advance that addresses the same subject matter and contains the changes.

Motion to Split – No Debate. If the main motion has more than one subpart, this motion is used to discuss and vote on the subparts separately.

“Call the Question” or Move to Close Debate – A phrase used to end debate and force an immediate vote on the pending motion. If Mayor begins a vote on the main motion without challenge from an Council Member, all Council Members will be deemed to have acquiesced or agreed to the closure of debate. If debate does not cease, then a second and vote is required to close the debate.

City of Davenport

Committee: Finance
Department: Human Resources
Contact Info: Dawn Sherman 326-6155
Wards: All

Action / Date
FIN3/18/2015

Subject:
Motion aproving the collective bargaining agreements for the AFSCME, AFSCME Library, and Transit unions. [All Wards]

Recommendation:
Approve the motion.

Relationship to Goals:
Financially Responsible City Government

Background:
The City and the AFSCME Local 887 union have successfully agreed to a three year contract.

The AFSCME union has voluntarily agreed to General Wage Increases of 2.0% for July 1, 2015; 2.0% on July 1, 2016; 2.0% on July 1, 2017. Employees will also receive a 0.5% increase to their 457 Deferred Compensation plan and a 1% City contribution to their Retirement Health Savings plan account. The Davenport Library and the AFSCME union agreed to the same financial terms.

The City and the Transit union have agreed to a one year contract. The union has agreed to a General Wage Increase of 2.5% effective July 1, 2015.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Answerer	Approved	3/12/2015 - 2:58 PM
Finance Committee	Answerer	Approved	3/12/2015 - 2:59 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 3:02 PM

City of Davenport

Committee: Finance
Department: Human Resources
Contact Info: Dawn Sherman 326-6155
Wards: All

Action / Date
FIN3/18/2015

Subject:

Motion approving a contract for pharmacy benefits management services to Express Scripts, Inc. of St Louis, MO. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government

Background:

A Request for Proposals was issued on August 1, 2014 and was sent to 12 vendors. On September 9, 2014, Purchasing opened two proposals.

A committee consisting of staff from different departments evaluated the proposals. The criteria used for evaluation were: (1) Overall costs to the plan and its members - 40%; (2) Administrative, member, account service capabilities, and flexibility - 20%; (3) Organizational strength and stability - 5%; (4) Demonstrated ability to manage trend and drug mix - 10%; (5) Clinical support to plan - 10%; (6) Pharmacy network and formulary administration - 10%; and (7) Advancing patient safety and population health - 5%.

After evaluating the proposals, the two companies were interviewed, allowing them the opportunity to present their services and clarify the product they were offering. Express Scripts, the City's current provider, was selected for the new contract. This is a three-year contract with two possible renewals.

Funding for this service comes from the HR account for Employee Health Benefits.

ATTACHMENTS:

Type	Description
□ Backup Material	TABULATION OF PROPOSALS

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Answerer	Approved	3/11/2015 - 2:35 PM
Finance Committee	Answerer	Approved	3/11/2015 - 2:35 PM
City Clerk	Admin, Default	Approved	3/11/2015 - 4:01 PM

CITY OF DAVENPORT, IOWA
TABULATION OF RFP

DESCRIPTION: PHARMACY BENEFIT MANAGEMENT SERVICES
RFP NUMBER: 15-12
OPENING DATE: AUGUST 29, 2014
GL ACCOUNT: 50460700 520236 EMPLOYEE BENEFITS INSURANCE
RECOMMENDATION: AWARD THE CONTRACT TO EXPRESS SCRIPTS INC.
OF ST. LOUIS, MISSOURI

<u>VENDOR NAME</u>	<u>LOCATION</u>
--------------------	-----------------

Express Scripts, Inc.	St. Louis, MO
UnitedHealthcare Services of the River Valley, Inc.	Moline, IL

Prepared By CWhitaker 3/12/15
Purchasing Date

Approved By Brooke Howell 03/12/2015
Department Director Date

Approved By Mallory Meppitt 3/12/2015
Budget/CIP Date

Approved By BW 3-12-2015
Finance Director Date

City of Davenport

Committee: Finance
Department: Public Works
Contact Info: Brian Stineman 888-2173
Wards: 3

Action / Date
FIN3/17/2015

Subject:

Motion 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.
[Ward 3]

Recommendation:

Award the contract.

Relationship to Goals:

Financially Responsible City Government

Background:

A request for bids was issued on December 19, 2014 and was sent to 314 contractors. On February 3, 2015, Purchasing received and opened three bids. Langman Construction, Inc., was the lowest responsive and responsible bidder.

The plans for the project were prepared by Public Works and include elements that meet the program requirements for State of Iowa State Revolving Funding. These elements of the project include permeable paver sidewalks, subdrains, and other decorative elements to aid in stormwater retention and runoff prevention. The proposed construction is to be completed before the Bix-related activities in the summer of 2015.

Funding for this project will come from the CIP 710037675 530350 10601. Source of funding is the State Revolving Loan Fund.

ATTACHMENTS:

Type	Description
▣ Backup Material	Bid Tab
▣ Backup Material	4th and Iowa Concept
▣ Backup Material	4th and Iowa Treepit

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Answerer	Approved	3/12/2015 - 11:36 AM
Finance Committee	Answerer	Approved	3/12/2015 - 11:36 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:28 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: STREETScape PROJECT - 4th STREET AND IOWA STREET
BID NUMBER: 15-80
OPENING DATE FEBRUARY 3, 2015
RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN CONSTRUCTION,
INC. OF ROCK ISLAND, IL

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>AMOUNT</u>
LANGMAN CONSTRUCTION, INC.	ROCK ISLAND, IL	\$203,205
KELLY CONSTRUCTION OF DAV, INC.	DAVENPORT, IA	\$203,711
VALLEY CONSTRUCTION CO.	ROCK ISLAND, IL	\$274.877

Prepared By C Whitale
Purchasing

Approved By M. J. Clark 11 March 2015
Department Director

Approved By Brandi Coz
Budget/CIP

Approved By BW
Finance Director



4TH & IOWA
CONCEPTUAL DESIGN PLAN
CITY OF DAVENPORT, IOWA

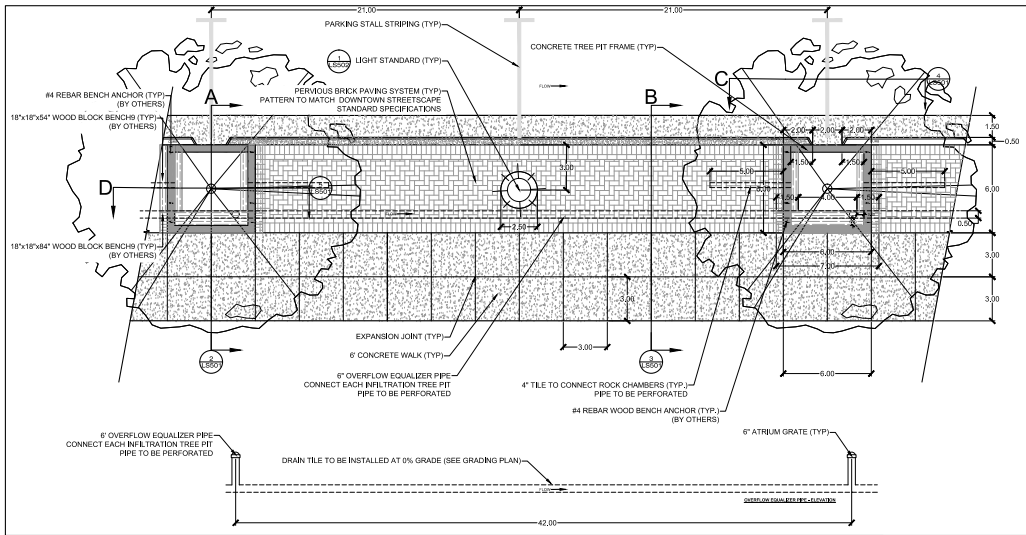
ISSUE DATE: MAY 14, 2012
DRAWN: ZP REVIEWED:
REV: # DATE DESCRIPTION

CONCEPT
PLAN

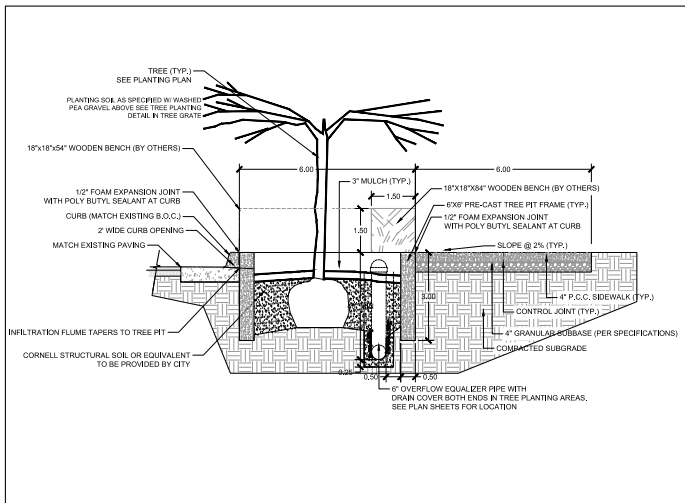
PROJECT NUM:

SHEET1

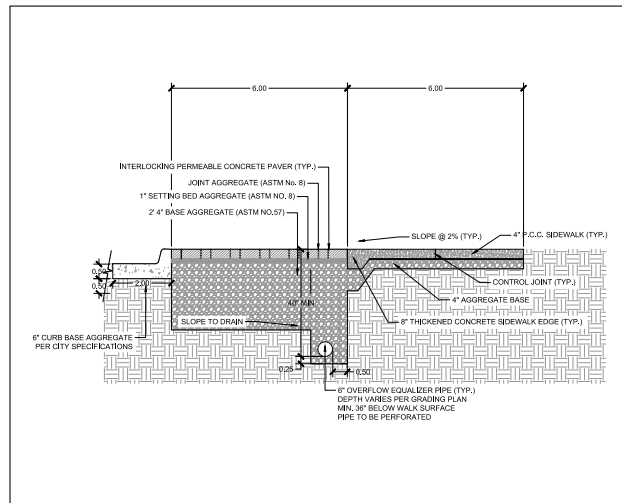
L-1



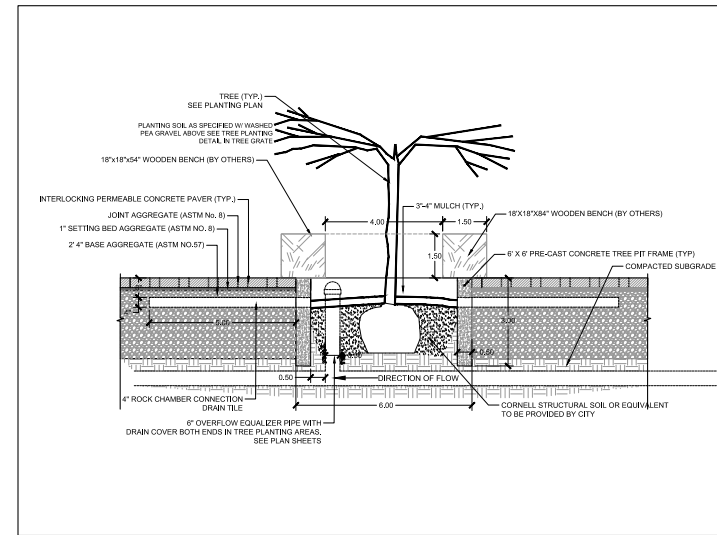
1
LS501 **PLAN VIEW TYPICAL INFILTRATION (6'X6' TREE PIT)**
SCALE 1/4"=1' 0"



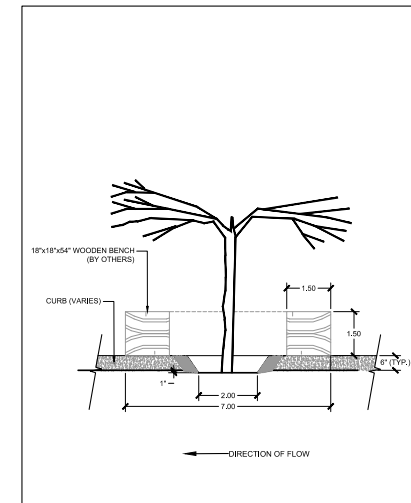
2
LS501 **CROSS-SECTION A INFILTRATION FLUME AND TREE PIT**
SCALE 1/2"=1' 0"



3
LS501 **CROSS-SECTION B PERVIOUS PAVING SYSTEM**
SCALE 1/2"=1' 0"



5
LS501 **CROSS SECTION D - PERMEABLE PAVING SYSTEM @ TREE PIT**
SCALE 1/2"=1' 0"



4
LS501 **ELEVATION C - CURB AND FLUME**
SCALE 1/2"=1' 0"



4TH & IOWA STREETSCAPE

CITY OF DAVENPORT, IOWA



ISSUE DATE: JUNE 06, 2014
DRAWN: ZCP REVIEWED: BS
REV: # DATE DESCRIPTION

95% BID SET

PROJECT NUM: 10200

SITE
DETAILS

SHEET NUMBER

LS501

City of Davenport

Committee: Finance
Department: Public Works
Contact Info: Nicholas Schmuecker 327-5162
Wards: 5

Action / Date
FIN3/18/2015

Subject:
Motion 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. [Ward 5]

Recommendation:
Award the contract.

Relationship to Goals:
Financially Responsible City Government

Background:
A request for bids was issued to 159 contractors on February 18, 2015. On March 11, 2015, the Purchasing Division received and opened six bids. Hometown Plumbing & Heating Co., Inc. of Davenport, IA was the lowest responsive and responsible bidder and is recommended for the contract.

The project is intended to eliminate storm water from the sanitary sewer at the Fulton Court cul-de-sac.

Funding for the project comes from CIP 71502695-530350-10143 with an available balance of \$224,910. The source of funding is from sewer bonds abated by sewer fees.

ATTACHMENTS:

Type	Description
Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Answerer	Approved	3/12/2015 - 11:37 AM
Finance Committee	Answerer	Approved	3/12/2015 - 11:37 AM
City Clerk	Admin, Default	Approved	3/12/2015 - 12:28 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: SEWER SEPARATION AT FULTON COURT
BID NUMBER: 15-100
OPENING DATE: MARCH 11, 2015
RECOMMENDATION: AWARD THE CONTRACT TO HOMETOWN PLUMBING &
HEATING CO., INC. OF DAVENPORT, IA

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>AMOUNT</u>
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HOMETOWN PLUMBING & HEATING CO., INC.	DAVENPORT, IA	\$56,095
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LEGACY CORPORATION OF IL	EAST MOLINE, IL	\$57,800
LANGMAN CONSTRUCTION, INC	ROCK ISLAND, IL	\$68,006
VALLEY CONSTRUCTION CO.	ROCK ISLAND, IL	\$71,233
HAGERTY EARTHWORKS LLC	MUSCATINE, IA	\$73,546
MILLER TRUCKING & EXCAVATING	SILVIS, IL	\$92,847

Prepared By


Purchasing

Approved By


Department Director

Approved By


Budget/CIP

Approved By


Finance Director

City of Davenport

Committee: Finance
Department: Parks and Recreation
Contact Info: Scott Hock
Wards: 1 & 6

Action / Date
3/18/2015

Subject:

Motion approving the agreement between the City of Davenport and the most responsive and responsible vendor for golf professional and other services at Duck Creek and Emeis golf courses for the 2015 golf season. [Wards 1 & 6] **Please note the motion will be voted on when Committee of the Whole reconvenes. Staff recommends a substitution.**

Recommendation:

Approve the Motion

Relationship to Goals:

Financially Responsible City Government

Background:

The last agreements expired at the end of the 2014 golf season. We encourage our golf professional to continue to be more accountable and responsible in seeing our golf program succeed.

On February 23, 2015, the Purchasing Division issued an RFQ for professional golf services at Emeis and Duck Creek golf courses combined. Responses are due March 2, 2015. The Parks and Recreation Department will evaluate all submissions and decide which contractor best meets their needs for this season.

The scoring criteria used for the RFQ were: (1) level of interest, completeness and quality content per the submittal stating level of interest and willingness to perform; (2) experience, recent training, education, experience and qualification relating to the services requested; (3) management, outlined approach to the revenue generation and cost controls matching the goals of the Golf Division; and (4) customer service, philosophy on customer service for the golf facilities and how they can match the mission of the Parks and Recreation Department.

Funding for this contract is from the Golf Enterprise Fund.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	3/12/2015 - 4:24 PM

City of Davenport

Committee: Finance
Department: Finance/Purchasing
Contact Info: Kristi Keller 888-2077
Wards: All

Action / Date
FIN3/18/2015

Subject:

- a. Graybar Electric Co. - Fiber to Transload Facility - Amount: \$21,208
- b. Johnson Contracting Co. - Emergency HVAC at Freight House - Amount: \$13,015

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Answerer	Approved	3/12/2015 - 3:04 PM
Finance Committee	Answerer	Approved	3/12/2015 - 3:05 PM
City Clerk	Admin, Default	Approved	3/12/2015 - 3:07 PM

City of Davenport

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

Action / Date
3/18/2015

Subject:
Motion for suspension of the rules to vote on the following item:

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/17/2015 - 12:22 PM

City of Davenport

Committee: Finance
Department: Parks & Recreation
Contact Info: Scott Hock
Wards: 1 & 6

Action / Date
FIN3/18/2015

Subject:

Motion 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. [Wards 1 & 6]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially responsible city government.

Background:

The last agreements expired at the end of the 2014 golf season. The City continues to encourage its golf professionals to continue to be more accountable and responsible in ensuring that the golf program succeed.

The Parks & Recreation Department recommends approving golf pro contracts with Mr. Matthew Hasley and Mr. Ronnie Thrapp for the 2015 golf season. Mr. Hasley will perform golf pro duties at Duck Creek Golf Course and Mr. Thrapp will perform golf pro duties at Emeis Golf Course. Golf pros are selected based on their experience, level of interest, management ability, and customer service.

Funding for this contract is from the Golf Enterprise Fund.

ATTACHMENTS:

Type	Description
▢ Backup Material	Golf Pro Contract - Hasley
▢ Backup Material	Golf Pro Contract - Thrapp

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	3/17/2015 - 12:37 PM

**AGREEMENT BETWEEN
CITY OF DAVENPORT AND GOLF PROFESSIONAL**

Draft 3/13/15

This agreement, made and executed this ____th day of March 2015, between the City of Davenport, Iowa, (hereinafter referred to as “City”) and Matthew Hasley, (hereinafter referred to as “Golf Professional.”)

WHEREAS, the City of Davenport, Iowa, operates a public golf course and desires to establish a relationship with a Professional Golfers’ Association (PGA) certified golf professional in order to offer golfers a wide range of services including group lessons, individual instruction, video taping, handicapping and a complete line of golf equipment and attire; and

WHEREAS, Matthew Hasley is a competent golf professional willing and able to provide those services to the City of Davenport who desires an exclusive right to provide such services in cooperation with the City of Davenport; and

WHEREAS, the public welfare, comfort and convenience of the residents of the City of Davenport will be served and the public facilities of the golf course will be enhanced by the establishment of an agreement between the parties to provide the services of a golf professional in conjunction with the operation of the City’s public golf course.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, it is agreed by and between the parties hereto as follows:

1. **TERM.** The City hereby agrees to retain the services of the Golf Professional for a one year period beginning when executed, and ending on the 31st day of December of said year.
2. **RENEWAL.** This agreement shall not have any automatic renewals.
3. **CONTRACT FEE.** The City shall pay to the Golf Professional the following sums: (a) \$48,000.00 annually; (b) five percent (5%) of the gross golf car rental fees received at Duck Creek Golf Course, payable bi-weekly, (c) eight percent (8%) of the gross range revenue, payable bi-weekly.
4. **INCENTIVE CONTRACT FEE.** In addition to the Base Contract Fee, the City shall provide the following incentive pay to the Golf Professional in an amount not to exceed \$5,000 for any single golf season (calendar year) dependent on measured performance according to the following metrics:
 - a. Total Number of Paid League/Outing Rounds at Duck Creek golf course.

i. Increase of 2% over prior year	\$750
ii. Increase of 3% over prior year	\$1,250
iii. Increase of 4% over prior year	\$2,000
iv. Increase of 5% over prior year	\$3,000
v. Increase of 7% or more	\$4,000
 - b. Total Number of Paid Golf Rounds, excluding League/Outing Rounds at Duck Creek golf course.

i. Increase of 2% over prior year	\$750
ii. Increase of 3% over prior year	\$1,250
iii. Increase of 4% over prior year	\$2,000
iv. Increase of 5% over prior year	\$3,000
v. Increase of 7% over prior year	\$4,000

It is understood that although the incentive totals in 5(a) and 5(b) may add up to more than \$5,000, the maximum amount of Incentive Contract Fee payable in any single golf season is limited to \$5,000. The Incentive Contract Fee shall be paid to Golf Professional no more than 30 days following the end of the golf season, if applicable.

5. REVENUE. The Golf Professional shall be entitled to retain all gross receipts received from giving golf lessons, rental of pull carts, rental of golf clubs, club repair sales, handicap service, and sales of merchandise through the pro shop at Duck Creek Golf Course and shall be responsible for payment of taxes related thereto.
6. DUTIES OF GOLF PROFESSIONAL. The Golf Professional shall provide the following services at Duck Creek Golf Course:
 - a. Offer and provide golf instruction, lessons and teaching to the general public on the premises of Duck Creek Golf Course for compensation by those receiving the instruction, lessons, and teaching;
 - b. Provide and offer for sale typical pro shop merchandise and operate the pro shop at Duck Creek Golf Course on a daily basis; the Golf Professional shall not make purchases with nor pledge the credit of the City in order to make purchases;
 - c. Organize and conduct an annual city tournament at predetermined date, including leagues, outings and a junior golf program in cooperation with the Parks and Recreation department;
 - d. Assist in the planning and operation of special events at Duck Creek Golf Course;
 - e. Devote adequate time and attention to the duties set forth in this agreement, and use his best efforts to promote the interests and welfare of the City and will not engage in any business not contemplated by or within the scope of this agreement;
 - f. Conduct himself at all times and in all matters in accordance with the standards accepted for golf professionals as established by the Professional Golfers' Association;
 - g. Render such professional advice, opinions, assistance and services when requested by the City;
 - h. Have or timely maintain a Class "A" Head Professional PGA certification and maintain his membership in good standing with the PGA during this agreement;

- i. Cooperate with the Parks and Recreation Department of the City to promote the enjoyable use and operation of the City's golf courses by regularly attending meetings, some of which may include department-wide meetings;
- j. Ensure that renters of motorized golf cars are qualified and knowledgeable in the operation of such cars and shall enforce all rules and regulations regarding the safe operation of said cars;
- k. Assist with the daily cleaning and maintenance of the motorized golf car rental fleet;
- l. Organize and conduct tournaments, leagues, outings and a junior golf program in cooperation with the Parks and Recreation Department;
- m. Pay any and all sales or other taxes that may be levied on any services provided under this agreement, except taxes related to car rentals which are payable by the City;
- n. Not construct, remodel or reconstruct any part of the buildings and fixtures located on the City's golf courses without receiving prior written permission from the Director of the Parks and Recreation Department;
- o. The Golf Professional does not have express authority to contract on behalf of the City to any third party and shall not enter into any contract or otherwise bind the City in any way without the express written authorization from the City. Any contracts that the Golf Professional enters into without the City's authority will not be binding on the City, and the Golf Professional shall defend, indemnify and hold the City harmless against any claims or loss alleged as a result of a breach of this provision;
- p. Execute site leadership, in the absence of Golf Manager and Superintendent of Revenue Facilities, to resolve all issues, including, but not limited to, effective facility functioning and customer experience; and
- q. Handle and make every possible attempt to solve customer complaints and problems to provide the best customer service.

7. DUTIES OF CITY. The City shall:

- a. Allow space within the clubhouse at Duck Creek Golf Course in which the Golf Professional shall operate a pro shop adequate and customary for the season. Such space shall include the provision of built-in fixtures, shelves, utilities and local telephone service;
- b. Secure and provide a sufficient number of motorized golf cars for rental by the Golf Professional to patrons of the golf courses to meet the needs of the public;
- c. Operate and maintain the golf courses in a manner that will encourage maximum availability and utilization by the public;

- d. Cooperate with the Golf Professional to promote the most efficient and enjoyable use of the golf courses; and
- e. Shall collect all revenues, except those related to the provision of golf lessons and teaching.

8. OTHER TERMS.

- a. The golf season at the City's golf courses shall be determined by the Director of the Parks and Recreation Department, in consultation with the Senior Golf Manager and the Golf Professional, but the Director shall make the final determination;
- b. In the event the Golf Professional is permanently disabled from being a Golf Professional during the term of this agreement due to physical or mental disability, then and in that event this agreement shall terminate and the Golf Professional shall only be entitled to be paid for amounts due and owing to the date of termination due to his disability;
- c. The Golf Professional is an independent contractor as contemplated in Iowa Code §85.61(13) and will not be covered by the City's workers' compensation insurance benefits, or any other benefits received by city employees;
- d. The Golf Professional shall comply with all provisions of the Child Labor Deterrence Act.
- e. The Golf Professional covenants and warrants that he has no personal or financial interest, direct or indirect, which would in any manner conflict with the performance of services covered by this agreement and he will not engage in any business not contemplated by or within the scope of this agreement; and
- f. The Golf Professional shall have the exclusive right and privilege to provide the services covered by this agreement on the City's golf courses.

9. INDEMNIFICATIONS and INSURANCE. The City shall not be liable to the Golf Professional for any loss or damage of property or merchandise owned by the Golf Professional located on property owned by the City. The Golf Professional shall be responsible for obtaining insurance to cover such loss or damage as well as general liability insurance coverage in an amount satisfactory to the City, which insurance policy shall also include the City for the purpose of receiving prior notice of the cancellation or non-renewal of the policy.

10. TERMINATION.

- a. Either party may terminate this agreement through non-renewal of the agreement by giving written notice to the other party at least thirty (30) days prior to the expiration of the term;

- b. If the Golf Professional violates any of the provisions of this agreement, the City may immediately terminate this agreement for cause, by giving written notice to the Golf Professional, without further obligation except to pay the Golf Professional for compensation and net income earned prior to the date of the termination of this contract; and
 - c. Upon termination, the Golf Professional will promptly remove all personal property of the Golf Professional from the clubhouse and course at Duck Creek Golf Course. Any property or belongings of the Golf Professional remaining in the clubhouse or on Duck Creek Golf Course more than thirty (30) days after the date of termination shall be deemed abandoned by the Golf Professional and shall become the property of the City.
11. NOTICE. Any notice, request, approval or consent required under this agreement shall be given in writing and shall be delivered in person or mailed by certified mail at the address set forth herein or as a party has subsequently directed by written notice.
11. LAW. This agreement is made under and shall be governed by the laws of the State of Iowa.
12. This agreement sets forth the entire agreement between the parties hereto. This agreement cannot be changed or amended other than by in writing, signed and executed by both parties.
13. At the end of each golf season, there will be a review of the terms of the contract. However, Davenport Parks and Recreation has the ability to terminate this agreement with a thirty day notice.

This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter hereof and supersedes all prior discussions between them.

ACCEPTED AND AGREED TO THIS _____ DAY OF _____, 20____.

BY: _____

_____, Golf Pro

BY: _____

_____, Witness

BY: _____

Scott Hock, Director

BY: _____

Troy Evans, Superintendent

**AGREEMENT BETWEEN
CITY OF DAVENPORT AND GOLF PROFESSIONAL**

Draft 3/13/15

This agreement, made and executed this ____th day of March 2015, between the City of Davenport, Iowa, (hereinafter referred to as “City”) and Ronnie W. Thrapp, (hereinafter referred to as “Golf Professional.”)

WHEREAS, the City of Davenport, Iowa, operates a public golf course and desires to establish a relationship with a Professional Golfers’ Association (PGA) certified golf professional in order to offer golfers a wide range of services including group lessons, individual instruction, video taping, handicapping and a complete line of golf equipment and attire; and

WHEREAS, Ronnie W. Thrapp is a competent golf professional willing and able to provide those services to the City of Davenport who desires an exclusive right to provide such services in cooperation with the City of Davenport; and

WHEREAS, the public welfare, comfort and convenience of the residents of the City of Davenport will be served and the public facilities of the golf course will be enhanced by the establishment of an agreement between the parties to provide the services of a golf professional in conjunction with the operation of the City’s public golf course.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, it is agreed by and between the parties hereto as follows:

1. **TERM.** The City hereby agrees to retain the services of the Golf Professional for a one year period beginning when executed, and ending on the 31st day of December of said year.
2. **RENEWAL.** This agreement shall not have any automatic renewals.
3. **CONTRACT FEE.** The City shall pay to the Golf Professional the following sums: (a) \$51,258.22.00 annually; (b) five percent (5%) of the gross golf car rental fees received at Emeis Golf Course, payable bi-weekly, (c) eight percent (8%) of the gross range fees, payable bi-weekly.
4. **INCENTIVE CONTRACT FEE.** In addition to the Base Contract Fee, the City shall provide the following incentive pay to the Golf Professional in an amount not to exceed \$5,000 for any single golf season (calendar year) dependent on measured performance according to the following metrics:
 - a. Total Number of Paid League/Outing Rounds at Emeis Golf course.
 - i. Increase of 2% over prior year \$750
 - ii. Increase of 3% over prior year \$1,250
 - iii. Increase of 4% over prior year \$2,000
 - iv. Increase of 5% over prior year \$3,000
 - v. Increase of 7% or more \$4,000
 - b. Total Number of Paid Golf Rounds, excluding League/Outing Rounds at Emeis golf course.

i. Increase of 2% over prior year	\$750
ii. Increase of 3% over prior year	\$1,250
iii. Increase of 4% over prior year	\$2,000
iv. Increase of 5% over prior year	\$3,000
v. Increase of 7% over prior year	\$4,000

It is understood that although the incentive totals in 5(a) and 5(b) may add up to more than \$5,000, the maximum amount of Incentive Contract Fee payable in any single golf season is limited to \$5,000. The Incentive Contract Fee shall be paid to Golf Professional no more than 30 days following the end of the golf season, if applicable.

5. **ADDITIONAL BENEFIT.** Annual Dues paid for Sectional (PGA) Professional Golfers Association upon receipt.
6. **REVENUE.** The Golf Professional shall be entitled to retain all gross receipts received from giving golf lessons, rental of pull carts, rental of golf clubs, club repair sales, handicap service, and sales of merchandise through the pro shop at Emeis Golf Course and shall be responsible for payment of taxes related thereto.
7. **DUTIES OF GOLF PROFESSIONAL.** The Golf Professional shall provide the following services at Emeis Golf Course:
 - a. Offer and provide golf instruction, lessons and teaching to the general public on the premises of Emeis Golf Course for compensation by those receiving the instruction, lessons, and teaching;
 - b. Provide and offer for sale typical pro shop merchandise and operate the pro shop at Emeis Golf Course on a daily basis; the Golf Professional shall not make purchases with nor pledge the credit of the City in order to make purchases;
 - c. Organize and conduct an annual city tournament at predetermined date, including leagues, outings and a junior golf program in cooperation with the Parks and Recreation department;
 - d. Assist in the planning and operation of special events at Emeis Golf Course;
 - e. Devote adequate time and attention to the duties set forth in this agreement, and use his best efforts to promote the interests and welfare of the City and will not engage in any business not contemplated by or within the scope of this agreement;
 - f. Conduct himself at all times and in all matters in accordance with the standards accepted for golf professionals as established by the Professional Golfers' Association;
 - g. Render such professional advice, opinions, assistance and services when requested by the City;

- h. Have and maintain a Class “A” Head Professional PGA certification and maintain his membership in good standing with the PGA during this agreement;
- i. Cooperate with the Parks and Recreation Department of the City to promote the enjoyable use and operation of the City’s golf courses by regularly attending meetings, some of which may include department-wide meetings;
- j. Ensure that renters of motorized golf cars are qualified and knowledgeable in the operation of such cars and shall enforce all rules and regulations regarding the safe operation of said cars;
- k. Assist with the daily cleaning and maintenance of the motorized golf car rental fleet;
- l. Organize and conduct tournaments, leagues, outings and a junior golf program in cooperation with the Parks and Recreation Department;
- m. Pay any and all sales or other taxes that may be levied on any services provided under this agreement, except taxes related to car rentals which are payable by the City;
- n. Not construct, remodel or reconstruct any part of the buildings and fixtures located on the City’s golf courses without receiving prior written permission from the Director of the Parks and Recreation Department;
- o. The Golf Professional does not have express authority to contract on behalf of the City to any third party and shall not enter into any contract or otherwise bind the City in any way without the express written authorization from the City. Any contracts that the Golf Professional enters into without the City’s authority will not be binding on the City, and the Golf Professional shall defend, indemnify and hold the City harmless against any claims or loss alleged as a result of a breach of this provision;
- p. Execute site leadership, in the absence of Golf Manager and Superintendent of Revenue Facilities, to resolve all issues, including, but not limited to, effective facility functioning and customer experience; and
- q. Handle and make every possible attempt to solve customer complaints and problems to provide the best customer service.

8. DUTIES OF CITY. The City shall:

- a. Allow space within the clubhouse at Emeis Golf Course in which the Golf Professional shall operate a pro shop adequate and customary for the season. Such space shall include the provision of built-in fixtures, shelves, utilities and local telephone service;
- b. Secure and provide a sufficient number of motorized golf cars for rental by the Golf Professional to patrons of the golf courses to meet the needs of the public;

- c. Operate and maintain the golf courses in a manner that will encourage maximum availability and utilization by the public;
- d. Cooperate with the Golf Professional to promote the most efficient and enjoyable use of the golf courses; and
- e. Shall collect all revenues, except those related to the provision of golf lessons and teaching.

9. OTHER TERMS.

- a. The golf season at the City's golf courses shall be determined by the Director of the Parks and Recreation Department, in consultation with the Golf Operations Manager and the Golf Professional, but the Director shall make the final determination;
- b. In the event the Golf Professional is permanently disabled from being a Golf Professional during the term of this agreement due to physical or mental disability, then and in that event this agreement shall terminate and the Golf Professional shall only be entitled to be paid for amounts due and owing to the date of termination due to his disability;
- c. The Golf Professional is an independent contractor as contemplated in Iowa Code §85.61(13) and will not be covered by the City's workers' compensation insurance benefits, or any other benefits received by city employees;
- d. The Golf Professional shall comply with all provisions of the Child Labor Deterrence Act.
- e. The Golf Professional covenants and warrants that he has no personal or financial interest, direct or indirect, which would in any manner conflict with the performance of services covered by this agreement and he will not engage in any business not contemplated by or within the scope of this agreement; and
- f. The Golf Professional shall have the exclusive right and privilege to provide the services covered by this agreement on the City's golf courses.

10. INDEMNIFICATIONS and INSURANCE. The City shall not be liable to the Golf Professional for any loss or damage of property or merchandise owned by the Golf Professional located on property owned by the City. The Golf Professional shall be responsible for obtaining insurance to cover such loss or damage as well as general liability insurance coverage in an amount satisfactory to the City, which insurance policy shall also include the City for the purpose of receiving prior notice of the cancellation or non-renewal of the policy.

11. TERMINATION.

- a. Either party may terminate this agreement through non-renewal of the agreement by giving written notice to the other party at least thirty (30) days prior to the expiration of the term;
- b. If the Golf Professional violates any of the provisions of this agreement, the City may immediately terminate this agreement for cause, by giving written notice to the Golf Professional, without further obligation except to pay the Golf Professional for compensation and net income earned prior to the date of the termination of this contract; and
- c. Upon termination, the Golf Professional will promptly remove all personal property of the Golf Professional from the clubhouse and course at Emeis Golf Course. Any property or belongings of the Golf Professional remaining in the clubhouse or on Emeis Golf Course more than thirty (30) days after the date of termination shall be deemed abandoned by the Golf Professional and shall become the property of the City.

12. NOTICE. Any notice, request, approval or consent required under this agreement shall be given in writing and shall be delivered in person or mailed by certified mail at the address set forth herein or as a party has subsequently directed by written notice.

11. LAW. This agreement is made under and shall be governed by the laws of the State of Iowa.

12. This agreement sets forth the entire agreement between the parties hereto. This agreement cannot be changed or amended other than by in writing, signed and executed by both parties.

13. At the end of each golf season, there will be a review of the terms of the contract. However, Davenport Parks and Recreation has the ability to terminate this agreement with a thirty day notice.

This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter hereof and supersedes all prior discussions between them.

ACCEPTED AND AGREED TO THIS _____ DAY OF _____, 20____.

BY: _____

_____, Golf Pro

BY: _____

_____, Witness

BY: _____

Scott Hock, Director

BY: _____

Troy Evans, Superintendent