

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, MARCH 2, 2021; 5:00 PM

CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

A PARTIALLY ELECTRONIC MEETING IS BEING HELD BECAUSE A FULLY "IN PERSON" MEETING IS IMPRACTICAL DUE TO CONCERNS FOR THE HEALTH AND SAFETY OF COUNCIL MEMBERS, STAFF, AND THE PUBLIC PRESENTED BY COVID-19, AND TO FOLLOW THE GOVERNOR'S PROCLAMATION AND THE MAYOR'S EXECUTIVE ORDER DIRECTING SOCIAL DISTANCING AND PLACING RESTRICTIONS ON GATHERINGS. IN PERSON ATTENDANCE BY THE GENERAL PUBLIC AT ANY CITY OF DAVENPORT PUBLIC MEETING WITHIN ITS FACILITIES SHALL BE LIMITED TO 10 PERSONS.

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the February 16, 2021 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case REZ21-01: Request of Dan Lorentzen on behalf of Rock Church Ministries Inc. to rezone Parcel P1304-02C from S-OS Open Space District to R-1 Single-Family Residential District to allow for the construction of a church [Ward 7].

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
3/2/2021

Subject:
Consideration of the February 16, 2021 meeting minutes.

Recommendation:
Approve the minutes.

ATTACHMENTS:

Type	Description
▣ Backup Material	Meeting Minutes 2-16-21

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	2/22/2021 - 11:50 AM

MINUTES

PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, FEBRUARY 16, 2021; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

A PARTIALLY ELECTRONIC MEETING IS BEING HELD BECAUSE A FULLY “IN PERSON” MEETING IS IMPRACTICAL DUE TO CONCERNS FOR THE HEALTH AND SAFETY OF COUNCIL MEMBERS, STAFF, AND THE PUBLIC PRESENTED BY COVID-19, AND TO FOLLOW THE GOVERNOR’S PROCLAMATION AND THE MAYOR’S EXECUTIVE ORDER DIRECTING SOCIAL DISTANCING AND PLACING RESTRICTIONS ON GATHERINGS. IN PERSON ATTENDANCE BY THE GENERAL PUBLIC AT ANY CITY OF DAVENPORT PUBLIC MEETING WITHIN ITS FACILITIES SHALL BE LIMITED TO 10 PERSONS.

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. Roll Call

Present: Schneider, Lammers, Medd, Johnson, Tallman, Inghram, Hepner, Brandsgard, Reinarts, Maness, Garrington
Staff: Berkley, Werderitch

II. New Business

- A. Case REZ21-01: Request of Dan Lorentzen on behalf of Rock Church Ministries Inc. to rezone Parcel P1304-02C from S-OS Open Space District to R-1 Single-Family Residential District to allow for the construction of a church [Ward 7].

Werderitch provided an overview of the case. Joshua Arguello, project Architect, presented the proposed site layout and conceptual design to the Commission. An abutting property owner spoke in opposition of the proposed zoning map amendment. Concerns raised during the public hearing included preserving the natural landscape and site access. Dan Lorentzen, petitioner, answered questions during the public hearing. The Commission inquired staff about the zoning designation of the property prior to the adoption of the new ordinance in 2019.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Lammers, Medd, Johnson, Tallman, Inghram, Hepner, Brandsgard, Reinarts, Maness, Garrington
Staff: Berkley, Werderitch

II. Report of the City Council Activity

III. Secretary's Report

A. Consideration of the February 2, 2021 meeting minutes.

Motion by Tallman, second by Hepner to approve the February 2, 2021 meeting minutes. Motion to approve was unanimous by voice vote.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

- i. Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of alley in Block 96 of LeClaire's 8th Addition [Ward 3].

Berkley introduced the case. At the February 2, 2021 Plan & Zoning Commission meeting, the Commission voted to table a decision on the alley in Block 96 of LeClaire's 8th Addition to allow the petitioner time to address concerns of the existing utilities located within the alley. The utilities have agreed to the relocation of their infrastructure to a proposed 15 foot utility easement running from the remaining portion of the alley north to 12th Street. This will be captured in a future subdivision.

Staff recommends the City Plan and Zoning Commission accept the listed findings for the alley in Block 96 of LeClaire's 8th Addition in Case ROW20-02 to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The proposed right of way vacation would not impact adjacent property owners with the proposed ingress/egress easement; and
2. A utility easement would preserve the rights for utility providers maintaining utilities.

Conditions:

1. A 15 foot utility easement shall be dedicated for the preservation and maintenance of public utilities.
2. An ingress/egress easement shall be provided from the alley to 12th Street.

Motion by Maness, second by Tallman to approve the right-of-way vacation of the alley in Block 96 of LeClaire's 8th Addition. Motion to approve was unanimous by voice vote.

B. New Business

- i. Case F21-01 of Chris Townsend on behalf of Don Shewry for final plat West Lake Business Park 4th Addition on 3.2 acres, being a replat of lot 2 West Lake Business Park 3rd Addition (PIN T2435-02) located at 7630 Louis Rich Court containing 2 industrial lots. [Ward 1]

Berkley provided an overview of the final plat. Mike Richmond, Townsend Engineering, was present to answer questions pertaining to utility easements.

Staff recommend the City Plan and Zoning Commission forward F21-01 to the City Council with a recommendation for approval subject to the following:

1. A note shall be added to the plat listing the party(s) responsible for maintenance of the storm water basin.
2. Record the easement for maintenance access.
3. Note #9 shall be made to match the easement ('Storm water detention and water quality treatment easement').
4. Update the Maintenance Plan (signed agreement shall be needed prior to the plat being signed).

Motion by Maness, second by Hepner to approve Case F21-01 to the City Council with a recommendation for approval subject to conditions. Motion to approve was unanimous by voice vote.

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

The meeting adjourned at 5:32 pm.

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
3/2/2021

Subject:

Case REZ21-01: Request of Dan Lorentzen on behalf of Rock Church Ministries Inc. to rezone Parcel P1304-02C from S-OS Open Space District to R-1 Single-Family Residential District to allow for the construction of a church [Ward 7].

Recommendation:

Staff recommends Case REZ21-01 be forwarded to the City Council with a recommendation for denial.

Findings:

1. The proposed amendment does not promote the orderly development of Davenport in accordance with the Comprehensive Plan and adopted land use policies.
2. The rezoning petition does not promote the preservation, protection, and conservation of natural resources.
3. The existing S-OS Open Space District is compatible with the zoning of nearby property.

Background:

The petitioner is requesting a rezoning to R-1 Single-Family Residential District to allow for construction of a church. The S-OS Open Space District does not permit places of worship. A rezoning to R-1 Single-Family Residential District is the least intensive zoning classification that permits a church.

The 3.53 acre lot is located south of 46th Street and west of the railroad tracks. Deere Creek flows through the southeast corner of the parcel. The wooded lot also contains 100 year flood plain overlay, making the eastern portion of the property undevelopable.

The vacant parcel does not contain any street frontage. A fifteen foot private easement abuts the railroad right-of-way on the east lot line connecting the site to 46th Street. However, the private easement is not practical in offering ingress and egress to the property given the topography and proximity to Deere Creek. In order to develop the property, the owner will have to purchase additional property or create a new private easement along the west lot line for access to 46th Street.

Comprehensive Plan:

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

Future Land Use Designations: The property is designated Parks and Recreation (PR) in the Davenport +2035 Land Use Plan. The Future Land Use Designation would need to be amended to Residential General (RG) through the adoption of a resolution by City Council.

1. **Parks and Recreation (PR)** – Designates major developed parks, recreation areas, golf courses, cemeteries, etc. Park or recreation properties can be located in any zoning district. Smaller parks may not appear on the map because of the more general nature and scale of the

map. But, it is implied in Residential General (RG) that small neighborhood parks are included.

2. **Residential General (RG)** – Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

Zoning:

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

The applicant is requesting a rezoning of the property to R-1 Single-Family Residential District. This district is intended to accommodate the lowest-density single-family neighborhoods within the City of Davenport, exhibiting a predominantly semi-suburban development pattern of large lots and generous yards. The R-1 district is the least intensive residential zoning classification that allows for places of worship.

Technical Review:

City Departments and Utility Companies have reviewed the proposed rezoning petition. Sanitary sewer is present along the east lot line and on the parcel directly south of the subject property. All other utilities must be brought to the site through utility easements at the owner's expense. The City of Davenport will not permit propane tanks to service the building.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the February 2, 2021 Plan and Zoning Commission Public Hearing. Since the applicant was not in attendance, the Commission voted to table the item for one meeting cycle.

To date, staff has not received any written responses from adjacent property owners. The property owner at 1603 McCormick Place spoke in opposition at the Plan and Zoning Commission public hearing on February 16, 2021.

A Notice of Public Hearing has been published in the Quad City Times.

Staff will apprise the Commission of any correspondence at the March 2, 2021 Plan and Zoning Commission Public Hearing.

Why is a Zoning Map Amendment Required?

The Zoning Ordinance does not permit a place of worship in the S-OS Open Space District. The R-1 Single-Family Residential District is the least intensive residential zoning classification that allows for a new church to be constructed.

Approval Standards for Map Amendments (Chapter 17.14.040)

The Plan and Zoning Commission recommendation and the City Council decision on any zoning

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

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

Staff Response: The property is designated Parks and Recreation (PR) in the Davenport +2035 Land Use Plan. The proposed church is incompatible with the future land use category description, which is intended for developed parks, recreation areas, golf courses, and cemeteries. The surrounding area south of 46th Street and west of the railroad tracks consists of cemeteries, creeks, floodplain, and wooded areas. Instead, the proposed church development fits the criteria for Residential General (RG).

It is staff's opinion that the proposed amendment does not promote the orderly development of Davenport in accordance with the Comprehensive Plan and adopted land use policies.

However, if the Plan and Zoning Commission recommends approval, then a condition shall be placed on the Zoning Map Amendment requesting City Council to adopt a resolution amending the Future Land Use Designation from Parks and Recreation (PR) to Residential General (RG).

- b. The compatibility with the zoning of nearby property.

Staff Response: The subject parcel is surrounded by S-OS Open Space District to the north, west, and south. The City of Davenport Public Works Facility and other I-1 Light Industrial District and I-2 Heavy Industrial District properties are north of 46th Street. The parcel is removed from the residential neighborhoods to the east by the railroad tracks. Mt. Calvary Cemetery, Davenport Memorial Park, Pine Hill Cemetery, and Mt. Nebo Cemetery are directly south of Goose Creek and also zoned S-OS Open Space District.

It is staff's opinion that the proposed amendment is not compatible with the zoning of nearby property.

- c. The compatibility with established neighborhood character.

Staff Response: The established character of the area south of 46th Street and west of the railroad tracts is predominately open space. While there is residential to the east of the site, there is a clear delineation of uses separated by the railroad tracks. Directly abutting the subject parcel to the north, west, and south are undeveloped wooded areas and creeks. Removing vegetation to construct a building, off-street parking, and an access drive to 46th Street will diminish the natural characteristics of the area.

In addition, the subject parcel does not have street frontage along a public right-of-way. The three properties directly north are under separate ownership. An easement agreement providing the applicant vehicular access to 46th Street must be recorded prior to the issuance of any construction or grading permits if the site were developed.

It is staff's opinion that the proposed amendment is not compatible with the established neighborhood character.

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

Staff Response: Developing the 3.53 acre wooden lot requires substantial alteration of the natural landscape. Deere Creek flows along the east lot line and merges with Goose Creek directly south of the property. There is 100-year floodplain covering the southeast portion of the site, making this area undevelopable. Furthermore, the topography of the parcel fluctuates roughly 36 feet from its highest point on the northwestern portion of the site to its lowest point along the east lot line.

The subject parcel is setback approximately 435 feet from 46th Street. Elevations and its distance to the public right-of-way make it challenging to identify the property in an event of an emergency. Off premise signs are not permitted, adding to the difficulty in directing first responders to the property.

New construction requires grading the natural terrain to accommodate the building footprint and off-street parking requirements. Section 17.11.100 of the Zoning Ordinance, titled "Tree Preservation", encourages existing trees that are in good condition to be preserved to the maximum extent practicable. Rezoning the site produces potential risks to the public health, safety, and welfare of the city.

It is staff's opinion that the proposed zoning map amendment to R-1 Single-Family Residential District does not promote the preservation, protection, and conservation of natural resources.

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

Staff Response: Under the current Zoning Ordinance, the S-OS Open Space District does not allow for places of worship. The S-OS Open Space District is suitable given its topography, vegetation, and proximity to floodplain. The City made a deliberate decision to zone this area as open space to align with the City's Comprehensive Plan during the 2019 Zoning Code update.

It is staff's opinion that the property is not suited for development of the proposed use under the existing S-OS Open Space District.

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

Staff Response: The undeveloped 3.53 acre site satisfies the dimensional standards for the R-1 Single-Family Residential District.

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

ATTACHMENTS:

Type	Description
□ Backup Material	Vicinity Map

- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material

- Zoning Map
- Future Land Use Map
- Application
- Written Agreement
- Concept Plan
- Public Hearing Notice
- Public Comment
- Draft Easement Exhibit
- Draft Easement Agreement Descriptions

Staff Workflow Reviewers

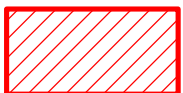
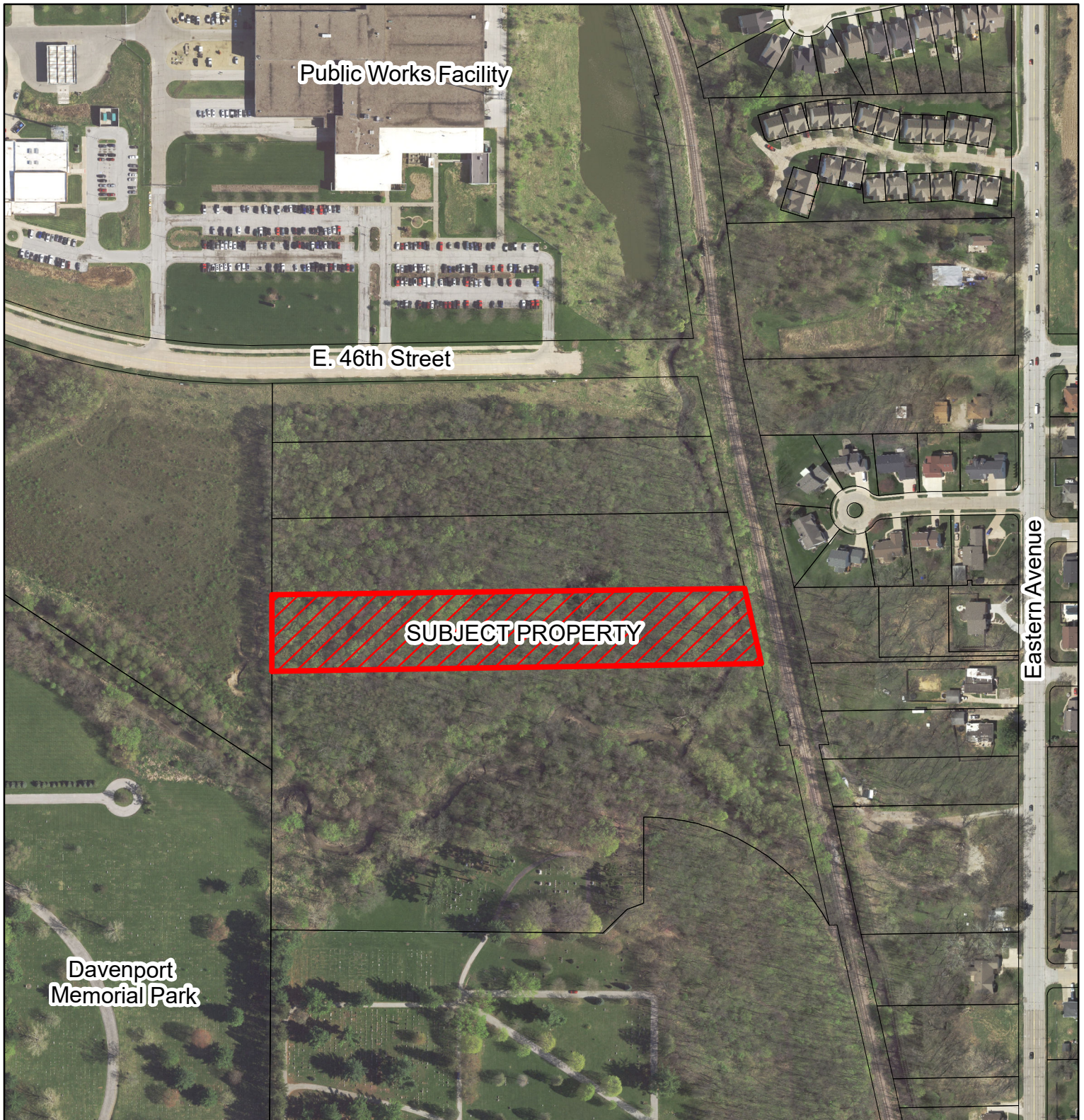
REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	2/22/2021 - 11:48 AM

Vicinity Map

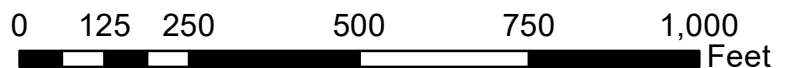
Parcel: P1304-02C

REZ21-01



S-OS Open Space District to R-1 Single-Family Residential District

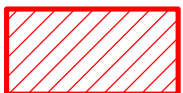
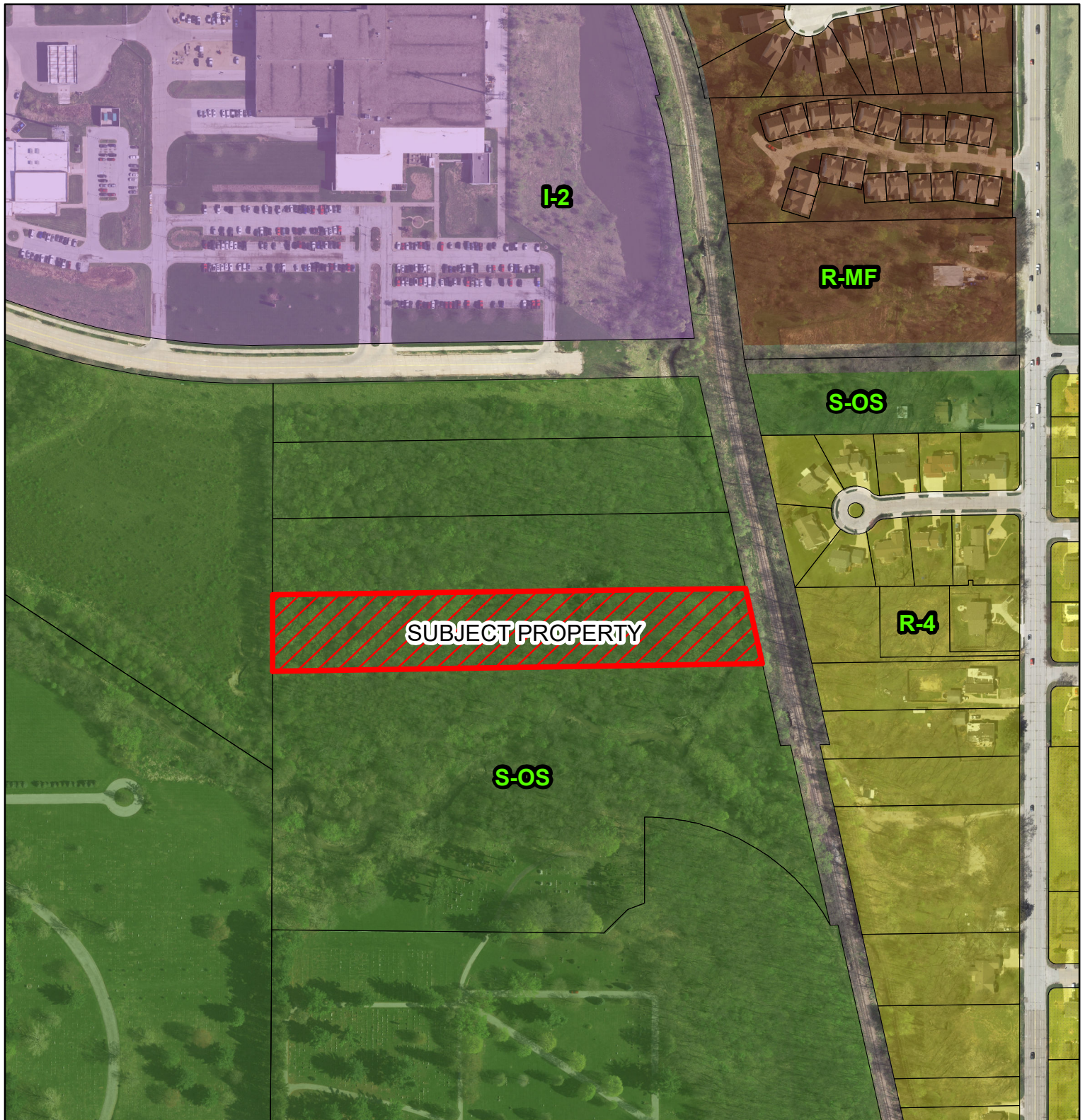
Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



Zoning Map Amendment (Rezoning) Request

Parcel: P1304-02C

REZ21-01



S-OS Open Space District to R-1 Single-Family Residential District

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

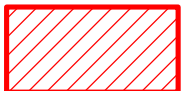
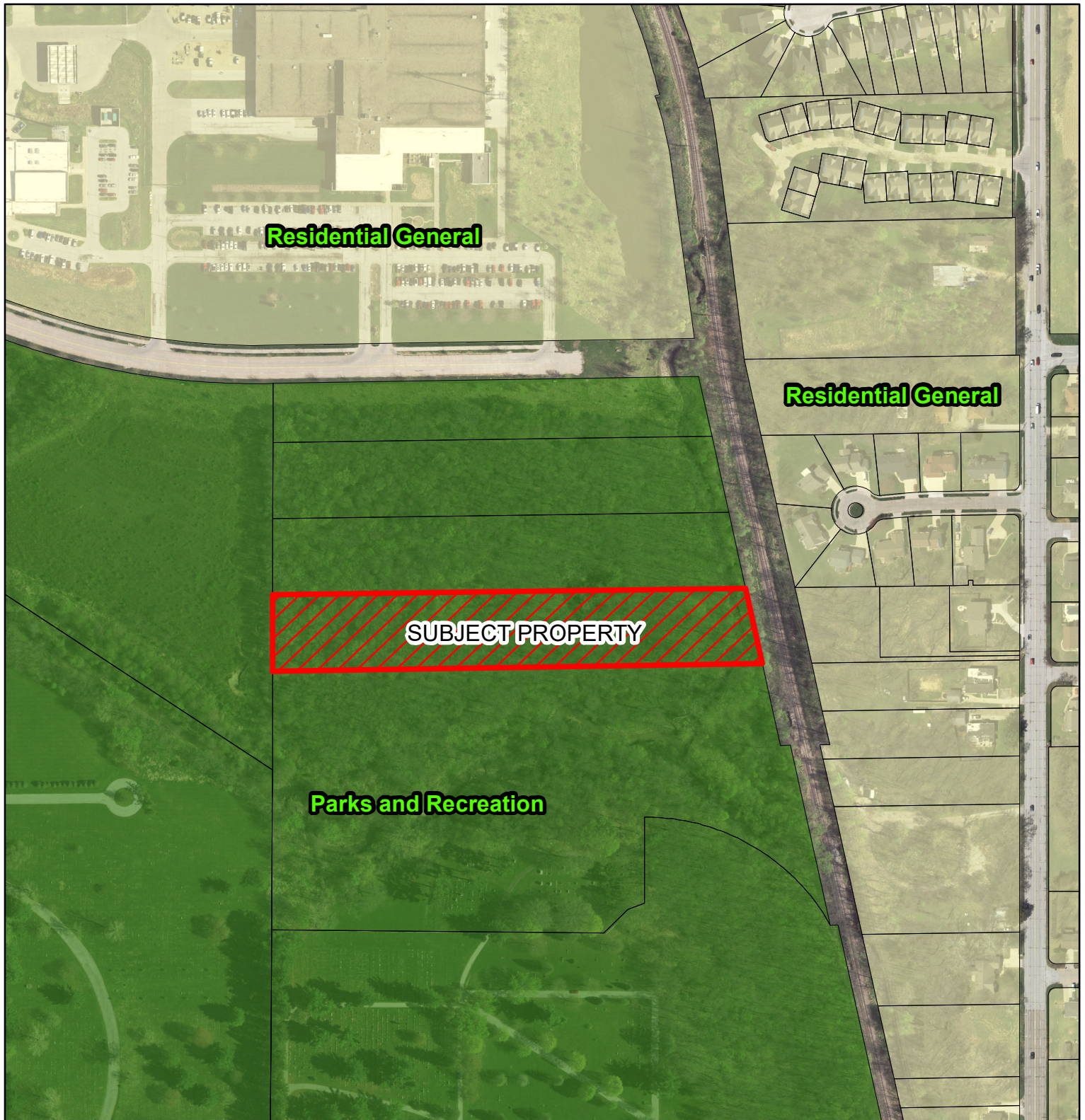
0 125 250 500 750 1,000 Feet



Future Land Use Map-Davenport +2035

Parcel: P1304-02C

REZ21-01



S-OS Open Space District to R-1 Single-Family Residential District

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 125 250 500 750 1,000 Feet





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

Property Address*

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

Applicant (Primary Contact)**

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

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal ☐
 Special Use ☐
 Hardship Variance ☐

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
 Landmark Nomination ☐
 Demolition Request ☐

Administrative

Administrative Exception ☐
 Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

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

Request:Existing Zoning: S-OS Open Space Zoning DistrictProposed Zoning Map Amendment: R-1 Single-Family Zoning District**Purpose of the Request:**

Our intent is to use the land to build a church. Existing S-OS zoning is highly restrictive on what can be built on the property. We are requesting a rezoning to R-1 to allow for this type of construction project.

Total Land Area: 3.6 AcresDoes the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☒ Yes ☐ No**Submittal Requirements:**

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

Formal Procedure:**(1) Application:**

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

(2) Plan and Zoning Commission public hearing:

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

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

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

Formal Procedure (continued):

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

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

Applicant: Danny J. Lorentzen

Date: 1-5-2021

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

Received by: _____

Planning staff

Date: _____

Date of the Public Hearing: _____

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

Authorization to Act as Applicant

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

Danny J. Loren
D. Loren
Signature(s)

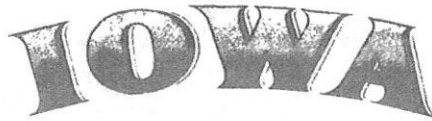
State of _____,
County of _____.
Sworn and subscribed to before me

This day of 20

Form of Identification

Notary Public

My Commission Expires:



No. W00307386
Date: 06/25/2002

SECRETARY OF STATE

504ADN-000266203
ROCK CHURCH MINISTRIES, INC.

ACKNOWLEDGEMENT OF DOCUMENT FILED

The Secretary of State acknowledges receipt of the following document:

Articles of Incorporation

The document was filed on June 7, 2002, at 10:22 AM, to be effective as of June 7, 2002, at 10:22 AM.

The amount of \$20.00 was received in full payment of the filing fee.



CHESTER J. CULVER SECRETARY OF STATE



266203

**ARTICLES OF INCORPORATION
OF
ROCK CHURCH MINISTRIES, INC.**

TO THE SECRETARY OF STATE
OF THE STATE OF IOWA:

The undersigned, acting as Incorporator of a corporation under the Iowa Nonprofit Corporation Act, Chapter 504A, Code of Iowa, adopts the following Articles of Incorporation for such corporation:

ARTICLE I.

The name of the Corporation shall be Rock Church Ministries, Inc.

ARTICLE II.

The place in this state where its initial registered office is to be located is 26729 172nd Long Grove, IA 52748, and the name of the initial registered agent at such address is Ethel Freiberg.

ARTICLE III.

The Corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE IV.

The number of directors constituting the initial Board of Directors is five (5) and the names and addresses of the individuals who will serve as directors until the later of: (1) the first annual meeting of the directors (or the members of the Corporation, if the Corporation shall have members and if the members are vested with the authority to elect directors), and (2) until their successors are elected and shall qualify are:

Dan Lorentzen
2437 27th Street
Moline IL 61265

Wayne Alvey
2370 33rd Street
Moline IL 61265

Brett Black
515 NW 69th Avenue
Des Moines IA 50313

Terri Lorentzen
2437 27th Street
Moline IL 61265

Linda Alvey
2370 33rd Street
Moline IL 61265

02 JUN -7 AM 10:22
SECRETARY OF STATE
IOWA
#20-06
357464 ART120

000005

(2)

ARTICLE V.

The name and address of the Incorporator is:

<u>Name</u>	<u>Address</u>
Dan Lorentzen	2437 27th Street, Moline IL 61265

The Incorporator shall have the authority to apply for and receive the employer identification number from the Internal Revenue Service on behalf of the Corporation.

ARTICLE VI.

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III. hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting, to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE VII.

A director may be removed from office, with or without cause at a meeting called specifically for that purpose by the affirmative vote of not less than 2/3 of the Board of Directors. The director being considered for removal shall not be allowed to vote on such matter. For determining the number of directors that make up 2/3 of the Board of Directors, the total number of directors then in office less the director being considered shall be used. Any vacancy created by such removal shall be filled as provided in the Bylaws of the Corporation.

ARTICLE VIII.

The initial Bylaws of the Corporation shall be adopted by the Board of Directors of the Corporation. The power to alter, amend or repeal the Bylaws or adopt new Bylaws shall be vested in the Board of Directors.

007365

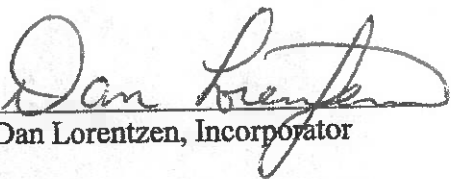
ARTICLE IX.

This Corporation shall indemnify any director or former director, officer, employee, member, or volunteer who is serving or has served at the request of the Corporation to the fullest extent permissible by Section 490.850 through Section 490.858, both inclusive, of the Code of Iowa. In the event that Section 490.850 through Section 490.858 of the Iowa Code shall be changed by action of the legislature, and these articles are not subsequently amended, then a director, officer, employee, member or volunteer seeking indemnification may, at such person's option, unless otherwise prohibited by law, require that the Corporation indemnify such person, either under the provisions as permitted under Section 490.850 through Section 490.858, both inclusive, of the Iowa Code, in effect as of the date of these Articles or the legislatively amended or substituted provisions relating to indemnification of directors, officers, employees, members, or volunteers. No director, officer, member or other volunteer shall be personally liable in that capacity for a claim based upon an act or omission of the person preformed in the discharge of the person's duties, except for a breach of the duty of loyalty to the Corporation, for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit.

ARTICLE X.

Upon the dissolution of the Corporation, assets shall be distributed by the board of directors for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by the District Court of the county in which the principle office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 31 day of May, 2002.


Dan Lorentzen, Incorporator

FILED
IOWA
SECRETARY OF STATE

6-7-02
10:22AM
W307386





Streamline Architects, PLC

a: 575 12th Avenue East Moline, IL 61244

p: (563) 345-2724

w: www.streamlinearchitects.com

February 3rd, 2021

Mr. Dann C. Naverson

This letter is in regards to the proposed construction of a private access drive from 46th Street in Davenport, IA across parcels P1303-03C, P1304-05, and P1304-04A, all of which are owned by SCI Funeral Services of Houston, TX. Per our previous discussions, the proposed drive would be used to access Rock Church Ministries' parcel, P1304-02C, with plans to build a new church at that location. Rock Church Ministries grants SCI full access to the drive for future development purposes. This includes the use of and connection to the proposed drive. Plans for the location of the drive are shown on the following page.

In order for the City to move forward with Rock Church's rezoning application, an authorized signature granting the construction of said drive is required. As Director of Real Estate for SCI, we have provided a signature line for you below.

Please review and return a signed copy for Rock Church's records in moving forward with the rezoning application. If you should have any questions or concerns, please contact us and we can discuss.

Regards,

Joshua Arguello
Streamline Architects
(563) 265-4348
joshua@streamlinearchitects.com

Signed by:

Date:

2-16-2021

Danny Lorentzen
Rock Church of the Quad Cities

Signed by:

Date:

2.16.2021

Josiah Lorentzen
Rock Church of the Quad Cities

Signed by:

Date:

2/16/21

Dann C. Naverson,
Director of Real Estate - SCI Funeral Services

DIRECTOR REAL ESTATE - SCI SHARED RESOURCES, LLC

46TH STREET

PROPOSED PRIVATE DRIVE

704

700

70

60

50

40

30

20

10

0

-10

-20

-30

-40

-50

-60

-70

-80

-90

-100

-110

-120

-130

-140

-150

-160

-170

-180

-190

-200

-210

-220

-230

-240

-250

-260

-270

-280

-290

-300

-310

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-340

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-360

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-430

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-450

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-750

-760

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-800

-810

-820

-830

-840

-850

-860

-870

-880

-890

-900

-910

-920

-930

-940

-950

-960

-970

-980

-990

-1000

-1010

-1020

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-1050

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-1080

-1090

-1100

-1110

-1120

-1130

-1140

-1150

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-1170

-1180

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-1200

-1210

-1220

-1230

-1240

-1250

-1260

-1270

-1280

-1290

-1300

-1310

-1320

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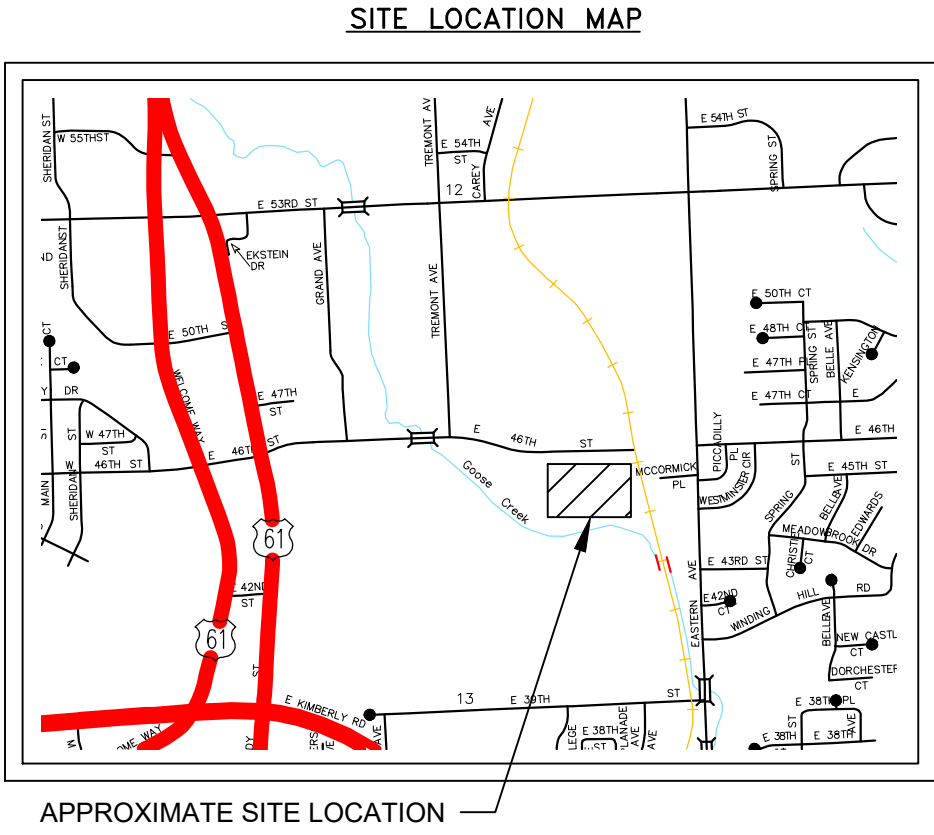
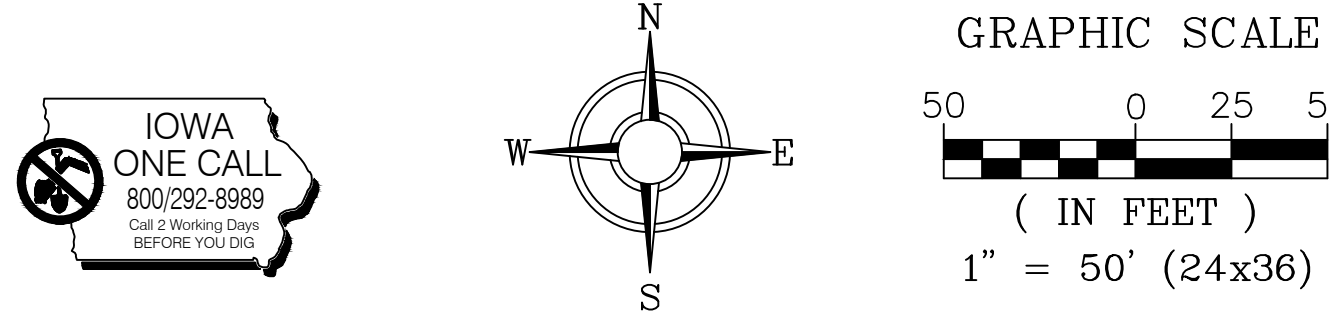


SITE PLAN

STREAMLINE ARCHITECTS

THE ROCK

TO THE CITY OF DAVENPORT, IA



LEGEND:					
	EASEMENT		EXISTING GAS VALVE		EXISTING CONTOUR LINE
	SETBACK LINE		EXISTING WATER VALVE		PROPOSED CONTOUR LINE
	CENTERLINE		EXISTING UTILITY POLE		
	PROPERTY BOUNDARY		EXISTING LIGHT POLE		
	EXISTING FENCE		EXISTING TREE		SPOT ELEVATION TOP OF CURB
	EXISTING SANITARY		EXISTING BUSH		SPOT ELEVATION FL @ GUTTER
	PROPOSED SANITARY		EXISTING MANHOLE		SPOT ELEVATION SIDEWALK
	EXISTING STORM SEWER		EXISTING FIRE HYDRANT		FINISHED FLOOR ELEVATION
	PROPOSED STORM SEWER		FOUND PROPERTY PIN		
	EXISTING WATER		CONTROL POINT		
	PROPOSED WATER				
	EXISTING GAS LINE				
	EXISTING ELECTRIC				























ROCK CHURCH

NEW CONSTRUCTION

DAVENPORT, IA

ADDENDUM 1
10/13/20



INDEX	
NO.	SHEET NAME
A000	COVER SHEET
A002	DRAWING STANDARDS
A101	LOWER LEVEL
A102	UPPER LEVEL
A110	LOWER LEVEL RCP
A111	UPPER LEVEL RCP
A120	ROOF PLAN
A200	EXTERIOR ELEVATIONS
A201	EXTERIOR ELEVATIONS
A300	BUILDING SECTIONS
A301	BUILDING SECTIONS
A302	BUILDING SECTIONS

	I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.
	PRINTED OR TYPED NAME: ANDREW J DASSO
	SIGNATURE: _____ DATE: _____
	REGISTRATION EXPIRES: 06/30/21 DATE ISSUED: 08/21/2012
	PAGES OR SHEETS COVERED BY THIS SEAL:
	A000 - A700 AS100 AD100-AD201

CONTACT INFORMATION

BUILDING & PROPERTY OWNER

Rock Church of the Quad Cities
5335 Carey Avenue
Davenport, IA 52807
(563) 386-7625

GENERAL CONTRACTOR

COMPANY
Contact:
(XXX)-XXX-XXXX phone
XXX address

ARCHITECT

STREAMLINE ARCHITECTS
Andrew Dasso, AIA, LEED AP, NCARB
(309) 737-8587
575 12th Avenue
East Moline, IL 61244
andrew@streamlinearchitects.com

Joshua Arguello
(563) 265-4348
joshua@streamlinearchitects.com



www.streamlinearchitects.com

Streamline Architects, P.L.C.

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

[illegible]

PROJECT NAME

ADDRESS

COVER SHEET

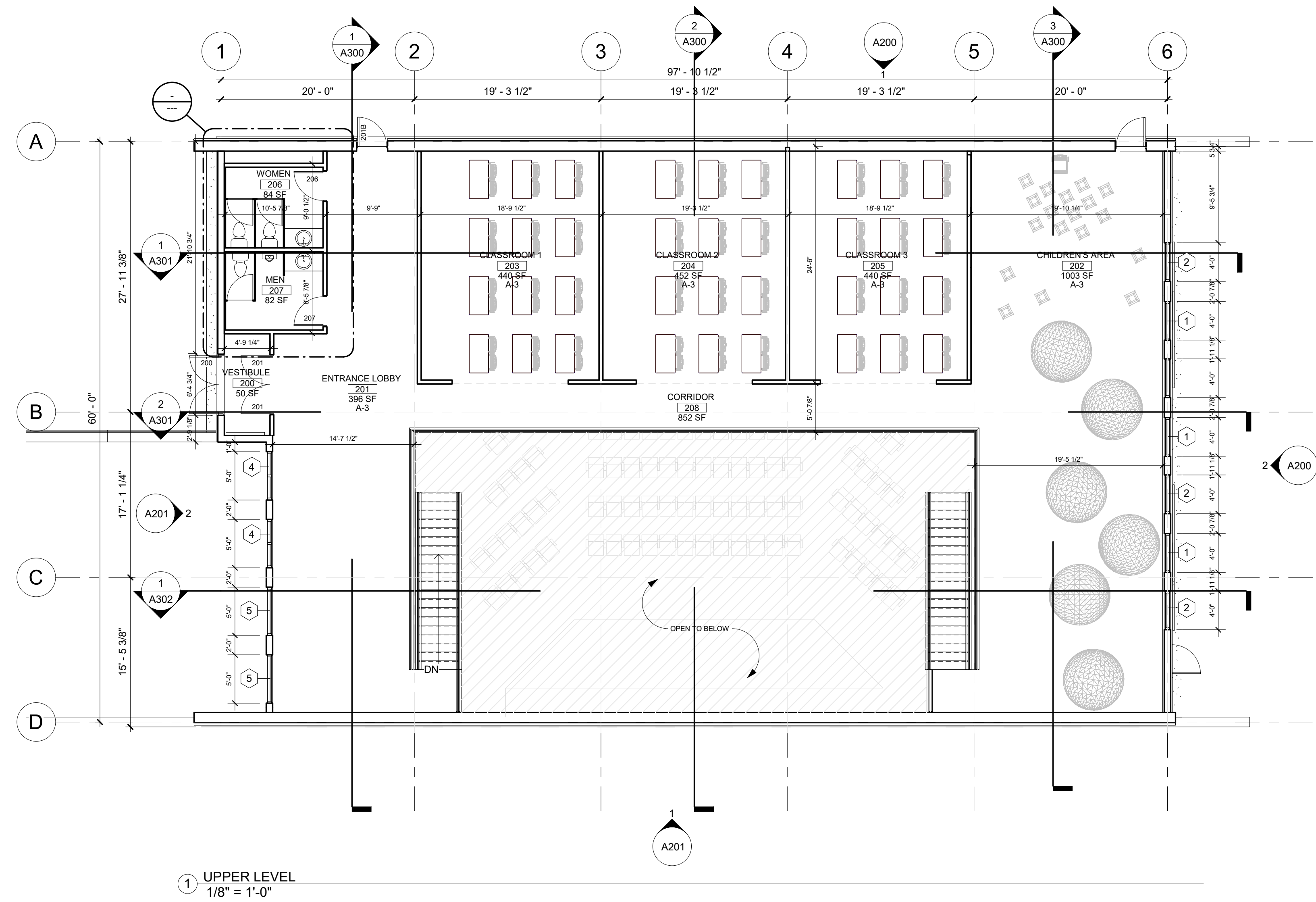
Project number	17-092
Date	10/13/20
Drawn by	JJA
Checked by	AJD
A000	
Scale	1/8" = 1'-0"

10/13/2020 11:12:43 AM



Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL
309-737-8587
andrew@buildbyarchitects.com

[illegible]

PROJECT NAME
ADDRESS
UPPER LEVEL

Project number	17-092
Date	10/13/20
Drawn by	Author
Checked by	Checker

A102

Scale $1/8" = 1'-0"$



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

1. ALL GWB CEILING TO PAINTED WHITE, U.N.O.
2. ALL DRYWALL SOFFITS (VERTICAL PLANE) TO MATCH ADJACENT WALL FINISH, U.N.O.
3. ALL FIXTURES TO BE CENTERED IN CEILING TILE
4. ALL GRIDS TO BE CENTERED IN ROOMS, U.N.O.
5. ALL LIGHT FIXTURES INSTALLED IN SOFFITS TO BE CENTERED WITHIN WIDTH, U.N.O.
6. ALL SUSPENDED CEILING GRIDS, MECH. SYSTEMS, AUTO SPRINKLER SYSTEMS & PLUMBING TO BE SUPPORTED FROM THE BOTTOM OF JOIST WHERE APPLICABLE
7. GENERAL CONTRACTOR TO CONFIRM CEILING LAYOUT & COORDINATE MECHANICAL, FIRE PROTECTION & ELECTRICAL TRADES
8. SEE MECHANICAL & ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION

2 x 2 SUSPENDED CEILING
GRID W/ ACOUSTICAL
CEILING TILE

GWB CEILING

RECESSED CAN FIXTURE

CABLE RAIL LIGHTING

SUSPENDED UTILITY FIXTURE

2 X 4 DIRECT/INDIRECT LED
LIGHT FIXTURE

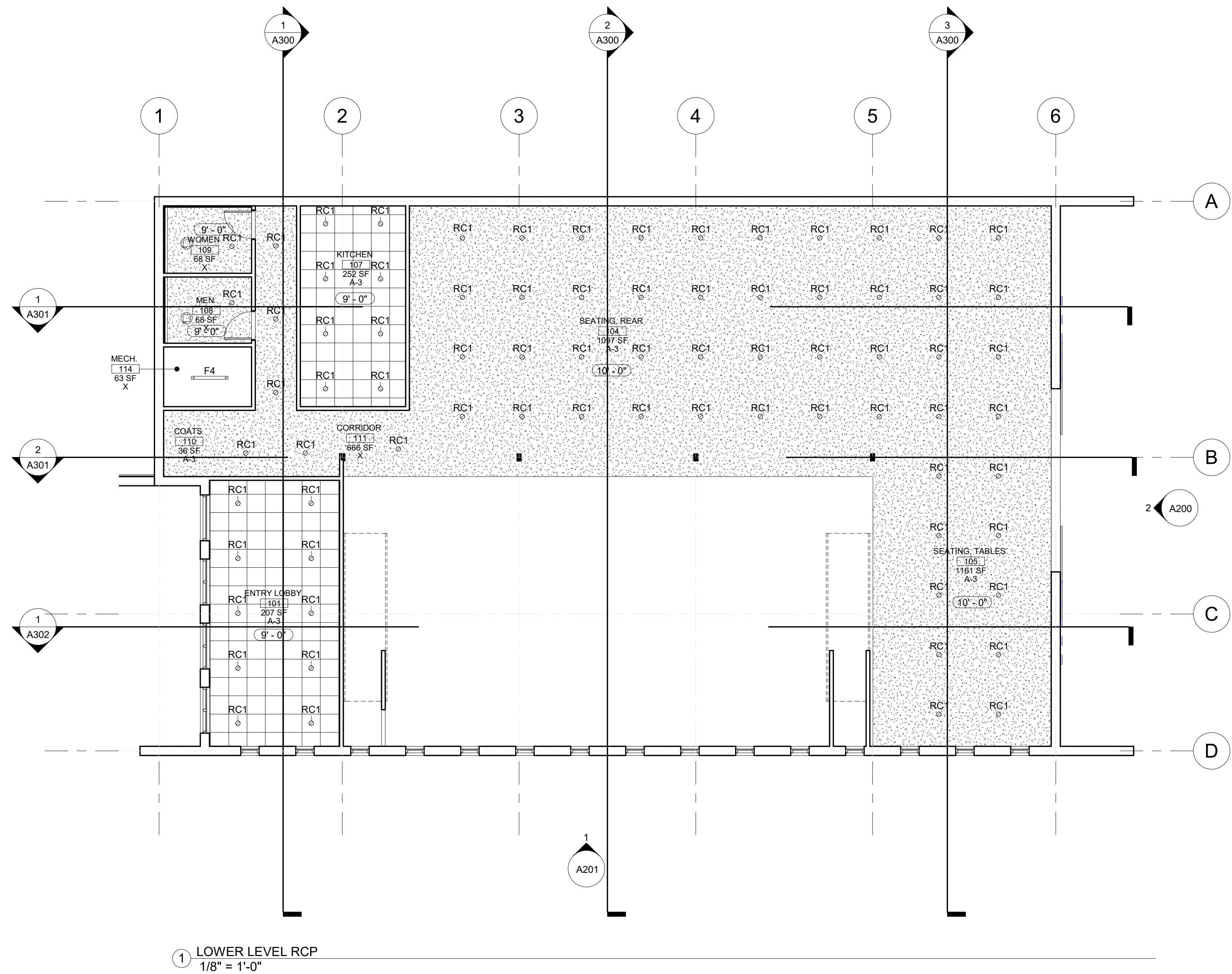
EMERGENCY LIGHT W/
90 MIN. BATTERY

EXIT LIGHT / EMERGENCY LIGHT
(LIGHTED FACE OF SIGN IS
SHADED) W/ 90 MIN. BATTERY

[illegible]

Project number	17-092
Date	10/13/20
Drawn by	Author
Checked by	Checker

Scale	As indicated
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www.streamlinearchitects.com

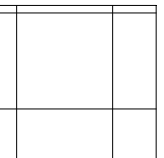
Streamline Architects, P.L.C.

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

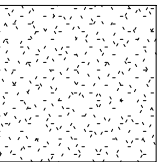
RCP GENERAL NOTES

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2. ALL DRYWALL SOFFITS (VERTICAL PLANE) TO MATCH ADJACENT WALL FINISH, U.N.O.
3. ALL FIXTURES TO BE CENTERED IN CEILING TILE
4. ALL GRIDS TO BE CENTERED IN ROOMS, U.N.O.
5. ALL LIGHT FIXTURES INSTALLED IN SOFFITS TO BE CENTERED WITHIN WIDTH, U.N.O.
6. ALL SUSPENDED CEILING GRIDS, MECH. SYSTEMS, AUTO SPRINKLER SYSTEMS & PLUMBING TO BE SUPPORTED FROM THE BOTTOM OF JOIST WHERE APPLICABLE
7. GENERAL CONTRACTOR TO CONFIRM CEILING LAYOUT & COORDINATE MECHANICAL, FIRE PROTECTION & ELECTRICAL TRADES
8. SEE MECHANICAL & ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION

RCP LEGEND



2 x 2 SUSPENDED CEILING GRID W/ ADJUSTABLE CEILING TILE



GWB CEILING



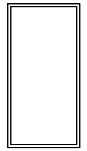
RECESSED CAN FIXTURE



CABLE RAIL LIGHTING



SUSPENDED UTILITY FIXTURE



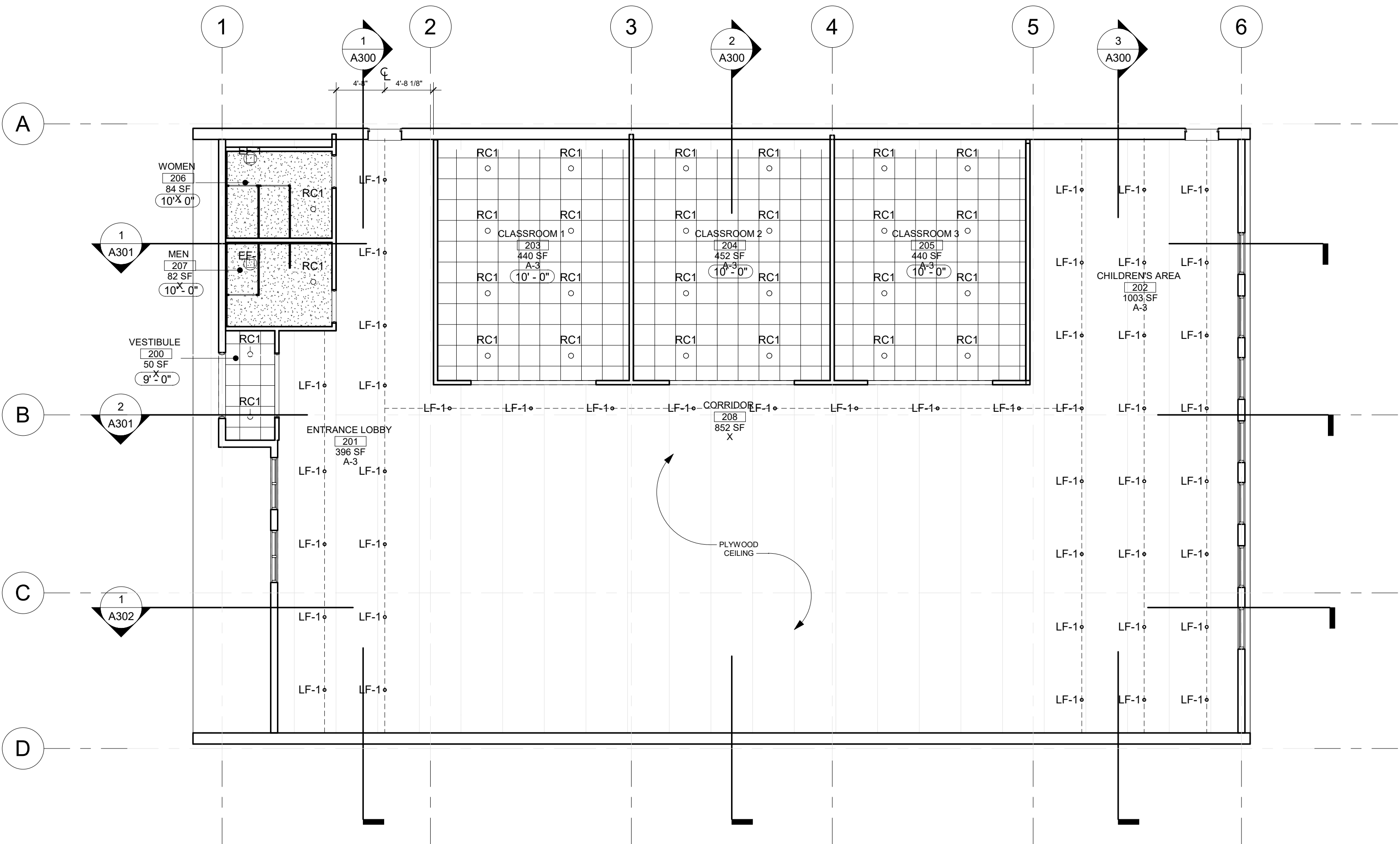
2 X 4 DIRECT/INDIRECT LED LIGHT FIXTURE



EMERGENCY LIGHT W/ 90 MIN. BATTERY



EXIT LIGHT / EMERGENCY LIGHT (LIGHTED FACE OF SIGN IS SHADED) W/ 90 MIN. BATTERY



1 UPPER LEVEL RCP
1/8" = 1'-0"

PROJECT NAME
ADDRESS
UPPER LEVEL RCP

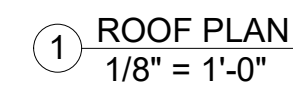
Project number 17-092
Date 10/13/20
Drawn by Author
Checked by Checker

A111

Scale As indicated



Andrew Dasso, AIA
575 12th Ave
East Moline, IL
309-737-8587
andrew@buildbyarchitects.com



PROJECT NAME
ADDRESS
ROOF PLAN

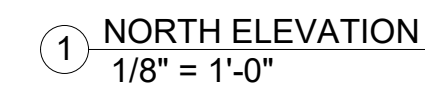
A120

Scale	1/8" = 1'-0"
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Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL
309-737-8587
andrew@buildbyarchitects.com



② EAST ELEVATION
1/8" = 1'-0"

[illegible]

PROJECT NAME

ADDRESS

EXTERIOR ELEVATIONS

Project number	17-092
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Date	10/13/20
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Drawn by	Author
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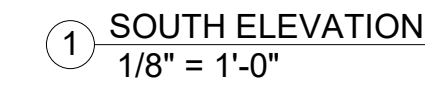
Checked by	Checker
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A200

Scale	As indicated
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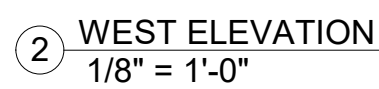


Andrew Dasso, AIA
318 E. Third Street
Davenport, IA 52801
309-737-8587
andrew@streamlinearchitects.com



NOTES:

1. ALL FINISHES TO BE APPROVED BY ARCHITECT & OWNER



PROJECT NAME
ADDRESS
EXTERIOR
ELEVATIONS

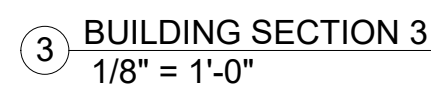
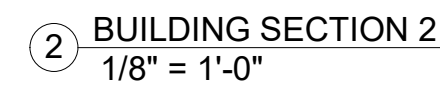
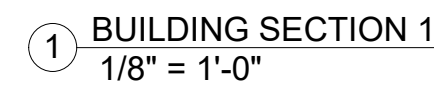
Project number	17-092
Date	10/13/20
Drawn by	Author
Checked by	Checker

A201

Scale	As indicated
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Andrew Dasso, AIA
575 12th Ave
East Moline, IL
309-737-8587
andrew@buildbyarchitects.com

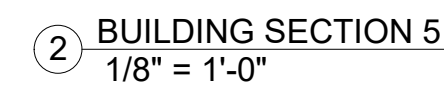
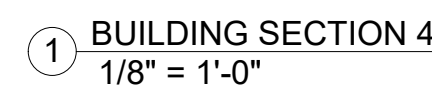


PROJECT NAME
ADDRESS
BUILDING SECTIONS

A300	
Scale	1/8" = 1'-0"



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



PROJECT NAME	
ADDRESS	
BUILDING SECTIONS	
Project number	17-092
Date	10/13/20
Drawn by	Author
Checked by	Checker
A301	
Scale	1/8" = 1'-0"



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

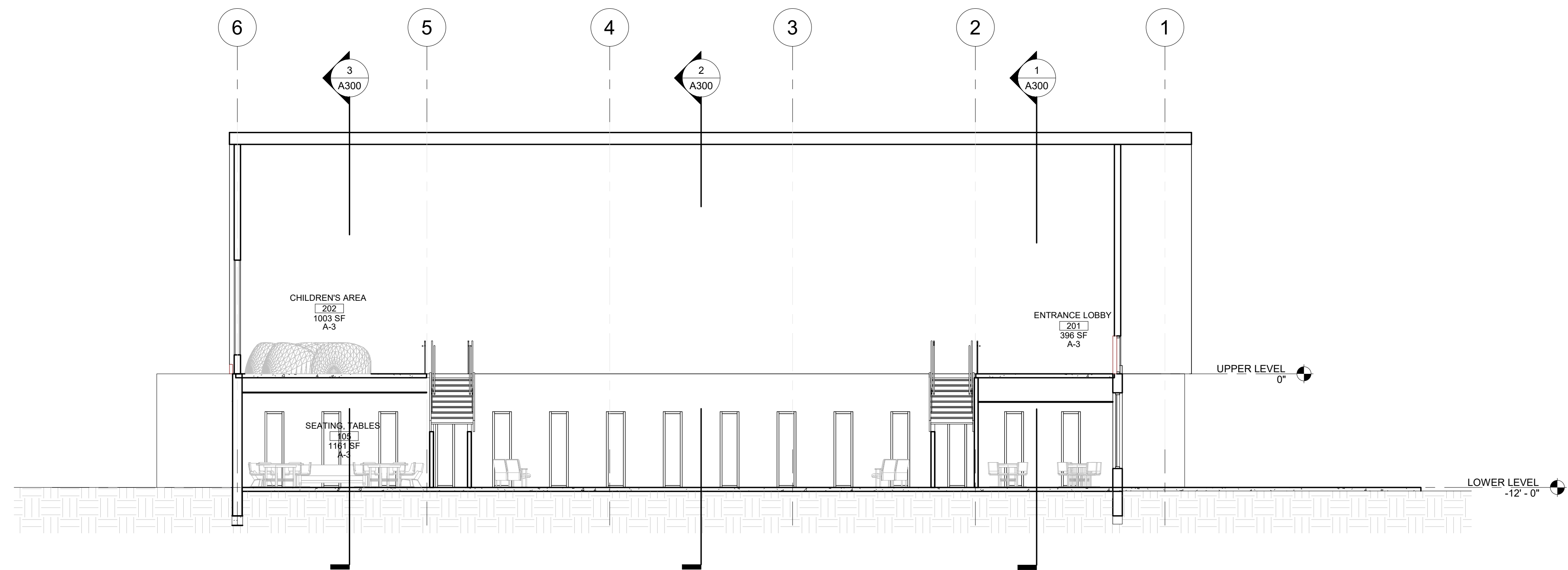
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PROJECT NAME
ADDRESS
BUILDING SECTIONS

Project number	17-092
Date	10/13/20
Drawn by	Author
Checked by	Checker

A302

Scale	1/8" = 1'-0"
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1 BUILDING SECTION 6
1/8" = 1'-0"



DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 2/2/2021
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Rezoning Request Before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject property located **South of East 46th Street, West of the Railroad Tracks (Parcel P1304-02C).**

What is this About?

This notice is being sent to inform you that a public hearing will be held for a rezoning request. The purpose of the rezoning request is to change the property's allowed uses by changing the zoning classification.

Request/Case Description

Case REZ21-01: Request of Dan Lorentzen on behalf of Rock Church Ministries Inc. to rezone Parcel P1304-02C from S-OS Open Space District to R-1 Single-Family Residential District to allow for the construction of a church [Ward 7].

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on February 2, 2021. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on February 16, 2021. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

On-line/Telephone Participation:

Persons may join the meeting virtually: https://www.gotomeet.me/Davenport_Planning/planzoning & at 1-866-899-4679 with access code: 492-653-453. All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": <http://www.cityofdavenportiowa.com/boards> Mondays before the meeting/public hearing.

Do You Have Any Questions?

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

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

Adjacent Property Owner Notice Area
Parcel: P1304-02C
REZ21-01



S-OS Open Space District to R-1 Single-Family Residential District

Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.

0 125 250 500 750 1,000 Feet



Written Comment:

Request/Case Description

Case REZ21-01: Request of Dan Lorentzen on behalf of Rock Church Ministries Inc. to rezone Parcel P1304-02C from S-OS Open Space District to R-1 Single-Family Residential District to allow for the construction of a church [Ward 7].

 Reply  Reply All  Forward



Jane Nickels <janenickels@mediacombb.net>

Planning

7:59 AM

[EXT] Rezoning REZ21-01. Rock Church

 Follow up. Start by Monday, March 1, 2021. Due by Monday, March 1, 2021.



[Bing Maps](#)

+ Get more apps

I would like to oppose the construction of a church being built at this location. I am a neighbor who's property will be next to the church and I have some concerns with development in that area. First I am concerned with the added sewage use. We currently have days when the sewer smell can be unbearable. This item has been a complaint for many years by fellow neighbors and my concern with added sewer usage. Will this smell continue to worsen? Also my other concern with that area is the effect it will have in the wildlife who take refuge in those woods. There are not many places in the city for the variety of animals that live in that area. I am concerned with increase development, it will drive the wildlife out and into more of the neighborhoods in that area. If these items can be addressed I would greatly appreciate it.

Thank you so much,

Jane Nickels

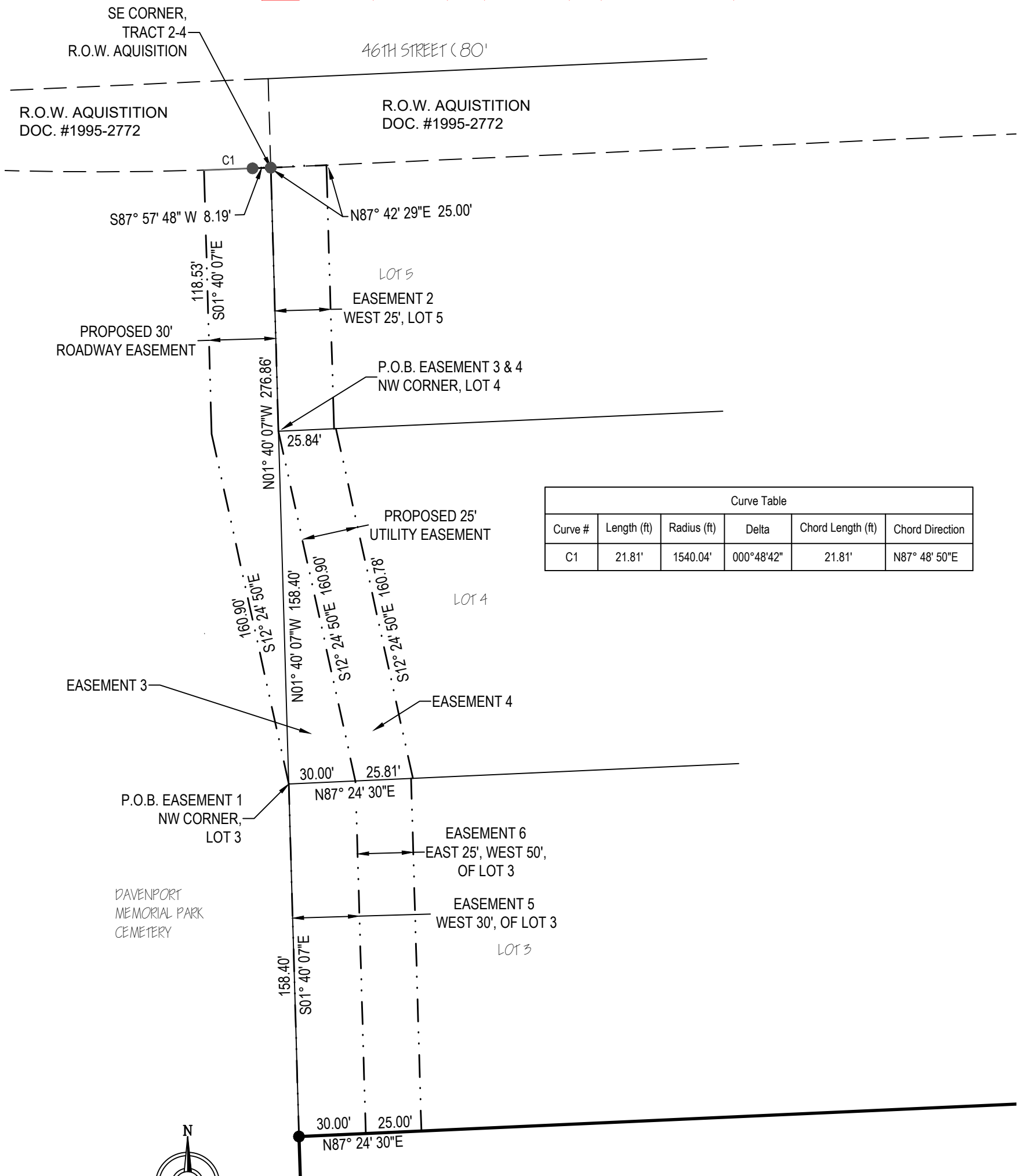
1603 McCormick Place

Davenport, IA 52807

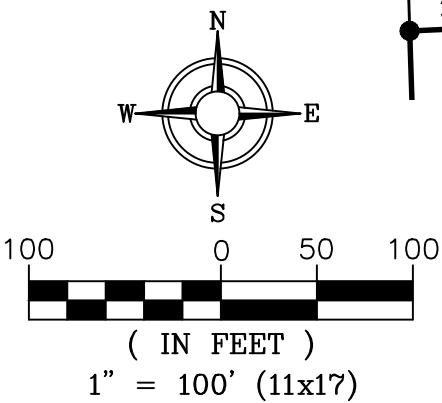
Sent from my iPad

EASEMENT EXHIBIT

DRAFT



Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	21.81'	1540.04'	000°48'42"	21.81'	N87° 48' 50"E



LEGEND:

- DEED DIMENSION = (0.00')
- FIELD DIMENSION = 0.00'
- MONUMENTS FOUND:
AS NOTED = ●
- MONUMENTS SET:
#5 REBAR W/ YELLOW CAP #23503 = ○
- BOUNDARY LINE = —————
- FENCE LINE = — x — x — x — x —
- EASEMENT LINE = - - - - -
- SETBACK LINE =
- SECTION LINE =

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



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.

MICHAEL D. RICHMOND
Iowa License Number: 23503
My license renewal date is December 31, 2021
Pages or sheets covered by this seal: 2



DATE:
3-2-2021

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

DRAWN BY:
KLC
CHECKED BY:
MDR
LOCATION
S:\DASSO\THE ROCK DAVENPORT

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT
THE ROCK DAVENPORT
EASEMENT EXHIBIT
DAFENPORT, IOWA

DEVELOPER
STREAMLINE ARCHITECTS
318 E. THIRD STREET
DAVENPORT, IOWA 52801

EASEMENT 1

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M. SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 2 OF NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA; THENCE NORTH 12° 24' 50" WEST, A DISTANCE OF 160.90 FEET; THENCE NORTH 01° 40' 07" WEST, A DISTANCE OF 118.53 FEET TO THE SOUTH RIGHT OF WAY LINE OF 46TH STREET; THENCE ALONG A 1540.04 FEET RADIUS CURVE, CONCAVE NORTHERLY, A DISTANCE OF 21.84 FEET TO A POINT ON THE WEST LINE OF SAID NIMS ACRES AT THE SOUTHEAST CORNER OF TRACT 2-A AS SHOWN ON RIGHT OF WAY ACQUISITION RECORDED AS DOCUMENT #1995-27772; THENCE SOUTH 01° 40' 07" EAST ALONG SAID WEST LINE, A DISTANCE OF 115.95 FEET TO THE POINT OF BEGINNING;

EASEMENT 2

THE WEST 30 FEET OF LOT 5 IN NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

EASEMENT 3

PART OF LOT 4 OF NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 12° 24' 50" EAST, A DISTANCE OF 160.90 FEET; THENCE SOUTH 87° 24' 30" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 01° 40' 07" WEST ALONG THE WEST LINE OF MINS ACRES, A DISTANCE OF 158.40 FEET TO THE POINT OF BEGINNING,

EASEMENT 4

PART OF LOT 4 OF NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 12° 24' 50" EAST, A DISTANCE OF 160.90 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 87° 24' 30" EAST ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 25.81 FEET; THENCE NORTH 12° 24' 50" WEST, A DISTANCE OF 160.78 FEET TO THE NORTH LINE OF SAID LOT 4 TO THE POINT OF BEGINNING,

EASEMENT 5

THE WEST 30 FEET OF LOT 3 IN NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

EASEMENT 6

THENCE EAST 25 FEET OF THE WEST 55 FEET OF LOT 3 IN NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

EASEMENT 2

BABS LIVING TRUST UTILITY EASEMENT

PART OF LOT 5 OF NIMS ACRES, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF TRACT 2-A AS SHOWN ON ACQUISITION PLAT RECORDED AS DOCUMENT #1995-27772; THENCE NORTH 87° 42' 29" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF 46TH STREET, A DISTANCE OF 25.00 FEET; THENCE SOUTH 01° 40' 07" EAST, A DISTANCE OF 113.60 FEET; THENCE SOUTH 12° 24' 50" EAST, A DISTANCE OF 4.48 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE SOUTH 87° 24' 30" WEST ALONG THE SAID SOUTH LINE, A DISTANCE OF 25.37 FEET; THENCE NORTH 12° 24' 50" WEST, A DISTANCE OF 2.50 FEET; THENCE NORTH 01° 40' 07" EAST, ALONG THE WEST LINE OF SAID NIMS ACRES, A DISTANCE OF 115.95 FEET TO THE POINT OF BEGINNING;