

CITY COUNCIL MEETING

CITY OF DAVENPORT, IOWA

Wednesday, August 28, 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 August 14, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for August 21, 2024.

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Housing Commission
-Donald Hinton (new appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

XI. 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. Third Consideration: Ordinance amending Schedule XIII Seven Ton Weight Limit of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 5th Street from Western Avenue to Gaines Street thereto. [Ward 3]

2. Third Consideration: Ordinance amending various sections of Chapter 13.34 entitled "Stormwater Management" of the Municipal Code of Davenport, Iowa to clearly convey intent and to ensure compliance with recent state legislation regarding regulation of topsoil and stormwater at construction sites. [All Wards]
3. Second Consideration: Ordinance amending various sections of Chapter 6.04 entitled "Animals" of the Municipal Code of Davenport, Iowa to incorporate recommendations from the joint task force between the Humane Society of Scott County and the City of Davenport, Iowa, and to update language regarding fees and roles. [All Wards]
4. First Consideration: Ordinance for Case REZ24-03 being the request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]
5. Resolution approving Case F24-08 being the request of IA 12 Davenport, LLC for a final plat of Silverstar Wash, a 1-lot subdivision on 0.9 acres located at 1914 Division Street. [Ward 4]
6. Resolution authorizing the conveyance of vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District, Petitioner. [Ward 3]
7. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

City of Davenport, Red, White & Boom!; Riverfront; 2:00 p.m. - 10:30 p.m. Saturday, September 7, 2024; **Closures:** (beginning at 2:00 p.m.) Ripley Street and Marquette Street south of River Drive; (beginning at approximately 8:00 p.m.) Myrtle Street, Warren Street, Brown Street, Western Avenue, Scott Street, Ripley Street, Harrison Street, and Main Street from 2nd Street to River Drive. [Ward 3]

Elaine Folker; Norwood Park Fall Festival; 2200 block of Ripley Street; 12:00 p.m. - 9:00 p.m. Saturday, September 14, 2024; **Closures:** West Rusholme Street from Ripley Street east and west to the alley; Ripley Street from West Dover Court to West Lombard Street. [Ward 4]

Tim Kelly; Unity in the Community: A 5th Ward Celebration; 311 East Locust Street; 2:00 p.m. - 10:00 p.m. Saturday, September 14, 2024; **Closure:** north-south alley between Pershing Avenue and Iowa Street and East Locust Street and Kirkwood Boulevard from East Locust Street south to 313 East Locust Street. [Ward 5]

Jimmie O's Saloon; Street Fest; 2734 Telegraph Road; 2:00 p.m. - 10:00 p.m. Saturday, September 21, 2024; **Closure:** South Rolff Street from Telegraph Road south to the alley. [Ward 1]

Scott County Family Y; Turkey Trot; 630 East 4th Street; 3:00 a.m. - 11:00 a.m. Thursday, November 28, 2024; **Closures:** (3:00 a.m. - 11:00 a.m.) 4th Street from

River Drive to Main Street; (6:00 a.m. - 11:00 a.m.) Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]

8. Resolution accepting sanitary sewer and manholes associated with Russell-Frye/Armstrong Industrial Park Second Addition. [Ward 2]
9. Resolution awarding a contract for the 2024 Alley Resurfacing Program to Emery Construction Group Inc of Moline, Illinois in the amount of \$589,505.65, CIP #35038. [Wards 3 & 5]
10. Resolution awarding a contract for the Modern Woodmen Park Field Renovation project to Bush Sports Turf of Milan, Illinois in the amount of \$543,525, CIP #23049. [Ward 3]
11. Resolution awarding a contract for the Engine #2 overhaul at the Water Pollution Control Plant to Altorfer Inc of Davenport, Iowa in the amount of \$231,636.23. [Ward 1]
12. Resolution awarding a contract for engineering services for the 53rd Street at Utica Ridge Road Intersection Improvements project to Shive-Hattery, Inc of Bettendorf, Iowa in an amount not to exceed \$96,850. [Ward 6]
13. Resolution approving the purchase of grounds maintenance equipment from MTI Distributing of Grimes, Iowa in the amount of \$128,917.38 using Sourcewell contract 031121-TTC, CIP #24029. [All Wards]
14. Motion approving noise variance requests on the listed dates and times for outdoor events.

Coram Deo Bible Church; Party in the Lot: 20th Anniversary Celebration; 3800 East 53rd Street; 3:00 p.m. - 8:00 p.m. Saturday, September 7, 2024; Outdoor music/band, over 50 dBA. [Ward 6]

City of Davenport; Red, White, & Boom!; LeClaire Park | 400 Beiderbecke Drive; 5:30 p.m. - 10:00 p.m. Saturday, September 7, 2024; Outdoor music/band and fireworks, over 50 dBA. [Ward 3]

Tim Kelly; Unity in the Community: A 5th Ward Celebration; 311 East Locust Street; 4:00 p.m. - 9:00 p.m. Saturday, September 14, 2024; Outdoor music/band, over 50 dBA. [Ward 5]

Jimmie O's Saloon; Street Fest; 2734 Telegraph Road; 2:00 p.m. - 10:00 p.m. Saturday, September 21, 2024; Outdoor music/band, over 50 dBA. [Ward 1]

15. Motion approving beer and liquor license applications.

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

Ward 3

Front Street Brewery (Front Street Brewery, Inc) - 101 West River Drive - Temporary Outdoor Events Thursdays in September/October - License Type: Class C Liquor (On-Premises)

Front Street Brewery (Front Street Brewery, Inc) - 400 Beiderbecke Drive - Temporary Outdoor Event September 7 - License Type: Class C Liquor (On-Premises)

The Gatsby Cocktail Lounge (The Gatsby, LLC) – 702 West 3rd Street – New License – License Type: Class C Liquor (On-Premises)

German American Heritage Center and Museum (German American Heritage Center) - 119 East 3rd Street - Temporary Outdoor Event September 21 - License Type: Special Class C Beer/Wine (On-Premises)

Ward 4

QC Sushi, LLC (QC Sushi, LLC) – 1417 West Locust Street – New License – License Type: Class C Liquor (On-Premises)

Ward 6

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

Ward 8

Zeke's (Lumpy's, Inc) – 100 West 76th Street – New License – License Type: Class C Liquor (On-Premises)

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

Ward 3

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

Raccoon Motel (Raccoon Motel, LLC) - 315 East 2nd Street - License Type: Class C Liquor (On-Premises)

Rodriguezhope (Alfredo Rodriguez) - 226 West 3rd Street - License Type: Class C Liquor (On-Premises)

Ward 5

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

Ward 8

Leisure Lanes (Four Bros, LLC) - 2802 West 73rd Street - License Type: Class C Liquor (On-Premises)

XII. Other Ordinances, Resolutions and Motions

XIII. 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.

XIV. Reports of City Officials

XV. Executive Session

To discuss strategy with counsel in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c).

XVI. Adjourn

City of Davenport

Department: Administration

Contact Info: Brian Krup | 563-326-6163

Subject:

Approval of the City Council Meeting minutes for August 14, 2024.

Action / Date
8/28/2024

Attachments:

1. 081424 City Council Meeting Minutes

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, August 14, 2024

The City Council of Davenport, Iowa met in regular session on Wednesday, August 14, 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 (*In person:* Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; *Via telephone:* Alderman Gripp).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Kelly

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes for July 24, 2024.

Approval of the City Council Special Meeting Minutes for July 29, 2024.

Approval of the City Council Special Meeting Minutes for July 31, 2024.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for August 7, 2024.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, August 7, 2024 -- The City Council of Davenport, Iowa 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 Alderwoman Meginnis. Upon the roll being called, all Aldermen were present (In person: Alderman R. Dunn, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Newton, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder; Via telephone: Alderman Kelly).

*The following Public Hearings were held: **Public Works:** 1. on the plans, specifications, form of contract, and estimate of cost for the Bus Barn Charging project, CIP #24035; and 2. on the plans, specifications, form of contract, and estimate of cost for the Main Library Renovation | Phase II project, CIP #23063.*

*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. A motion was moved by Alderwoman Meginnis to remove Medical/Dental Office as a permitted use from item #1, Third 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. The motion was seconded by Alderman Reinartz with all Aldermen present voting aye except Alderman Kelly. On motion by Alderman Reinartz, second by Alderwoman Meginnis all items moved to the Consent Agenda. Alderman Gripp requested that item #1 be placed on the Discussion Agenda as amended. On motion by Alderman Reinartz, second by Alderwoman Meginnis, the motion to place all items on the Consent Agenda was withdrawn. On motion by Alderman Reinartz, second by Alderwoman Meginnis item #1, Third 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 as a permitted use within a Neighborhood Commercial Establishment, moved to the Discussion Agenda 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 the temporary extended outdoor area liquor license application for Mississippi River Distilling Company under Section A of item #4 would be voted on later on the agenda as noted; the request for waiver to 600' Child Care Distance Separation Provisions by Palmer College of Chiropractic under Section C of item #4 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 item #17, Motion approving a waiver of installation of sidewalk along the southern portion of 510 and 516 West 35th Street, and that the waiver remain in effect as long certain conditions remain in effect, moved to the Discussion Agenda with a staff recommendation for denial and all other items moved to the Consent Agenda. **Finance:** Alderwoman Newton reviewed all items listed. On motion by Alderwoman Lynch, second by Alderman Jobgen item #1, First Consideration: Ordinance amending various sections of Chapter 6.04 entitled "Animals" of the Municipal Code of Davenport, Iowa to incorporate recommendations from the joint task force between the Humane Society of Scott County and the City of Davenport, Iowa, and to update language regarding fees and roles, moved to the Discussion Agenda and all other items moved to the Consent Agenda.

Other Ordinances, Resolution and Motions: A motion for suspension of the rules to vote on the listed item was moved by Alderman R. Dunn and seconded by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye and the rules were suspended.

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

1. Motion approving a beer and liquor license application.

PASSED 2024-326

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

Ward 3

Mississippi River Distilling Company (Mississippi River Distilling Company, LLC) - 318 East 2nd Street
- Extended outdoor Area August 9-11 - License Type: Class C Liquor (On-Premises)

Council adjourned at **7:05 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2024-327

1. Historic Preservation Commission

-Jeffrey Gomez (new appointment)

-George Eaton (new appointment)

-David Adams (new appointment)

B. Proclamations

ISSUED 2024-328

1. Alternating Currents Week | August 15 - 18, 2024

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. On motion by Alderwoman Meginnis, second by Alderman Reinartz and all Aldermen present voting aye, the following Ordinance was adopted.

Third 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 as a permitted use within a Neighborhood Commercial Establishment. [All Wards]

ADOPTED 2024-329

ORDINANCE NO. **2024-329**

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 AS A PERMITTED USE 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. Office
- e. Personal service establishment
- f. Restaurant
- g. 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.

Adopted 8/14/2024: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. On motion by Alderwoman Meginnis, second by Alderwoman Newton and all Aldermen present voting aye, the following Ordinance moved to second consideration.

First Consideration: Ordinance amending various sections of Chapter 6.04 entitled "Animals" of the Municipal Code of Davenport, Iowa to incorporate recommendations from the joint task force between the Humane Society of Scott County and the City of Davenport, Iowa, and to update language regarding fees and roles. [All Wards] **MOVED TO SECOND CONSIDERATION**

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

Motion approving a beer and liquor license application.

PASSED 2024-330

A. Request for Waiver to 600' Child Care Distance Separation Provisions

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1000, 1001, 1005 North Brady Street - New License with Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Motion approving a waiver of installation of sidewalk along the southern portion of 510 and 516 West 35th Street, and that the waiver remain in effect as long certain conditions remain in effect.
[Ward 7] **PASSED 2024-331**

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. Second Consideration: Ordinance amending Schedule XIII Seven Ton Weight Limit of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 5th Street from Western Avenue to Gaines Street thereto. [Ward 3] **MOVED TO THIRD CONSIDERATION**

2. Second Consideration: Ordinance amending various sections of Chapter 13.34 entitled "Stormwater Management" of the Municipal Code of Davenport, Iowa to clearly convey intent and to ensure compliance with recent state legislation regarding regulation of topsoil and stormwater at construction sites. [All Wards] **MOVED TO THIRD CONSIDERATION**

3. Resolution setting a Public Hearing on the proposed conveyance of vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District, Petitioner.
[Ward 3] **ADOPTED 2024-332**

4. Resolution accepting the NorthPark Mall Retail Market Analysis and Use Strategy Report completed by Leland Consulting Group of Portland, Oregon. [Ward 7] **ADOPTED 2024-333**

5. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events. **ADOPTED 2024-334**

Rachelle Buckwalter; Made Indie Market; Downtown; 6:00 a.m. - 7:00 p.m. Saturday, August 17, 2024; **Closure**: East 2nd Street from Perry Street to Pershing Avenue. [Ward 3]

Teri Logan; Thornwood Good Neighbor Project Block Party; 900-1200 block of North Thornwood Avenue; 10:00 a.m. - 10:30 p.m. Saturday, August 17, 2024; **Closure**: North Thornwood Avenue from North Lincoln Avenue to W Stubbs Lane. [Ward 3]

Place of Refuge Ministries; Back to School Celebration; 518 Brown Street; 9:00 a.m. - 6:00 p.m. Saturday, August 24, 2024; **Closure**: east-west alley from Brown Street to Warren Street between West 5th and West 6th Streets. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; 6:00 a.m. - 6:30 p.m. Sunday, September 8, 2024; **Closure**: North Main Street from West 4th Street to West 5th Street. [Ward 3]

Heather Davis; Arlington Avenue Block Party; 3000 & 3100 blocks of Arlington Avenue; 12:30 p.m. - 8:00 p.m. Saturday, September 14, 2024; **Closures**: Arlington Avenue from East 30th

Street to East 32nd Street; East 32nd Street from Arlington Avenue east to the alley. [Ward 5]

Palmer College of Chiropractic; Homecoming; 1000 Brady Street; 6:00 a.m. Saturday, September 21, 2024 - 10:00 a.m. Sunday, September 22, 2024; **Closure:** two easternmost lanes of Brady Street from 8th Street to Palmer Drive. [Ward 3]

6. Resolution authorizing submission of a grant application to the Iowa Department of Transportation's Traffic Safety Improvement Program for financial assistance to install traffic signals at the intersection of Elmore Avenue and East 46th Street. [Ward 6]

ADOPTED 2024-335

7. Resolution authorizing submission of a grant application to the Iowa Department of Transportation's Traffic Safety Improvement Program for financial assistance to improve the intersection of Kimberly Road and East 36th Street. [Ward 7]

ADOPTED 2024-336

8. Resolution adopting the final assessment schedule for the 2023 Alley Resurfacing Program in accordance with the Alley Cost Share Program and amending, confirming, and levying the assessments, CIP #35038. [Wards 3, 5, & 6]

ADOPTED 2024-337

9. Resolution awarding a contract for the 3rd Street Pavement Rehabilitation project to Langman Construction, Inc of Rock Island, Illinois in the amount of \$4,681,917.45, CIP #35055. [Ward 3]

ADOPTED 2024-338

10. Resolution awarding a contract for the Black Hawk Creek Gates Replacement project to Hagerty Earthworks, LLC of Muscatine, Iowa in the amount of \$549,661.36, CIP #68015. [Ward 1]

ADOPTED 2024-339

11. Resolution awarding a contract for the East High Street and Forest Road Storm Sewer Realignment project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$356,943.78, CIP #33062. [Ward 6]

ADOPTED 2024-340

12. Resolution awarding a contract for the Davenport Freight House Roof Replacement project to White Roofing Co, Inc of Eldridge, Iowa in the amount of \$281,055, CIP #23073. [Ward 3]

ADOPTED 2024-341

13. Resolution awarding a contract for the Garfield Park ADA Access Improvements project to Midwest Concrete, Inc of Peosta, Iowa in the amount of \$262,533.50, CIP #64071. [Ward 5]

ADOPTED 2024-342

14. Resolution awarding a contract for the West 3rd Street and West 4th Street (Telegraph Road to Fillmore Street) Traffic Signal Upgrades project to Davenport Electric Contract Company of Davenport, Iowa in the amount of \$198,517, CIP #38022. [Ward 3]

ADOPTED 2024-343

15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Bus Barn Charging project, CIP #24035. [Ward 7]

ADOPTED 2024-344

16. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Main Library Renovation | Phase II project, CIP #23063. [Ward 3] **ADOPTED 2024-345**
17. Resolution approving the purchase of a wheel loader from Martin Equipment of Rock Island, Illinois in the amount of \$214,743.37 using Sourcewell contract #011723-JDC. [All Wards] **ADOPTED 2024-346**
18. Resolution approving the purchase of two street sweeper hopper assemblies from Armor Equipment of Johnston, Iowa in the amount of \$185,156, CIP #24038. [All Wards] **ADOPTED 2024-347**
19. Resolution appointing Ms. Nicole Gleason as the Acting City Administrator. [All Wards] **ADOPTED 2024-348**
20. Resolution adopting the FY 2026 Budget Policies. [All Wards] **ADOPTED 2024-349**
21. Resolution approving a five-year extension of the Fairmount Cemetery Assistance Agreement between the Fairmount Cemetery and Crematory Association and the City of Davenport. [Ward 1] **ADOPTED 2024-350**
22. Resolution approving a three-year extension of the audit services contract with Eide Bailly LLP of Dubuque, Iowa in the amount of \$265,500. [All Wards] **ADOPTED 2024-351**
23. Resolution approving the Memorandum of Understanding outlining a two-year funding agreement between Scott County and the City of Davenport for MEDIC EMS capital expenditures. [All Wards] **ADOPTED 2024-352**
24. Resolution awarding a three-year contract with two possible one-year extensions for the third-party administrative services of the employee health plan to UMR, Inc of Wausau, Wisconsin, and authorizing the Human Resources Director to sign any related documents. [All Wards] **ADOPTED 2024-353**
25. Resolution awarding a three-year contract with two possible one-year extensions for pharmacy benefit manager services for the employee health plan to Script Care, LTD of Beaumont, Texas, and authorizing the Human Resources Director to sign any related documents. [All Wards] **ADOPTED 2024-354**
26. Resolution approving a five-year Master Government Entity Investment Agreement and the related five-year Government Entity Contribution Agreement between the City of Davenport and the Quad Cities Convention and Visitors Bureau d/b/a Visit Quad Cities. [All Wards] **ADOPTED 2024-355**
27. Resolution accepting the 2024-2025 (year two of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$437,207, and authorizing the Interim Finance Director to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards] **ADOPTED 2024-356**

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

PASSED 2024-357

Rachelle Buckwalter; Made Indie Market; Downtown; 10:00 a.m. - 4:00 p.m. Saturday, August 17, 2024; Outdoor music/band, over 50 dBA. [Ward 3]

Place of Refuge Ministries; Back to School Celebration; 518 Brown Street; 9:00 a.m. - 6:00 p.m. Saturday, August 24, 2024; Outdoor music over 50 dBA. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; 10:00 a.m. - 5:00 p.m. Sunday, September 8, 2024; Outdoor music, over 50 dBA. [Ward 3]

Heather Davis; Arlington Avenue Block Party; 3000 & 3100 blocks of Arlington Avenue; 12:30 p.m. - 8:00 p.m. Saturday, September 14, 2024; Outdoor music, over 50 dBA. [Ward 5]

29. Motion approving beer and liquor license applications.

PASSED 2024-358

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

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1000, 1001, 1005 North Brady Street - New License with Outdoor Area - License Type: Class C Liquor (On-Premises)

RiverCenter/Adler Theatre (VenuWorks of Davenport, LLC) - 136 East 3rd Street - Temporary Extended Outdoor Area August 16-17- License Type: Class C Liquor (On-Premises)

Thunder Bay Grille (Thunder Bay Grille, LLC) - 400 Beiderbecke Drive – Temporary Outdoor Event August 17 - License Type: Class C Liquor (On-Premises)

Ward 6

Links (OMFG, LLC) - 5619 Utica Ridge Road #300 - Outdoor Area – New License/Owner - License Type: Class C Liquor (On-Premises)

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

Ward 1

Lulac Club (Lulac Council #10, Inc) - 4224 Ricker Hill Road - License Type: Class C Liquor (On-Premises)

Rockingham Liquor (Lila, LLC) - 2423 Rockingham Road - License Type: Class E Liquor (Carry-Out)

Ward 2

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2200 West Kimberly Road (Cafe Area) – License Type: Class C Liquor (On-Premises)

Walgreens #03595 (Walgreen Co) - 1720 West Kimberly Road - License Type: Class E Liquor (Carry-Out)

Ward 3

Barrel House 211 (Barrelhouse, LLC) - 207-211 East 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Bootleg Hill Honey Meads (Bootleg Hill, LLC) - 321 East 2nd Street - License Type: Class C Liquor (On-Premises)

Duck City Delicatessen & Bistro (Moskowitz Llewellyn Restaurant Systems, Inc) – 115 East 3rd Street - License Type: Class C Liquor (On-Premises)

Express Lane Gas & Food Mark (Express Lane, Inc) - 1139 North Brady Street - License Type: Class B Beer/Wine (Carry-Out)

The Garrison (Endeavor Management Group, LLC) - 131 West 2nd Street – Outdoor Area - License Type: Class C Liquor (On-Premises)

Mary's On 2nd (Birdland, Inc) - 832 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Moti's Food (Qc Diner, LLC) - 1717 West 3rd Street - License Type: Class E Liquor (Carry-Out)

River Center/Adler Theatre (Venuworks of Davenport, LLC) - 136 East 3rd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Stompbox Brewing (Jpx2me, LLC) - 210 East River Drive #101 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Walgreens #05239 (Walgreen Co) - 1660 West Locust Street - License Type: Class E Liquor (Carry-Out)

Ward 5

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

Express Lane Gas & Food Mart (Express Lane, Inc) - 1909 North Harrison Street - License Type: Class B Beer/Wine (Carry-Out)

Ward 6

Applebee's Neighborhood Grill & Bar (Apple Corps LP) - 3838 Elmore Avenue – License Type: Class C Liquor (On-Premises)

Chipotle Mexican Grill (Chipotle Mexican Grill of Colorado, LLC) - 5270 Elmore Avenue #3 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Holiday Inn & Suites / J-Bar (HOA Hotels, LLC) - 4215 Elmore Avenue - Outdoor Area - License Type: Class C Liquor (On-Premises)

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

Rudy's Tacos (C.M.E. 1066, Inc) - 3944 Elmore Avenue - License Type: Class C Liquor (On-Premises)

Super Target T-533 (Target Corporation) - 5225 Elmore Ave - License Type: Class E Liquor (Carry-Out)

Walgreens #06186 (Walgreen Co) - 4011 East 53rd Street - License Type: Class E Liquor (Carry-Out)

Ward 7

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

Hooters of Davenport (HOA Restaurant Holder, LLC) - 110 East Kimberly Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Phil & Larry's Saloon (P & L, Inc) - 4811 North Brady Street #2 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Stop-N-Go #562 (Kwik Trip, Inc) - 4619 North Brady Street - License Type: Class B Beer/Wine (Carry-Out)

Walgreens #04041 (Walgreen Co) - 1525 East Kimberly Road - License Type: Class E Liquor (Carry-Out)

Ward 8

Iowa Machine Shed (Machine Shed, LLC) - 7250 Northwest Boulevard - License Type: Class C Liquor (On-Premises)

30. Motion awarding blanket contracts for the purchase of calcium chloride for the 2024-2025 winter season to EnviroTech Services, Inc of Greeley, Colorado as primary supplier and SICALCO, LTD of Hinsdale, Illinois as backup supplier. [All Wards] **PASSED 2024-359**

31. Motion awarding a contract for audio/visual equipment and services at Fairmount Library to Conference Technologies, Inc of Davenport, Iowa in the amount of \$60,594.99, CIP #23081. [Ward 1] **PASSED 2024-360**

32. Motion approving the purchase of a compact track loader from Martin Equipment of Rock Island, Illinois in the amount of \$86,843.20 using Sourcewell contract #011723-JDC. [All Wards] **PASSED 2024-361**

33. Motion approving the purchase of Pure Storage hardware and technical support from Insight Public Sector of Chandler, Arizona in the amount of \$81,649.71 using OMNIA Partners contract #23-6692-03. [All Wards] **PASSED 2024-362**

34. Motion approving the purchase of 14 sets of turnout gear from Dinges Fire Company of Amboy, Illinois in the amount of \$56,350 using Sourcewell contract #010424-LIO. [All Wards] **PASSED 2024-363**

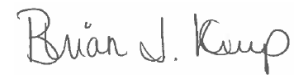
35. Motion approving the purchase of annual training and duty ammunition from Kiesler Police Supply, Inc of Jeffersonville, Indiana in the amount of \$54,640.40 using Iowa Department of Administrative Services contract #21298C. [All Wards] **PASSED 2024-364**

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **6:35 p.m.**

A handwritten signature in black ink that reads "Brian J. Krup". The signature is written in a cursive, flowing style.

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 August 21, 2024.

Action / Date
8/28/2024

Attachments:

1. 082124 Committee of the Whole Report

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, August 21, 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 Reinartz. Upon the roll being called, all Aldermen were present except Alderwoman Newton (Alderman R. Dunn, Alderman Kelly, Alderwoman Meginnis, Alderman Reinartz, Alderman Gripp, Alderwoman Lynch, Alderman T. Dunn, Alderman Jobgen, and Alderwoman Burkholder.).

The following Public Hearings were held: **Community Development:** 1. on the proposed conveyance of vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District, Petitioner; and 2. for Case REZ24-03 being the request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to SIC Institutional Campus District.

The following Presentation was held: Mayor Recognition of Davenport Civil Rights Staff | Life Saving Incident on July 5, 2024.

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 Reinartz, second by Alderwoman Meginnis all items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed all items listed. On motion by Alderman Kelly, second by Alderman R. Dunn all items moved to the Consent Agenda. **Public Works:** Alderman R. Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderwoman Meginnis all items moved to the Consent Agenda. **Finance:** Alderwoman Lynch reviewed the one item listed. On motion by Alderman T. Dunn, second by Alderman R. Dunn the item moved to the Consent Agenda.

Council adjourned at **5:59 p.m.**

City of Davenport

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

Action / Date
8/28/2024

Subject:
Housing Commission
-Donald Hinton (new appointment)

Background:
Donald Hinton is a new appointment to the Housing Commission, filling the seat previously held by Gary Susich. Term dates for this appointment are August 29, 2024 - July 31, 2026.

Attachments:
None

City of Davenport

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

Action / Date
8/28/2024

Subject:

Third Consideration: Ordinance amending Schedule XIII Seven Ton Weight Limit of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding 5th Street from Western Avenue to Gaines Street thereto. [Ward 3]

Recommendation:

Adopt the ordinance.

Background:

The 7-ton designation is typically used on streets that can't handle heavy traffic or shouldn't be used as a cut-through to avoid a nearby collector or arterial street. 5th Street is the alternate route for truck drivers who turn to avoid hitting the bridge while traveling down Harrison Street.

There is a sign at 5th Street and Western Avenue directing those drivers to turn left onto Western Avenue in order to get back on Highway 61. 5th Street between Western and Gaines is a brick street that is much narrower than it is east of Western so we want to encourage truck drivers to use Western rather than go all the way to Gaines.

Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE XIII SEVEN TON WEIGHT LIMIT OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING 5TH STREET FROM WESTERN AVENUE TO GAINES STREET THERETO.

Section 1. That Schedule XIII Seven Ton Weight Limit of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

5th Street from Western Avenue to Gaines 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: Amy Kay | 563-327-5160

Action / Date
8/28/2024

Subject:

Third Consideration: Ordinance amending various sections of Chapter 13.34 entitled "Stormwater Management" of the Municipal Code of Davenport, Iowa to clearly convey intent and to ensure compliance with recent state legislation regarding regulation of topsoil and stormwater at construction sites. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Senate File 455 (SF455), an Act relating to the regulation of topsoil and stormwater at construction sites, has laid out regulations that affect stormwater management ordinances. The Act states that cities cannot adopt or enforce an ordinance, or other mechanism, that relates to the preservation, compaction, placement, or depth of topsoil at a construction site that is more restrictive than the requirements in the National Pollutant Discharge Elimination System General Permit No. 2 (GP2), as issued by the IDNR.

SF455 also includes regulations that allow cities to adopt or enforce an ordinance for stormwater management, as long as the release rate from the 100-year storm does not require a post-construction release rate that is more restrictive than the existing flow rate from a 5-year storm. If a city wants to impose a stormwater runoff requirement that is more restrictive than the 5-year existing storm release rate, that is only allowed if the city pays for all study, design and engineering costs, and easement costs that would be required for the more restrictive release rate.

Changes in the ordinance reflect the new legislation and process updates to ensure compliance.

Attachments:

1. Ordinance
2. Chapter 13.34 Current Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 13.34 ENTITLED "STORMWATER MANAGEMENT" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO CLEARLY CONVEY INTENT AND TO ENSURE COMPLIANCE WITH RECENT STATE LEGISLATION REGARDING REGULATION OF TOPSOIL AND STORMWATER AT CONSTRUCTION SITES.

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

Section 1. That Subsection 13.34.060 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.060 Requirements for Stormwater Management Plans

- A. No application for development will be approved unless it includes a Storm Water Management Plan (SWMP) detailing how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by an individual approved by the City of Davenport, typically the applicants engineer, and must indicate whether stormwater will be managed on-site or off-site and the location and type of practices.
- B. The stormwater management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed before approval of the stormwater management plan. This plan must be signed by a professional engineer licensed in the state of Iowa, who will verify that the design of all stormwater management practices meets the submittal requirements outlined in the Davenport Stormwater Manual. No building, or COSESCO permits shall be issued until a satisfactory final stormwater management plan, or a waiver, shall have undergone a review and been approved by the City Engineer or their designee after determining that the plan or waiver is consistent with the requirements of this ordinance.
- C. A stormwater management plan shall be required with all permit applications seeking approval under Chapter 13.34 of the Davenport Municipal Code and will include sufficient information (e.g. maps, hydrologic calculations, site topography, soils, aquatic resources, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater runoff generated at the project site. The intent of this planning process is to determine the type of stormwater management measures necessary for the proposed project and ensure adequate planning for management of

stormwater runoff from future development. The information required in the plan can be found in the Davenport Stormwater Manual.

- D. In conjunction with the requirements above, a landscaping plan must be submitted as part of the civil construction plan set to describe the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be approved prior to issuance of a permit for construction of the project. Stormwater management practice landscaping may be combined with the Zoning Code, Chapter 17 landscaping requirements, provided it meets all code requirements.
- E. Review and modifications to the stormwater management plan and the Maintenance & Repair Agreement, as deemed necessary by the City of Davenport, shall be completed prior to approval. The stormwater management plan shall include all the information required in the Stormwater Management Plan outline found in the Davenport Stormwater Design Manual. In addition, the originally signed and notarized, approved Maintenance & Repair Agreement shall be submitted to the City for signature prior to recording at the Records Office of Scott County. No permits shall be issued until this document has been received by the Natural Resources Division. The City will record the document and return the original to the person or company designated on the agreement.

Section 2. That Subsection 13.34.080 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.080 Construction Inspections

- B. All applicants are required to submit "as built" plans for any stormwater management practices constructed prior to a final inspection of the site if any city-approved field adjustments were required during project installation that result in discrepancies from existing approved plans. The plans must show all final construction and must be certified by a professional engineer licensed in the state of Iowa. A final inspection by the City of Davenport is required before the release of any performance securities or issuance of certificate of occupancy for the building(s) on the property for which the stormwater system was constructed.

Section 3. That Subsection 13.34.100 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.100 Waivers

- A. Factors that may generate a waiver:
 - 1. Shallow Bedrock
 - 2. High Groundwater
 - 3. Hotspots or Contaminated Soils
 - 4. Existing Infrastructure Elevation Conflicts

Section 4. That Subsection 13.34.120 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.120 Runoff calculation.

- A. Design flows shall normally be calculated using the procedures outlined in the Soil Conservation Services, Technical Release No. 55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said Technical Release No. 55. For drainage basins of twenty acres or less, the Modified Rational Method may be used. For drainage basins greater than twenty acres, TR-55 may be used, or other method approved by the City Engineer. For drainage areas larger than 2,000 acres or for situations where the methods described above are not appropriate, TR-20, HEC-1, HEC- HMS or other approved alternatives may be used.

Section 5. That Subsection 13.34.130 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.130 Storm sewers.

- B. An acceptable method of determining the flooded width of the street shall be the use of width-discharge curves.
- C. An acceptable method of determining catch basin capacity for various conditions shall be the use of capacity charts.
- E. For culvert and ditch conveyance frequencies, guidance per ISWMM Chapter 2 must be used.
- F. Prior to acceptance of storm sewer installed by private contractor, all storm sewers and structures must be cleaned and televised to ensure that they meet acceptable City standards. Televising will be completed as detailed by the City standards, and inspection files shall be provided to the City Engineer or their representative for review and acceptance. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

Section 6. That Subsection 13.34.140 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.140 Excess stormwater passageway.

- B. Where specifically approved by the City Engineer, the excess stormwater passageway may consist of a conduit. In such cases, the capacity of the conduit shall be twice the capacity necessary to convey the one-hundred-year stormwater flow.
- G. Spot elevations should be listed on the final grading plan at each rear lot corner, at the mid-point of the side yard line, and along the proposed drainage ways and easements.

Section 7. That Subsection 13.34.150 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.150 Open channels.

- A. The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions. Channel capacity shall be based on one-hundred-year storm frequency. Manning's Formula as cited in most civil engineering handbooks, shall be used in hydraulic design of open channels. A minimum cleaning velocity of 3 ft/s should be used for the design storm per the ISWMM Chapter 2, Design Frequencies for Conveyance Facilities. Channel banks shall be protected by use of low vegetation, rip-rap, or paving as design velocity dictates subject to the approval of the City engineer.

Section 8. That Subsection 13.34.210 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.210 Applicability.

- A. There is no statute of limitations that would exempt multiple impervious area additions that cumulatively create over 5,000 square feet, unless granted a waiver per Section 13.34.100.

Section 9. That Subsection 13.34.210(C) of the Municipal Code of Davenport, Iowa is hereby deleted and all subsequent items be re-lettered accordingly.

Section 10. That Subsection 13.34.220 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.220 Release rate.

- A. The release rate of stormwater from any detention basin required under this chapter for new development and redevelopment shall not exceed the stormwater runoff rate from the drainage area from a five-year frequency storm using a runoff coefficient commensurate with actual existing conditions. The Modified rational method may be used for areas under twenty acres. Utilize the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR_55 for areas over twenty acres.
- B. All release rates shall not exceed permissible velocities per the ISWMM Design Standards Chapter for Open Channel Flow or the Iowa SUDAS Design Chapter for Grass Channels. Information pertaining to the maximum permissible velocities for channels must be included in the submitted SWMP.

Section 11. That Subsection 13.34.220(D) of the Municipal Code of Davenport, Iowa is hereby deleted and all subsequent items be re-lettered accordingly.

Section 12. That Subsection 13.34.230 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.230 Detention requirements.

- A. Utilize the Unified Sizing Criteria (USC) from the Recharge Volume (Rev) up to Extreme Flood Protection (Qf) for the required volume of stormwater detention. The Recharge Volume can be used to help meet the WQv. The WQv shall provide 100% retention, infiltration or abstraction (where soils do not allow full infiltration) of the 1.25-inch-in- a-twenty-four-hour rainfall event per Section 13.34.310.
- B. City standards that are to be used in conjunction with the USC are:
 - 1. The Modified Rational method may only be used for small catchments less than twenty acres.
- C. For sites greater than twenty acres, the method of sizing of the detention storage volume must be approved by the City engineer. The TR-55 method is an approved method.
- E. (1)(c) Outlet control structures shall be designed as simply as possible and shall require little or no attention for proper operation. Utilize the Unified Sizing Criteria for staged outlet design. Each stormwater storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the one-hundred-year frequency storm occurs. This emergency overflow facility shall be designed to function without attention and shall become part of the excess stormwater passageway described in Section 13.34.140. Hydraulic calculations shall be submitted to substantiate all design features and shall comply with ISWMM design standards.
- E. (1)(e) Outlet control structures shall not direct flows over sidewalks, through curb sections or onto the roadway; nor shall they be constructed or put in a location that will cause icing issues within the right of way.

Section 13. That Section 13.34.250 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.250 Procedure.

- D. In the event weather prohibits the completion of stormwater management facilities or any associated landscape at the time subdivision acceptance or certificate of occupancy is applied for, a security bond for 125% in favor of the city of the estimated amount of construction and landscape materials with installation cost may be submitted. The cost of construction and landscape materials with installation must be determined by a landscape architect, construction estimator or other landscape business professional.

Section 14. That Section 13.34.250 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.300 Applicability.

- C. The Recharge Volume can be used to help meet the WQv. The WQv shall provide 100% retention, infiltration or abstraction (where soils do not allow full infiltration) of the 1.25-inch-in-a-twenty-four-hour rainfall event per Section 13.34.310.

Section 15. That Section 13.34.310 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.310 General Performance Criteria for Stormwater Quality Management.

- F. The calculations for determining small storm flows as found in the Iowa Stormwater Management Manual shall be used for sizing all stormwater quality management practices.
- G. If utilizing infiltration-based practices to comply with water quality management, soil boring information will need to be provided to ensure the practice will function. Additional information can be found in the Davenport Stormwater Management Manual.

Section 16. That Subsection 13.34.320 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows.

13.34.320 Soil Quality Restoration.

- A. Soil retention. Soil shall be retained on site per requirements of the NPDES GP#2 and as outlined in the Davenport Stormwater Manual. Topsoil verification measures pre and post-construction are described more fully in the Davenport Stormwater Manual.
- F. The City Engineer or their designee will approve the source of off-site topsoil or compost, if utilized. Surface soils from ditch bottoms, drained ponds, and eroded areas, or soils that are supporting growth of noxious weeds or other undesirable vegetation, will not be accepted. The Engineer will determine if testing is necessary. The Contractor will be responsible for payment of the testing if the off-site topsoil does not meet the above requirements, regardless of testing outcome.

Section 17. That Section 13.34.340 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.340 Procedure.

- D. In the event weather prohibits the completion of stormwater management facilities or any associated landscape at the time subdivision acceptance or certificate of occupancy is applied for, a security bond for 125% in favor of the city of the estimated amount of construction and landscape materials with installation cost may be submitted. The cost of construction and landscape materials with installation must be determined by a landscape architect, construction estimator or other landscape business professional.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Title 13. Public Systems

Chapter 13.34. STORMWATER MANAGEMENT

SUBCHAPTER I.. General Provisions

13.34.060. Requirements for stormwater management plans.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-28-2020 by Ord. No. 2020-439; 10-23-2019 by Ord. No. 2019-446]

- A. No application for development will be approved unless it includes a stormwater management plan detailing how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by an individual approved by the City of Davenport, typically the applicant's engineer, and must indicate whether stormwater will be managed on-site or off-site and the location and type of practices.
- B. The stormwater management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed in a final stormwater management plan. This final plan must be signed by a professional engineer licensed in the state of Iowa, who will verify that the design of all stormwater management practices meet the submittal requirements outlined in the Davenport Stormwater Manual. No building, or COSESCO permits shall be issued until a satisfactory final stormwater management plan, or a waiver, shall have undergone a review and been approved by the City Engineer or their designee after determining that the plan or waiver is consistent with the requirements of this chapter and recording of any applicable documents. .
- C. A stormwater management plan shall be required with all permit applications seeking approval under this Chapter 13.34 of the Davenport Municipal Code and will include sufficient information (e.g., maps, hydrologic calculations, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater runoff generated at the project site. The intent of this planning process is to determine the type of stormwater management measures necessary for the proposed project and ensure adequate planning for management of stormwater runoff from future development. The information required in the plan can be found in the Davenport Stormwater Manual. For development or redevelopment occurring on a previously developed site, an applicant shall include within the stormwater plan measures for controlling existing stormwater runoff discharges from the site in accordance with the standards of this chapter to the maximum extent practicable.
- D. In addition to the requirements above, a landscaping plan must be submitted as part of the stormwater management concept plan to describe the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be approved prior to issuance of a permit for construction of the project. Stormwater management practice landscaping may be combined with the Zoning Code, Chapter **17** landscaping requirements, provided it meets all code requirements.

- E. After review of and modifications to the stormwater management plan and the Maintenance & Repair Agreement, as deemed necessary by the City of Davenport, the final stormwater management plan must be submitted for approval. The final stormwater management plan shall include all of the information required in the Final Stormwater Management Plan outline found in the Davenport Stormwater Design Manual. In addition, the originally signed and notarized, approved Maintenance & Repair Agreement shall be submitted to the City for signature prior to recording at the Records Office of Scott County. No permits shall be issued until the originally signed and notarized document has been received by the Natural Resources Division. The City will record the document and return the original to the person or company designated on the agreement
- F. The City of Davenport may, at its discretion, require the submittal of a performance security or bond prior to issuance of a building or COSESCO permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed in the State of Iowa that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this chapter. The City of Davenport will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provisions of this chapter.

13.34.080. Construction inspections.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. The applicant must notify the City of Davenport Public Works Department 24 hours in advance of the commencement of construction of stormwater systems. Regular inspections of the stormwater management system construction shall be conducted by City staff from the Engineering Division of Public Works and the Natural Resources Division of Public Works. If any construction is found to not comply with the plans, the contractor and/or property owner shall be notified of the nature of the discrepancy and the actions required for correcting the construction. No added work shall proceed until any corrective actions are completed and pass reinspection.
- B. All applicants are required to submit as-built plans for any stormwater management practices constructed prior to a final inspection of the site. The plans must show all final construction and must be certified by a professional engineer licensed in the State of Iowa. A final inspection by the City of Davenport is required before the release of any performance securities or issuance of a certificate of occupancy for the building(s) on the property for which the stormwater system was constructed.
- C. If seasonal weather prohibits the installation of stormwater management facilities or any associated landscape at the time a certificate of occupancy is applied for, a temporary certificate of occupancy may be issued with provision of a security bond for 125% in favor of the City of the estimated amount of landscape materials and installation cost. The cost of landscape materials and installation must be determined by a landscape architect or other landscape business professional. The installation of stormwater management facilities or any associated landscape must begin as soon as seasonal weather allows.

13.34.100. Waivers.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. Every development or redevelopment meeting the requirements of Sections 13.34.210 and 13.34.300 shall provide for stormwater management as required by this chapter unless a waiver is granted. Requests to waive implementation of BMPs in whole or in part shall be submitted in writing

to the Natural Resources Division of Public Works and include a nonfeasibility study or combination of studies or reports presented as supporting documents along with the submitted engineering plans and specifications to be reviewed and approved by the City.

B. Partial waivers.

1. A partial waiver of BMPs required by this chapter may be granted, provided that at least one of the following conditions is established by the applicant based on authoritative written evidence satisfactory to the City of Davenport Natural Resources Division:
 - a. Alternative on-site management of stormwater quality or quantity has been established in a stormwater management plan that has been approved by the City and fully implemented.
 - b. Provisions are made to manage stormwater quality or quantity by an off-site facility. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of stormwater quality control that is equal to or greater than that which would be afforded by on-site practices and there is, in the City's sole judgment, a responsible entity legally obligated to monitor the performance of and maintain the efficiency of stormwater BMPs in accordance with a written and recorded maintenance agreement.
2. In instances where one of the above conditions is established, the applicant must further establish, by professional study and reports, written evidence satisfactory to the City that the partial waiver will not result in any of the following impacts to downstream waterways:
 - a. Deterioration of existing culverts, bridges, dams, and other structures; or
 - b. Degradation of biological functions or habitat; or
 - c. Accelerated streambank or streambed erosion or siltation; or
 - d. Increased threat of flood damage to public health, life, or property.

C. General waivers.

1. Where compliance with minimum requirements for stormwater quality or quantity management is not practical in the opinion of the Public Works Director or their designee, a general waiver may be granted. The applicant will then satisfy the minimum requirements by meeting one of the mitigation measures selected by the City of Davenport. Mitigation measures may include, but are not limited to, the following:
 - a. The creation of one or more stormwater BMPs on previously developed properties, public or private, in the same watershed as the proposed project, that currently lack stormwater BMPs, having a capacity to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver.
 - b. Construction of an off-site stormwater quality management facility sufficient to achieve City stormwater quality requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater quality requirements as a consequence of the waiver. The agreement shall be entered into by the applicant and the City prior to the recording of plats or, if no record plat is required, prior to approval of a final development plan, or if no plat or final development plan is required, prior to the issuance of any building permit.
 - c. Monetary contributions (fee-in-lieu) for detention for redevelopment – to fund stormwater related work on lands strategically located in the watersheds consistent with the purposes of this chapter. The fee-in-lieu of waiver for detention, as outlined in Sections 13.34.220 and 13.34.230, is intended only for redevelopment sites when detention, in whole or in

part, is not practical in the opinion of the Public Works Director or their designee based on the procedure outlined in Section 13.34.100 Waivers.

- d. Monetary contributions (fee-in-lieu) for water quality – to fund stormwater quality management activities on lands strategically located in the watersheds consistent with the purposes of this chapter. The monetary contributions required shall be in accordance with a fee schedule (unless the developer and the City agree on a greater alternate contribution) established by the City based on the estimated cost savings to the developer resulting from the waiver and the estimated future costs to the City to achieve City stormwater requirements with respect to a number of cubic feet of annual stormwater equivalent to the estimated cubic feet of annual stormwater that will not achieve City stormwater requirements as a consequence of the waiver. All of the monetary contributions shall be credited to an appropriate capital improvements program project or program and shall be made by the developer prior to the issuance of any construction permit for the development. The fee-in-lieu procedure has been established and is as follows:
 - i. The City and the property owner shall agree on the best stormwater management practice available for the proposed project site assuming no limitations to the site layout, soil conditions, topography, or any other conditions which are currently limiting installation of a practice. The City will make the final determination on what constitutes a limitation. Once the management practice has been agreed upon, the property owner will provide a cost estimate to construct the practice assuming no limitations. The City shall also create a cost estimate based on past projects and cost estimates. These estimates shall be discussed and averaged based on input from the owner and City representatives. If no agreement can be reached between the City and the owner, the owner must proceed with meeting the full requirements of Section 13.34.300 unless a partial waiver is granted by the City.
 - ii. At such a time as the estimate is agreed upon by both parties, the City shall assess an additional 20% administration fee to cover costs associated with actual installation of practices in the watershed at a future time. In addition, three years of maintenance costs for the agreed upon fee-in-lieu practice shall also be included in the final fee amount. The maintenance costs shall be determined by using the current contract prices for maintenance of stormwater practices by the City's hired contractor. In the event that maintenance is done by the City in-house, the current labor and equipment rate to provide said maintenance shall be the cost used.
 - iii. These amounts shall be totaled, and the final amount shall be considered the fee-in-lieu for the proposed project. All fees shall be paid to the City of Davenport, and funds received shall be placed in an account in the City Clean Water Fund for future stormwater projects in the affected watershed as delineated by the Natural Resources Division.
- e. Monetary contributions (fee-in-lieu) for the Commercial Downtown (CD) Zoning District and congruently adjacent Light Industrial (I-1), Heavy Industrial (I-2) and Industrial Mixed-Use (I-MU) to the CD District shall be made available in lieu of stormwater detention and water quality practice installation. These fee-in-lieu dollars will be utilized to fund stormwater-related work on lands strategically located in the watersheds consistent with the purposes of this chapter. These districts shall be as defined per the Official Zoning Map. This fee-in-lieu waiver may only be used within the defined zoning districts listed above and shall be assessed as a flat rate fee per square foot of redevelopment within a project area. The fee shall be as defined in the Davenport Stormwater Manual, Site Evaluation section. All fees shall be paid to the City of Davenport, and funds received shall be placed in an account in the City Clean Water Fund for future streambank projects as delineated by the Natural Resources Division.
- f. Substantial Hardship Waiver. If none of the above mitigation measures can be met to resolve the condition that causes the impracticability of compliance with a minimum

requirement for stormwater quality or quantity management and the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustice, the City's Public Works Director, or their designee, may waive, vary, or modify such requirements so that the subdivider or developer is allowed to develop their property in a reasonable manner, but so, at the same time, the public welfare and interests of the City and surrounding area are protected and the general intent and spirit of these regulations are preserved.

SUBCHAPTER II.. Storm Sewers and Stormwater Routing

13.34.120. Runoff calculation.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. Design flows shall normally be calculated using the procedures outlined in the Soil Conservation Services, Technical Release No. 55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said Technical Release No. 55. For drainage basins of twenty acres or less, the Modified Rational Method may be used. For drainage areas larger than 2,000 acres or for situations where the methods described above are not appropriate, TR-20, HEC-1, HEC-HMS or other approved alternatives may be used.
- B. Stormwater management documents shall be submitted following the format of ISWMM 9.03-3 Storm Water Management Plan formatting.
- C. For those storm sewers that will handle footing drains, added Q values per house per ISWMM Chapter 2 must be used.
- D. For culvert and ditch conveyance frequencies, guidance per ISWMM Chapter 2 must be used.

13.34.130. Storm sewers.

[10-23-2019 by Ord. No. 2019-446]

- A. Storm sewers and intakes shall be designed for a ten-year frequency storm in such a manner that the flooded street width shall not exceed:

Street Width (feet)	Allowable Flooded Width Each Side (feet)	Required Nonflood Lanes
27	8	1 10-foot lane
31	10	1 10-foot lane
35	9	2 8-foot lanes
41	10	2 10-foot lanes
45	11	2 11-foot lanes
49 and wider	12	2 12-foot lanes

- B. An acceptable method of determining the flooded width of the street shall be the use of width-discharge curves provided by the City.
- C. An acceptable method of determining catch basin capacity for various conditions shall be the use of capacity charts provided by the City.

- D. Prior to acceptance of storm sewers installed by a private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable City standards. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

13.34.140. Excess stormwater passageway.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. An excess stormwater passageway easement shall be provided for all developments. Such passage shall have the capacity to convey through the proposed development the excess stormwater from the tributary watershed. The capacity of such excess stormwater passage shall be constructed in such a manner as to transport the peak rate of runoff from a 100-year return frequency storm, assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.
- B. No buildings or structures shall be constructed within such passage; however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess stormwater otherwise restricted, the City Engineer shall notify the agency, party or parties causing said restriction to remove the same and set a reasonable time for its removal. If said persons refuse to or are unable to comply with said order, the City Engineer shall cause said restrictions to be removed at the expense of said persons.
- C. Where specifically approved by the City Engineer, the excess stormwater passageway may consist of a conduit. In such cases, the inlet capacity shall be twice the capacity necessary to convey the 100-year stormwater flow.
- D. Where a proposed development contains existing natural drainage, appropriate land planning shall be undertaken to preserve said natural drainage as part of the excess stormwater passage.
- E. Individual lot grading in a subdivision or other larger common plan of development must comply with the City approved final grading plan and the lowest entry elevation of the approved plat or construction plans. Final grading shall maintain the original intent and function of final grading plan, drainage areas, stormwater overland flow design and storm sewer system design. Lot drainage slopes will not be less than 1.5% to minimize ponding, and not excessive to cause uncontrollable erosion. Final grading shall also maintain positive drainage away from structures; must not direct water directly toward any down-grade structure foundations; and must comply with Chapter 12.28 Driveway and Approaches, SUDAS Section 7030, International Residential Code (IRC) for frost protection of footing, and the City of Davenport SUDAS Supplemental Specifications;
- F. Water entry levels for structures adjacent to the excess stormwater passageway shall be established one foot above the 100-year flood elevation.
- G. Spot elevations should be listed at each rear lot corner, at the mid-point of the side yard line, and along the proposed drainage ways and easements.

13.34.150. Open channels.

[10-23-2019 by Ord. No. 2019-446]

- A. The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions. Runoff shall be based on the 100-year storm frequency. Manning's Formula, as cited in most civil engineering handbooks, shall be used in hydraulic design of open channels. Channel banks shall be protected

by use of low vegetation, rip-rap, or paving as design velocity dictates, subject to the approval of the City Engineer.

SUBCHAPTER III.. Stormwater Detention Facilities

13.34.210. Applicability.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

The provisions of Sections 13.34.220 through 13.34.250, inclusive, shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial development or redevelopment which cumulatively creates 5,000 square feet or more of impervious area located within the Davenport City limits.
 - 1. There is no statute of limitations that would exempt multiple impervious area additions over 5,000 square feet, unless granted a waiver per Section 13.34.100.
- B. Any development which, in the opinion of the City Engineer, lacks an adequate external or internal system for the passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.
- C. For circumstances where an existing structure is demolished and the area is graded and seeded, there shall be a three-year time frame from the demolition date where any new development may be considered as redevelopment. Projects within this three-year time frame may follow the release rate as outlined in Section 13.34.220C.
- D. The following activities are exempt from this chapter:
 - 1. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area, regardless of previous condition, provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Subsection 13.34.300B.
 - 2. The subdivision of a property with the intent of removing excess land from a homestead.
 - 3. The replatting of one or more properties with the intent of constructing one single-family residence.
- E. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 of this chapter, appropriate on-site management practices will be required and shall be guided by the latest editions of the Iowa Stormwater Management Manual, the Iowa Rain Garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.
- F. Any development or redevelopment within the floodplain must comply with Chapter 15.44, Flood Damage Prevention. Stormwater detention is not permitted within the floodway or within special flood hazard (100-year floodplain) areas as delineated as areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for Scott County, Iowa, No. 19163CV000A, dated February 18, 2011," with accompanying Flood Insurance Rate Maps, and any revision thereto are adopted by reference as part of Chapter 15.44.

13.34.220. Release rate.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. The release rate of stormwater from any detention basin required under this chapter for new development shall not exceed the stormwater runoff rate from the drainage area from a pre-developed two-year frequency storm using a runoff coefficient "c" of 0.15, when using the Modified rational method for areas under twenty acres or a curve number of sixty when using the S.C.S. TR-55 "Urban Hydrology for Small Watersheds" and the "Iowa Users Guide and Supplement" for said TR-55 for areas over twenty acres.
- B. The City may require a lesser release rate when the downstream outlet is insufficient to safely convey the release rate as determined in Subsection A above.
- C. The planning and design of drainage systems should be such that problems are not transferred from one location to another. Outfall points and velocities should be designed in such a manner that will not create flooding hazards downstream; or deterioration of existing structures; or degradation of biological functions or habitat; or increased stream bank erosion.
- D. Restrictor (orifice) plates to control release rates placed within a pipe section or at the outlet of a pipe will not be accepted. Only orifice plates integrated into a staged release design structure that cannot be removed will be accepted.
- E. The single-stage outlet (i.e., one culvert pipe) is not recommended because of its inability to detain post-developed runoff from storms less than the five-year interval (i.e., channel protection volume storm event). In many cases, runoff from storm events less than the five-year recurrence interval has created erosion and sedimentation problems downstream of a detention basin.
- F. Reserved.
[Deleted 8-23-2023 by Ord. No. 2023-357]
- G. The minimum orifice size shall be 4 inches in diameter when located on the outside wall of a structure, where one side of the orifice is not accessible. Otherwise, the minimum orifice size may be smaller. In both cases of a 4 inch or smaller orifice to meet release rate requirements, the orifice shall possess protections to minimize plugging.

13.34.230. Detention requirements.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. Utilize the Unified Sizing Criteria (USC) or the Water Quality Volume (WQ_v) up to Extreme Flood Protection (Q_f) for the required volume of stormwater detention. The WQ_v shall provide 100% retention or infiltration of the 1.25-inch-in-a-twenty-four-hour rainfall event per Section 13.34.310.
- B. City standards that are to be used in conjunction with the USC are:
 - 1. Rainfall greater than the WQ_v up to the Q_f, or 100-year event, shall be released at the two-year, undeveloped, state (as opposed to the USC stated five-year).
 - 2. The recharge volume (Rev) need not be included in detention calculations.
 - 3. The Modified Rational Method may only be used for small catchments < 20 acres.
- C. For sites greater than 20 acres, the method of sizing of the detention storage volume must be approved by the City Engineer. The TR-55 Method is an approved method.
 - 1. For drainage areas larger than 2,000 acres, or for situations where the methods described above are not appropriate, TR-20, HEC-1, HEC-HMS, or other approved alternatives may be used.
- D. For redevelopment sites, utilize the USC detention requirements from the WQ_v up to Q_f unless a partial waiver or general waiver has been granted per Section 13.34.100, Waivers.
- E. Detention storage may be provided as a dry bottom or wet bottom storage area.

1. Dry bottom stormwater storage areas may be designed to serve a secondary purpose for recreation, open space, parking, or other types of uses that will not be adversely affected by intermittent flooding.
 - a. A method of carrying the low flow or a system of drains to prevent soggy areas shall be provided.
 - b. Concrete or otherwise paved swales to carry low flow shall only be permitted if stormwater has already been passed through a water quality treatment facility.
 - c. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare. Stormwater runoff velocities shall be kept at a minimum, and turbulent conditions at an outlet control structure will not be permitted without complete protection for the public safety. The use of fences shall be kept to a minimum and used only as a last resort when no other method of protection is feasible.
 - d. Paved surfaces that are to serve as stormwater storage areas and rooftop storage shall be designed with permanent-type control outlets. Emergency overflow areas shall be provided.
2. Wet bottom stormwater storage areas shall be designed with all of the items required for dry bottom stormwater storage areas, except that the provisions of Subsection E1a of this Section shall not be required. Utilize the Iowa Storm Water Management Manual.
 - a. Restrictor (orifice) plates to control release rates placed within a pipe section or at the outlet of a pipe will not be accepted. Only orifice plates integrated into a staged release design structure that cannot be removed will be accepted.

13.34.250. Procedure.

[10-23-2019 by Ord. No. 2019-446]

- A. Plans, specifications, and all calculations for stormwater runoff control(s) shall be submitted in accordance with the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).
- B. Comply with 13.34.080, Inspections.
- C. No certificate of occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.

SUBCHAPTER IV.. Stormwater Quality Management

13.34.300. Applicability.

[10-23-2019 by Ord. No. 2019-446]

- A. The provisions of Sections 13.34.300 through 13.34.320, inclusive, shall apply to the following areas under development:
 1. Any development or redevelopment which cumulatively creates 5,000 square feet or more of impervious surface area, regardless of previous condition, unless granted a waiver under Section 13.34.320 of this chapter.

2. Development and redevelopment projects located within 50 feet of a natural waterway, modified natural waterway, or constructed channel or which include a new storm drain outfall to such waterway, regardless of project size or impervious surface. This requirement is intended to protect environmentally sensitive areas.
- B. The following activities are exempt from this chapter:
1. Additions or modifications to existing single-family structures that do not meet the requirement of Section 13.34.300A2.
 2. Interior remodels and routine maintenance or repair, including roof or exterior surface replacement and resurfacing.
 3. Development or redevelopment projects that do not create more than 5,000 square feet of impervious area, provided they are not part of a larger common development plan that does create more than 5,000 square feet of impervious area, or that do not meet the requirement of Section 13.34.300A2.
- C. When a site development or redevelopment plan is submitted that qualifies as a development or redevelopment as defined in Section 13.34.030 of this chapter, appropriate on-site management practices will be required and shall be guided by the latest editions of the Iowa Stormwater Management Manual, the Iowa Rain Garden Manual, the Davenport Stormwater Manual, or approved equal. Final authorization of all development and redevelopment projects will be determined after review and approval by the City of Davenport.
- D. Any development or redevelopment within the floodplain must comply with Chapter 15.44, Flood Damage Prevention. Stormwater quality treatment is not permitted within the floodway. Stormwater quality treatment may be considered within special flood hazard (100- or 500-year floodplain) areas, provided that the treatment practice provides a net ecological benefit and is able to be maintained per Section 13.34.060, Requirements for stormwater management plans.

13.34.310. General performance criteria for stormwater quality management.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

Unless judged by the City of Davenport to be exempt or granted a waiver, the following performance criteria shall be addressed for stormwater management at all sites:

- A. All site designs shall establish stormwater management practices to control the peak flow rates of stormwater discharge associated with specified design storms and reduce the generation of stormwater runoff.
- B. The City of Davenport reserves the right to require superseding and additional treatment criteria or objectives for specific pollutant(s) as necessary to meet overall stormwater quality management program objectives or directives under a watershed improvement or total maximum daily load (TMDL) program, as may be directed by the State of Iowa or United States Environmental Protection Agency.
- C. For new development and redevelopment, structural best management practices shall be designed to provide 80% bacteria reduction, based on current research accepted by the Natural Resources Division of Public Works, and 100% retention or infiltration of the 1.25-inch-in-twenty-four-hour rainfall event. A best management practice complies with this standard if it is:
 1. Sized to capture the prescribed water quality volume (WQv);
 2. Designed according to the specific performance criteria outlined in the Iowa Stormwater Management Manual, Iowa Rain Garden Manual, or approved equal;
 3. Constructed properly; and

4. Maintained regularly.
- D. Stormwater discharges from land uses or activities with higher potential pollutant loadings may require the use of specific structural treatment and pollution prevention practices.
- E. Prior to design, applicants are encouraged to consult with the Natural Resources Division of Public Works to determine if they are subject to additional stormwater design requirements.
- F. The calculations for determining peak flows as found in the Iowa Stormwater Management Manual shall be used for sizing all stormwater quality management practices.

13.34.320. Soil quality restoration.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

Healthy soil provides important stormwater management functions, including efficient water infiltration and storage, adsorption of excess nutrients, filtration of sediments, biological decomposition of pollutants, and moderation of peak stream flows and temperatures. In addition, healthy soils support vigorous plant growth which intercepts rainfall, reducing runoff by increasing evaporation and transpiration. Urbanization and development severely diminish a soil's capacity to absorb, filter and store rainwater. Common development practices, including clearing and removal of topsoil during grading, compaction of remaining soil, and planting into unimproved soil or poor quality imported topsoil, produce unhealthy plants and lawns that require excessive fertilizers and pesticides, which can lead to polluted stormwater runoff. All areas subject to clearing and grading that have not been covered by impervious surfaces, incorporated into a stormwater management practice, or engineered as structural fill or slopes shall, at project completion, use one or more of the following practices to improve soil structure and water quality:

- A. Soil retention. Native topsoil shall be retained in an undisturbed state to the maximum extent practicable. In any areas requiring grading, remove and stockpile the topsoil on site in a designated controlled area where it will not be compacted, and not adjacent to stormwater management areas. Before stockpiled topsoil can be reapplied to other portions of the site, it must be tested, and amended if needed, to meet the organic matter or depth requirements specified in the Davenport Stormwater Manual. When topsoil is replaced, it shall be uncompacted to a depth of four inches. Subsoils below the topsoil layer should be scarified with some incorporation of the upper material to avoid stratified layers.
- B. Soil quality restoration. Amend existing site topsoil or subsoil to a minimum rate of 5% organic matter content and a pH from 6.0 to 8.0 or matching the pH of the original undisturbed soil using methods specified in the Iowa Storm Water Management Manual. Soil that already meets the depth and organic matter quality standards, and is not compacted, does not need to be amended. Upon completion of the project the soil restoration layer shall have a minimum depth of eight inches, per the method utilized in the Iowa Stormwater Management Manual except where tree roots limit the depth of incorporation of amendments needed to meet the criteria. Subsoils below the topsoil layer should be scarified at least four inches with some incorporation of the upper material to avoid stratified layers.
- C. Maintenance. Soil quality and depth should be established toward the end of construction and, once established, shall be protected from compaction and erosion. The Davenport Stormwater Manual and Iowa Storm Water Management Manual contain additional recommendations for maintenance of soil quality restoration areas.
- D. Inspection. Areas where soil retention or soil quality restoration are implemented must meet the inspection requirements of Section 13.34.080 and the Davenport Stormwater Manual and be inspected prior to seeding or turf placement.
- E. The City Engineer or their designee will approve the source of off-site topsoil. Surface soils from ditch bottoms, drained ponds, and eroded areas, or soils that are supporting growth of noxious weeds or other undesirable vegetation, will not be accepted. The Engineer will determine if testing

is necessary. The contractor will be responsible for payment of the testing if the off-site topsoil does not meet the above requirements, regardless of testing outcome.

13.34.340. Procedure.

[Amended 8-23-2023 by Ord. No. 2023-357; 10-23-2019 by Ord. No. 2019-446]

- A. Plans, specifications, and all calculations for stormwater quality management features shall be submitted in accordance with the most recent versions of the Iowa Storm Water Management Manual, SUDAS and the Davenport Stormwater Manual for review and approval, prior to the approval of a final plat (in the case of a subdivision or planned unit development), approval of a final development plan, or issuance of a building permit (in the case of commercial or industrial construction).
- B. Comply with Section 13.34.080, Inspections.
- C. No certificate of final occupancy for any building in the development will be issued until the stormwater facilities are constructed, inspected and approved.

City of Davenport

Department: Administration
Contact Info: Nicole Gleason | 563-326-7734

Action / Date
8/28/2024

Subject:

Second Consideration: Ordinance amending various sections of Chapter 6.04 entitled "Animals" of the Municipal Code of Davenport, Iowa to incorporate recommendations from the joint task force between the Humane Society of Scott County and the City of Davenport, Iowa, and to update language regarding fees and roles. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

The FY 2025 service agreement between the City of Davenport and the Humane Society of Scott County (HSSC) established a task force to thoroughly evaluate any necessary ordinance updates or programmatic changes that contribute to a sustainable business model. The task force consulted with the State Director of Iowa for the Humane Society of the United States and also evaluated codes from other Iowa communities.

The task force's recommendations were presented at the July 2, 2024 Management Update Meeting. The goals of the proposal include reducing length of stay, increasing the number of pets reunited with their owners, and improving financial well-being through increased opportunities for license sales and adjusted claim fees. The recommendations include:

- Reducing the mandatory hold period for animals found without identification to 3 days. Animals with identification will continue to be held for a minimum of 7 days.
- Microchipping all at-large animals brought into the shelter after the 3-day hold.
- Allowing license sales online and through veterinary offices.
- Increasing claim fees to better align the rates with the actual cost of care.

Attachments:

1. Ordinance
2. Current Chapter 6.04 Strikethrough Version
3. Animal Services Update 2024.07.02

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 6.04 ENTITLED "ANIMALS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO INCORPORATE RECOMMENDATIONS FROM THE JOINT TASK FORCE BETWEEN THE HUMANE SOCIETY OF SCOTT COUNTY AND THE CITY OF DAVENPORT, IOWA, AND TO UPDATE LANGUAGE REGARDING FEES AND ROLES.

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

Section 1. That Subsection 6.04.020 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

6.04.020 License required

- B. Licenses shall be purchased from the humane society, veterinarians practicing in the Quad Cities area, or online with evidence of a current rabies vaccination signed by a licensed veterinarian. Veterinarians who inoculate a dog or cat shall be required to share rabies vaccination documentation with the City of Davenport or its designee on a minimum of a monthly basis. Established fees collected by veterinarians shall be submitted to the county animal control facility in a manner agreed upon by the humane society and the individual veterinarians. Veterinary offices may charge an administration fee not to exceed \$5 per tag.

Dangerous and vicious animals require a special license that must be purchased annually from the City of Davenport or its designee.

- D. Annual license fees shall be set by resolution of the City Council:

- 1. Neutered/spayed dog or cat (altered)
- 2. Non-altered dog or cat
- 3. Dog declared dangerous
- 4. Dog declared vicious

- H. Upon proof of loss, a duplicate license tag may be obtained upon payment of a replacement fee not to exceed \$5.

Section 2. That Subsection 06.04.060 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

6.04.060 **Animal running at large**

- B. Notwithstanding any provision to the contrary, animals injured on or along public streets or public rights-of-way shall be deemed running at large. The animal control officer or Davenport police officer shall remove all such animals and at his or her discretion take such an animal needing medical attention to a veterinarian or animal shelter. The owner or custodian of such an animal shall be responsible and liable for the expenses of medical treatment and care as well as impoundment fees and any other penalties imposed by this chapter. Dead animals on or along public streets shall be removed by city operations staff.
- D. Any dog, cat, or other animal which is found in violation of this section may be impounded. Any such animal impounded may be redeemed by its owner or custodian within three days from the time specified in Section 6.04.140 and upon payment of the applicable redemption fee, current rabies vaccination fee unless current rabies inoculation is proven, the current licensing fees and penalties if the animal is unlicensed, impoundment fees, and the fees, costs and charges for any emergency medical treatment administered to the animal. Redemption fees shall be set by resolution of the City Council:
 - 1. First violation
 - 2. Second violation
 - 3. Third violation
 - 4. Fourth violation will result in the revocation of the license to keep the animal.

Section 3. That Subsection 6.04.140 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

6.04.140 **Impoundment**

- B. Impoundment Procedure. Unrestrained animals found running at large, nuisance animals, neglected animals, abandoned animals, and cats or dogs running at large without license tags or rabies vaccination tags shall be taken and impounded in the animal shelter and there confined in a humane manner.

All at large and impounded dogs and cats shall have an electronic identification device, otherwise known as a microchip, placed under the animal's skin after 72 hours in impound, unless waived by the executive director of the humane society or their designee for good cause. The microchip identification shall become part of the at large animal's record, and the impoundment fee shall be increased to include the cost of the microchip implantation and registration in the amount set by Animal Control.

- C. Notice. Every dog or cat found without a license, collar, microchip, rabies tag, or similar identification shall be kept for not less than three days after being impounded unless sooner redeemed by the owner in accordance with this article. Dogs with identification shall be kept not less than seven days after being impounded unless sooner redeemed by the owner in accordance with this article.
- D. Claim Fees. A person redeeming an impounded dog or cat shall pay the required

redemption fee as stated in Section 6.04.060 for a first, second or third offense and the required boarding fees as provided for by this section. In addition, before an unlawfully unlicensed animal may be redeemed the person redeeming the animal must obtain a license as stated in this chapter. In addition, a person redeeming an animal shall pay any additional fees required under the provisions of this chapter, including any monies expended for the provision of medical treatment provided to the animal.

The boarding fees for other animals shall be set by resolution of the City Council:

1. For each dog, cat, ferret or similar animal a per day fee for the animal's care, food, water and shelter.
2. For each domestic fowl, chicken, goose, duck or waterfowl a per day fee for the animal's care, food, water and shelter.
3. For each horse, mule, jack, cow, bull, steer, ox, swine, sheep, goat or similar animals a per day fee plus actual expenses incurred for the animal's care, food, water and shelter.
4. For any animal not specified herein, a per day fee plus actual expenses incurred for the animal's care, food, water and shelter.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Title 6

Animals

Chapter 6.04

ANIMALS

6.04.010 Definitions.

[Ord. 2003-210 (part); Ord. 02-573 § 1; Ord. 2000-285 § 1; Ord. 93-283 § 1 (part)]

For the purpose of this chapter, certain terms and words are defined as set forth in this section unless otherwise defined herein.

- A. ADEQUATE FOOD - Means the provision, at suitable intervals as the dietary requirements of the species so require, of a quantity of wholesome foodstuff suitable for the species and age sufficient to maintain a reasonable level of nutrition in each animal. The foodstuff shall be served in a clean receptacle, dish, or container.
- B. ADEQUATE WATER - Means reasonable access to a supply of clean, fresh, potable water provided in a sanitary manner and provided at suitable intervals for the species not to exceed 24 hours at any one interval.
- C. ANIMAL - Means a living organism, other than human beings, birds, fish, or invertebrates, domesticated or wild, and distinguished from other living things by structural and functional characteristics such as locomotion.
- D. ANIMAL CONTROL OFFICER - Means any humane officer employed by a humane society under contract with the City, any animal control officer under the jurisdiction of the chief of police, or any other person authorized by the City Administrator to enforce the provisions of this chapter by means of appropriate police powers.
- E. ANIMAL SHELTER - Means a facility which is used to house or contain dogs, cats, or other animals, and which is owned, operated or maintained by the City or operated under contract with the City for the purpose of humane boarding of animals impounded under the provisions of this chapter or any other ordinance.
- F. BOARDING KENNEL - Means a place or establishment other than an animal shelter or pound where dogs, cats, or other animals, not owned by the proprietor, are sheltered, fed and watered in return for consideration.
- G. CAT - Means all members of the feline species regardless of sex.
- H. COMMERCIAL BREEDER - Means a person, engaged in the business of breeding dogs or cats, who sells, exchanges, or leases dogs or cats in return for consideration, or who offers to do so, whether or not the animals are raised, trained, groomed, or boarded by the person. A person who owns or harbors three or less breeding males or females is not a commercial breeder.
- I. COMMERCIAL KENNEL - Means a kennel which performs grooming, boarding, or training services for dogs or cats in return for consideration.
- J. COMMISSION - Means the natural resources commission of the Department of Natural Resources

created and established by the Code of Iowa.

K. DOG - Means all members of the species *Canis familiaris*.

1. A "dangerous dog" means any dog that (i) while unmuzzled, unleashed, or without the supervision of a person whose verbal commands are obeyed charges or chases in a terrorizing manner with an apparent attitude of attack any person who is upon a street, alley, sidewalk or other public place; or (ii) has a known propensity, tendency or disposition to attack without provocation or to otherwise threaten the safety of persons or domestic animals; or (iii) an animal trained, owned, or harbored for the purpose, primarily, or in part, of animal fighting.
 2. A "vicious dog" means any dog that (i) unprovoked, bites or attacks a person causing bodily injury as defined by Iowa Code 702.18; or (ii) severely injures or kills another domestic animal; or (iii) has been found to be a dangerous dog on two or more occasions.
 3. A dog may be declared dangerous or vicious even if it bites, attacks or menaces a trespasser on the dog's owner's property or a person who is contemporaneously tormenting, teasing or abusing the dog.
 4. The declaration that a dog is dangerous or vicious shall be made by an animal control officer. Notification of the declaration and the owner's appeal rights shall be made in accordance with the procedures contained in Section 6.04.155.
- L. EUTHANASIA - Means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or a method that involves anesthesia, produced by an agent which causes painless loss of consciousness, and death during the loss of consciousness.
- M. FUR-BEARING ANIMALS - Means the following which are declared to be fur-bearing animals for the purpose of regulation and protection under this chapter: beaver, badger, mink, otter, muskrat, raccoon, skunk, opossum, spotted skunk or civet cat, weasel, coyote, bobcat, wolf, groundhog, red fox, gray fox, and any other animals defined as fur-bearing by the commission.
- N. GUARD DOG - Means any dog trained or used to protect persons or property by attacking or threatening to attack any person found within the area patrolled by the dog such dog being either securely enclosed within the area at all times or under the continuous control of a trained handler.
- O. HOUSING FACILITIES - Means any room, building or area used to contain a primary enclosure or enclosures.
- P. OWNER - Means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his or her care, or who acts as its custodian, or who knowingly permits an animal to remain on or about any premises owned or occupied by him or her for three or more days.
- Q. PERSON - Means an individual, partnership, corporation, or association and includes any officer, employee, or agency thereof.
- R. PET SHOP - Means an establishment where any dog, cat, rabbit, rodent, fish other than live bait, bird, or other vertebrate animal is bought, sold, exchanged, or offered for sale.
- S. PRIMARY ENCLOSURE - Means any structure used to immediately restrict an animal to a limited amount of space, such as a room, pen, cage or compartment.
- T. TAKE - Means any pursuing, hunting, killing, trapping, snaring, netting, searching for, shooting at, stalking or lying in wait for, or attempting any for the foregoing, any animal protected by state laws, regulations or rules adopted by the commission or this ordinance.

6.04.020 License required.

[Ord. 2015-118 § 5; Ord. 2006-211 § 1; Ord. 2003-210 (part); Ord. 02-573 §§ 2-4; Ord. 2000-285 § 2; Ord. 93-283 § 1 (part)]

- A. Every dog and every cat shall be licensed. Dogs and cats shall be licensed within 30 days of the date they are initially inoculated for rabies and annually within 30 days' time of the date of the current rabies vaccination. No person shall have, harbor, keep or possess any unlicensed dog or cat in violation of this chapter.
- B. ~~Licenses shall be purchased from the humane society or a consenting veterinarian practicing in Davenport within 30 days of the animal's most recent rabies vaccination date. A person must present evidence of a current rabies vaccination signed and administered by a licensed veterinarian which shows the date of the vaccination, type of vaccination and the date of the next, subsequent revaccination.~~ Licenses shall be purchased from the humane society, veterinarians practicing in the Quad Cities area, or online with evidence of a current rabies vaccination signed by a licensed veterinarian. Veterinarians who inoculate a dog or cat shall be required to share rabies vaccination documentation with the City of Davenport or its designee on a minimum of a monthly basis. Established fees collected by veterinarians shall be submitted to the county animal control facility in a manner agreed upon by the humane society and the individual veterinarians. Veterinary offices may charge an administration fee not to exceed \$5 per tag.
- Dangerous and vicious animals require a special license that must be purchased annually from the City of Davenport or its designee.
- C. Licenses are not transferable between animal owners or animals.
- D. Annual license fees shall be shall be set by resolution of the City Council ~~as follows:~~
1. Neutered/spayed dog or cat (altered) ~~\$10~~
 2. Non-altered dog or cat ~~\$30~~
 3. Dog declared dangerous ~~\$150~~
 4. Dog declared vicious ~~\$350~~

In lieu of an animal owner obtaining a license annually, the owner may purchase a multi-year license, which may be obtained to cover the period for which the current rabies vaccination is effective (a multiple year license). The fee for a multi-year license shall be calculated by multiplying the applicable annual license fee by the number of years the current rabies vaccination covers.

- E. Residents age 60 or older and residents who are recipients of Social Security Disability Insurance Benefits may license their neutered dogs or cats for an annual fee of \$1.
- F. Altered dogs, duly and properly trained to aid or assist any person who is blind, deaf or physically handicapped, may be licensed for \$1 annually when the dog is owned or maintained by a person actually training the dog to be used to aid or assist persons who are blind, deaf or physically handicapped, or is owned by a blind, deaf or physically handicapped person. The burden of proving that a dog is being trained to assist a person who is blind, deaf or physically handicapped is on the person seeking to license the dog. The humane society may require documentation of the person's affiliation with an organization established for the purpose of training dogs to provide aid or assistance to blind, deaf or physically handicapped persons or whatever evidence the humane society deems satisfactory to establish the validity of such claim.

- G. The owner of a dog that has been declared a dangerous dog may qualify to license said dog for the normal licensing fee upon proof that the owner and said dog have attended and successfully completed a dog obedience class or similar program approved by the humane society.
- H. Upon proof of loss, a duplicate license tag may be obtained upon payment of a ~~\$2~~ replacement fee not to exceed \$5.
- I. A person owning or possessing any dog or cat who moves into the City shall obtain a license for said animal within 30 days of the date the person takes up residency in Davenport.
- J. Notwithstanding the licensing requirements of this chapter, the following animals shall not be required to be licensed while in the City:
 - 1. Animals whose owner or custodian is a nonresident of the City and who are visiting within the City temporarily. Temporarily means for a period of time 30 days or less within any consecutive twelve-month period.
 - 2. Animals brought into the City for participation in a show, exhibition, demonstration or exhibit and which remain in the City for a period of 30 consecutive days or less.
- K. The executive director of the Scott County Humane Society or an animal control officer of the humane society may revoke a person's privilege to license and keep a dog or cat within the City. Such revocation shall be for a period as determined by the executive director or animal control officer. Revocation of the privilege to license and keep a dog or cat within the City may be initiated if the owner or custodian of the dog or cat has committed any violations of the provisions of this chapter, except that violations for failing to license a cat, nondangerous dog or nonvicious dog shall not be included as violations leading to revocation within any consecutive twelve-month period. A violation shall be shown by a conviction upon a citation or a finding by the Deputy City Clerk or by a non-appealed notice of violation.
- L. An owner or custodian whose privilege has been revoked shall, within 10 days after notice of the revocation, remove from their residence all dogs and cats which the person owns, keeps, harbors or maintains. If the license is revoked, the owner or custodian shall surrender the animal to the humane society or permanently remove the animal from the (City/county) within five calendar days after either the time for appeal has expired or the decision of the Deputy City Clerk has been served on the owner or custodian. If the animal is found in the City after the five-day period, it shall be immediately impounded. Failure to remove a dog or surrender it to the humane society may be prosecuted as a municipal infraction violation or simple misdemeanor. An owner whose license has been revoked shall inform the humane society in writing upon the animal's removal from the City/county the name, address and telephone number of the animal's new owner, the location where the animal will be kept and the name and description of the animal. In addition, the owner shall notify the new owner in writing of any details concerning any and all complaints concerning the animal, and any terms, conditions or restrictions imposed by the humane society as to the animal. The owner shall provide the humane society with a copy of the notification provided to the new owner as well as an acknowledgment by the new owner of the receipt thereof.
- M. Upon revocation of a person's privilege to license and keep dogs or cats, no part of the licensee fee shall be refunded.
- N. During the period of revocation, any dog or cat which the person owns, keeps, harbors or maintains at their residence may be immediately confiscated upon its discovery and disposed of by the humane society absent clear and convincing proof that the animal or animals belong to a person visiting the resident.
- O. The humane society or animal control officer shall provide the owner or custodian of the animal or

animals, as shown on the records at the humane society, so confiscated with notice of the confiscation. If the animal or animals are unlicensed or no record exists as to the owner or custodian of an animal, notice of confiscation shall be directed to the address of the residence.

- P. Any person whose privilege to license and keep animals has been revoked, but who owns, keeps, harbors or maintains a dog or cat during the period of the revocation shall have an additional period of up to one year added to the original period of revocation for each violation of the revocation.
- Q. The notice of revocation or notice of extension of the revocation period, or notice of confiscation of any animal may be appealed as provided in Section 2.86.020 of the City code. If appealed the hearing shall be scheduled and held as provided by the procedures in Chapter 2.86 of the City code. If the City demonstrates sufficient evidence in support of its determination the burden shall shift to the appealing party to demonstrate by clear and convincing evidence that he or she has had no role in the care, supervision, possession or control of the animal or that the incident which caused the enforcement action by the City was caused by a third party or event not under the supervision or control of the appealing party. If no timely appeal is filed the notified person shall be deemed to have waived all rights to challenge the action taken by the City.
- R. When permanent ownership of an animal is transferred, the new owner shall, within 14 days from the date ownership is assumed, obtain a license if the animal is required to be licensed pursuant to this chapter.
- S. An application to license a dangerous or vicious dog must include presentation by the applicant of a certificate of insurance issuance by an insurance company licensed to do business in this state which provides personal liability insurance coverage for the death or injury of any person, or damage to property of others, and for acts of negligence of the owner or owner's agents in the keeping of said dangerous or vicious animal. The minimum amount of coverage shall be \$50,000 for an animal declared dangerous, and \$100,000 for an animal declared vicious. The certificate of insurance shall also require notice to the City, in conformity with general City standards for certificates of insurance, if the underlying policy of insurance is cancelled for any reason. In lieu of such a certificate, a copy of a current homeowner's policy designating these requirements shall be sufficient proof of insurance for purposes of this subsection. If said certificate is not immediately available, a binder that indicates the proper coverage may be accepted for up to 30 days subsequent to the determination that an animal is dangerous or vicious; however, if after 30 days a certificate of insurance or a policy has not been submitted, the animal shall be deemed unlicensed and be disposed of at the discretion of animal control officers. The prescribed insurance coverage, whether it be certificate, policy, or binder, must be obtained within 10 days of the declaration of the animal as dangerous or vicious, with retention of the animal by animal control officers until compliance with this subsection is assured.

6.04.030 Display of license.

[Ord. 93-283 § 1 (part)]

The license tag obtained pursuant to Section 6.04.020 shall be securely attached to a substantial collar which collar shall be worn by the animal at all times. License tags are not transferable to any other animal. Upon demand, the owner of an animal shall display the City license to an animal control officer or Davenport police officer.

6.04.040 Rabies vaccination and reporting.

[Ord. 2000-285 § 3; Ord. 93-283 § 1 (part)]

- A. All dogs, cats and ferrets shall be inoculated against rabies by a licensed veterinarian upon such animal attaining the age of six months old. Rabies vaccinations shall be readministered at least once every three years for dogs and cats and once every year for ferrets or as otherwise recommended by the United

States Department of Agriculture.

- B. A person who acquires a dog, cat or ferret that does not have a current rabies vaccination certificate shall have the animal inoculated for rabies within 30 days after the animal was acquired or within 30 days of the animal attaining the age of six months, if the animal was not yet six months old when acquired.
- C. The owner or custodian of any animal required to be vaccinated against rabies shall keep a current rabies vaccination tag securely attached to a substantial collar which shall be worn by the animal at all times.
- D. Whenever a veterinarian inoculates an animal for rabies the veterinarian shall complete a rabies vaccination report which shall be forwarded to the City or its designee. The report shall contain the following information:
 - 1. The name, age and sex of the animal;
 - 2. A general description of the animal;
 - 3. The date the current vaccination was given to the animal;
 - 4. The revaccination date;
 - 5. The vaccination tag number assigned to the animal; and
 - 6. The name and address of the animal's owner or custodian.

The veterinarian shall sign the report and all reports shall be sent to the humane society within 30 days of the administration of the vaccination.

6.04.050 Report of bites required.

[Ord. 93-283 § 1 (part)]

- A. Any person having knowledge of any dog, cat, or ferret bite or scratch which has caused a skin abrasion upon any person or for which the victim required medical attention, which bite or scratch occurred within the City, shall immediately report such fact to the Davenport Police Department. This section shall not apply if said bite or scratch occurred while the animal was being treated, confined, or housed within a veterinary hospital or clinic and that facility knows such animal is currently inoculated for rabies and has the certification to prove such inoculation. In such cases reporting of the bite or scratch shall be discretionary with the veterinary hospital or clinic.
- B. Any animal that has been involved in biting a person or other animal must be quarantined for 10 days from the date of the bite. Such confinement may be at the premises of the owner if deemed appropriate and sufficient safeguards are provided to the discretion of the animal control officer and/or the Scott County Health Department. If an animal is not quarantined at the owner's premises it shall be confined at the animal shelter or at a licensed veterinary hospital of the owner's choosing. All costs of the quarantine shall be the owner's liability. This section shall not apply to police canines.
- C. The owner of an animal that has been reported as having inflicted a bite on a person or other animal shall, on demand, produce the animal for examination and quarantine to an animal control officer or police officer. It is unlawful to fail to or refuse to produce such an animal. Failure to produce an animal demanded shall subject the owner or custodian to arrest if probable cause exists to believe the animal inflicted a bite on a person or other animal.

- D. It is unlawful for any person to remove any animal which has been quarantined pursuant to this chapter from its place of quarantine without the express consent of an animal control officer and/or Scott County Health Department officer.

6.04.055 Livestock and poultry prohibited.

[Ord. 2017-451 § 2; Ord. 2017-46 § 2; Ord. 93-283 § 1 (part)]

- A. Notwithstanding the provisions of Chapter 6.06 of the Davenport Municipal Code, it shall be unlawful to maintain, keep or harbor any cattle, swine (except Vietnamese or Asian potbellied pigs), sheep, llamas, horses, jacks, goats, guinea fowl, ostriches, poultry (domestic chickens, turkeys, geese, and ducks), or similar domestic animals raised for home use or for profit within the City limits unless the property upon which such animals are maintained, kept or harbored is zoned as agricultural property. This section shall not apply to a bona fide zoological garden, pet shop, educational institute, circus, carnival, or veterinary hospital treating such animals.
- B. It shall be unlawful for any person to ride any animal upon the public or private sidewalks within the City, nor shall any person ride any animal upon a public street or right of way during the hours of sunset to sunrise, except for public parades for which a permit has been issued by the City.
- C. The lawful keeping of livestock, which is otherwise unlawful by reason of the enactment of this chapter, may be continued upon property located within the City provided livestock was maintained thereon prior to the enactment of this chapter, and may be continued until such time as livestock is no longer kept or maintained upon such property. The burden of proving the maintenance of livestock upon a parcel of land within the City proper to the enactment of this chapter shall lie with the person claiming such prior existence. Nothing herein shall be deemed to exempt an owner of livestock within the City limits from the enforcement of nuisance or other laws regarding the keeping of such livestock.

6.04.060 Animal running at large.

[Ord. 2003-210 (part); Ord. 02-573 § 7; Ord. 2002-501 § 1; Ord. 2000-285 § 4; Ord. 93-283 § 1 (part)]

- A. It shall be unlawful for the owner or custodian of any dog, cat, or other animal to fail to keep the same from running at large within the City. For the purpose of this chapter an animal shall not be deemed running at large, even if the animal is not restrained, as long as one of the following situations applies:
1. When the animal is restrained either upon the premises of the owner or custodian or upon another's premises with the permission of the owner of that premises, so long as the animal is restrained in such a manner that it cannot enter on the public streets, sidewalks, alleys, other public areas, or property not owned by the owner, custodian, or permittee, unless the animal has been declared dangerous or vicious, in which case the provisions of Section 6.04.110 shall apply.
 2. When the animal is confined or restrained upon the premises of the owner or custodian within a secured building, or within a secured pen, enclosure or similar structure which has secured sides, bottom, and top such that the animal cannot escape, or within fencing or similar means secured such that the animal cannot escape and which is fastened by an adequate locking device.
 3. When an animal is enclosed within an automobile or other vehicle of its owner or custodian such that it cannot escape and such that said confinement does not endanger the animal's health or well-being.
 4. When the animal is being walked off the premises of its owner or custodian so long as the animal is on a leash not more than six feet in length and under the control of a person competent to restrain and control the animal.
 5. When the animal is properly housed in a veterinary hospital or registered kennel.

- B. Notwithstanding any provision to the contrary, animals injured ~~or killed~~ on or along public streets or public rights-of-way shall be deemed running at large. The animal control officer or Davenport police officer shall remove all such animals and at his or her discretion take such an animal needing medical attention to a veterinarian or animal shelter. The owner or custodian of such an animal shall be responsible and liable for the expenses of medical treatment and care as well as impoundment fees and any other penalties imposed by this chapter. Dead animals on or along public streets shall be removed by city operations staff.
- C. Every female dog or cat in heat shall be confined in a building or secure enclosure during the period of heat, in such a manner as will prevent the animal from coming into contact with the other animals unless the animal is used in a planned breeding situation. An animal is deemed to be in heat when it is in an estrogous state or ovulating. Nothing in this subsection shall be construed to prohibit exercising the animal provided the animal is restrained on a leash or similar restraint not more than six feet in length and is under the control of a person competent to restrain and control the animal or from transporting such animal within a motor vehicle.
- D. Any dog, cat, or other animal which is found in violation of this section may be impounded. Any such animal impounded may be redeemed by its owner or custodian within ~~five~~three days from the time specified in Section 6.04.140 and upon payment of the applicable redemption fee, current rabies vaccination fee unless current rabies inoculation is proven, the current licensing fees and penalties if the animal is unlicensed, impoundment fees, and the fees, costs and charges for any emergency medical treatment administered to the animal. Redemption fees shall be set by resolution of the City Council~~are as follow~~:
1. ~~For a f~~First violation ~~\$30~~
 2. ~~For a s~~Second violation ~~\$75~~
 3. ~~For a t~~Third violation ~~\$150~~
 4. Fourth violation will result in the revocation of the license to keep the animal.
- E. Any violation of this section may result in the immediate apprehension and impoundment of the animal by an animal control officer. After the time specified in Section 6.04.140 the humane society may dispose of an unredeemed animal. If an animal control officer is unable to apprehend an animal or impoundment is not feasible, the animal control officer shall provide the owner or custodian of the animal with a notice of violation under the procedures contained in Section 6.04.155.

6.04.070 Mistreatment of animals.

[Ord. 2000-285 § 5; Ord. 93-283 § 1 (part)]

- A. A person who does any of the following to an animal commits animal neglect:
1. Confines the animal without adequate food, water or shelter, or in a manner that creates an unreasonable threat to the animal's health or safety;
 2. Fails to supply adequate food or water to an unconfined animal owned or cared for by the person;
 3. Causes injury or death to an animal when disciplining it;
 4. Causes unnecessary pain and suffering to an animal by failing to adequately tend to the animal's health needs or grooming.
- B. The disposition of a neglected animal shall be governed by state law.

- C. No person shall torment, tease or harass any tied, fenced or otherwise confined animal.
- D. No person shall expose any poison, poisonous meat or poisonous substance anywhere within the City for the purpose of poisoning any animal. This section shall not apply to a person who exposes poisons about a premises, in accordance with the labeling instructions on the poisonous product, for the purpose of exterminating insects, mice or rats. The use of any poison other than one specifically produced for exterminating insects, mice or rats shall be prima facie evidence of a violation of this section.
- E. No person shall abandon any animal or cause such to be done, except that a person may deliver an animal to another person who accepts ownership of such animal or the person may deliver an animal to the humane society.
- F. A violation of this section may be charged as a simple misdemeanor.

6.04.080 Removal of excrement.

[Ord. 93-283 § 1 (part)]

- A. An owner or custodian of any animal shall keep all structures, pens, coops, or yards wherein an animal is confined clean and free from excrement and the odor arising from excrement. Such area shall also be clean and free of vermin and any thing that is likely to become putrid, offensive, or injurious to health. An area, structure, pen, coop, or yard not maintained in a clean and sanitary condition may be declared a public nuisance.
- B. It shall be unlawful for an owner or custodian to permit an animal to discharge excrement upon any public property, common area, common thoroughfare, street, sidewalk, alley, play area, park or private property unless the excrement is immediately picked up and disposed of in an appropriate refuse container. If the owner of private property has given another owner or custodian permission for their animal to use their private property then this section shall not apply to that particular usage.
- C. Animal excrement shall not be placed in storm sewers or street gutters, but shall be picked up and disposed of in a sanitary manner in an appropriate refuse container.

6.04.090 Number of animals regulated.

[Ord. 02-573 § 8; Ord. 93-283 § 1 (part)]

- A. It is unlawful for any person to keep or maintain at any one location within the City more than four of the following types of animals, those being dogs, cats, ferrets, and potbellied pigs; and of those four no more than three shall be of the same species. This limitation applies to animals that are more than six months old or animals that are from more than one litter that are more than three months old. This limitation shall not apply to any person provided that person (1) is licensed to operate a kennel, animal shelter, pet shop, boarding kennel, commercial kennel, commercial breeder operation, veterinary hospital, zoological garden, circus, carnival, educational or medical institution, or research facility as defined by state law, and said person is in compliance with the zoning ordinances of the City, or (2) if such animals are kept or maintained upon property zoned as agricultural property within the City, or (3) if said person has applied for and obtained a permit to keep more than four animals from the Humane Society of Scott County and said person keeps said animals within a residentially zoned district and exception (1), above, does not apply to said person. Upon receipt of an application for a permit as provided by this section and the payment of a \$10 fee, an animal control officer shall inspect the applicant's animal housing facilities and the sanitary condition of the same. If the housing facilities are adequate and kept in a sanitary condition an excess number of animals permit shall be issued.
- B. Indoor pets such as gerbils, hamsters, guinea pigs, mice, birds, fish, snakes and reptiles, and similar animals normally maintained as pets in an enclosure inside of a dwelling are not proscribed by this section unless specifically regulated by other sections.

- C. If a person is found to be keeping more than four animals without the permit required by this section, the excessive number of animals may be immediately removed from the property and impounded. Any such impounded animals shall be held for seven days and if the owner has not either complied with the requirements of this section or petitioned the court for the return of the animals by the end of the seventh day, the animal shelter shall seek to permanently place the animals or euthanize such animals.

6.04.100 Wild, exotic or dangerous animals prohibited.

[Ord. 2000-285 § 6; Ord. 93-283 § 1 (part)]

- A. It shall be unlawful for any person to own, possess, harbor, maintain, sell or traffic in any of the following wild, exotic or dangerous animals.
1. All poisonous snakes and poisonous reptiles; all nonpoisonous snakes greater than 10 feet in length; Gila monsters, alligators, crocodiles and caimans;
 2. Gorillas, chimpanzees, orangutans, baboons, and other non-human primate mammals, both arboreal and nonarboreal.
 3. Any species of feline not falling within the categories of ordinary domesticated house cats as established by the American Cat Fancier Association;
 4. Bears or any species;
 5. Raccoons, porcupines, skunks, badgers, and other similar fur-bearing animals except ferrets;
 6. Foxes, wolves, coyotes, or other species not falling within the category of *canis familiaris*.
 7. Any animal of any species known to be vicious or dangerous, excluding *canis familiaris*.
- B. The prohibition contained in Section 6.04.100A of this chapter shall not apply to the keeping of poisonous snakes, poisonous reptiles, Gila monsters, crocodiles, alligators and caimans provided that the owner of such an animal is 18 years of age or older, and that person has either (1) received a bachelor of science degree based upon courses of instruction which included courses in herpetology from an accredited college level institution, or (2) has successfully completed a course of instruction taught under the auspices of a bona fide municipal zoo on the proper handling, care and keeping of such animals, or (3) has completed a course of instruction of at least 20 hours duration at an accredited educational institution on the care, handling, and keeping of reptiles, and (4) has applied for and received from the Humane Society a permit to keep such animals, such application to be on a form approved by the City Council.
- C. The prohibition contained in Section 6.04.100 A., as to non-specified other primates, shall not apply to the keeping of primates provided that the owner of such an animal is 18 years of age or older, and that person has either a bachelor of science degree based upon courses of instruction which included courses in primatology from an accredited college level institution, or (2) has successfully completed a course of instruction taught under the auspices of a bona fide municipal zoo on the proper handling, care and keeping of such animals, or (3) has completed a course of instruction of at least 20 hours duration at an accredited educational institution on the care, handling, and keeping of primates, and (4) has applied for and received from the Humane Society a permit to keep such animals, such application to be on a form approved by the City Council.
- D. This subsection shall not apply to any bona fide zoological garden, bona fide educational or medical institution, museum, veterinary hospital, wildlife rescue entity or wildlife rehabilitation entity with an appropriate permit from the state, any such animals under the jurisdiction of the commission, game breeders, a circus or carnival licensed by the City, nor shall it apply to a bona fide research institute or

facility using wild, exotic or dangerous animals for scientific research. In addition, this section shall not apply to any primate trained and used to assist a handicapped person.

- E. Any wild, exotic or dangerous animal found within the City in violation of this section is deemed a public nuisance per se. If a wild, exotic or dangerous animal is found to be roaming at large within the City, it may, in the discretion of the police department or animal control officer, be destroyed immediately without prior notice to the owner thereof. The City and its agents shall be under no duty or obligation to capture or otherwise confine the animal.
- F. Any person found to be keeping, sheltering, harboring or maintaining a wild, exotic or dangerous animal in violation of this section is subject to the animals' immediate seizure as contraband. Any animal so seized shall be held for three business days. If the owner has not petitioned the court regarding disposition of the animal and served notice of the pendency of the owner's petition for disposition of the animal on the humane society within that time period, the humane society may euthanize the animal or permanently place it with an entity which is exempt from the provisions of this section. If necessary, the animal control officer or humane society may impound a wild, exotic or dangerous animal at another facility. The animal's owner shall be responsible for all costs and expenses incurred by the humane society or the City which arise as a result of the seizure and impoundment of a wild, exotic or dangerous animal. Under no circumstance shall a wild, exotic or dangerous animal be returned to or placed with a nonexempt entity within the City limits. If a wild, exotic or dangerous animal is ever again found to be within the City in violation of this section, it shall be immediately confiscated and disposed of as the humane society deems appropriate.
- G. Any person keeping wild, exotic or dangerous animals prior to the enactment of this chapter shall be allowed to keep such animals for the duration of the animal's natural life. Upon the death of a wild, exotic or dangerous animal, the owner of such animal shall not be allowed to replace such animal except as otherwise allowed by this section. The burden of proving the prior ownership of a wild, exotic or dangerous animal prior to the enactment of this chapter lies with the person keeping such wild, exotic or dangerous animal. Nothing herein shall be deemed to exclude the enforcement of nuisance or other laws on the owner of such animals.

6.04.110 Vicious dogs.

[Ord. 2003-210 (part); Ord. 2000-285 § 7; Ord. 93-283 § 1 (part)]

- A. No person shall keep or maintain any dog that has been declared a vicious and/or dangerous dog unless such dog is kept in an enclosure or on a run line located within a fenced area. The fencing material shall not have openings of more than two inches. Wooden fences shall not have openings of more than two inches. Any gates shall be securable and of such design as to prevent the entry of small children or the escape of the animal, and shall be kept secured. Kennels shall have double walls to prevent the insertion of fingers, hands, or other objects. The enclosure must not be located nearer than 10 feet to adjoining property lines or public rights-of-way. The floor of the enclosure must consist of concrete, or a similar material that will prevent the animal from digging its way out of the enclosure.

The run line shall consist of a chain or cable having a tensile strength of at least 300 pounds which does not allow the dog to get closer than 10 feet from adjoining property lines or public right-of-way. In addition, if the dog is kept on a run line within a fenced area, the dog shall be muzzled at all times. If the dog is confined indoors, it shall not be confined on a porch, patio, or in a structure with open windows, screen windows, or screen doors.

- B. If a vicious dog is not within an enclosure or on a run-line within a fenced area, the dog shall be either within the owner's residence or muzzled and restrained with a chain or cable leash having a minimum tensile strength of at least 300 pounds that is no more than four feet in length. If the dog is on a leash, the leash must be controlled by an adult who can control the dog.

- C. No person shall keep, use or maintain any dangerous or vicious dog on any premises unless the premises is posted to warn of the presence of dangerous or vicious dogs. Said warning shall consist of a sign placed at each entrance/exit for the premises in a position to be legible from the sidewalk or ground level adjacent to the sign. If the premises is not enclosed by a fence and the dog is kept within an enclosure, a sign shall be posted on every side of the enclosure in a position to be legible from the sidewalk or ground level.
- D. No person shall sell, exchange, transfer or give a vicious dog to another person.
- E. Owners and custodians of vicious dogs shall post their property with conspicuous signs warning of the presence of a vicious dog.
- F. A vicious dog must be neutered or spayed.
- G. A vicious dog that inflicts bodily injury on a person or other animal by biting after it has been declared vicious, or a vicious dog not kept or maintained in compliance with this section, constitutes a public hazard and may be seized and destroyed.
- H. This section shall not apply to police canines and guard dogs. Guard dogs must be registered with the humane society and licensed and are restricted to property zoned nonresidential. The annual fee for registration of a guard dog shall be \$10. The registration form shall include the dog's location by address; the dog's gender and general description, the dog's current City license number, the dog's current rabies vaccination number, and the name of an emergency contact person who is available 24 hours a day. Guard dogs shall be confined to a fenced in area that is adequate to prevent the dog from escaping the fenced area. The fenced area shall be clearly posted with warning signs.
- I. Any dog declared vicious must have an identification microchip inserted by a veterinarian and to have at least two color photographs taken of said dog to be placed on file with the animal control office. This shall be done within 10 days of the dog being declared vicious and at the expense of the dog's owner or custodian.
- J. A violation of any of the provisions of this section may be charged as a simple misdemeanor offense. Additionally, any animal control or police officer shall have the right to seize and impound the dog if any of the conditions and specifications established by this section for the keeping of vicious dogs are not being met.

6.04.115 Working service dogs.

[Ord. 02-573 § 9]

- A. For purposes of this section, the following words and phrases shall have the assigned meanings.
 - 1. "Working service dog" means any dog trained to detect or to guard, protect, patrol or defend any premises, area or yard, in the custody and control of a handler.
 - 2. "Handler" means any person who has custody and control of a working service dog within the City.
 - 3. "Working service dog service" means engaging in the business of providing working service dogs in the City.
- B. No person shall engage in the business of providing working service dog service in the City or to act as a handler, unless said person has obtained a license as required by this section prior thereto.
- C. No person shall own or have the care or custody of a working service dog unless the person has secured a working service dog license, tag and identification number from the City or its agent. The fee for each

working service dog license shall be \$10. No working service dog license or tag shall be issued unless said working service dog is currently vaccinated for rabies.

- D. An application for a license to operate, maintain and conduct working service dog service in the City shall be filed, together with an application fee of \$200, with the City or its agent. The application shall state the name, address, type of organization of working service dog service, its method of operation, the names and addresses of its officers, and the names of its employees and include evidence that the applicant is a bona fide security service licensed by any state or federal authority. The application must be accompanied by an insurance certificate or a surety bond underwritten by a corporate surety admitted to do business in the state of Iowa, in a form approved by the City Attorney, in the sum of \$300,000 blanket coverage for the working service dog service. The working dog service and surety shall be jointly and severally liable to any person, firm or corporation for damages suffered by reason of the wrongful acts of the working service dog service. Notice of proposed cancellation of the insurance or bond shall be provided to the City or its agent not less than 30 days in advance of the cancellation date.
- E. Each applicant for a working service dog handler license shall be a natural person and shall pay an annual fee of \$100 and shall be required to carry insurance or a surety bond in the amount of \$100,000 covering the same items as set forth in subsection D above. A working service dog service licensed under subsection D above need not obtain a separate handler license under this subsection.
- F. It shall be unlawful for any person to engage in any business or occupation licensed under this section in the City unless such person holds a valid license pursuant to this section. A violation of this section may be charged as a simple misdemeanor.
- G. Every handler or owner of a working service dog shall see to it that such animal wears a clearly visible tag approved by the City or its agent at all times it is within the City unless the dog is performing a working service which requires not wearing a tag in order to perform the service safely. Such tag shall have stamped thereon "Working Service Dog, Tag No., City of Davenport," and the year the tag was issued for. Lost or stolen tags shall be immediately reported to the City or its agent and shall be replaced by the City or its agent at the cost provided for other tags as stated in this chapter.
- H. Any working service dog service or handler that sells or otherwise transfers ownership of any working service dog shall, not less than 10 days after the transfer, file a report with the City or its agent containing the name and address of the person to whom such dog was transferred, a description and identification tag number of the dog, and any other information the City or its agent deems necessary.
- I. Any person whose working service dog is lost or stolen or whose dog has died shall, within 24 hours of the loss or theft, or within 10 days of the death, file a report with the City or its agent containing a description and identification tag number of the dog, and any other information the City or its agent deems necessary.
- J. A working service dog, properly registered as required by this section, in the custody and control of a licensed working service dog service or handler, shall not be declared to be a dangerous or vicious dog, provided that at the time of attack said dog was under the direct supervision of a working service dog service or licensed handler.

6.04.120 Damage to property.

[Ord. 93-283 § 1 (part)]

No person shall allow or permit their animal to damage, injure, or destroy any shrubbery, plants, flowers, grass, fence, or anything whatsoever upon public or private property without prior permission from the property owner or authorized person.

6.04.130 Barking dogs regulations.

[Ord. 93-283 § 1 (part)]

It shall be unlawful to keep or harbor any dog which, by frequent, regular, habitual, or continued barking, yelping, or howling shall cause serious annoyance to the surrounding neighborhood. Such action is a violation of this chapter and is also hereby declared a public nuisance. The animal control officer or a Davenport police officer shall have the authority to use all reasonable means to abate such nuisance, including but not limited to requiring that the owner or custodian make bona fide efforts to quiet the dog and impoundment of the dog if the owner or custodian is absent from the premises. If the dog is impounded, the officer shall attempt to locate and notify the absent owner or custodian by any reasonable means as soon as possible.

6.04.140 Impoundment.

[Ord. 2015-373: ; Ord. 2000-285 § 8; Ord. 93-283 § 1 (part)]

- A. The City may establish and maintain a municipal animal shelter or the City may contract with any nonprofit incorporated society or association which shall provide and maintain an animal shelter for the enforcement of this chapter. It shall be the duty of the persons authorized by the City to operate such animal shelter to supervise and control such facility, to cause the shelter to be kept in a sanitary condition and free from offensive odors, to provide for adequate food, water and shelter, to provide for the collection of animals, to handle the destruction or disposition of animals not redeemed, and to assist in the enforcement and operation of this chapter. The provisions of this chapter shall be enforceable by any animal control officer and by members of the Davenport Police Department.
- B. Impoundment Procedure. Unrestrained animals found running at large, nuisance animals, neglected animals, abandoned animals, and cats or dogs running at large without license tags or rabies vaccination tags shall be taken and impounded in the animal shelter and there confined in a humane manner.

All at large and impounded dogs and cats shall have an electronic identification device, otherwise known as a microchip, placed under the animal's skin prior after 72 hours in impound, unless waived by the executive director of the humane society or their designee for good cause. The microchip identification shall become part of the at large animal's record, and the impoundment fee shall be increased to include the cost of the microchip implantation and registration in the amount set by Animal Control.

- ~~C. Notice. Upon impounding a licensed animal the owner or custodian of the animal shall be given a written notice of the impoundment by the impoundment authority within two days and the owner shall then have five days to redeem the animal not counting the day of impoundment. If an impounded animal is unlicensed or not displaying a license pursuant to Section 6.04.030 the impoundment authority shall have no obligation to search for or provide notice to the owner or custodian. Every dog or cat found without a license, collar, microchip, rabies tag, or similar identification shall be kept for not less than three days after being impounded unless sooner redeemed by the owner in accordance with this article. Dogs with identification shall be kept not less than seven days after being impounded unless sooner redeemed by the owner in accordance with this article.~~
- D. Claim Fees. A person redeeming an impounded dog or cat shall pay the required redemption fee as stated in Section 6.04.060 for a first, second or third offense and the required boarding fees as provided for by this section. In addition, before an unlawfully unlicensed animal may be redeemed the person redeeming the animal must obtain a license as stated in this chapter. In addition, a person redeeming an animal shall pay any additional fees required under the provisions of this chapter, including any monies expended for the provision of medical treatment provided to the animal.

The boarding fees for other animals shall be set by resolution of the City Council and as follows:

1. For each dog, cat, ferret or similar animal a per day fee ~~of \$10 per day~~ for the animal's care, food, water and shelter.
 2. For each domestic fowl, chicken, goose, duck or waterfowl a per day fee ~~of \$10 per day~~ for the animal's care, food, water and shelter.
 3. For each horse, mule, jack, cow, bull, steer, ox, swine, sheep, goat or similar animals a per day fee ~~of \$30 per day~~ plus actual expenses incurred for the animal's care, food, water and shelter.
 4. For any animal not specified herein, a ~~fee of \$25 per day~~ fee plus actual expenses incurred for the animal's care, food, water and shelter.
- E. No animal need be kept for the period of notification or impoundment if a licensed veterinarian or an animal control officer certifies that the animal is so diseased or injured that it is unduly suffering or cannot survive. In such cases the animal may be subjected to humane euthanasia.
- F. Unclaimed Animals. Animals not reclaimed or redeemed within the time limitations provided by this chapter shall become the property of the City or animal shelter and shall be placed for adoption in a suitable home or subjected to humane euthanasia. No unclaimed dog or cat shall be released for adoption to a suitable home without being sterilized, or without a written agreement from the adopter, secured by a cash deposit, guaranteeing that such animal will be sterilized.
- G. The refusal to redeem or reclaim any impounded animal shall not relieve the owner of the duty to pay the impoundment fees, boarding fees, veterinarian expenses, or any other costs incurred in the care of the animal. An owner or custodian who refuses to pay such expenses shall be in violation of this chapter and subject to citation for the same.
- H. Neither the City nor the animal shelter, nor their agents and officers enforcing the provisions of this chapter shall be liable for any accident or subsequent disease that may occur in connection with the impoundment of any animal pursuant to this chapter.

6.04.150 Enforcing provisions.

[Ord. 2000-285 § 9; Ord. 93-283 § 1 (part)]

- A. Humane society employees, animal control officers and Davenport police officers are authorized to issue municipal infraction citations or notices of violations for violations of the provisions of this chapter. If provided for by a section of this chapter, a Davenport police officer may enforce a violation of a section as a simple misdemeanor.
- B. It is unlawful for any person to interfere with, hinder, willfully prevent or attempt to prevent any police officer, animal control officer, or person authorized to enforce this chapter by the City Administrator in the enforcement of this chapter.
- C. Inspection Procedures. Whenever it becomes necessary to make an inspection to enforce any of the provisions of or to perform any duty imposed by this chapter or other applicable law, or whenever the animal control officer or other authorized person has reasonable cause to believe that there exists in any building or upon any premises any violation of the provisions of this chapter or other applicable law, the officer is authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the officer by this chapter or other applicable law. If the property is occupied, the officer shall first present proper credentials to the occupant and request entry, explaining the reasons entry is sought. If the property is unoccupied, the officer shall first make a reasonable effort to locate the owner or other person in control of the property and request entry explaining the reason therefor. If entry is refused, or the owner or person in control of the property cannot be located after due diligence, the officer shall have recourse to every remedy provided by law to secure lawful entry and inspect the

property.

- D. Immediate Inspection. Notwithstanding Section 6.04.170 subsection B., if the animal control officer or police officer has reasonable cause to believe that the keeping or the maintenance of any animal is so hazardous, unsafe or dangerous as to require immediate inspection to safeguard the animal or the public health or safety, the officer shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such investigation, whether the property is occupied or unoccupied. If occupied, the officer shall first present proper identification and demand entry explaining the reasons therefor and the purpose of the inspection.

6.04.155 Notice of violation, confiscation, revocation.

[Ord. 2015-118 § 6; Ord. 2006-211 § 2; Ord. 2003-210 (part); Ord. 02-573 § 5; Ord. 2000-285 § 10]

An animal control officer or police officer may send notice of violation to an animal's owner or keeper. A notice of violation initiates administrative sanction procedures for violations of this chapter, revocation of a person's privilege to license or keep animals within the City, extension of periods of revocation, confiscation of an animal by the City, or a declaration that a dog is dangerous or vicious. A notice of violation shall be sent by certified mail or personally served upon an animal's owner or keeper at the request of a victim of a dog attack as defined in Section 6.04.010(K). The notice of violation may be appealed as provided in Section 2.86.020 of the City code. If appealed the hearing shall be scheduled and held as provided by the procedures in Chapter 2.86 of the City code. If a timely appeal is not filed the notice of violation shall be conclusively presumed to be true. If no timely appeal is filed the notified person shall be deemed to have waived all rights to challenge the action taken by the City.

6.04.160 Nuisances.

[Ord. 2015-118 § 7; Ord. 2006-211 § 3; Ord. 2003-210 (part); Ord. 2000-285 § 11; Ord. 97-247 § 1; Ord. 93-283 § 1 (part)]

- A. Any animal which is not confined or kept under restraint as required by this chapter, and any wild, exotic, dangerous or vicious animal kept or maintained within the City in violation of this chapter, any animal which barks so frequently, regularly, or habitually that it causes serious annoyance to the surrounding neighborhood, is hereby declared a public nuisance.
- B. Whenever an animal control officer or police officer determines that a nuisance exists, the officer may cause a written notice ordering the abatement of the nuisance to be served upon the owner or custodian. The notice to abate shall contain a description of what constitutes the nuisance, the location of the nuisance, a statement of the act or acts necessary to abate the nuisance, a definite time within which the nuisance shall be abated which time shall be reasonable under the circumstances, and a statement that the City will abate the nuisance if the nuisance is not abated in the manner and within the time stated and no request for a hearing is made within the time stated. Notice to abate shall be served personally upon the owner or custodian by serving the owner or custodian or any person residing at the residence who is at least 18 years old, or by serving the owner or custodian by certified mail return receipt requested. If service is by certified mail, service shall be deemed given when mailed.
- C. Any person ordered to abate a nuisance may request a hearing on the order to abate as provided in Section 2.86.020 of the City code. If appealed the hearing shall be scheduled and held as provided by the procedures in Chapter 2.86 of the City code. If no timely appeal is filed the nuisance shall be conclusively presumed to exist and the person who was notified to abate it shall be conclusively presumed to be responsible for the existence of the nuisance.
- D. If a person ordered to abate a nuisance neglects or fails to abate the nuisance as directed, the City may abate the nuisance. If an animal is impounded, the owner or custodian of the animal shall be notified of the impoundment as provided in Section 6.04.140. Notwithstanding any other provision of this chapter,

the impoundment authority shall keep an impounded animal until such time as the animal control officer who ordered the abatement notifies the impoundment authority that the owner or custodian has complied with the order to abate or has abated the nuisance in some other acceptable manner, in which case, the animal may be released to the owner or custodian upon payment of all the costs, fees and other expenses incurred in the care of the animal have been paid. If the impoundment authority is not notified of the owner's or custodian's compliance within three days after the impoundment, in the case of a previously abated nuisance animal, or from the time specified in a formal order of abatement, the impounded animal may be disposed of in the discretion of the humane society.

6.04.165 (Reserved)

6.04.170 Penalties.

[Ord. 02-573 § 6; Ord. 2002-501 § 2; Ord. 2000-285 § 12; Ord. 93-283 § 1 (part)]

- A. A violation of any provision of this chapter shall constitute a municipal infraction and may be cited and punished accordingly.
- B. If provided for, a section of this chapter may be charged as a simple misdemeanor offense and may be cited and punished accordingly, in lieu of the issuance of a municipal infraction citation, at the officer's discretion.
- C. In addition to a municipal infraction citation or simple misdemeanor citation for violations under this chapter, a notice of violation for the same incident may be issued to invoke the procedures pursuant to Section 6.04.155 of this chapter.
- D. The following scheduled fines are established for municipal infractions:
 - 1. Section 6.04.020 (Licenses) \$20;
 - 2. Section 6.04.030 (Display of tags); Section 6.04.040 (Rabies vaccination); Section 6.04.060 (At large); and Section 6.04.080 (Animal waste): (i) first offense \$30; second offense \$40; third offense \$50; fourth or subsequent offense up to \$200;
 - 3. Section 6.04.110A or B (Vicious dog): first offense \$250; second offense \$500; third or subsequent offense \$750.
- E. If no scheduled fine is provided for a violation, then the fine imposed shall not exceed \$500 for a first offense and \$750 for a second or subsequent offense.



THE CITY OF
DAVENPORT
IOWA | USA

Management Update

- City and Humane Society of Scott County Task Force

July 2, 2024 | City Hall

Overview

- FY 2025 agreement summary
- Fundraising investment
- Joint task force updates
- Proposed ordinance changes to reduce financial strain
- Timeline and next steps



FY 2025 Agreement Summary

FY 2025 Agreement



- Approved by Council March 27, 2024
- Effective July 1, 2024 – June 30, 2025
- \$800,000 for animal control services, plus vehicle, fuel, and radios
- Key changes:
 - Joint task force
 - Fundraising investment (\$50,000)





Joint Taskforce

Purpose

- HSSC and City commit to work in good faith to achieve a more stable and sustainable contract
- Evaluate necessary ordinance updates or programmatic changes
- Propose solutions for long-term financial viability

Representation

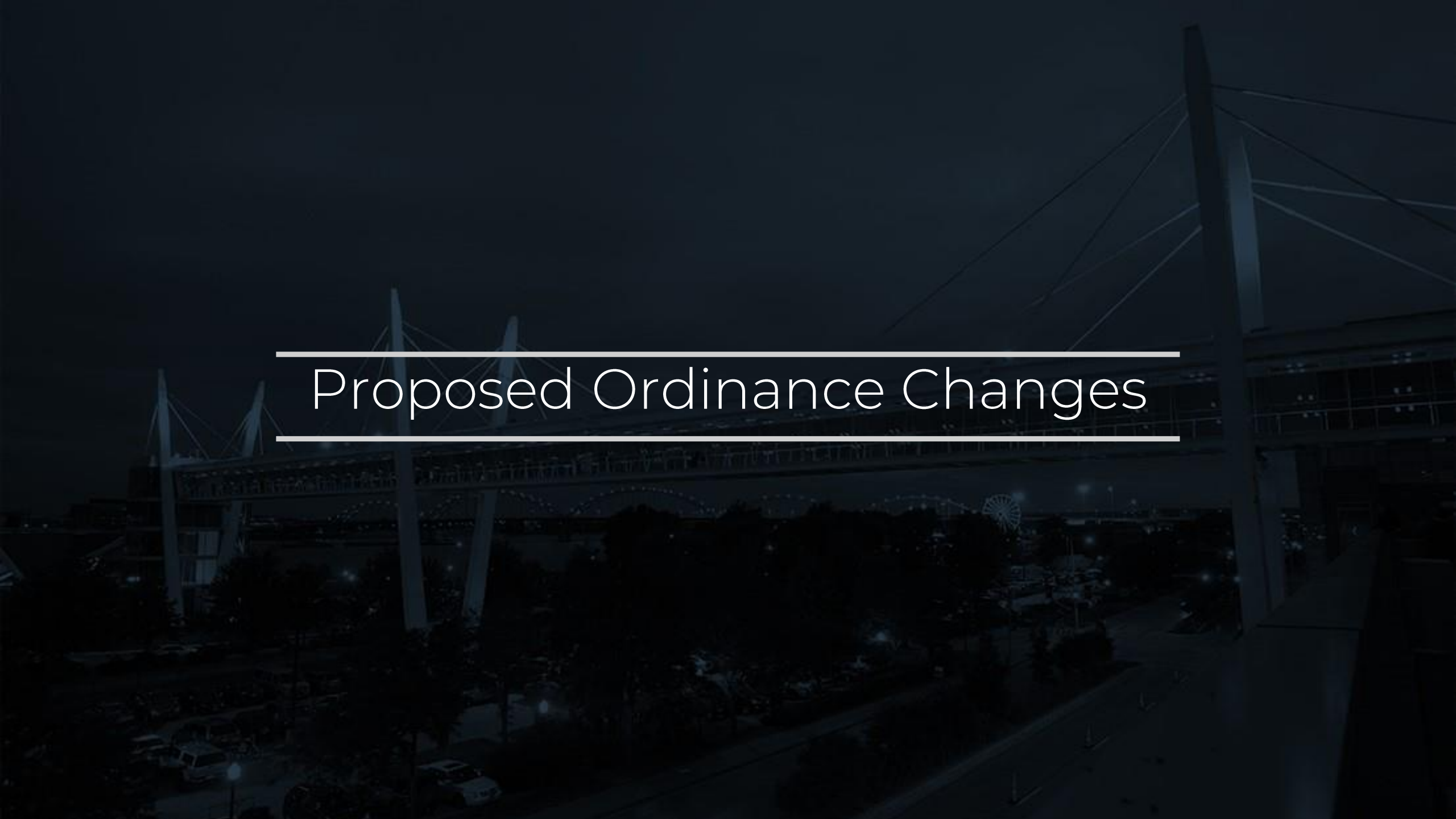
- Director from HSSC Board
- HSSC Staff
- City Council
 - Alderwoman Burkholder
- City of Davenport Staff
- Consulting with:
 - City of Bettendorf
 - Scott County
 - Local veterinarians



Fundraising Investment

Fundraising Update

- April | RFP for a fundraising consultant.
- May | Three proposals received and evaluated by HSSC and City staff.
- June | Interview with top scoring vendor.
- June | Award to top scoring vendor and awaiting contract draft to begin negotiations.
- TBD | Signed agreement.
- Expected Outcomes | Development Audit by end of year with Feasibility Study to follow.



Proposed Ordinance Changes

Reduce Impoundment

- Current:
 - All animals are held for a minimum of seven days.
- Proposed change:
 - Reduce mandatory hold period for animals found without license, collar, microchip, rabies tag, or other identification to three days.
 - Animals with identification will continue to be held a minimum of seven days.
- Justification:
 - Most pets not returned to their owner within 48 hours are significantly less likely to be reunited.
 - Allows pets to be put up for adoption sooner, reduces the length of stay, which lowers boarding and medical costs.
 - Similar to Des Moines code.

Microchip on Impoundment

- Current:
 - Animals adopted out from HSSC are microchipped.
- Proposed changes:
 - All at large and impounded dogs and cats will have a microchip placed under the skin prior to release.
 - Costs will be added to current fees.
- Justification:
 - Increase return to owner rates.
 - Allows accurate identification of impounded animals over time and increases the ability to identify an owner, especially for repeat cases.
 - Similar codes in Cedar Rapids, Des Moines, and Iowa City.

License Sales

- Current:
 - Licenses are sold at the shelter during regular business hours.
- Proposed change:
 - Allow license sales online and through veterinary offices.
- Justification:
 - Increase return to owner rates.
 - Rabies vaccination is a requirement for license.
 - Education opportunity through vet offices.
 - More convenient for pet owners.
 - Similar to Rock Island County.

Claim Fees

- Current:
 - The per day fee for dogs/cats is \$10.
 - Livestock is \$25 per day and does not include other expenses.
- Proposed changes:
 - Increase the per day fee to \$20 per day for dogs/cats.
 - Addition of actual expenses incurred for livestock like horses, goats, or similar animals.
- Justification:
 - Current rates are lower than the actual cost of care.
 - HSSC is not licensed for livestock and must arrange care with outside groups.
 - Fees to be aligned with Bettendorf and Scott County.



Next Steps

Timeline

- Proposed changes have gone through City legal review.
 - Ordinance changes on agenda late summer.
 - Current proposed schedule:
 - August 21 COW and August 28 City Council
 - September 4 COW and September 11 City Council
 - September 18 COW and September 25 City Council*
- *Claims fees to be set by resolution at 9/25 meeting

Next Steps

- Align ordinances and fees with Bettendorf and Scott County.
- Task force to continue to meet and evaluate impacts of code changes.
- Consideration of additional animal code changes (Example: updates for neglect and mistreatment to follow State code).

Next Steps

- Signed agreement with fundraising consult with completion of development audit and feasibility study to follow.
- Mutual agreement for services past June 30, 2025 reached by February 28, 2025.
- New contract for FY 2026 (and beyond).

Thank you



City of Davenport

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

Action / Date
8/28/2024

Subject:

First Consideration: Ordinance for Case REZ24-03 being the request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]

Recommendation:

Consider the Ordinance.

Background:

Brady Street Stadium serves as the competition venue for Davenport Community School District athletics and events. The sports complex is located within a predominately commercial area between Brady Street, Duck Creek, and East 38th Street. To better meet the future needs of the athletic program, the School District created a master plan for this area.

The purpose of the request is to establish a new transportation center for the Davenport Community School District at the former National Guard Armory site. The existing property is considered nonconforming, since a 'Vehicle Operation Facility' is not permitted in the R-3 Single-Family and Two-Family Residential District. A rezoning to S-IC Institutional Campus District is required to facilitate the redevelopment of the site to include offices, additional vehicle service bays, and school bus parking.

At its August 6, 2024 meeting, the Plan and Zoning Commission recommended Case REZ24-03 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Civic and Institutional.
2. The proposed zoning map amendment to S-IC Institutional Campus District is compatible with the zoning of nearby property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed zoning map amendment eliminates nonconformities following the development of the site.

The staff report from the August 6, 2024 Plan and Zoning Commission meeting is attached.

Attachments:

1. Ordinance
2. Plan & Zoning Commission Staff Report 8-6-24
3. Application
4. Maps
5. Development Plans for Transportation Facility
6. Good Neighbor Project Correspondence
7. Public Notice-Committee of the Whole Meeting
8. Public Notice-Plan & Zoning Commission Meeting

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ24-03 BEING THE REQUEST OF DAVENPORT COMMUNITY SCHOOL DISTRICT TO REZONE APPROXIMATELY 12.71 ACRES OF LAND LOCATED AT 715-909 EAST 36TH STREET FROM R-3 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT TO S-IC INSTITUTIONAL CAMPUS 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 "S-IC Institutional Campus District."

LOTS 1-6 IN J.G. BAKER SECOND ADDITION, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4, SECTION 13, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, THE PARCEL IS DESCRIBED MORE PARTICULARLY AS:

A PARCEL OF REAL ESTATE ALL IN DAVENPORT, SCOTT COUNTY, IOWA TO WIT: PART OF THE SOUTHEAST 1/4, SECTION 13, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 1020.08 FEET EAST & 1377.7 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 13. SAID POINT IS THE NORTHWEST CORNER OF THE TRACT CONVEYED TO THE IOWA-ILLINOIS GAS & ELECTRIC COMPANY BY STATE OF IOWA UNDER PATENT NO. 345 DATED JULY 13, 1953. THENCE WESTERLY AND NORTHWESTERLY ON THE SOUTHERLY RIGHT OF WAY LINE OF KIMBERLY ROAD TO THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE AND THE SOUTHERLY RIGHT OF WAY LINE OF 36TH STREET; THENCE WEST ON SAID SOUTH RIGHT OF WAY LINE OF 36TH STREET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 13; THENCE SOUTH ON THE WEST LINE SOUTHEAST 1/4 SECTION 13 TO A POINT 1020.08 FEET WEST AND 400 FEET SOUTH OF THE POINT OF BEGINNING; THENCE 1020.08 FEET TO A POINT 400 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 400 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE TRACT CONVEYED TO TYLER ENTERPRISES, INCORPORATED AND GLENN L. SEYDEL BY THE STATE OF IOWA UNDER PATENT NO. 749 DATED SEPTEMBER 28, 1964, AND RECORDED IN THE SCOTT COUNTY, IOWA, RECORDER'S OFFICE ON OCTOBER 15, 1964 IN BOOK 282, PAGE 114.

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Civic and Institutional.
2. The proposed zoning map amendment to S-IC Institutional Campus District is compatible with the zoning of nearby property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed zoning map amendment eliminates nonconformities following the development of the site.

Section 3. At its August 6, 2024 meeting, the City Plan and Zoning Commission voted to forward Case REZ24-03 to the City Council with a recommendation for approval subject to the listed findings.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/6/2024

Subject:

Case REZ24-03: Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]

Recommendation:

Staff recommends Case REZ24-03 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Civic and Institutional.
2. The proposed zoning map amendment to S-IC Institutional Campus District is compatible with the zoning of nearby property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed zoning map amendment eliminates nonconformities following the development of the site.

Background:

Site Overview:

Brady Street Stadium was originally constructed in 1937 and has served as the competition venue for Davenport Community School District athletics and events. The sports complex is located within a predominately commercial area between Brady Street, Duck Creek, and E. 38th Street. To better meet the future needs of the athletic program, Bray Architects was hired to create a master plan for this area.

The primary objective of proposed projects at the Brady Street Complex is to relocate the baseball field outside of the Duck Creek flood plain. This area will be replaced with a new multipurpose practice field and space for throwing events. A new baseball field will be located on the north side of E. 36th Street. Adjacent to this field will be a concession building with public restrooms and an elevated press box. A multi-use, synthetic turf practice field will be constructed adjacent to the new baseball field.

To facilitate the athletic and event improvements, the existing transportation department and bus lot will be moved to the property located at 909 E. 36th Street, the former National Guard Armory property. The Davenport Community School District purchased the existing National Guard Armory properties on E. 36th Street for District use. Relocating the bus lot and

transportation department creates needed space to allow for the construction of the baseball field and multi-use turf field.

The Davenport Community School District has purchased the lots located 715, 725, 735, 807, 821, and 829 E. 36th Street. The long-range plan for these properties is to allow for installation of future parking to support athletic events at the Brady Street Complex. A portion of these properties will be retained as park/green space.

Why is a Zoning Map Amendment Required?

The purpose of the request is to establish a new transportation center for the Davenport Community School District at the former National Guard Armory site. The existing property is considered nonconforming, since a 'Vehicle Operation Facility' is not permitted in the R-3 Single-Family and Two-Family Residential District. A rezoning to S-IC Institutional Campus District is required to facilitate the redevelopment of the site to include offices, additional vehicle service bays, and school bus parking.

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 Civic and Institutional in the Davenport +2035 Future Land Use Map.

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

Zoning:

The applicant is proposing a rezoning from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District.

1. **R-3 Single-Family and Two-Family Residential District:** This zoning district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.
2. **S-IC Institutional Campus District:** This district is intended to encourage a comprehensive approach to development by significant institutions within the City. The S-IC District is also intended to:
 1. Further the policies of the Comprehensive Plan.
 2. Permit appropriate institutional growth within boundaries of the district while minimizing the adverse impacts associated with development and geographic expansion.
 3. Balance the ability of specific institutions to grow and adapt to changing needs while protecting the livability and vitality of adjacent areas.

4. Encourage the preparation of a land use plan for higher development intensity institutional campuses that enables the community to understand the levels of development being proposed, their likely impacts and appropriate mitigation measures.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems.

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 Civic and Institutional in the Davenport +2035 Land Use Plan. Since the Comprehensive Plan designated areas as a whole, the Brady Street and East 36th Street corridor was reserved for the development and expansion of the Davenport Community School District. It is generally encouraged to have a centralized campus for athletic and transportation facilities. Rezoning the property to S-IC Institutional Campus District does not require an amendment to the Future Land Use Map. 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 following zoning districts abut the subject property:
 - North: S-IC Institutional Campus District & C-2 Corridor Commercial District
 - South: S-OS Open Space District
 - East: R-MF Multi-Family Residential District
 - West: C-T Commercial Transitional District
- The Davenport Community School District owns what is commonly referred to as the Brady Street Complex, which is currently zoned S-IC Institutional Campus District. This area is bordered by the commercial corridors of Brady Street and Kimberly Road. Kimberly Downs Road to the east is zoned for high and moderate density residential dwellings. To the south of the subject area is Duck Creek, which serves as a natural buffer to the adjacent residential neighborhood. Except for the property at 705 East 36th Street, zoned C-T Commercial Transitional District, the subject property will be continuous with the Brady Street Complex. It is staff's opinion that the proposed zoning amendment to S-IC Institutional Campus District is compatible with the zoning of nearby property.

3. The compatibility with established neighborhood character.

- Staff Response: East 36th Street, between Brady Street and Kimberly Downs Road, is a predominately commercial and institutional corridor. Brady Street Stadium and Complex serves as the competition venue for Davenport Community

School District athletics and events. In addition, the district's transportation department is situated at the northwest corner of 36th Street and Davenport Avenue. The applicant's master-plan to relocate the transportation center to the former National Guard Armory property will keep the facility centrally located in Davenport while retrofitting an existing site. The green space along Duck Creek will continue to be preserved with this request. Much of the southern boundary contains floodplain. As a result, the final development plan will create 13,963 square feet of additional green space. 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 School District submitted a Traffic Impact Study for the relocation of the transportation facility from the northwest corner of Davenport Avenue and East 36th Street to the former National Guard Armory property. Given the new site is approximately 800 feet to the east, the main access point will remain East 36th Street. Buses will then access the greater street system via Brady Street and Kimberly Road. There is no anticipated change in the number of trips generated from the new facility. The site plan includes 111 off-street vehicular spaces for employees and visitors as well as 93 spaces for school buses. Furthermore, the future parking lot to the west will further mitigate congestion during sporting events. Rezoning the property to establish a new transportation facility will have minimal impact on the regional transportation system given its proximity and access to Brady Street and Kimberly Road. It is staff's opinion that the proposed zoning map amendment will promote 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 present residential zoning classification is intended to accommodate single-family and two-family neighborhoods. A 'Vehicle Operation Facility' and 'Parking Lot (Principal Use)' are prohibited in the R-3 District. Rezoning the property to S-IC Institutional Campus District will facilitate the development of a new transportation center, athletic fields, and parking facilities. This is part of a long-range plan by the School District to reinvest in the Brady Street Complex. It is staff's opinion that the proposed zoning map amendment will enable the 12.71-acre site to be developed in a manner consistent with the surrounding School District properties.

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

- Staff Response: The subject property consists of the former National Guard Armory site and the six adjacent residential lots to the west. The purpose of the request is to establish a new transportation center for the Davenport Community School District. The existing property is considered nonconforming, since a 'Vehicle Operation Facility' is not permitted in the R-3 Single-Family and Two-Family Residential District. A rezoning to S-IC Institutional Campus District is required to facilitate the redevelopment of the site to include offices, additional vehicle service bays, and school bus parking. Once rezoned, the proposed amendment will bring the nonconforming use of the National Guard Armory site into compliance.

- There are four single-family dwellings included within the map amendment that are in conformance with the current district. Once rezoned to S-IC Institutional Campus District, the existing dwellings will be considered nonconforming as dwellings are prohibited. However, the School District intends to demolish the structures to create additional parking and open space. Following development, the use of the site as a parking lot will be considered a permitted use.
- It is staff's opinion that the proposed amendment will eliminate nonconformities following the development of the property.

Public Input:

Letters were sent to property owners within 500 feet of the proposed request notifying them of the July 16th Plan and Zoning Commission Public Hearing. In addition, the applicant hosted a neighborhood meeting on July 15th in the Jim Hester Boardroom of the Administrative Services Center, 1702 Main Street. There were no members of the public in attendance at the neighborhood meeting or at the Plan and Zoning Commission public hearing.

When rezoning property to S-IC Institutional Campus District, the Zoning Ordinance requires the petitioner to make a good faith effort notifying all city-recognized neighborhoods and bona fide neighborhood organizations located within 500 feet of the property being rezoned. The purpose is to share the details of the petition, answer any questions, and receive feedback. The Davenport Community School District contacted a Good Neighbor Project representative located south of Duck Creek. The neighbor inquired about the potential loss of greenspace at the site. The School District confirmed the final development will result in 13,963 square feet of additional greenspace.

In addition, a notice was published in the Quad City Times and a sign was placed on the subject property. To date, no written comments or formal protest petitions have been submitted. Staff will apprise the Commission of any additional correspondence at the August 6th Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Maps
3. Development Plans for Transportation Facility
4. Good Neighbor Project Correspondence
5. Public Notice



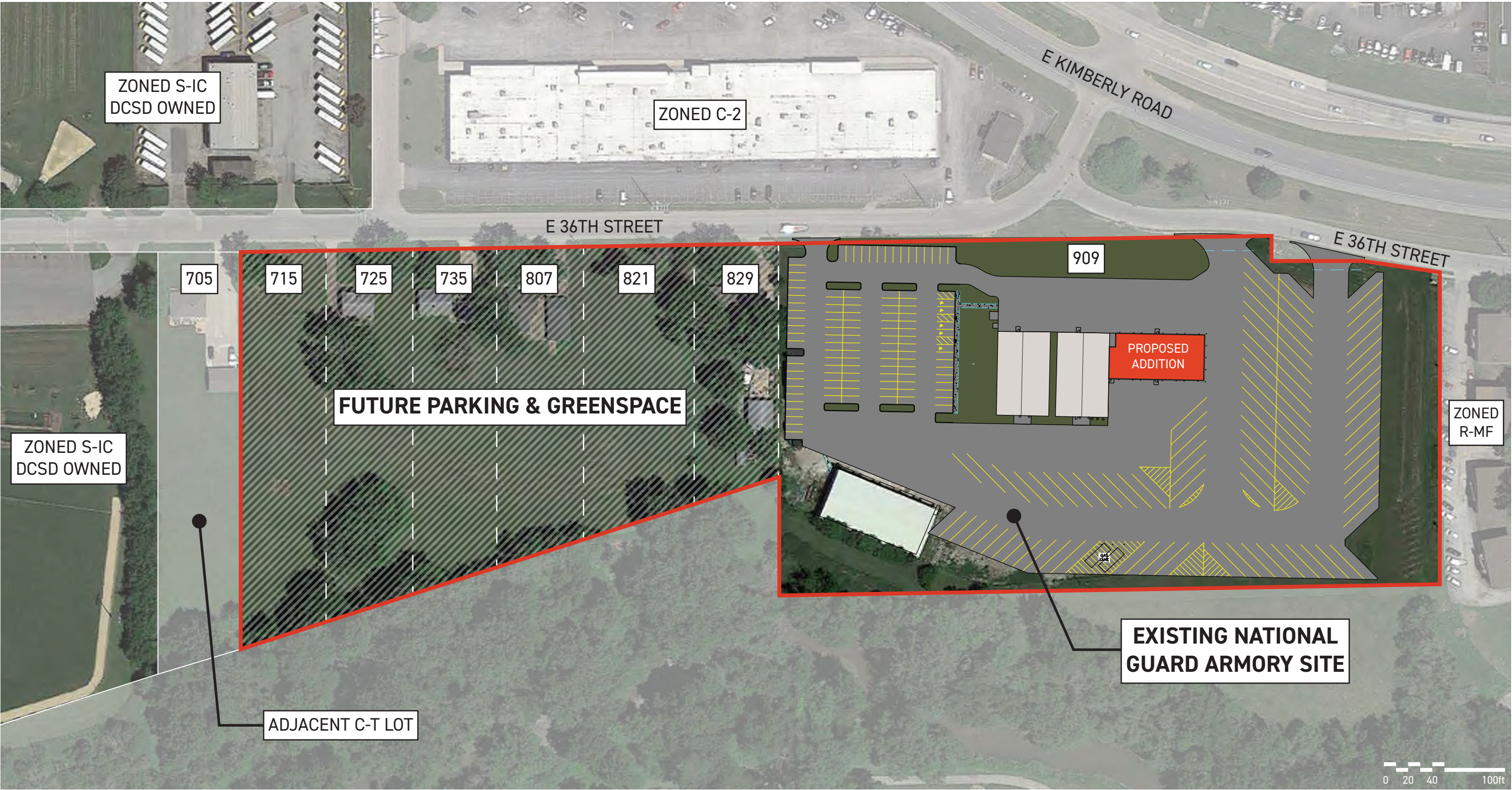
CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

APPLICANT INFORMATION	
Applicant Name Company Name Bray Architects	
Address 829 S 1st Street	
City State Zip Milwaukee WI 53	
Phone (414) 226-0200	
Secondary Phone (414) 410-9227	
E-Mail Address akerr@brayarch.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. Andrew Kerr, AIA Type Applicant's Name  Applicant's Signature 05/07/2024 Date	
DEVELOPMENT TEAM	
Property Owner Davenport School District	
Address 1702 N Main St, Davenport, IA 52803	
Phone (563) 445-5000	Secondary Phone
E-Mail Address schneckloth@davenportschools.org	
Project Manager/Other Bray Architects	
Address 829 S 1st Street	
Phone (414) 226-0200	Secondary Phone (414) 410-9227
E-Mail Address akerr@brayarch.com	
DATES: PRE-APP SUBMITTAL PUBLIC HEARING	
PROJECT TITLE DCSD BUS BARN RELOCATION TO ARMORY	
SITE ADDRESS OR GENERAL LOCATION DESCRIPTION 715 - 909 E 36TH STREET	
NEIGHBORHOOD MEETING DATE / TIME / LOCATION	
ZONING DISTRICTS	EXISTING R-3
PROPOSED S-IC	SQ. AREA 12.71 ACRE
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	
Application Fee sent under separate cover.	
PROJECT NARRATIVE: (submit separate sheet if needed)	
Rezone existing R-3 properties to S-IC. Lots included: 715 - 909 E 36th Street	
The Davenport Community School District requests rezoning of the above addresses to facilitate a relocation of the district's transportation department offices, vehicle service bays, and parking of the district's school buses. Transportation department is currently located adjacent, at 3640 Davenport Ave, which is currently being redeveloped at baseball fields for the school district.	
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.	

Master Plan DCSD Bus Lot Relocation to the Armory Project



Authorization to Act as Applicant

I/We, Davenport Community School Dist
[as property owner(s)]

authorize Bray Architects
[the above person(s)]

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

for the property located at Armay & Adjacent properties

TJ Sotun
Signature(s)*

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

Notarization: _____

5-7-24
Date

State of Iowa,

County of Scott,

Sworn and subscribed before me

this 07 day of May, 2024.

Driver's License
[identification type]

Kyra Schumaker
Notary Public

My Commission Expires:



RE-ZONING DESCRIPTION –

LOTS 1-6 IN J.G. BAKER SECOND ADDITION, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

(DEED DOCUMENT NUMBERS: 2023-00013388, 2010-00024013, 2011-00003909, 2009-00024588, 2018-00053452, 2010-00016221)

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4, SECTION 13, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, THE PARCEL IS DESCRIBED MORE PARTICULARLY AS:

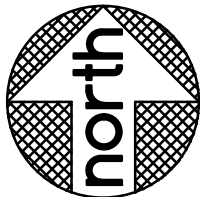
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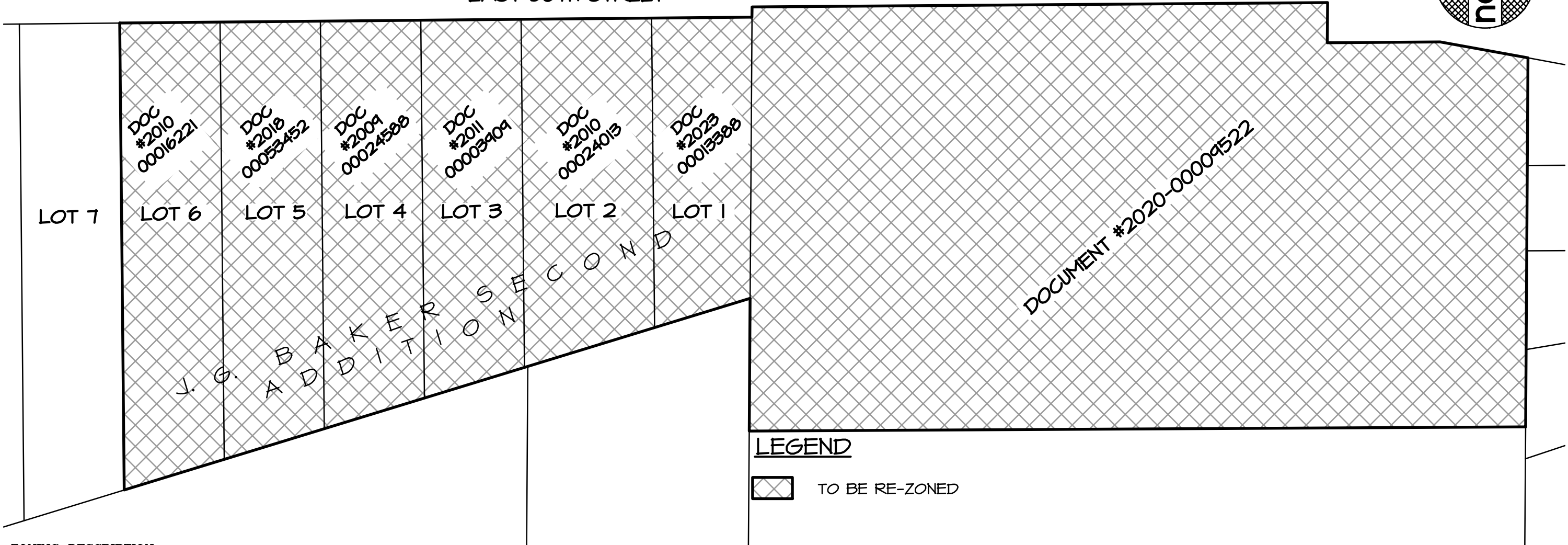
(DEED DOCUMENT NUMBER: 2020-00009522)

(PLAT DOCUMENT NUMBER: 2006-00032811)

RE-ZONING EXHIBIT
DAVENPORT SCHOOL DISTRICT



EAST 36TH STREET



LEGEND

 TO BE RE-ZONED

RE-ZONING DESCRIPTION -

LOTS 1-6 IN J.G. BAKER SECOND ADDITION, AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

AND

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SURVEY COMPANY / RETURN TO:

**Martin & Whitacre
Surveyors & Engineers, Inc.**

1508 BIDWELL ROAD, MUSCATINE, IOWA 52761

INFO@MARTIN-WHITACRE.COM (563)263-7691

DAVENPORT SCHOOL DISTRICT
RE-ZONING EXHIBIT

SOUTHEAST 1/4, SECTION 13, TOWNSHIP 78 NORTH, RANGE 3 EAST

REV. 0 4035 REZONING EXHIBIT.DWG SHEET 1 OF 1



Vicinity Map | Case REZ24-03

Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]

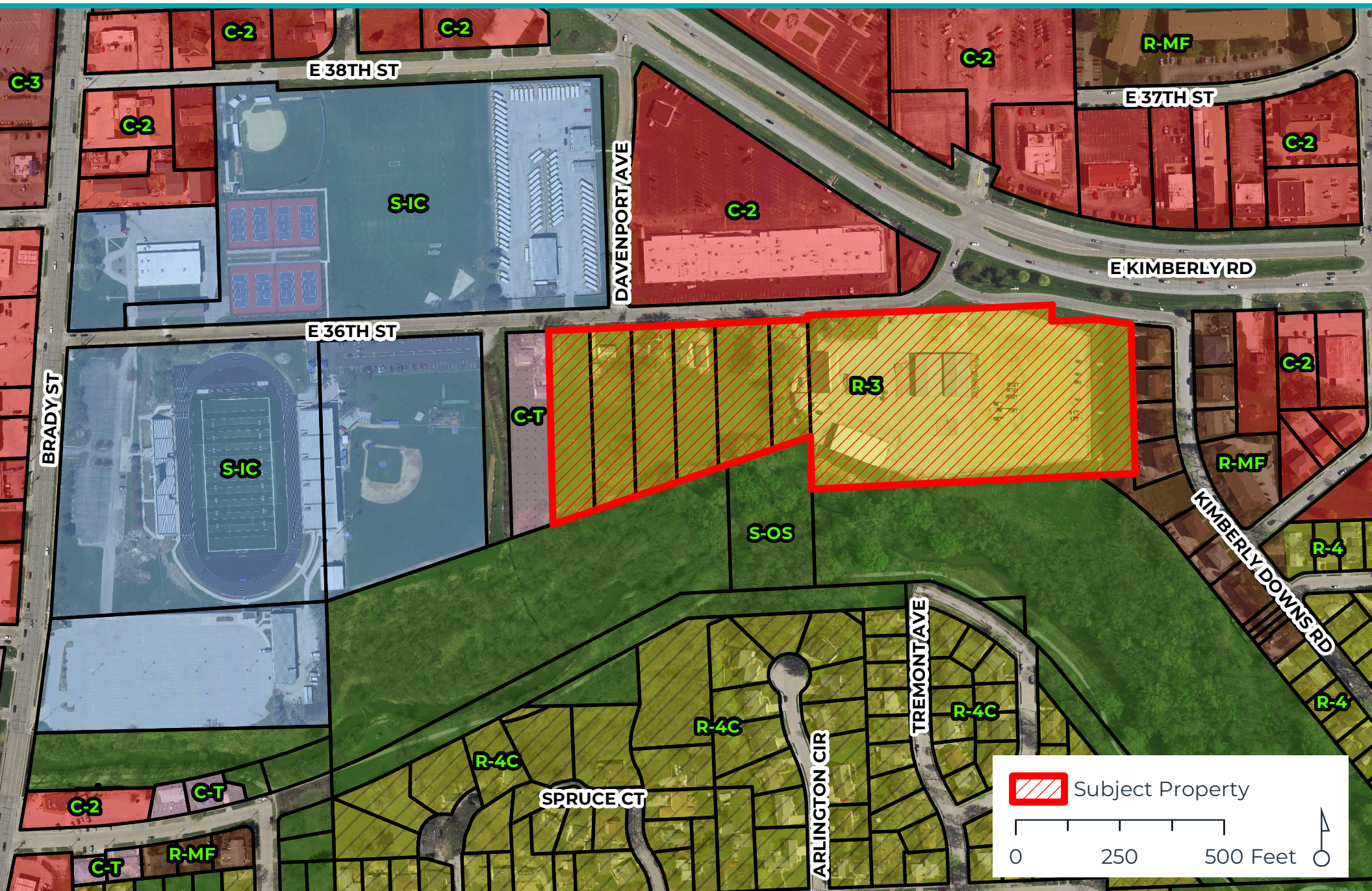




THE CITY OF
DAVENPORT
IOWA | USA

Zoning Map | Case REZ24-03

Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]

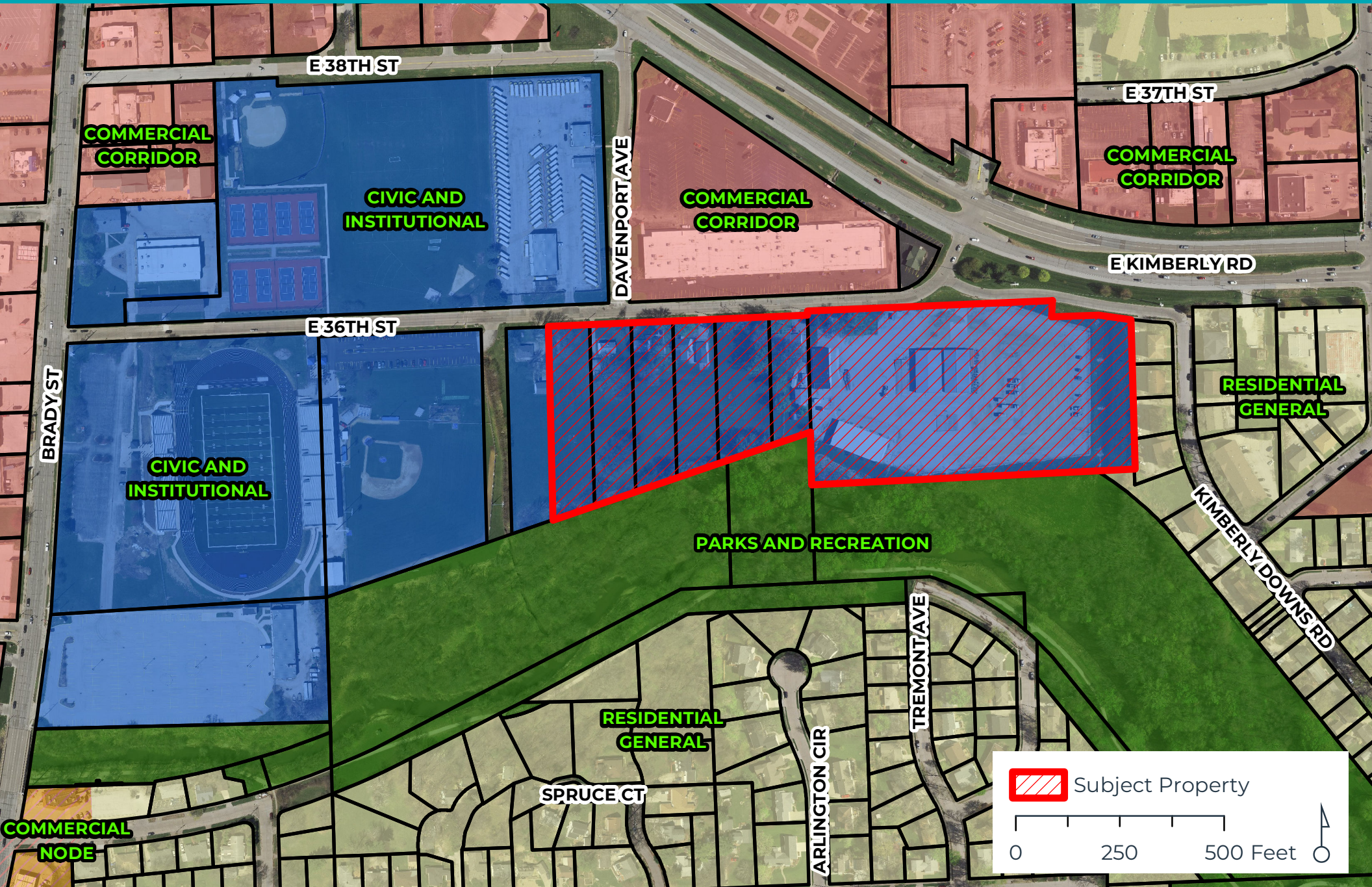




THE CITY OF DAVENPORT IOWA | USA

Future Land Use Map | Case REZ24-03

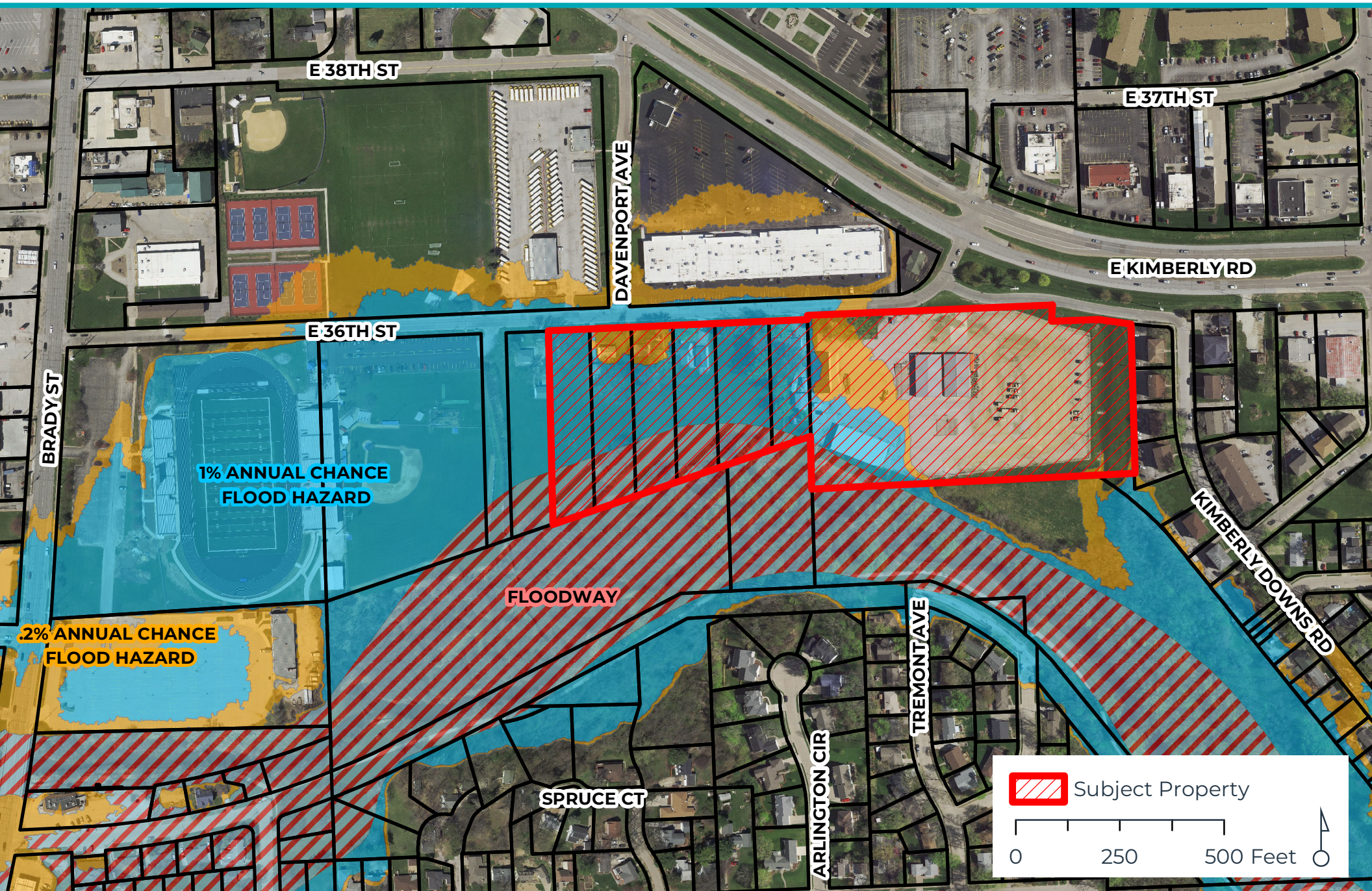
Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]





Duck Creek Floodplain Map | Case REZ24-03

Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]



 Subject Property

0

250

500 Feet



Davenport Community School District

Land Use Plan – Brady Street Complex

Proposed DCSD Transportation Department

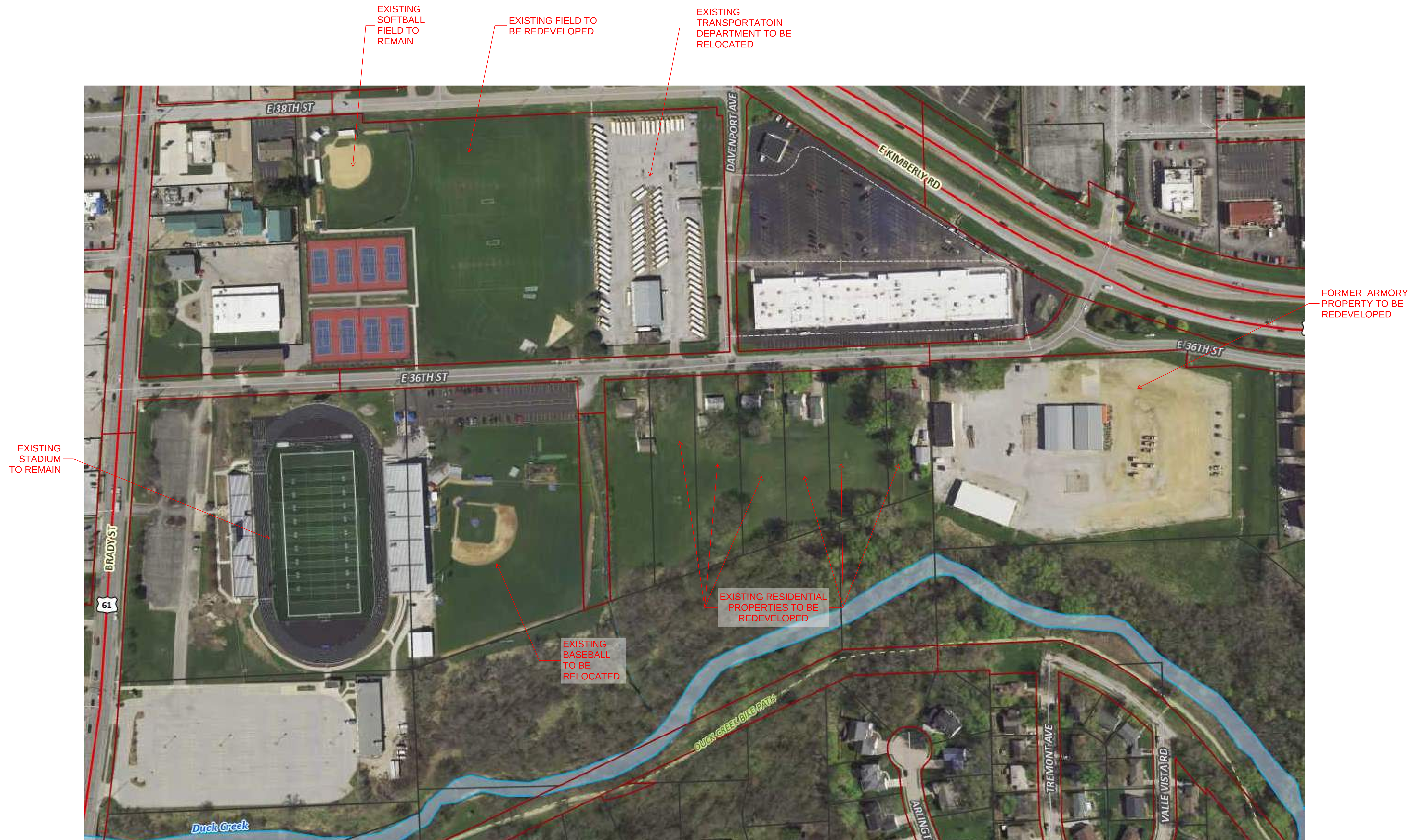
Former Iowa National Guard Site

909 East 36th Street

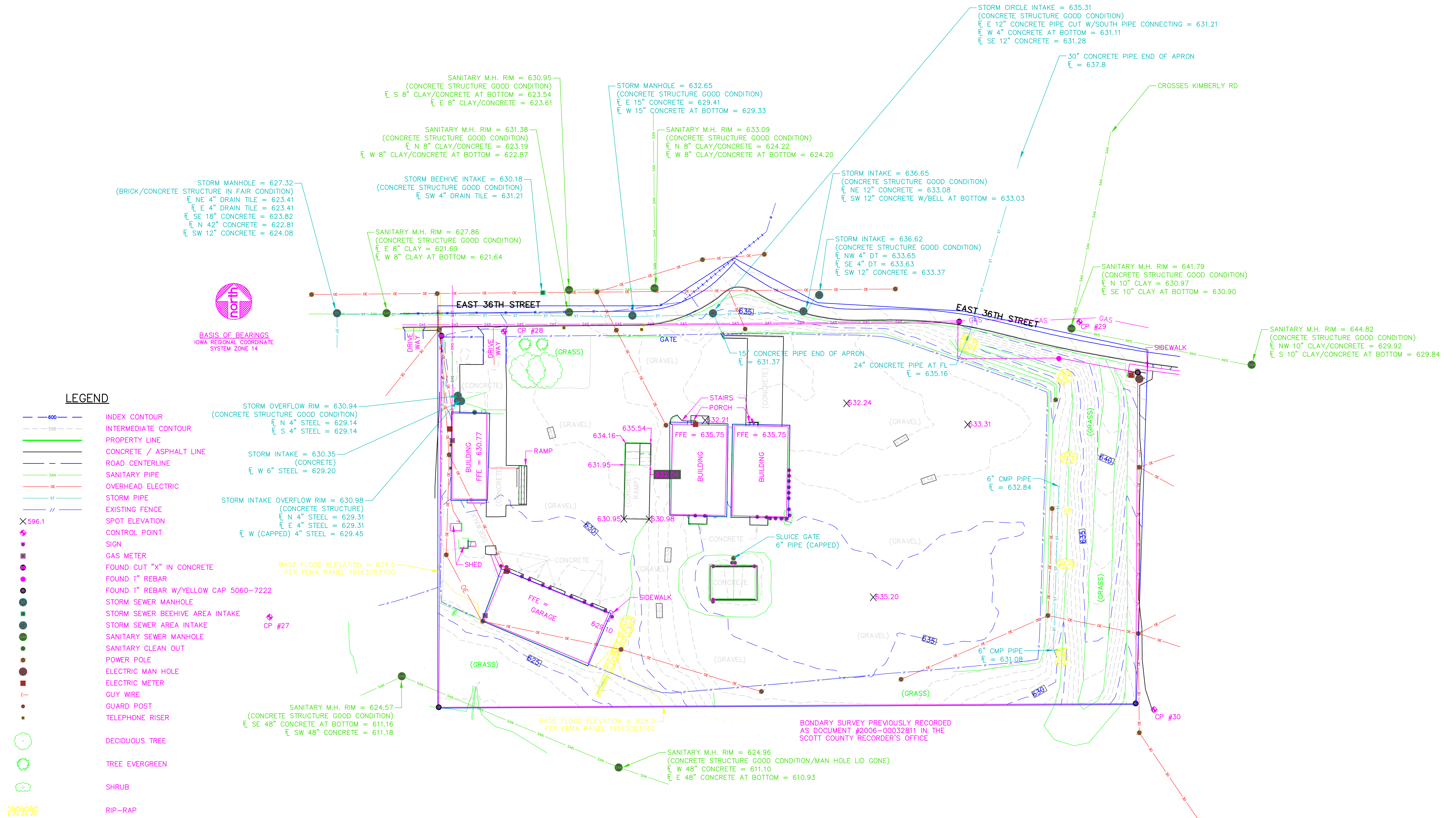
Davenport, Iowa 52807

May 10, 2024

Bray Project Number 3695







CONTROL POINTS (IOWA REGIONAL COORDINATE SYSTEM – ZONE 14)				
POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
27	8075769.76	21491944.57	622.51	SET RN RBR IN GRASS FEILD ± 25' NORTH OF TREELINE
28	8076086.60	21492204.71	630.57	SET CUT "X" IN CONC. Ⓞ WEST ENTRANCE OF OLD NATIONAL GUARD FACILITY
29	8076090.15	21492832.44	641.80	SET CUT "X" NEAR MH ON NORTH SIDE OF 36TH ST. ± 20' SE OF
30	8075667.04	21492926.31	630.39	SET MAG NAIL IN ASPHALT PARKING LOT Ⓞ SW CORNER

SURVEY
FORMER IOWA NATIONAL GUARD SITE
PROPOSED DAVENPORT COMMUNITY SCHOOLS TRANSPORTATION DEPARTMENT
909 EAST 36TH STREET
DAVENPORT, IOWA 52807

Davenport Community School District

Transportation Lot Calculations

May 10, 2024

Bray Project Number 3695

Existing Lot: 318,860 SF (7.32 acres)

Existing Buildings, Hardstand and Paving: 238,120 SF (74.7% coverage)

Existing Buildings: 23,705 SF

Existing Hardstand and Paving: 214,415 SF

Existing Parking Spaces: indeterminate

Existing Buildings Removed: 4,115 SF

Proposed Building Addition: 7,170 SF

Proposed Total Buildings: 26,760 SF

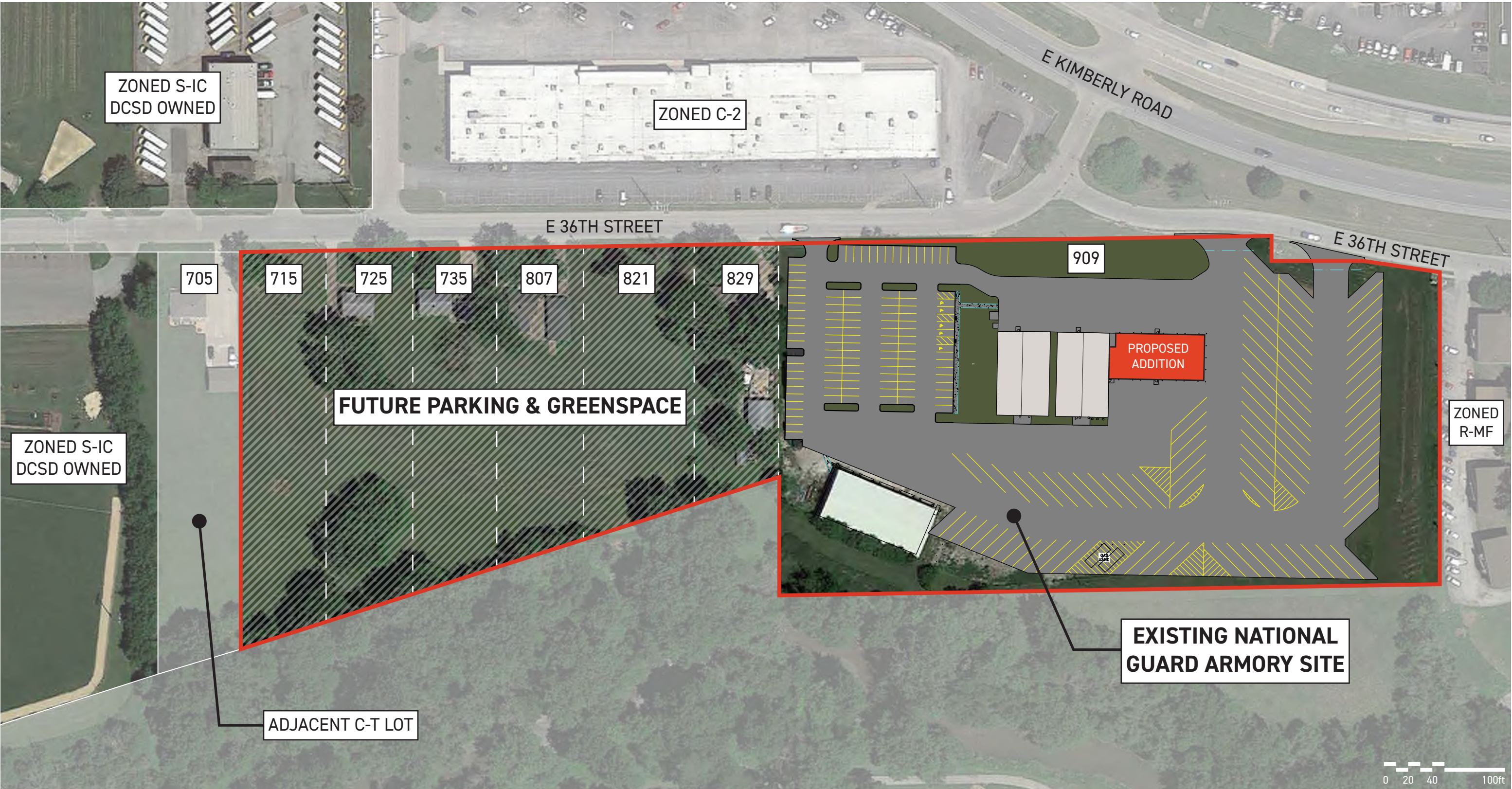
Proposed Total Paving: 197,925 SF

Proposed Total Paving, Buildings: 225,685 SF (70.8% coverage)

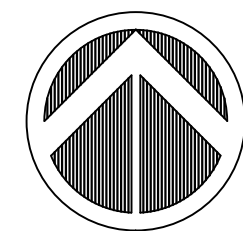
Proposed Parking Spaces Automobiles: 106 spaces plus 5 accessible spaces, Total 111 spaces

Proposed Parking Spaces School Buses: 93 spaces

Master Plan DCSD Bus Lot Relocation to the Armory Project

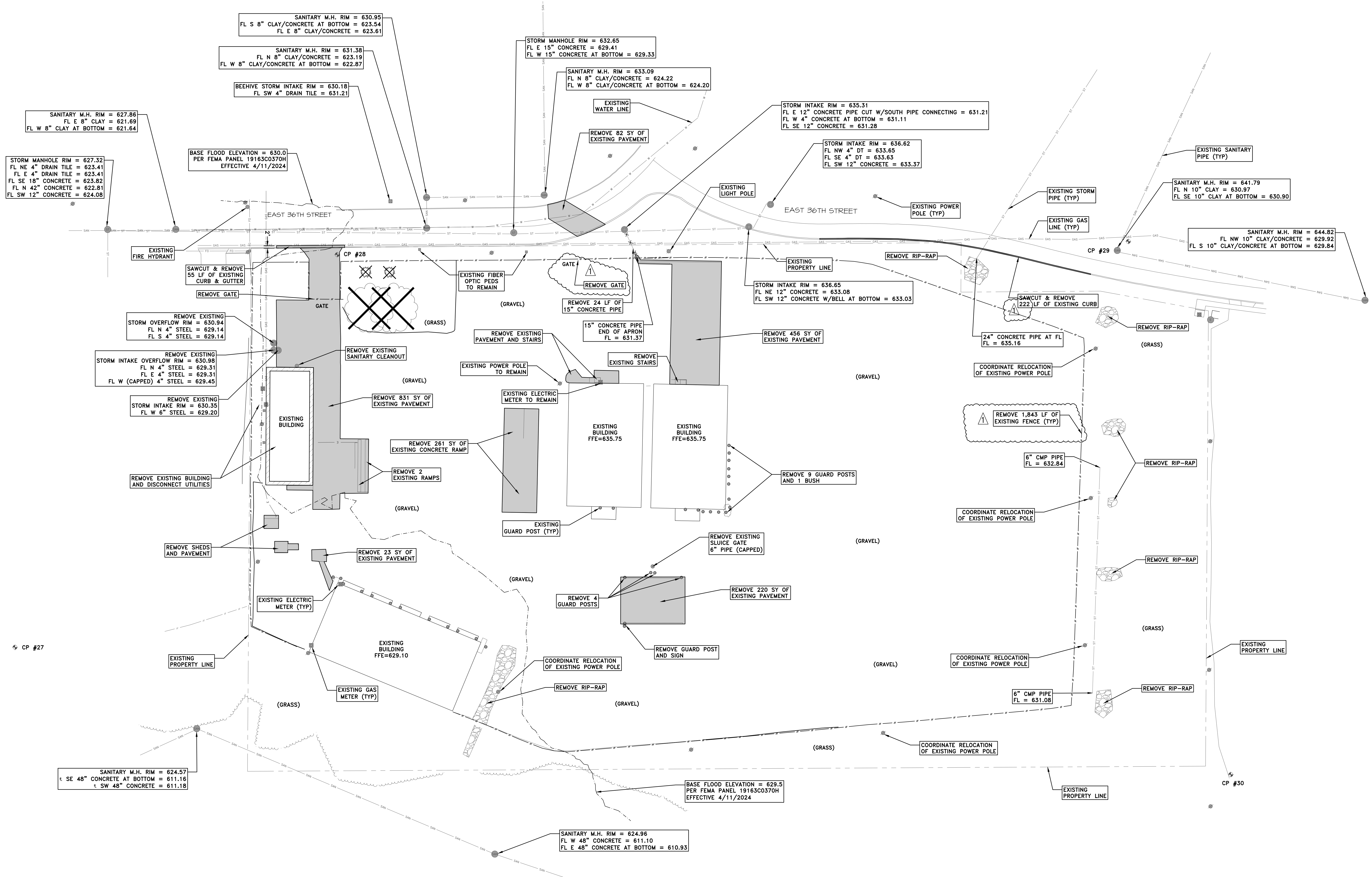


CONTROL POINTS (IOWA REGIONAL COORDINATE SYSTEM - ZONE 14)				
POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
27	8075769.76	21491944.57	622.51	SET RN RBR IN GRASS FIELD ± 25' NORTH OF TREELINE
28	8076086.60	21492204.71	630.57	SET CUT "X" IN CONCRETE @ WEST ENTRANCE OF OLD NATIONAL GUARD FACILITY
29	8076090.15	21492832.44	641.80	SET CUT "X" NEAR MANHOLE ON NORTH SIDE OF 36TH ST. ± 20' SOUTHEAST
30	8075667.04	21492926.31	630.39	SET MAG NAIL IN ASPHALT PARKING LOT @ SOUTHWEST CORNER

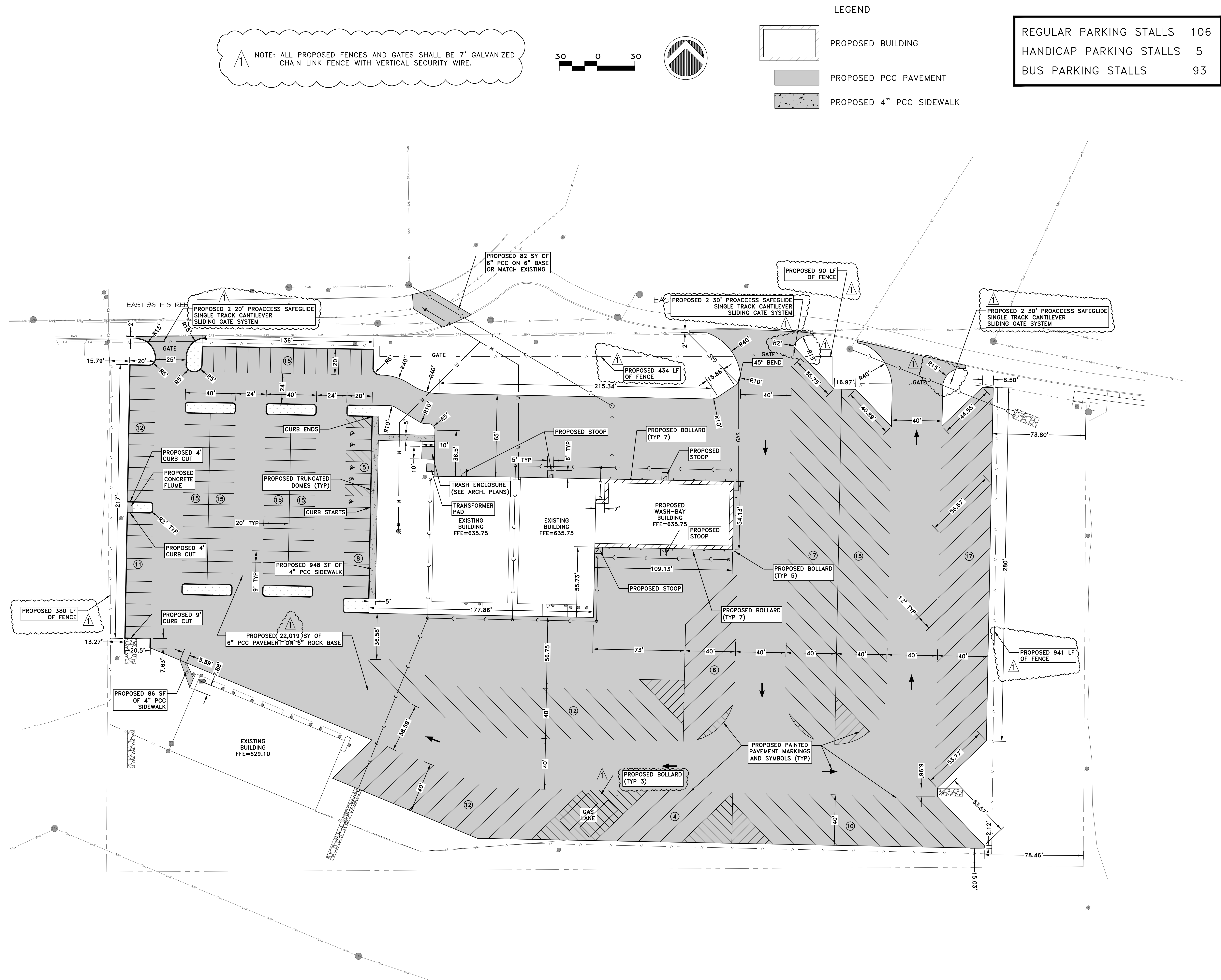


LEGEND	
	REMOVE EXISTING PAVEMENT
	REMOVE EXISTING BUILDING
	REMOVE TREE

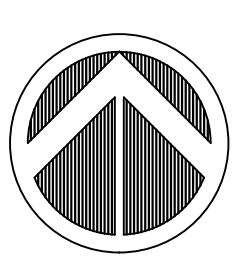
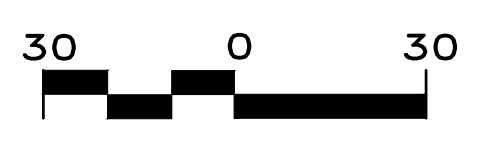
- NOTE: 1. COORDINATE ALL UTILITY DISCONNECTS AND RELOCATES WITH RESPECTIVE UTILITY COMPANY.
2. SALVAGE AS MUCH EXISTING GRAVEL AS FEASIBLE TO RE-USE UNDER NEW PAVEMENT.
3. REMOVE 1,843 LF OF FENCE ON SITE AND 2 GATES.



REVISIONS:	
DATE	DESCRIPTION
5/1/24	ADDENDUM 1

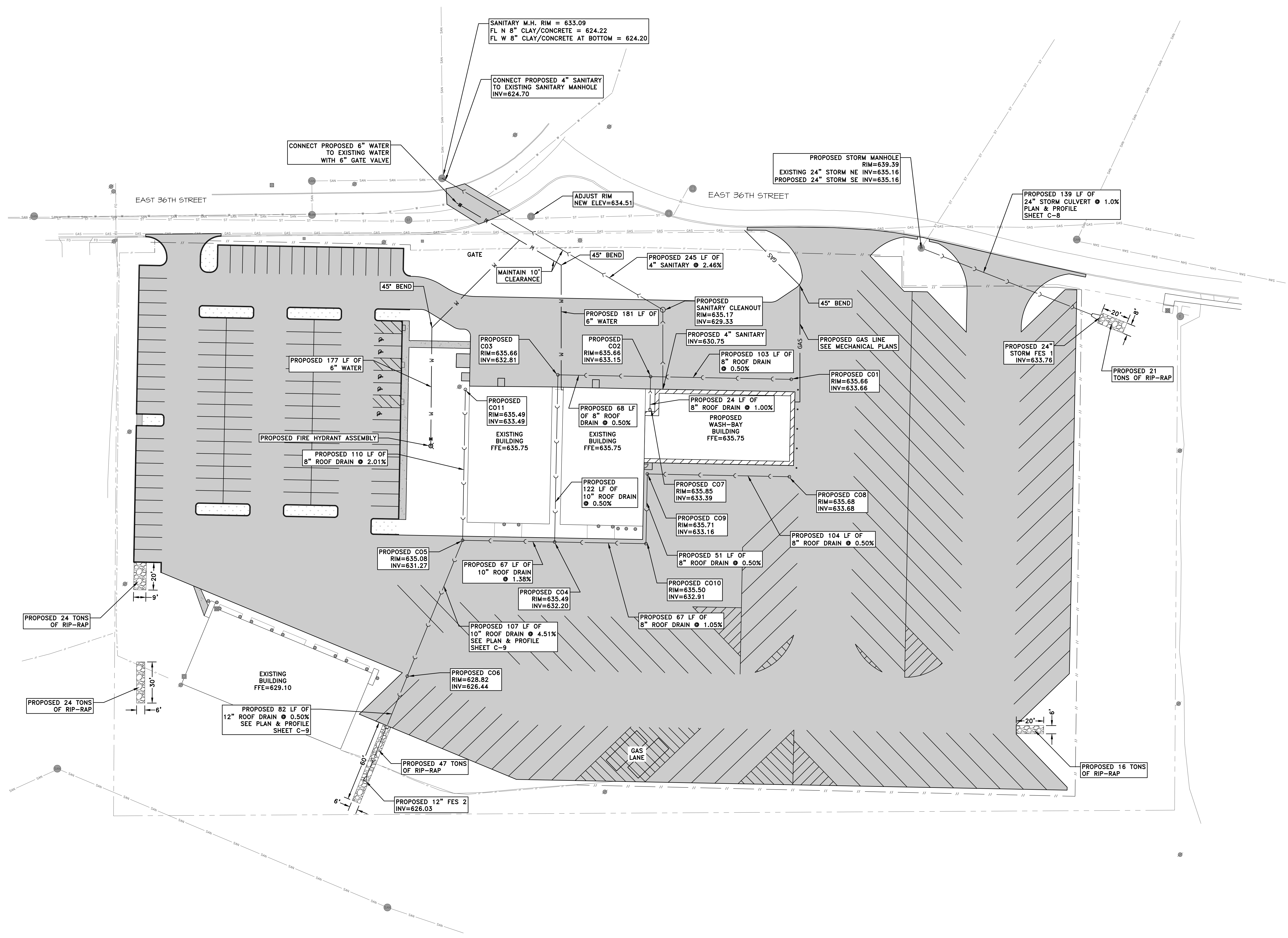


NOTE: 1. CONNECT EXISTING & PROPOSED DOWNSPOUTS TO PROPOSED ROOF DRAINS WITH PRE-FABRICATED WYES.
2. RIP-RAP SHALL BE AT LEAST 9" AVERAGE SIZE AND 20" THICKNESS.



LEGEND

- PROPOSED BUILDING
- PROPOSED PCC PAVEMENT
- PROPOSED 4" PCC SIDEWALK



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PHONE: (888) 283-1881

EA: 00000000000000000000

EA: 00000000000000000000

Project Title:

Addition & Renovation to
Bus Barn and Operations
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807

REVISIONS:

DATE	DESCRIPTION
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Project Number:

9035

Issued For:

BID SET

4/15/24

Sheet Title:

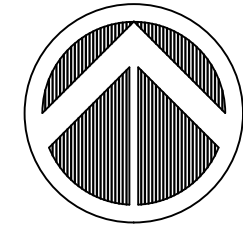
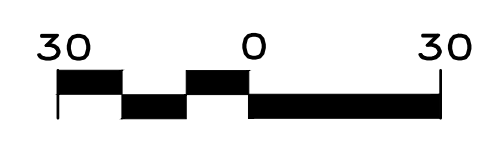
PROPOSED UTILITY
PLAN

Sheet Number:

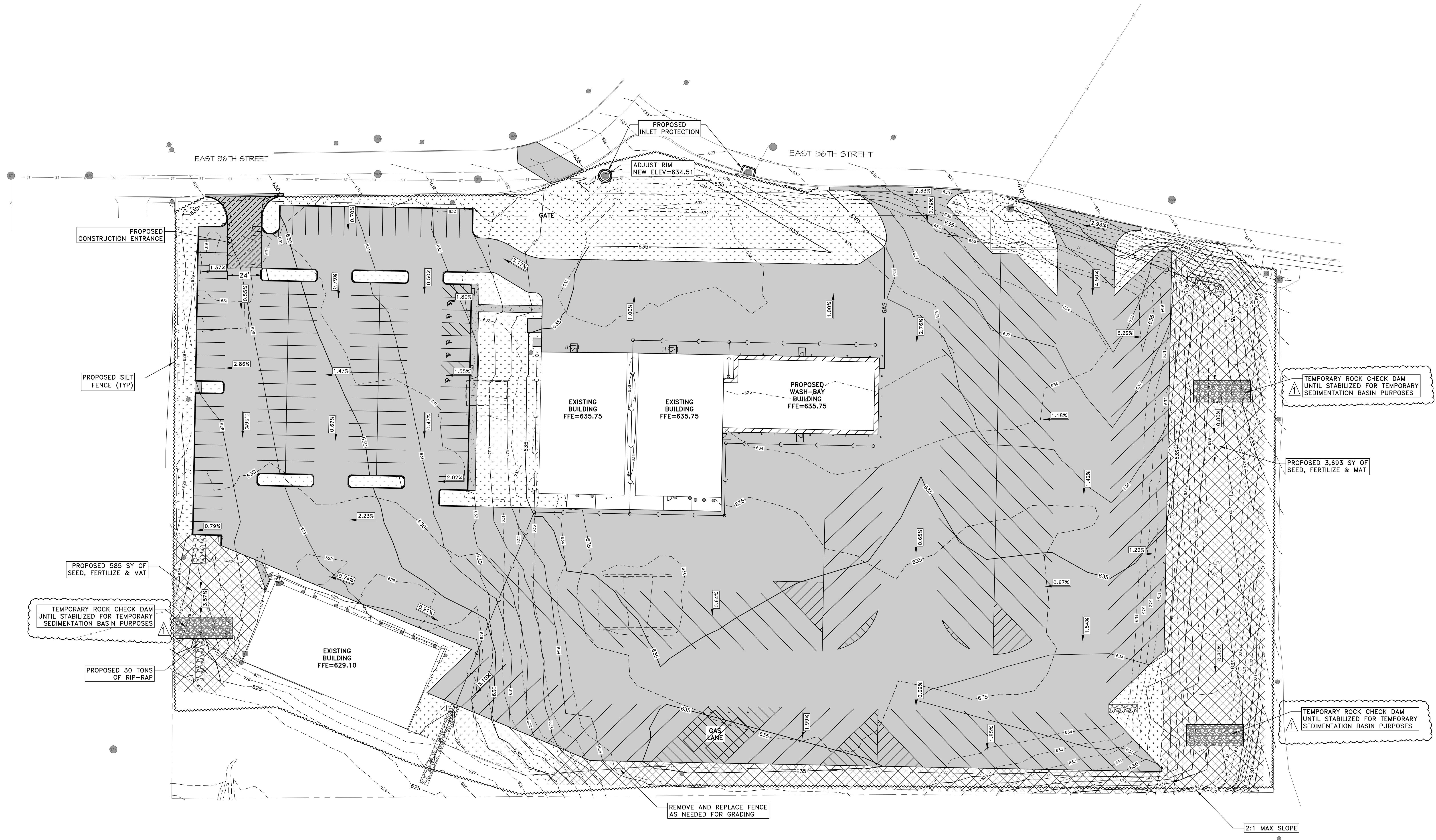
C-5

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GRADING SUMMARY		
	CUT (CY)	FILL (CY)
UNADJUSTED	5,059.28	10,371.31
FACTORED PAVEMENT	2,266.73	4,646.71
SUBTOTAL	7,326.01	5,724.60
27% SHRINKAGE		1,545.64
TOTAL	7,326.01	7,270.25
NET (CY) TO BE SPREAD ON SITE	55.76	



- LEGEND
- PROPOSED BUILDING
 - PROPOSED PCC PAVEMENT
 - PROPOSED 4" PCC SIDEWALK
 - PROPOSED INLET PROTECTION
 - PROPOSED SILT FENCE
 - SEED, FERTILIZE & MULCH
 - SEED, FERTILIZE & MAT
 - PROPOSED CONSTRUCTION ENTRANCE



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Project Title:
**BUS LOT RELOCATION TO THE
ARMORY PROJECT
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807**

REVISIONS:
DATE DESCRIPTION
5/1/24 ADDENDUM 1

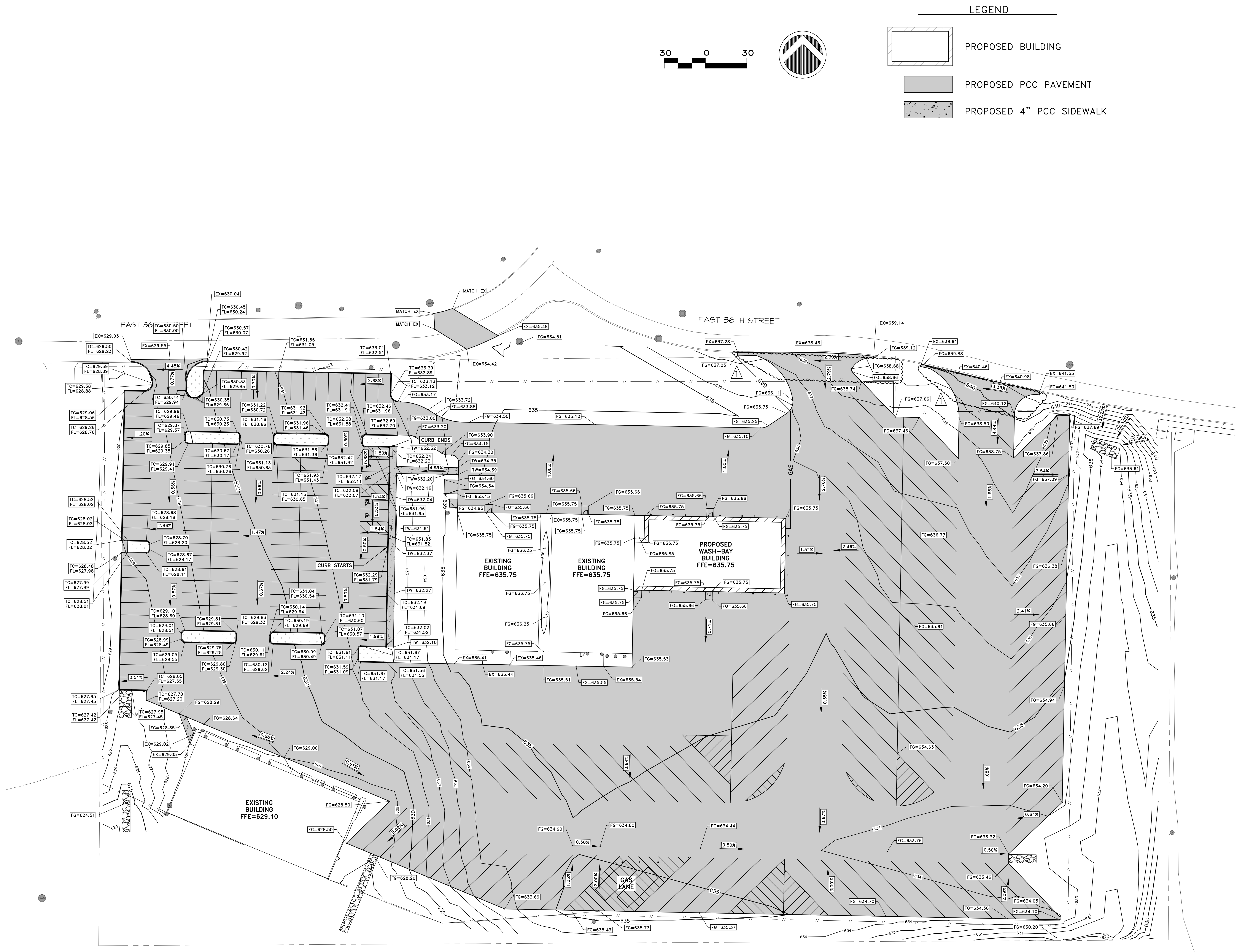
Project Number:
9035

Issued For:
ADDENDUM 1

5/1/24
Sheet Title:
**GRADING &
EROSION
CONTROL PLAN**

Sheet Number:
C-6

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Project Title:
**BUS LOT RELOCATION TO THE
ARMORY PROJECT
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807**

REVISIONS:	
DATE	DESCRIPTION
5/1/24	ADDENDUM 1

Project Number:
9035

Issued For:
ADDENDUM 1

5/1/24
Sheet Title:
**PROPOSED
PAVING PLAN**

Sheet Number:
C-7

1. LANDSCAPING REQUIREMENTS
- 1.01 SCOPE:
- A. Provide sizes of plants as shown or scheduled, conforming to ANSI Z60.1 "Standard for Nursery Stock" for shape and quality.
2. MATERIALS
- 2.01 PLANTS:
- A. Provide balled and burlapped trees and shrubs, except container-grown plants may be furnished if indicated size is below limit established in ANSI Z60.1.
- B. Furnish ground cover plants in removable containers or integral peat pots.
- C. Provide topsoil. Provide clean, fertile, friable, natural loam obtained from a local, well-drained source.
- D. Provide fertilizer, humus and other soil amendments of a type which are known to improve the pH condition of the soil for the particular plant material to be planted. Mix peat humus (FS Q-P-166) with topsoil in the ratio of 1:1 for use in planting.
- E. Cedar bark mulch to be 3" depth of natural, clean cedar bark chips of 1-1/2" to 2-3/4" size.
3. EXECUTION
- 3.01 PLANTING:
- A. Excavate pit to 1' greater than diameter of the tree or shrub ball and not less than 1' deeper. Compact a layer of topsoil in pit to locate collar of plant properly in a slightly dished finish grade. Backfill around ball with topsoil, compacted to eliminate voids and air pockets, watering thoroughly as layers are placed.
1. Prune to remove damaged branches, improve natural shape, thin out structure and remove not more than 15% of branches. Plant cuts more than 1/2" in size with pine tar or a recognized tree paint.
2. Wrap trunk from ground to first branch with tree wrapping tape.
3. Guy and stake tree 3 directions with galvanized wire, through garden-hose tree protectors, with wooden stake anchors.
- B. Space ground cover plants 1'-2' apart both ways except as otherwise indicated. Dig holes large enough to allow for spreading of roots. Compact backfill to eliminate voids and leave grade slightly dished at each plant. Water thoroughly. Apply 2" mulch of peat, straw or other recognized organic planting mulch over entire planting bed, lifting plant foliage above mulch.
1. During periods of hot sun and wind at time of planting, provide protective cover for several days.
- C. Provide 2" depth of natural, clean cedar bark chips of 1-1/2" to 2-3/4" size, over compacted subgrade. Provide chips at 24" diameter around each tree.
- D. Maintain landscape work for a period of 60 days immediately following complete installation of each major category of work. Include watering, weeding, cultivating, restoration of grade, pruning trees and shrubs, protection from insects and diseases, fertilizing and similar operations as needed to insure normal growth and good health for live plant material.
- 3.02 DIGGING AND HANDLING:
- A. Dig bare root plants with sufficient root spread and depth to insure full recovery and development of the plants. Roots of these plants shall be covered with a uniformly thick coating of mud by being puddled immediately after they are dug.
- B. Dig balled and burlapped plants with firm natural balls of earth with sufficient diameter and depth to include all fibrous and feeding roots. No plants moved with a ball will be accepted if the ball is cracked or broken during shipping, handling or planting.
- C. Roots of balls of plants shall be adequately protected from sun or drying winds. Keep ball moist.
- D. Balled and burlapped plants which cannot be planted immediately upon delivery shall be set on the ground and shall be well protected with soil, wet moss, or other acceptable material. Bare rooted plants which cannot be planted immediately shall be planted in healed-in trenches immediately upon arrival.
- E. No plant shall be bound with wire or rope at any time so as to damage the bark or break the branches. Guy and stake all trees in three directions with galvanized wire, through garden hose tree protectors, with wooden stake anchors.
- 3.03 SUBSTITUTIONS:
- A. Substitutions will not be permitted. If proof is submitted that any plant is not obtainable, a proposal will be considered for use of the nearest equivalent size or variety with an equitable adjustment of contract price.
- 3.04 PLANT PITS:
- A. Plant pits shall be excavated with vertical sides in accordance with the following outline for sizes:
1. Tree pits shall be at least 2' greater in diameter than the diameter of the ball or spread of roots and at least 22" below finished grade (a minimum of 12" below the bottom of the ball).
2. Shrubs shall be planted in pits within the bed, 1' greater than the spread of the roots or ball and at least 18" deep below finished grade or as deep as is necessary to properly set the plant at finished grade.
3. All pits shall be circular in outline. Excavated material of subsoil classification or containing extraneous matter shall be removed and disposed of legally off site.
4. The depth of planting beds and pits shall be adjusted as necessary to permit a minimum of 6" of topsoil under balls or roots of all plants.
- 3.04 TIME OF PLANTING:
- A. Spring planting shall be from the time the soil can be satisfactorily worked until May 30. Fall planting shall be from the time that the plant material is dormant to December 15 or frozen ground if earlier. Only on approval of the Architect may the contractor begin earlier or continue later than the above.
- 3.05 PLANTING OPERATIONS:
- A. Stake tree locations and shrub pits and secure approval of the Architect before starting excavation of same, making any adjustments necessary.
- B. Plant pits shall not be backfilled with topsoil until they have been approved by the Architect.
- C. Topsoil for the backfill in all planting areas shall have thoroughly incorporated within well-rotted manure in the proportion of one cubic yard of manure to seven cubic yards of topsoil or an approved fertilizer in proportion. For all tree pits there shall be added bonemeal at the rate of 1/2 lb. every inch of caliper of the tree.
- D. Set plants in center of pits plumb and straight and at such level that after settlement, the crown of the plant will be at the finished grade.
1. When balled and burlapped trees are set, compact topsoil around base of ball to fill all voids. All burlap, ropes, or wires shall be removed from the top of the balls.
2. Roots of bare root plants shall be properly spread out and topsoil carefully worked in among the roots. Cut off with clean cut any broken or frayed roots.
- E. Topsoil around roots or ball shall be thoroughly compacted and watered. Immediately after plant pit is backfilled, a shallow basin slightly larger than pit shall be formed with a ridge of soil to facilitate watering. After planting, cultivate the soil in shrub beds between shrub pits, rake smooth and neatly outline.
- 3.06 OBSTRUCTION BELOW GROUND:
- A. In the event rock or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this contract, alternate locations may be selected by the Architect. Concrete scrap encountered from the building construction shall be removed and legally disposed of off site.
- 3.07 WRAPPINGS:
- A. Wrapping of deciduous trees except ornamental trees such as "Malus" or "Crataegus" shall be done immediately after planting. The trunks shall be wrapped spirally from the bottom up with tree wrap material and shall be securely tied with suitable cord at top and bottom and at 2' intervals along the trunk. The wrapping shall overlap and entirely cover the trunk from the ground to the height of the second branches and shall be neat and snug. Trees shall be inspected for injury to trunks before wrapping.
- 3.08 PRUNING AND MULCHING:
- A. Each tree and shrub shall be pruned in accordance with standard horticultural practice to preserve the natural character of the plant and in the manner fitting its use in the landscape design.
1. Dead wood or suckers and broken or badly bruised branches shall be removed. In addition, approximately 15% of the wood shall be removed by thinning and shortening branches.
2. Pruning shall be done with clean sharp tools.
3. Cuts over 2" in diameter shall be painted with an approved tree paint. Paint shall cover all exposed cambium as well as other exposed living tissue. Paint shall be waterproof, adhesive and elastic, antiseptic, free from kerosene, coal tar, creosote or any other material harmful to the life of the tree or shrub.
4. Flowering trees shall be pruned only to remove dead and broken branches or branches that rub on one another.
5. Immediately after planting, mulch with cedar bark chip for a diameter around each tree equal to the diameter of the tree and for shrubs in beds the entire area of the shrub bed. Surround mulched area with commercial grade, heavy-duty black vinyl bulb-top lawn edging.
- 3.09 MAINTENANCE AND GUARANTEE:
- A. The contractor shall be held responsible for the maintenance of all work of planting from the time of planting and for a period of 60 days after planting has begun. No trees, shrubs or other planting will be accepted unless they show a healthy growth and satisfactory foliage condition.
- B. Maintenance shall include watering of trees and other plants, cultivation, weeding, spraying and pruning, cleaning up of repairs to stakes and wrappings and all other necessary maintenance work.
- C. The guarantee period for all trees, shrubs and other plants shall be for a period of one year starting with the date of final acceptance.
- D. Replace as soon as weather permits, dead plants and plants not in a vigorous growing condition at the end of the guarantee period. Replacement plants shall be the same size and variety as the original specifications.



1 LANDSCAPING PLAN
LS1.1 Scale: 1" = 30'-0"

REFER TO CIVIL DRAWINGS FOR ADDITIONAL INFORMATION

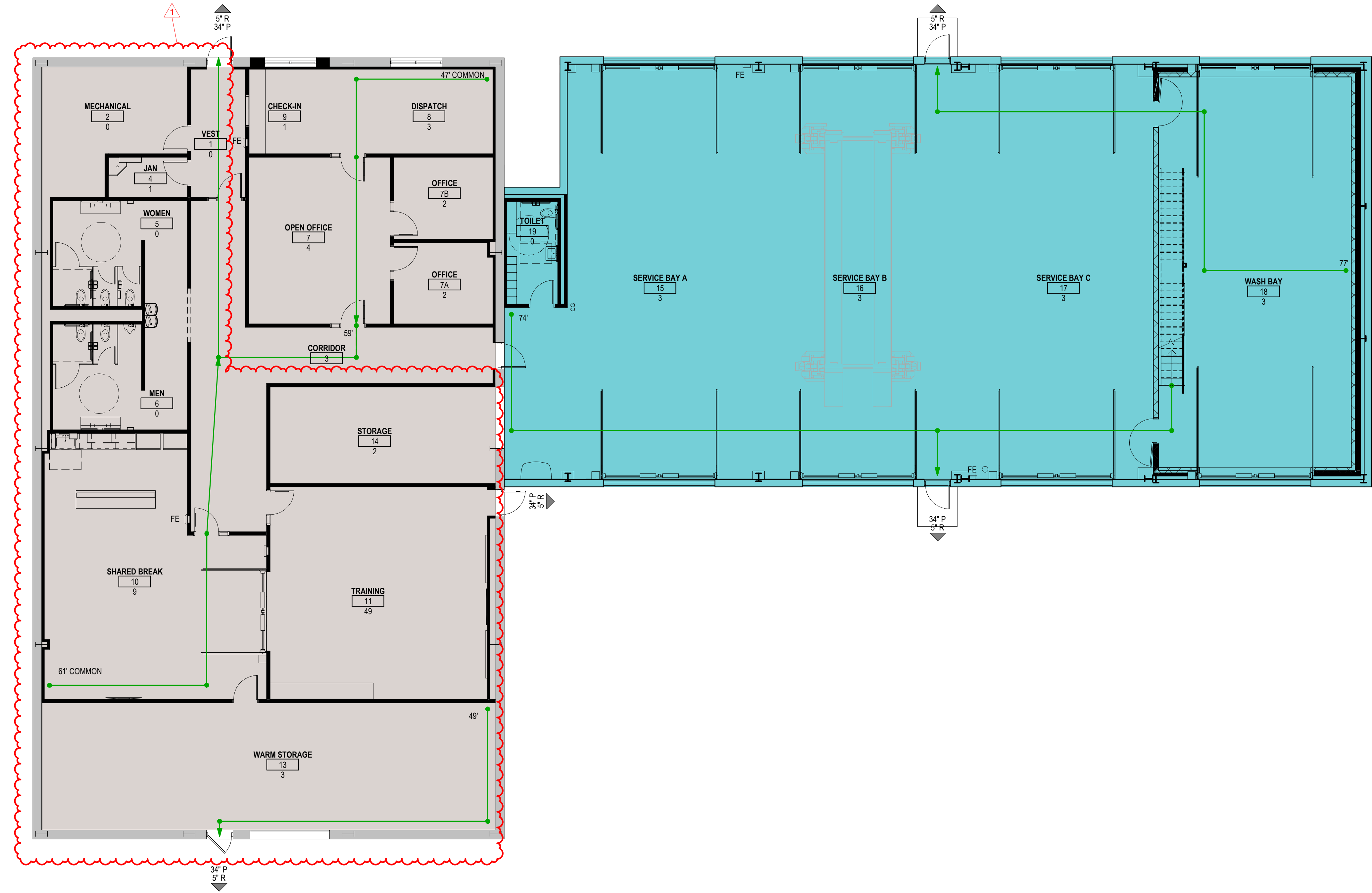
LANDSCAPING LEGEND				
PLANTING I.D.	COMMON/BOTANICAL NAME	SIZE	QUANTITY	REMARKS
TREE "A"	SUGAR MAPLE / ACER SACCHARUM	2" CALIPER	12	
TREE "B"	RED MAPLE / ACER RUBRUM	2" CALIPER	9	
TREE "C"	RED OAK / QUERCUS RUBRA	2" CALIPER	10	
TREE "D"	HERITAGE OAK / QUERCUS X MACDANIELLII 'CLEMONS'	2" CALIPER	11	
TREE "E"	CRABAPPLE FIREBIRD / MALUS SARGENTII 'SELECT A'	2" CALIPER	2	
TREE "F"	EASTERN WHITE PINE / PINUS STROBUS	MINIMUM 6' TALL	7	
TREE "G"	STAR POWER JUNIPER / JUNIPERUS X 'JUNBLUE SELECT'	MINIMUM 6' TALL	7	
SHRUB "H"	LITTLE GIANT GLOBE ARBORVITAE / THUJA OCCIDENTALIS 'LITTLE GIANT'	MINIMUM 18" TALL	102	
SHRUB "I"	LIMELIGHT PANICLE HYDRANGEA / PANICULATA 'LIMELIGHT'	MINIMUM 18" TALL	16	
GROUND COVER "J"	GRO-LOW SUMAC / RHUS AROMATICA 'GRO-LOW'	3 GALLON	58	

NOTE: 56 TREES ARE REQUIRED AND WE ARE PROVIDING 58 TREES
ALL LANDSCAPE RELATED WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DAVENPORT LANDSCAPE REQUIREMENTS, CHAPTER 17.11 LANDSCAPE

6" TOPSOIL WITH GRASS SEED PLANTED
CEDAR HARDWOOD MULCH, SHREDDED, 3" MINIMUM THICKNESS
ALUMINUM EDGING, BLACK, 4" TALL AROUND MULCHED AREAS



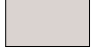
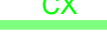
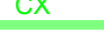
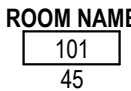
6D CODE PLAN - MEZZANINE LEVEL
G0.1 Scale: 1/8" = 1'-0"



6A CODE PLAN - FIRST FLOOR
G0.1 Scale: 1/8" = 1'-0"

FIRE RESISTIVE & CODE REVIEW LEGEND

NOTE: THIS SHEET TO BE PRINTED IN COLOR

	EXISTING BUILDING "A"				SMOKE TIGHT PARTITION TO DECK				SHAFT ENCLOSURE 1 HOUR
	BUILDING ADDITION "B"				SMOKE TIGHT PARTITION TO INTERSTITIAL CEILING				SHAFT ENCLOSURE 2 HOUR
	ROOM NAME ROOM NUMBER ROOM OCCUPANT LOAD				SMOKE TIGHT PARTITION TO PLENUM CEILING				SHAFT ENCLOSURE 3 HOUR
	FIRE EXTINGUISHER				SMOKE BARRIER 1 HOUR				SHAFT ENCLOSURE 4 HOUR
	EGRESS DIRECTION EGRESS WIDTH REQUIRED EGRESS WIDTH PROVIDE				SMOKE BARRIER 2 HOUR				FIRE BARRIER 1 HOUR
					SMOKE BARRIER 3 HOUR				FIRE BARRIER 2 HOUR
					SMOKE BARRIER 4 HOUR				FIRE BARRIER 3 HOUR
					FIRE PARTITION 0.5 HOUR				FIRE BARRIER 4 HOUR
					FIRE PARTITION 1 HOUR				FIRE WALL 1 HOUR
					RATED CONSTRUCTION 2 HOUR				FIRE WALL 2 HOUR
									FIRE WALL 3 HOUR
									FIRE WALL 4 HOUR

PROJECT DATA

SITE ADDRESS:	909 E. 36TH STREET DAVENPORT, IA 52807
COUNTY:	SCOTT COUNTY
APPLICABLE CODES:	2015 INTERNATIONAL BUILDING CODE 2015 INTERNATIONAL EXISTING BUILDING CODE (IEBC) 2012 NFPA 202 LIFE SAFETY CODE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

BUILDING #A (EXISTING)
EXISTING BUILDING ADJACENT TO NEW CONSTRUCTION
EXISTING OCCUPANCY = S-1
NEW PRIMARY OCCUPANCY = B
CONSTRUCTION TYPE = IIB
NUMBER OF STORIES = ONE STORY, 17'-0" ABOVE GRADE
FULLY SPRINKLERED BUILDING

BUILDING AREA:
EXISTING 1ST FLOOR BUILDING AREA = ~5,800 SF
RENOVATED AREA = ~4,300 SF
~50% WORK AREA = LEVEL 3 ALTERATION
CHANGE IN OCCUPANCY FROM S-1 TO B

BUILDING #B (ADDITION)
BUILDING ADDITION
PRIMARY OCCUPANCY = S-1
CONSTRUCTION TYPE = IIB
NUMBER OF STORIES = ONE STORY + MEZZANINE, 32'-0" ABOVE GRADE
FULLY SPRINKLERED BUILDING

FIRE SEPARATION:
NO SEPARATION BETWEEN BUILDING A & BUILDING B PER TABLE 508.4

BUILDING AREA:
MAXIMUM BUILDING HEIGHT PER TABLE 504.3 = 75' W/ SPRINKLER SYSTEM
MAXIMUM NUMBER OF STORIES PER TABLE 504.4 = 3 STORIES W/ SPRINKLER SYSTEM
TOTAL ALLOWABLE BUILDING AREA = 70,000 SF
ACTUAL BUILDING AREA = 5,800 SF

OCCUPANT LOAD:
PER TYPE:
8 000 = 73 OCCUPANTS
5,110 = 17 OCCUPANTS
TOTAL OCCUPANCY = 90 OCCUPANTS

EGRESS INFO:
1005.1 - MEANS OF EGRESS SIZING
EGRESS DOOR WIDTH REQUIRED (IBC 1005.3.2 EX #1) = 130 X .15 = 19.5"
EGRESS DOOR WIDTH PROVIDED = 17"
1014.3 - COMMON PATH OF TRAVEL = 100' MAX
1017.2 - EXIT ACCESS TRAVEL DISTANCE = 250' MAX W/ SPRINKLER
1020.4 EXF2 - DEAD END CORRIDOR = 50' MAX WITH SPRINKLER

SANITARY FIXTURE CALCULATIONS

	WATER CLOSETS (1.25)>50 (1.50)>50		LAVATORIES (1.40)>60 (1.80)>80		UNISEX RESTROOMS	DRINK FOUNTAINS
	M	W	M	W		1:100
REQUIRED	2	2	2	2	0	1
PROVIDED	3	3	2	2	1	1

Project Title:
Bus Lot Relocation to the Armory Project
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807

#.	DATE	DESCRIPTION
1	05/01/24	ADD1

REVISIONS:

Project Number:
3695

Issued For:

BID SET

04/15/2024

Sheet Title:
CODE REVIEW

Sheet Number:

G0.1

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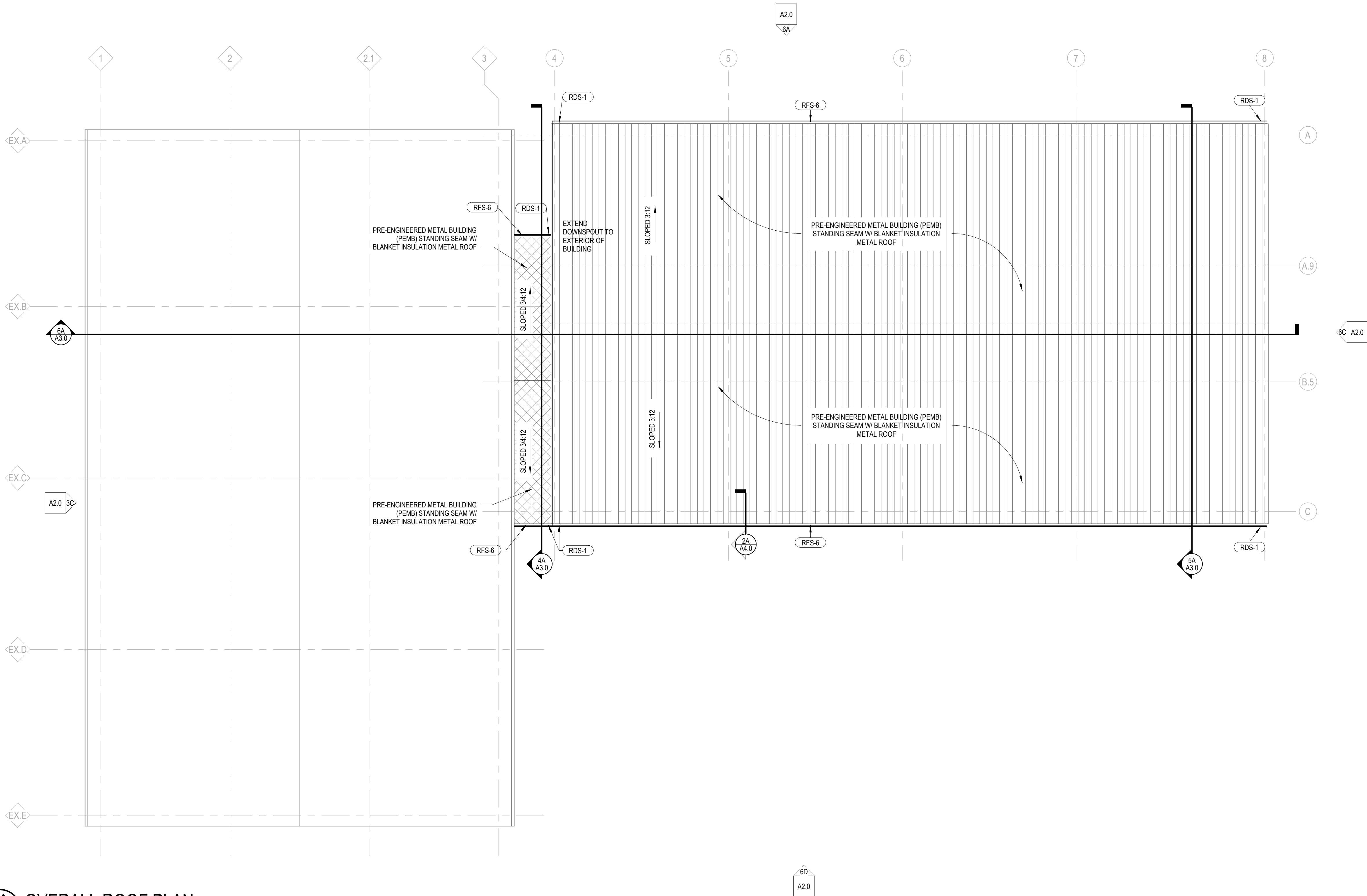
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6A

A1.2

OVERALL ROOF PLAN

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



ROOF PLAN LEGEND & NOTES

DENOTES PRE-ENGINEERED METAL BUILDING (PEMB) STANDING SEAM INSULATED METAL ROOF

- STANDING SEAM METAL ROOF PANEL
- (2) LAYERS BATT INSULATION LAID PERPENDICULAR TO EACH OTHER
- FABRIC INSULATION FACING AND SUPPORT SYSTEM

1.

ALL ROOF SLOPES TO BE MINIMUM 1/4" PER FOOT UNLESS NOTED OTHERWISE.

2.

ALL ROOF TOP CURBS TO BE SADDLED WITH MINIMUM 1/2" PER FOOT PITCH.

3.

NOT ALL ROOF PENETRATIONS ARE SHOWN. VERIFY PENETRATIONS WITH ALL BUILDING TRADES.

4.

SEE HVAC DRAWINGS FOR SIZES, QUANTITIES, LOCATIONS AND TYPES OF HVAC PENETRATIONS AND ROOF TOP MOUNTED EQUIPMENT.

KEYNOTE LEGEND

RDS-1

DOWNSPOUT

RFS-6

GUTTER

Project Title:

Addition & Renovation to
Bus Barn and Operations
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807

REVISIONS:

#	DATE	DESCRIPTION
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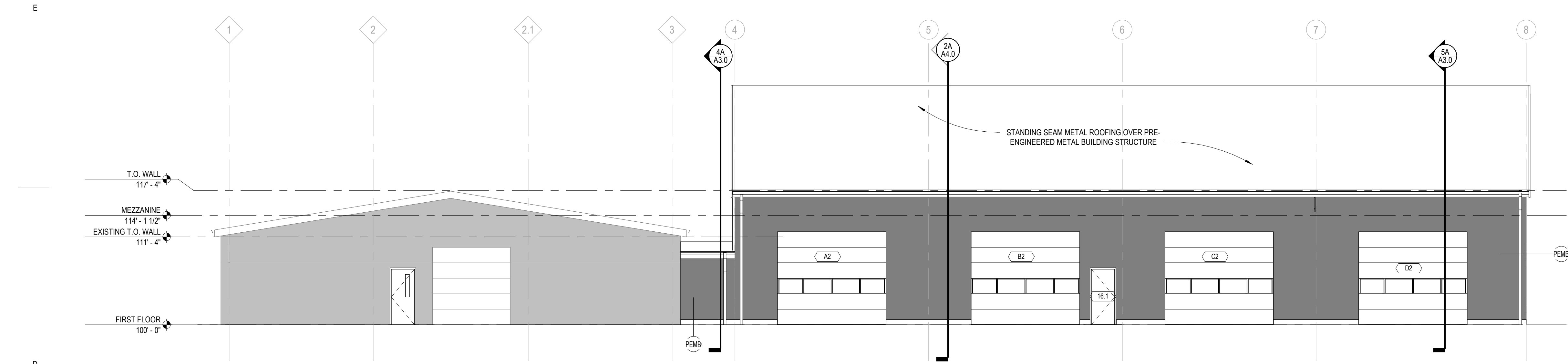
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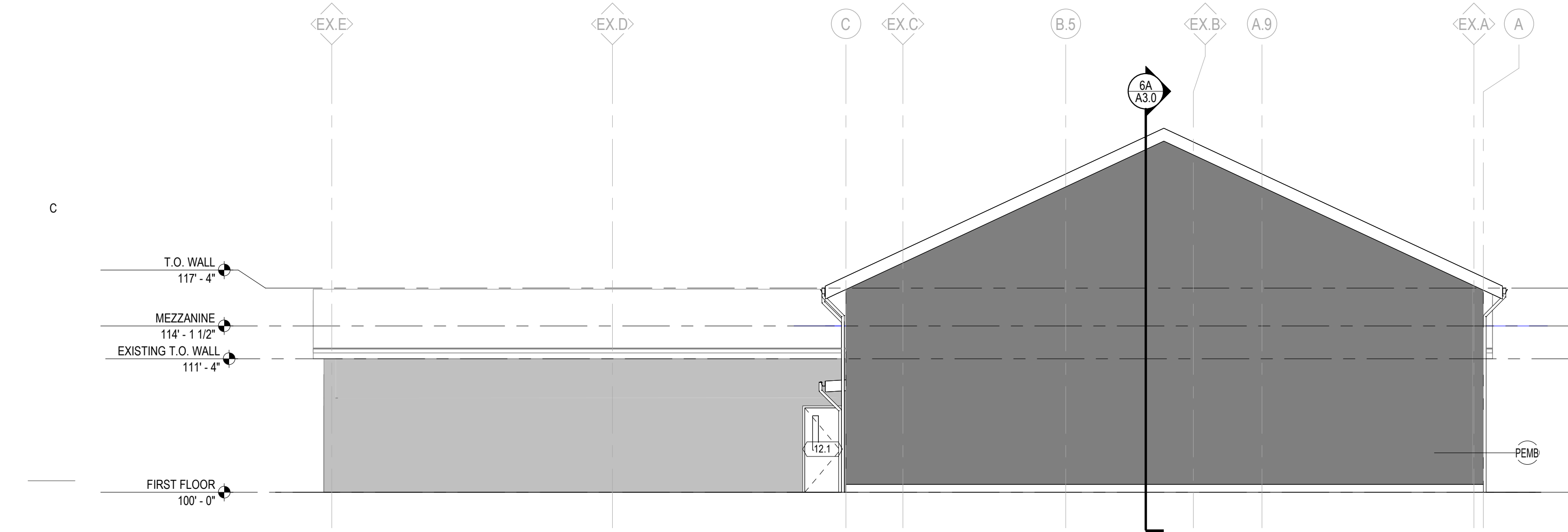
ROOF PLAN

Sheet Number:

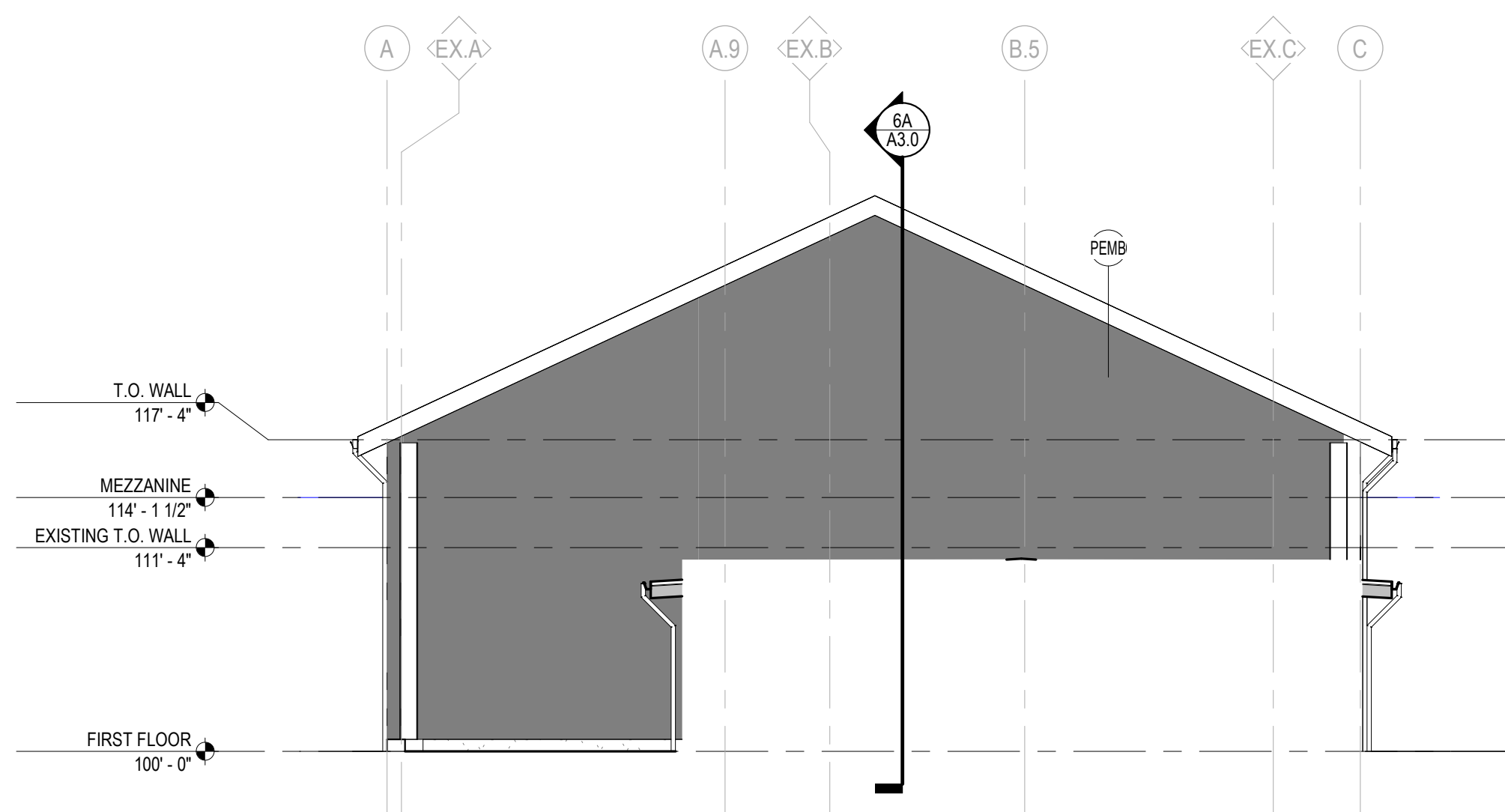
A1.2



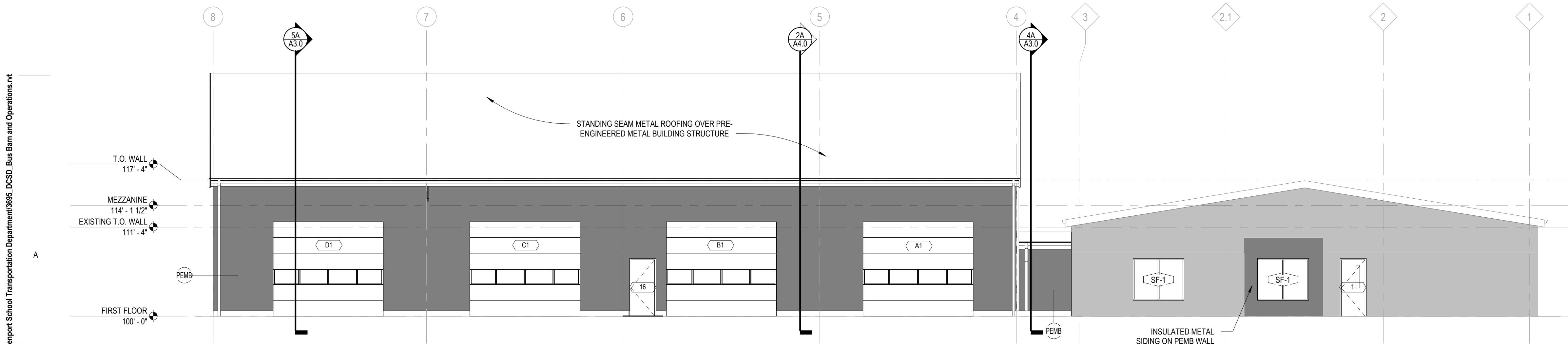
6D SOUTH BUILDING ELEVATION
A2.0 Scale: 1/8" = 1'-0"



6C EAST BUILDING ELEVATION
A2.0 Scale: 1/8" = 1'-0"



3C WEST BUILDING ELEVATION
A2.0 Scale: 1/8" = 1'-0"



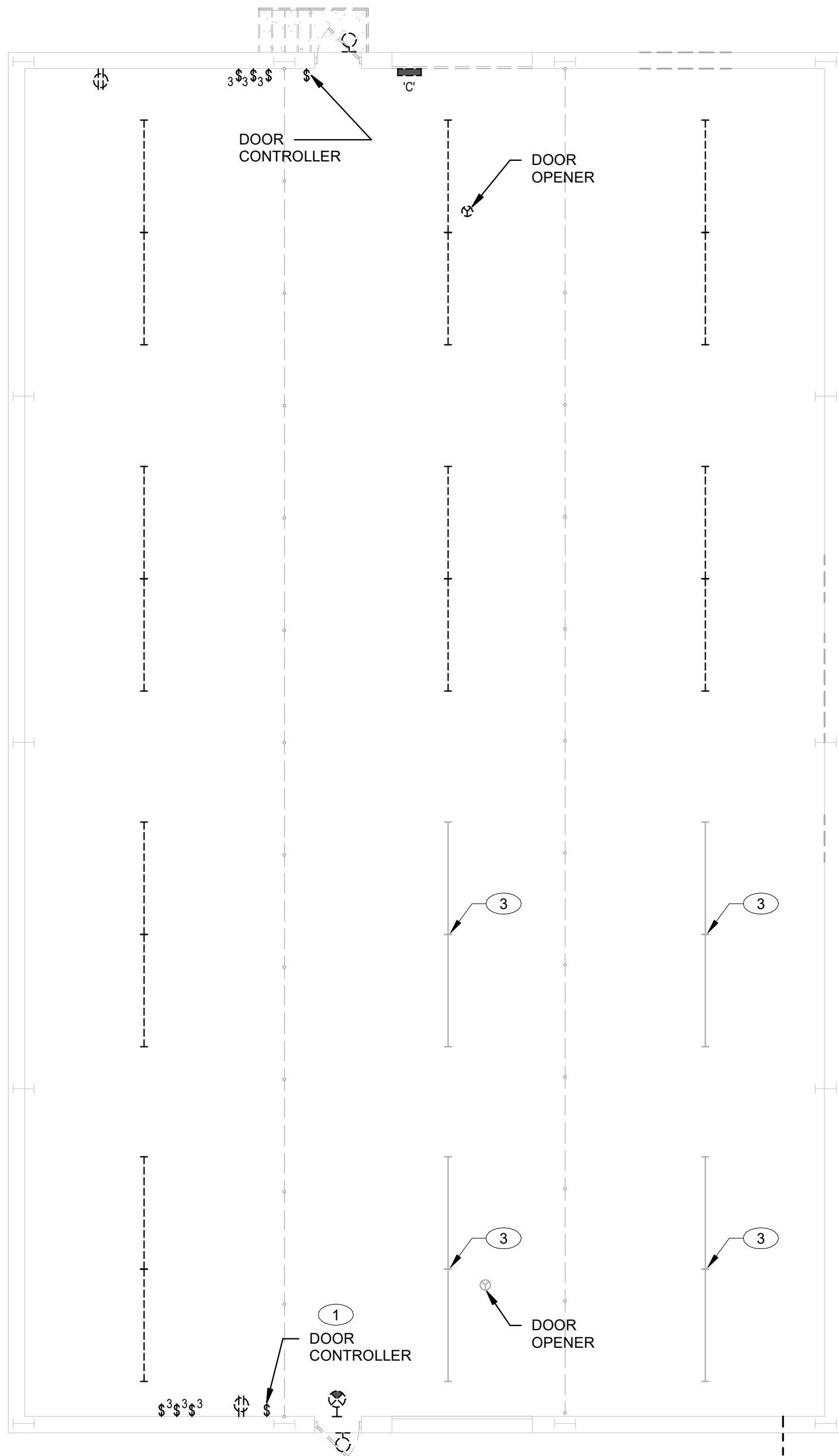
6A NORTH BUILDING ELEVATION
A2.0 Scale: 1/8" = 1'-0"

A3.0 Scale: 1/8" = 1'-0"

A3.0 Scale: 1/8" = 1'-0"

A3.0 Scale: 1/8" = 1'-0"

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1 ELECTRICAL DEMOLITION PLAN
SCALE: 1/8" = 1'-0"

GENERAL NOTES:

- BUS RADIO SYSTEM/ HEADEND AND ANTENNA TO BE RELOCATED/ REINSTALLED. CONTRACTOR SHALL HIRE ELECTRONIC ENGINEERING TO RELOCATE/ REINSTALL ALL EQUIPMENT. CABLING AND ANTENNA. DUPLEX RECEPTACLE TO BE INSTALLED FOR BUS RADIO SYSTEM/ HEADEND IN NEW BUILDING. REFER TO E1.00 FOR ADDITIONAL INFORMATION. EXISTING BUS RADIO SYSTEM CURRENTLY LOCATED IN MAINTENANCE BAY BETWEEN OVERHEAD DOORS.

KEYED NOTES:

- RELOCATE EXISTING GARAGE DOOR OPENER CONTROLS TO OPPOSITE SIDE OF DOOR. REFER TO E1.00 FOR ADDITIONAL INFORMATION.
- DEMOLISH EXISTING SITE LIGHTING AND FEEDER FROM BUILDING TO POLE LIGHTS.
- CIRCUIT EXISTING LIGHTS TO NEW PANEL 'P1' CIRCUIT IN AREA AND CONTROLS. REFER TO E1.01 FOR ADDITIONAL INFORMATION. RELOCATE DEVICES IN ROOM AS NEEDED FOR NEW LAYOUT.

Project Title:
**Addition & Renovation to
Bus Barn and Operations
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807**

REVISIONS:	
DATE	DESCRIPTION

Project Number:
3695

Issued For:
BID SET

04/15/2024
Sheet Title:
**ELECTRICAL
DEMOLITION
PLAN**

Sheet Number:
ED1.0

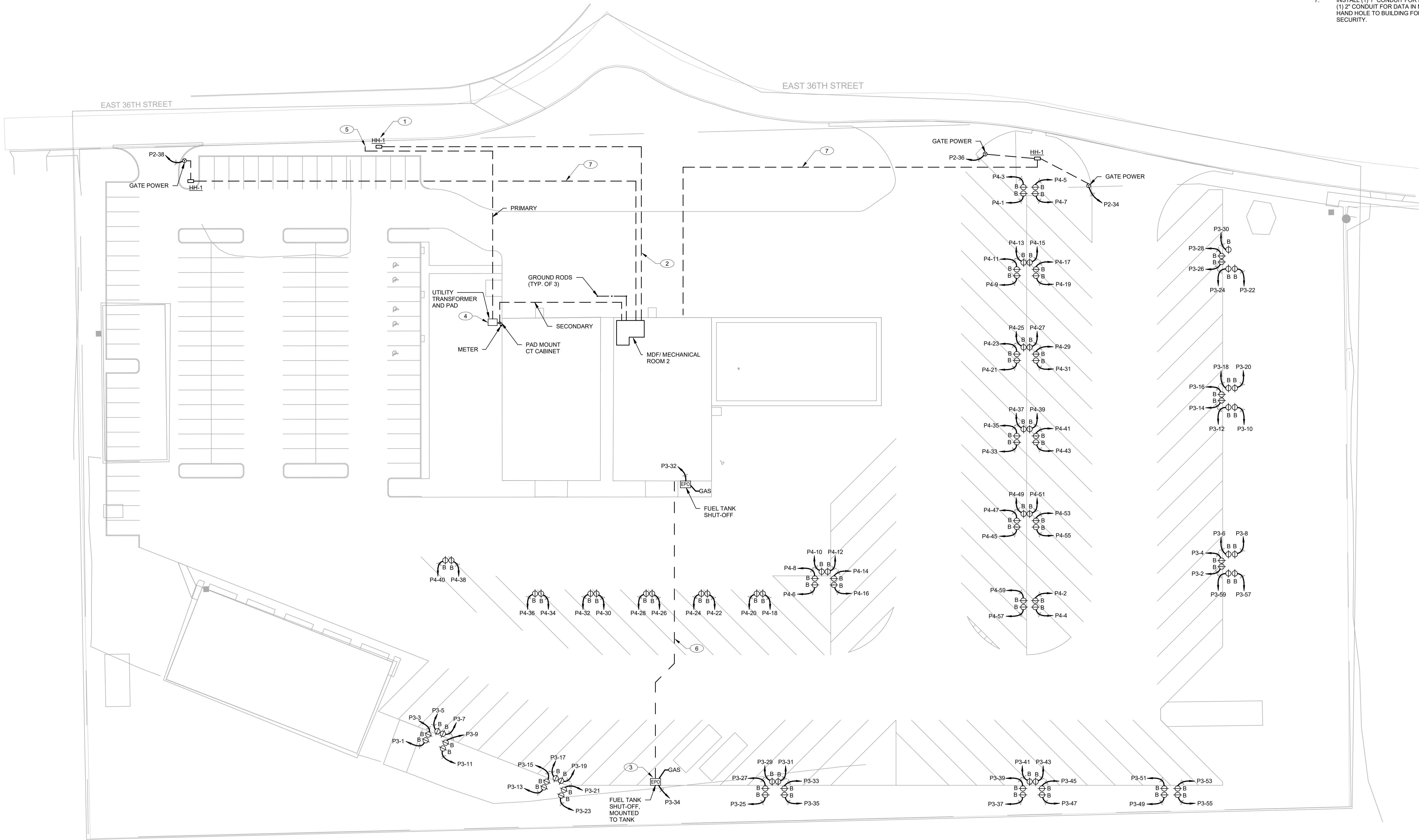
KEITH
Engineering
Design
www.keitheng.com
1015 E. 14th Street
P.O. Box 111
Pella, IA 50224
563.241.0953 Fax

Sheboygan • Davenport • Moline
www.brayarch.com

Milwaukee
829 South 1st Street
Milwaukee, Wisconsin 53204
T: 414.226.0200

BRAY
ARCHITECTS

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1 ELECTRICAL SITE POWER PLAN
SCALE: 1" = 30'-0"

GENERAL NOTES:

- ROUTE 1-1/4" CONDUIT FROM EACH BUS HEATER POSTS TO GUTTER SERVING PANELS 'P3' AND 'P4'. REFER TO 2/E5.01 FOR ADDITIONAL INFORMATION.
- MEET ME POINT FOR PHONE AND INTERNET SERVICE AT HAND HOLE LOCATED IN EASEMENT. REFER TO 1/E5.00 FOR HAND HOLE DETAIL.
- INSTALL (1) 4" SCHEDULED 40 PVC OUTDOOR RATED CONDUITS FROM MEET ME POINT HANDHOLE TO MDF ROOM/ MECHANICAL 2. CONTRACTOR TO PROVIDE PULL STRING IN CONDUITS FOR FUTURE PULLS. COORDINATE WITH UTILITIES PRIOR TO INSTALLATION.
- COORDINATE POWER AND CONTROL WIRING WITH OWNER FOR FUEL FILLING AREA. PROVIDE SEAL OFF'S AND RIGID METALIC CONDUIT.
- UTILITY PAD MOUNT TRANSFORMER. TRANSFORMER BY MIDAMERICAN ENERGY. PAD BY E.C.
- EXISTING MEC POLE. CONTRACTOR TO BORE SERVICE UNDERGROUND FROM BUILDING TO MEC POLE.
- PROVIDE (2) 1" CONDUITS TO FUEL FILLING AREA FROM MECHANICAL 002 FOR POWER AND CONTROL WIRING.
- INSTALL (1) 1" CONDUIT FOR POWER IN PANEL 'P2' AND (1) 2" CONDUIT FOR DATA IN MDF/ MECH RM 2 FROM HAND HOLE TO BUILDING FOR GATE POWER AND SECURITY.

KEYED NOTES:

Project Title:
**Addition & Renovation to
Bus Barn and Operations
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807**

REVISIONS:
DATE DESCRIPTION

Project Number:
3695

Issued For:
BID SET

Sheet Title:
**ELECTRICAL
SITE POWER
PLAN**

Sheet Number:
ES1.0

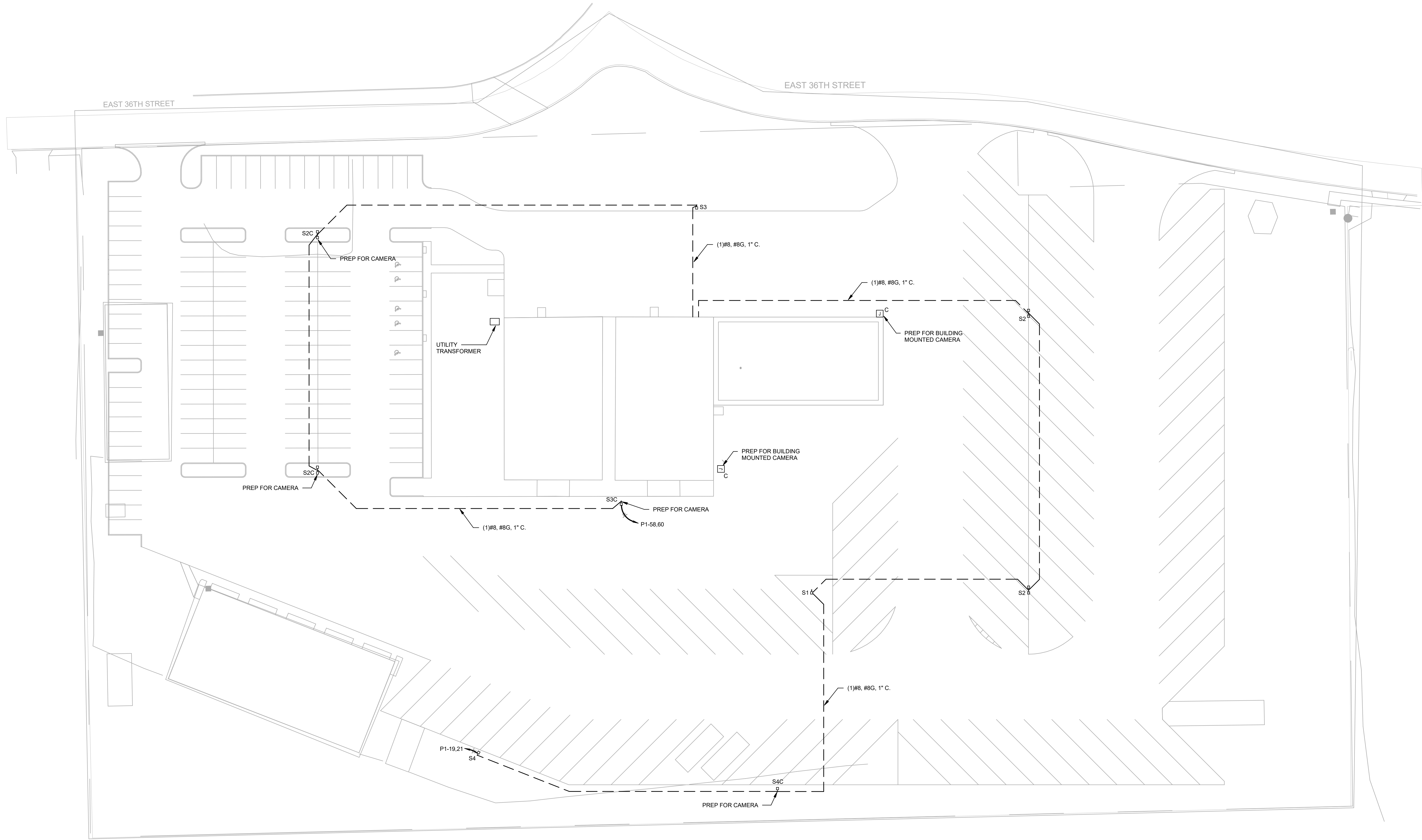
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Milwaukee, Wisconsin 53204
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Sheboygan • Davenport • Moline
www.brayarch.com

BRAY
ARCHITECTS

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4/15/2024 3:41:20 PM



1 ELECTRICAL SITE LIGHTING PLAN
SCALE: 1" = 30'-0"

GENERAL NOTES:

1. SITE LIGHTING TO BE CONTROLLED VIA BUILDING MOUNTED PHOTO SENSOR. REFER TO E1.01 FOR LOCATION OF SENSOR.
2. CAMERA CABLING FOR DISTANCES OVER 275' IN LENGTH SHALL BE PAIGE GAMECHANGER 258950306 INDOOR/ OUTDOOR CABLE.

BRAY
ARCHITECTS

Milwaukee
829 South 1st Street
Milwaukee, Wisconsin 53204
T: 414.226.0200

Sheboygan • Davenport • Moline

www.brayarch.com

KEITH
Engineering
Design

www.kednap.com
1015 N. Lincoln Ave.
P.O. Box 111
Pewaukee, WI 53072
TEL: 262.895.1500
FAX: 262.895.1501

Project Title:
**Addition & Renovation to
Bus Barn and Operations
Davenport Community School District
909 E. 36th Street
Davenport, IA 52807**

REVISIONS:
DATE DESCRIPTION

Project Number:
3695

Issued For:
BID SET

04/15/2024
Sheet Title:
**ELECTRICAL
SITE LIGHTING
PLAN**

Sheet Number:
ES1.1

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Davenport Community School District

Traffic Impact Study – Brady Street Complex

May 10, 2024

Bray Project Number 3695

Traffic Impact Study

The Proposed DCSD Transportation Department relocation from the northwest corner of Davenport Avenue and East 36th Street to 909 East 36th Street (the former Iowa National Guard Site) will not impact vehicular traffic in this area. The Transportation Department is moving approximately 800 feet to the east.

The main access points from the Transportation Department facility to the City street system will remain East 36th Street at the existing and proposed sites.

From East 36th Street, access to the City street system will remain Brady Street to the west and East Kimberly Road to the north at the existing and proposed sites.

No change in aggregate trip generation to and from the site is anticipated. The existing street system will not be impacted by the proposed relocation of the DCSD Transportation Department.

111 off street automobile parking spaces are provided based upon the anticipated number of employees and visitors to the site. 93 off street school bus parking spaces are provided based upon the anticipated number of school busses at the site.

Davenport Community School District

Narrative of Intent – Brady Street Complex

May 10, 2024

Bray Project Number 3695

The Brady Street Stadium was originally constructed in 1937 and has served as the competition venue for Davenport Community School District athletics and events. The larger property area, commonly referred to as the Brady Street Complex, includes the Brady Street Stadium. This complex is located within a predominately commercial zone between Brady Street, Duck Creek, and E. 38th Street. It is surrounded by commercial, business properties along its east and north boundaries. Apartments are located at the east end of the district owned property, and Duck Creek forms the south boundary of the property.

High school athletics are supported by this district wide facility. Brady Stadium is a multi-sport venue used for football, soccer and track and field events. High school league competition football and track events for all three comprehensive high schools are held at Brady. The Brady Street Athletic Complex is also home to Central High School's baseball, softball and tennis facilities.

The primary objective of proposed projects at the Brady Street Complex is to relocate the baseball field out of the Duck Creek flood plain and replace with practice field space. A new baseball field will be located on the north side of E. 36th Street. Adjacent to this field will be a concession building with public restrooms and elevated press box. A multi-use, synthetic turf practice field will be constructed adjacent to the new baseball field. The multi-use turf will support the practice needs for Central High School athletics programs. The existing throwing events (shotput and discus) for track and field would move to the location of the current baseball field allowing all track and field competition to occur on the south side of E. 36th Street. Relocating throwing events will improve safety, and enhance efficiency for track and field competitions. Additional parking would be added to serve adjacent baseball, softball and tennis as well as Brady Street Stadium events. Space is allocated in the complex masterplan for a future indoor training facility to be located on the north side of E. 36th Street, between the new baseball field and existing tennis courts.

To facilitate the athletic and event improvements, the existing transportation department and bus lot will be moved to the property located at 909 E. 36th Street, the former National Guard Armory property. The Davenport Community School District purchased the existing National Guard Armory properties on E. 36th Street for District use. Relocating the bus lot and transportation department creates needed space to allow for the baseball field and multi-use turf field to be constructed.

The Davenport Community School District has purchased the lots located 715, 725, 735, 807, 821, and 829 E. 36th Street. The long-range plan for these properties is to allow for installation of future parking to support athletic events at the Brady Street Complex. A portion of these properties will be retained as park/green space.

DCSD Rezoning Neighborhood Notification
June 18, 2024

How neighborhood groups were identified | The neighborhood group was identified via the GNP map on the City website and contacts were confirmed by Allie McWilliams

When the neighborhood group was contacted and how | The neighborhood group leader was contacted via email on May 15, 2024. Attached is a PDF of the email correspondence.

How DCSD responded to any questions and any feedback provided | The District responded to one question regarding greenspace changes. Please see attached email correspondence.

Ott, Sarah

From: Amy Henze <applexis@gmail.com>
Sent: Tuesday, June 18, 2024 8:45 AM
To: Ott, Sarah
Subject: Re: Good Neighbor Project | Proposed Rezoning
Attachments: image001.png

That's even more awesome!

Thanks!

Amy Henze

On Tue, Jun 18, 2024, 8:15 AM Ott, Sarah <ottsar@davenportschools.org> wrote:

Hi Amy,

Sorry for the delay in responding to you, I was waiting on some information from our architects.

There will actually be an increase in greenspace as a result of this project, going from 77,643 sq/ft to 91,606 sq/ft of greenspace once the project is complete.

If you have any other questions, please let me know. Thanks!

Sarah Ott

Communications and Community Relations Director

Davenport Community School District

Phone | 563.336.7412

Email | ottsar@davenportschools.org



From: Amy Henze <applexis@gmail.com>
Sent: Tuesday, June 11, 2024 9:34 AM
To: Ott, Sarah <ottsar@davenportschools.org>
Subject: Re: Good Neighbor Project | Proposed Rezoning

Hi Sarah,

There was some questions about the loss of greenspace I wasn't sure how much of the area we would lose or gain with the installation of the fields as well. Do you have a percentage of what the total loss of greenspace would be?

Sounds like a great project!

Amy Henze

On Mon, Jun 10, 2024, 9:15 AM Ott, Sarah <ottsar@davenportschools.org> wrote:

Good morning Amy,

I'm reaching out to see if you received my previous email, and if you have any questions regarding the District's proposed project.

Thanks!

Sarah Ott

Communications and Community Relations Director

Davenport Community School District

Phone | 563.336.7412

Email | ottsar@davenportschools.org

From: Ott, Sarah

Sent: Wednesday, May 15, 2024 11:40 AM

To: applexis@gmail.com

Cc: Schneckloth TJ <schnecklotht@davenportschools.org>; Urmanski Joshua <urmanskij@davenportschools.org>; John Mahon <jmahon@brayarch.com>; mmiller@brayarch.com; Berkley, Laura <Laura.Berkley@davenportiowa.com>; Werderitch, Matt <Matt.Werderitch@davenportiowa.com>

Subject: Good Neighbor Project | Proposed Rezoning

Good morning Amy,

I am reaching out to you today as a leader of the Good Neighbor Project in your neighborhood. The Davenport Community School District is requesting a rezoning of 715-909 E 36th Street to facilitate the relocation of the district's transportation department offices, vehicle service bays, and parking of the district's school buses. The transportation department is currently located on an adjacent located at 3640 Davenport Ave, which is currently being redeveloped as baseball fields for the school district.

This rezoning is part of DCSD's Master Facilities Plan. Part of this plan includes new baseball fields and practice fields located at Brady Street Stadium and other upgrades to district athletic facilities.

I am reaching out to you as Davenport City Code requires that we notify neighborhood groups in the vicinity of our project prior to submitting our application to the Planning and Zoning Commission. I am attaching the proposed rezoning application for your reference.

If you have any questions about this project, please feel free to contact me- I would be happy to share further information with either you or your neighborhood group about this exciting project.

Thanks!

Sarah Ott

Communications and Community Relations Director

Davenport Community School District

Phone | 563.336.7412

Email | ottsar@davenportschools.org



PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

To: All property owners within 500 feet of the subject property located at 715-909 East 36th Street.

Plan & Zoning Commission Public Hearing Meeting

Date: 8/21/2024 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 public hearing will be held for a Rezoning Request. The subject property is currently zoned R-3 Single-Family and Two-Family Residential District. The request is to rezone the property to S-IC Institutional Campus District. The purpose is to establish a new transportation center for the Davenport Community School District at the former National Guard Armory site.

Request/Case Description

Case REZ24-03: Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]

At its August 6, 2024 meeting, the Plan and Zoning Commission recommended Case REZ24-03 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Civic and Institutional.
2. The proposed zoning map amendment to S-IC Institutional Campus District is compatible with the zoning of nearby property.
3. The proposed zoning map amendment enables the subject property to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed zoning map amendment eliminates nonconformities following the development of the site.

What are the Next Steps?

The public hearing on the above matter is scheduled for 5:30pm or as soon thereafter on Wednesday, August 21, 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.

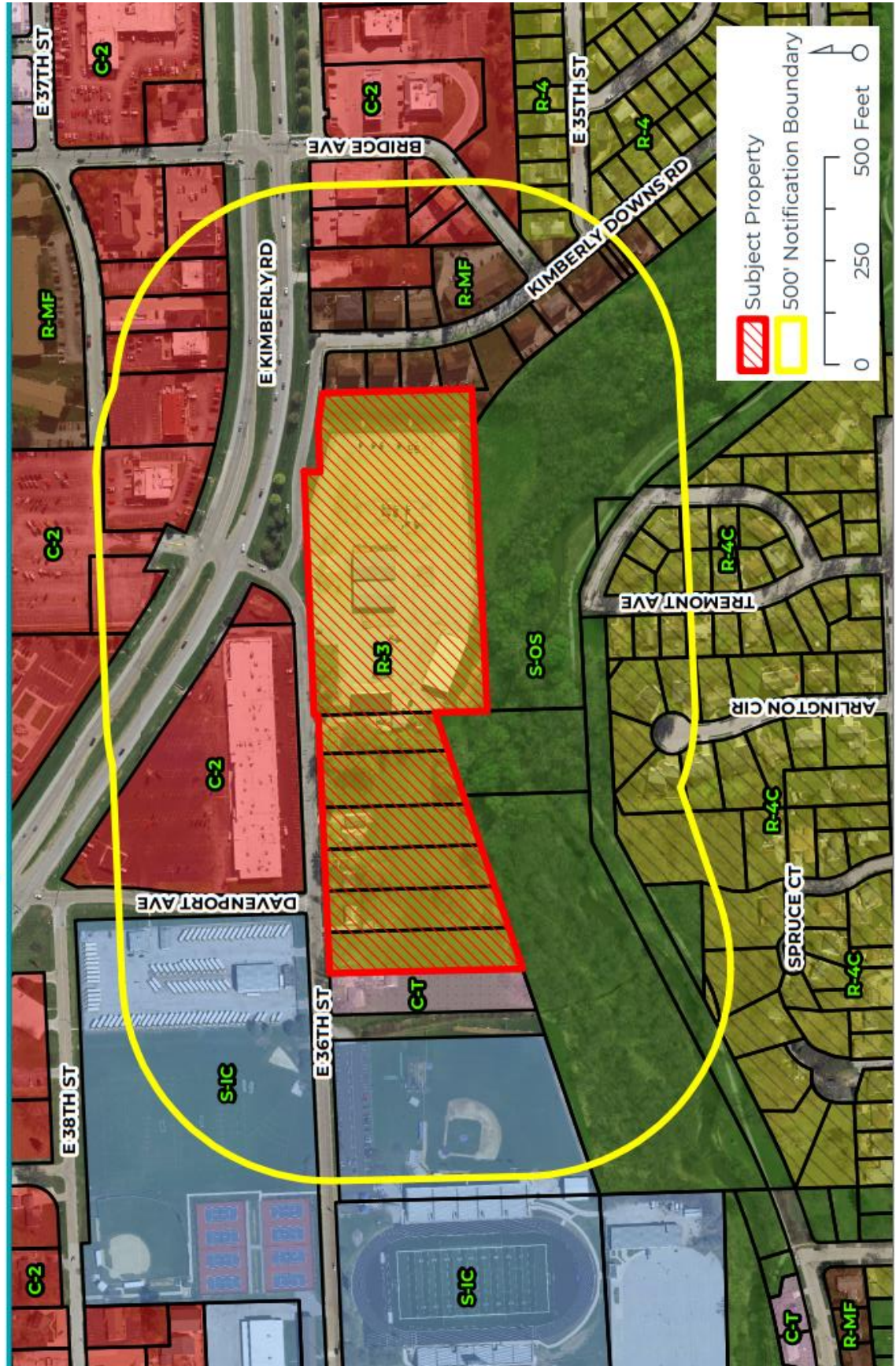
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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



Rezoning Request | Public Hearing Notice | Case REZ24-03

Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]





PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 500 feet of the subject property located at 715-909 East 36th Street.

Neighborhood Meeting

Date: 7/15/2024 Time: 5:30 PM Location: Jim Hester Boardroom | Administrative Services Center | 1702 Main St

Plan & Zoning Commission Public Hearing Meeting

Date: 7/16/2024 Time: 5:00 PM Location: Community Room | Police Department | 416 Harrison 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-3 Single-Family and Two-Family Residential District. The request is to rezone the property to S-IC Institutional Campus District. The purpose is to establish a new transportation center for the Davenport Community School District at the former National Guard Armory site.

Request/Case Description

Case REZ24-03: Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]

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 July 16, 2024. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on August 6, 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?

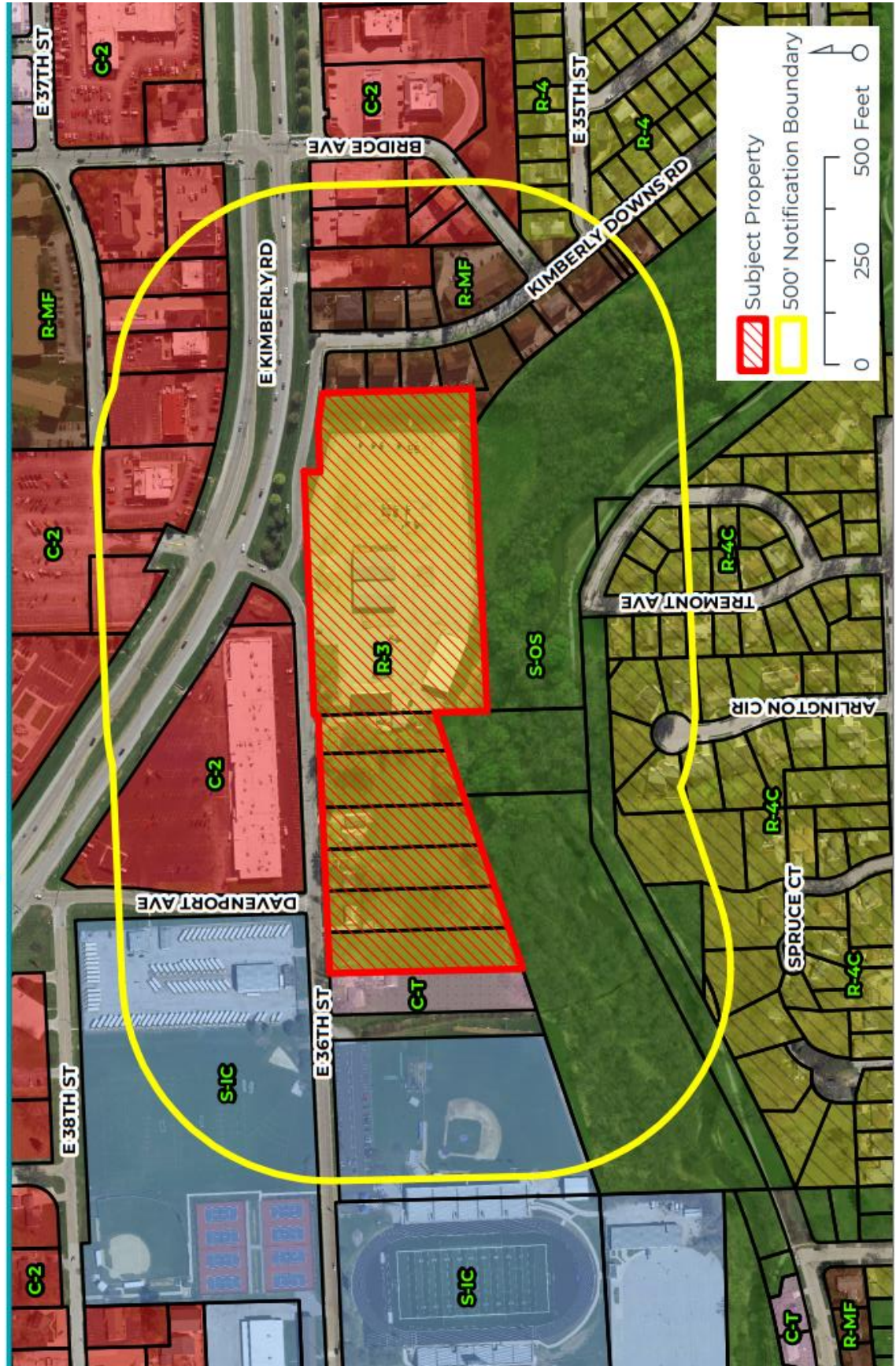
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (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 | Public Hearing Notice | Case REZ24-03

Request of Davenport Community School District to rezone approximately 12.71 acres of land located at 715-909 East 36th Street from R-3 Single-Family and Two-Family Residential District to S-IC Institutional Campus District. [Ward 7]



City of Davenport

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

Action / Date
8/28/2024

Subject:

Resolution approving Case F24-08 being the request of IA 12 Davenport, LLC for a final plat of Silverstar Wash, a 1-lot subdivision on 0.9 acres located at 1914 Division Street. [Ward 4]

Recommendation:

Adopt the Resolution.

Background:

The applicant is currently developing a Silverstar Car Wash at the northwest corner of Division Street and Hickory Grove Road. The purpose of the subdivision plat is to combine the six commercial lots into a single parcel of land. A development plan has been attached to this report as a reference.

The Plan and Zoning Commission reviewed Case F24-08 at its July 16, 2024 meeting and unanimously recommended approval subject to the listed findings and conditions:

Findings

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The final plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Remove building setback lines.
4. Include a signature line for Iowa American Water Company.
5. A 15-foot wide utility easement is required along the perimeter of the subdivision.
6. Include a note stating, "Stormwater detention and water quality treatment will not be required for this subdivision due to an accepted fee-in-lieu payment."

Property Overview

City Council adopted Ordinance No. 2023-209 on May 10, 2023. The property was rezoned from R-4C Single-Family and Two-Family Central Residential District to C-2 Corridor Commercial District. The rezoning was subject to the following conditions:

1. The ingress/egress to Hickory Grove Road shall be right-in/right-out as directed by the City Traffic Engineer.

2. A fence and landscaping shall be installed along the West Pleasant Street right-of-way line between the north-south alley and North Division Street.
3. The left turn movement for northbound Division Traffic into the Division Street access point for the subject site shall be eliminated and the development shall be required to pay for the installation of a right-in/right-out only channelizing island within the Division street access point.

In addition, the City also vacated alley right-of-way adjacent to the development site. The City is currently in the process of conveying the 20-foot wide alley, which will be evenly divided between Silverstar Car Wash and Wallick's Auto Service. Since the conveyance has not yet been finalized, the vacated alley right-of-way is not included as part of Lot 1.

Comprehensive Plan

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation

The subject property is designated as Commercial Node in the Davenport +2035 Land Use Plan. The site is also located within the Urban Corridor Overlay.

1. **Commercial Node (CN)** - Clusters of generally more intense uses found either along existing Urban Corridors or along or at the intersection of major streets in newly developed areas. CN areas may contain commercial uses somewhat more intense than uses found elsewhere on Urban Corridors, as well as higher density residential uses and office and service businesses. CN should serve a population of about 5000 people within 1/2 mile. Ideally, CN areas should be architecturally integrated and designed to serve all modes of transportation. Pedestrian connections to the neighborhoods they serve are important. Therefore, master planning and customized zoning provisions for new CN areas should occur before development or redevelopment occurs.
2. **Urban Corridor (UC)** - Generally established corridors along major streets marked by mixed-used development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be developed to help guide future development decisions.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed final plat complies with the Davenport +2035 proposed land use section.

Zoning

The subject property is zoned **C-2 Corridor Commercial District**. This district is intended to

address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterial streets in the city. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport’s commercial corridors.

Technical Review

1. Zoning: The C-2 Corridor Commercial District does not have a minimum lot area or width requirement. Staff have reviewed the development of the car wash for conformance with zoning requirements and the conditions outlined in Ordinance 2023-209.
2. Streets: Lot 1 maintains street frontages on Hickory Grove Road, Division Street, and Pleasant Street. The development of the site complies with the conditions of the rezoning by having ingress/egress to the site via right-in/right-out only driveways onto Hickory Grove Road and Division Street.
3. Storm Water: Storm water detention and water quality treatment are not required with this subdivision. The City granted a general waiver for detention and water quality in return for a fee-in-lieu payment.
4. Sanitary Sewer: The development is connecting to the Pleasant Street sanitary sewer line.
5. Other Utilities: Normal utility services are available at this site.
6. Parks/Open Space: There are no impacts to parks/open space

Public Input

No Public Hearing or public notification is required for a final plat.

Attachments:

1. Resolution
2. Final Plat of Silverstar Wash
3. Silverstar Car Wash Site Plan
4. Maps
5. Application
6. Action 2023-209
7. Action 2023-210

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case F24-08 being the request of IA 12 Davenport, LLC for a final plat of Silverstar Wash, a 1-lot subdivision on 0.9 acres located at 1914 Division Street.

WHEREAS, the Plan & Zoning Commission reviewed Case F24-08 at the July 16, 2024 regularly scheduled meeting with a recommendation for approval subject to the following conditions:

1. The surveyor signs the plat.
2. The utility providers sign the plat when their easement needs have been met.
3. Remove building setback lines.
4. Include a signature line for Iowa American Water Company.
5. A 15-foot-wide utility easement is required along the perimeter of the subdivision.
6. Include a note stating, "Stormwater detention and water quality treatment will not be required for this subdivision due to an accepted fee-in-lieu payment."; and

WHEREAS, the conditions will be added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Silverstar Wash, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk, by IA 12 Davenport LLC, be and the same is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

BE IT FURTHER RESOLVED that the Mayor and Deputy City Clerk are hereby authorized and directed to certify to the adoption of this Resolution on said plat as required by law.

Passed and approved this 28th day of August, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

INDEX LEGEND

LOCATION: PT BLOCK 1, BURROW'S ADDITION, CITY OF DAVENPORT, IA

REQUESTOR: HOUSTON ENGINEERING, INC.

PROPRIETOR: MIDWEST FIDELITY PARTNERS, LLC

SURVEYOR: DAN J. KUEHL - IA PLS#19959

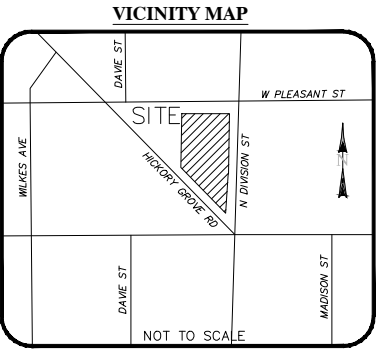
SURVEYOR COMPANY: XCEL CONSULTANTS, INC.
120 10TH AVENUE EAST, SUITE 3
MILAN, IL 61264

RETURN TO: XCEL@XCELCONSULTANTSINC.COM

FINAL PLAT

SILVERSTAR WASH

A PART OF BLOCK 1 OF JMD BURROW'S SUBDIVISION, WITHIN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA



RECORDER INFORMATION

PRELIMINARY
NOT FOR RECORDING

MEDIACOM COMMUNICATIONS

BY: _____

DATE: _____

MIDAMERICAN ENERGY

BY: _____

DATE: _____

MIDAMERICAN GAS

BY: _____

DATE: _____

CENTURYLINK

BY: _____

DATE: _____

DAVENPORT CITY COUNCIL

BY: _____

DATE: _____

PLANNING AND ZONING COMMISSION

BY: _____

DATE: _____

SURVEYOR CERTIFICATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY IOWA PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. I FURTHER CERTIFY THAT THIS PLAT COMPLIES WITH CHAPTER 114A, CODE OF IOWA.

PRELIMINARY

6/12/2024

DATE

DAN J. KUEHL

PROFESSIONAL LAND SURVEYOR
IA LAND SURVEYOR NUMBER 19959
EXPIRES: DECEMBER 31, 2025
120 10TH AVENUE EAST, SUITE 3
MILAN, IL 61264
TELEPHONE: 309-787-9988



OWNER/DEVELOPER INFORMATION

IA12 DAVENPORT, LLC
1620 S MINNESOTA AVE
SIOUX FALLS, SD 57105

LEGAL DESCRIPTION

A PART OF BLOCK 1 OF JMD BURROW'S SUBDIVISION, WITHIN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 1; THENCE S00°57'22"W, ALONG THE EAST LINE OF SAID BLOCK 1, ALSO BEING THE WEST LINE OF N. DIVISION STREET, 202.00 FEET THENCE N89°02'38"W, 1.00 FEET; THENCE S03°55'49"W, 131.24 FEET TO A POINT ON THE NORTHEASTERLY LINE OF HICKORY GROVE ROAD, SAID POINT BEING 7.75 FEET PERPENDICULAR WESTERLY TO THE SAID EAST LINE OF BLOCK 1; THENCE N44°16'34"W, ALONG THE SAID NORTHEASTERLY LINE OF HICKORY GROVE ROAD, 199.81 FEET TO THE EAST LINE OF THE VACATED NORTH-SOUTH ALLEY IN SAID BLOCK 1; THENCE N01°02'09"E, ALONG THE SAID EAST LINE OF VACATED ALLEY, 189.51 FEET TO THE NORTH LINE OF SAID BLOCK 1, ALSO BEING THE SOUTH LINE OF W. PLEASANT STREET; THENCE N89°52'04"E, ALONG THE SAID NORTH LINE OF BLOCK 1, 149.43 FEET TO THE POINT OF BEGINNING, CONTAINING 39,053 SQUARE FEET OR 0.90 ACRES, SUBJECT TO EASEMENTS OF RECORD.

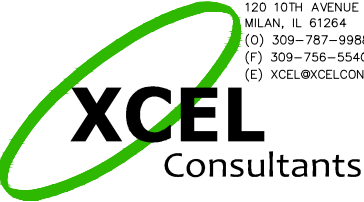
FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 19163C0365G, WHICH BEARS AN EFFECTIVE DATE OF MARCH 23, 2021 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONE "X" DENOTES AREAS OF MINIMAL FLOOD HAZARD.

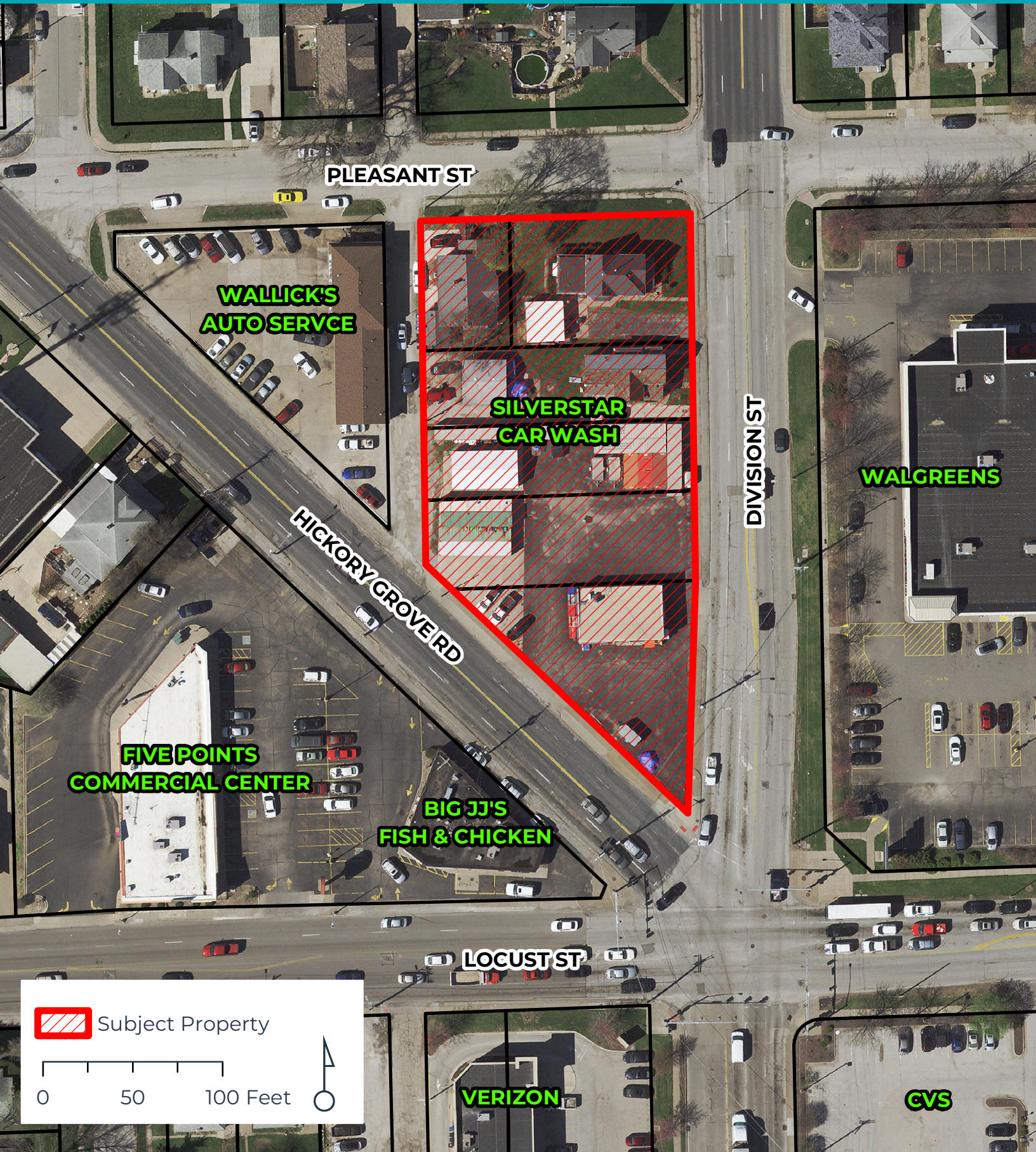
NOTES

- THE PROPERTY HAS PHYSICAL ACCESS TO N. DIVISION STREET, W. PLEASANT STREET AND HICKORY GROVE ROAD, ALL DEDICATED PUBLIC RIGHT OF WAYS.
- THE PREMISES IS MADE UP OF SIX (6) TAX PARCEL NUMBERS THAT COVER THE PREMISES IN ITS ENTIRETY.
- THE SUBJECT PROPERTY IS ZONED "C-2 CORRIDOR COMMERCIAL ZONING DISTRICT" PER ORDINANCE NUMBER 2023-209 APPROVED ON MAY 10, 2023; AND THE CITY OF DAVENPORT COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT.
- THE ENTIRE SUBDIVISION CONTAINS 39,053 SQ. FT. OR 0.90 ACRES.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR ALL PRIMARY AND SECONDARY ELECTRIC CABLES, PAD MOUNTED TRANSFORMERS, ELECTRIC TRANSFORMERS, PRIMARY CABLES, GAS SERVICE, GAS MAIN, UTILITY POLES, MANHOLES, WATER SERVICE, SEWER LATERAL, TELEPHONE SERVICE AND CABLE T.V. SERVICE TO INDIVIDUAL STRUCTURES AND STREET LIGHTS.

REVISIONS			120 10TH AVENUE EAST, SUITE 3 MILAN, IL 61264 (O) 309-787-9988 (F) 309-756-5540 (E) XCEL@XCELCONSULTANTSINC.COM	CHK BY:	APV BY:
DATE	DESCRIPTION			BCH	DJK
				XCEL JOB NUMBER: 234721	
				DRAWING NUMBER: 1 OF 1	



Request of IA 12 Davenport, LLC for a Final Plat of Silverstar Wash. The 1-lot subdivision is located at 1914 Division Street on 0.9 acres. [Ward 4]



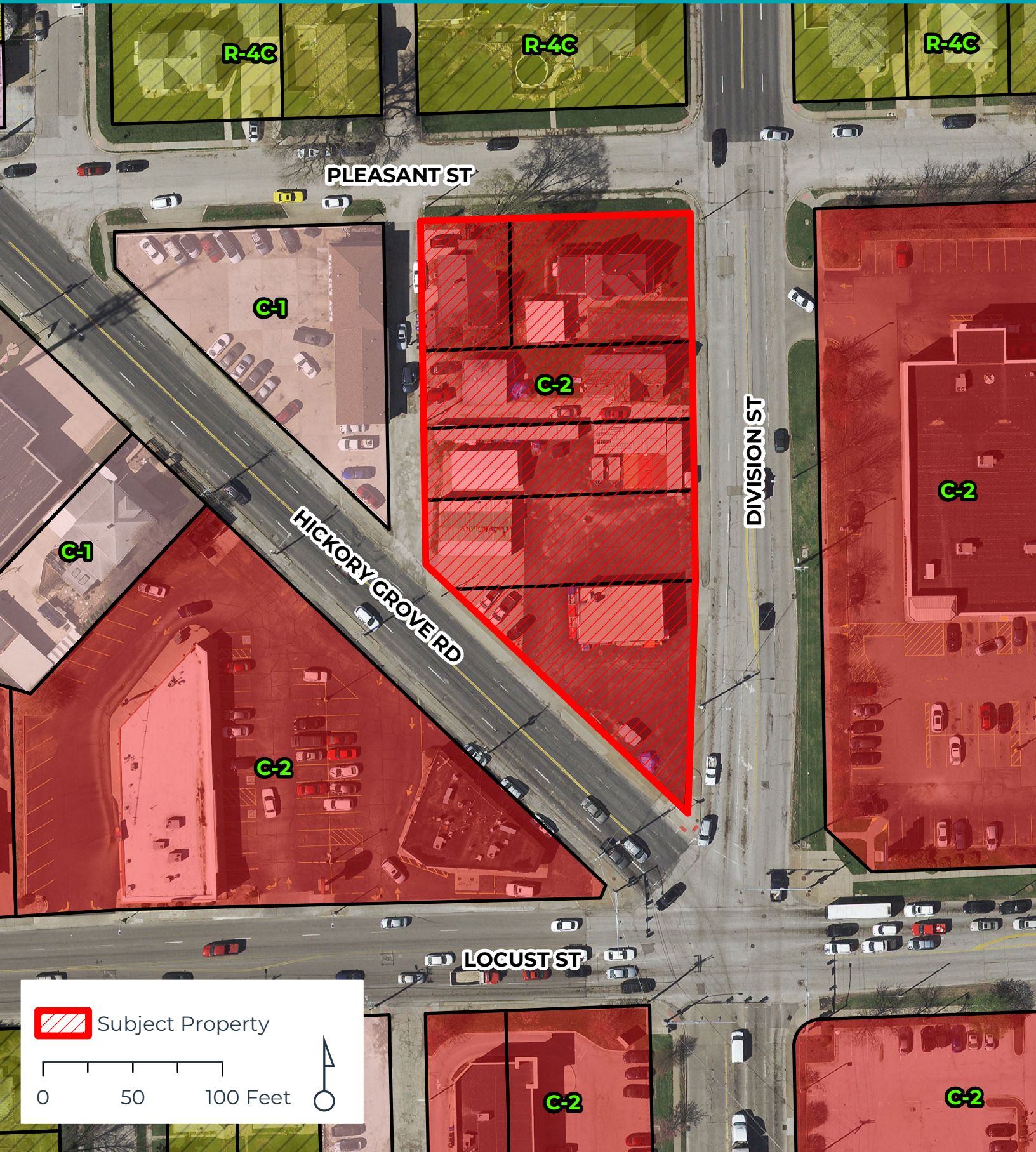
Subject Property

0 50 100 Feet





Request of IA 12 Davenport, LLC for a Final Plat of Silverstar Wash. The 1-lot subdivision is located at 1914 Division Street on 0.9 acres. [Ward 4]

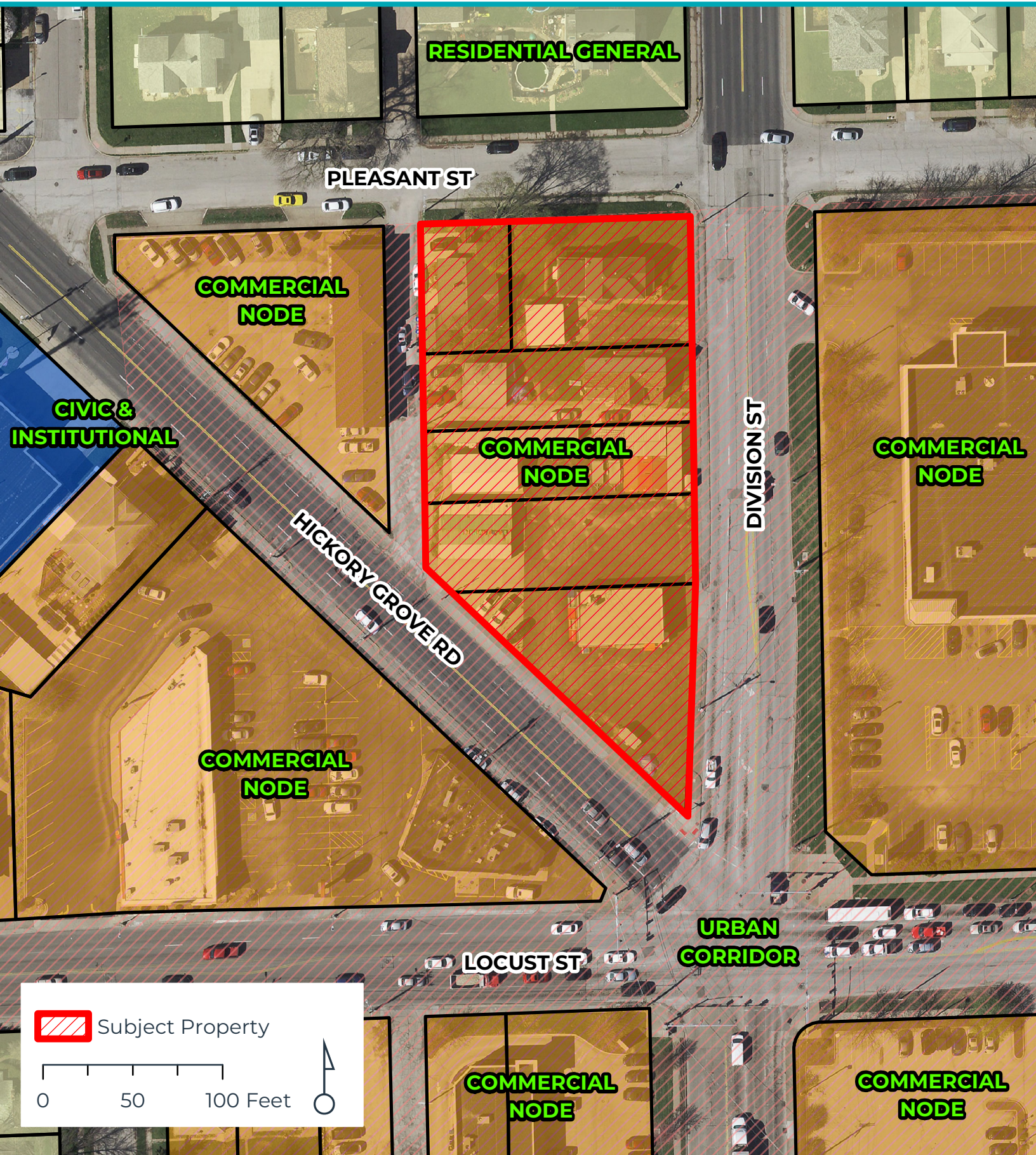


 Subject Property





Request of IA 12 Davenport, LLC for a Final Plat of Silverstar Wash. The 1-lot subdivision is located at 1914 Division Street on 0.9 acres. [Ward 4]





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

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
SUBDIVISION PLAT
(LAND DIVISION)

SUBDIVISION NAME		
Silverstar Wash		
LOCATION DESCRIPTION		SUBMITTED
Hickory Grove Road		
NUMBER OF LOTS BY USE TYPE	ACRES	STREETS ADDED
1	0.94	

PLAT TYPE SUBMITTED:	
PRELIMINARY PLAT: \$16.16 Requirements	☐
FINAL PLAT: \$16.20 Requirements	☐

PRELIMINARY PLAT REQUIREMENTS:	
Preliminary Plat	☐
Contours (2') & Infrastructure (pre/post)	☐

FINAL PLAT REQUIREMENTS:	
Platting Certificates per §354.11 State Code	☐
Final Plat	☐

GENERAL REQUIREMENTS:	
Authorization to Act as Applicant, if needed	☐
Application Fee (REQUIRED)	☐

Subdivision Platting Fee Schedule	
Number of Lots	Fee
1 lot to 10 lots	\$400 plus \$25/lot
11 to 25 lots	\$700 plus \$25/lot
26 or more lots	\$1,000 plus \$25/lot

Submit this form, and any questions, to DNS Planning Division at
planning@davenportiowa.com.

APPLICANT INFORMATION

Applicant Name
IA12 Davenport, LLC
Address
1610 S Minnesota Ave
City State Zip
Sioux Falls, SD 57105
Phone
(605) 799-7794
Secondary Phone
E-Mail Address
bryan@mfp.llc

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 all development review costs, including but not limited to a traffic study.

Bryan Slama
Print Applicant's Name

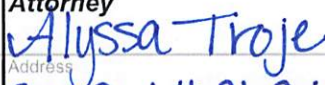
Applicant's Signature
3/18/24
Date

DEVELOPMENT TEAM

Developer / Project Manager	
Midwest Fidelity Partners, LLC / Bryan Slama	
Address	
1610 S Minnesota Ave, Sioux Falls, SD 57105	
Phone	Secondary Phone
(605) 799-7794	
E-Mail Address	
bryan@mfp.llc	

Owner	
IA12 Davenport, LLC	
Address	
1610 S Minnesota Ave, Sioux Falls, SD 57105	
Phone	Secondary Phone
(605) 799-7794	
E-Mail Address	
bryan@mfp.llc	

Engineer	
Houston Engineering, Inc.	
Address	
4009 W 49th Street, Suite 101, Sioux Falls, SD 57106	
Phone	Secondary Phone
(605) 271-0378	
E-Mail Address	
jjohnson@houstoneng.com	

Attorney	
	
Address	
200 S. 6th St. Suite 4000, Minneapolis, MN	
Phone	Secondary Phone
(605) 331-2975	55462
E-Mail Address	
atroje@fredlaw.com	

Authorization to Act as Applicant

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

authorize Brian Holland
[the above person(s)]

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

for the property located at 1914 Division Street

[Signature]
Signature(s)*

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

Notarization:

State of South Dakota
County of Minnehaha,

Sworn and subscribed before me

this 18th day of March, 2024.

Tracie Wermers
Notary Public

My Commission Expires: 05/18/2027



My Commission expires 05/18/2027

3/18/24
Date

[identification type]

P&Z Subdivision Calendar | 2024

PLAN & ZONING COMMISSION | CITY OF DAVENPORT IOWA

SUBDIVISION SUBMITTAL DEADLINE	PLAN & ZONING COMMISSION MEETING	REQUIRED CERTIFICATES DUE	COMMITTEE- OF-THE- WHOLE (COW)	CITY COUNCIL MEETING
12:00 PM - Thursday	5:00 PM - Tuesday	12:00PM - Wednesday	5:30 PM - Wednesday	5:30 PM - Wednesday
10/19/23	11/14/23	12/13/23	12/20/23 *	12/27/23 *
11/22/23 *	12/05/23	12/27/23	01/03/24	01/10/24
11/23/23	12/19/23	01/10/24	01/17/24	01/24/24
12/19/23 *	01/02/24	01/31/24	02/07/24	02/14/24
12/21/23	01/16/24	02/14/24	02/21/24	02/28/24
01/11/24	02/06/24	02/28/24	03/06/24	03/13/24
01/25/24	02/20/24	03/13/24	03/20/24	03/27/24
02/08/24	03/05/24	03/27/24	04/03/24	04/10/24
02/22/24	03/19/24	04/10/24	04/17/24	04/24/24
03/07/24	04/02/24	04/24/24	05/01/24	05/08/24
03/21/24	04/16/24	05/08/24	05/15/24	05/22/24
04/04/24	04/30/24	05/29/24	06/05/24	06/12/24
04/18/24	05/14/24	06/11/24	06/18/24 *	06/26/24
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08/08/24	09/03/24	09/25/24	10/02/24	10/09/24
08/22/24	09/17/24	10/09/24	10/16/24	10/23/24
09/05/24	10/01/24	10/30/24	11/06/24	11/13/24
09/19/24	10/15/24	11/13/24	11/20/24	11/27/24 *
10/10/24	11/05/24	11/27/24 *	12/04/24	12/11/24
10/24/24	11/19/24	12/11/24	12/18/24 *	12/25/24 *
11/07/24	12/03/24	12/31/24 *	01/08/25 *	01/15/25 *
11/21/24	12/17/24	01/15/25	01/22/25	01/29/25
12/12/24	01/07/25	01/29/25	02/05/25	02/12/25
12/26/24	01/21/25	02/12/25	02/19/25	02/26/25
01/09/25	02/04/25	02/26/25	03/05/25	03/12/25
01/23/25	02/18/25	03/12/25	03/19/25	03/26/25

*Submission and meeting dates may be changed or cancelled due to holiday

1. Subdivisions are submitted to the City's Electronic (Eplan) Review Portal at: www.davenportiowa.com/eplan
2. The Applicant will receive comments back prior to the Plan & Zoning Commission meeting
3. Plats must be resubmitted in Eplan to ensure all conditions have been met prior to going on Committee of the Whole agenda
4. Certificates, as listed in Section 16.20.020, are required prior to being placed on the Committee of the Whole agenda
5. Conditions must be met and utility signatures are required on the plat prior to the City signatures
6. No infrastructure improvements are permitted prior to the City Council approval of the final plat
7. Please see Scott County, Iowa Subdivision Platting Documents Required for recording:

<https://www.scottcountyiowa.gov/recorder/plats-surveys>

ORDINANCE NO. 2023-209

AN ORDINANCE FOR CASE REZ23-01 BEING THE REQUEST OF MIDWEST FIDELITY PARTNERS LLC TO REZONE 1930 AND 1934 DIVISION STREET AND 1711 WEST PLEASANT STREET FROM R-4C SINGLE-FAMILY AND TWO-FAMILY CENTRAL RESIDENTIAL DISTRICT TO C-2 CORRIDOR COMMERCIAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-2 Corridor Commercial District":

ALLEYWAY: A part of Block 1 of J.M.D. Burrow's Subdivision of a part of the East One-Half of the Southwest Quarter of Section 22, in Township 78 North, Range 3 East of the 5th P.M., more particularly described as follows: The East 10 feet of the existing 20 foot alleyway adjacent to Parcel 4 and Parcel 5.

1930 North Division Street (Parcel #A0061-06): A part of Block 1 of J.M.D. Burrow's Subdivision of a part of the East One-Half of the Southwest Quarter of Section 22, in Township 78 North, Range 3 East of the 5th P.M., more particularly described as follows: Commencing at a point in the West line of Allen's Grove Road, also called Division Street, 226 feet North from the intersection of the West line of Allen's Grove Road with the Northerly line of Hickory Grove Road; thence from said point of beginning running North along the West line of said Allen's Grove Road 36 feet; thence West 150 feet to an alley; thence South along the East line of said alley 36 feet; thence East 150 feet to the place of beginning; Also the South 4 feet of the East 150 feet of Lot 2 in Block 1 of J.M.D. Burrow's Subdivision of a part of the East One-Half of the Southwest Quarter of Section 22 in Township 78 North, Range 3 East of the 5th P.M., all being situated in the City of Davenport, Scott County, Iowa. EXCEPTING therefrom the East 3 feet of the North 36 feet of the East 150 feet of Lot 1, and the East 3 feet of the South 4 feet of Lot 2, Block 1, J.M.D. Burrow's Subdivision.

1711 West Pleasant Street (Parcel #A0061-08): The West 60 feet of the North 72 feet of Lot 2 of Block 1 of J.M.D. Burrow's Subdivision in the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M. in Davenport, Scott County, Iowa.

1934 North Division Street (Parcel #A0061-07): The North 72 feet of Lot 2, Block 1 of J.M.D. Burrow's Subdivision of a part of the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M., EXCEPTING therefrom the West 60 feet thereof, being situated in Scott County, Iowa.

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

Findings:

1. The zoning map amendment (rezoning) is consistent with Davenport 2035+ Land Use Plan and Map, which identifies the property as Urban Corridor (UC) and Commercial Node (CN). Both classifications allow for commercial uses along corridors and edges. The area has been commercially developed since at least the mid-1930's and is compatible with UC and CN land use classifications.
2. The proposed C-2 General Commercial District is compatible with the zoning of nearby property in the Five-Points commercial node, as well as other C-2 and C-1 zoning located along the West Locust Street corridor.
3. Rezoning the property to C-2 General Commercial District will not create zoning nonconformities and will, in fact, reduce nonconformities.
4. Staff concurs with the City Traffic Engineer's review of this site for traffic impacts from the proposed zoning change and more specifically the use of the site as a car wash and staff also concurs with the required right-in/right-out access point on Hickory Grove Road.
5. There shall be minimal noise impacts to the adjacent area; any potential impacts to the properties to the north shall be mitigated by installation of a six (6) foot tall privacy fence and landscaping.

Conditions:

1. The ingress/egress to Hickory Grove Road shall be right-in/right-out as directed by the City Traffic Engineer.
2. A fence and landscaping shall be installed along the West Pleasant Street right-of-way line between the north-south alley and North Division Street;
3. The left turn movement for northbound Division Traffic into the Division Street access point for the subject site shall be eliminated and the development shall be required to pay for the installation of a right-in/right-out only channelizing island within the Division Street access point.

Section 3. At its March 14, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-01 to the City Council with a recommendation for approval subject to the listed findings and conditions. City Council amended the conditions at its May 3, 2023 Committee of the Whole Meeting.

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

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

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

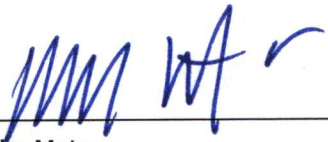
First Consideration April 12, 2023

Second Consideration April 26, 2023

Approved May 10, 2023

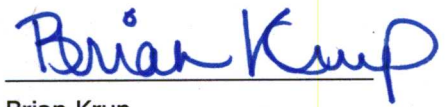
Published in the *Quad-City Times* on May 18, 2023

Attest:



Mike Matson
Mayor





Brian Krup
Deputy City Clerk

ORDINANCE NO. 2023-210

AN ORDINANCE FOR CASE ROW23-01 BEING THE REQUEST OF MIDWEST FIDELITY PARTNERS LLC TO VACATE THE ALLEY RIGHT-OF-WAY LOCATED WEST OF NORTH DIVISION STREET BETWEEN WEST PLEASANT STREET AND HICKORY GROVE ROAD.

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:

The existing 20 foot alleyway within Block 1 of J.M.D. Burrow's Subdivision of a part of the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M., from the North ROW of Hickory Grove Road to the South ROW of W Pleasant Street to be vacated in Davenport, Scott County, Iowa.

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

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

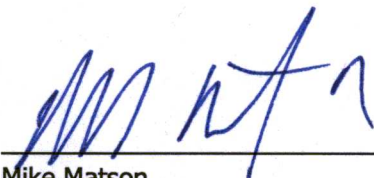
EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration April 12, 2023

Second Consideration April 26, 2023

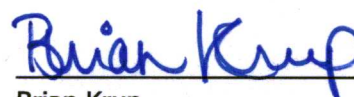
Approved May 10, 2023

Published in the *Quad-City Times* on May 18, 2023

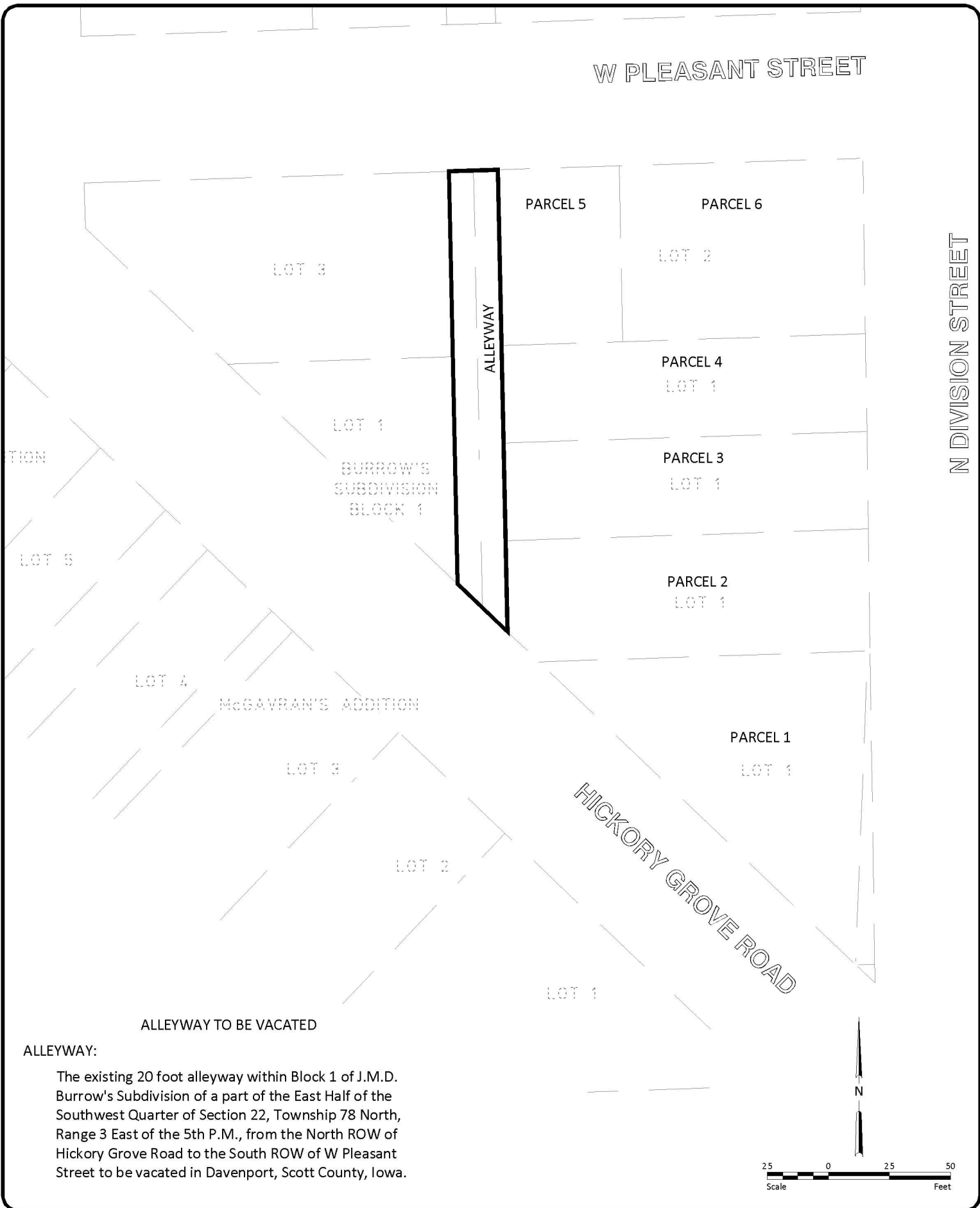


Mike Matson
Mayor

Attest:



Brian Krup
Deputy City Clerk



ALLEYWAY:

The existing 20 foot alleyway within Block 1 of J.M.D. Burrow's Subdivision of a part of the East Half of the Southwest Quarter of Section 22, Township 78 North, Range 3 East of the 5th P.M., from the North ROW of Hickory Grove Road to the South ROW of W Pleasant Street to be vacated in Davenport, Scott County, Iowa.

	Drawn by ZJH	Date 1-26-2023	SILVERSTAR CARWASH 1914 N DIVISION ST. DAVENPORT, IOWA	ALLEYWAY VACATION EXHIBIT PROJECT NO. 10904-0029	SHEET 1 OF 1
	Checked by JJJ	Scale AS SHOWN			

City of Davenport

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

Action / Date
8/28/2024

Subject:

Resolution authorizing the conveyance of vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District, Petitioner. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

City Council approved the right-of-way vacation of West 5th Street between Cedar Street and Howell Street at the July 24, 2024 City Council Meeting. The purpose of the right-of-way vacation is to facilitate the redevelopment of Smart Middle School. The Davenport Community School District is now requesting to obtain the vacated West 5th Street in order to move forward with their redevelopment plans.

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 the Beginning. The above-described parcel contains 38,013 square feet, more or less. For the purposes of this description, Bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

The proposal is to convey the above referenced property to the Davenport Community School District.

A Public Hearing on this matter was held on August 21, 2024 in accordance with Iowa law. Adoption of the Resolution will authorize the Mayor and staff to execute closing documents and convey the property to the petitioner.

Attachments:

1. Resolution
2. West 5th Street Location Map

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION authorizing the conveyance of vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District, Petitioner.

WHEREAS, the City of Davenport is the legal owner of certain property legally described as:

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

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

WHEREAS, Davenport Community School District desires to obtain the aforementioned real estate; and

WHEREAS, per State requirements, notification of the Public Hearing was published and the Public Hearing was held on August 21, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the conveyance of the vacated West 5th Street between Cedar Street and Howell Street to Davenport Community School District is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Deputy City Clerk are hereby authorized to execute documents necessary to accomplish the transfer.

Passed and approved this 28th day of August, 2024.

Approved:

Attest:

Mike Matson
Mayor

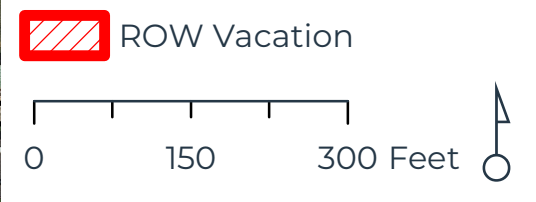
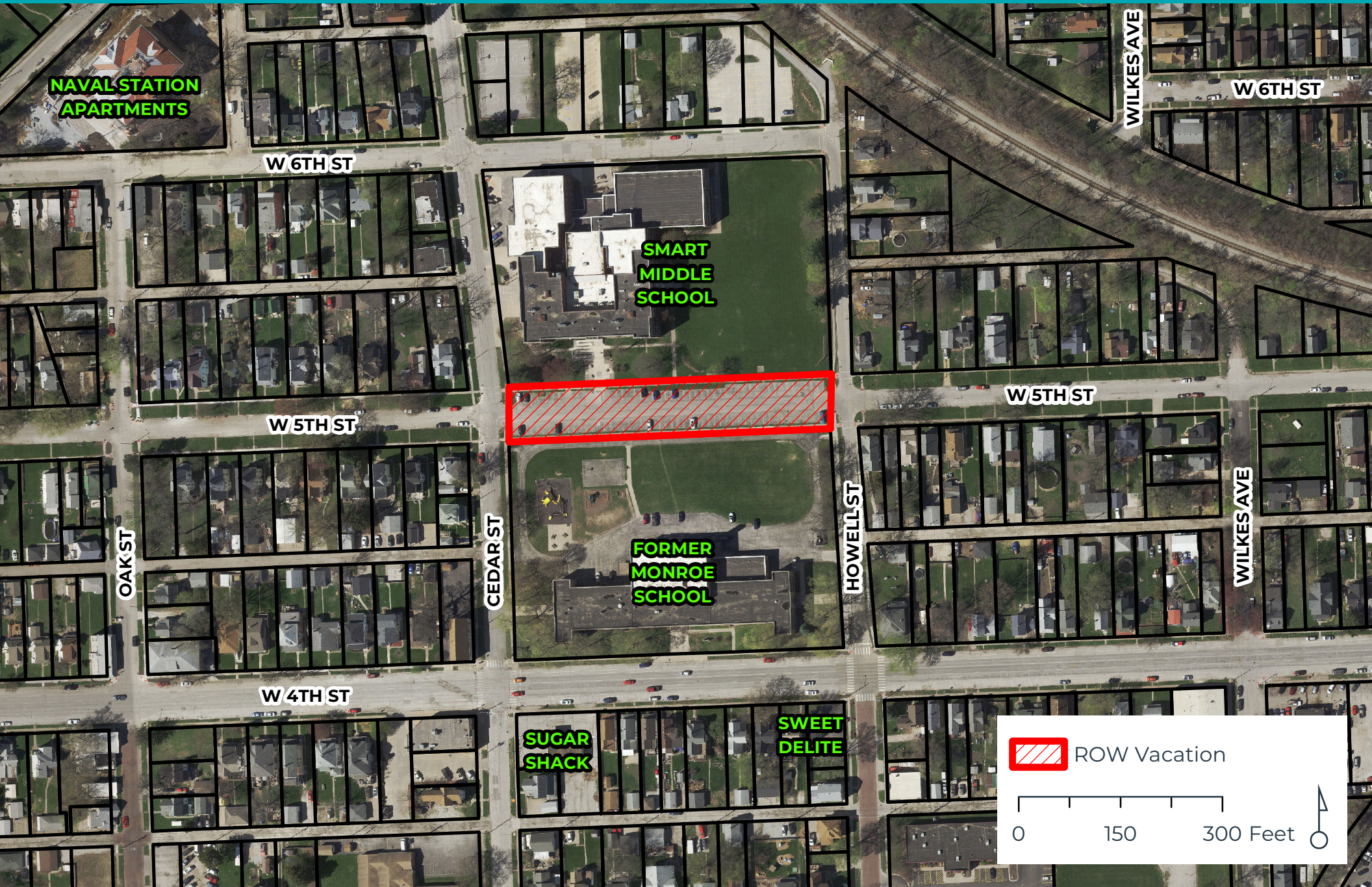
Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

Vicinity Map | Vacated Right-Of-Way

West 5th Street, between Cedar Street and Howell Street. Davenport
Community School District, Petitioner



City of Davenport

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

Action / Date
8/28/2024

Subject:

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

City of Davenport, Red, White & Boom!; Riverfront; 2:00 p.m. - 10:30 p.m. Saturday, September 7, 2024; **Closures:** (beginning at 2:00 p.m.) Ripley Street and Marquette Street south of River Drive; (beginning at approximately 8:00 p.m.) Myrtle Street, Warren Street, Brown Street, Western Avenue, Scott Street, Ripley Street, Harrison Street, and Main Street from 2nd Street to River Drive. [Ward 3]

Elaine Folker; Norwood Park Fall Festival; 2200 block of Ripley Street; 12:00 p.m. - 9:00 p.m. Saturday, September 14, 2024; **Closures:** West Rusholme Street from Ripley Street east and west to the alley; Ripley Street from West Dover Court to West Lombard Street. [Ward 4]

Tim Kelly; Unity in the Community: A 5th Ward Celebration; 311 East Locust Street; 2:00 p.m. - 10:00 p.m. Saturday, September 14, 2024; **Closure:** north-south alley between Pershing Avenue and Iowa Street and East Locust Street and Kirkwood Boulevard from East Locust Street south to 313 East Locust Street. [Ward 5]

Jimmie O's Saloon; Street Fest; 2734 Telegraph Road; 2:00 p.m. - 10:00 p.m. Saturday, September 21, 2024; **Closure:** South Rolff Street from Telegraph Road south to the alley. [Ward 1]

Scott County Family Y; Turkey Trot; 630 East 4th Street; 3:00 a.m. - 11:00 a.m. Thursday, November 28, 2024; **Closures:** (3:00 a.m. - 11:00 a.m.) 4th Street from River Drive to Main Street; (6:00 a.m. - 11:00 a.m.) Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

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

Attachments:

1. Resolution
2. Norwood Park Fall Festival Closure Map
3. Norwood Park Fall Fest Neighbor Flyer

4. Unity in the Community A 5th Ward Celebration Closure Map
5. Jimmie O's Saloon Street Closure Map
6. Jimmie O's Street Fest Street Closure Petition
7. Turkey Trot Route

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.

*City of Davenport, Red, White & Boom!; LeClaire Park | 400 Beiderbecke Drive; 2:00 p.m. - 10:30 p.m. Saturday, September 7, 2024; **Closures:** (beginning at 2:00 p.m.) Ripley Street and Marquette Street south of River Drive; (beginning at approximately 8:00 p.m.) Myrtle Street, Warren Street, Brown Street, Western Avenue, Scott Street, Ripley Street, Harrison Street, and Main Street from 2nd Street to River Drive. [Ward 3]*

*Elaine Folker; Norwood Park Fall Festival; 2200 block of Ripley Street; 12:00 p.m. - 9:00 p.m. Saturday, September 14, 2024; **Closure:** West Rusholme Street from Ripley Street east and west to the alley; Ripley Street from West Dover Court to West Lombard Street. [Ward 4]*

*Tim Kelly; Unity in the Community: A 5th Ward Celebration; 311 East Locust Street; 2:00 p.m. - 10:00 p.m. Saturday, September 14, 2024; **Closure:** north-south alley between Pershing Avenue and Iowa Street and East Locust Street and Kirkwood Boulevard from East Locust Street south to 313 East Locust Street. [Ward 5]*

*Jimmie O's Saloon; Street Fest; 2734 Telegraph Road; 2:00 p.m. - 10:00 p.m. Saturday, September 21, 2024; **Closure:** South Rolff Street from Telegraph Road south to the alley. [Ward 1]*

*Scott County Family Y; Turkey Trot; 630 East 4th Street; 3:00 a.m. – 11:00 a.m. Thursday, November 28, 2024; **Closures:** (3:00 a.m. - 11:00 a.m.) 4th Street from River Drive to Main Street; (6:00 a.m. - 11:00 a.m.) Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]*

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 28th day of August, 2024.

Approved:

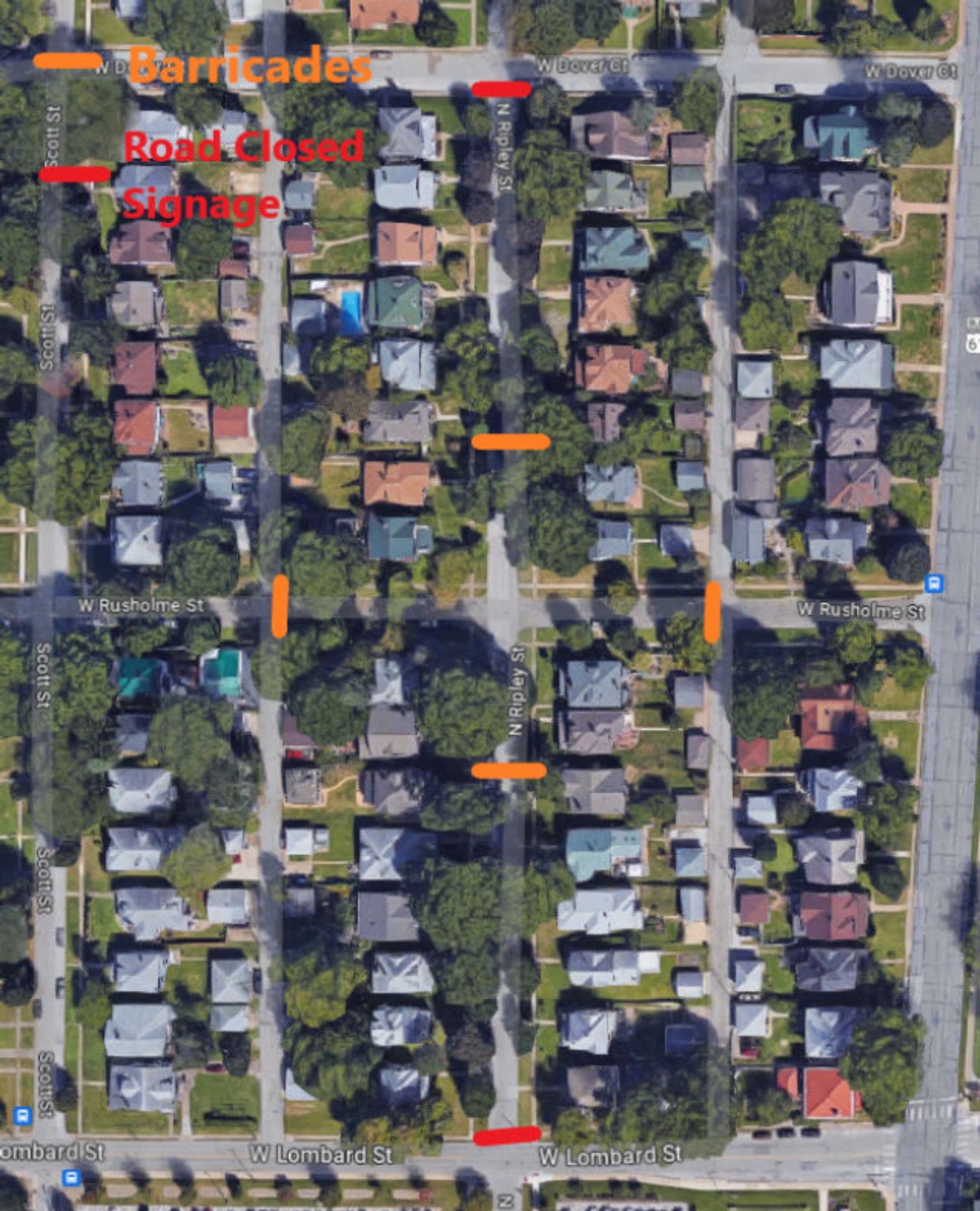
Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Barricades

**Road Closed
Signage**



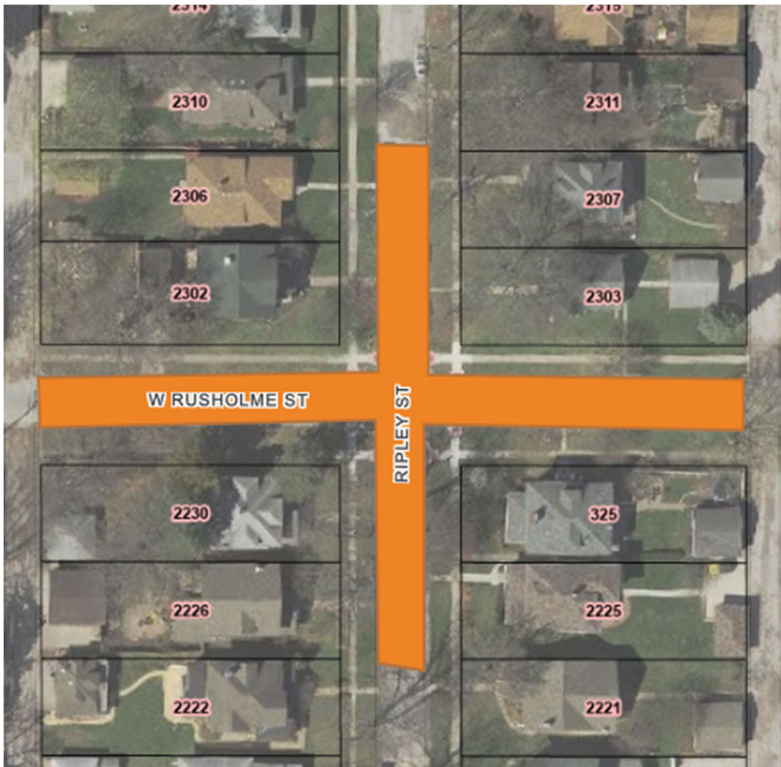
Hello Neighbor!

August 17, 2024

You'll soon be receiving a flyer for a neighborhood event that is being organized. We would like to utilize the intersection of Rusholme and Ripley since it is relatively flat and wanted to get the OK from you and give you some advanced notice! The planning group is taking care of all of the permitting and road closure barricades. We are asking that vehicles could be moved from the area for the afternoon/evening of **September 14th from 12:00-9:00 pm.**

If you could please let me know if there are issues/conflict with this plan I would appreciate it! Text/call/email is fine.

Thank you very much!



E Locust St

E Locust St

E Locust St

E Locust St

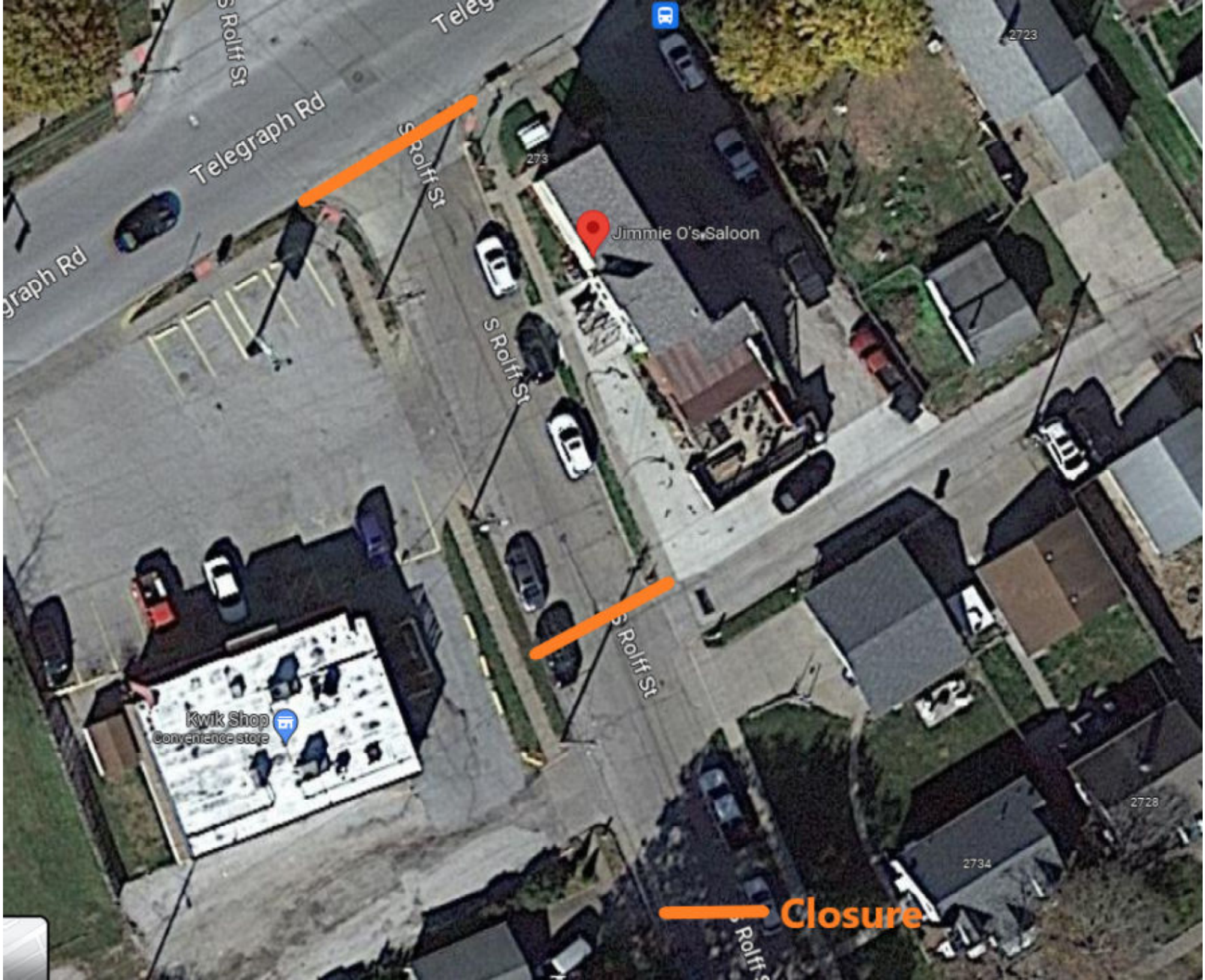
ESSENTIALS Vape
& Smoke Shop
Vaporizer store

Jack's Locust
Street Tavern
Grill - 8

Iowa St

Iowa St

Closure



— Closure



STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the 21 day of Sept, 2024 during the hours of 2pm - 10pm
there is proposed a street closure, requested by Jimmi Salo, which will
require the closing of Telegraph between Alley and on
Rolf St.

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
1 <u>Stew Holland 2723 Telegraph</u>	<u>X</u>	<u> </u>	<u> </u>
2 <u>Jared Schreotfield 2732 Telegraph</u>	<u>X</u>	<u> </u>	<u> </u>
3 <u>Matt Davis 222 S Rolf</u>	<u>X</u>	<u> </u>	<u> </u>
4 <u>Todd Bennett 222 1/2 S. Rolf</u>	<u>X</u>	<u> </u>	<u> </u>
5 <u>LEDGE RIR</u>	<u>X</u>	<u> </u>	<u> </u>
6 <u>James Bryant 2720 Whitewood</u>	<u>X</u>	<u> </u>	<u> </u>
7 <u>Michael Jones 2713 Redwood</u>	<u>X</u>	<u> </u>	<u> </u>
8 <u>Dario Diaz 27334 Whitewood</u>	<u>X</u>	<u> </u>	<u> </u>
9 <u>Joe 2723 Telegraph</u>	<u>X</u>	<u> </u>	<u> </u>
10 <u>Bonnie Deal Telegraph Rd</u>	<u>X</u>	<u> </u>	<u> </u>
11 <u>Tony Adrian 2731 Redwood</u>	<u>X</u>	<u> </u>	<u> </u>
12 <u>Ronae Broughton 2723 Whitewood</u>	<u>X</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.

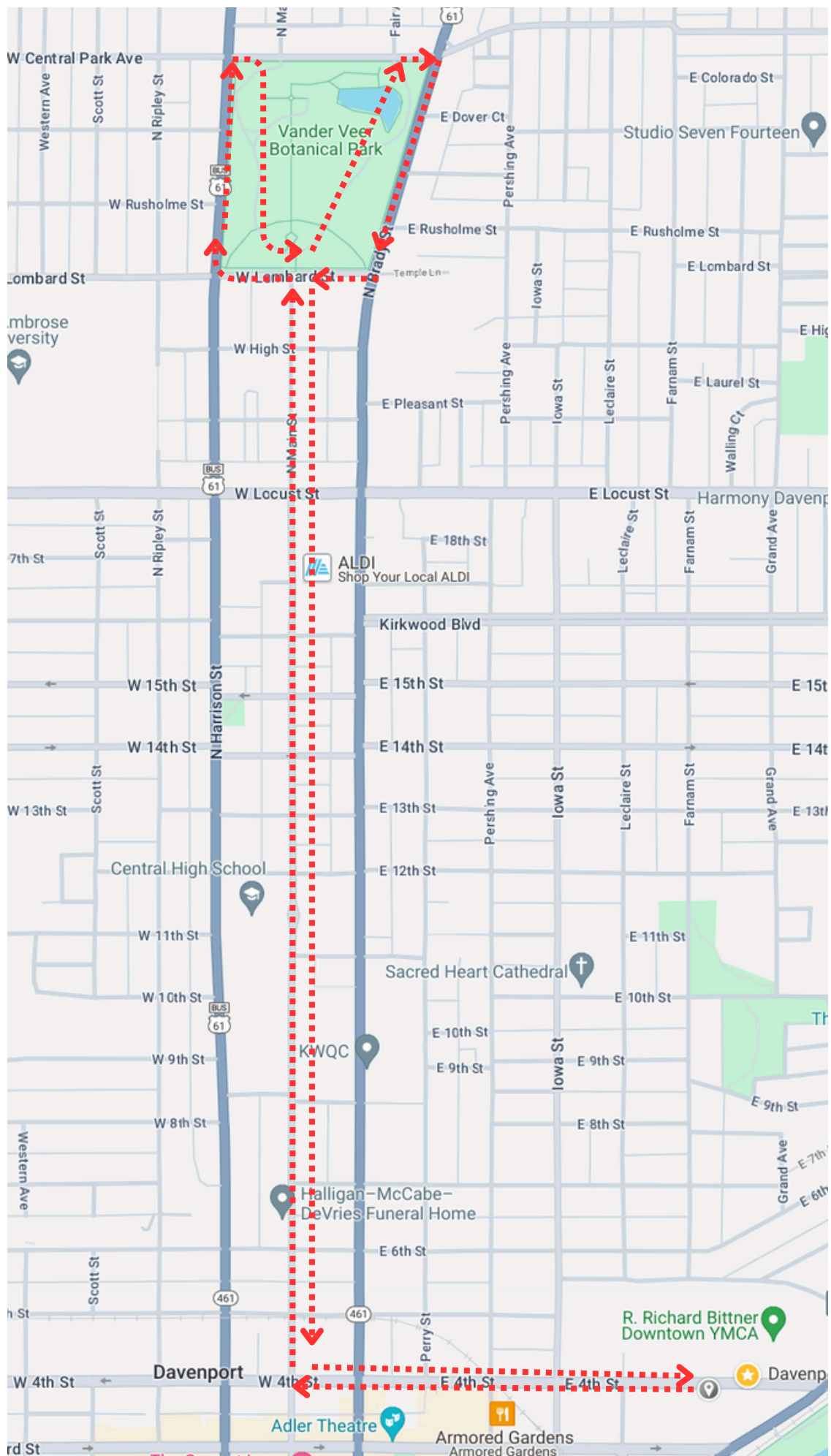
James Eldon
Signature of Applicant

7-21-24
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: Public Works
Contact Info: Brian Schadt | 563-326-7923

Action / Date
8/28/2024

Subject:

Resolution accepting sanitary sewer and manholes associated with Russell-Frye/Armstrong Industrial Park Second Addition. [Ward 2]

Recommendation:

Pass the Resolution

Background:

The Russell-Frye/Armstrong Industrial Park Second Addition is located south of Northwest Boulevard (IA-130) at Zenith Avenue. The construction of this sanitary sewer is associated with the extension of both Zenith Avenue to the south and 83rd Street to the west. The developer is Russell Construction of Davenport, Iowa. The plans for the subdivision were prepared by Origin Design of Dubuque, Iowa. Sanitary sewer was completed by McCleary Excavation Company, Inc. of Blue Grass, Iowa.

This Resolution is accepting three new sanitary sewer manholes and approximately 908 feet of 8" sanitary sewer connecting to existing sanitary manhole S-70-43. Paving and storm sewer on Zenith Avenue and 83rd Street will be completed later under the Iowa DOT RISE agreement previously approved by City Council.

The Davenport Department of Engineering and Capital Projects has inspected the work and found it to be acceptable according to City of Davenport specifications. This portion of the sanitary sewer has been satisfactorily completed and is hereby formally accepted, and, as of this date, considered public infrastructure.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION accepting sanitary sewer and manholes associated with the Russell-Frye/Armstrong Industrial Park Second Addition.

WHEREAS, Russell-Frye/Armstrong Industrial Park Second Addition has been developed by Russell Construction of Davenport, Iowa; and

WHEREAS, three new sanitary sewer manholes and approximately 908 linear feet of 8" sanitary sewer connecting to existing sanitary manhole S-70-43 associated with the extension of North Zenith Avenue to the south and West 83rd Street to the west was constructed by McCleary Excavation Company, Inc of Blue Grass, Iowa; and

WHEREAS, the sewer installation associated with the extension of North Zenith Avenue and West 83rd Street has been satisfactorily completed, and the City has four-year maintenance bonds on file in the amount of \$5,000,000 (sewer).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Russell-Frye/Armstrong Industrial Park Second Addition site improvements, which sanitary sewer and manholes was constructed by McCleary Excavation Company, Inc of Blue Grass, Iowa, having been satisfactorily completed, are hereby formally accepted.

Passed and approved this 28th day of August, 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
8/28/2024

Subject:

Resolution awarding a contract for the 2024 Alley Resurfacing Program to Emery Construction Group Inc of Moline, Illinois in the amount of \$589,505.65, CIP #35038. [Wards 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on July 29, 2024, and sent to contractors. On August 14, 2024, the Purchasing Division opened and read five (5) responsive and responsible bids. Emery Construction Group Inc of Moline, Illinois was the lowest responsive and responsible bidder and is recommended for award.

Work under this project includes, but is not limited to, the furnishing of all labor for the removal of the PCC and HMA pavement at various project locations, placement of full depth aggregate stone base material, geo fabric/grid materials if needed, reconstruction of the pavement, replacement of the adjacent driveway approaches, reconstruction of sidewalk at intersections including ADA ramp construction, topsoil and sodding and erosion control.

This project is funded through CIP #35038 | Alley Repair Program.

Attachments:

1. Resolution
2. Bid Tab

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 2024 Alley Resurfacing Program to Emery Construction Group Inc of Moline, Illinois in the amount of \$589,505.65, CIP #35038.

WHEREAS, the City needs to contract for the 2024 Alley Resurfacing Program; and

WHEREAS, Emery Construction Group Inc of Moline, 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 2024 Alley Resurfacing Program is hereby awarded to Emery Construction Group Inc of Moline, Illinois in the amount of \$589,505.65.

Passed and approved this 28th day of August, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 2024 Alley Resurfacing Program

BID NUMBER: 25-12

OPENING DATE: August 14, 2024

FUNDING: CIP 35038 | Alley Repair Program

RECOMMENDATION: Award the contract to Emery Construction Group Inc. of Moline, Illinois in the amount of \$589,505.65.

<u>VENDOR NAME</u>	<u>PRICE</u>
Emery Construction Group Inc. of Moline, IL	\$589,505.65
Langman Construction, Inc. of Rock Island, IL	\$622,622.08
Brandt Construction Co of Milan, IL	\$652,307.90
Hawkeye Paving Corporation of Davenport, IA	\$667,963.50
Valley Construction Company of Rock Island, IL	\$690,562.75

Approved By 
Purchasing Date

Approved By 
Dept. Director Date

Approved By 
Budget/CIP Date

Approved By 
Interim Finance Director Date

City of Davenport

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

Action / Date
8/28/2024

Subject:

Resolution awarding a contract for the Modern Woodmen Park Field Renovation project to Bush Sports Turf of Milan, Illinois in the amount of \$543,525, CIP #23049. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on July 24, 2024, and sent to contractors. On August 14, 2024, the Purchasing Division opened and read two (2) responsive and responsible bids. Bush Sports Turf of Milan, Illinois was the lowest responsive and responsible bidder and is recommended for award.

Work under this project includes several renovation items as a result of a PDL Audit and report dated July 19, 2023. Work includes the furnishing of all labor, materials, and equipment necessary for renovations of the playing field, which includes, but is not limited to, grading of the infield, warning track rebuild, pitcher's mound rebuild, bullpen reconfiguration, irrigation adjustment, field drain replacement, turf replacement, replacement and additions of fence post and rail padding, guardrail netting, and other related items.

This project is funded through CIP #23049 | MWP Improvement.

Attachments:

1. Resolution
2. Bid Tab

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 Modern Woodmen Park Field Renovation project to Bush Sports Turf of Milan, Illinois in the amount of \$543,525, CIP #23049.

WHEREAS, the City needs to contract for the Modern Woodmen Park Field Renovation project; and

WHEREAS, Bush Sports Turf of Milan, 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 Modern Woodmen Park Field Renovation project is hereby awarded to Bush Sports Turf of Milan, Illinois in the amount of \$543,525.

Passed and approved this 28th day of August, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Modern Woodmen Park Field Renovation

BID NUMBER: 25-10

OPENING DATE: August 14, 2024

FUNDING: 23049 | MWP Improvement

RECOMMENDATION: Award the contract to Bush Sports Turf of Milan, Illinois in the amount of \$543,525.

<u>VENDOR NAME</u>	<u>PRICE</u>
Bush Sports Turf of Milan, IL	\$543,525
Mid- America Golf and Landscape of Lee's Summit, MO	\$841,483

Approved By

Purchasing

Date

Approved By

Dept. Director

Date

Approved By

Budget/CIP

Date

Approved By

Interim Finance Director

Date

City of Davenport

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

Action / Date
8/28/2024

Subject:

Resolution awarding a contract for the Engine #2 overhaul at the Water Pollution Control Plant to Altorfer Inc of Davenport, Iowa in the amount of \$231,636.23. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This work will overhaul one of two Caterpillar generator engines at the Water Pollution Control Plant. The engines provide electrical power generation for normal operations and backup power if electrical utility is disrupted, as required by the Iowa DNR permit. The engines also provide heat for the waste water digester process.

Per Caterpillar recommendations, rebuild of the engine should be completed every 30,000 operating hours to prevent damage or major failure. This is a sole source contract as Altorfer is the authorized Caterpillar dealer for Davenport.

Funding for this project is from the WPCP equipment maintenance account #51151975 520226.

Attachments:

1. Resolution

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 Engine #2 overhaul at the Water Pollution Control Plant to Altorfer Inc of Davenport, Iowa in the amount of \$231,636.23.

WHEREAS, the City needs to contract for the Engine #2 overhaul at the Water Pollution Control Plant; and

WHEREAS, Altofer Inc of Davenport, Iowa is the authorized Caterpillar dealer for Davenport.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Engine #2 overhaul at the Water Pollution Control Plant is hereby awarded to Altorfer Inc of Davenport, Iowa in the amount of \$231,636.23.

Passed and approved this 28th day of August, 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
8/28/2024

Subject:

Resolution awarding a contract for engineering services for the 53rd Street at Utica Ridge Road Intersection Improvements project to Shive-Hattery, Inc of Bettendorf, Iowa in an amount not to exceed \$96,850. [Ward 6]

Recommendation:

Adopt the resolution

Background:

The intersection of East 53rd Street and Utica Ridge Road is congested much of the average day. Delays are long and queue lengths are excessive. Because of the congestion, motorists get impatient and the crash rate is higher than other similar intersections. The primary purpose of the project is to reduce congestion within the intersection which can be accomplished by constructing dual left turn lanes eastbound on East 53rd Street and constructing dual left turn lanes northbound on Utica Ridge Road. With dual left turn lanes, the left turn phasing of the traffic signal will be changed from allowing drivers to turn left on a green ball after yielding to only allowing drivers to turn left on a green arrow. This will reduce many of the crashes that involve left-turning vehicles. Reducing the congestion in the intersection will reduce the length of the queues, which should reduce some of the rear-end crashes.

To further reduce vehicle conflicts and improve safety, the access points south of the intersection on Utica Ridge Road will be changed to a right-in/right-out condition. Customers of the shopping areas and business park have other entrances and exits that they can use if they need to make left turns.

The Iowa DOT approved this project and awarded Traffic Safety Improvement Program (TSIP) funding on July 1, 2024. The funding is \$500,000, which is expected to cover approximately one-half of the construction of the project. The funding will not cover engineering or design fees. The City Council approved the resolution to submit the grant application and agreed to provide funding for the project on June 14, 2023, and approved a resolution to accept the funding on May 8, 2024. The project is expected to be bid early in 2025 with construction occurring later in 2025.

A request for proposals was sent to four engineering firms that were determined to be qualified in these types of engineering services. Shive Hattery, Inc of Bettendorf, Iowa provided the best response as determined by their scope, schedule, and fee.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION awarding a contract for engineering services for the 53rd Street at Utica Ridge Road Intersection Improvements project to Shive-Hattery, Inc of Bettendorf, Iowa in an amount not to exceed \$96,850.

WHEREAS, the City needs to contract for engineering services for the 53rd Street at Utica Ridge Road Intersection Improvements project; and

WHEREAS, Shive-Hattery, Inc of Bettendorf, Iowa is a qualified engineering firm and can provide services that best fit the City's needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for engineering services for the 53rd Street at Utica Ridge Road Intersection Improvements project is hereby awarded to Shive-Hattery, Inc of Bettendorf, Iowa in an amount not to exceed \$96,850.

Passed and approved this 28th day of August, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Jim Erwin | 563-326-7922

Action / Date
8/28/2024

Subject:

Resolution approving the purchase of grounds maintenance equipment from MTI Distributing of Grimes, Iowa in the amount of \$128,917.38 using Sourcewell contract 031121-TTC, CIP #24029. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This purchase is for a Toro Multi Pro 5800 Sprayer and a Toro 7500-D 12' mower. Both pieces were quoted through MTI Distributing of Grimes, Iowa. The sprayer will replace a 2007 unit and the 12' mower will replace a 2006 mower that are both becoming uneconomical to repair. The sprayer was quoted at \$61,596.05 using First Tee program pricing which is an additional 12% off Toro's Sourcewell contract. The 12' mower was quoted at \$67,321.33 using Sourcewell contract 031121-TTC.

Funding will be from the FY 2025 Grounds Maintenance CIP #24029.

Attachments:

1. Resolution
2. Mower Quote
3. Sprayer Quote

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the purchase of grounds maintenance equipment from MTI Distributing of Grimes, Iowa in the amount of \$128,917.38 using Sourcewell contract #031121-TTC, CIP #24029.

WHEREAS, the City needs to purchase one Toro 7500 Series Mower and one Toro Multi-Pro 5800 Sprayer for the Parks and Recreation Department; and

WHEREAS, MTI Distributing of Grimes, Iowa was awarded Sourcewell contract #031121-TTC as the lowest responsive and responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of grounds maintenance equipment from MTI Distributing of Grimes, Iowa in the amount of \$128917.38 using Sourcewell contract #031121-TTC is hereby approved.

Passed and approved this 28th day of August, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



MTI Distributing
Equipment Quote
August 9, 2024



Jim Erwin
City of Davenport Parks Department

Quote Expiration Date: 9/8/2024

SOURCEWELL CONTRACT PRICING - CONTRACT #031121-TTC

Qty	Model Number	Description	Quote Price Each	Quote Price Extended
1	72144	7500-D Series 144 in. (366 cm) 44 hp 1568cc Diesel Rear Discharge	\$67,321.33	\$67,321.33
City of Davenport Sourcewell Member ID #58282			Equipment Total	\$67,321.33
			7% Sales Tax	Exempt
			Total	\$67,321.33

Quote validity: As a result of supply chain disruptions effecting availability and pricing, the pricing above cannot be guaranteed. Should you commit to a non-binding purchase commitment, a firm quote (including finance rates) will be provided when product becomes available.

Net 30 Terms with qualified credit

Equipment delivery and set-up at no additional charge

All commercial products purchased by a credit card will be subject to a 2.5% service fee.

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us.

Josh Petersen
Outside Sales Representative
612-655-4345

Karen Wangenstein
Inside Sales Representative
763-592-5643

MTI Distributing, Inc. • 3841 SE Capitol Circle • Grimes, IA 50111

I commit to the purchase as detailed on quote above. I reserve the right to opt out of intended purchase at any time prior to scheduled delivery. I understand that the quoted pricing above is not guaranteed and that I will be provided a new proposal when product becomes available.

Name:

Signature:

Date:



MTI Distributing
Equipment Quote
July 30, 2024



Matt Woolam
Red Hawk Golf Course

Quote Expiration Date: 8/29/2024

FIRST TEE CONTRACT PRICING

Qty	Model Number	Description	Quote Price Each	Quote Price Extended
1	41394	Multi Pro 5800-G with ExcelaRate	\$54,308.76	\$54,308.76
12	120-0705	Light Blue 1.00 gpm nozzle @ 40 PSI	\$12.82	\$153.84
1	127-9826	Lance Suction Assembly	\$286.29	\$286.29
1	41249	Foam Marker Kit	\$2,121.24	\$2,121.24
1	41614	30 Gallon Fresh Water Rinse Kit	\$1,587.96	\$1,587.96
1	41622	Chemical Pre-Mix Kit - MP5800 (KZ Valve)	\$2,712.60	\$2,712.60
1	136-0458	Finish Kit, Foam Marker	\$425.36	\$425.36
			Equipment Total	\$61,596.05
			7% Sales Tax	Exempt
			Total	\$61,596.05

Quote validity: As a result of supply chain disruptions effecting availability and pricing, the pricing above cannot be guaranteed. Should you commit to a non-binding purchase commitment, a firm quote (including finance rates) will be provided when product becomes available.

Net 30 Terms with qualified credit

New Toro commercial equipment comes with a two-year manufacturer warranty

Equipment delivery and set-up at no additional charge

All commercial products purchased by a credit card will be subject to a 2.5% service fee.

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us.

Josh Petersen
Outside Sales Representative
612-655-4345

Karen Wangenstein
Inside Sales Representative
763-592-5643

MTI Distributing, Inc. • 3841 SE Capitol Circle • Grimes, IA 50111

I commit to the purchase as detailed on quote above. I reserve the right to opt out of intended purchase at any time prior to scheduled delivery. I understand that the quoted pricing above is not guaranteed and that I will be provided a new proposal when product becomes available.

Name:

Signature:

Date:

City of Davenport

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

Action / Date
8/28/2024

Subject:

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

Coram Deo Bible Church; Party in the Lot: 20th Anniversary Celebration; 3800 East 53rd Street; 3:00 p.m. - 8:00 p.m. Saturday, September 7, 2024; Outdoor music/band, over 50 dBA. [Ward 6]

City of Davenport; Red, White, & Boom!; LeClaire Park | 400 Beiderbecke Drive; 5:30 p.m. - 10:00 p.m. Saturday, September 7, 2024; Outdoor music/band and fireworks, over 50 dBA. [Ward 3]

Tim Kelly; Unity in the Community: A 5th Ward Celebration; 311 East Locust Street; 4:00 p.m. - 9:00 p.m. Saturday, September 14, 2024; Outdoor music/band, over 50 dBA. [Ward 5]

Jimmie O's Saloon; Street Fest; 2734 Telegraph Road; 2:00 p.m. - 10:00 p.m. Saturday, September 21, 2024; Outdoor music/band, over 50 dBA. [Ward 1]

Recommendation:

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.

Red, White, & Boom! | This is a reschedule due to flooding. The fireworks will begin at approximately 9:00 p.m., coinciding with the end of the River Bandits game, and will last 20-30 minutes.

Attachments:

1. Coram Deo Bible Church Noise Variance Petition
2. Jimmie O's Street Fest Noise Variance Petition



CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 7th day of September, 2024, there is proposed an event to be held at
Coram Deo Bible Church (3800 E 53rd St.) which will include outdoor music or a band,
(location/address)

requested by Chelsea Irwin, during the hours of 3:00-8:00pm.

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
<u>Kelli Big 10 Mart</u>	☒	☐	☐
<u>TYLER MOCH</u>	☒	☐	☐
<u>NOAH KECK WILLIAM WESLEY</u>	☒	☐	☐
<u> </u>	☐	☐	☐
<u> </u>	☐	☐	☐
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<u> </u>	☐	☐	☐

*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.

Chelsea Irwin 8-8-24
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 21st day of Sept., 2024, there is proposed an event at
Jimmie O's Saloon which will include outdoor music or a band,
requested by JIMMIE, during the hours of 2pm-10pm.

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
1 <u>Stew Holland 2723 Telegraph</u>	<u>X</u>	<u> </u>	<u> </u>
2 <u>Tural Scroechfeld 2732 telegraph</u>	<u>X</u>	<u> </u>	<u> </u>
3 <u>M. D. Del. 222 S. Rolff</u>	<u>X</u>	<u> </u>	<u> </u>
4 <u>Todd Bennett 222 1/2 S. Rolff</u>	<u>X</u>	<u> </u>	<u> </u>
5 <u>BILLY RAY S. ROLFF</u>	<u>X</u>	<u> </u>	<u> </u>
6 <u>TIM BLUMER</u>	<u>X</u>	<u> </u>	<u> </u>
7 <u>James Bryant 2720 Whitewood</u>	<u>X</u>	<u> </u>	<u> </u>
8 <u>M. D. Del. 2713 Redwood</u>	<u>X</u>	<u> </u>	<u> </u>
9 <u>Del. 2713 Telegraph Rn</u>	<u>X</u>	<u> </u>	<u> </u>
10 <u>Bonnie Deal telegraph Rd</u>	<u>X</u>	<u> </u>	<u> </u>
11 <u>Tony Adrian 2731 Redwood</u>	<u>X</u>	<u> </u>	<u> </u>
12 <u>Rana Broughton 2723 Whitewood</u>	<u>X</u>	<u> </u>	<u> </u>

*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.

Jim E. Delu
Signature of Applicant

7-21-24
Date

City of Davenport

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

Action / Date
8/28/2024

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

Front Street Brewery (Front Street Brewery, Inc) - 101 West River Drive - Temporary Outdoor Events Thursdays in September/October - License Type: Class C Liquor (On-Premises)

Front Street Brewery (Front Street Brewery, Inc) - 400 Beiderbecke Drive - Temporary Outdoor Event September 7 - License Type: Class C Liquor (On-Premises)

The Gatsby Cocktail Lounge (The Gatsby, LLC) – 702 West 3rd Street – New License – License Type: Class C Liquor (On-Premises)

German American Heritage Center and Museum (German American Heritage Center) - 119 East 3rd Street - Temporary Outdoor Event September 21 - License Type: Special Class C Beer/Wine (On-Premises)

Ward 4

QC Sushi, LLC (QC Sushi, LLC) – 1417 West Locust Street – New License – License Type: Class C Liquor (On-Premises)

Ward 6

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

Ward 8

Zeke's (Lumpy's, Inc) – 100 West 76th Street – New License – License Type: Class C Liquor (On-Premises)

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

Ward 3

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

Raccoon Motel (Raccoon Motel, LLC) - 315 East 2nd Street - License Type: Class C Liquor (On-Premises)

Rodriguezhope (Alfredo Rodriguez) - 226 West 3rd Street - License Type: Class C Liquor (On-Premises)

Ward 5

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

Ward 8

Leisure Lanes (Four Bros, LLC) - 2802 West 73rd 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