

CITY COUNCIL MEETING

CITY OF DAVENPORT, IOWA

Wednesday, July 10, 2024; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for June 26, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for July 2, 2024.

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Housing Commission
-Joyce Miller (re-appointment)
2. Citizens Advisory Committee
-Jessica Noles (new appointment | Eighth Ward)

B. Proclamations

1. Park and Recreation Month | July 2024 and Park and Recreation Professionals Day | July 19, 2024

IX. Presentations

1. Firefighter Swearing-In Ceremony

- Jared DeGeeter
- Cole Buhman
- Prestyn Woods
- Shane Polzin

- Benjamin Danielson
- Robert Robson
- Wesley Larson
- Nathan Lacourse

2. QC Chamber Update

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. First Consideration: Ordinance for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Subsection 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment. [All Wards]
2. First Consideration: Ordinance for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District. [Ward 3]

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. THE PROTEST RATE IS OVER 20%. 8 VOTES REQUIRED FOR PASSAGE.

XII. Approval of All Items on the Consent Agenda

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

1. Second Consideration: Ordinance for Case ROW24-03 being the request of the Davenport Community School District to vacate West 5th Street between Cedar Street and Howell Street. [Ward 3]
2. Second Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 49th Street from Fairmount Street to Pine Street as a 35 mph street thereto. [Ward 2]
3. Second Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 60th Street from Wisconsin Avenue to Fairmount Street as a 35 mph street thereto. [Ward 2]
4. Second Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by

adding Spalding Boulevard along the frontage of 707 and 708 Spalding Boulevard thereto. [Ward 4]

5. Resolution setting a Public Hearing on the proposed conveyance of vacated alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road to Wallicks Auto Service LLC and IA12 Davenport LLC, Petitioners. [Ward 4]
6. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 9:00 a.m. Friday, July 26, 2024 - 3:00 a.m. Sunday, July 28, 2024; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; **Closure:** northern parking lane and travel lane in front of 116 West 3rd Street. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 3:00 p.m. - 11:00 p.m. Saturday, August 10, 2024; **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]

Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; **Closure:** Howell Street from West 3rd Street to West 4th Street. [Ward 3]

7. Resolution accepting work completed under the Goose Creek Trail (46th Street to 53rd Street) Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$196,943.50, CIP #28030. [Ward 7]
8. Resolution awarding a contract for the Colony Drive (Brown Street to Gaines Street) Reconstruction project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$419,155.08, CIP #35062. [Ward 7]
9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project, CIP #23073. [Ward 3]
10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Program, CIP #35038. [Ward 3 & 5]
11. Motion approving noise variance requests on the listed dates and times for outdoor events.

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 7:30 p.m. - 10:30 p.m. Friday, July 26, 2024 and 11:00 a.m. Saturday, July 27, 2024 - 12:00 a.m. Sunday, July 28, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 6:00 p.m. - 10:00 p.m. Saturday, August 10, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; Outdoor music, over 50 dBA. [Ward 3]

12. Motion approving beer and liquor license applications.

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

Ward 3

Daiquiri Factory (DaqFaq, LLC) - 303 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Hy-Vee Bettendorf Post Race (Hy-Vee, Inc) - 500 East 3rd Street - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Mac's Tavern (Failte, Inc) - 316 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Ward 5

Wide River Winery X of 6 (Wide River Winery, LLC) – 1128 Mound Street – Temporary Event with Outdoor Area August 6-10 – License Type: Special Class C Beer/Wine (On-Premises)

Ward 6

Candy's Backbar (BB Hospitality, LLC) – 4751 Progress Drive – New License with Outdoor Area – License Type: Class C Liquor (On-Premises)

Ward 7

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) – 1020 West Kimberly

Road – New License – License Type: Special Class C Beer/Wine (On-Premises)

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

Ward 1

Casey's General Store #2077 (Casey's Marketing Company) - 3700 West Locust Street
- License Type: Class B Beer/Wine (Carry-Out)

Ward 3

Frick's Tap (LBLN, LLC) - 1402 West 3rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Miss Phay Cafe (Miss Phay Cafe, Inc) - 510/512 Brady Street - License Type: Class C Liquor (On-Premises)

Ward 5

Express Lane Gas & Food Mart, Inc (Express Lane, Inc) - 1208 East Locust Street -
License Type: Class B Beer/Wine (Carry-Out)

Ward 7

Filling Station, The (Bar Management, LLC) - 305 East 35th Street - Outdoor Area -
License Type: Class C Liquor (On-Premises)

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

Ward 8

Girl + Food by Café Fresh (Girl + Food, LLC) - 5345 Belle Avenue - Outdoor Area -
License Type: Class C Liquor (On-Premises)

Best Western Plus Steeplegate Inn (Global Brothers Davenport, LLC) - 100 West 76th
Street - License Type: Class C Liquor (On-Premises)

13. Motion approving an engineering agreement with Canadian Pacific Kansas City Railway (CPKC) for the Riverfront Quiet Zone project in an amount not-to-exceed \$70,000, #ARP12. [Wards 3 & 5]
14. Motion approving Change Order #4 with Sasaki Associates Inc, of Denver, Colorado for the design of a new play feature for the Main Street Landing | Destination Iowa project in an amount not-to-exceed \$85,000, #ARP12. [Ward 3]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

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

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Department: Administration

Contact Info: Brian Krup | 563-326-6163

Subject:

Approval of the City Council Meeting minutes for June 26, 2024.

Action / Date

7/10/2024

Attachments:

1. 062624 City Council Meeting Minutes

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, June 26, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, June 26, 2024 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present except Alderwoman Newton (*In person*: Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone*: Alderman Gripp and Alderwoman Lynch).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Reinartz

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for June 12, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for June 18, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Tuesday, June 18, 2024 - The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman Gripp. Upon the roll being called, all Aldermen were present except Alderman Reinartz and Alderwoman Lynch (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Gripp, Alderwoman Newton, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

*The following Public Hearings were held: **Community Development:** 1. on the Annual Action Plan for Year 50 (July 1, 2024 - June 30, 2025) for the CDBG and HOME Programs; and 2. for Case ROW24-03 being the request of the Davenport Community School District to vacate West 5th Street between Cedar Street and Howell Street. **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project, CIP #38021; 2. on the plans, specifications, form of contract, and estimate of cost for the 3rd Street (Telegraph Road to Harrison Street) Rehabilitation project, CIP #35055; 3. on the plans, specifications, form of contract, and estimate of cost for the East High Street and Forest Road Storm Sewer Realignment project, CIP #33001; and 4. on the plans, specifications, form of contract, and estimate of cost for the Black Hawk Creek Gates Replacement project, CIP #68015.*

*Action Items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderman Jobgen, second by Alderman R. Dunn all items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman Gripp the two liquor license applications for Yoshi's Bar and Filipino Canteen under item #6 (new permanent extended outdoor area under section A and the annual renewal with outdoor area under section B) moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Works:** Alderman R. Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Jobgen items #5, Resolution awarding a contract for the Southern Levee System / Water Pollution Control Plant Flood Protection Project - Levee and Pump Station (Phase*

1) to Langman Construction, Inc of Rock Island, Illinois in the amount of \$13,947,499.16 (EDA #06-79-06258), CIP #39012; #8, Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project, CIP #38021; #9, Resolution approving the plans, specifications, form of contract, and estimate of cost for the 3rd Street (Telegraph Road to Harrison Street) Rehabilitation project, CIP #35055; and #15, Motion awarding a contract for architectural and engineering services for the Main Street Landing | Enhanced Lighting project to Sasaki Associates, Inc of Denver, Colorado in an amount not-to-exceed \$67,500, CIP #68022, moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Finance:** Alderwoman Newton reviewed all items listed. On motion by Alderwoman Burkholder, second by Alderman Jobgen all items moved to the Consent Agenda.

Council adjourned at **6:44 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Proclamations

ISSUED 2024-259

1. Community Is Stronger Than Cancer Day | June 28, 2024

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Resolution was adopted.*

Resolution awarding a contract for the Southern Levee System | Water Pollution Control Plant Flood Protection Project - Levee and Pump Station (Phase 1) to Langman Construction, Inc of Rock Island, Illinois in the amount of \$13,947,499.16 (EDA #06-79-06258), CIP #39012. [Ward 1]

ADOPTED 2024-260

2. *On motion by Alderman R. Dunn, second by Alderman Reinartz and all Aldermen present voting aye, the following Resolution was adopted.*

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project, CIP #38021. [Ward 3]

ADOPTED 2024-261

3. *On motion by Alderman Jobgen, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Resolution was adopted.*

Resolution approving the plans, specifications, form of contract, and estimate of cost for the 3rd Street (Telegraph Road to East River Drive) Rehabilitation project, CIP #35055. [Ward 3]

ADOPTED 2024-262

4. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed.*

Motion approving beer and liquor license applications.

PASSED 2024-263

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

Ward 3

Yoshi's Bar And Filipino Canteen (Yoshi's Bar And Filipino Canteen, LLC) - 831 West 3rd Street
- Permanent Extended Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Ward 3

Yoshi's Bar and Filipino Canteen (Yoshi's Bar and Filipino Canteen, LLC) - 831 West 3rd Street
- Outdoor Area - License Type: Class C Liquor (On-Premises)

5. On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed.

Motion awarding a contract for architectural and engineering services for the Main Street Landing | Enhanced Lighting project to Sasaki Associates, Inc of Denver, Colorado in an amount not-to-exceed \$67,500, CIP #68022. [Ward 3] **PASSED 2024-264**

XI. Approval of All Items on the Consent Agenda

On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the Consent Agenda was approved as follows.

1. **Third Consideration:** Ordinance for Case ROW24-02 being the request of the City of Davenport, Iowa to vacate a portion of Lorton Place between Lorton Avenue and Lombard Court. [Ward 6]

ADOPTED 2024-265

ORDINANCE NO. 2024-265

AN ORDINANCE FOR CASE ROW24-02 BEING THE REQUEST OF THE CITY OF DAVENPORT, IOWA TO VACATE A PORTION OF LORTON PLACE BETWEEN LORTON AVENUE AND LOMBARD COURT.

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

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

Part of Lorton Place located in The Third Annex to Fairhaven, an addition to the City of Davenport, Scott County, Iowa being more particularly described as follows:

Commencing at the Southwest corner of Lot 1 of said Third Annex to Fairhaven, said corner is also on the east right of way line of a public roadway designated as Lorton Avenue;

Thence, North 01 degrees 39 minutes 18 seconds West, 10.00 feet on said east right of way line to the Point of Beginning;

Thence, North 01 degrees 39 minutes 18 seconds West, 174.48 feet continuing on said east right of way line to the beginning of a concave curve to the southeast, said curve having a radius of 5.00 feet, a central angle of 106 degrees 41 minutes 53 seconds to the right, and a chord that bears North 51 degrees 41 minutes 39 seconds East, 8.02 feet;

Thence on said curve 9.31 feet to a point on the south right of way line of a public roadway designated as Lombard Court;

Thence, South 74 degrees 57 minutes 24 seconds East, 76.03 feet on said south right of way line to the beginning of a non-tangent curve :on cave to the southeast, said curve having a radius of 20.00 feet, a

central angle of 78 degrees 17 minutes 13 seconds to the left, and a chord that bears South 65 degrees 53 minutes 59 seconds West, 25.25 feet.

Thence on said curve 27.33 feet;

Thence, South 26 degrees 45 minutes 23 seconds West, 74.61 feet to the beginning of a concave curve to the east, said curve having a radius of 171.22 feet, a central angle of 28 degrees 37 minutes, 32 seconds to the left, and a chord that bears South 12 Degrees 18 minutes 12 seconds West, 84.66 feet;

Thence on said curve 85.54 feet to the point of beginning.

The above-described parcel contains 4,548 square feet. Bearings are based on the Iowa Real Time Network (IARTN) Iowa South Zone State Plane Coordinate System (2011 Adj.)

Section 2. At its April 30, 2024 meeting, the Plan and Zoning Commission recommended Case ROW24-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings

1. Vacating the right-of-way facilitates a roadway reconstruction project that improves safety, addresses deteriorated pavement conditions, and mitigates drainage problems at the intersection.
2. Based on the design for the roadway reconstruction, the existing public right-of-way is not required for City purposes.
3. A utility easement would preserve the rights for utility providers to maintain existing and future infrastructure.

Conditions

1. All existing utilities located within the right-of-way, which are subject to vacation, shall be granted a blanket utility and access easement for the maintenance of such utilities.

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.

Adopted 6/26/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance for Case ROW24-03 being the request of the Davenport Community School District to vacate West 5th Street between Cedar Street and Howell Street. [Ward 3] **MOVED TO SECOND CONSIDERATION**

3. First Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 49th Street from Fairmount Street to Pine Street as a 35 mph street thereto. [Ward 2] **MOVED TO SECOND CONSIDERATION**

4. First Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 60th Street from Wisconsin

Avenue to Fairmount Street as a 35 mph street thereto. [Ward 2]

MOVED TO SECOND CONSIDERATION

5. First Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Spalding Boulevard along the frontage of 707 and 708 Spalding Boulevard thereto. [Ward 4]

MOVED TO SECOND CONSIDERATION

6. Resolution approving Case F24-06 being the request of Fair Oaks Foods, LLC for a final plat of Interstate 80 Airport Industrial Park 13th Addition, a 2-lot subdivision on 31.58 acres located at 2951 Enterprise Way. [Ward 8]

ADOPTED 2024-266

7. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

ADOPTED 2024-267

City of Davenport; Red, White and Boom!; LeClaire Park | 400 Beiderbecke Drive; 2:00 p.m. - 11:00 p.m. Wednesday, July 3, 2024; **Closures: (starting at 2:00 p.m.)** Marquette, Gaines, Ripley, and Harrison Streets south of West River Drive; **(starting at approximately 7:00 p.m.)** Marquette Street, Myrtle Street, Warren Street, Western Avenue, Scott Street, Ripley Street, and Main Street from West River Drive to West 2nd Street. [Ward 3]

LeeAnn Mendez; Mendez Block Party; 6918 Wilkes Avenue; 8:00 a.m. - 11:00 p.m. Thursday, July 4, 2024; **Closure:** Wilkes Avenue from West 69th Street to West 70th Street. [Ward 8]

Tim Shea; Belle Court 4th of July Party; 8:30 p.m. - 11:00 p.m. Thursday, July 4, 2024; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]

Davenport Parks and Recreation; YouthFest; Fejervary Park | 1800 West 12th Street; 6:30 a.m. - 1:30 p.m. Wednesday, July 10, 2024; **Closure:** Park road from the intersection of Wilkes Avenue and West 12th Street to north of the Aquatics Center parking lot. [Ward 4]

8. Resolution accepting work completed under the Hickory Grove Road and Central Park Avenue Reconstruction project by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$1,733,081.09, CIP #35052. [Wards 2 & 4]

ADOPTED 2024-268

9. Resolution accepting work completed under the Black Hawk Creek and Walnut Creek Clearing and Grubbing project by Ihrig Works LLC of Long Grove, Iowa in the amount of \$248,575, CIP #68015. [Ward 1]

ADOPTED 2024-269

10. Resolution approving Change Order #1 in the amount of \$200,000 to Langman Construction of Rock Island, Illinois for the 2023-2024 Sewer and Manhole Rehabilitation Program, CIP #30057. [All Wards]

ADOPTED 2024-270

11. Resolution approving Change Order #1 in the amount of \$150,000 to Kline Sewer & Drain, LLC of Long Grove, Iowa for On-Call Sewer Televising, Inspecting, and Cleaning Services, CIP #30057 & #35061. [All Wards]

ADOPTED 2024-271

12. Resolution awarding a contract for the Colony Drive (Western Avenue to Ripley Street) Reconstruction project to Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$411,964, CIP #35061. [Ward 7] **ADOPTED 2024-272**

13. Resolution awarding a contract for the RiverCenter Ramp Interior Pedestrian Walkway Demolition and Upgrades project to Reed Construction LLC of Dewitt, Iowa in the amount of \$113,000, CIP #60039. [Ward 3] **ADOPTED 2024-273**

14. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East High Street and Forest Road Storm Sewer Realignment project, CIP #33001. [Ward 6] **ADOPTED 2024-274**

15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Black Hawk Creek Gates Replacement project, CIP #68015. [Ward 1] **ADOPTED 2024-275**

16. Resolution of acceptance covering an assessment for the FY 2024 Commercial Alley Program in accordance with the Alley Cost Share Program, CIP #35038. [Ward 3] **ADOPTED 2024-276**

17. Resolution approving the renewal of general and auto liability, property, and workers' compensation insurance with multiple insurance companies and related professional services for FY 2025 in the amount of \$2,242,433 in accordance with the attached Schedule of Insurance in Force; approving the renewal of workers' compensation insurance with Midwest Employers Casualty Co and related professional services for FY 2026 in the amount of \$188,969; and authorizing the Human Resources Director to execute any related documents. [All Wards] **ADOPTED 2024-277**

18. Motion approving the Annual Action Plan for Year 50 (July 1, 2024 - June 30, 2025) for the CDBG and HOME Programs, and authorizing the Interim City Administrator or her designees to sign necessary documents and agreements. [All Wards] **PASSED 2024-278**

19. Motion approving noise variance requests on the listed dates and times for outdoor events. **PASSED 2024-279**

Southeast Little League; End of Season Celebration; Prairie Heights Park | 5600 Eastern Avenue; 10-15 minutes or less between 8:45 p.m. and 9:30 p.m. on Friday, June 28, 2024; Fireworks, over 50 dBA. [Ward 8]

Tim Shea; Belle Court 4th of July Party; 8:30 p.m. - 11:00 p.m. Thursday, July 4, 2024; Outdoor music/band, over 50 dBA. [Ward 8]

20. Motion approving beer and liquor license applications. **PASSED 2024-280**

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

Ward 2

Hickory Creek Event Center (Chariot, LLC) - 3504 Hickory Grove Road – Permanent Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 3

Figge Art Museum (Figge Art Museum) - 225 West 2nd Street - New Owners/License with Outdoor Area - License Type: Class C Liquor (On-Premises)

Palmer College of Chiropractic (Palmer College Foundation) - 1000/1005 North Brady Street - Temporary Event with Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Ward 4

Dollar General Store #30700 (DolGenCorp, LLC) - 1777 North Division Street – License Type: Class B Beer/Wine (Carry-Out)

Ward 6

Kobe Sushi and Hibachi, LLC (Kobe Sushi and Hibachi, LLC) - 5242 Elmore Avenue - License Type: Class C Liquor (On-Premises)

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

Ward 2

Hickory Creek Event Center (Chariot, LLC) - 3504 Hickory Grove Road - License Type: Class C Liquor (On-Premises)

Ward 5

Grilled Cheese Bar (Tbs Enterprises, LLC) - 1019 Mound Street - License Type: Class C Liquor (On-Premises)

21. Motion approving Change Order #1 in the amount of \$70,912 to Americore LLC of Blue Grass, Iowa for the 2024 Pedestrian Curb Ramp Retrofit Program, CIP #35063. [All Wards]

PASSED 2024-281

22. Motion awarding a contract for the CY 2024 City Sidewalk Program to C-2 Creative Concrete of Dekalb, Illinois in an amount not to exceed \$80,000, CIP #28028. [All Wards]

PASSED 2024-282

23. Motion awarding a two-year contract with an optional one-year extension for traffic signal maintenance to Davenport Electric Contract Company of Davenport, Iowa. [All Wards]

PASSED 2024-283

24. Motion considering a waiver of sidewalk installation along Granite Way and Hillandale Road, and that the waiver is valid as long as certain conditions remain in effect. [Ward 8]

PASSED 2024-284

25. Motion awarding a two-year contract for License Plate Recognition (LPR) infrastructure to Insight Public Sector of Chandler, Arizona in the amount of \$65,550 using OMNIA Partners contract 23-6692-03. [All Wards]

PASSED 2024-285

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the rules were suspended to add and vote on the listed items.*
2. *On motion by Alderman Reinartz, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion passed.*

Motion approving a noise variance request on the listed date and time for an outdoor event.

PASSED 2024-286

Sharon Cumberbatch; Backyard Wedding; 3855 Sea Oaks Circle | 7:00 p.m. - 12:00 a.m.
Saturday, July 6, 2024; Outdoor music/DJ, over 50 dBA. [Ward 6]

3. *On motion by Alderman R. Dunn, second by Alderwoman Meginnis and all Aldermen present voting aye, the following Motion was deleted from the agenda as the applicant withdrew the application with the Iowa Alcoholic Beverages Division (ABD).*

Motion approving a beer and liquor license application.

DELETED

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

Ward 3

Front Street Brewery (Front Street Brewery, Inc) – 400 Beiderbecke Drive – Temporary
Outdoor Event July 3 – License Type: Class C Liquor (On-Premises)

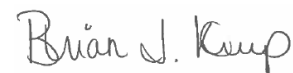
XIII. Public with Business

XIV. Reports of City Officials

The following is a summary of revenue received for the month of May 2024:

Property Taxes	\$4,562,168
Other City Taxes	\$3,102,329
Licenses & Permits	\$193,612
Intergovernmental	\$3,893,315
Charges for Services	\$4,646,879
Use of Monies & Property	\$240,471
Fines & Forfeits	\$164,088
Bonds/Loan Proceeds	\$19,396,510
Miscellaneous	\$1,024,913

XV. Adjourn **6:29 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

Department: Administration

Contact Info: Brian Krup | 563-326-6163

Subject:

Approval of the Report on Committee of the Whole for July 2, 2024.

Action / Date

7/10/2024

Attachments:

1. 070224 Committee of the Whole Report

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Tuesday, July 2, 2024

-- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Pro Tem Meginnis presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Newton. Upon the roll being called, all Aldermen were present except Alderwoman Lynch (Alderman R. Dunn, Alderman Kelly, Alderman Reinartz, Alderman Gripp, Alderwoman Meginnis, Alderwoman Newton, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder).

The following Public Hearings were held: **Community Development:** 1. for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Subsection 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment; and 2. for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District (Note: Plan and Zoning Commission recommends denial. Protest rate is over 20%. 8 votes required for passage.) **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project, CIP #23073; and 2. on the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Program, CIP #35038.

Action Items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) *At 6:23 p.m., City Council took a recess during the Community Development agenda due to severe weather warnings. City Council reconvened in regular session at 7:10 p.m. **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderman Reinartz, second by Alderman Jobgen item #2, First Consideration: Ordinance for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Section 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment, moved to the Discussion Agenda; item #3, First Consideration: Ordinance for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District, moved to the Discussion Agenda with a recommendation for denial from the Plan and Zoning Commission and a protest rate over 20% requiring 8 votes for passage; and all other items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman T. Dunn, second by Alderman R. Dunn all items moved to the Consent Agenda except the street closure request from the Freight House Farmers' Market under item #4 and the noise variance request from the Southeast Little League under item #5 that would be voted on later on the agenda. **Public**

Works: Alderman R. Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Gripp all items moved to the Consent Agenda. **Finance:** There were no items on the Finance agenda.

Other Ordinances, Resolutions and Motions: A motion for suspension of the rules to vote on the listed items was moved by Alderwoman Newton and seconded by Alderman Reinartz. Upon the roll being called, all Aldermen present voted aye and the rules were suspended.

On motion by Alderman Reinartz, second by Alderman Gripp and all Aldermen present voting aye, the following Resolution was adopted.

Resolution approving a street closure request on the listed dates and times for an outdoor event.

ADOPTED 2024-287

Freight House Farmers' Market; Temporary Market due to flooding; Scott County Administrative Center | 600 West 4th Street; 4:00 a.m. Saturday, July 6, 2024 - 3:00 p.m. Sunday, July 7, 2024 and 4:00 a.m. Saturday, July 13, 2024 - 3:00 p.m. Sunday, July 14, 2024; **Closure:** Western Avenue from West 4th Street to West 5th Street. [Ward 3]

On motion by Alderman Reinartz, second by Alderman Gripp and all Aldermen present voting aye, the following Motion passed.

Motion approving a noise variance request on the listed date and time for an outdoor event.

PASSED 2024-288

Southeast Little League; End of Season Celebration; Prairie Heights Park | 5600 Eastern Avenue; 10-15 minutes or less between 8:45 p.m. and 9:30 p.m. on Sunday, July 7, 2024; Fireworks, over 50 dBA. [Ward 8]

On motion by Alderman Gripp, second by Alderman Reinartz and all Aldermen present voting aye, Council recessed to Executive Session at **7:30 p.m.** to discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c). Council reconvened in Executive Session at **7:35 p.m.** with all Aldermen present except Alderwoman Lynch (Alderwoman Burkholder, Alderman R. Dunn, Alderman T. Dunn, Alderman Gripp, Alderman Jobgen, Alderman Kelly, Alderwoman Meginnis, Alderwoman Newton, and Alderman Reinartz). Others present included Attorneys Brett Marshall and Richard Davidson from Lane & Waterman LLP and Interim City Administrator Mallory Merritt. On motion by Alderman Gripp, second by Alderman R. Dunn Council went back into open session at **8:40 p.m.** On motion by Alderman Reinartz, second by Alderman Gripp Council adjourned at **8:40 p.m.**

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
7/10/2024

Subject:
Housing Commission
-Joyce Miller (re-appointment)

Background:
Joyce Miller is a re-appointment to the Housing Commission. Term dates for this appointment are August 1, 2024 - July 31, 2026.

Attachments:
None

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
7/10/2024

Subject:
Citizens Advisory Committee
-Jessica Noles (new appointment | Eighth Ward)

Background:

Jessica Noles is a new appointment to the Citizens Advisory Committee as the Eighth Ward representative. Term dates for this appointment are July 11, 2024 - March 31, 2026.

Community Development Block Grant (CDBG) regulations of the US Department of Housing & Urban Development require one-third of committee members reside in census tracts with at least fifty-one percent low- and moderate-income residents. Staff has verified the census tract for this appointment and confirmed that it does fall within a low- to moderate-income census tract.

Attachments:
None

City of Davenport

Department: Office of the Mayor
Contact Info: Brian Krup | 563-326-6163

Action / Date
7/10/2024

Subject:

Park and Recreation Month | July 2024 and Park and Recreation Professionals Day | July 19, 2024

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
7/10/2024

Subject:

First Consideration: Ordinance for Case ORD24-03 being the request of Grace Real Estate to amend the Principal Use Standards in Subsection 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa by adding Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

The City of Davenport received an application for a zoning text amendment from a property owner requesting an amendment to allow "Day Care Center" and "Medical/Dental Office" as permitted uses under the definition of "Neighborhood Commercial Establishment". The proposed zoning text amendment will impact all commercially constructed buildings throughout Davenport that are residentially-zoned. City staff explored options with the petitioner, including rezoning their property; however, a zoning text amendment was deemed the most appropriate option as there are existing nonresidential buildings where adaptive reuse is appropriate. Staff consider this to be a city-wide issue, rather than specific to the Petitioner's property.

Plan and Zoning Commission

At its June 18, 2024 meeting, the Plan and Zoning Commission unanimously recommended Case ORD24-03 be forwarded to the City Council with a recommendation for approval subject to the following findings.

Findings

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
4. The amendment reflects a change in policy and development trends.
5. The proposed amendment eliminates any existing nonconformities.

Zoning Ordinance Use Definitions

1. **Neighborhood Commercial Establishments:** A commercial use within a residential neighborhood that is nonresidential in its original construction and/or use.
2. **Day Care Center:** A licensed facility where, for a portion of a day, care and supervision is provided for children or elderly and/or functionally-impaired adults in a protective

setting that are not related to the owner or operator. Day care centers within a residential dwelling are prohibited.

3. **Medical/Dental Office:** A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Neighborhood Commercial Establishment Principal Use Standards | Section 17.08.030(V)

1. Neighborhood commercial establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Ordinance.
2. The following non-residential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery
 - b. Arts studio
 - c. Office
 - d. Personal service establishment
 - e. Restaurant
 - f. Retail goods establishment:
 - i. Retail sales of alcohol is prohibited.
 - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is prohibited.
3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
4. Drive-through facilities are prohibited.
5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
6. Signs are limited to those allowed in the C-T District.

Day Care Center and Day Care Home Principal Use Standards (Section 17.08.030.J)

1. Each day care must have a state license and/or registration.
2. The exterior of a day care home must maintain its original appearance as a single-family dwelling. No visitor/client parking may be located in the front yard. (Not applicable if permitted as a Neighborhood Commercial Establishment.)
3. No signs are permitted for day care homes. (Not applicable if permitted as a Neighborhood Commercial Establishment.)
4. A day care center must provide a pickup/drop off area. When a day care center is part of a multi-tenant commercial center, the pickup/drop off area must not interfere with vehicle circulation in the parking lot, including blocking of the drive aisle.
5. Day care homes are limited to a maximum of six children or adults in care at any one time. (Not applicable if permitted as a Neighborhood Commercial Establishment.)
6. Day care homes are not permitted to have outside employees. (Not applicable if

permitted as a Neighborhood Commercial Establishment.)

Use Matrix (Table 17.08-1)

The principal use **"Neighborhood Commercial Establishment"** is allowed in the following zoning districts:

1. Special Use:
 - a. R-2 Single-Family Residential District
 - b. R-3 Single-Family and Two-Family Residential District
 - c. R-3C Single-Family and Two-Family Central Residential District
 - d. R-4 Single-Family and Two-Family Residential District
 - e. R-4C Single-Family and Two-Family Central Residential District
 - f. R-MF Multi-Family Residential District

The principal use **"Day Care Center"** is allowed in the following zoning districts:

1. Permitted Use:
 - a. R-MF Multi-Family Residential District
 - b. C-T Commercial Transitional District
 - c. C-1 Neighborhood Commercial District
 - d. C-2 Corridor Commercial District
 - e. C-3 General Commercial District
 - f. C-C City Centre District
 - g. C-OP Commercial Office Park District
 - h. C-D Downtown District
 - i. C-V Village of East Davenport District
 - j. C-E Elmore Corners District
 - k. I-MU Industrial Mixed-Use District
 - l. S-IC Institutional Campus District
2. Special Use:
 - a. I-1 Light Industrial District

The principal use **"Medical/Dental Office"** is allowed in the following zoning districts:

1. Permitted Use:
 - a. C-T Commercial Transitional District
 - b. C-1 Neighborhood Commercial District
 - c. C-2 Corridor Commercial District
 - d. C-3 General Commercial District
 - e. C-C City Centre District
 - f. C-OP Commercial Office Park District
 - g. C-D Downtown District
 - h. C-V Village of East Davenport District
 - i. C-E Elmore Corners District

- j. I-MU Industrial Mixed-Use District
- k. S-IC Institutional Campus District

Special Use Permit

The Zoning Ordinance recognizes that there are certain uses that require individual consideration to mitigate any potential impacts upon neighboring land. Given the range of permitted uses allowed under Neighborhood Commercial Establishments, requiring a Special Use Permit ensures additional oversight and prevents conflicts between incompatible land uses.

Special Use Permits are reviewed and approved by the Zoning Board of Adjustment, which evaluates the following criteria:

1. The establishment, maintenance, and operation of the proposed special use will not endanger public health, safety, or welfare.
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Approval Standards for Text Amendments

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.
5. The extent to which the proposed amendment creates nonconformities.

Staff Analysis

Adaptive reuse is the repurposing of buildings that have outlived their original use. In Davenport, this often includes vacant churches, schools, or corner retail stores. The intent of the Zoning Ordinance is to preserve architectural and cultural heritage, prevent urban blight, and extend the useful life of structures as neighborhood needs evolve. This approach offers flexibility in regulating new uses while promoting sustainable redevelopment practices.

Neighborhood commercial establishments serve an important role in community development. To encourage reinvestment, a narrowly defined list of permitted land uses is allowed within a neighborhood commercial establishment. Regulations are in place to protect the residential character of the area and limit outside impacts, such as traffic, storage, and signage. Since each property is unique, requiring a Special Use Permit provides additional oversight and

consideration for each property.

There are several benefits of permitting day care centers within neighborhood commercial establishments. Vacant schools or churches, which often include floor plans conducive for day care, provide an opportunity for adaptive reuse. There is value in having childcare within close walking distance to neighborhoods. This can help mitigate traffic issues and offer safe routes for parents and children. In addition, there is a shortage of day care centers within the City. The proposed zoning text amendment creates a mechanism to establish additional day cares within the community to help meet the demand for childcare. Eliminating barriers to child care will improve the quality of life for young families and make Davenport a more attractive place to live.

In addition, the Davenport Municipal Code allows churches to have ancillary uses such as day care facilities. Staff believe adding 'Day Care Center' to the list of permitted uses identified under neighborhood commercial establishments is appropriate given 'Places of Worship' are permitted in residential districts. There are potential circumstances where a nonresidential building may be constructed and used for a church with an accompanying day care center. Under current ordinance, should the church become vacant, a private day care center would not be permitted even though the building may contain the space to operate a day care. The proposed zoning text amendment resolves this issue.

Medical and dental offices may be appropriate within a neighborhood commercial establishment given the treatment of individuals is solely on an outpatient basis. However, staff acknowledge this request is circumstantial depending on the operation of the practice, type of nonresidential building, site constraints, and neighborhood context. The scale of a medical office varies greatly from a single provider to a large practice with numerous medical professionals and support staff. The Zoning Board of Adjustment will have the authority to approve, approve with conditions, or deny a request based on the unique circumstances of each establishment. These uses will be closely vetted due to the potential impacts on adjacent residential properties. Since these concerns can be mitigated through a Special Use Permit, staff is supportive of the zoning text amendment.

Public Input

A Notice of Public Hearing was published in the *Quad-City Times* informing the community of the June 4 Plan and Zoning Commission Public Hearing and July 2 Committee of the Whole Public Hearing. To date, staff has not received any public comments in favor or opposition to the request.

Attachments:

1. Ordinance
2. Application
3. Chapter 17.08 Use Matrix
4. Plan & Zoning Commission Staff Report 6-18-24

ORDINANCE NO. _____

ORDINANCE FOR CASE ORD24-03 BEING THE REQUEST OF GRACE REAL ESTATE TO AMEND THE PRINCIPAL USE STANDARDS IN SUBSECTION 17.08.030(V) NEIGHBORHOOD COMMERCIAL ESTABLISHMENT OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING DAY CARE CENTER AND MEDICAL/DENTAL OFFICE AS PERMITTED USES WITHIN A NEIGHBORHOOD COMMERCIAL ESTABLISHMENT.

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

Section 1. That Subsection 17.08.030(V) Neighborhood Commercial Establishment of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

2. The following non-residential uses are permitted within a neighborhood commercial establishment:

- a. Art gallery
- b. Arts studio
- c. Day care center
- d. Medical/dental office
- e. Office
- f. Personal service establishment
- g. Restaurant
- h. Retail goods establishment:
 - i. Retail sales of alcohol is prohibited.
 - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is prohibited.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

ZONING TEXT AMENDMENT

(CHANGE TO ZONING ORDINANCE LANGUAGE)

APPLICANT INFORMATION	
Applicant Name Company Name Grace Real Estate	DATES: PRE-APP SUBMITTAL PUBLIC HEARING
Address 2651 Telegraph Road	ZONING CODE HEADINGS & SECTION NUMBERS IMPACTED 17.08.030.V.2.
City State Zip Davenport, IA, 52804	REASON FOR ZONING CODE TEXT CHANGE Include more uses under Neighborhood Commercial Establishments
Phone (217) 218-3456	EXISTING ZONING CODE LANGUAGE TO BE CHANGED The addition of Day Care Centers and Medical/Dental Office to the Neighborhood Commercial Establishments.
Secondary Phone (309) 716-1536	
E-Mail Address brettvacek36@gmail.com	
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements. In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further studies as necessary. Brett Vacek Type Applicant's Name <i>Brett Vacek</i> 05/09/2024 Applicant's Signature Date	PROPOSED ZONING CODE LANGUAGE "17.08.030.V.2.g. Day Care Centers" "17.08.030.V.2.h. Medical/Dental Office"
DEVELOPMENT TEAM	
Owner Justin Willis/Brett Vacek	COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED Existing & Proposed Text, as a .PDF, if preferred ☒ Authorization to Act as Applicant, if necessary ☐ Application Fee: (REQUIRED) \$400* ☒ *plus Scott County Recording Office fees at a later date
Address 2651 Telegraph Road, Davenport, IA, 52804	
Phone (217) 218-3456	
Secondary Phone (309) 716-1536	
E-Mail Address brettvacek36@gmail.com	
Attorney/Other	PROCEDURE SHALL BE AS STATED IN §17.14.040 Approval Standards: Consistency with the Comprehensive Plan and Future Land Use Map. Promotion of public health, safety, and welfare of the City. Consistency with the general intent and regulations of Title 17. Purpose of the amendment (error correction/omission, or clarification). Extent that the proposed amendment protects against nonconformities.
Address	
Phone	
Secondary Phone	
E-Mail Address	Submit this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.

May 9th, 2024

Planning and Zoning Commission
City Council
Administrative Center
600 W. 4th St.
Davenport, IA 52801-1003

Grace Real Estate
c/o Brett Vacek & Justin Willis
2651 Telegraph Road
Davenport, IA, 52804

To Whom It May Concern:

This letter is to indicate the rationale to support the Application for Zoning Text Amendment to add Day Care Centers and Medical/Dental Office to the uses under the Neighborhood Commercial Establishment (17.08.030.V.2). It is well known within the city of Davenport that former school and church buildings face difficult challenges when attempting to move away from their primary use.

By enacting this Zoning Text Amendment, more buildings, such as ours on 2651 Telegraph Road, can be used to make up for the lack of reputable Day Care Centers in the area. Former church buildings that are zoned R-1 – 4, are the perfect place for a Day Care Center as the buildings are nonresidential in their structure and most churches already have some sort of set-up to allow for Day Care or preschool on the property.

After already having the city fire department walk through our building, the changes needed to make the building to the appropriate fire code were minimal thereby indicating the ease of transition these buildings can make from their primary use to a Day Care Center. The city can also help its overall vision for +2035 to have many of the buildings in the Telegraph Road area convert to R-1 – 4 as the uses allowed under 17.08.030.V.2. will be expanded to make that zoning more attractive.

Separately, in the application the commission and council will find the request for Medical/Dental office to be added. Despite the concern for increased traffic, the goal, at least at our

building, will be to allow for a counselor to be on-site while the children are present for the Day Care to receive individual counseling on an as needed basis. There is not a plan to make the entire building into a large medical facility. It is simply to allow for a counselor or two to be present to serve the community that is present on Telegraph Road. These counselors, just like the Day Care Center, will focus on taking state aid due to the population within the immediate area. With the need for more counseling services, not only in the city, but the nation at large adding this as a use under the Neighborhood Commercial Establishment will allow for expanded services.

We hope this letter will not only help us to help the community, but will serve as an opportunity to allow for further growth and expansion for others as well.

Respectfully,

Justin Willis & Brett Vacek

CHAPTER 17.08.	USES
Section 17.08.010	General Use Regulations
Section 17.08.020	Use Matrix
Section 17.08.030	Principal Use Standards
Section 17.08.040	Temporary Use Standards
Section 17.08.050	Use Definitions

Section 17.08.010 General Use Regulations

- A.** No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B.** All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances.
- C.** Any use that is not included in the use matrix and cannot be interpreted as part of a use within the matrix is prohibited in all districts.
- D.** A site may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support and/or are functionally integrated into the principal use.
- E.** All uses must comply with the use standards of Section 17.08.030, as applicable, as well as all other regulations of this Ordinance and the City.

Section 17.08.020 Use Matrix

- A.** Table 17.08-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. Cells are color-coded for ease of review only; the letter indicated in the cell controls over any errors in color-coding.
- B.** Uses allowed in the R-3 and R-3C Districts are those listed in Table 17.08-1 for the R-3 District. Uses allowed in the R-4 and R-4C Districts are those listed in Table 17.08-1 for the R-4 District.
- C.** P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district.
- D.** In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 17.08.040.
- E.** For accessory uses, see Chapter 17.09.
- F.** See Section 17.04.020 for additional use restrictions in the R-3, R-3C, R-4, and R-4C Districts.
- G.** See Section 17.05.020 for additional use restrictions in the C-V District.

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use																S	S					Sec. 17.08.030.A
Agriculture																			P			
Amusement Facility - Indoor									P	P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S	S				S	P		S				
Animal Care Facility - Large Animal																			P			
Animal Care Facility - Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																			P			Sec. 17.08.030.B
Art Gallery							P	P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P				
Bar									P	P	P		P	P	P			P				
Bar – Neighborhood								P														Sec. 17.08.030.C
Bed and Breakfast	S	S	S	S	S														P			Sec. 17.08.030.D
Billboard									P	P						P	P					Sec. 17.08.030.E
Body Modification Establishment								P	P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P	
Campground																			S	P		Sec. 17.08.030.F
Car Wash									P	P					S			P				Sec. 17.08.030.G
Casino															P							
Cemetery																				P		
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I
Conservation Area																			P	P		
Country Club																				P		
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.K
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling - Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M
Dwelling - Manufactured Home						P													S			Sec. 17.08.030.N

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P	P		P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine Keeping/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																P	P	P					
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Greenhouse/Nursery - Retail										P					P			P	S				
Group Home	P	P	P	P	P																	Sec. 17.08.030.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
Healthcare Institution																					P		
Heavy Rental and Service																P		P					
Heavy Retail										S					S	P		P					
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L	
Hotel									P	P	P	P	P	S	P			P					
Industrial - General																	P						
Industrial - Light												P				P	P	P					
Industrial Design								P	P	P		P	P		P	P	P	P					
Live Performance Venue										P	P		P	P	P	P		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P		
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public Works Facility												P				P	P	P	P		P		
Reception Facility	S	S	S	S				S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P				P	P	P			P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Retail Alcohol Sales									P	P	S		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						
Vehicle Dealership - Enclosed										P		S	P		P	S		P					
Vehicle Dealership - With Outdoor Storage/Display										S					S	S		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Operation Facility																P	P				P	
Vehicle Rental - Enclosed										P		S	P		P	S		P				
Vehicle Rental - With Outdoor Storage/Display										S					S	S		P				
Vehicle Repair/Service - Major										S						P	P	S				Sec. 17.08.030.DD
Vehicle Repair/Service - Minor									P	P					P	P	P	S				Sec. 17.08.030.DD
Warehouse																P	P					
Wholesale Establishment																P	P	S				
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE
Wine Bar								S	P	P	P		P	P	P			P				
Winery																			S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
Wireless Telecommunications - Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications - DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF
Wireless Telecommunications - DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

Section 17.08.030 Principal Use Standards

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

J. Day Care Center and Day Care Home

1. Each day care must have a state license and/or registration.
2. The exterior of a day care home must maintain its original appearance as a single-family dwelling. No visitor/client parking may be located in the front yard.
3. No signs are permitted for day care homes.
4. A day care center must provide a pickup/drop off area. When a day care center is part of a multi-tenant commercial center, the pickup/drop off area must not interfere with vehicle circulation in the parking lot, including blocking of the drive aisle.
5. Day care homes are limited to a maximum of six children or adults in care at any one time.
6. Day care homes are not permitted to have outside employees.

V. Neighborhood Commercial Establishment

1. Neighborhood commercial establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Ordinance.
2. The following non-residential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery
 - b. Arts studio
 - c. Office
 - d. Personal service establishment
 - e. Restaurant
 - f. Retail goods establishment:
 - i. Retail sales of alcohol is prohibited.
 - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is prohibited.
3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
4. Drive-through facilities are prohibited.
5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
6. Signs are limited to those allowed in the C-T District.

Section 17.08.050 Use Definitions

All uses within Table 17.08-1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive use category.

Day Care Center. A licensed facility where, for a portion of a day, care and supervision is provided for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator. Day care centers within a residential dwelling are prohibited.

Medical/Dental Office. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Neighborhood Commercial Establishment. A commercial use within a residential neighborhood that is nonresidential in its original construction and/or use.

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
6/18/2024

Subject:

Case ORD24-03 : Request of Grace Real Estate to amend the Principal Use Standards for Neighborhood Commercial Establishment in Section 17.08.030V of the Davenport Zoning Code to add Day Care Center and Medical/Dental Office as permitted uses within a Neighborhood Commercial Establishment. [All Wards]

Recommendation:

Staff recommend the Plan and Zoning Commission accept the listed findings and forward Case ORD24-03 to the City Council with a recommendation for approval.

Findings:

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
4. The amendment reflects a change in policy and development trends.
5. The proposed amendment eliminates any existing nonconformities.

Background:

City staff received an Application for a Zoning Text Amendment from a property owner requesting an amendment to allow "Day Care Center" and "Medical/Dental Office" as permitted uses under the definition of "Neighborhood Commercial Establishment". The proposed zoning text amendment will impact all commercially constructed buildings throughout Davenport that are residentially zoned. City staff explored options with the petitioner, including rezoning their property. However, a Zoning Text Amendment was deemed the most appropriate option as there are existing nonresidential buildings where adaptive reuse is appropriate. Staff consider this to be a city-wide issue, rather than specific to the petitioner's property.

Zoning Ordinance Use Definitions:

1. **Neighborhood Commercial Establishments:** A commercial use within a residential neighborhood that is nonresidential in its original construction and/or use.
2. **Day Care Center:** A licensed facility where, for a portion of a day, care and supervision is provided for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator. Day care centers within a residential dwelling are prohibited.
3. **Medical/Dental Office:** A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Neighborhood Commercial Establishment Principal Use Standards (Section 17.08.030.V)

1. Neighborhood commercial establishments are only allowed within existing structures that are nonresidential in their construction and/or use as of the effective date of this Ordinance.
2. The following non-residential uses are permitted within a neighborhood commercial establishment:
 - a. Art gallery
 - b. Arts studio
 - c. Office
 - d. Personal service establishment
 - e. Restaurant
 - f. Retail goods establishment:
 - i. Retail sales of alcohol is prohibited.
 - ii. Retail sales of tobacco products, electronic cigarettes, and vaping and tobacco smoking accessories and supplies is prohibited.
3. No off-street parking is required. However, any off-street parking currently provided must be maintained.
4. Drive-through facilities are prohibited.
5. Outside storage or display is prohibited. All business, servicing, processing, and storage uses must be located within the structure.
6. Signs are limited to those allowed in the C-T District.

Day Care Center and Day Care Home Principal Use Standards (Section 17.08.030.J)

1. Each day care must have a state license and/or registration.
2. The exterior of a day care home must maintain its original appearance as a single-family dwelling. No visitor/client parking may be located in the front yard. (Not applicable if permitted as a Neighborhood Commercial Establishment.)
3. No signs are permitted for day care homes. (Not applicable if permitted as a Neighborhood Commercial Establishment.)
4. A day care center must provide a pickup/drop off area. When a day care center is part of a multi-tenant commercial center, the pickup/drop off area must not interfere with vehicle circulation in the parking lot, including blocking of the drive aisle.
5. Day care homes are limited to a maximum of six children or adults in care at any one time. (Not applicable if permitted as a Neighborhood Commercial Establishment.)
6. Day care homes are not permitted to have outside employees. (Not applicable if permitted as a Neighborhood Commercial Establishment.)

Use Matrix (Table 17.08-1)

The principal use "**Neighborhood Commercial Establishment**" is allowed in the following zoning districts:

1. Special Use:
 - a. R-2 Single-Family Residential District
 - b. R-3 Single-Family and Two-Family Residential District
 - c. R-3C Single-Family and Two-Family Central Residential District
 - d. R-4 Single-Family and Two-Family Residential District
 - e. R-4C Single-Family and Two-Family Central Residential District
 - f. R-MF Multi-Family Residential District

The principal use "**Day Care Center**" is allowed in the following zoning districts:

1. Permitted Use:
 - a. R-MF Multi-Family Residential District
 - b. C-T Commercial Transitional District
 - c. C-1 Neighborhood Commercial District
 - d. C-2 Corridor Commercial District
 - e. C-3 General Commercial District
 - f. C-C City Centre District
 - g. C-OP Commercial Office Park District
 - h. C-D Downtown District
 - i. C-V Village of East Davenport District
 - j. C-E Elmore Corners District
 - k. I-MU Industrial Mixed-Use District
 - l. S-IC Institutional Campus District
2. Special Use:
 - a. I-1 Light Industrial District

The principal use "**Medical/Dental Office**" is allowed in the following zoning districts:

1. Permitted Use:
 - a. C-T Commercial Transitional District
 - b. C-1 Neighborhood Commercial District
 - c. C-2 Corridor Commercial District
 - d. C-3 General Commercial District
 - e. C-C City Centre District
 - f. C-OP Commercial Office Park District
 - g. C-D Downtown District
 - h. C-V Village of East Davenport District
 - i. C-E Elmore Corners District
 - j. I-MU Industrial Mixed-Use District
 - k. S-IC Institutional Campus District

Special Use Permit:

The Zoning Ordinance recognizes that there are certain uses that require individual consideration to mitigate any potential impacts upon neighboring land. Given the range of permitted uses allowed under Neighborhood Commercial Establishments, requiring a Special

Use Permit ensures additional oversight and prevents conflicts between incompatible land uses.

Special Use Permits are reviewed and approved by the Zoning Board of Adjustment, who evaluate the following criteria:

1. The establishment, maintenance, and operation of the proposed special use will not endanger public health, safety, or welfare.
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Approval Standards for Text Amendments

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.
5. The extent to which the proposed amendment creates nonconformities.

Staff Analysis:

Adaptive reuse is the repurposing of buildings that have outlived their original use. In Davenport, this often includes vacant churches, schools, or corner retail stores. The intent of the Zoning Ordinance is to preserve architectural and cultural heritage, prevent urban blight, and extend the useful life of structures as neighborhood needs evolve. This approach offers flexibility in regulating new uses while promoting sustainable redevelopment practices.

Neighborhood commercial establishments serve an important role in community development. To encourage reinvestment, a narrowly defined list of permitted land uses is allowed within a neighborhood commercial establishment. Regulations are in place to protect the residential character of the area and limit outside impacts, such as traffic, storage, and signage. Since each property is unique, requiring a Special Use Permit provides additional oversight and consideration for each property.

There are several benefits of permitting day care centers within neighborhood commercial establishments. Vacant schools or churches, which often include floor plans conducive for day care, provide an opportunity for adaptive reuse. There is value in having childcare within close walking distance to neighborhoods. This can help mitigate traffic issues and offer safe routes for parents and children. In addition, there is a shortage of day care centers within the City. The proposed zoning text amendment creates a mechanism to establish additional day cares within the community to help meet the demand for childcare. Eliminating barriers to child care will improve the quality of life for young families and make Davenport a more attractive place to

live.

In addition, the Davenport Municipal Code allows churches to have ancillary uses such as day care facilities. Staff believe adding 'Day Care Center' to the list of permitted uses identified under neighborhood commercial establishments is appropriate given 'Places of Worship' are permitted in residential districts. There are potential circumstances where a nonresidential building may be constructed and used for a church with an accompanying day care center. Under current ordinance, should the church become vacant, a private day care center would not be permitted even though the building may contain the space to operate a day care. The proposed zoning text amendment resolves this issue.

Medical and dental offices may be appropriate within a neighborhood commercial establishment given the treatment of individuals is solely on an outpatient basis. However, staff acknowledge this request is circumstantial depending on the operation of the practice, type of nonresidential building, site constraints, and neighborhood context. The scale of a medical office varies greatly from a single provider to a large practice with numerous medical professionals and support staff. The Zoning Board of Adjustment will have the authority to approve, approve with conditions, or deny a request based on the unique circumstances of each establishment. These uses will be closely vetted due to the potential impacts on adjacent residential properties. Since these concerns can be mitigated through a Special Use Permit, staff is supportive of the zoning text amendment.

Public Input:

A Notice of Public Hearing was published in the Quad City Times informing the community of the June 4th Plan and Zoning Commission Public Hearing. To date, staff has not received any public comments in favor or opposition to the request. Staff will apprise the Commission of any correspondence at the June 18th Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Chapter 17.08 Use Matrix

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
7/10/2024

Subject:

First Consideration: Ordinance for Case REZ24-02 being the request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District. [Ward 3]

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. THE PROTEST RATE IS OVER 20%. 8 VOTES REQUIRED FOR PASSAGE.

Recommendation:

Consider the Ordinance.

Background:

The subject property consists of six vacant lots located at the northwest corner of East 6th Street and Sylvan Avenue. The current zoning designation permits only a single or two-family dwelling on each lot. The applicant intends to combine the parcels to create a larger 1.47 acre site suitable for four multi-family buildings. A total of 16 units are proposed, 4 units per building. Renderings provided by the petitioner show each dwelling with a patio or elevated deck as well as garage space. To facilitate this style and density of development, the property requires a rezoning to the R-MF Multi-Family Residential District.

At the June 18, 2024 Plan and Zoning Commission meeting, the motion to forward Case REZ24-02 to the City Council with a recommendation for approval failed (Yes: 2; No: 3; Abstain: 1). Therefore, the Plan and Zoning Commission recommendation is for denial of the request.

A protest petition signed by abutting property owners within 200 feet of the rezoning was submitted. The official protest rate is 23.9%. 8 votes are required for passage.

The staff report from the June 18, 2024 Plan and Zoning Commission meeting is attached.

Attachments:

1. Ordinance
2. Plan & Zoning Commission Staff Report 6-18-24
3. Maps
4. Application
5. Renderings
6. Multi-Family Building Plan
7. Public Notice-Committee of the Whole Meeting
8. Public Notice-Plan & Zoning Commission Meeting
9. Protest Map
10. Protest Petition

11. Protest Petition-714 E 6th Street
12. Public Comment
13. Neighborhood Meeting Attendance Sheet

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ24-02 BEING THE REQUEST OF RIVERVIEW HEIGHTS, LLC TO REZONE APPROXIMATELY 1.47 ACRES OF LAND LOCATED ON THE NORTH SIDE OF THE 700 BLOCK OF EAST 6TH STREET FROM R-4C SINGLE-FAMILY AND TWO-FAMILY CENTRAL RESIDENTIAL ZONING DISTRICT TO R-MF MULTI-FAMILY RESIDENTIAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "R-MF Multi-Family Residential District":

LOTS 1-6 OF RIVERVIEW COLLECTIVE ON SIXTH, AN ADDITION TO THE CITY OF DAVENPORT, IOWA, BEING A REPLAT OF PART OF BLOCK 147 IN LECLAIRE'S 12TH ADDITION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA.

Section 2. At its June 18, 2024 meeting, the Plan and Zoning Commission voted to forward Case REZ24-02 to the City Council with a recommendation for denial.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
6/18/2024

Subject:

Case REZ24-02: Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District. [Ward 3]

Recommendation:

Staff recommends Case REZ24-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With the proposed conditions, the zoning map amendment will enable the vacant site to be developed in a manner consistent with the surrounding area.
4. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
5. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be sixteen.

Background:

Site Overview:

The subject properties are vacant lots that were acquired by the City over a period of decades as they were demolished. In the 1990s, working with the LeClaire Heights Neighborhood, the intent was to seek redevelopment as single-family, owner-occupied housing. Despite several available incentives, there was little interest in the market.

By the 2010s, hoping to capture popular interest in "smaller houses", a Request for Proposals was issued by the City. No proposals were received. In 2017, local architect Andrew Dasso proposed building several single-family houses. The City Council approved the sale for \$1 with reversion language if the project was not able to move forward. Ultimately, they were not able to secure financing and the properties reverted to the City in 2019.

The City has now received an offer (at appraised/assessed value) from a local development team led by Jim Thomson to acquire the properties to develop four new 4-unit apartment buildings (16 units total). The offer and the attached Development Agreement are conditioned upon several components.

First, the current zoning does not allow a four-unit building, so the developer plans to apply to rezone to multi-family housing. Second, the back (or north) side of the property is bounded by East 7th Street, which is brick, designated as historic, is in need of work, and is narrow, functioning essentially like an alley. The developer plans to make repairs as it would be the primary access point, but intends to request that the historic designation be removed to allow the repairs to be made as asphalt or concrete to reduce development costs. Lastly, as a street, City code would require that sidewalks be installed along East 7th Street. The developer intends to request that this requirement be waived by City Council in this circumstance.

These are all separate actions subject to further review. In addition, the developer hopes to apply for Iowa Workforce Housing Tax Credits later this spring. Ultimately, if the developer is successful on all of the above, the sale of these properties could occur later this summer with completion of work anticipated in 2026, but no later than 2027. If the developer is unsuccessful in the above and/or fails to meet the timelines in the proposed Agreement, the conveyance will not occur or will revert accordingly.

Why is a Zoning Map Amendment Required?

The subject property consists of six vacant lots located at the northwest corner of East 6th Street and Sylvan Avenue. The current zoning designation permits only a single or two-family dwelling on each lot. The applicant intends to combine the parcels to create a larger 1.47 acre site suitable for four multi-family buildings. A total of 16 units are proposed, 4 units per building. The apartments are anticipated to include three-bedroom and single-bedroom units, averaging 1,500 square feet of living area. Renderings provided by the petitioner show each dwelling with a patio or elevated deck as well as garage space. To facilitate this style and density of development, the property requires a rezoning to the R-MF Multi-Family Residential District.

Comprehensive Plan:

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

Future Land Use Designation:

The abutting properties are currently designated as Residential General in the Davenport +2035 Future Land Use Map.

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

density, with the exception along edges and transition areas, where higher intensity may be considered.

Zoning:

The applicant is proposing a rezoning from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District.

1. **R-4C Single-Family and Two-Family Central Residential District:** This zoning district is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.
2. **R-MF Multi-Family Residential District:** This zoning district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:

City Departments are reviewing the proposed Zoning Map Amendment Application. Further comments will be provided at the June 18th Plan and Zoning Commission meeting.

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.

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

- Staff Response: The property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. Since the Comprehensive Plan designated areas as a whole, the East Bluff Neighborhood is classified as Residential General, starting on the north side of Federal Street and Charlotte Street. Established neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, except for edges and transition areas, where higher intensity may be considered. Rezoning the property to R-MF Multi-Family Residential District does not require an amendment to the Future Land Use Map. It is generally encouraged to have higher density near downtown and the urban core. It is staff's opinion that the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.

2. The compatibility with the zoning of nearby property.

- Staff Response: The existing neighborhood consists of properties predominantly

zoned R-4C Single-Family and Two-Family Central Residential District. The subject property is buffered by the C-D Downtown District and I-MU Industrial Mixed-Use District by a residential block to the south. There are scattered properties within the East Bluff Neighborhood zoned R-MF Multi-Family Residential, with the closest lot located at the southeast corner of Farnam Street and 8th Street. There are also several properties along Tremont Avenue zoned for multifamily residential dwellings, most notably St. Katherine's Senior Apartments. Due to the proximity of nearby properties zoned R-MF Multi-Family Residential District, it is staff's opinion that the request is compatible with the zoning of nearby property.

3. The compatibility with established neighborhood character.

- Staff Response: The established neighborhood character of East 6th Street, between Farnam Street and Tremont Avenue, is a mixture of single-family and two-family dwellings. The neighborhood consists of both single and two-story structures. Given the topography of the bluff, homes north of 6th Street appear taller than the adjacent structures south of the street despite having the same number of floors. The proposed 4-unit buildings on the subject site are one and half levels, with a walkout basement along 6th Street. The R-MF District has a maximum building height of 70 feet. Staff is recommending a condition to limit the maximum building height to 35 feet, which matches the maximum building height of the R-4C District. Staff believe a building over 35 feet in height at this site would not fit the context and scale of the surrounding neighborhood. With a condition restricting building height, it is staff's opinion that the proposed zoning district is compatible with the established neighborhood character.

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

- Staff Response: The R-MF Multi-Family Residential District permits one dwelling unit per 1,500 square feet of lot area. Based on this calculation, a total of 42 units are permitted on the 1.47-acre subject property. Under the current zoning designation, the land can be further subdivided to create ten developable lots, each with a two-family dwelling. This would facilitate the potential development of up to twenty housing units. Given the applicants' proposed site and building plans, staff are recommending a condition that no more than sixteen dwelling units be established on the property. Reducing the number of units, from 42 to 16, keeps the development more aligned with the character of abutting homes and scattered multifamily dwellings.
- Rezoning the property to create four 4-unit multifamily dwellings will not be detrimental to the surrounding area, which currently has a mixture of housing types. Staff believe the density and scale of development allowed by-right in the R-MF District may create undue burden on adjacent property owners. To mitigate concerns, staff are recommending conditions limiting building heights and the number of housing units. With a condition limiting the number of multifamily units permitted on the site, the density of housing will have minimal impact on adjacent property owners.
- Residents have expressed a desire for single-family owner-occupied housing, rather than rental properties. It should be noted that the Zoning Ordinance does not regulate owner occupancy of a housing unit. It is staff's opinion that the proposed zoning map amendment will not negatively impact the public health,

safety, and welfare of the City.

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

- Staff Response: The existing zoning district allows for the development of single and two-family housing. The property has been vacant since the 1990s. There have been several attempts to develop single-family homes on the site. However, past projects have not materialized due to financial viability. As conditioned, it is staff's opinion that the proposed zoning map amendment will enable the vacant site to be developed in a manner consistent with the surrounding neighborhood.

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

- Staff Response: The existing site consists of six vacant parcels. Once combined into a single developable lot, the land will comply with the R-MF Multi-Family Residential District dimensional standards for certain uses. The site is 1.47 acres and approximately 150 feet in depth. Any redevelopment of the site shall be in accordance with applicable city codes and meet the standards of the R-MF District. It is staff's opinion that the proposed amendment will not create any nonconformities following the consolidation of parcels.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the May 29th neighborhood meeting and the June 4th Plan and Zoning Commission Public Hearing.

Approximately seven members of the public attended the neighborhood meeting. City staff, the applicant, project architect, and an elected official were also in attendance to answer questions and facilitate discussion. The residents were generally opposed to the development and cited the following concerns:

1. Preference for single-family dwellings that are consistent with the character of the neighborhood.
2. Introducing rental units to the neighborhood. Preference for homeownership.
3. Management of the property following development and potential ownership changes.
4. Opposition to the proposed density and scale of development.
5. The proposed multi-family design does not fit the context of the area.
6. Residents were opposed to a sidewalk waiver, citing pedestrian safety.
7. Concerns over increased traffic, congestion, and safety.
8. The following comments were made regarding East 7th Street:
 - a. The narrowness of 7th Street and its ability to accommodate additional traffic.
 - b. Preference to preserve 7th Street as a historic brick street. Opposition to repaving the road with concrete or asphalt.
 - c. Desire for sidewalks to be installed on 7th Street.

Following the public hearing, an abutting property owner submitted a formal protest petition signed by eleven individuals.

Attachments:

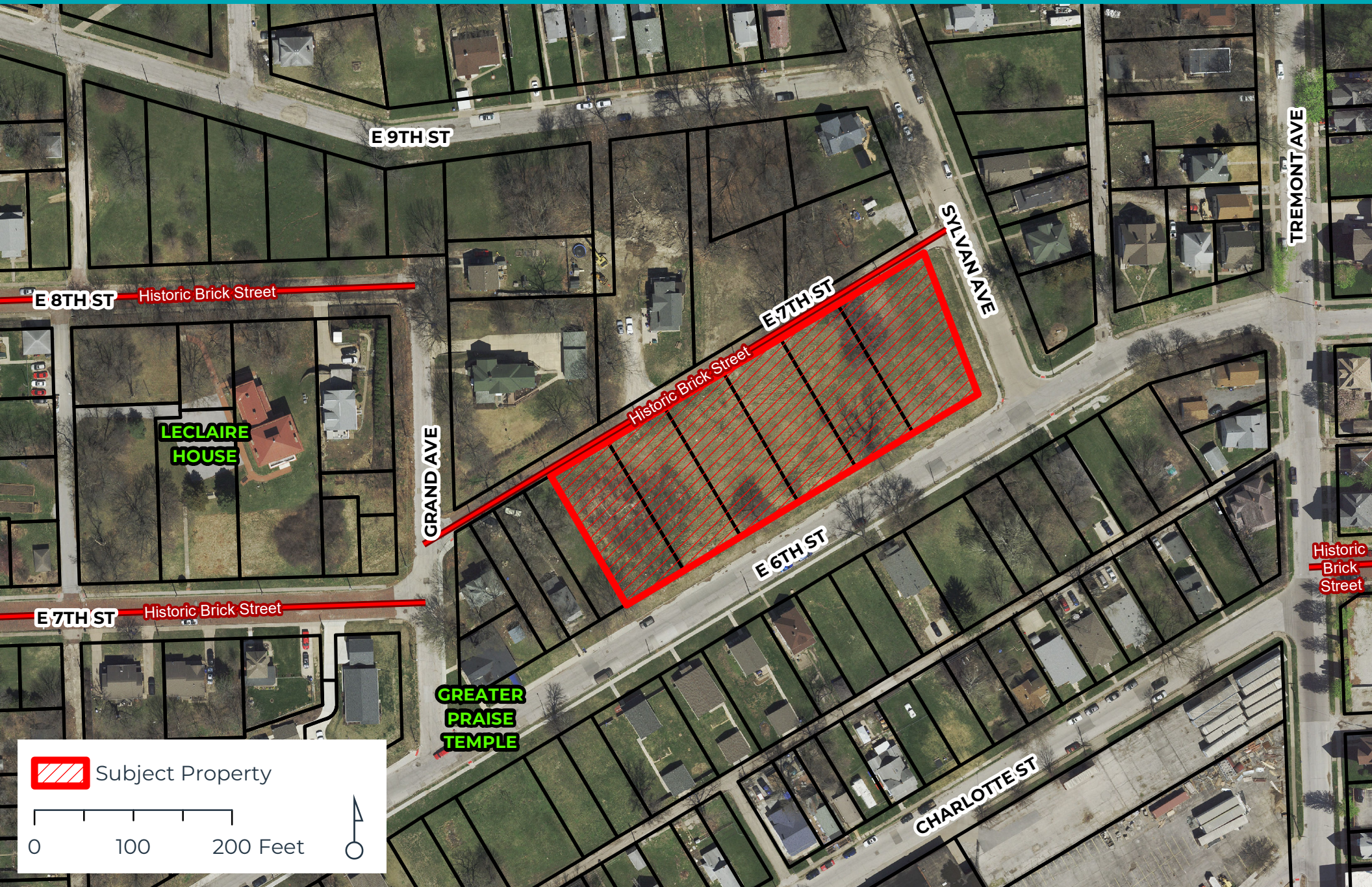
1. Application
2. Maps
3. Renderings
4. Multi-Family Building Plan
5. Public Notice
6. Neighborhood Meeting Attendance Sheet
7. Protest Petition
8. Map of Protesting Property Owners
9. Public Comment



THE CITY OF
DAVENPORT
IOWA | USA

Vicinity Map | Case REZ24-02

Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 3]



Subject Property

0 100 200 Feet





Elevation Map | Case REZ24-02

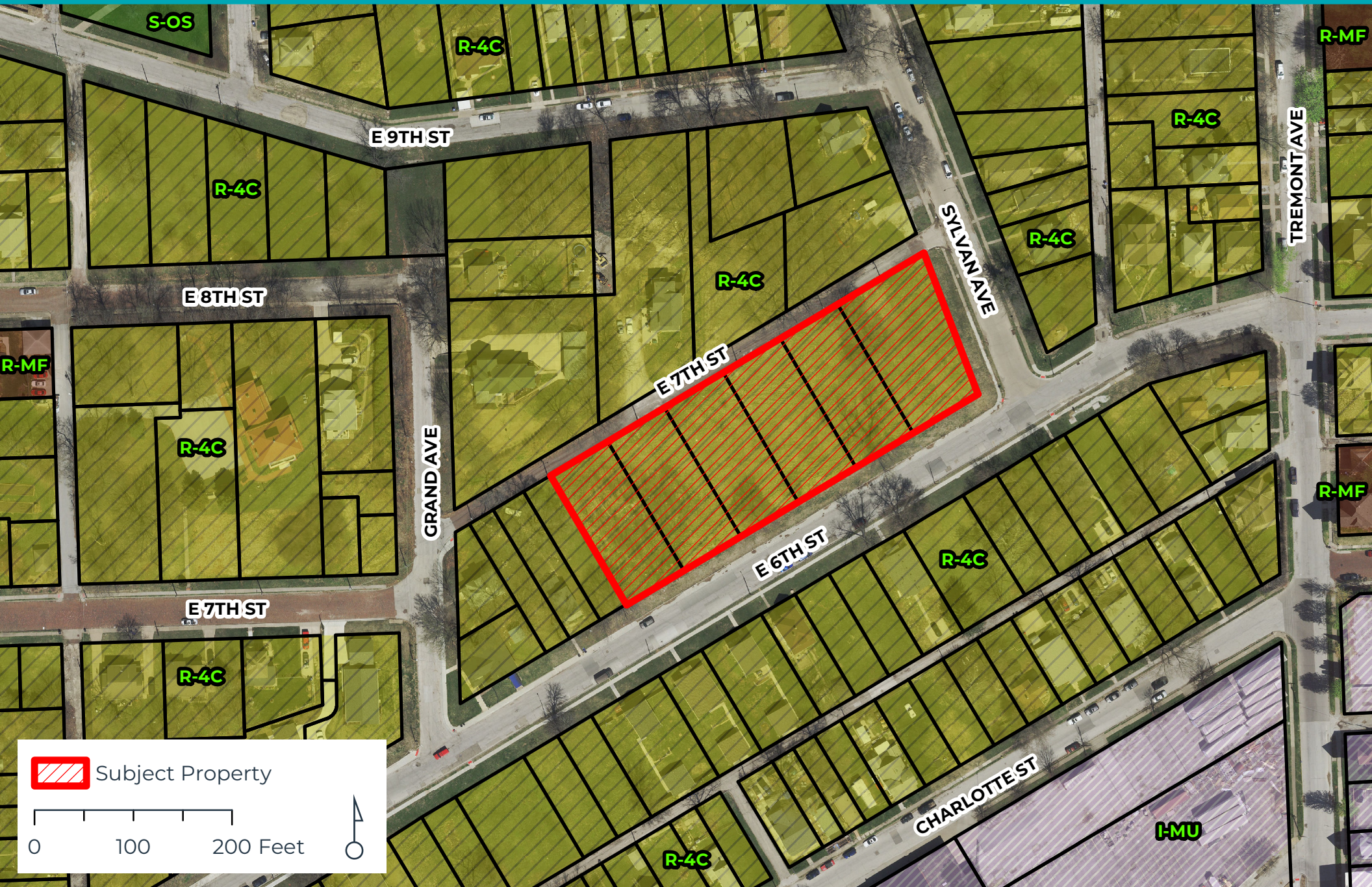
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Zoning Map | Case REZ24-02

Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 3]



Subject Property

0 100 200 Feet





THE CITY OF
DAVENPORT
IOWA | USA

Future Land Use Map | Case REZ24-02

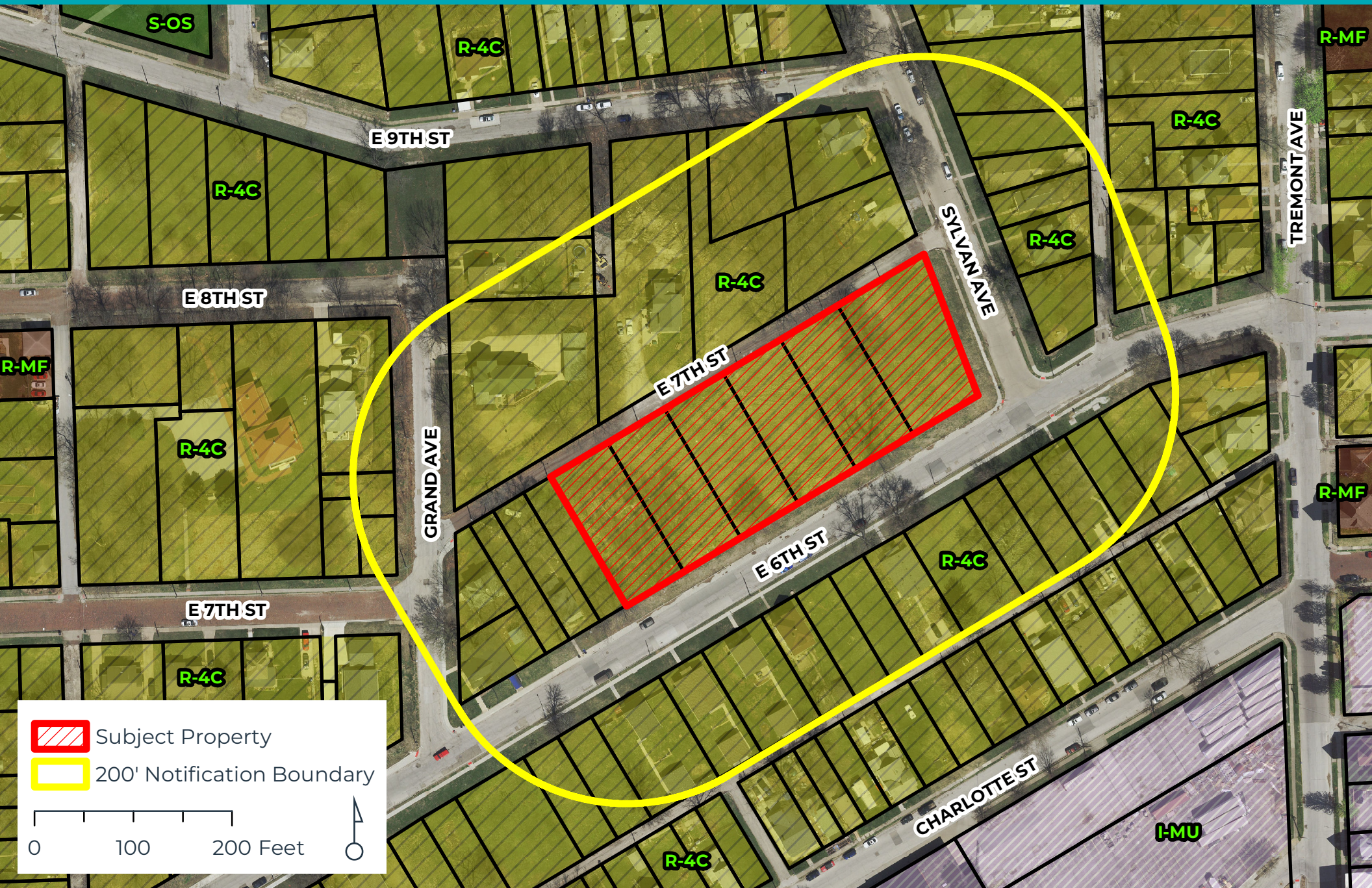
Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 3]





Rezoning Request | Case REZ24-02

Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 3]



Subject Property



200' Notification Boundary

0 100 200 Feet





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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

APPLICANT INFORMATION	
Applicant Name Riverview Heights, LLC (Jim Thomson)	
Address 2604 E 40th St	
City State Zip Davenport, IA 52807	
Phone (563) 650-2046	
Secondary Phone	
E-Mail Address JKT@Lmprop.com	
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements. In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study. Type Applicant's Name _____ Applicant's Signature _____ Date _____	
DEVELOPMENT TEAM	
Property Owner City of Davenport	
Address 226 W 4th Street Davenport	
Phone	Secondary Phone
E-Mail Address	
Project Manager/Other	
Address	
Phone	Secondary Phone
E-Mail Address	

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
04/29/2024	05/09/2024	06/04/2024

PROJECT TITLE			
Riverview Heights			

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION			
722, 728, 734, 742, 746, and 752 E 6th Street			

NEIGHBORHOOD MEETING DATE / TIME / LOCATION			
5/29/24	6:00 pm	LeClaire House	

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	R-4C	R-MF	64231

COMPLETE SUBMITTALS SHALL INCLUDE:	SUBMITTED
Concept/Development Plan	☒
Authorization to Act as Applicant* *only needed if the Applicant is different than the owner	☒
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☒
Legal Description Dimensioned Sketch	☒
Application Fee* (REQUIRED) * (check payable to 'City of Davenport')	☐

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

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

PROJECT NARRATIVE: (submit separate sheet if needed)

Four separate buildings, with each building housing four units per building. The townhomes are anticipated to include three bedroom- and single-bedroom units, averaging approximately 1,500 sq. ft. of living area with each dwelling having a patio or elevated deck space, as well as garage space.

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



OPTION 1





OPTION 1





OPTION 1





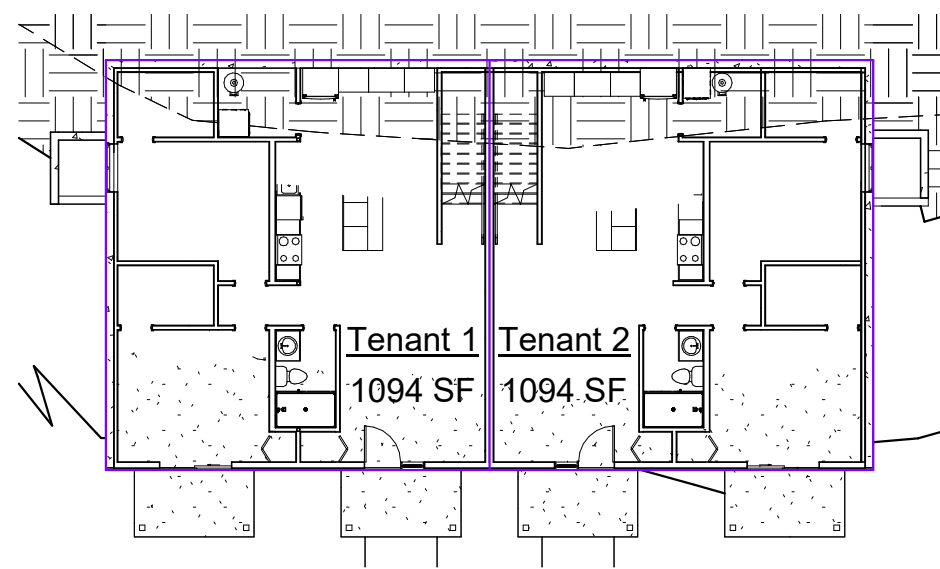
OPTION 1

NOT FOR CONSTRUCTION

ISSUED FOR - BID
08-26-2021



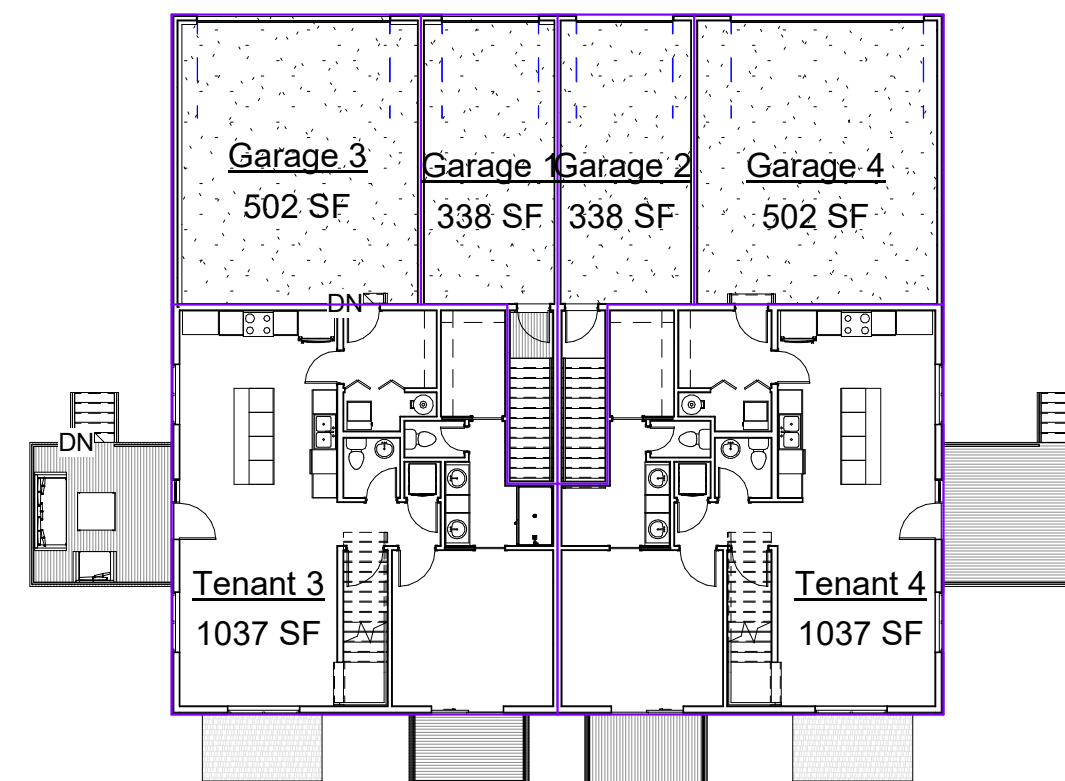
4 Exterior Rendering- For Reference Only



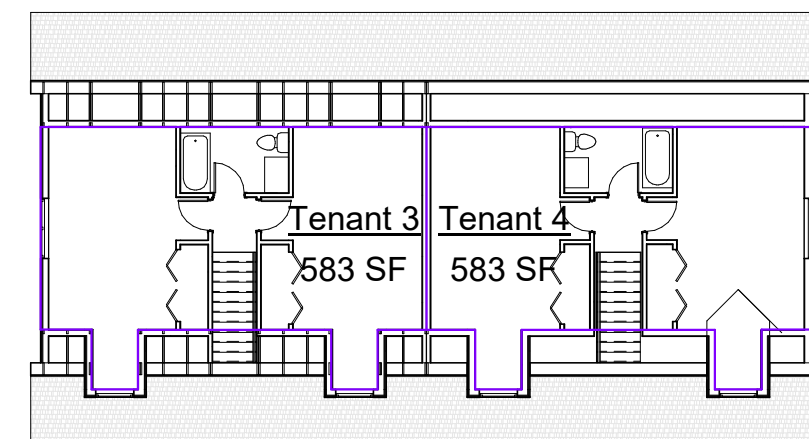
① 00 Basement
1/16" = 1'-0"



5 Interior Rendering - For Reference Only



② 01 Floor Plan
1/16" = 1'-0"



③ 02 Second Floor
1/16" = 1'-0"

CONTACT INFORMATION

BUILDING & PROPERTY OWNER

Riverview Collective
Contact: Andrew Dasso
(309)-737-8587 phone
XXX address

ARCHITECT

Streamline Architects
Andrew Dasso, AIA, LEED AP, NCARB
(309)-737-8587 *phone*
318 E. Third Street, Davenport IA 52801 *address*
andrew@streamlinearchitects.com *email address*

Project Manager
Jonathon Carstens
(309)-235-4588 *phone*
318 E. Third Street, Davenport IA 52801 *address*
jonathon@streamlinearchitects.com *email address*

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: 06/30/20 DATE ISSUED: 08/21/2012	
PAGES OR SHEETS COVERED BY THIS SEAL:	
A000 - A700, AS100, AD100-AD201	

GENERAL CONTRACOR

Construction
Name
(xxx)-xxx-xxx phone
address
email address

Project Manager
-
(xxx)-xxx-xxx phone
address
email address

ELECTRICIAN

Electric
Name
phone
address
email address

Project Manager
Name
(xxx)-xxx-xxx phone
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email address

PLUMBER

Plumbing
Name
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Project Manager
Name
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address
email address

MECHANICAL

Mechanical
Name
(xxx)-xxx-xxx phone
address
email address

Project Manager
Name
(xxx)-xxx-xxx phone
address
email address

LOCATION INFORMATION

Sheet List	
Sheet Number	Sheet Name
A000	Cover Sheet
A100	Plans
A101	RCP
A200	Elevations
A300	Sections
A301	Sections
A302	Sections
A304	Wall Sections
A305	Wall Section- Details
A306	Details
A400	Enlarged Plans
A600	Schedules
AS100	Site Plan



www.streamlinearchitects.com

Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

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732-754 6th St
Davenport IA
Cover Sheet

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
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Streamline Architects, P.L.C.

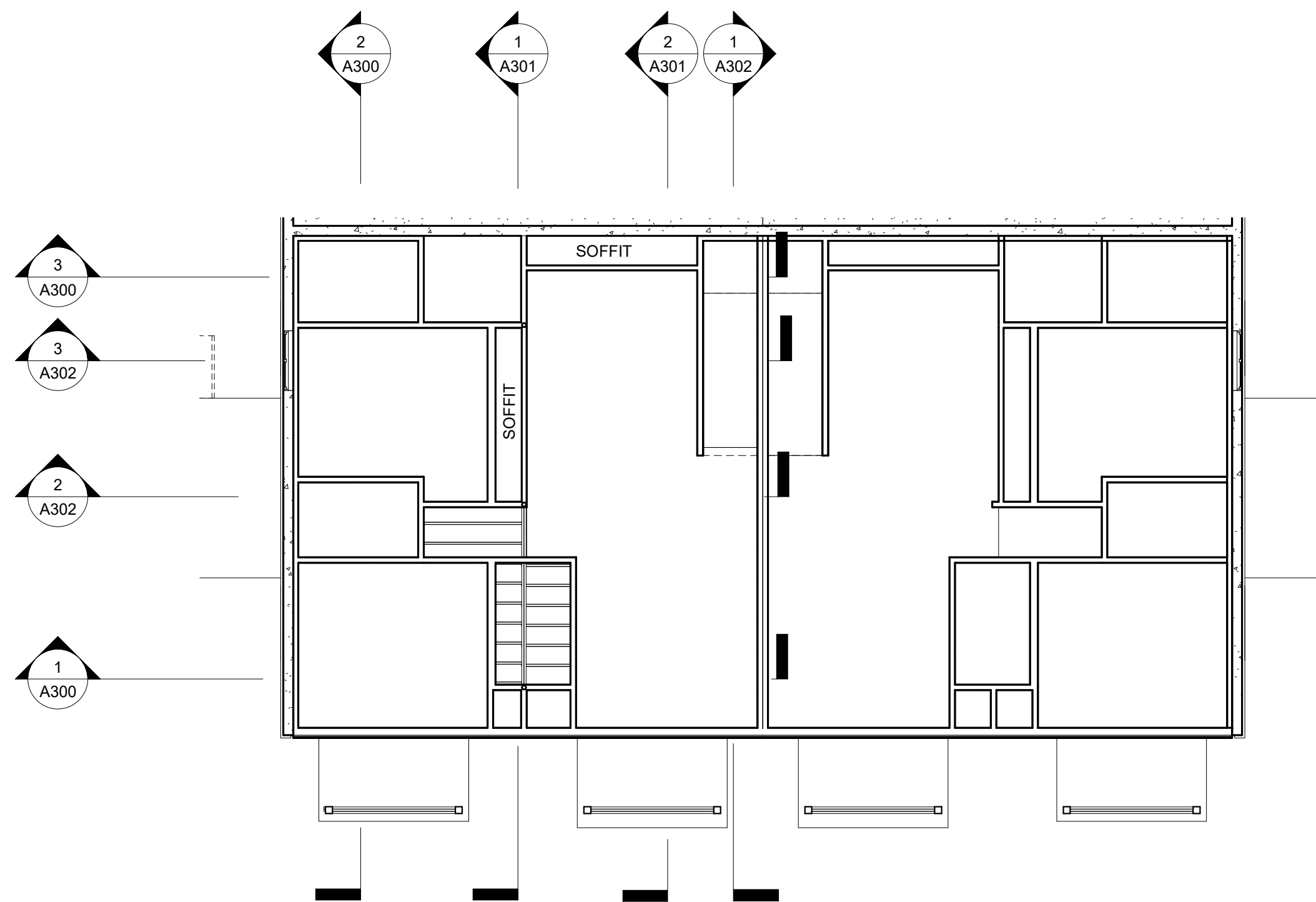
Andrew Dasso, AIA
575 12th Ave
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309-737-8587
andrew@streamlinearchitects.com

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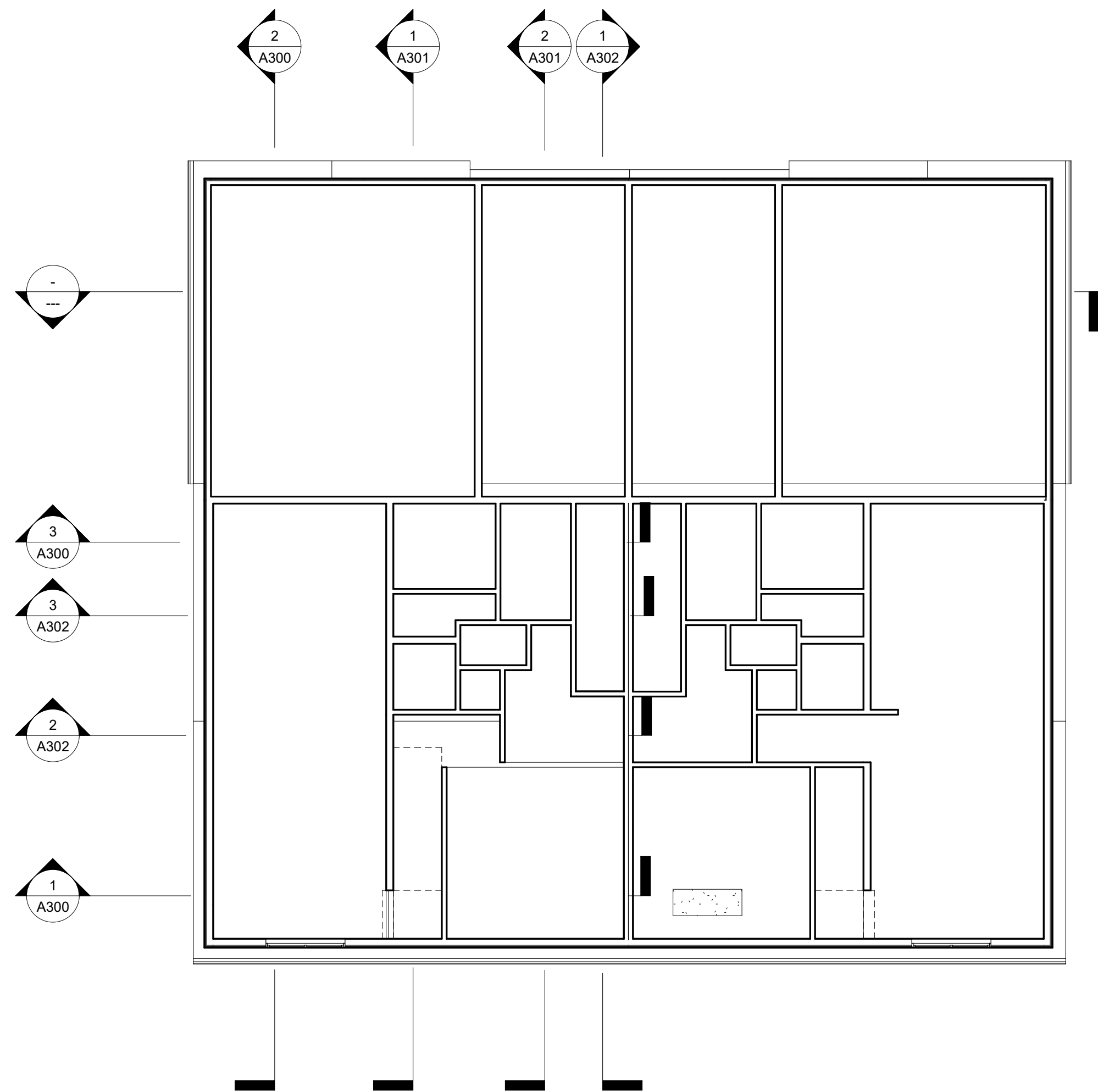
732-754 6th St
Davenport IA
RCP

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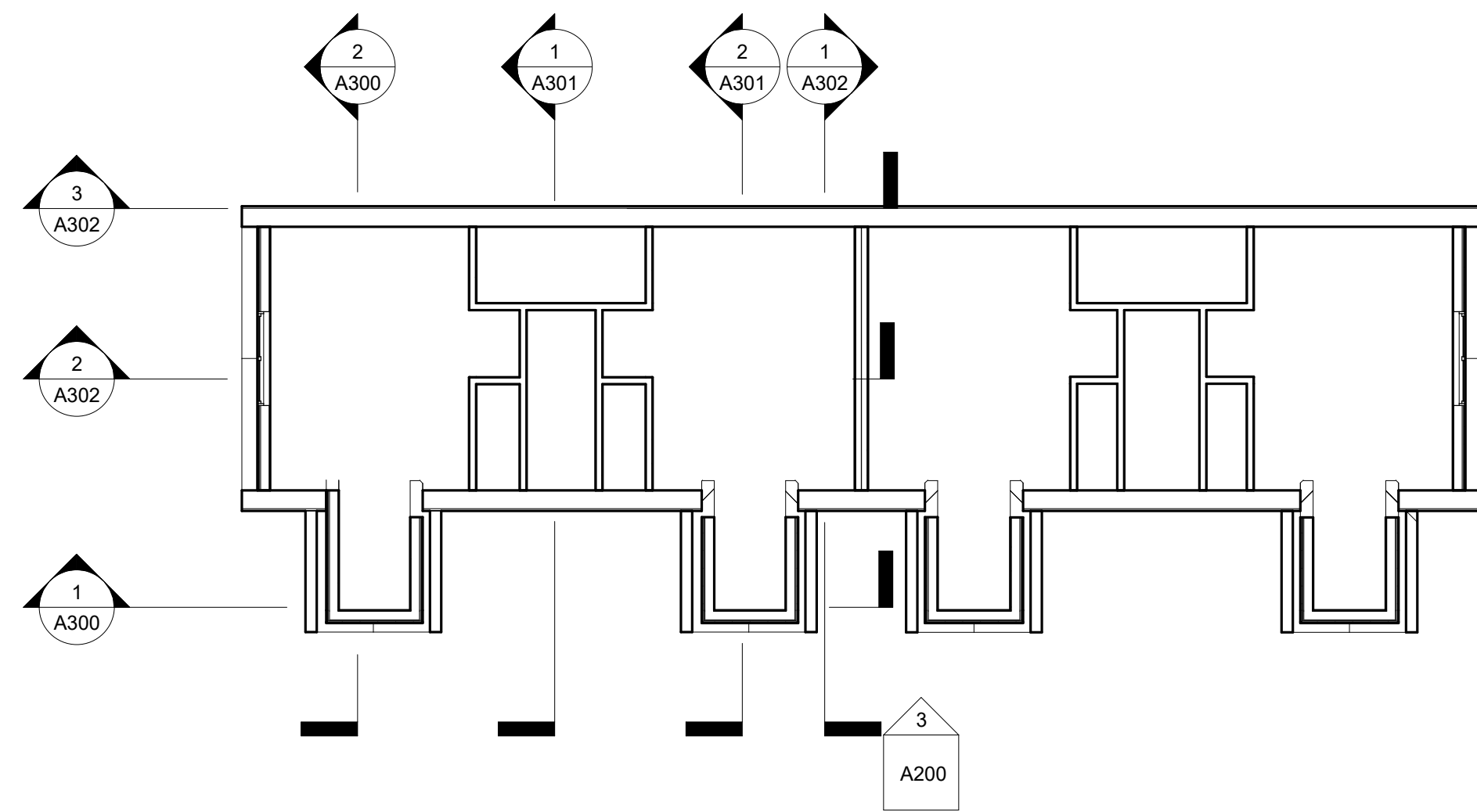
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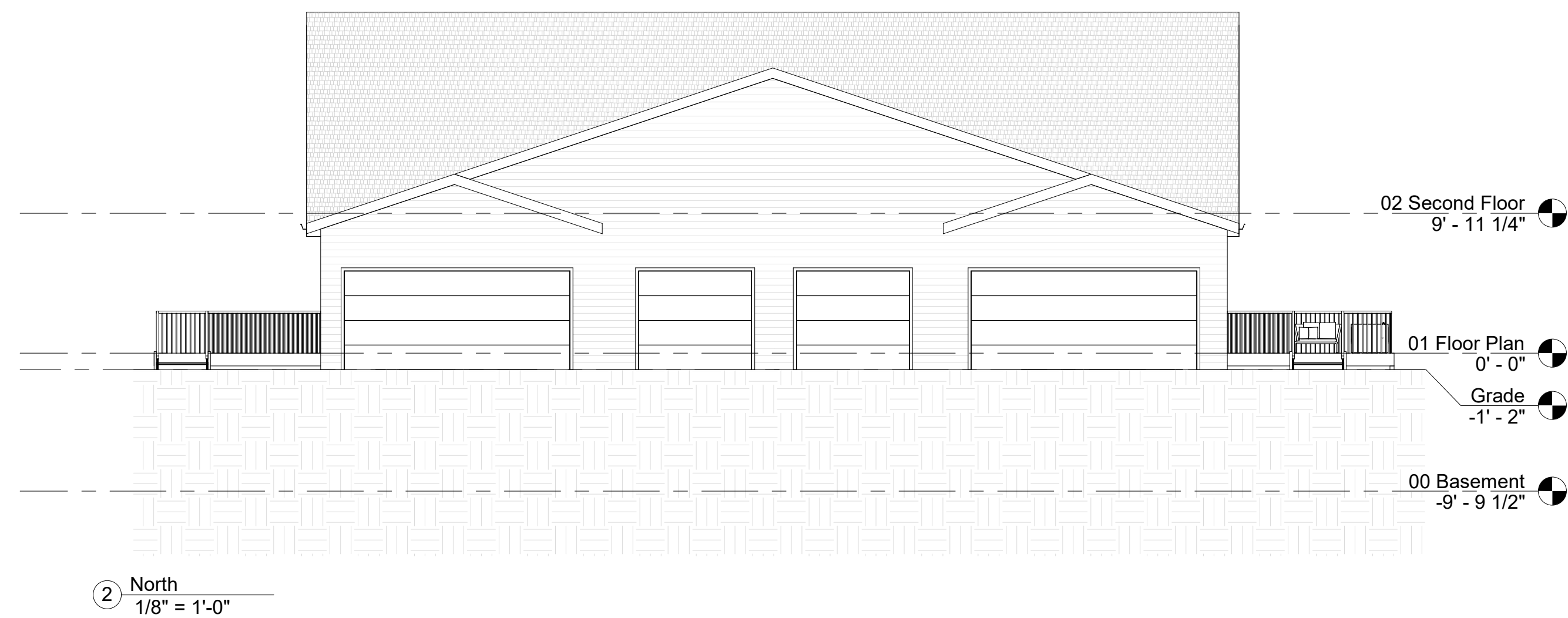
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2 01 Floor Plan
1/8" = 1'-0"



③ 02 Second Floor
1/8" = 1'-0"



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732-754 6th St
Davenport IA
Elevations

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A200

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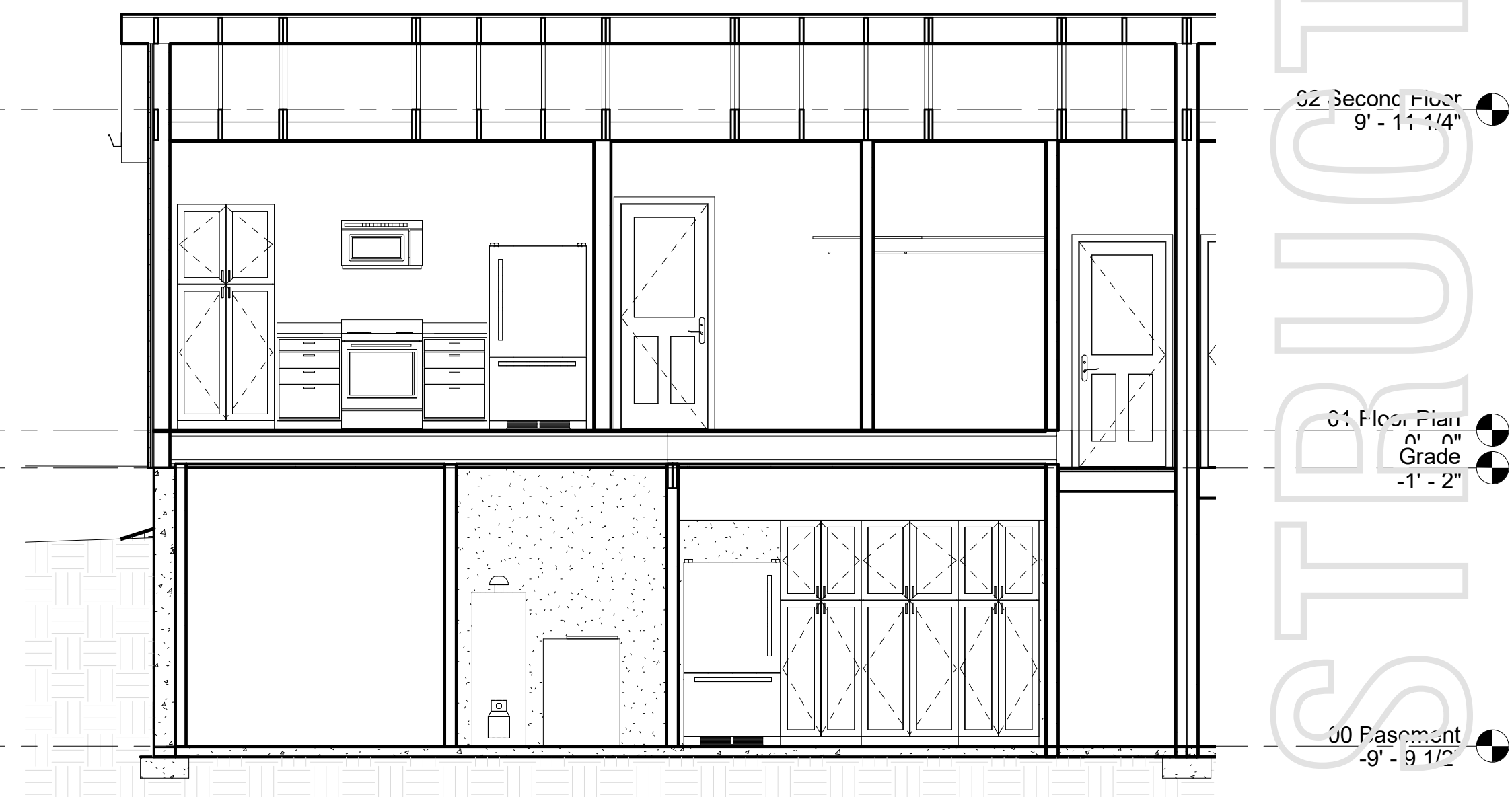
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Davenport IA
Sections

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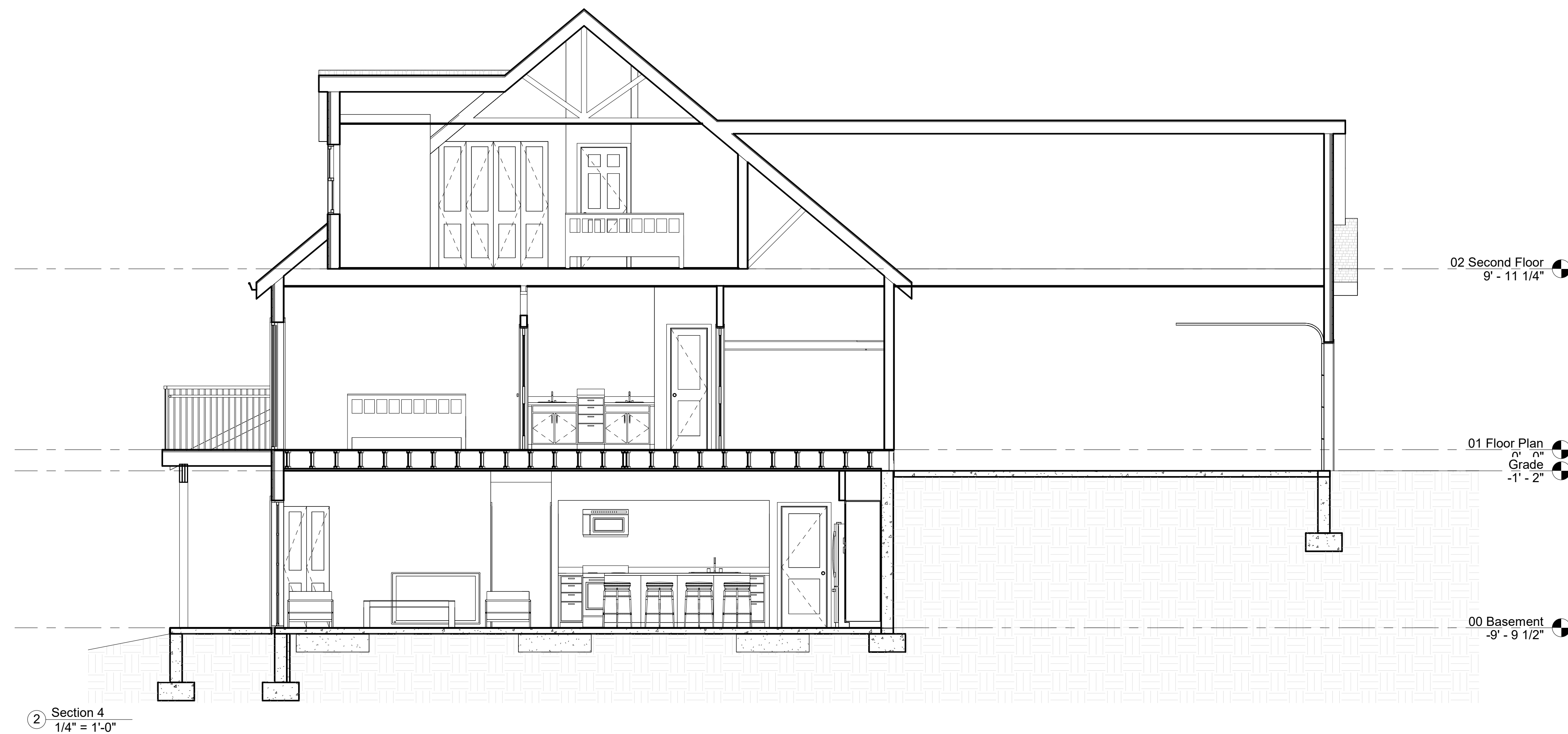
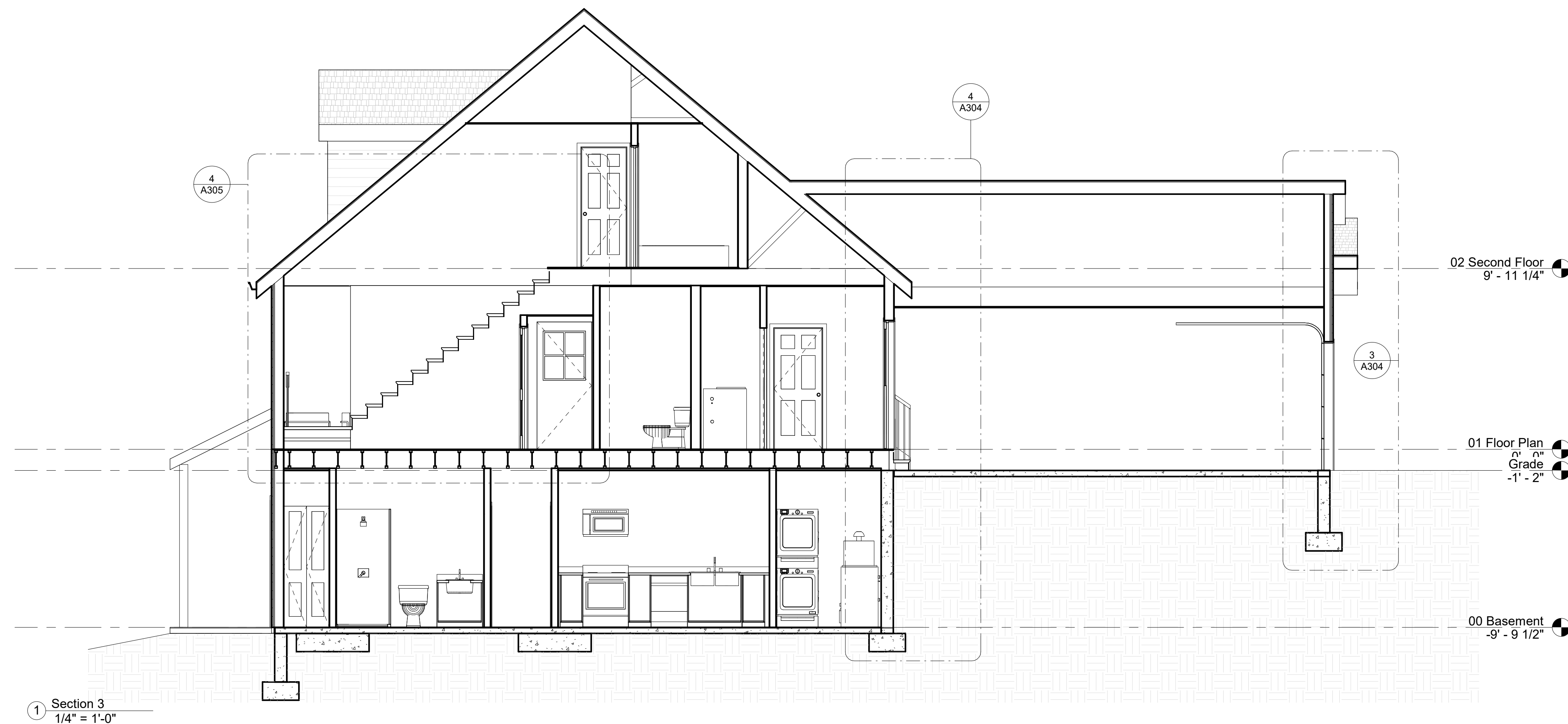
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③ Section 7
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② Section 2
1/4" = 1'-0"



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732-754 6th St
Davenport IA
Sections

Project number	Project Number
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Andrew Dasso, AIA
575 12th Ave
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732-754 6th St
Davenport IA
Sections

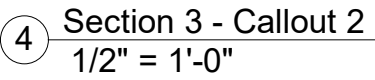
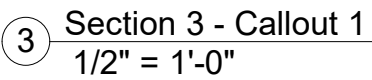
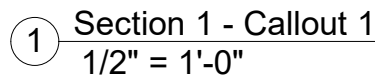
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Checked by	Checker
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Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
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andrew@streamlinearchitects.com

732-754 6th St
Davenport IA
Wall Sections

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Streamline Architects, P.L.C.

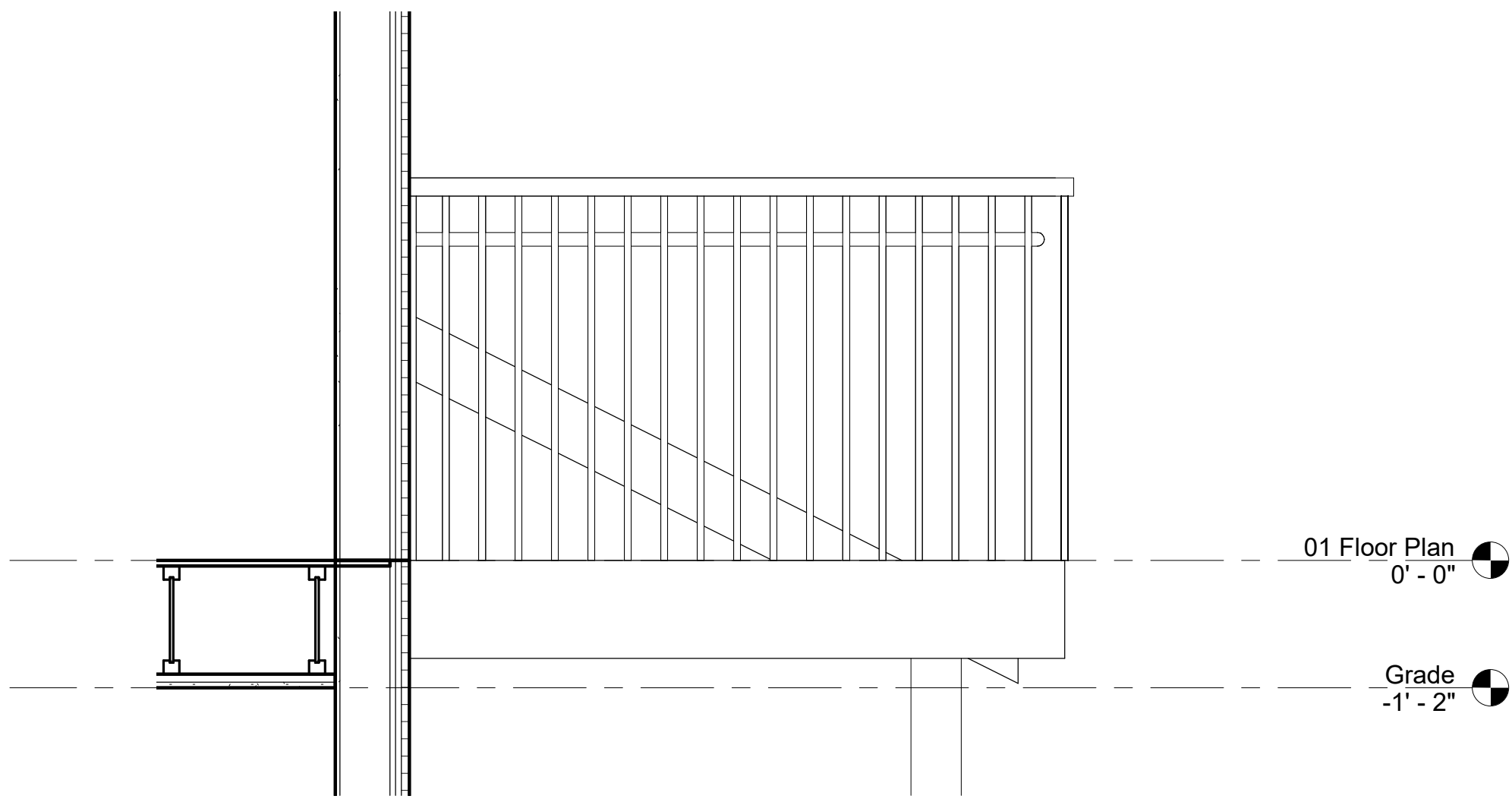
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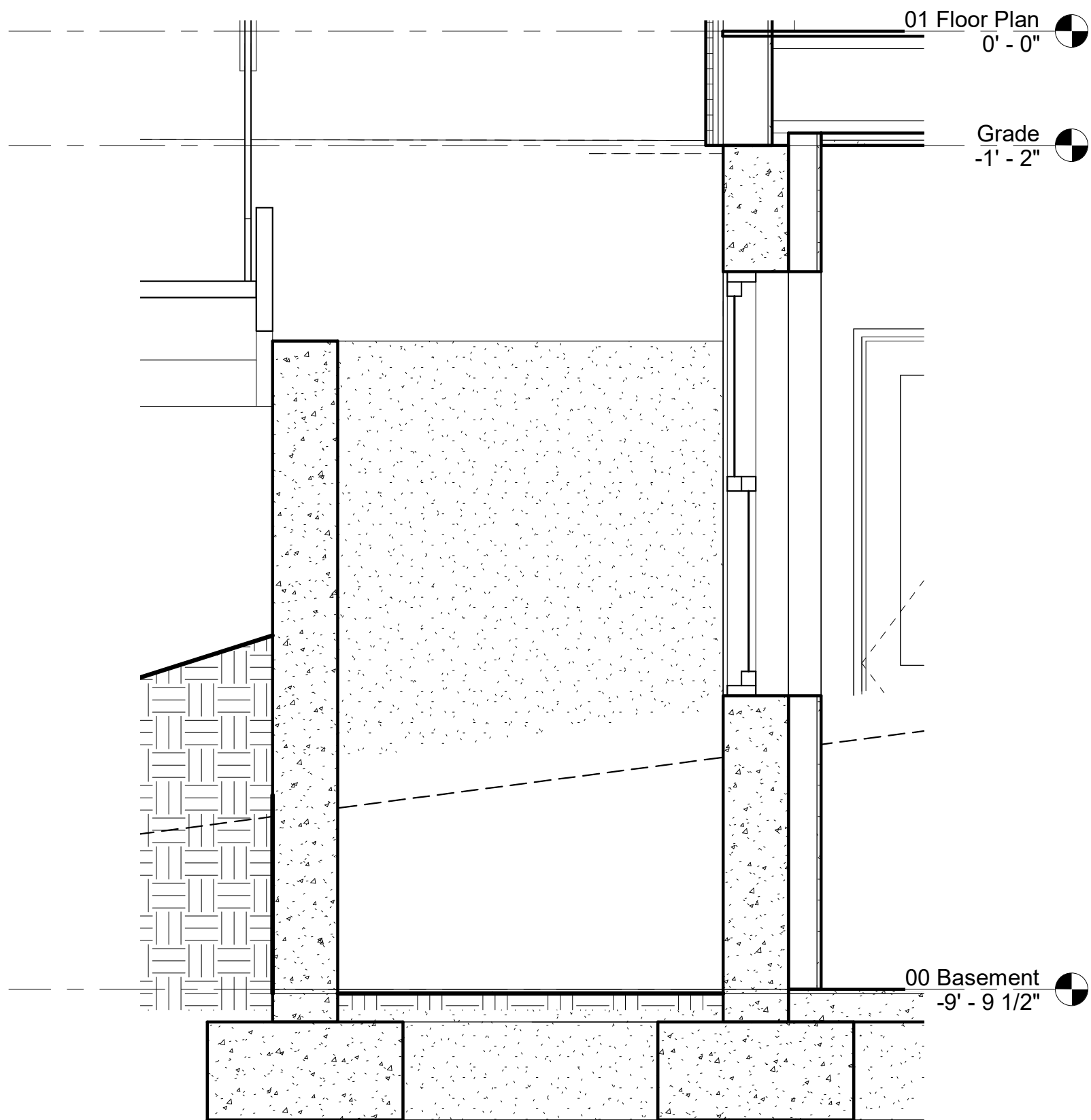
732-754 6th St
Davenport IA
Details

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A306	
Scale	3/4" = 1'-0"

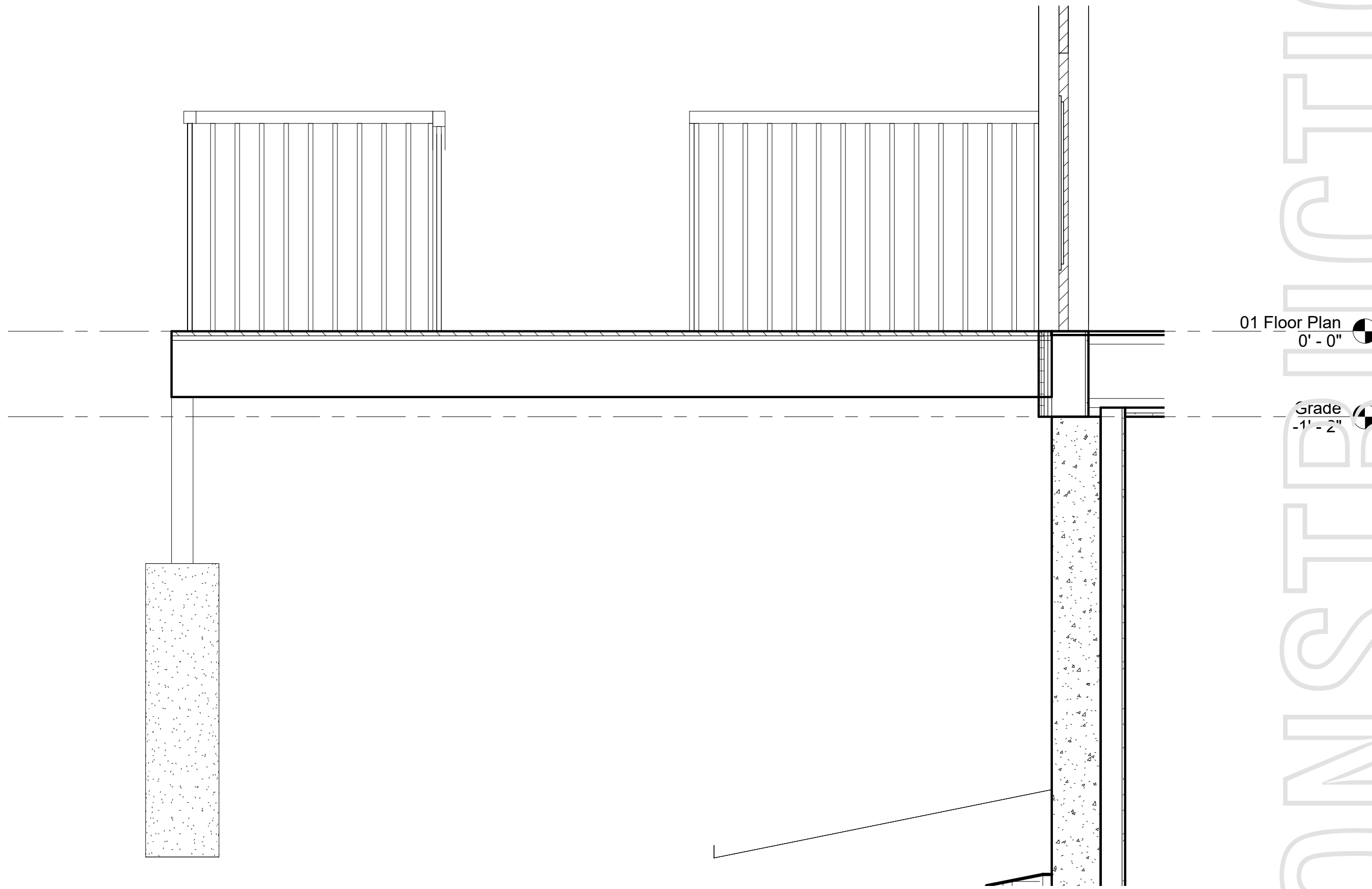
8/30/2021 12:05:59 PM



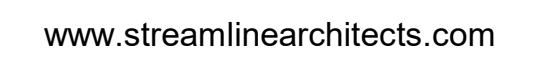
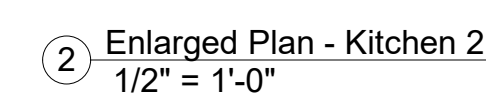
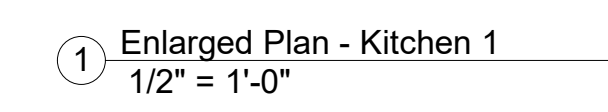
1 Deck Detail 1
3/4" = 1'-0"



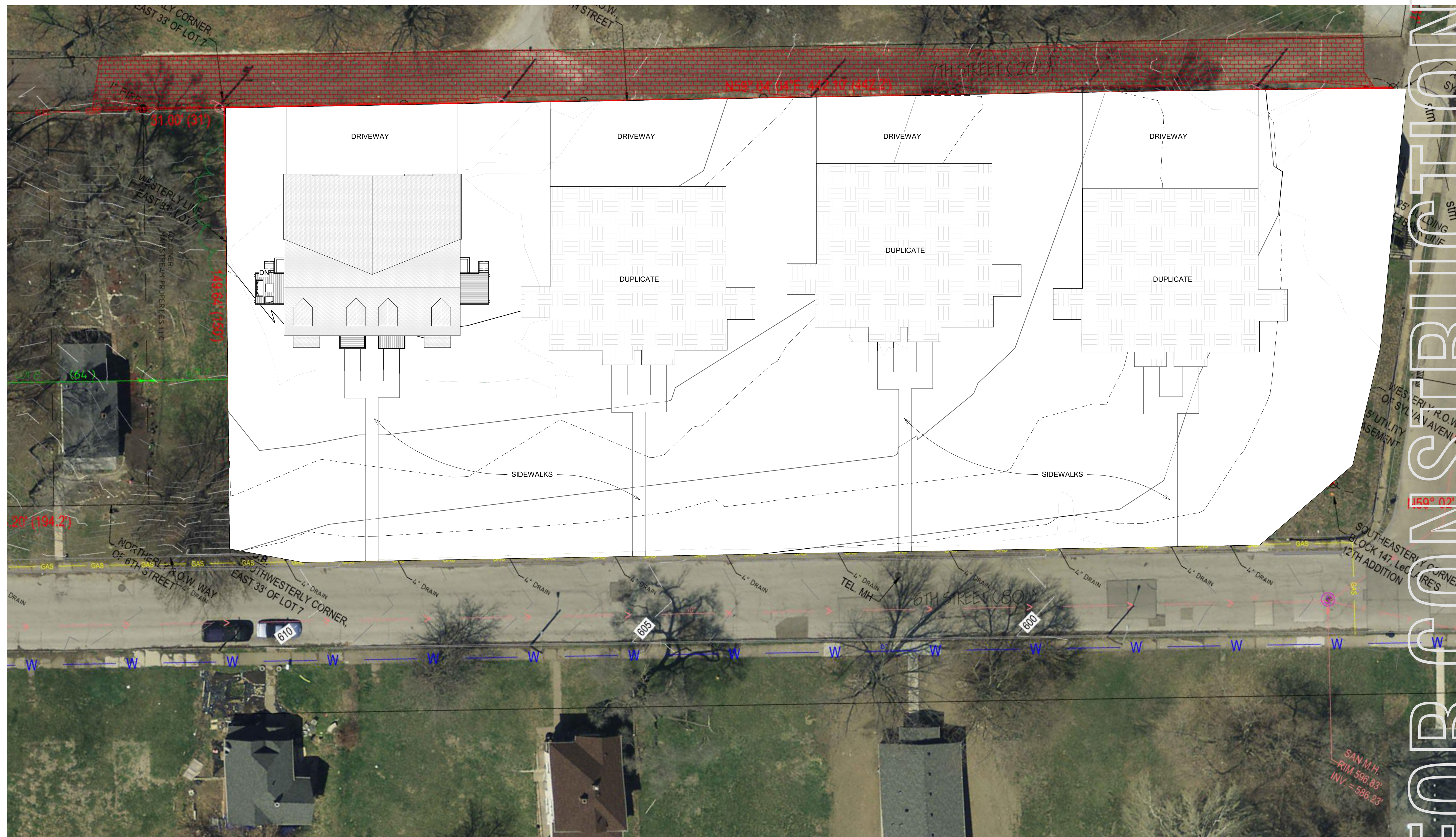
2 Window Well Detail
3/4" = 1'-0"



③ Deck Detail 2
3/4" = 1'-0"

[illegible]

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A400	
Scale	1/2" = 1'-0"



1 Site
1" = 20'-0"



www.streamlinearchitects.com

Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St
Davenport IA
Site Plan

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
AS100	
Scale	1" = 20'-0"



PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

To: All property owners within 200 feet of the subject property located at the northwest corner of Sylvan Avenue and East 6th Street.

Committee of the Whole Public Hearing Meeting

Date: 7/2/2024

Time: 5:30 PM

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

What is this About?

This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned R-4C Single-Family and Two-Family Central Residential Zoning District. The request is to rezone the property to R-MP Multi-Family Residential District. The purpose is to construct four buildings with four units each (16 units in total).

Request/Case Description

Case REZ24-02: Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District. [Ward 3]

At its June 18, 2024 meeting, the Plan and Zoning Commission recommended Case REZ24-02 be forwarded to the City Council with a recommendation for **denial**.

What are the Next Steps?

The public hearing on the above matter is scheduled for 5:30pm or as soon thereafter on Tuesday, July 2, 2024 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would You Like to Submit an Official Comment?

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

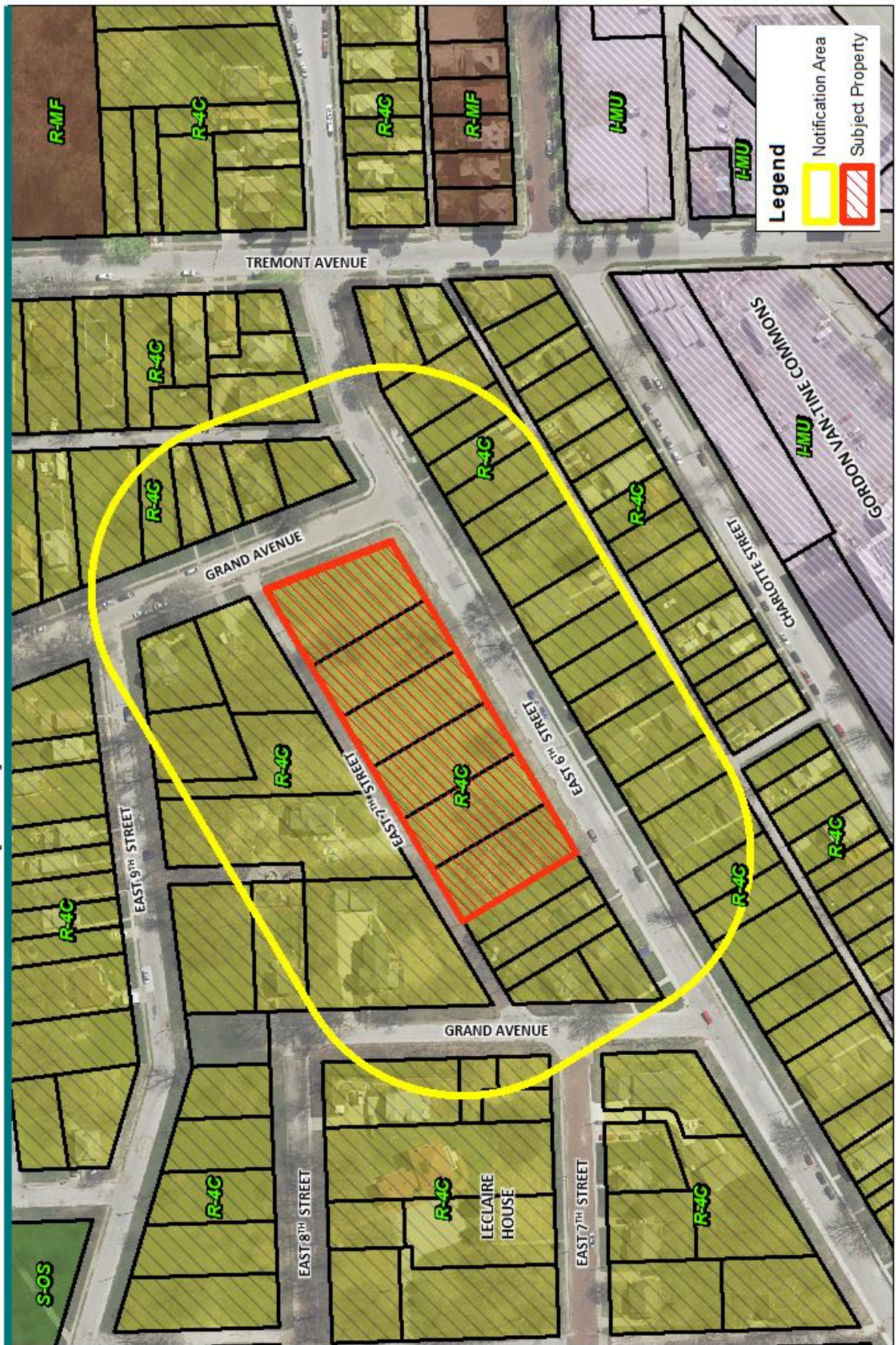
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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



Rezoning Request | Case REZ24-02

Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C District to R-MF District. [Ward 3]





PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at the northwest corner of Sylvan Avenue and East 6th Street.

NAME
ADDRESS
CSZ

Neighborhood Meeting

Date: 5/29/2024

Time: 6:00 PM

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

Plan & Zoning Commission Public Hearing Meeting

Date: 6/4/2024

Time: 5:00 PM

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

What is this About?

This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned R-4C Single-Family and Two-Family Central Residential Zoning District. The request is to rezone the property to R-MP Multi-Family Residential District. The purpose is to construct four buildings with four units each (16 units in total).

Request/Case Description

Case REZ24-02: Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential Zoning District to R-MF Multi-Family Residential District. [Ward 3]

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

The Plan and Zoning Commission will hold a formal public hearing at their meeting on June 4, 2024. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on June 18, 2024. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

All documents related to the meeting (agenda included) are at "Meeting Minutes & Agendas": https://www.davenportiowa.com/government/meeting_minutes_agendas

Do You Have Any Questions?

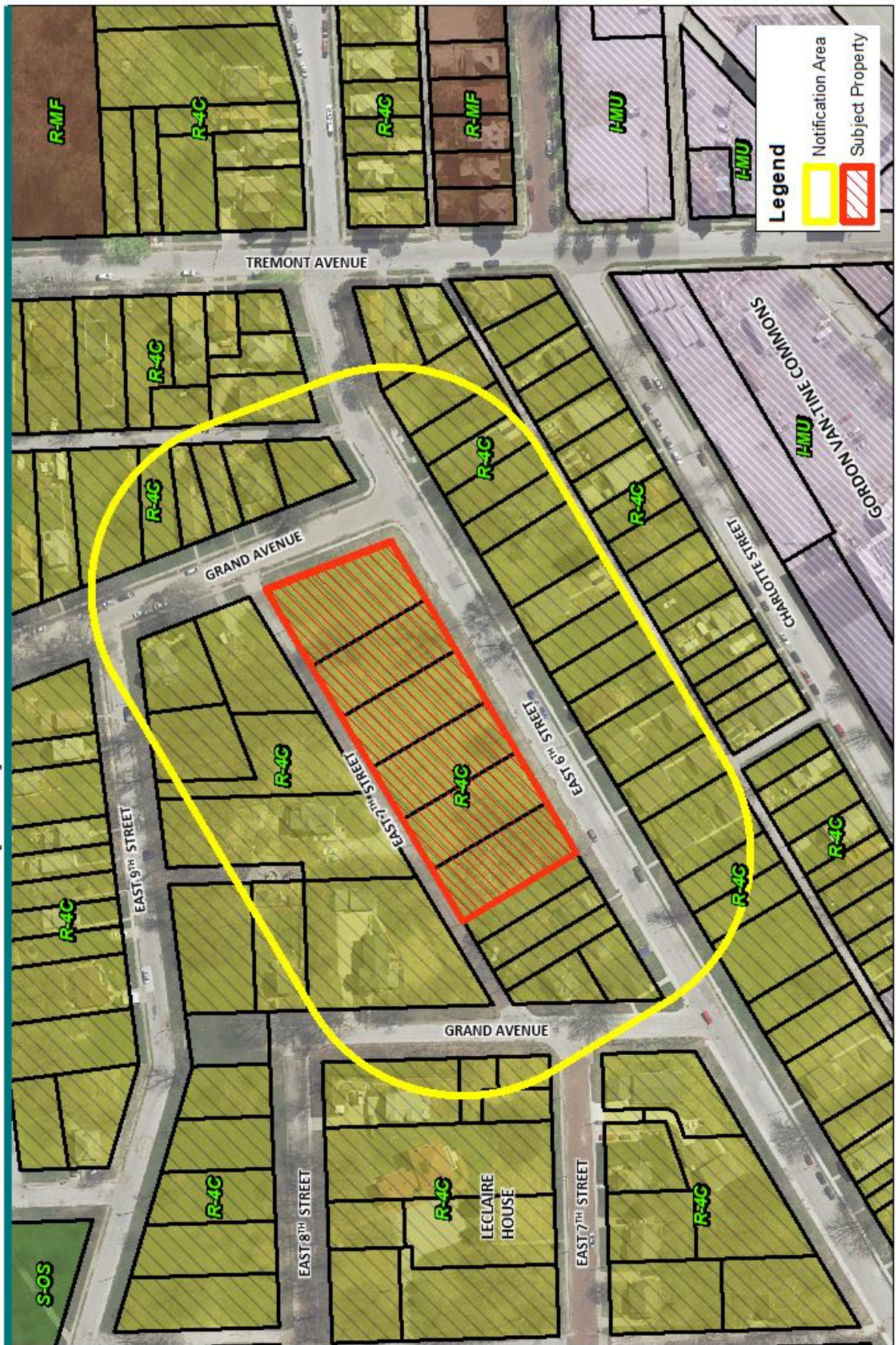
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: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

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



Rezoning Request | Case REZ24-02

Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C District to R-MF District. [Ward 3]

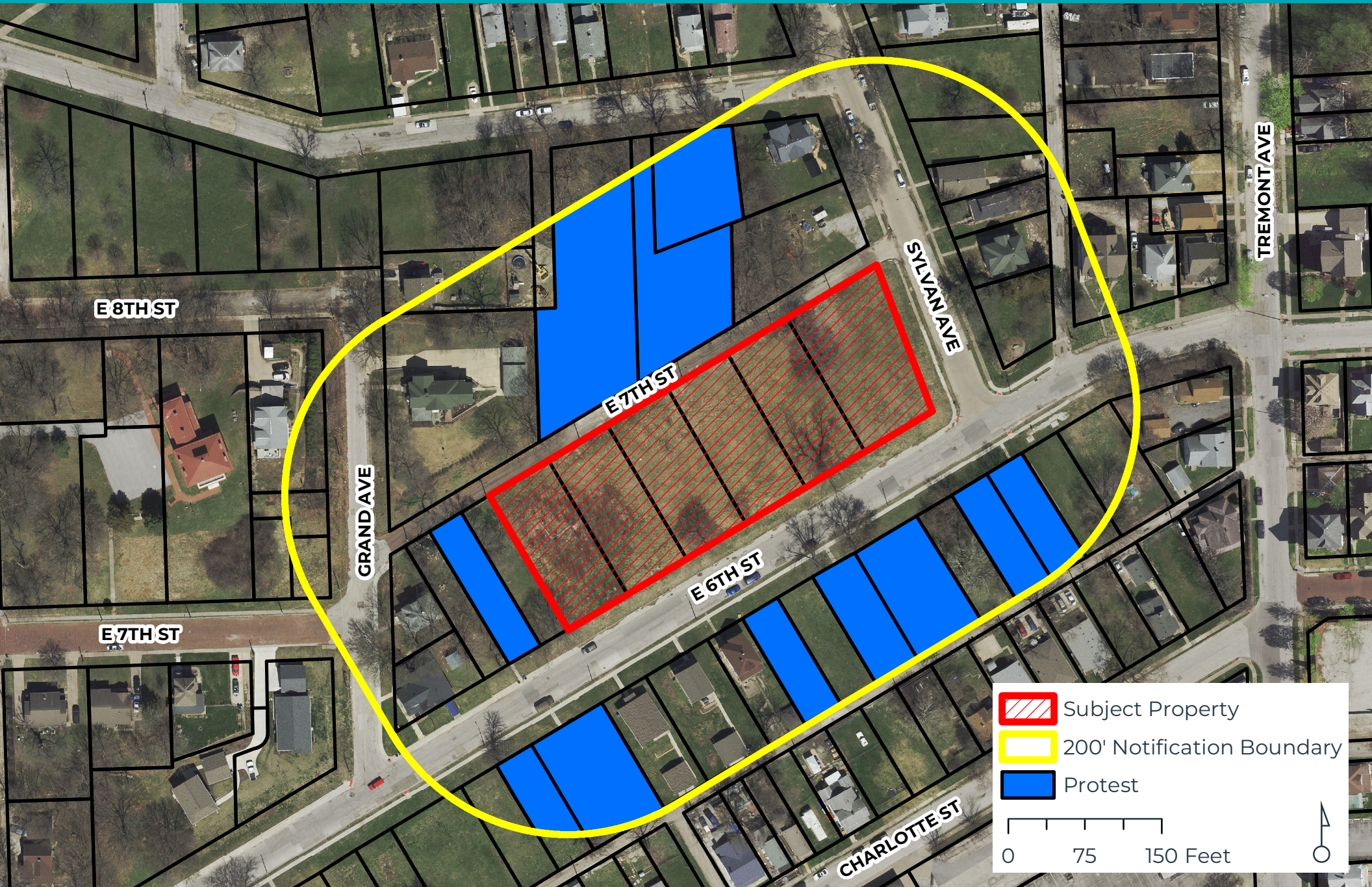




THE CITY OF DAVENPORT IOWA | USA

Protest Map | Case REZ24-02

Request of Riverview Heights, LLC to rezone approximately 1.47 acres of land located on the north side of the 700 block of East 6th Street from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 3]



Petition For Zoning
Plan For the 700
block of East 6th
4 Four Plex units =
16 Apartments

All in Favor for Plan

701

719

727

*733

739

745

*749

753

757

761

765

*769

*805

813

All Not in favor for Plan
Blaise

Demessi Dyboon

Kevin Karasti

Jennifer Conway *J. Conway*

Yasmine Bunt *Y. Bunt*
Auf
Nee Mayamur Virginia Elder

Giorgia Adjof ~~Adjof~~

Hannah Van Trump
Vapena Stone

Isaac Wilmington

734 E 7th

Im Not in Favor For Plan

Opposition to Rezoning of approx 1.47 acres of land located on N side of the 700 block of E 6th St (six lots) – Case REZ24-02

To: City of Davenport Plan and Zoning Commission/City Council

We, the undersigned, as owners of 714 E 6th St, strongly oppose the proposed rezoning of 6 lots, approx 1.47 acres on the N side of the 700 block of E 6th Street from R-4C to R-MF. This rezoning would allow for 16 additional units, greatly increasing the density of the area. The street where access to these units will enter from is a very narrow street that can only accommodate 1 vehicle at a time and cannot handle the additional traffic. We are also concerned about water runoff.

We are concerned about the impact this rezoning would have on our neighborhood, including increased traffic, noise and safety. There are other lots located in the city that would be better suited for this proposal. This neighborhood needs to remain an established single family/two-family home neighborhood as it was originally zoned. We believe that this rezoning is not in the best interest of our neighborhood and urge you to reject this proposal.

Mainstream Properties LLC
PO Box 383
Davenport, IA 52805



Ray Cornelison



Lisa Cornelison

Werderitch, Matt

From: Bill Peterson <albedozero@gmail.com>
Sent: Tuesday, June 18, 2024 2:04 PM
To: Planning
Subject: [EXT] Case REZ24-02

ATTENTION: This is an external email.

Greetings,

I am writing as a resident of Davenport to express my opposition to rezoning the area in this case as residential multi-family (R-MF). I'm a resident of the 5th ward and live adjacent to the Annie Wittenmyer complex. This is an example of an area that costs the city a lot to maintain, and has a proposal to convert it into low-income and other types of housing for which the city has a lot of need.

In contrast, the type of housing proposed for the area of land on 6th street in this case isn't something the city has great need of, and the land itself costs the city little to maintain and could better serve as parkland or less-dense housing. The construction proposed also seems like it would be out-of-place and disruptive to the neighborhood, and adjacent residents have expressed clear and unified opposition. While this isn't something occurring directly in my neighborhood, it sets a bad precedent in our city to make a zoning change like this when it doesn't have any clear benefits other than to enable a specific developer to make a profit.

Sincerely,
Bill Peterson
2637 Esplanade Ave
Davenport, IA 52803

Neighborhood Meeting Attendance List

Date: 05/29/2024

Time: 6:00 pm

Location: City Hall | Council Chambers

Case:

Case REZ24-02: Request of Riverview Heights, LLC to rezone 1.47 acres of land located on the north side of the 700 block of E 6th Street from R-4C to R-MF.

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Isaac Wilmington		(563) 650-3166	734 E 17th
2	Ray & Lisa Cornelison		563 324-2839	714 E 6th
3	Kevin Karasti		262-497-4147	727 E 6th
4	Shannon Wilmington		563-210-5279	734 E 7th
5	Goodja Adjafe		761 E 6th	308 2066432
6				
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City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
7/10/2024

Subject:

Second Consideration: Ordinance for Case ROW24-03 being the request of the Davenport Community School District to vacate West 5th Street between Cedar Street and Howell Street. [Ward 3]

Recommendation:

Adopt the Ordinance.

Background:

The Davenport Community School District is petitioning to vacate West 5th Street between Cedar Street and Howell Street. The purpose of the vacation is to facilitate the redevelopment of Smart Middle School. A concept plan has been provided by the applicant detailing the proposed footprint of the new building along with the location of parking lots, bus drop-off lanes, and athletic amenities.

This section of 5th Street is approximately 80 feet in width and accommodates two-way traffic. There are 90-degree (head-in) parking spaces along the north and south sides of the roadway, which functions similar to a parking lot for Smart Middle School. City staff are analyzing the potential traffic impacts this closure may have on the neighborhood transportation network. The area to be vacated is approximately 38,013 square feet or 0.87 acres.

At its June 4, 2024 meeting, the Plan and Zoning Commission unanimously recommended Case ROW24-03 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings

1. Vacating the right-of-way facilitates the redevelopment of Smart Middle School.
2. All utilities within the public right-of-way will be removed or relocated prior to development.
3. Based on the conceptual redevelopment plan for Smart Middle School, drop-off and pick-up will be shifted onto school grounds.
4. Converting Cedar Street to two-way traffic will mitigate traffic concerns in the area.

Condition

1. All existing utilities located within the right-of-way, which are subject to vacation, shall be granted access for the maintenance of such utilities until their relocation has been completed.

The staff report from the June 4, 2024 Plan and Zoning Commission meeting is attached.

Attachments:

1. Ordinance
2. Plan & Zoning Commission Staff Report
3. Application
4. Maps
5. Smart Middle School Project Narrative
6. Smart Middle School Project Presentation
7. Public Hearing Notice-Committee of the Whole
8. Public Hearing Notice-Plan & Zoning Commission
9. Neighborhood Meeting Attendance List

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW24-03 BEING THE REQUEST OF THE DAVENPORT COMMUNITY SCHOOL DISTRICT TO VACATE WEST 5TH STREET BETWEEN CEDAR STREET AND HOWELL STREET.

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

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

Part of West 5th Street, located in the southwest quarter of Section 27, Township 78 North, Range 3 East of the 5th Principal Meridian, between Cedar Street on the west, North Howell Street on the east, Block 1 of Thos Scott and C. Foster's Addition on the north and Block 4 of Scott and Foster's 2nd Addition on the south, in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the northwest corner of said Block 4;

Thence North 00 degrees 13 minutes 00 seconds West, a distance of 80.06 feet to the southwest corner of said Block 1;

Thence North 87 degrees 30 minutes 43 seconds East along the south line of said Block 1, a distance of 476.81 feet to the west right of way line of North Howell Street as described in Deed Document #2009-00022761 Tract H0062-43;

Thence South 02 degrees 07 minutes 53 seconds West, a distance of 80.26 feet to the intersection of the north line of said Block 4 and the west right of way line of North Howell Street as described in Deed Document #2009-00022761 Tract H0062-10;

Thence South 87 degrees 30 minutes 43 seconds West along said north line, a distance of 473.52 feet to the Point of Beginning.

The above-described parcel contains 38,013 square feet, more or less as shown by the attached Right of Way Vacation Plat.

For the purpose of this description Bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

Section 2. At its June 4, 2024 meeting, the Plan and Zoning Commission unanimously recommended Case ROW24-03 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings

1. Vacating the right-of-way facilitates the redevelopment of Smart Middle School.
2. All utilities within the public right-of-way will be removed or relocated prior to development.
3. Based on the conceptual redevelopment plan for Smart Middle School, drop-off and pickup will be shifted onto school grounds.
4. Converting Cedar Street to two-way traffic will mitigate traffic concerns in the area.

Condition

1. All existing utilities located within the Right-of-Way, which are subject to vacation, shall be granted access for the maintenance of such utilities until their relocation has been completed.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
6/4/2024

Subject:

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings to vacate West 5th Street, between Cedar Street and Howell Street, in Case ROW24-03 to the City Council with a recommendation for approval, subject to the following findings and condition:

Findings:

1. Vacating the right-of-way facilitates the redevelopment of Smart Middle School.
2. All utilities within the public right-of-way will be removed or relocated prior to development.
3. Based on the conceptual redevelopment plan for Smart Middle School, drop-off and pick-up will be shifted onto school grounds.
4. Converting Cedar Street to two-way traffic will mitigate traffic concerns in the area.

Condition:

1. All existing utilities located within the Right-of-Way, which are subject to vacation, shall be granted access for the maintenance of such utilities until their relocation has been completed.

Background:

The Davenport Community School District is petitioning to vacate West 5th Street, between Cedar Street and Howell Street. The purpose of the vacation is to facilitate the redevelopment of Smart Middle School. A concept plan has been provided by the applicant detailing the proposed footprint of the new building along with the location of parking lots, bus drop-off lanes, and athletic amenities.

This section of 5th Street is approximately 80 feet in width and accommodates two-way traffic. There are 90-degree (head-in) parking spaces along the north and south sides of the roadway, which functions similar to a parking lot for Smart Middle School. City staff are analyzing the potential traffic impacts this closure may have on the neighborhood transportation network. The area to be vacated is approximately 38,013 square feet or 0.87 acres.

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

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

and Zoning Commission action is required.)

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation:

The existing Smart Middle School and former Monroe Elementary School properties are designated as Civic and Institutional in the Davenport +2035 Future Land Use Map. The surrounding neighborhood is designated as Residential General.

1. **Civic and Institutional:** Reserved for major developments for government, education, religion, medical, utilities, and other cultural or non-profit organizations located outside the Downtown (DT).
2. **Residential General:** 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 of intensity may be considered.

Abutting Zoning:

The abutting properties are currently zoned **R-4C Single-Family and Two-Family Central Residential District**. This district is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

Technical Review:

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

1. Streets: This section of 5th Street facilitates two-way traffic with head-in parking on both sides. Removing this connection will impact traffic patterns throughout the neighborhood. To better mitigate conflicts, staff supports converting Cedar Street, between 4th Street and 5th Street, from one-way to two-way traffic. With a pavement width of 32 feet, parking should be limited to the west side of the roadway only. Given the narrow pavement width of Howell Street, accommodating two-way traffic with on-street parking may not be feasible at this time.
2. Sanitary Sewer: There is currently a 12" sanitary sewer extending the length of 5th Street.
3. Water Service: Iowa American Water Company has a watermain on 5th Street that will need to be relocated to Howell Street prior to the start of construction. Abandoning the existing watermain on 5th Street may require relocating services for the new building.

4. Other Utilities: The three streetlights along the south edge of the pavement will have to be removed/relocated to facilitate the redevelopment of the site.
5. Parks/Open Space: The building footprint for the Smart Middle School reconstruction will span across a portion of the vacated right-of-way. The district's proposed site plan will consolidate greenspace and outdoor amenities on the west side of the school. The configuration prevents students from having to cross a street to access recreational space.

Public Input:

Letters were sent to property owners within a two block radius (bounded by Pine Street, West 4th Street, Division Street, and West 6th Street) of the proposed request notifying them of the May 7th neighborhood meeting and May 14th Plan and Zoning Commission public hearing.

The neighborhood meeting was held in the Smart Middle School Library at 1934 West 4th Street. Representatives of the Davenport School District were in attendance to explain the request to vacate 5th Street and discuss the proposed concept plan for the new school and site layout. There were approximately five members of the public in attendance. The overall concept plan presented by the school district was positively received. Questions raised were related to on-street parking on Howell Street as well as converting the one-way streets to two-ways.

There were no members of the public in attendance at the May 14th Plan and Zoning Commission public hearing. Any correspondence received will be shared at the June 4th Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Smart Middle School Project Narrative
3. Smart Middle School Project Presentation
4. Maps
5. Public Hearing Notice
6. Neighborhood Meeting Attendance List



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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
RIGHT-OF-WAY VACATION
(EASEMENT ABANDONMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
05/13/2024	04/18/2024	06/18/2024

PROJECT TITLE
Smart Middle School Renovation

APPLICANT INFORMATION

Applicant Name | Company Name
Davenport Community School District / IMEG Corp.

Address
1717 State Street, Suite 201

City | State | Zip
Bettendorf, IA, 52722

Phone
(563) 514-4392

Secondary Phone
(563) 344-0260

E-Mail Address
alex.e.krist@imegcorp.com

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

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

IMEG Corp.

Type Applicant's Name



4/18/2024
Date

GENERAL LOCATION DESCRIPTION
1934 W 5th St. Davenport, IA

NEIGHBORHOOD MEETING DATE / TIME / LOCATION
5/8/24 6:00 pm 1934 W 5th St. Davenport, IA

AREA OF VACATION	EXISTING USE	PROPOSED USE	SQUARE AREA
5th St. R.O.W.	School Property		38,013 S.F.

COMPLETE SUBMITTALS SHALL INCLUDE: **SUBMITTED**

Concept/Development Plan, if applicable ☒

Authorization to Act as Applicant ☒

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

Legal Description Dimensioned Sketch ☒

Application Fee: (REQUIRED) \$400* ☐
* check payable to 'City of Davenport'

PROJECT NARRATIVE: (submit separate sheet if needed)

Please see document included in submittal titled
"2024.04.17 Smart MS Building Description"

DEVELOPMENT TEAM

Surveyor
Daryl Brickner - IMEG Corp.

Address
1717 State St., Suite 201, Bettendorf, Iowa, 52722

Phone
(563) 823-6079

Secondary Phone
(563) 344-0260

E-Mail Address
Daryl.A.Brickner@imegcorp.com

Attorney/Other
Richard Davidson - Lane & Waterman LLP

Address
220 North Main St., Suite 600, Davenport, IA 52801

Phone
(563) 333-6624

Secondary Phone
E-Mail Address
rdavidson@l-wlaw.com

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

Authorization to Act as Applicant

I/We, DLSD
[as property owner(s)]

authorize IMEG
[the above person(s)]

to act as applicant, representing me/us before the City Plan & Zoning Commission

for the property located at Mono / Smart

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

Notarization:

4-16-24
Date

State of Texas,
County of Scott,

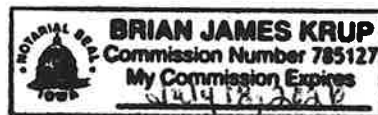
Sworn and subscribed before me

this 16th day of April, 2024

Brian James Krup
Notary Public

1A Driver License
[identification type]

My Commission Expires:

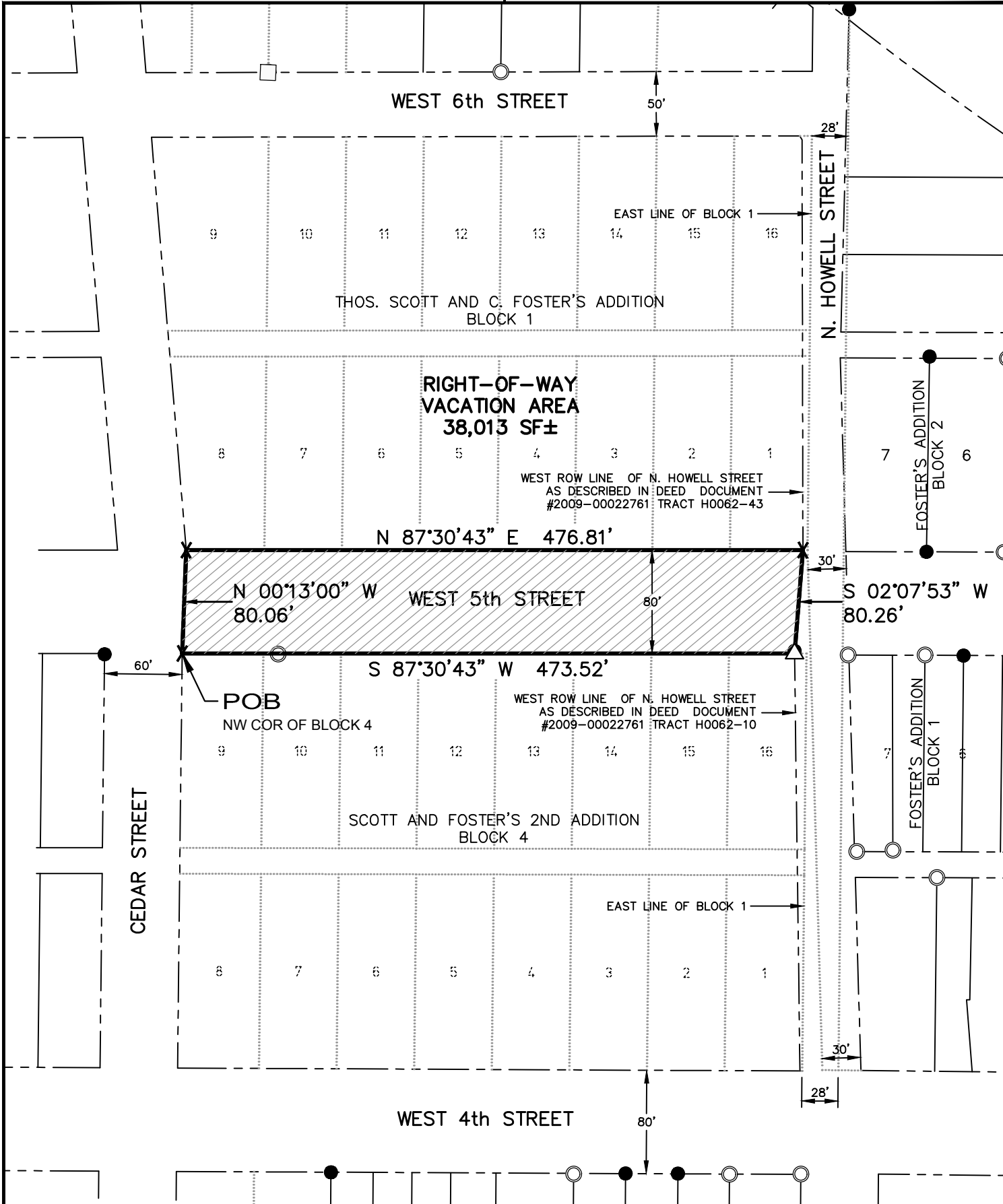


Location: Southwest ¼ of Section 27
Twp/Range: Township 78 North, Range 3 East of the 5th P.M.
County: Scott
Requestor: Davenport School Board
Proprietor: City Davenport
Surveyor: Daryl A. Brickner
Surveyor Company: IMEG Corp.
Return to : IMEG Corp.
1717 State St. Suite 201
Bettendorf, IA 52807
Attn: Daryl Brickner



0 100'
SCALE: 1" = 100'

DRAFT
04-18-2024



IMEG Project No:
24001000.01
File Name:
24001000.01 Vacation 5th
St.dwg
©COPYRIGHT 2024
ALL RIGHTS RESERVED
Field Book No: _
Drawn By: DAB
Checked By: BDO
Date: 4/18/2024
Sheet 1 of 2

WEST 5TH STREET
DAVENPORT, IOWA
RIGHT OF WAY VACATION PLAT



1717 STATE ST. SUITE 201
BETTENDORF, IA 52722
PH: 563.823.6079
www.imegcorp.com



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.

DRAFT
04-18-2024
Daryl A. Brickner, P.L.S. No. 13581 Date
My license renewal date is December 31, 2025
No. of sheets covered by this seal: _

RIGHT OF WAY VACATION DESCRIPTION

Part of West 5th Street, located in the southwest quarter of Section 27, Township 78 North, Range 3 East of the 5th Principal Meridian, between Cedar Street on the west, North Howell Street on the east, Block 1 of Thos Scott and C. Foster's Addition on the north and Block 4 of Scott and Foster's 2nd Addition on the south, in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the northwest corner of said Block 4;

Thence North 00 degrees 13 minutes 00 seconds West, a distance of 80.06 feet to the southwest corner of said Block 1;

Thence North 87 degrees 30 minutes 43 seconds East along the south line of said Block 1, a distance of 476.81 feet to the west right of way line of North Howell Street as described in Deed Document #2009-00022761 Tract H0062-43;

Thence South 02 degrees 07 minutes 53 seconds West, a distance of 80.26 feet to the intersection of the north line of said Block 4 and the west right of way line of North Howell Street as described in Deed Document #2009-00022761 Tract H0062-10;

Thence South 87 degrees 30 minutes 43 seconds West along said north line, a distance of 473.52 feet to the Point of Beginning.

The above-described parcel contains 38,013 square feet, more or less as shown by the attached Right of Way Vacation Plat.

For the purpose of this description Bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

DRAFT
04-18-2024

LEGEND

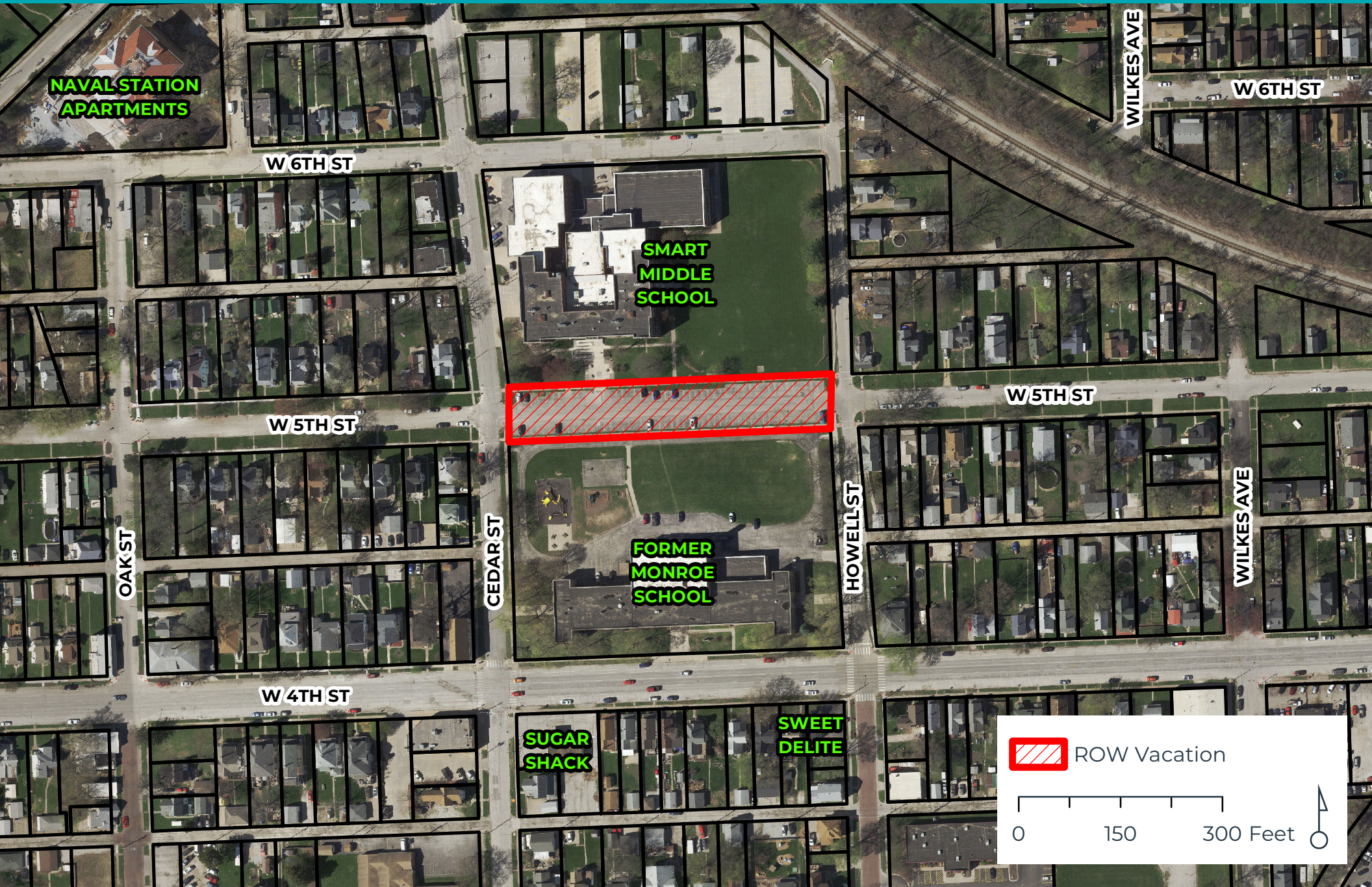
- REBAR, FOUND
- PIPE, FOUND
- SQUARE PIN, FOUND
- X "X" IN CONCRETE, SET
- △ PIN & CAP 13581, SET
- - - - - EXISTING LOT / PARCEL LINE
- — — — — UNDERLYING LOT LINE
- . - . - . - . - . - . EXISTING RIGHT OF WAY LINE
- [Hatched Box] RIGHT OF WAY VACATION AREA

IMEG Project No: 24001000.01	WEST 5TH STREET DAVENPORT, IOWA RIGHT OF WAY VACATION PLAT
File Name: 24001000.01 Vacation 5th St.dwg	
COPYRIGHT 2024 ALL RIGHTS RESERVED	
Field Book No: _	
Drawn By: DAB	 1717 STATE ST. SUITE 201 BETTENDORF, IA 52722 PH: 563.823.6079 www.imegcorp.com
Checked By: BDO	
Date: 4/18/2024	
Sheet 2 of 2	



Vicinity Map | Right-Of-Way Vacation

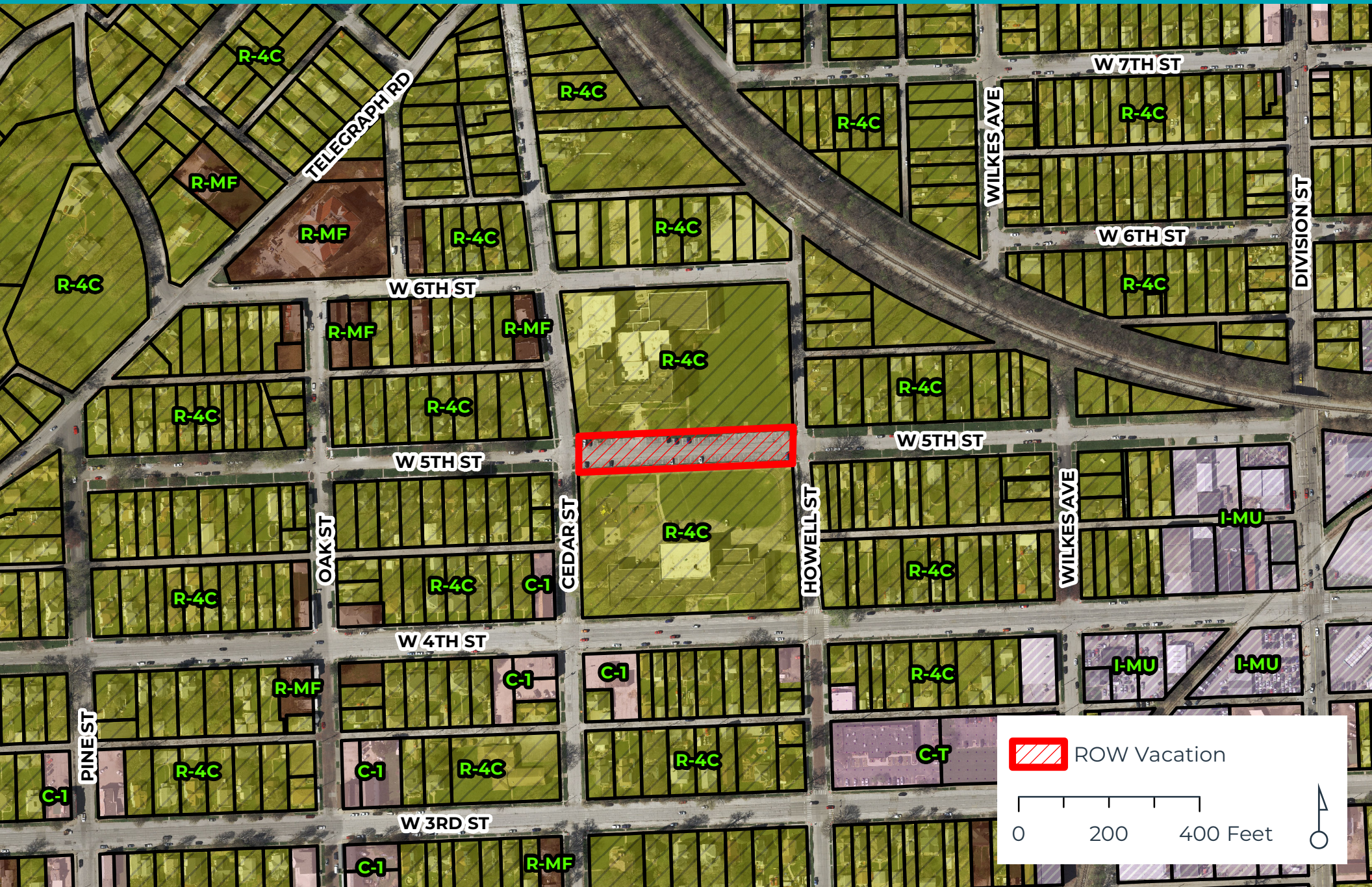
Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]





Zoning Map | Right-Of-Way Vacation

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]



ROW Vacation

0

200

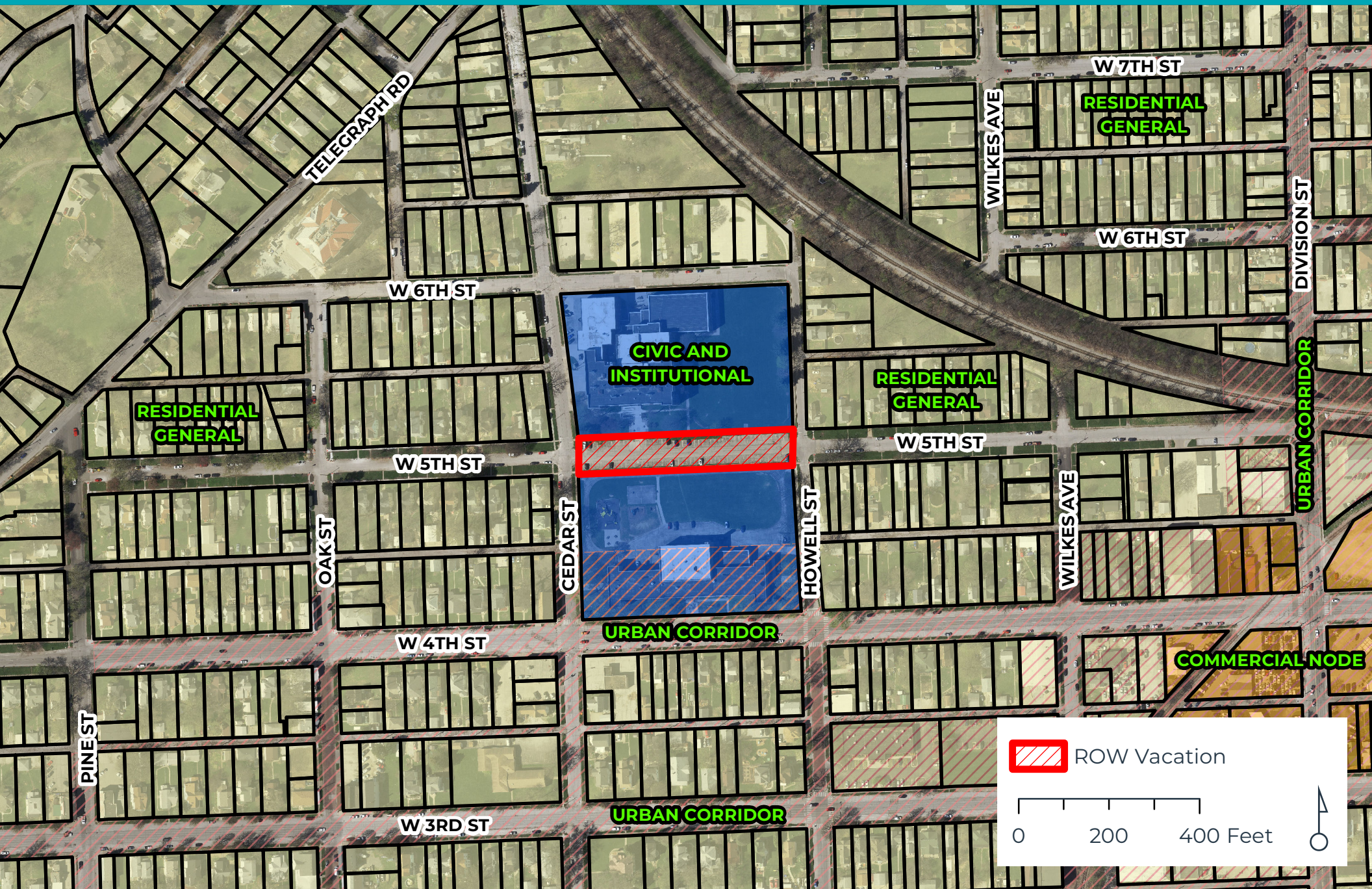
400 Feet





Future Land Use Map | Right-Of-Way Vacation

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]



 ROW Vacation

0 200 400 Feet



DAVENPORT SMART MIDDLE SCHOOL

Davenport Community School District

Davenport, Iowa



Bray Project No. 3678

Wednesday | April 17, 2024

Re: RIGHT-OF-WAY VACATION

Smart Middle School project description for right-of-way vacation of 5th Street between Cedar Street and North Howell Street.

Project History Summary

Smart Intermediate School was originally built in 1918 and then has been added onto many times since then. Monroe Elementary was originally built in 1939 adjacent to Sudlow, sharing a field in between them.

Over the course of the last several years, Davenport Community School District faced declining enrollment resulting in significant excess student capacity throughout the district. In addition, the district has faced a continually growing backlog of capital maintenance needs caused by aging buildings. A district wide master planning process was conducted, which included facility condition assessments, capacity analysis, enrollment projections, exploration of grade configurations, and analysis of student educational pathway.

As a result of this process, the district considered and approved grade and pathway reconfiguration within the district. To reduce the excess capacity and alleviate excessive deferred maintenance costs, three facilities, Washington, Monroe, and Buchanan Elementary Schools, were identified for closure, and the district student pathway and organization were reconfigured. This reconfiguration changed the district to become arranged as K-5 Elementary Schools, 6-8 Middle Schools, and 9-12 High Schools. This pathway change was approved because it improved the potential to enhance educational opportunities within the district, reduce the number of school building transitions, define a predictable student pathway and experience, increase the duration of student experience within each school building, improve transportation and logistics, reduce the overall capacity of seats within the district in response to enrollment projections, and balance opportunities and exposure for benefits to all students within the district.

The Davenport School Board approved several projects to included in the first phase of work as identified under the district wide master plan. Washington and Monroe Elementary Schools were closed and identified to be demolished due to their age, prospective costs associated with deferred maintenance, small size of classrooms and inefficient layout of building, and proximity to the Sudlow and Smart Intermediate School buildings. Prior to the '24-'25 school year, sixth grade students have been

housed in elementary school buildings. Starting in the '24-'25 school year, sixth grade will be moved to the middle school buildings. One of the highest priorities within the school district is to improve the Sudlow and Smart middle school buildings. Improvements at the middle school buildings was deemed critical because addition and renovation to the existing facilities would support the adoption of the middle school curriculum, as well as support the integration of sixth grade to these buildings. Improvements to these facilities would provide needed collaboration and flexible use areas with increased sightlines and supervision within the building, while also increasing the safety and security within the building and campus. In addition, this would allow for creating a house model within the academic wings of the building in which the physical layout of the building will aid in developing smaller learning communities which are designed to improve the relational and social development of students while also enhancing student academic engagement and providing an environment that will improve student outcomes. Sudlow and Smart were identified to be considered for these improvements as they are the buildings most in need of improvement.

Smart Building Description

Due to the age of the existing building, high level of cost to remedy deferred maintenance and repairs, small size of existing classrooms, and poor layout and configuration of the existing building, the existing Smart Middle School is to receive a substantial new addition and existing gymnasium to remain shall receive minor updates. The new addition will allow expanded space for cafeteria which is necessary for improving the lunch sequence resulting in better control and more instructional time. New construction of appropriately sized classroom space will meet the needs of additional students and programs as well as allowing for a house model approach to the building layout. Additional gym space will be provided to improve instruction due to the larger building population size. The new improvement will allow for the integration of spaces for technology, science, and consumer sciences. Furthermore, the new project will improve site safety and logistics, as well as creating improved spaces for outdoor student activities. To reduce cost and timeline, the new addition building footprint has avoided overlap of the existing building footprint.

The Smart proposed plan has a three-story educational wing to house the three grade levels. It also provides a new office, kitchen, cafeteria, library, gymnasium, fitness rooms, and music rooms. Minor updates will be made to the existing 2001 gymnasium addition.

Smart timeline

Schematic Design concluded in the middle of March 2024. Currently, the design team is in design development and intends to be ready to bid the project in December 2024.



DAVENPORT
Community Schools
G R O W I N G E X C E L L E N C E

Davenport Community School District

Smart Middle School

04 16 2024



BRAYARCHITECTS

FL Smart Middle School | background

Davenport Community School District Identified 6 Projects for Phase 1

Goals

Highest priority projects to provide space needed for instruction and activities which impact all students within the district

Priority 1 – Improvements to meet classroom needs of students

Priority 2 – Improvements to meet outdoor needs of students

Projects

Sudlow Middle School – Expansion and Renovation

Smart Middle School – Expansion and Renovation

North High School – Science Room and Classroom Expansion and Remodeling

Elementary School Remodeling and Improvements

High School Outdoor Turf Fields (North / West)

High School Turf and Baseball Field (Central)

Total Budget

\$160,000,000

FL Smart Middle School | background

Initial Considerations

- Addition and Renovation proposed for Smart Middle School
- Current issues and prospective solution or benefit of improvement:
 - Curriculum and special programs which benefit students have filled out spaces within the existing building.
 - Improving buildings would allow sufficient space for all grade levels plus provide the necessary space to house the resources, programs, and services that benefit students which improves outcomes for students
 - Improve and enhance the vision of education within the district, by creating new and improved environments that will keeps students in the district, attract new families, and aid in attracting new staff

FL Smart Middle School | background

Initial Considerations

- Provide an addition and renovation to the existing facility to support middle school curriculum needs and to support integration of sixth grade
- Improve existing building according to concerns identified through the facility study process
- Provide needed collaboration and flexible use areas with increased sightlines and supervision within the building
- Increase safety and security within the building
- Allow for creating a house model within academic wings of the building
 - Physical structure will aid in developing smaller learning communities which are designed to improve relational and social development, enhance student academic engagement, and provide an environment which will improve student outcomes
- Smart identified to be considered for initial projects as it is one of buildings most in need of improvement

FL Smart Middle School | background

Initial Considerations

- Expand cafeteria to improve efficiency for lunch resulting in better control and more instructional time
- Additional classroom space to meet needs of additional students and programs, as well as allow a house approach
- Additional gymnasium space to improve instruction due to larger population size
- Improve spaces for FCE, CTE, and STEM
- Improve site safety and logistics, parking and outdoor student activity spaces
- Requires removal of Monroe Elementary Building

FL Smart Middle School | background

Initial Considerations

Project Information

- Building program based upon initial target during high level master planning with District leadership team. The program developed was a target to serve as starting place for each building project, whether existing building or new.
- Initial building program determined a target building area of 138,235 square feet of space needed for building project.
- Costs include improvements to existing building including, ADA accessibility, building interior and exterior repairs, fire protection, mechanical, plumbing, and electrical repairs and replacements.
- Remodeling considered for select portions of building needing to be remodeled to achieve proposed building program.

Proposed Project Cost

\$51,749,500

FL Smart Middle School | background

Current Considerations

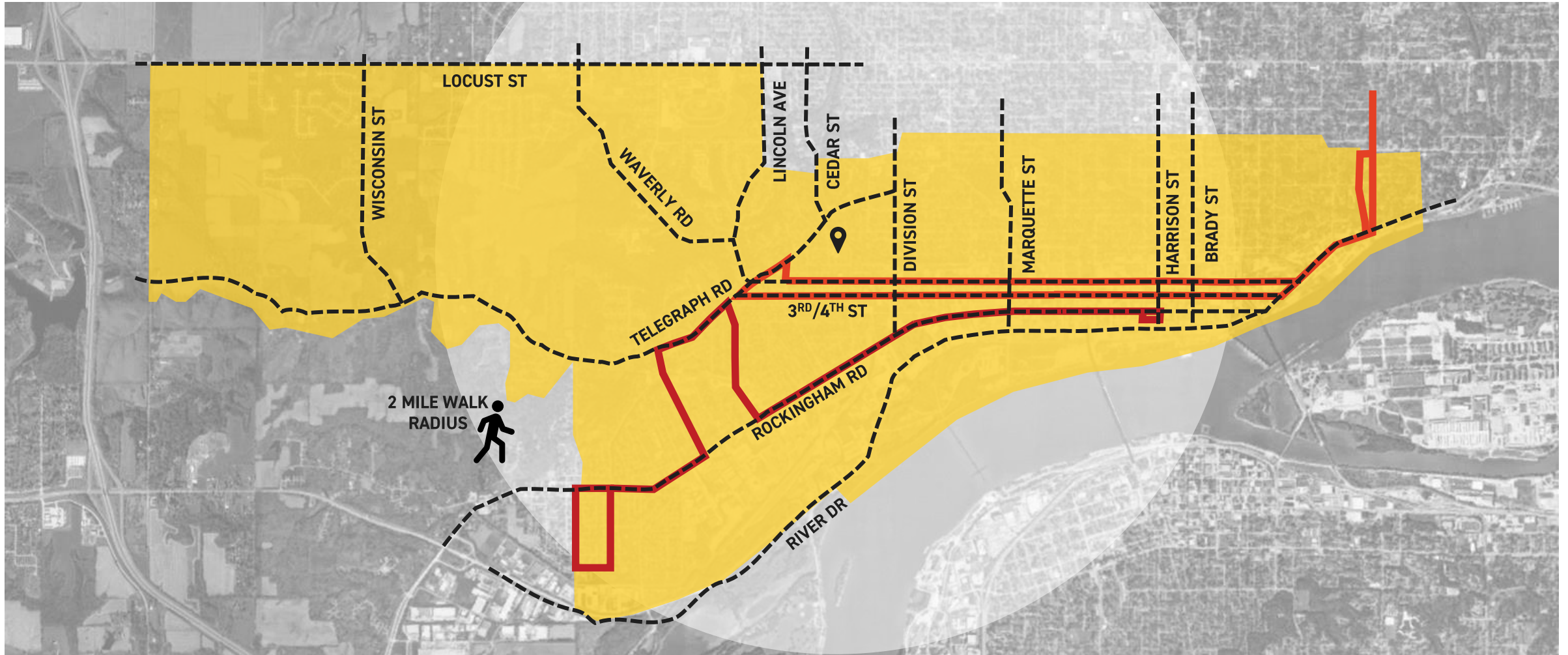
Project Information

- As component of commencing project, deeper conversations held with building leadership and staff to understand needs and goals for Smart Middle School
- The revised building program has resulted in a target building area of 127,332 square feet of space needed for building project.
- An addition and remodeling to the existing building would be required improvements to existing building including, ADA accessibility, building interior and exterior repairs, fire protection, mechanical, plumbing, and electrical repairs and replacements.
- The existing Smart gymnasium was determined to be retained and integrated into new construction, a and a mostly new facility could be constructed as an addition.

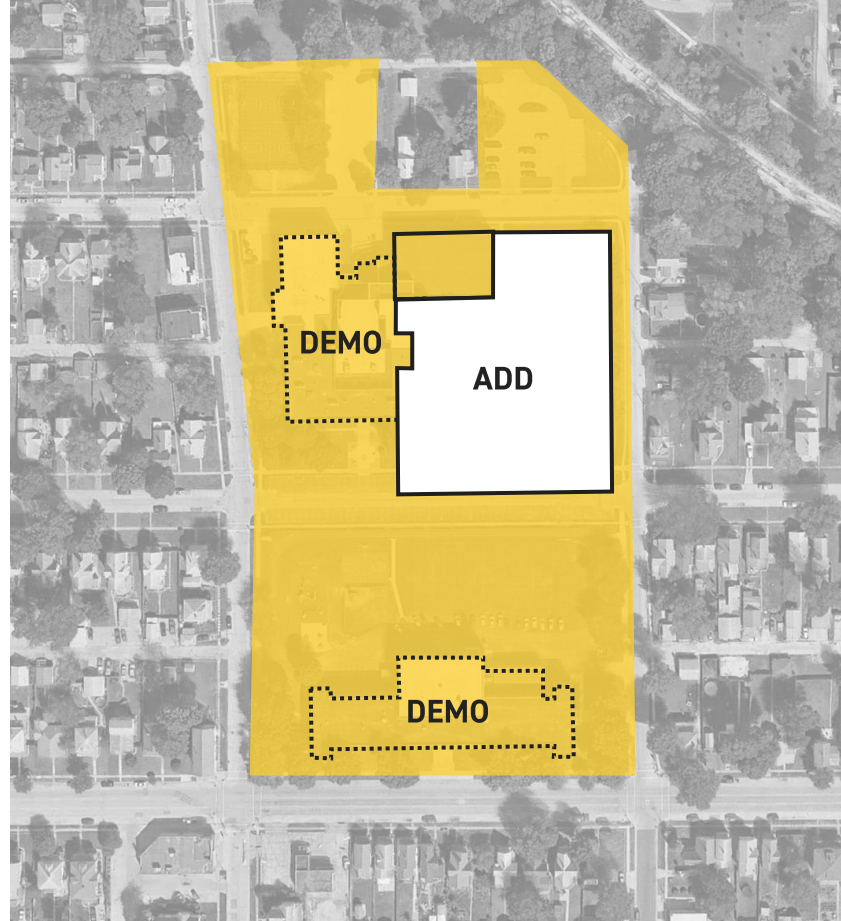
Proposed Project Cost

\$52,750,000 to \$54,870,000

SITE | boundary



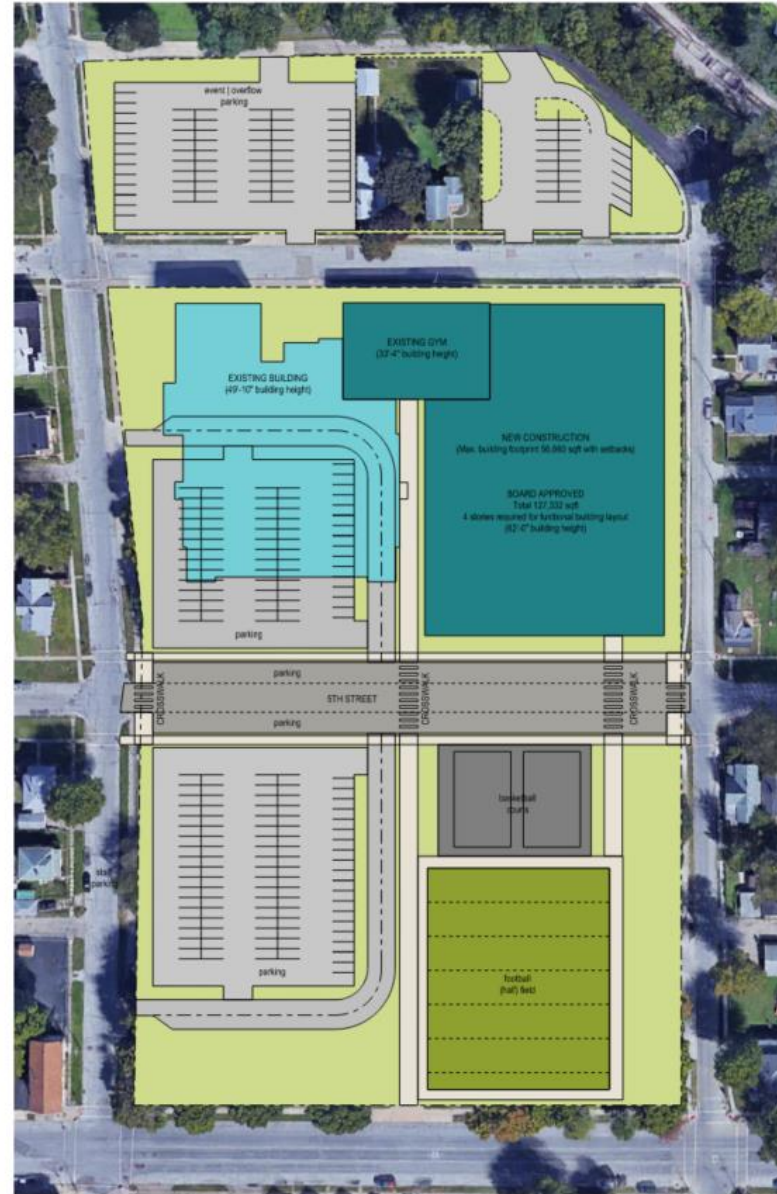
SITE | concept



SITE | concept

Site concerns with 5th street remaining

1. The scale of building would be far larger in height if restricted to the current site.
2. A big concern is that the construction sequence would take much longer as it would have more phases to work around the existing building.
3. There would not be sufficient space to allow for site amenities, and would require that students cross the street throughout the day to access amenities on the former monroe site presenting a safety concern.



1 SITE PLAN - 5TH STREET
SDE 6
Scale: 1" = 50' 0"

site plan | overall plan



site plan | enlarged plan



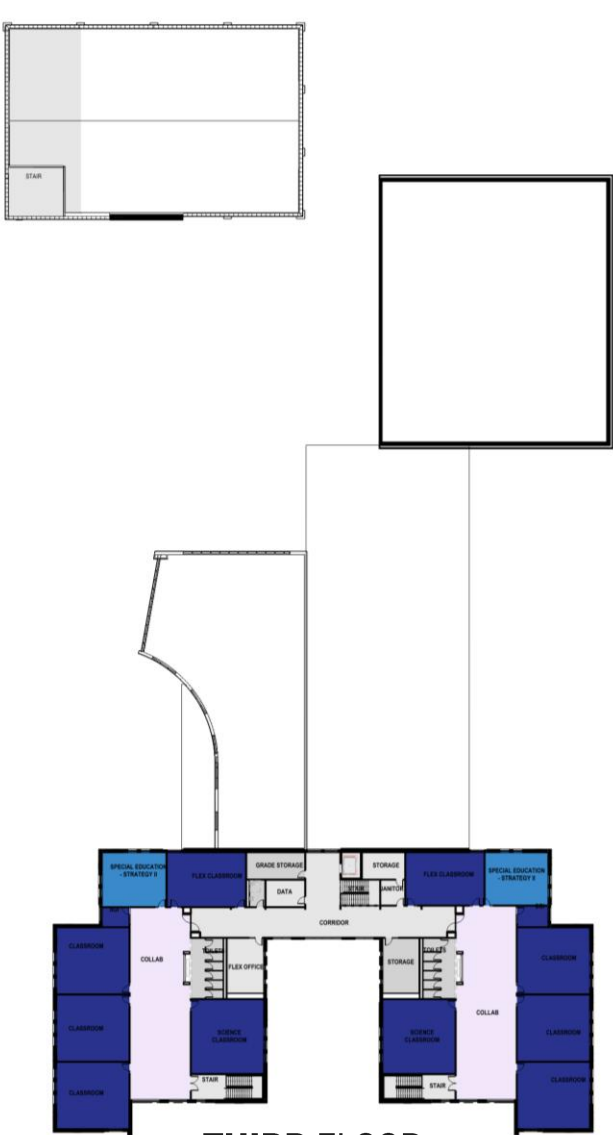
floor plans | overview



FIRST FLOOR



SECOND FLOOR

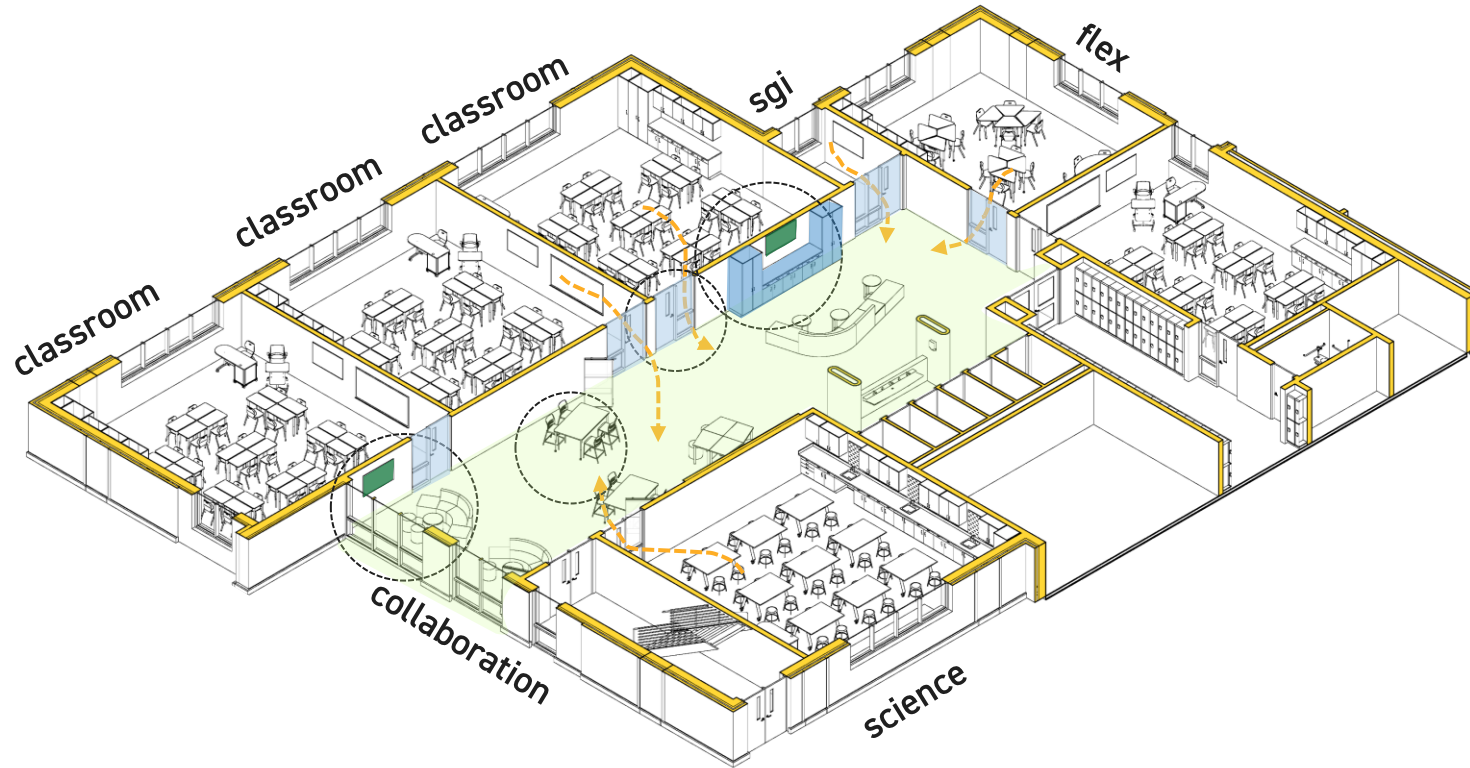


THIRD FLOOR

LEGEND departments

- KITCHEN
- COMMONS
- MEDIA
- ADMIN
- ATHLETIC
- COLLAB
- PERFORMING ARTS
- ELECTIVES
- ACADEMIC
- SPECIAL EDUCATION
- BUILDING SUPPORT

core academic neighborhoods | collaboration



View towards SGI



View towards exterior

exterior design | overall view from west



exterior design | main entry



exterior design | event entry



exterior design | core academic



exterior design | core academics – view from south





Thank you!

BRAYARCHITECTS



PUBLIC HEARING NOTICE | Committee of the Whole

To: Neighboring property owners adjacent to Smart Middle School.

Committee of the Whole Public Hearing Meeting

Date: 6/18/2024

Time: 5:30 PM

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

What is this About?

This notice is being sent to inform you that a neighborhood meeting will be held to learn more about the project and the request to vacate West 5th Street, between Cedar Street and Howell Street. The Davenport Community School District is petitioning the vacation to facilitate the redevelopment of Smart Middle School. A concept plan is attached to this letter.

Request/Case Description

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]

Plan & Zoning Commission Recommendation

At its June 4, 2024 meeting, the Plan and Zoning Commission recommended Case ROW24-03 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition.

Findings:

1. Vacating the right-of-way facilitates the redevelopment of Smart Middle School.
2. All utilities within the public right-of-way will be removed or relocated prior to development.
3. Based on the conceptual redevelopment plan for Smart Middle School, drop-off and pick-up will be shifted onto school grounds.
4. Converting Cedar Street to two-way traffic will mitigate traffic concerns in the area.

Condition:

1. All existing utilities located within the Right-of-Way, which are subject to vacation, shall be granted access for the maintenance of such utilities until their relocation has been completed.

What are the Next Steps?

The public hearing on the above matter is scheduled for 5:30pm or as soon thereafter on Tuesday, June 18, 2024 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would You Like to Submit an Official Comment?

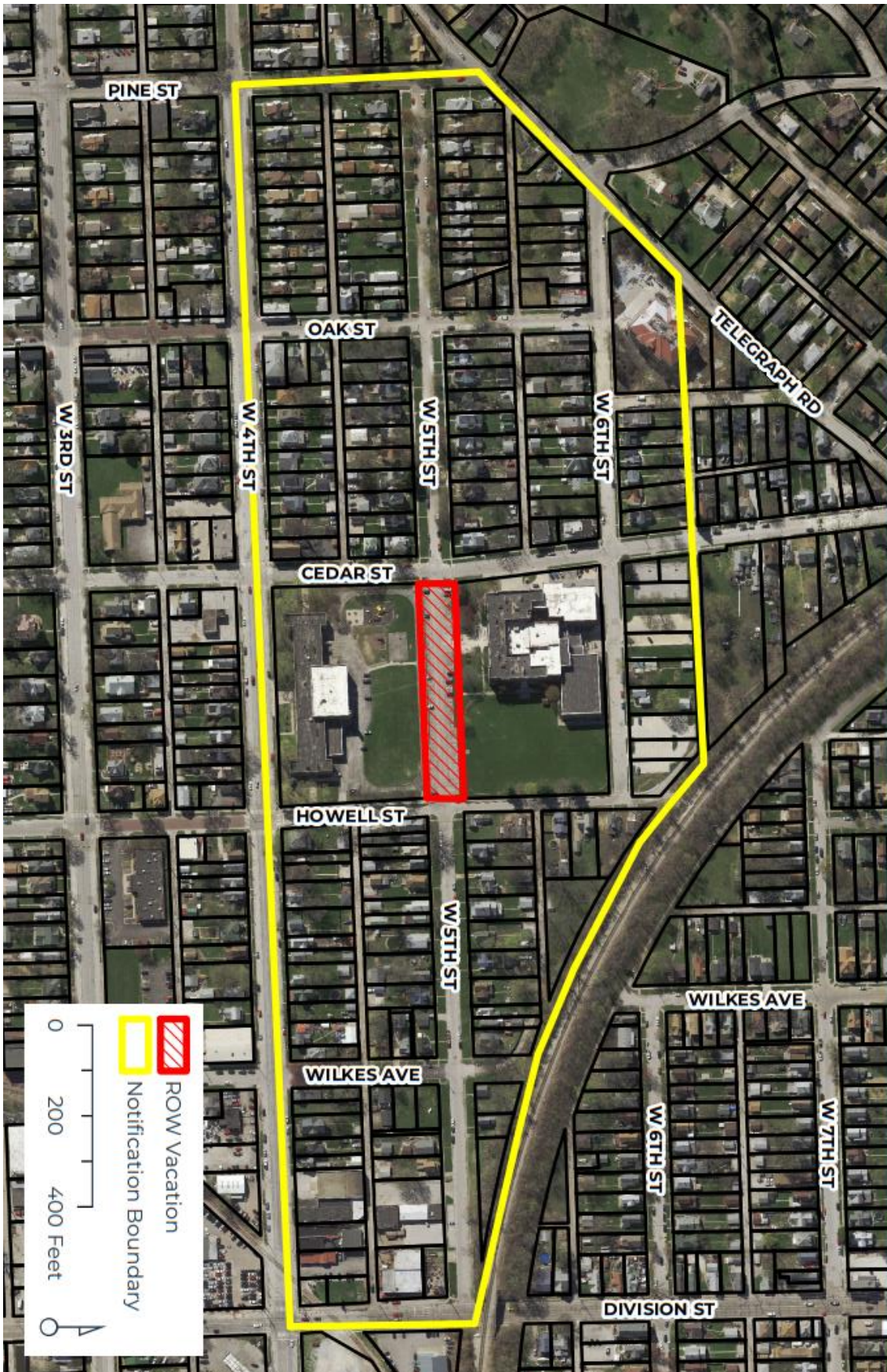
You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the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

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

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

Right-Of-Way Vacation | Public Hearing Notice

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]





PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: Neighboring property owners adjacent to Smart Middle School.

Neighborhood Meeting

Date: 5/7/2024

Time: 6:00 PM

Location: Smart Middle School | Library | 1934 W 5th Street

Plan & Zoning Commission Public Hearing Meeting

Date: 5/14/2024

Time: 5:00 PM

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

What is this About?

This notice is being sent to inform you that a neighborhood meeting will be held to learn more about the project and the request to vacate West 5th Street, between Cedar Street and Howell Street. The Davenport Community School District is petitioning the vacation to facilitate the redevelopment of Smart Middle School. A concept plan is attached to this letter.

Request/Case Description

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]

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

The Plan and Zoning Commission will hold a formal public hearing at their meeting on May 14, 2024. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on June 4, 2024. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

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

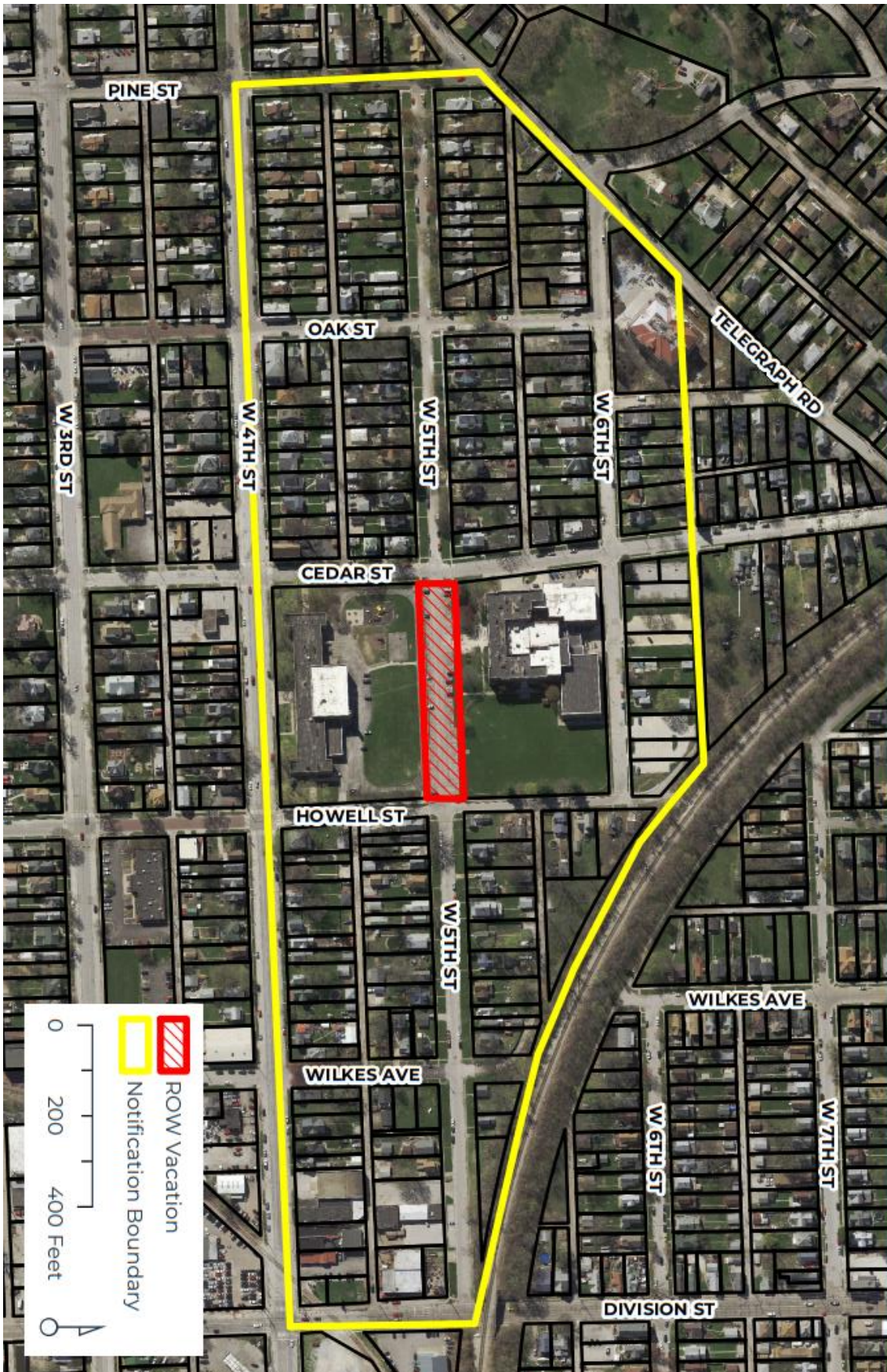
Do You Have Any Questions?

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

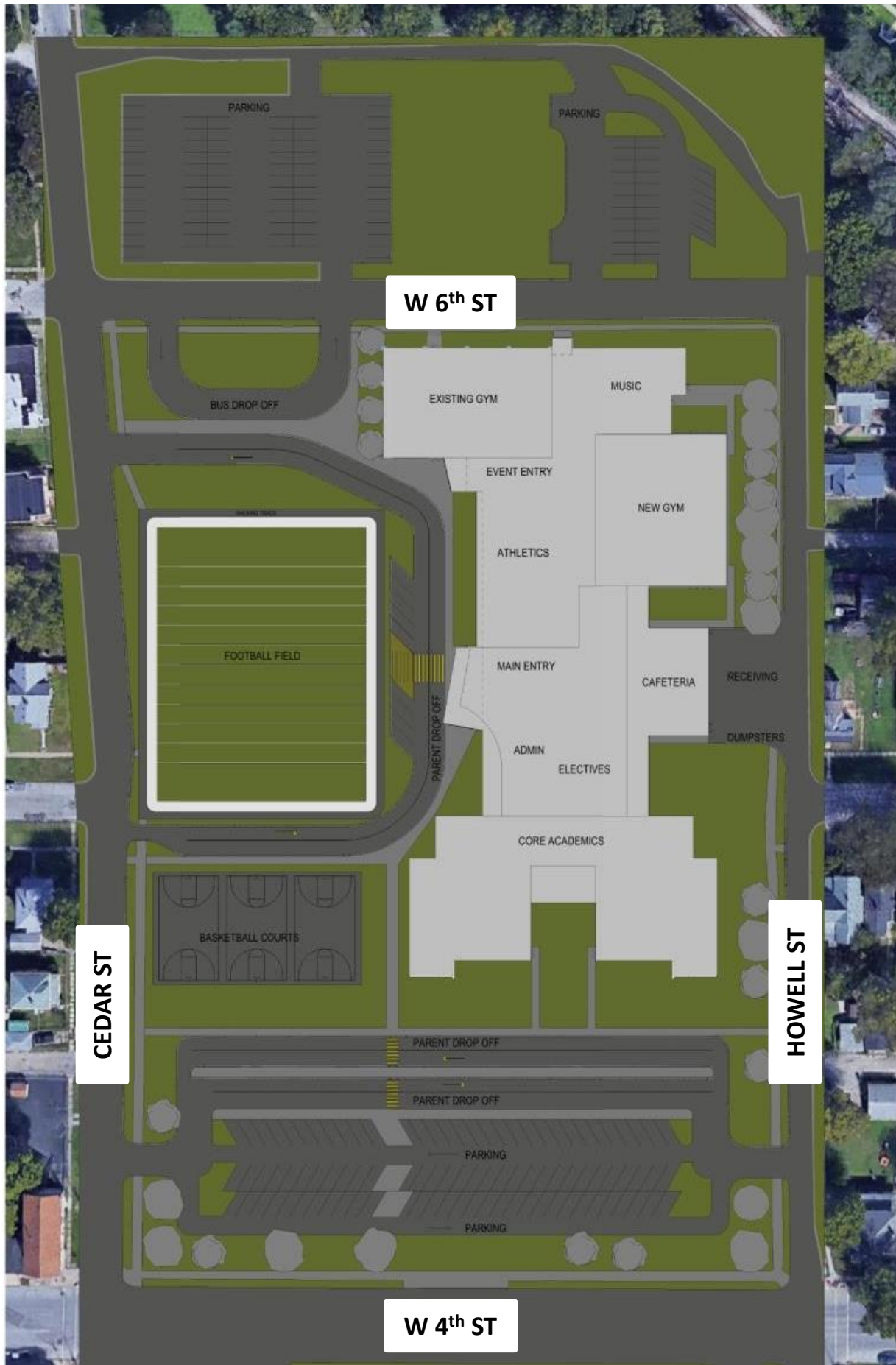
Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Right-Of-Way Vacation | Public Hearing Notice

Case ROW24-03: Request of Davenport Community School District to vacate West 5th Street, between Cedar Street and Howell Street. [Ward 3]



Smart Middle School | Concept Plan



Neighborhood Meeting Attendance List

Date: 5/7/24

Time: 6 PM

Location: 1934 W 5th

Case: ROW 24-03

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1 Jon BABNIK	jonshauna.babnik@gmail.com		1820 W. 5TH ST.
2 RICHARD PIEPER		563-320-9212	1849 W 5 th
3 CATHLEEN T. BUFFINGTON			2046 W 5 ST.
4			
5			
6			
7			
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City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Second Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 49th Street from Fairmount Street to Pine Street as a 35 mph street thereto. [Ward 2]

Recommendation:

Approve the ordinance.

Background:

49th Street between Fairmount Street and Pine Street is one mile long and mostly straight with one curved section near the mobile home parks. The road is concrete that is in excellent condition and is 29 feet wide with no parking. Although it is signed as a 25 mph street, drivers are treating it as a 35 mph street. The City installed counters in 2 different locations and averaged the data. The average speed was 35.5 mph and 85th percentile speed was 40 mph. These numbers correlate with a typical 35 mph street. Drivers feel comfortable driving 35 mph because of the ample roadway width, lack of parked cars and houses set far back from the road. Most of the crashes on the roadway occur in the curved section, so the curve warning signs with advisory speed plaques of 15 mph will remain.

There is a new law in Iowa regarding automated traffic enforcement. We will need a permit from the Iowa DOT for all photo enforcement zones including ones enforced by the mobile unit. Part of the analysis for the permits must "demonstrate to the department that existing speed restrictions are appropriate" among other things. It would be highly unlikely that the City would be able to use photo enforcement on this street if the speed limit remained at 25 mph.

Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE VI SPEED LIMITS OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING 49TH STREET FROM FAIRMOUNT STREET TO PINE STREET AS A 35 MPH STREET THERETO.

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

Section 1. That Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport Iowa, be and the same is hereby amended by adding the following:

49th Street from Fairmount Street to Pine Street as a 35 mph street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Second Consideration: Ordinance amending Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 60th Street from Wisconsin Avenue to Fairmount Street as a 35 mph street thereto. [Ward 2]

Recommendation:

Adopt the Ordinance.

Background:

60th Street between Wisconsin Avenue and Fairmount Street is currently listed as a 45 mph street, though there are no speed limit signs along this corridor. The street is one mile long and the sealcoat roadway is in moderate condition with some rough areas. The street is only 20 feet wide, which is the width of a typical alley. Traffic should not be traveling at 45 mph on a street that narrows, so 35 mph is more appropriate. If this ordinance is approved, speed limit signs will be installed at each end of the corridor.

Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VI SPEED LIMITS THERETO BY ADDING 60TH STREET FROM WISCONSIN AVENUE TO FAIRMOUNT STREET AS A 35 MPH STREET THERETO.

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

Section 1. That Schedule VI Speed Limits of Chapter 10.96 entitled "Schedules" the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

60th Street from Wisconsin Avenue to Fairmount Street as a 35 mph street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
7/10/2024

Subject:

Second Consideration: Ordinance amending Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Spalding Boulevard along the frontage of 707 and 708 Spalding Boulevard thereto. [Ward 4]

Recommendation:

Adopt the Ordinance.

Background:

Students from St. Ambrose are parking on Spalding Boulevard. The residents at 707 and 708 Spalding Boulevard are the only residents on the street without access to off-street parking and have requested resident parking only. The resident parking only zone will be 50 feet in front of each residence.

Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE XI RESIDENT PARKING ONLY OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING SPALDING BOULEVARD ALONG THE FRONTAGE OF 707 AND 708 SPALDING BOULEVARD THERETO.

Section 1. That Schedule XI Resident Parking Only of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

Spalding Boulevard along the frontage of 707 and 708 Spalding Boulevard.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
7/10/2024

Subject:

Resolution setting a Public Hearing on the proposed conveyance of vacated alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road to Wallicks Auto Service LLC and IA12 Davenport LLC, Petitioners. [Ward 4]

Recommendation:

Adopt the Resolution.

Background:

The City of Davenport vacated the alley west of North Division Street between West Pleasant Street and Hickory Grove Road in the spring of 2023. The property owners on each side of the alley have expressed a desire to obtain their respective half of the alley.

Adoption of the Resolution will authorize staff to publish notice to advertise a Public Hearing on the proposed conveyance of the vacated alley to be held at the Wednesday, July 17, 2024 Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Attachments:

1. Resolution
2. Alley Vacation Location Map

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing on the proposed conveyance of vacated alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road to Wallicks Auto Service LLC and IA12 Davenport LLC, Petitioners.

WHEREAS, the City of Davenport owns the vacated alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing on the proposed conveyance of vacated alley right-of-way located west of North Division Street between West Pleasant Street and Hickory Grove Road to Wallicks Auto Service LLC and IA12 Davenport LLC, Petitioners, shall be held at the Committee of the Whole Meeting on July 17, 2024 beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 10th day of July, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

Alley Vacation



City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
7/10/2024

Subject:

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

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 9:00 a.m. Friday, July 26, 2024 - 3:00 a.m. Sunday, July 28, 2024; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; **Closure:** northern parking lane and travel lane in front of 116 West 3rd Street. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 3:00 p.m. - 11:00 p.m. Saturday, August 10, 2024; **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]

Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; **Closure:** Howell Street from West 3rd Street to West 4th Street. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

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

Attachments:

1. Resolution
2. 3rd Street Bix Party Map
3. The Office Bix Party Map
4. Mississippi River Distilling Garage Band Night Closure Map
5. Mississippi River Distilling Garage Band Night Closure Signatures
6. Sweet Delite Ice Cream Car Show Closure Map
7. Sweet Delite Car Show Street Closure Petition

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

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

*Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 9:00 a.m. Friday, July 26, 2024 - 3:00 a.m. Sunday, July 28, 2024; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [Ward 3]*

*The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; **Closure:** northern parking lane and travel lane in front of 116 West 3rd Street. [Ward 3]*

*Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 3:00 p.m. - 11:00 p.m. Saturday, August 10, 2024; **Closure:** east-west alley between East 2nd Street and East 3rd Street from Iowa Street to the MidAmerican parking lot. [Ward 3]*

*Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; **Closure:** Howell Street from West 3rd Street to West 4th Street. [Ward 3]*

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

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

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

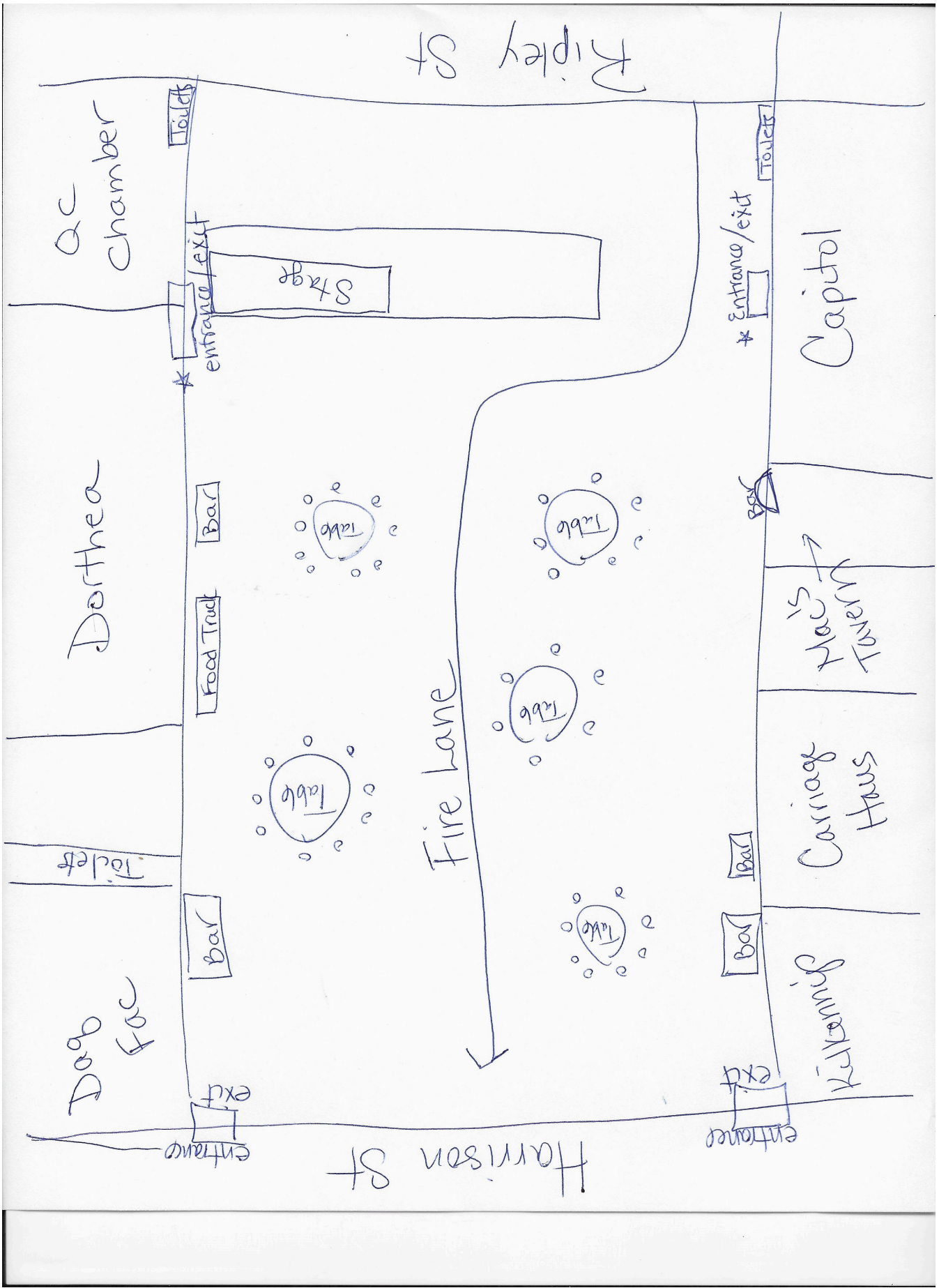
Passed and approved this 10th day of July, 2024.

Approved:

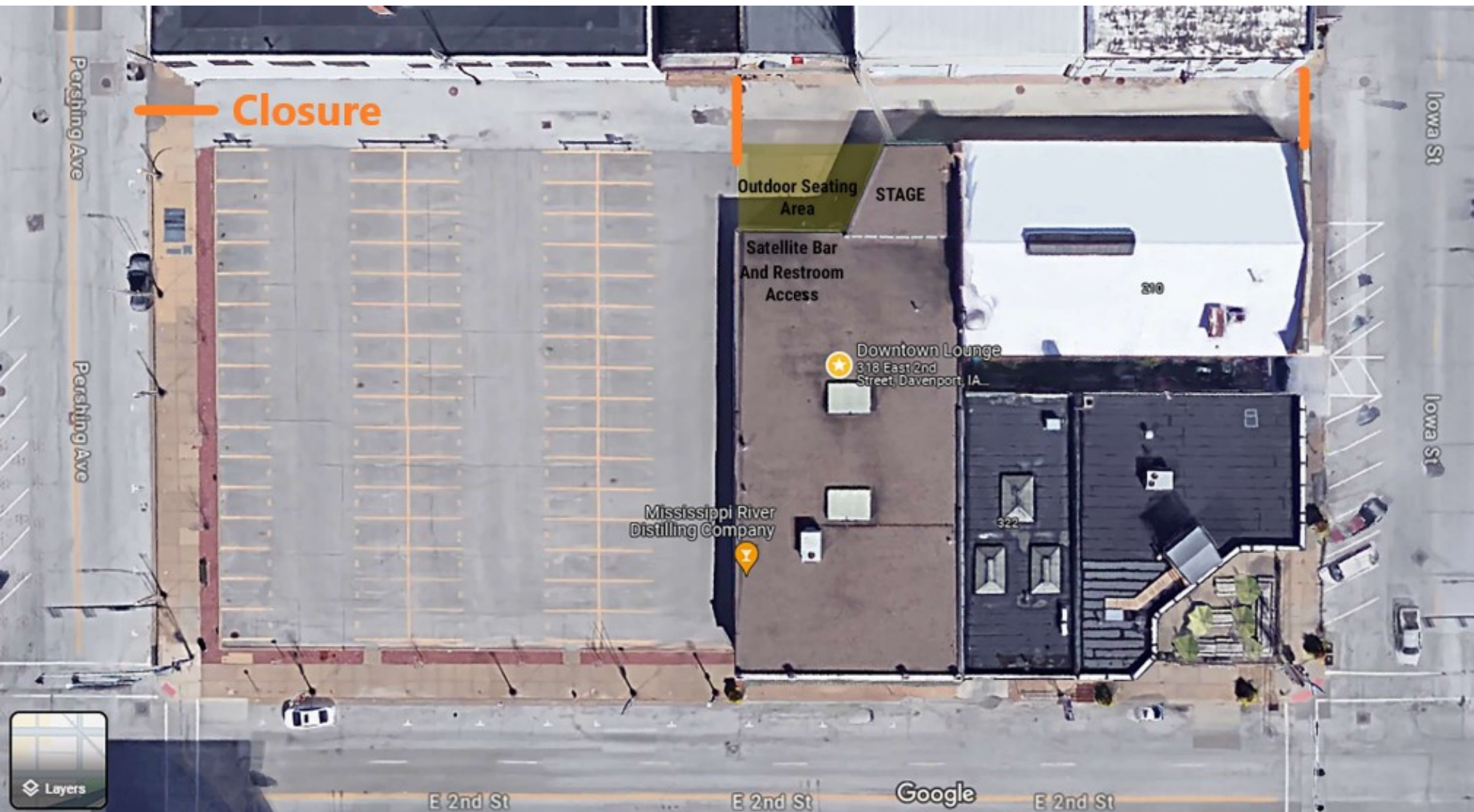
Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk









CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the dates and times listed below, there is proposed a street closure with outdoor music/band/performance requested by Mississippi River Distilling Company, which will require the closing of the Alley between 100 feet west of Iowa Street and 250 feet east of Pershing Street. An obstruction will be placed in the alley to restrict passage of vehicles, but pedestrian access will be maintained.

Proposed event dates/times:

Saturday, August 10th 2024 Event Time: 6:00 PM - 10:00 PM

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>DOUG SANDERSON 323 G 3RD</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Kraig Klemme - 301 E. 3rd</u>	<u>X</u>	<u> </u>	<u> </u>
<u>RAT Hatch 313 E 3rd</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Chandra Book 218 Iowa St.</u>	<u>X</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

Brian Krup 6/17/24
Signature of Applicant Date

W 4th St

W 4th St



Sweet Delite Ice Cream
Ice Cream · S

N Howell St



Davenport Clinic

Blooming
Butterflies Daycare

W 3rd St



Closures



CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the 29 day of September, 2024 during the hours of 3:00 to 6:00
there is proposed a street closure, requested by Sweetbelle Ice Cream, which will
require the closing of Howell between 3rd Street and
4th Street.

Please note: dates and times on this form must match those entered on the special events application.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Genesis 1820 W. 3rd St. Dav.</u>	<u>X</u>	<u> </u>	<u> </u>
<u>318 Howell contact</u>	<u>X</u>	<u> </u>	<u> </u>
<u>319 Howell (Abandon)</u>	<u> </u>	<u> </u>	<u> </u>
<u>1907 W 4th (Abandon)</u>	<u> </u>	<u> </u>	<u> </u>
<u>Jodi 3rd Howell St</u>	<u>X</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

Ari Khan June 10/24
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Resolution accepting work completed under the Goose Creek Trail (46th Street to 53rd Street) Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$196,943.50, CIP #28030. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

Work included the furnishing of all labor, materials, equipment, and services necessary for the Goose Creek Trail Overlay project including, but not limited to, existing pavement milling, asphalt overlay, asphalt patching, and other related construction. The project area is the Goose Creek Trail from 46th Street to 53rd Street.

Work has been satisfactorily completed by Langman Construction, Inc of Rock Island, Illinois. The total project cost was \$196,943.50.

Funding for this project was from CIP #28030 | Recreational Path Reconstruction.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION accepting work completed under the Goose Creek Trail (46th Street to 53rd Street) Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$196,943.50.

WHEREAS, the City of Davenport, Iowa entered into a contract with Langman Construction, Inc of Rock Island, Illinois for the Goose Creek Trail (46th Street to 53rd Street) Overlay project; and

WHEREAS, work on the project has been satisfactorily completed; and

WHEREAS, the final cost of the project was \$196,943.50.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the Goose Creek Trail (46th Street to 53rd Street) Overlay project by Langman Construction, Inc of Rock Island, Illinois in the amount of \$196,943.50 is hereby accepted.

Passed and approved this 10th day of July, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Resolution awarding a contract for the Colony Drive (Brown Street to Gaines Street) Reconstruction project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$419,155.08, CIP #35062. [Ward 7]

Recommendation:

Adopt the Resolution

Background:

An Invitation to Bid was issued on May 28, 2024 and sent to contractors. On June 18, 2024, the Purchasing Division opened and read seven (7) responsive and responsible bids. See attached bid tab. Five Cities Construction Company of Coal Valley, Illinois was the lowest responsive and responsible bidder.

This project is a reconstruction of Colony Drive from Brown Street to Gaines Street. The proposed improvements include, but are not limited to, the reconstruction of the existing concrete roadway, installing ADA-compliant sidewalk ramps, adjusting existing manholes and intakes to finish grade, replacing affected sidewalk and driveway approaches, and placing topsoil sod and erosion control.

Funding for this project is from CIP #35062 | CY23 Neighborhood Program.

Attachments:

1. Resolution
2. 24-112 bid tab Redacted

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION awarding a contract for the Colony Drive (Brown Street to Gaines Street) Reconstruction project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$419,155.08, CIP #35062.

WHEREAS, the City needs a contract for the Colony Drive (Brown Street to Gaines Street) Reconstruction project; and

WHEREAS, Five Cities Construction Company of Coal Valley, Illinois was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Colony Drive (Brown Street to Gaines Street) Reconstruction project is hereby awarded to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$419,155.08.

Passed and approved this 10th day of July, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: Colony Drive Reconstruction (Brown Street to Gaines Street)

BID NUMBER: 24-112

OPENING DATE: June 18, 2024

FUNDING: 70636684 530350-35062 | CY23 Neighborhood Program

RECOMMENDATION: Award the contract to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$419,155.08

<u>VENDOR NAME</u>	<u>PRICE</u>
Five Cities Construction Company of Coal Valley, IL	\$419,155.08
Heuer Construction, Inc. of Muscatine, IA	\$421,395.50
Hawkeye Paving Corporation of Davenport, IA	\$424,219.00
Ihrig Works LLC of Long Grove, IA	\$430,384.50
Centennial Contractors of the Quad Cities of Moline, IL	\$449,249.00
N.J. Miller, Inc. of Bettendorf, IA	\$451,687.50
Emery Construction Group, Inc. of Moline, IL	\$490,176.00

Approved By

Purchasing

Date

6/27/24

Approved By

Dept. Director

Date

6-27-24

Approved By

Budget/CIP

Date

6-27-24

Approved By

Interim Finance Director

Date

6/27/24

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project, CIP #23073. [Ward 3]

Recommendation:

Adopt the Resolution

Background:

Three areas of roof at the Davenport Freight House, 421 West River Drive, need to be replaced. Associated work includes replacing insulation and cover board; new roof membrane over two of the three areas; walk pads; gutters and downspouts; access ladder and other accessories; MEP (mechanical, electric, and plumbing) work at piping and rooftop units as necessary to accommodate the roof replacement; and replacement of one translucent skylight unit.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project, CIP #23073.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Davenport Freight House Roof Replacement project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Davenport Freight House Roof Replacement project.

Passed and approved this 10th day of July, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
7/10/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Program, CIP #35038. [Ward 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

The City offers an annual cost-share program to residential and commercial property owners for the repair and/or replacement of alleys throughout the city. This program is administered by the Engineering and Capital Project Department. This requires a signed petition from 30% of the property owners on that block face. Staff then provides cost estimates based on the following updated cost share:

Residential | 25% property owner/75% City
Commercial | 50% property owner/50% City

This is a pavement rehabilitation project for the following alleys and park:

1. East-west alley from Farnam Street to Grand Avenue between Kirkwood Boulevard and East 15th Street.
2. North-south alley from East 29th Street to East 30th Street between Grand Avenue and Davenport Avenue.
3. East-west alley from Forest Road to its terminus between East River Drive and Wood Lane.
4. East-west alley from Gaines Street to Western Avenue between West 5th Street and West 6th Street.
5. Driveway approaches of Riverview Terrace Park.

This project will include pavement reconstruction or milling of the existing surface and asphalt overlay, sidewalk and ADA curb ramps as needed, and other associated work.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Resurfacing Program, CIP #35038.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the 2024 Residential Alley Resurfacing Program; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the 2024 Residential Alley Resurfacing Program.

Passed and approved this 10th day of July, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
7/10/2024

Subject:

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

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; Bix Block Party; 300 block of West 3rd Street; 7:30 p.m. - 10:30 p.m. Friday, July 26, 2024 and 11:00 a.m. Saturday, July 27, 2024 - 12:00 a.m. Sunday, July 28, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

The Office; Bix Party; 116 West 3rd Street; approximately 11:00 a.m. (or whenever the Bix 7 is over) - 11:30 p.m. Saturday, July 27, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi River Distilling Company Downtown Lounge; Garage Band Night; 318 East 2nd Street; 6:00 p.m. - 10:00 p.m. Saturday, August 10, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Sweet Delite Ice Cream; Car Show; 1901 West 4th Street; 3:00 p.m. - 6:00 p.m. Sunday, September 29, 2024; Outdoor music, over 50 dBA. [Ward 3]

Recommendation:

Pass the Motion.

Background:

These requests for noise variances have been received pursuant to the Municipal Code of Davenport, Iowa, Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

Attachments:

1. Mississippi River Distilling Garage Band Night Noise Variance Petition
2. Sweet Delite Car Show Noise Variance Petition



CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the dates and times listed below, there is proposed a street closure with outdoor music/band/performance requested by Mississippi River Distilling Company, which will require the closing of the Alley between 100 feet west of Iowa Street and 250 feet east of Pershing Street. An obstruction will be placed in the alley to restrict passage of vehicles, but pedestrian access will be maintained.

Proposed event dates/times:

Saturday, August 10th 2024 Event Time: 6:00 PM - 10:00 PM

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Don Santoro 323 G 3rd</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Kraig Klemme - 301 E. 3rd</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Rat Hatch 313 E 3rd</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Chandra Rose 218 Iowa St.</u>	<u>X</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

Brian Krup 6/17/24
Signature of Applicant Date



CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 29 day of September, 2024, there is proposed an event to be held at Sweetdelite Ice Cream 1901 West 4th Street which will include outdoor music or a band,
(location/address)

requested by Sweetdelite Ice Cream during the hours of 3:00 to 6:00.

Please note: dates and times on this form must match those entered on the special events application.

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

NAME AND ADDRESS

IN FAVOR

OPPOSED

NOT
CONCERNED

Genesis 1820 W 3rd St. Dav.

X

318 Howell contact
By phone Van

X

319 Howell (Abandon)

1907 W 4th (Abandon)

Jodi 316 N Howell

X

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

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

Alexander
Signature of Applicant

June 10/24
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com

City of Davenport

Department: Finance
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
7/10/2024

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Daiquiri Factory (DaqFaq, LLC) - 303 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Hy-Vee Bettendorf Post Race (Hy-Vee, Inc) - 500 East 3rd Street - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Mac's Tavern (Failte, Inc) - 316 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street - Temporary Extended Outdoor Area July 26-28 - License Type: Class C Liquor (On-Premises)

Ward 5

Wide River Winery X of 6 (Wide River Winery, LLC) – 1128 Mound Street – Temporary Event with Outdoor Area August 6-10 – License Type: Special Class C Beer/Wine (On-Premises)

Ward 6

Candy's Backbar (BB Hospitality, LLC) – 4751 Progress Drive – New License with Outdoor Area – License Type: Class C Liquor (On-Premises)

Ward 7

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) – 1020 West Kimberly Road – New License – License Type: Special Class C Beer/Wine (On-Premises)

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

Ward 1

Casey's General Store #2077 (Casey's Marketing Company) - 3700 West Locust Street - License

Type: Class B Beer/Wine (Carry-Out)

Ward 3

Frick's Tap (LBLN, LLC) - 1402 West 3rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Miss Phay Cafe (Miss Phay Cafe, Inc) - 510/512 Brady Street - License Type: Class C Liquor (On-Premises)

Ward 5

Express Lane Gas & Food Mart, Inc (Express Lane, Inc) - 1208 East Locust Street - License Type: Class B Beer/Wine (Carry-Out)

Ward 7

Filling Station, The (Bar Management, LLC) - 305 East 35th Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Ward 8

Girl + Food by Café Fresh (Girl + Food, LLC) - 5345 Belle Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

Best Western Plus Steeplegate Inn (Global Brothers Davenport, LLC) - 100 West 76th Street - License Type: Class C Liquor (On-Premises)

Recommendation:
Pass the Motion.

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

Attachments:
None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Motion approving an engineering agreement with Canadian Pacific Kansas City Railway (CPKC) for the Riverfront Quiet Zone project in an amount not-to-exceed \$70,000, #ARP12. [Wards 3 & 5]

Recommendation:

Approve the Motion

Background:

The Riverfront Quiet Zone project will implement railroad safety improvements along the corridor spanning between Mound Street and Marquette Street. In total, there are 14 public and private crossings that will be improved per Federal Railroad Administration standards. The project consists of two main components:

- 1) Improvements within City-owned right-of-way, and
- 2) Improvements within CPKC-owned right-of-way.

The City has already secured engineering services for component #1 and has submitted preliminary plans for review to the Federal Railroad Administration and CPKC. By having submitted those plans, CPKC can now begin the engineering design work on component #2. Due to the nature of the work occurring within that component, which consists of signal system design, electrical warning circuitry and other associated improvements, this has to be performed by CPKC.

Funding for this project is through grants obtained through the Federal Railroad Administration's Consolidated Rail Infrastructure & Safety Improvement program and the State of Iowa's Destination Iowa grant program.

Attachments:

None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
7/10/2024

Subject:

Motion approving Change Order #4 with Sasaki Associates Inc, of Denver, Colorado for the design of a new play feature for the Main Street Landing | Destination Iowa project in an amount not-to-exceed \$85,000, #ARP12. [Ward 3]

Recommendation:

Pass the Motion.

Background:

A key pillar of the Main Street Landing project is the adventure play area. This section is designed to be an active, high-intensity space with a multitude of play features for children of all ages. Included within the current design are climbing assets, swings, netting, slides, an interactive water feature and a multi-story play tower that reaches approximately 35 feet in height. The space itself is located directly south of the Canadian Pacific Kansas City rail. For safety purposes, this piece of the park will be surrounded and buffered with a landscaped berm that, depending on location, is approximately 8-10 feet in height. This provides a clear and physical separation to the railroad. In addition, the implementation of the quiet zone project will provide another important safety element especially from a noise pollution perspective. As it relates to flooding, to keep this area and the equipment within resilient, it will be raised to approximate elevation level 563.5 which equates to approximately river stage 21. Should the City experience a flood higher than this, the material used will be easy to clean so that it is restored back to its previous condition.

While the current design mentioned above is exciting and will be widely used, there is an opportunity to utilize available funds to enhance the space by creating a new custom element that is unique to the City of Davenport and the Quad City region.

This Change Order would approve funding to the City's consultant, Sasaki, for the design of a new signature play feature. The proposed new feature is a series of structures that includes slides and climbing assets that resemble Lock and Dam 15, the largest roller dam in the world. These structures will depict the dam in its various phases of usage and the slides coming off of it will represent the Mississippi River as it flows from the upper pool to the lower pool through the dam. The slides themselves will vary in height, with the tallest at approximately 8 feet. A series of standalone conceptual images is included in the attachment portion of this agenda item. The value of the change order includes preliminary design, final design, structural engineering and a play safety consultant.

Funding for this change order and for its implementation is from the Destination Iowa grant and the City's previously approved match.

Attachments:

1. Play Feature Concepts



SITE PLAN



North Structure

Pedestrian Bridge &
Railroad Crossing

Adventure Play

Picnic Area

Sledding Hill

Hillside Overlook

Water Feature

Restroom
Pavilion

Flexible Sport Court &
Ice Rink Area



ADVENTURE PLAY



ADVENTURE PLAY AREA



PROPOSED FEATURE

