

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, April 16, 2024; 5:00 PM

City Hall | 226 West 4th Street | Council Chambers

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

1. Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 6]

REGULAR MEETING AGENDA

II. Roll Call

III. Report of the City Council Activity

IV. Secretary's Report

1. Consideration of the April 2, 2024 meeting minutes.

V. Report of the Comprehensive Plan Committee

VI. Zoning Activity

A. Old Business

B. New Business

1. Case ORD24-02: Request of The City of Davenport to amend Section 17.08 of the Zoning Ordinance regarding billboard regulations. [All Wards]

VII. Subdivision Activity

A. Old Business

B. New Business

1. Case F24-05: Request of Axiom Consultants, on behalf of Red Barn Storage LLC, for a Final Plat of Ruehmann Second Addition. The 1-lot subdivision is located at 3901 Hickory Grove Road on 3.37 acres. [Ward 2]

VIII. Future Business

IX. Communications

X. Other Business

XI. Adjourn

City of Davenport

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

Action / Date
4/16/2024

Subject:

Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 6]

Recommendation:

Hold the Public Hearing.

A formal staff recommendation will be provided at the April 30, 2024 Plan and Zoning Commission meeting.

Background:

The City is petitioning that a portion of Lorton Place, between Lorton Avenue and Lombard Court, be vacated. This is in preparation for a roadway reconstruction project designed to increase safety at this intersection. The intention is to convey the vacated right-of-way to the abutting property at 2227 Lorton Avenue. The land will become a landscaped front yard with a new driveway paved to provide access to Lorton Avenue. The area to be vacated is approximately 4,548 square feet or 0.1 acres.

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

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

Comprehensive Plan:

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

Future Land Use Designation:

The abutting properties are currently designated as **Residential General** in the Davenport +2035 Future Land Use Map. This land use category designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher of intensity may be considered.

Abutting Zoning:

The abutting properties are currently zoned R-2 Single-Family Residential District, R-3C Single-Family and Two-Family Central Residential District, and R-4C Single-Family and Two-Family

Central Residential District.

1. **R-2 Single-Family Residential Zoning District:** This district is intended to accommodate low-density single-family neighborhoods of a more urban character than the R-1 District. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-2 District.
2. **R-3C Single-Family and Two-Family Central Residential Zoning District:** This district is intended to preserve and protect Davenport's moderately dense, centrally located, established urban residential neighborhoods. Standards of the R-3C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3C District.
3. **R-4C Single-Family and Two-Family Central Residential Zoning District:** This district is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

Technical Review:

City Departments and utility companies are reviewing the proposed Right-of-Way Vacation Application. Further comments will be provided at the April 30, 2024 Plan and Zoning Commission meeting.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the April 16, 2024 Plan and Zoning Commission Public Hearing. To date, planning staff have received one written response from an abutting property owner in favor of the vacation. The comment is attached to this report. Engineering staff have also been coordinating the road reconstruction project with abutting property owners. Any additional correspondence will be shared at the April 30, 2024 Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Maps
3. Public Hearing Notice
4. Public Comment



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

Office 563.326.6198
planning@davenportiowa.com

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

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
11/29/2023		

PROJECT TITLE
Lorton Pl. Intersection Reconstruction

GENERAL LOCATION DESCRIPTION
Portion of roadway at the intersection of Lombard and Lorton Pl (in front of 2227 Lorton Ave.)

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

AREA OF VACATION	EXISTING USE	PROPOSED USE	SQUARE AREA
	Public Roadway	Landscaped front yard	4,548 SF

COMPLETE SUBMITTALS SHALL INCLUDE:	SUBMITTED
Concept/Development Plan, if applicable	☒
Authorization to Act as Applicant	☐
Legal Description* (bearing & distance) * shall include a MS Word or Text file	☒
Legal Description Dimensioned Sketch	☒
Application Fee: (REQUIRED) \$400* * check payable to 'City of Davenport'	☐

PROJECT NARRATIVE: (submit separate sheet if needed)

Vacate portion of right-of-way as part of roadway reconstruction project, see vacation benefits below:

1. Reduce driver conflict points (increases safety)
2. Reduce capital construction cost.
3. Reduce ongoing/future maintenance costs.

The following City Departments approve proposed right-of-way vacation:

1. Streets - 11/29/2023
2. Fire Department - 11/29/2023
3. Police Department - 11/30/2023

The vacated right-of-way will become landscaped (grass) front yard of 2227 Lorton Ave. and property owners Scott and Maura Vanderwal have agreed to accept vacated area with easements in "Proposed Right-of-Way Vacation" letter signed & dated 3/8/2024 (attached).

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

APPLICANT INFORMATION

Applicant Name
City of Davenport

Address
1200 E. 46th Street

City | State | Zip
Davenport, IA 52807

Phone
(563) 326-7756

Secondary Phone

E-Mail Address
Brian.Schadt@davenportiowa.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.

Brian Schadt

Type Applicant's Name

Applicant's Signature

Date **3/21/24**

DEVELOPMENT TEAM

Surveyor
Chad O. Macke (Willettt Hoffman & Associates)

Address
1515 5th Avenue, Moline, IL 61265

Phone
(309) 517-1119

Secondary Phone

E-Mail Address
cmacke@willettthofmann.com

Attorney/Other

Address

Phone

Secondary Phone

E-Mail Address

CONVEYANCE PROCEDURE:
CITY COUNCIL POLICY ON SALE OF PUBLIC PROPERTY

P&Z STAFF SHALL HOLD A PUBLIC HEARING AND PREPARE A REPORT BEFORE THE
PLAN AND ZONING COMMISSION REGARDING REQUESTS FOR R.O.W VACATION;
THE COMMISSION SHALL PROVIDE A RECOMMENDATION TO CITY COUNCIL.

SHOULD CITY COUNCIL APPROVE THE R.O.W. VACATION
THE FOLLOWING PROCEDURE WILL COMMENCE FOR THE CONVEYANCE (SALE)
OF LAND TO ADJACENT PROPERTY OWNERS NEAR THE VACATED R.O.W.

APPLICANTS SHALL WORK WITH THE CITY LEGAL DEPARTMENT AT 563.326.7735
TO COMPLETE THE LAND CONVEYANCE OF VACATED R.O.W. PRIOR TO USE OF THE LAND

WHEREAS, THE Davenport City Council wishes to establish an orderly and efficient process for the conveyance and disposal of real property, including lots and abandoned streets and alleys, the following procedures are hereby established to facilitate the sale of real property:

1. The Petitioner files an application for conveyance and pays a one-time, non-refundable \$400.00 filing fee. The application shall include a statement of intended use, a legal description and location of the property, the square feet of the land, plat drawing of the property and must be signed by the Petitioner.
2. If the petition involves public right-of-way, the matter shall be referred to the City Plan and Zoning Commission.
3. Staff shall review the following factors in determining what constitutes fair market value for the property:
 - a. the location, size, shape, grade and zoning of the land;
 - b. the assessed valuation of adjacent or contiguous property;
 - c. recent sales of land in the same area.
4. In the event staff deems it advisable or necessary, the City shall request the Petitioner, at Petitioner's expense, to provide a fair market value appraisal of the property.
5. Staff shall determine a price per square foot based upon the above stated factors. In any event, the minimal fee on any land conveyed shall be \$400.00.
6. Council may approve, by motion, a request from staff to proceed to dispose of parcels of real property either by offer or at auction. If the property is offered and accepted by the purchaser, the price will be as agreed between City and purchaser. In the event the auction process is used, the sale price of these properties shall be determined solely by the auction's bidding procedures. In either case, there shall also be no application fee assessed to the purchaser.



DAVENPORT

PUBLIC WORKS

February 1, 2024

Scott M Vanderwal
Maura M Vanderwal
2227 Lorton Ave
Davenport, IA 52803

Re: Proposed Right-of-Way vacation

Dear Mr. & Mrs. Vanderwal

As we discussed, the City of Davenport is currently designing the Lorton Place intersection reconstruction project and as part of this project the city is proposing to vacate a portion of right-of-way as detailed in the "Vacation Plat" (page 2 & 3). Also, shown on plan sheet D.01 (page 4), the city has included full replacement of your driveway as requested during the site visit November 29, 2023 when discussing the proposed right-of-way vacation.

There are two easements associated with this vacation. 1) 15 ft utility easement along the western and northern limits for water mainline improvements; 2) 20 ft sanitary easement to maintain the existing sanitary sewer mainline. Both easements are shown in the vacation plat on page 2.

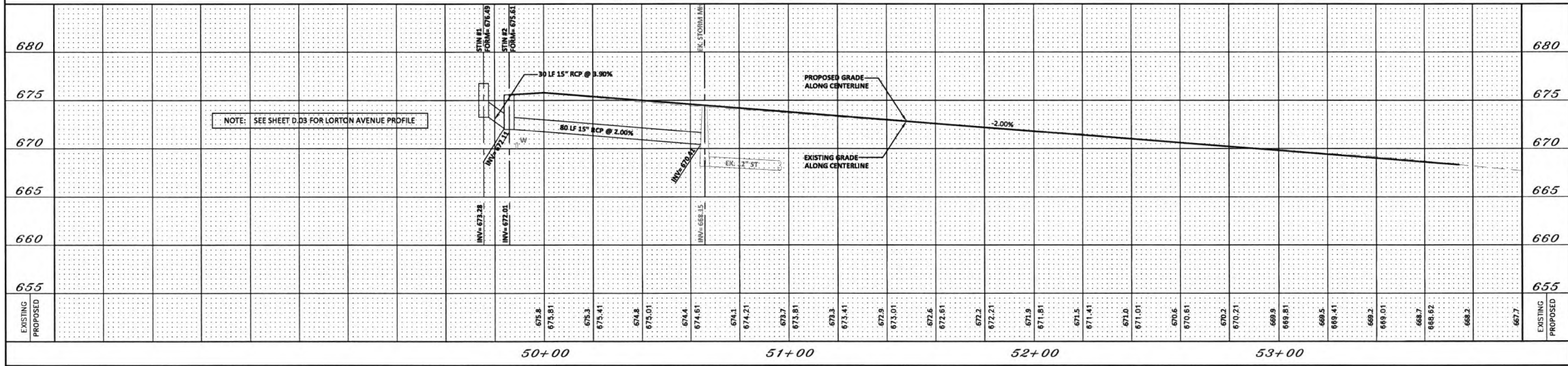
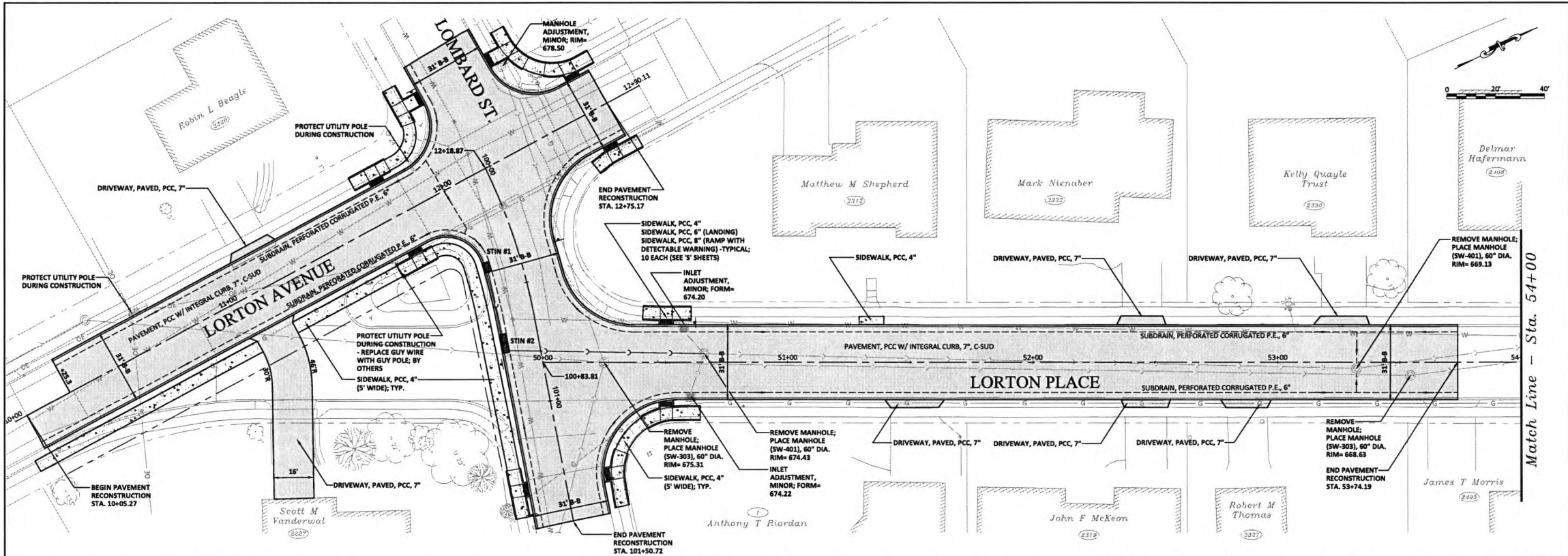
The right-of-way vacation process can take up to four months to complete and the city will submit the application once we receive this letter back signed acknowledging your willingness to accept the right-of-way vacation, assuming the vacation is approved by Council.

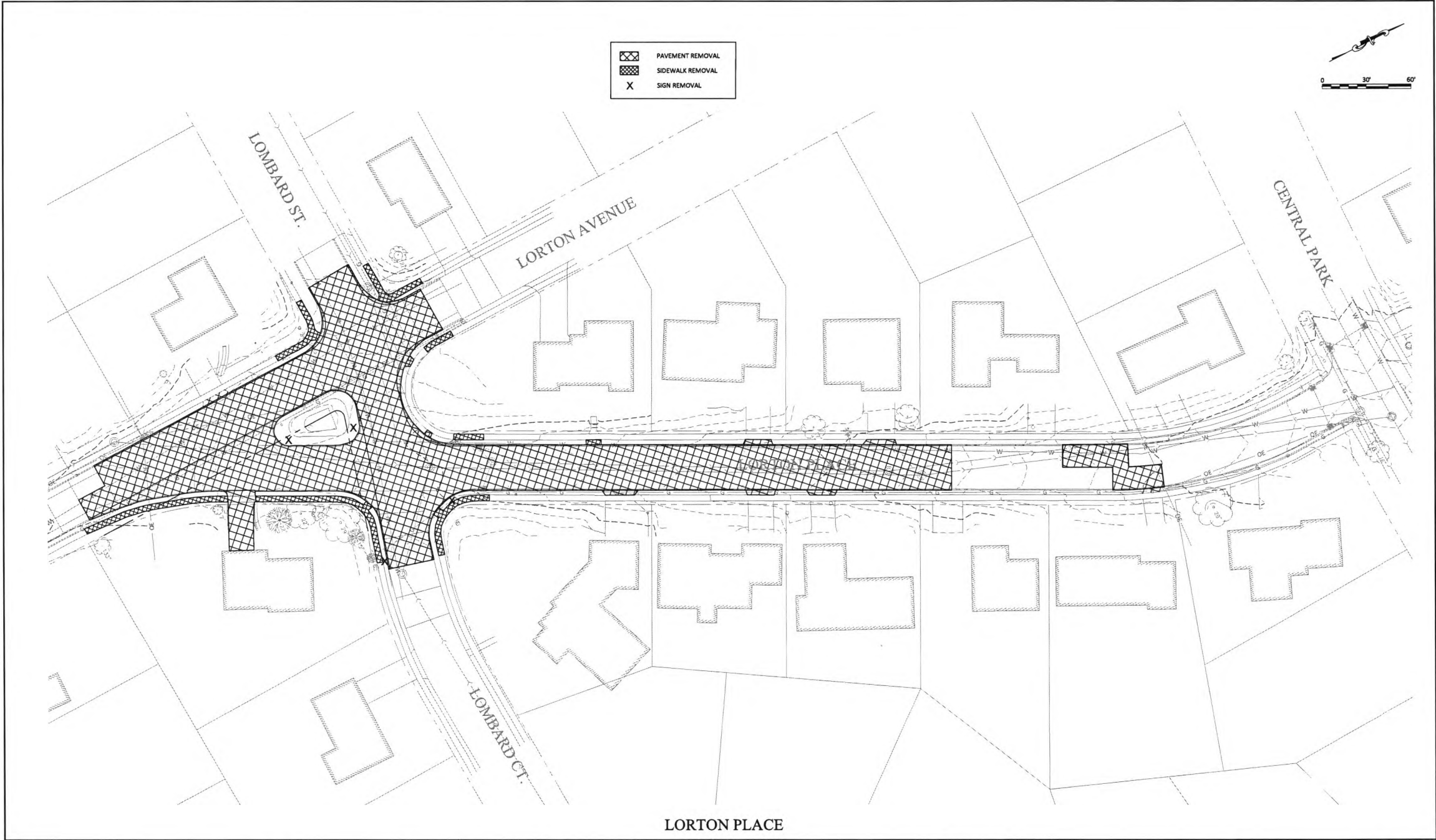
We the undersigned as owner(s) of the property of the above address have good and lawful authority to accept the proposed right-of-way vacation to said property.

Signed and dated this 8th day of March, 20 24.

Owner Signature

Owner Signature





LORTON PLACE

LORTON PL. INTERSECTION RECONSTRUCTION
(AT LOMBARD ST. AND LORTON AVE.)



City of Davenport, Iowa
Engineering Division
1200 E. 46th Street
(563) 326-7729
Davenport, Iowa 52807
Fax (563) 327-5182

PROJECT NUMBER: PRJ-4135	PLOT DATE: 2/7/2024
CIP NUMBER: 35062	PLOT SCALE: 1" = 1'
REVISION:	DESIGNED BY: RAM
	DRAWN BY: RAM
	CHECKED BY: GTB
DWG FILE: Lorton Place MDL2.dwg	

REMOVAL PLAN

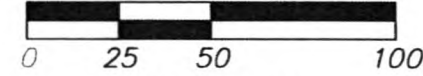
SHEET NO.
R.01
TOTAL SHEETS
15

NOTES:

1. DISTANCES IN FEET AND DECIMALS THEREOF.
2. BEARINGS SHOWN ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83)
3. FIELD WORK COMPLETED 01/23/2024

VACATION PLAT

PART OF THE LORTON PLACE IN THE THIRD ANNEX TO FAIRHAVEN,
CITY OF DAVENPORT, SCOTT COUNTY, IOWA



SCALE: 1"= 50'

LEGEND

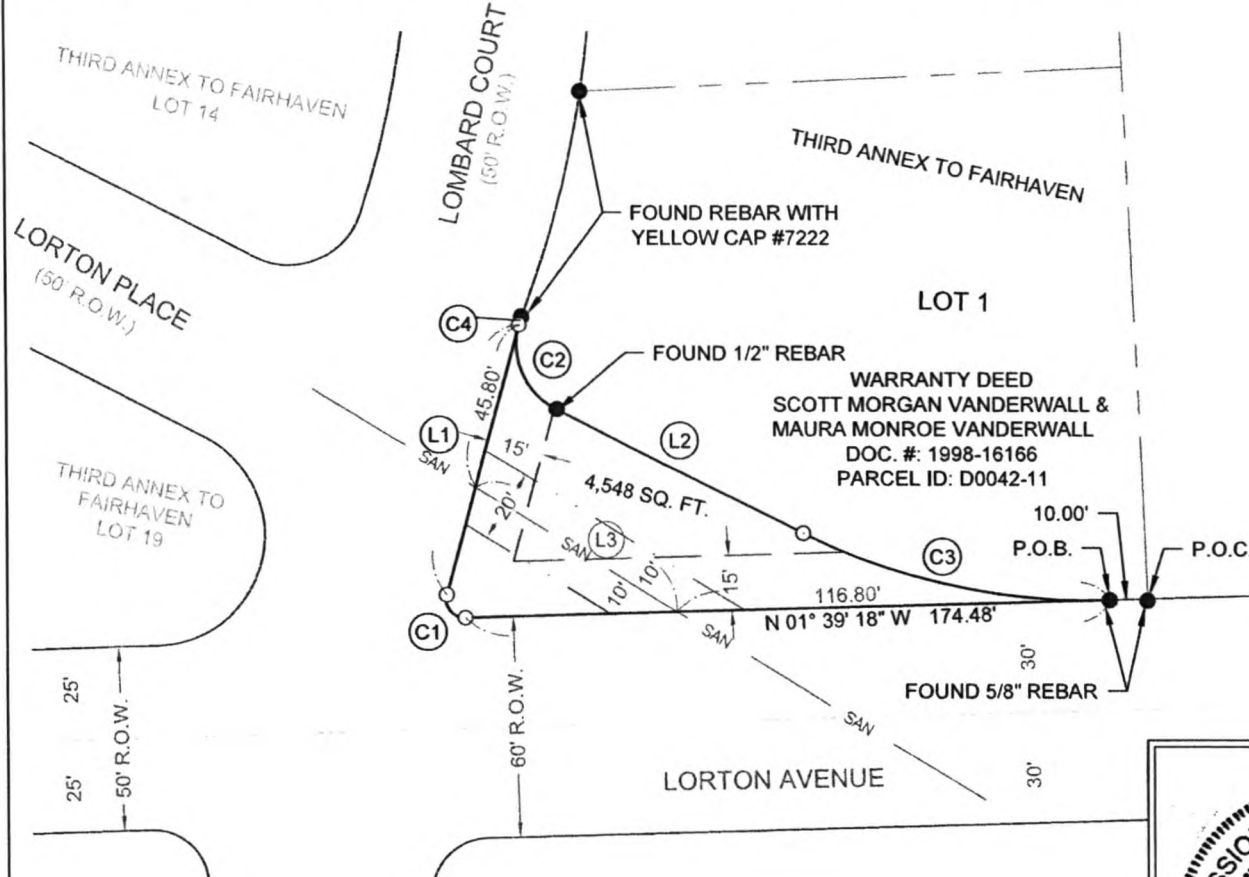
- PARCEL BOUNDARY
- - - 15' UTILITY EASEMENT
- - - 20' SANITARY EASEMENT
- SET 5/8" DIA. REBAR W/ALUMINUM CAP#27347
- FOUND MONUMENT
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

LINE TABLE

- (L1) S 74° 57' 24" E 76.03'
- (L2) S 26° 45' 23" W 74.61'
- (L3) N 31° 41' 36" E 64.38'

CURVE TABLE

	RADIUS	LENGTH	DELTA	CHORD
(C1)	5.00'	9.31'	106° 41' 53" (RT)	N 51° 41' 39" E 8.02'
(C2)	20.00'	27.33'	78° 17' 13" (LT)	S 65° 53' 59" W 25.25'
(C3)	171.22'	85.54'	28° 37' 32" (LT)	S 12° 18' 12" W 84.66'
(C4)	20.00'	2.29'	06° 32' 56" (LT)	N 71° 40' 54" W 2.28'



PREPARED FOR
CITY OF DAVENPORT
ENGINEERING DEPARTMENT

SURVEYOR
WILLETT HOFMANN & ASSOCIATES
CHAD O. MACKE
1515 5TH AVENUE
MOLINE, ILLINOIS 61265

OWNER
CITY OF DAVENPORT
226 W. 4TH STREET
DAVENPORT, IA 52801

PROJECT
LORTON PL. INTERSECTION RECONSTRUCTION
CIP NO.: 35062
PROJECT NUMBER: PRJ-4135



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

IOWA LICENSED LAND SURVEYOR NO. 27347
CHAD O. MACKE

DATE: 3/18/24

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025

ENTIRE SUBMISSION IS COVERED BY THIS
SEAL UNLESS SPECIFIED BELOW.

WILLETT HOFMANN
& ASSOCIATES, INC.
ENGINEERING, ARCHITECTURAL, LAND SURVEYING
1515 5TH AVENUE, SUITE 102, MOLINE, IL 61265
314.299.5175 FAX 314.299.5176



LORTON PL. INTERSECTION
PART OF LORTON PLACE RIGHT OF WAY
DAVENPORT, SCOTT COUNTY, IOWA

VACATION PLAT

DRAWN BY: SLD
APPROVED BY: COM
DATE: March 18, 10:41am
1051M24 VACATION PLAT.dwg | PLAT PG 1

1051M24

WHA PROJECT NUMBER:

SHEET NO.
10F2

VACATION PLAT
PART OF THE LORTON PLACE IN THE THIRD ANNEX TO FAIRHAVEN,
CITY OF DAVENPORT, SCOTT COUNTY, IOWA

Parcel Description

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

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

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

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

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

Thence, South 74 degrees 57 minutes 24 seconds East, 76.03 feet on said south right of way line to the beginning of a non-tangent curve concave to the southeast, said curve having a radius of 20.00 feet, a central angle of 78 degrees 17 minutes 13 seconds to the left, and a chord that bears South 65 degrees 53 minutes 59 seconds West, 25.25 feet.

Thence on said curve 27.33 feet;

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

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

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



WILLET H. HOFFMANN
ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, LAND SURVEYING
1051 EFTY AVENUE, SUITE 100, DAVENPORT, IOWA 52806
715.309.3171 FAX 715.309.3091

LORTON PL. INTERSECTION
PART OF LORTON PLACE RIGHT OF WAY
DAVENPORT, SCOTT COUNTY, IOWA

DRAWN BY: SLD

DATE: January 29, 3:00pm

APPROVED BY: COM

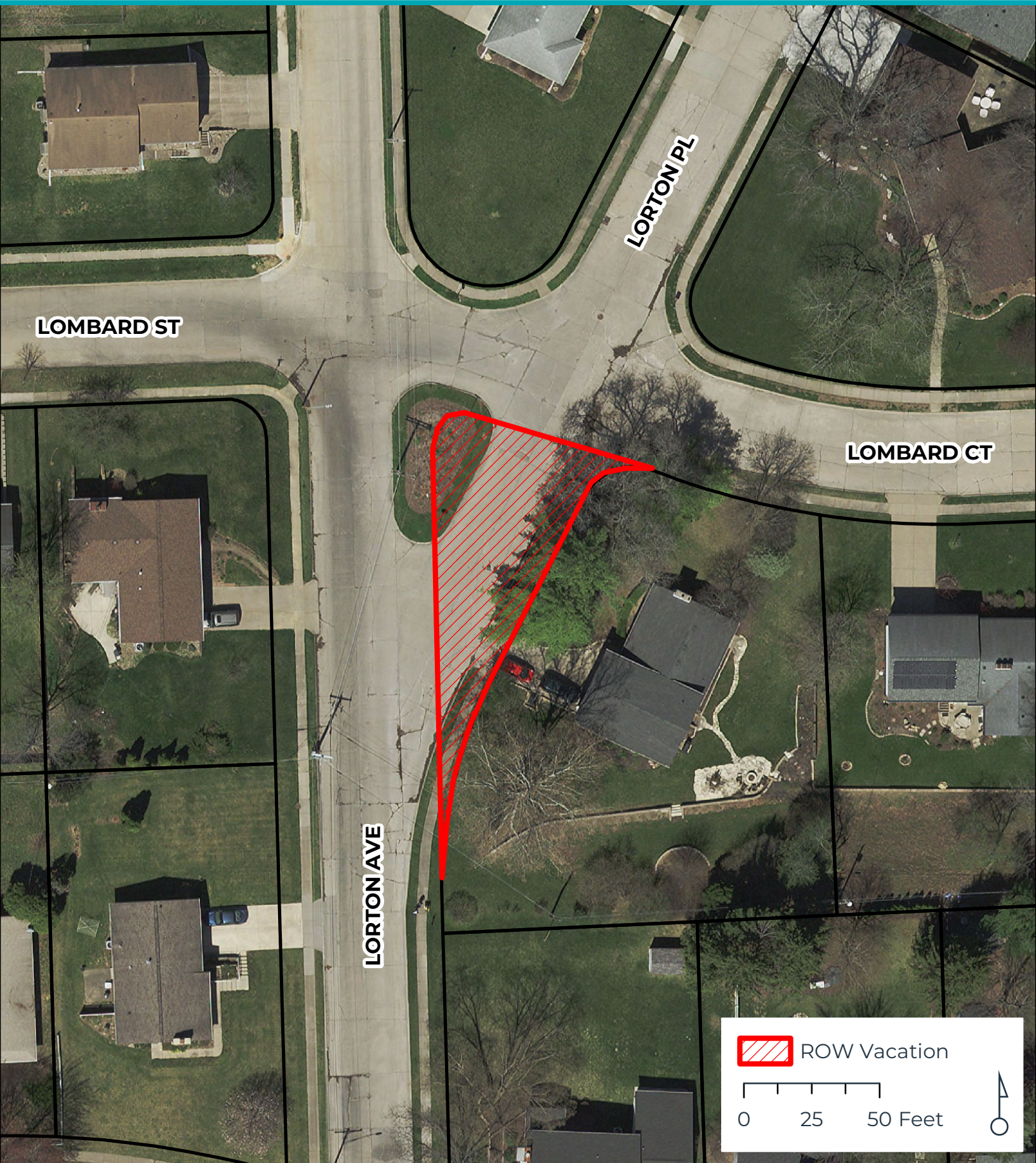
1051M24 VACATION PLAT.dwg | PLAT PG 2

WHA PROJECT NUMBER: 1051M24

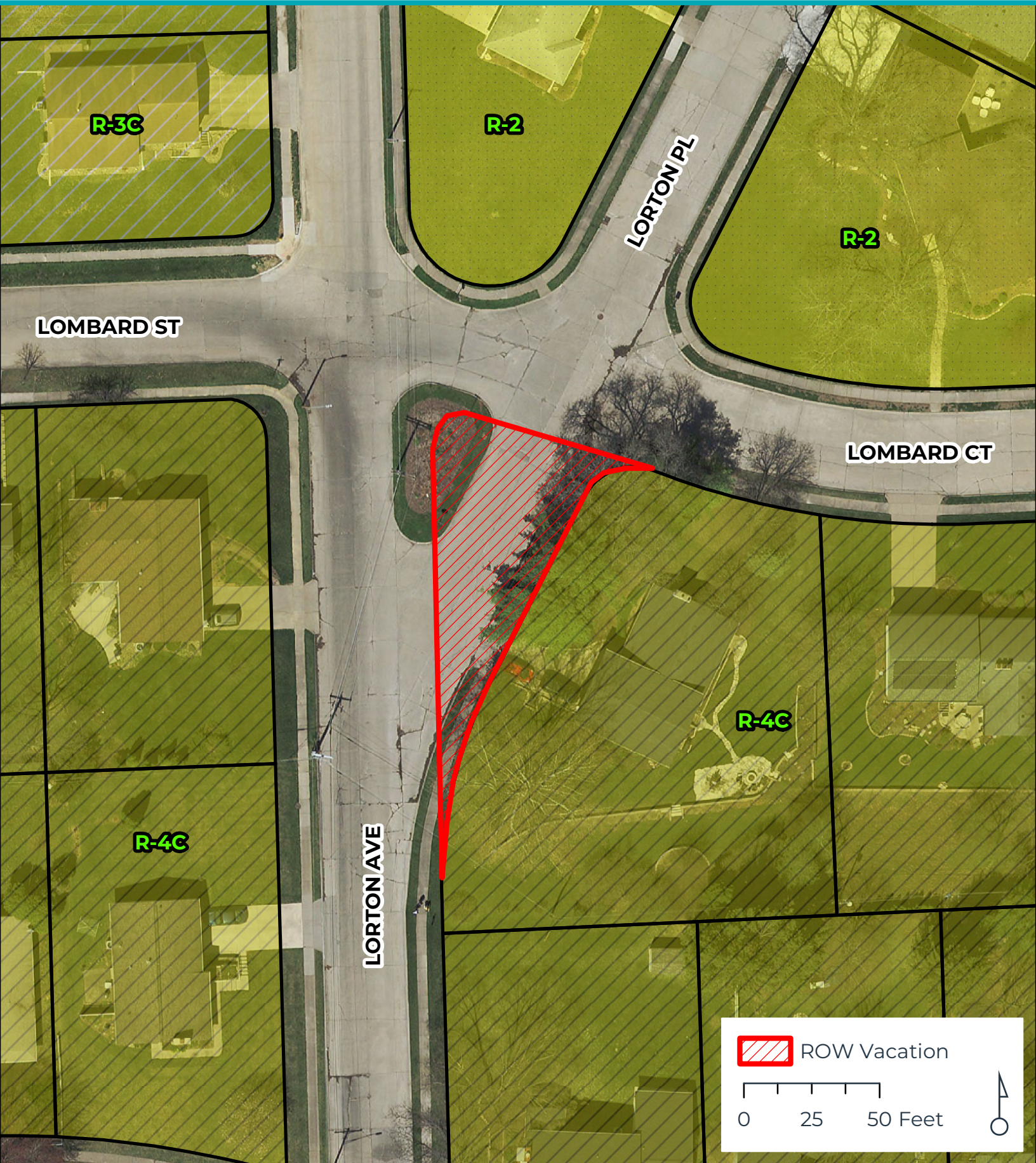
SHEET NO. 20F2

Vicinity Map | Right-Of-Way Vacation

Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 8]



Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 8]





Future Land Use Map | Right-Of-Way Vacation

Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 8]



ROW Vacation

0 25 50 Feet





DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 4/16/2024
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation

To: All property owners within 200 feet of the intersection of Lorton Place and Lombard Court.

What is this About?

This notice is being sent to inform you that a public hearing will be held for a request to vacate right-of-way. The City is petitioning that a portion of Lorton Place, between Lorton Avenue and Lombard Court, be vacated. This is in preparation for a roadway reconstruction project designed to increase safety at this intersection. The vacated portion of Lorton Place will become a landscaped front yard to the abutting property at 2227 Lorton Avenue.

Request/Case Description:

Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 6]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on April 16, 2024. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on April 30, 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. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

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

Do You Have Any Questions?

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

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



Right-Of-Way Vacation | Public Hearing Notice

Case ROW24-02: Request of the City of Davenport to vacate a portion of Lorton Place, between Lorton Avenue and Lombard Court. [Ward 8]



Werderitch, Matt

From: jackmckeon@aol.com
Sent: Tuesday, April 9, 2024 1:27 PM
To: Jobgen, Ben; Planning
Subject: [EXT] Vacation of a Portion of Lorton Place

ATTENTION: This is an external email.

My name is John (Jack) McKeon. I have lived on Lorton Place in the 6th ward for over 50 years.

I support the plan to vacate a portion of Lorton Place between Lorton Avenue and Lombard Court.

This will reduce and slow traffic on Lorton Place and make our neighborhood safer. Cars going north on Lorton Avenue use Lorton Place as a shortcut to get to Forest Road thereby avoiding the stop sign at Lorton Avenue and East Central Park. Many drivers just do a rolling stop with a right turn at the end of Lorton Place.

Thank you for asking for my input.

John McKeon
2319 Lorton Place
Davenport, Iowa 52803

City of Davenport

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

Action / Date
4/16/2024

Subject:
Consideration of the April 2, 2024 meeting minutes.

Recommendation:
Approve the minutes.

Background:
The April 2, 2024 meeting minutes are attached.

Attachments:
1. Meeting Minutes 4-2-24

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, APRIL 2, 2024; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. Roll Call

Present: Inghram, Hepner, Garrington, Tallman, Schilling, Johnson, Eikleberry, Dunlop

Absent: Maness, Schneider

Staff: Berkley

II. New Business

- A. Case ORD24-02: Request of The City of Davenport to amend Section 17.08 of the Zoning Ordinance regarding billboard regulations. [All Wards]

Berkley introduced the ordinance request. Recent billboard installations have spurred conversations and questions regarding how to best regulate electronic and static billboards. At its December 13, 2023 meeting, City Council approved a moratorium upon new billboards until June 13, 2024. The purpose of the six-month moratorium was to allow time to study best practices throughout the country and to review potential code amendments. There are currently 73 billboards scattered throughout Davenport's commercial corridors, industrial parks, and the downtown.

No members of the public were in attendance.

Commissioners commented on electronic message signs, regulating billboard brightness, permitted zoning districts, status of existing billboards, addressing nonconformities, setbacks from property lines, adjusting regulations based on roadway speed limit, and visibility from interstates.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Inghram, Hepner, Garrington, Tallman, Schilling, Johnson, Eikleberry, Dunlop

Absent: Maness, Schneider

Staff: Berkley

II. Report of the City Council Activity

Staff provided an update of the City Council activity. The Commission discussed the status of Case P23-02 being the request for a Preliminary Plat of Splendor Estates.

III. Secretary's Report

A. Consideration of the March 19, 2024 meeting minutes.

Motion by Tallman, second by Hepner, to approve the March 19, 2024 meeting minutes. Motion to approve was unanimous by voice vote (7-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Hepner, second by Johnson, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (7-0).

The meeting adjourned at 5:31 pm.

City of Davenport

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

Action / Date
4/16/2024

Subject:

Case ORD24-02: Request of The City of Davenport to amend Section 17.08 of the Zoning Ordinance regarding billboard regulations. [All Wards]

Recommendation:

Staff recommend the Plan & Zoning Commission forward Case ORD24-02 to the City Council with a recommendation for approval, subject to the proposed amendments and findings.

Findings:

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

Background:

Billboard Moratorium:

Recent billboard installations have spurred conversations and questions regarding how to best regulate electronic and static billboards. At its December 13, 2023 meeting, City Council approved a moratorium upon new billboards until June 13, 2024. The purpose of the six-month moratorium was to allow time to study best practices throughout the country and to review potential code amendments. There are currently 73 billboards scattered throughout Davenport's commercial corridors, industrial parks, and the downtown.

Proposed Ordinance Amendment:

Based on input from City Council, the Plan and Zoning Commission, and the public, staff have identified a common concern regarding the regulation of electronic billboards. To address these concerns, staff is proposing an ordinance amendment to better manage the placement and brightness of digital billboards. The attached ordinance amendment creates a set of general billboard regulations, applicable to billboards throughout the City. Separate standards are then proposed for static and electronic billboards. The regulations for static billboards remain consistent with the current code requirements for distance separation, sign area, setbacks from residential districts, and number of faces allowed per structure. Given the growing concern over electronic billboards, a more restrictive set of requirements is proposed.

Existing nonconforming billboards and those made nonconforming by this ordinance amendment are subject to Section 17.15. The City is not ordering the removal of any billboards

with the passage of this ordinance. However, electronic billboards shall comply with the proposed brightness regulations.

The following table outlines identified issues with existing billboards and proposed regulations designed to mitigate these concerns.

#	Identified Concern	Proposed Regulation
1	The C-2 Corridor Commercial District has no principal use setbacks.	Establish a standardized minimum setback of 25-feet from lot lines. A standard setback will preserve required landscaping and greenspace.
2	Commercial corridors in Davenport are over-signed.	Prohibit electronic billboards from the C-2 Corridor Commercial District.
3	Electronic billboards are visible from greater distances than traditional static billboards. Therefore, multiple electronic billboards may be visible from one location.	Increase separation distances between electronic billboards from 1,500 feet to 3,000 feet.
4	The scale and intensity of electronic billboards have greater impacts than static signs.	Limit the maximum advertising area of electronic billboards to 400 square feet, instead of 672 square feet.
5	Billboards detract from the character of residential neighborhoods.	Increase the distance electronic billboards can be constructed from residential districts from 150 feet to 600 feet.
6	Multiple electronic displays on a single structure create potential traffic safety issues.	Reduce the number of electronic billboards on a structure from 4 to 2. Allow only 1 electronic billboard to be visible from any one street direction.
7	The intensity and brightness of billboards creates a distraction for motorists and a nuisance to abutting properties.	Establish lighting requirements for static and electronic billboards to prevent glare and distraction to motorists and neighboring properties. Regulate the brightness of electronic billboards to require a dimming capability for changes in ambient light.

Approval Standards for Text Amendments

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to

existing requirements, or reflects a change in policy or change in development trends or technology.

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

Public Input:

A Notice of Public Hearing was published in the Quad City Times informing the community of the April 2, 2024 Plan and Zoning Commission Public Hearing. No members of the public were in attendance at the public hearing. City Staff have been communicating with several billboard companies regarding the potential ordinance amendments. Staff will apprise the Commission of any correspondence at the April 16, 2024 Plan and Zoning Commission Public Hearing.

Attachments:

1. Billboard Moratorium
2. Map of Existing Billboard Locations
3. Zoning Ordinance-Billboard Regulations
4. Proposed Billboard Regulations-Plan & Zoning Commission Meeting 4-16-2024

Resolution No. 2023-513

Resolution offered by Alderman Gripp.

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

RESOLUTION placing a moratorium upon new billboard construction until June 13, 2024.

WHEREAS, the City of Davenport regulates the uses and special uses of its zoning districts; and

WHEREAS, recent billboard installation has spurred additional conversations and questions on how to best regulate electronic and static billboards; and

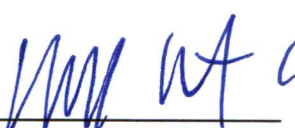
WHEREAS, the City of Davenport wishes to study the best practices around the country; and

WHEREAS, this six-month period would allow time for code amendments to be vetted and proposed for adoption.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa that a moratorium is hereby imposed upon new billboard construction until June 13, 2024.

Passed and approved this 13th day of December, 2023.

Approved:



Mike Matson
Mayor



Attest:



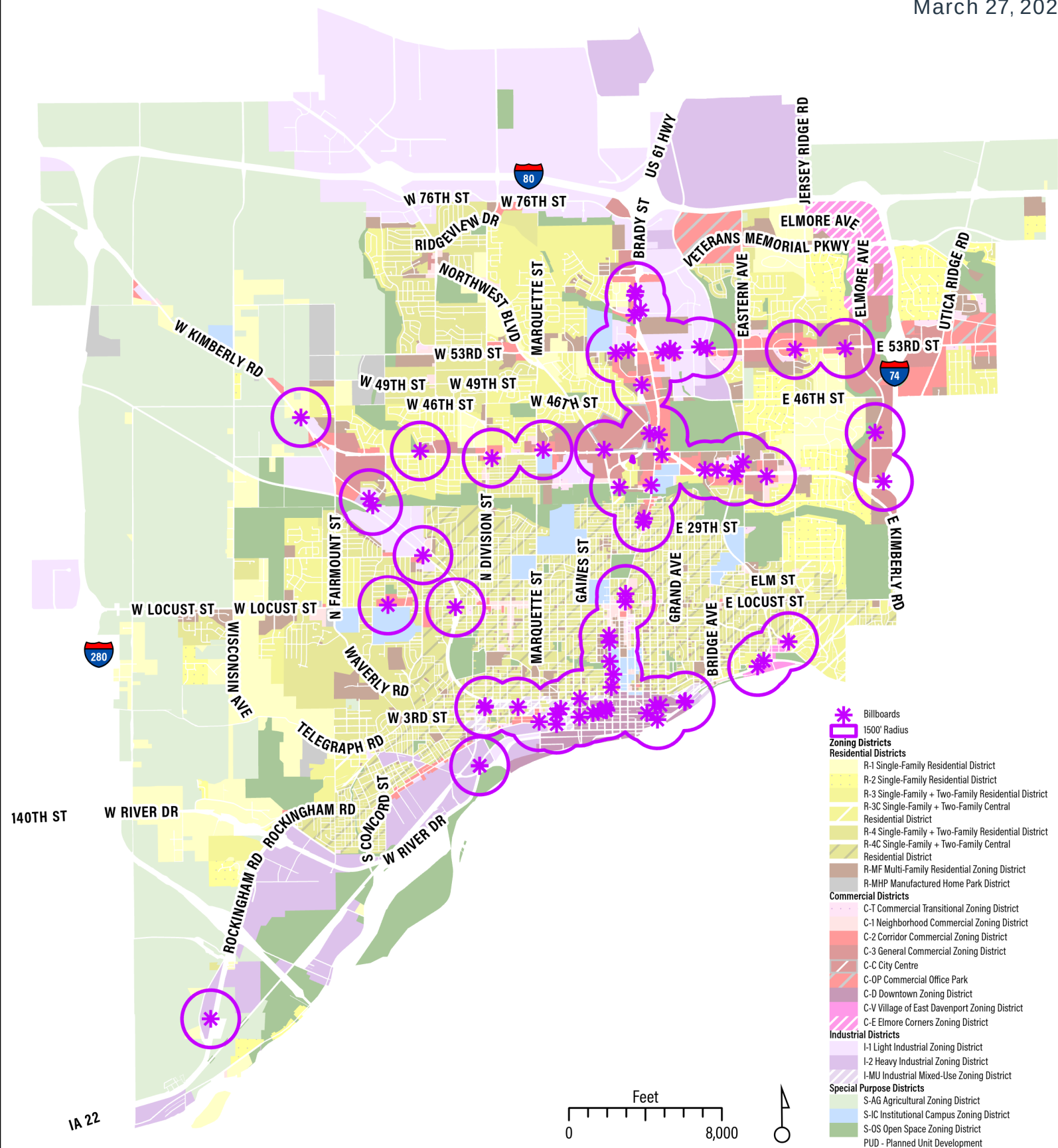
Brian Krup
Deputy City Clerk



Billboard Map

Locations and Buffer

March 27, 2024



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

Section 17.08.010 General Use Regulations

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

Section 17.08.020 Use Matrix

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

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

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

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

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

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

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

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

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

Section 17.08.030 Principal Use Standards

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

E. Billboard

1. Billboard locational restrictions are as follows:
 - a. Billboard structures are prohibited if visible from an interstate highway.
 - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
 - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
2. The maximum sign area of a billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
3. The maximum height of a billboard is 45 feet.
4. Billboards must meet principal building setbacks.
5. All billboards must be separated by a minimum distance of 1,500 feet.
6. Up to four billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two billboard sign faces can be visible from any one street direction.
7. Billboards are permitted to be electronic billboards but must comply with the following:
 - a. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.
 - b. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.

Section 17.08.050 Use Definitions

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

Billboard. A permanent sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located.

**Proposed Billboard Regulations
Plan & Zoning Commission Meeting 4-16-2024**

Section 17.08.050 Definition of General Terms

Billboard. A permanent sign directing attention to a specific business, product, service, entertainment event, activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property upon which the sign is located. Static billboards display a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face have to be re-erected and affixed to the structure. Electronic billboards are digital displays that can be changed within seconds or minutes by a remote or automatic means.

Section 17.08.030 Principal Use Standards

E. Billboard

1. General regulations for billboards:
 - a. Billboard structures are prohibited if visible from an interstate highway.
 - b. Billboard structures are prohibited on properties listed on the Davenport Register of Historic Places.
 - c. Billboards are prohibited within required landscaping areas, as outlined in Section 17.11.
 - d. The maximum height of a billboard is 45 feet.
 - e. Billboards shall be setback a minimum of 25 feet from lot lines.
 - f. Billboard distance separation shall be measured from the closest points of each billboard structure. This is measured in a straight line along either side of the right-of-way of the street.
2. The following additional standards apply to static billboards:
 - a. All static billboards must be separated by a minimum distance of 1,500 feet.
 - b. The maximum sign area of a static billboard is 672 square feet plus an extension area from the single continuous perimeter not to exceed 153 square feet.
 - c. Billboards with a sign area of up to 300 square feet must be a minimum of 100 feet from any residential district. Billboards with a sign area of over 300 square feet must be a minimum of 150 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
 - d. Up to four static billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than two static billboard sign faces can be visible from any one street direction.
 - e. Any billboard illumination shall be designed, located, shielded, and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, and prevent the distraction of motor vehicle operators or pedestrians in the public right-of-way.
3. The following additional standards apply to electronic billboards:
 - a. Electronic billboards are prohibited in the C-2 Corridor Commercial District.
 - b. All electronic billboards must be separated by a minimum distance of 3,000 feet.
 - c. The maximum sign area of an electronic billboard is 400 square feet.
 - d. Electronic billboards shall be a minimum of 600 feet from any residential district. This is measured in a straight line along either side of the right-of-way of the street.
 - e. Up to two electronic billboard sign faces are allowed on one billboard structure. A "V" arrangement is permissible, however, no more than one electronic billboard sign face can be visible from any one street direction.
 - f. Electronic billboards cannot change more than once every eight seconds. Static images with no animation are required and the transition from one image to the next must occur in one second or less.

- g. An electronic display must contain a default mechanism to show a "full black" image or turn the sign off in case of malfunction, or must be manually turned off within 12 hours of a reported malfunction.
- h. The maximum brightness is limited to 5,000 nits when measured from the billboard's face at its maximum brightness, during daylight hours, and 200 nits when measured from the billboard's face at its maximum brightness between dusk and dawn, i.e., the time of day between sunrise and sunset. The billboard must have an ambient light meter and automatic or manual dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise.

City of Davenport

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

Action / Date
4/16/2024

Subject:

Case F24-05: Request of Axiom Consultants, on behalf of Red Barn Storage LLC, for a Final Plat of Ruehmann Second Addition. The 1-lot subdivision is located at 3901 Hickory Grove Road on 3.37 acres. [Ward 2]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F24-05 to the City Council with a recommendation for approval subject to the listed 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 from the plat.
4. Establish needed utility easements on the plat. Include a note vacating any unused easements.
5. Provide a 50-foot drainage easement associated with the existing creek.
6. Include a note stating, "Stormwater detention and water quality treatment will be required for this subdivision and will be owned and maintained by the property owner."

Background:

The purpose of the final plat is to expand the existing Red Barn Storage facility to the adjacent property. This plat combines two parcels together to establish a larger developable site. Building permits and civil plans are currently under review for the self-storage facility. The final plat vacates and establishes utility easements associated with the new development.

Comprehensive Plan:

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

Future Land Use Designation:

The subject property is designated as **Regional Commercial (RC)** in the Davenport +2035 Future Land Use Map. This land use category is the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.

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 **I-1 Light Industrial District**. This district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

Technical Review:

1. Zoning: The I-1 Light Industrial District does not have a minimum lot area or lot width requirements. Both lots and existing buildings satisfy district dimensional requirements. City staff are currently reviewing building and civil plans to redevelop the site for an outdoor self-storage facility.
2. Streets: The existing site has one access point to Hickory Grove Road. There are no proposed changes in driveway location with this development.
3. Storm Water: Stormwater detention is proposed at the southeast corner of the site and is being reviewed as part of the development plans. There is an existing creek along the east lot line that requires a 50-foot drainage easement.
4. Sanitary Sewer: A sanitary sewer line is located along Hickory Grove Road. There is also a 20-foot sanitary sewer easement with a lateral that extends into the center of the site.
5. Other Utilities: Normal utility services are available on this site. Existing utility easements on the site that do not contain infrastructure will be vacated upon recording.
6. Parks/Open Space: There are no impacts to parks/open space.

Public Input:

A public hearing and public notification are not required for a Final Plat.

Attachments:

1. Final Plat of Ruehmann Second Addition
2. Maps
3. Application

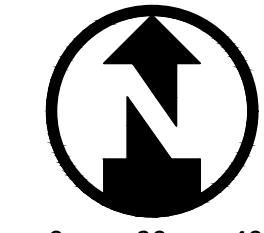
FINAL PLAT
RUEHMANN SECOND ADDITION
A RESUBDIVISION OF
RUEHMANN FIRST ADDITION
CITY OF DAVENPORT, IOWA

FOR RECORDER'S USE ONLY

RECORDER'S INDEX	
COUNTY:	SCOTT
SECTION:	17
QUARTER SECTION:	NE
CITY:	DAVENPORT
SUBDIVISION:	RUEHMANN'S FIRST ADDITION
BLOCK:	NA
LOT(S):	4 AND 5
PROPRIETOR:	RED BARN STORAGE LLC
REQUESTED BY:	BRIAN DECOSTER
PREPARED BY:	AXIOM CONSULTANTS, LLC, 300 S. Clinton St. Unit 200, Iowa City, IA 52240 - PH# 319.519.6220

ENGINEER:

WWW.AXIOM-CON.COM | (319) 519-6220


0 20 40
1" = 40'

DRAWING LOG	
DATE	DESCRIPTION OF CHANGES

PROJECT NAME:	RED BARN STORAGE
CLIENT NAME:	BRIAN DECOSTER

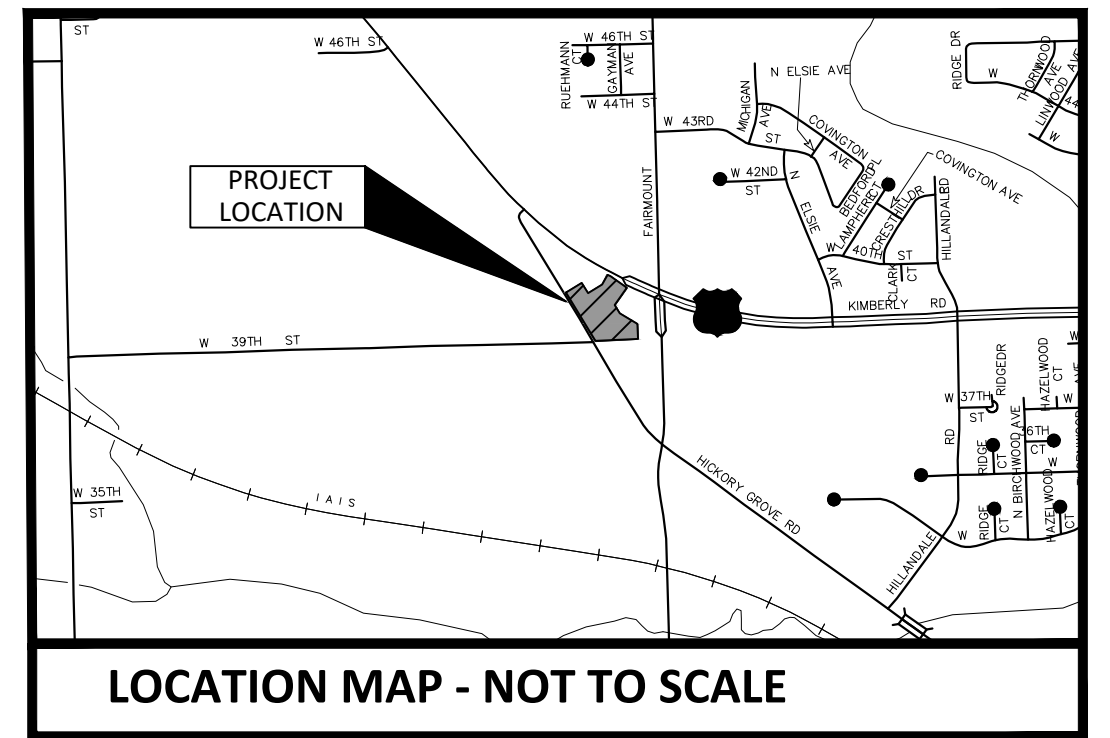
SHEET NAME:	FINAL PLAT
SHEET NUMBER:	1.0

DESIGNED, DETAILED, AND CHECKED BY:
BRG

PLAT PREPARED BY:
AXIOM CONSULTANTS
60 E. COURT STREET, UNIT 3
IOWA CITY, IA 52240

OWNER/SUBDIVIDER:
RED BARN STORAGE LLC
1820 BAYRUM STREET
IOWA CITY, IA 52240

SUBDIVIDER'S ATTORNEY:
LEFF LAW
MARK DANIELSON
222 S. LINN STREET
IOWA CITY, IA 52240



LEGAL DESCRIPTION

Lots 4 and 5 of Ruehmann First Addition to the City of Davenport, Scott County, Iowa.

Described area contains 3.37 Acres and is subject to easements and other restrictions of record.

UTILITY APPROVALS	
IOWA AMERICAN WATER	DATE
AUREON	DATE
LUMEN	DATE
MIDAMERICAN ENERGY	DATE
VERIZON	DATE
WINDSTREAM	DATE

CITY APPROVALS	
CITY OF DAVENPORT	
BY:	DATE:
ATTEST:	
CITY PLAN & ZONE COMMISSION	
BY:	DATE:

SIGNED BEFORE ME THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC, IN AND FOR THE STATE OF IOWA.

LEGEND

⊙

×

☆

●

OPC

YPC

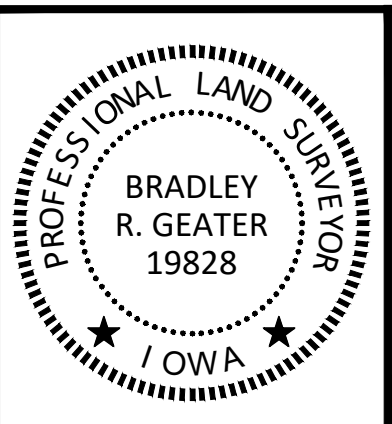
RPC

—

(R)

SET 3/4" Ø PIPE OPC #19828
SET CUT X
SET PK/MAG NAIL
FOUND-AS LABELED
ORANGE PLASTIC CAP
YELLOW PLASTIC CAP
RED PLASTIC CAP
PROPOSED BOUNDARY
EXISTING PROPERTY LINE
PROPOSED EASEMENT
EXISTING EASEMENT
EXISTING SETBACK
PROPOSED SETBACK
PREVIOUSLY RECORDED AS

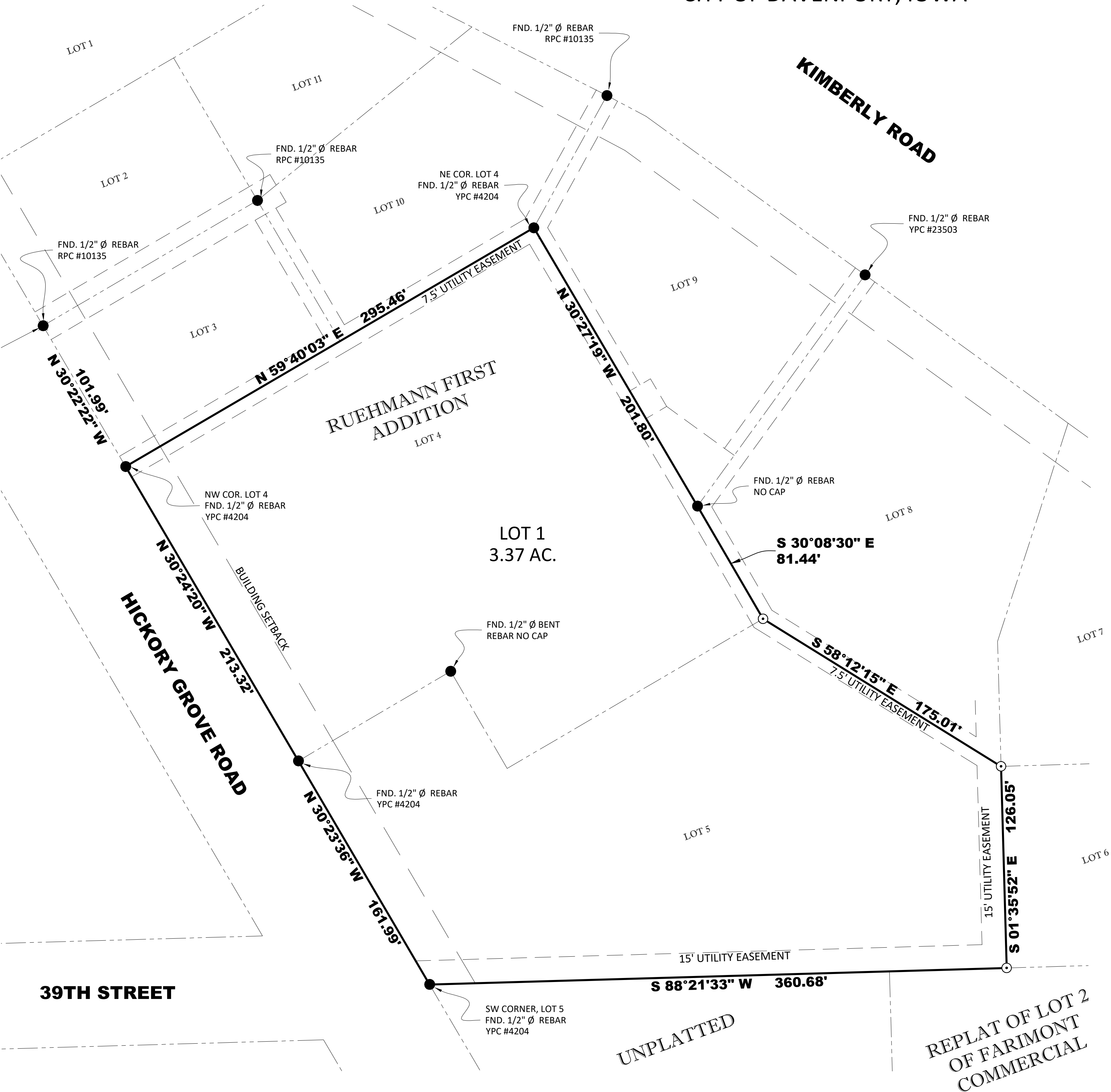
- NOTES:
- BASIS OF BEARING IS GPS MEASUREMENTS IN THE IOWA PLANE COORDINATE SYSTEM SOUTH ZONE NAD 83.
 - UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS.
 - ERROR OF CLOSURE IS LESS THAN 1 IN 10,000



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

DRAFT

BRADLEY R. GEATER, P.L.S., P.E.
LICENSE NUMBER 19828
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025.
PAGES OR SHEETS COVERED BY THIS SEAL: THIS PLAT

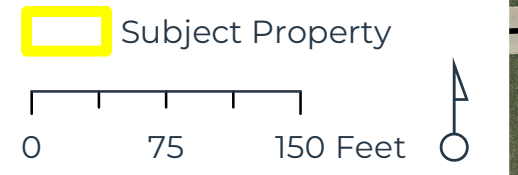
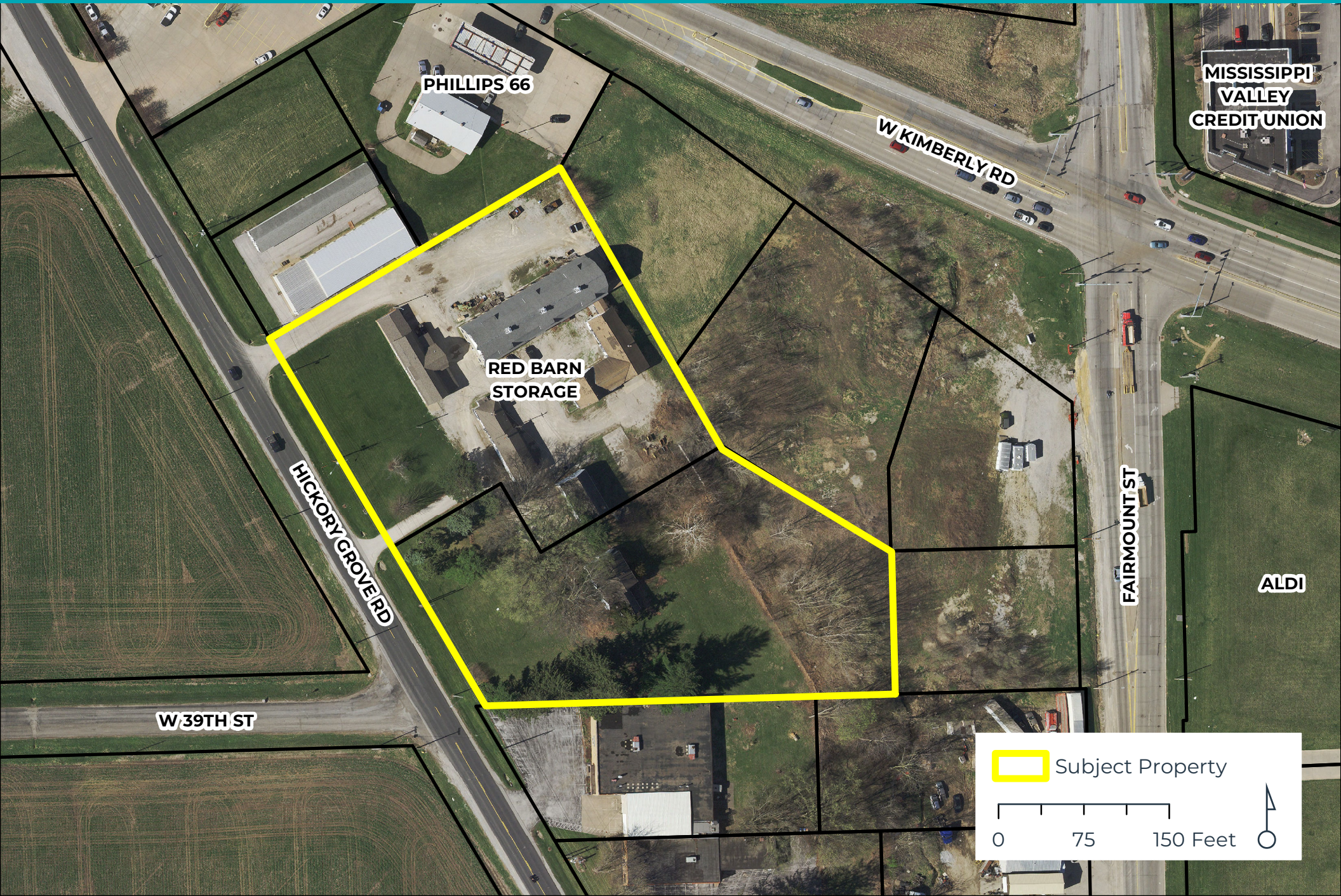




THE CITY OF
DAVENPORT
IOWA | USA

Vicinity Map | Case F24-05

Request of Axiom Consultants, on behalf of Red Barn Storage LLC, for a Final Plat of Ruehmann Second Addition. The 1-lot subdivision is located at 3901 Hickory Grove Road on 3.37 acres. [Ward 2]

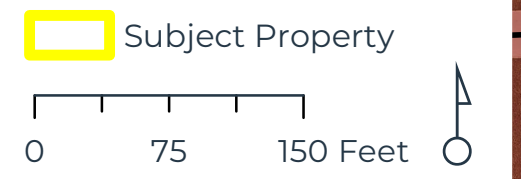
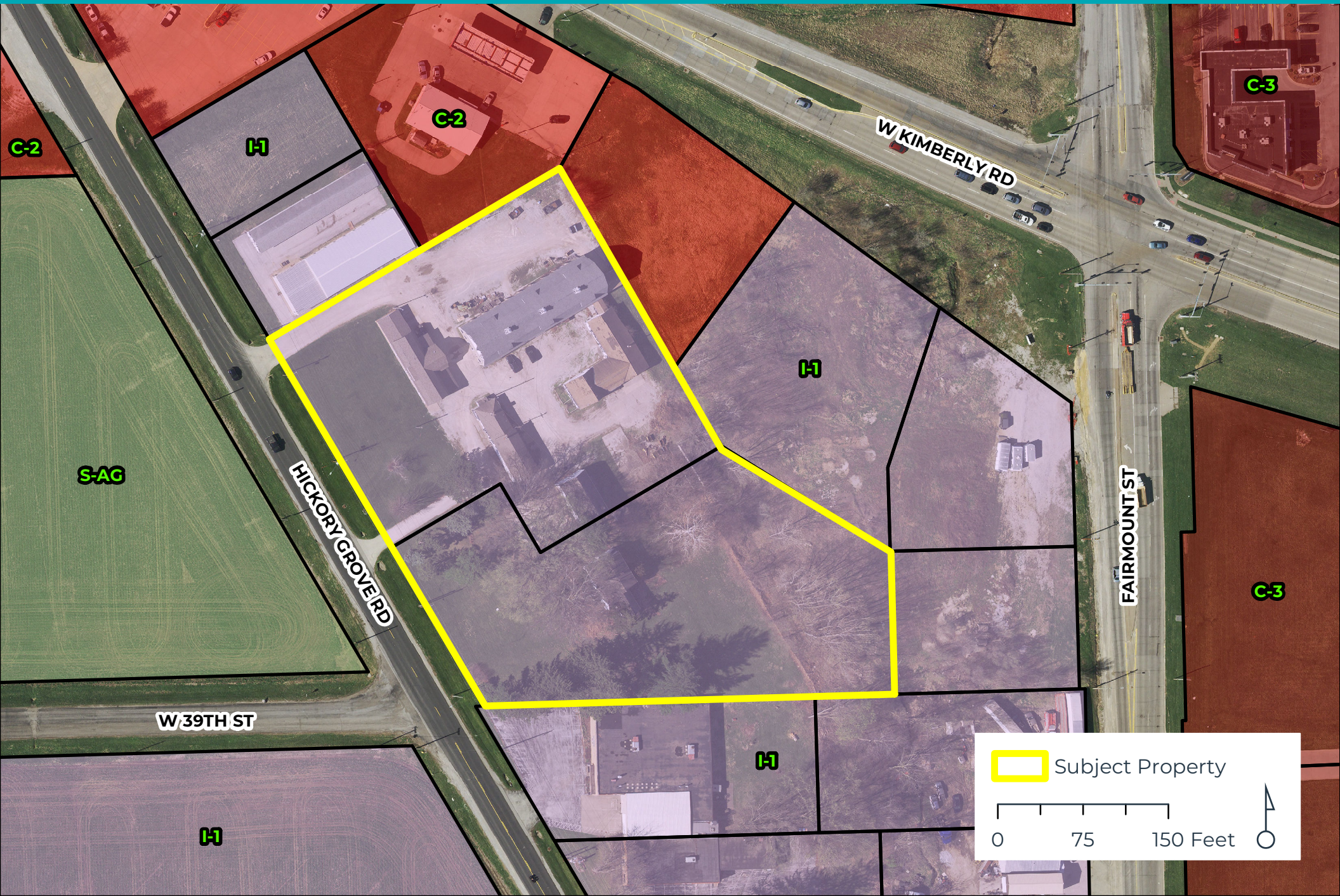




THE CITY OF
DAVENPORT
IOWA | USA

Zoning Map | Case F24-05

Request of Axiom Consultants, on behalf of Red Barn Storage LLC, for a Final Plat of Ruehmann Second Addition. The 1-lot subdivision is located at 3901 Hickory Grove Road on 3.37 acres. [Ward 2]

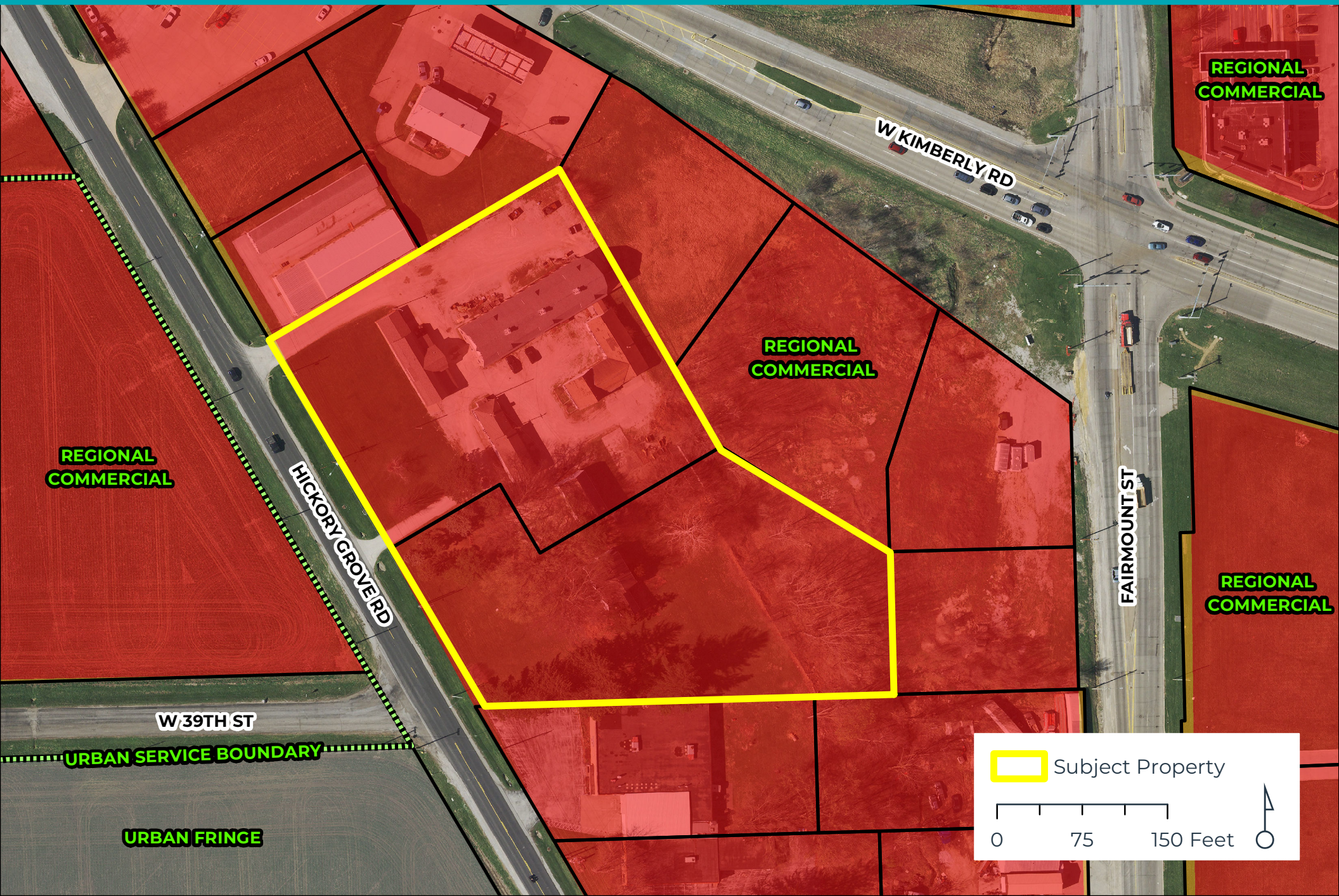




THE CITY OF
DAVENPORT
IOWA | USA

Future Land Use Map | Case F24-05

Request of Axiom Consultants, on behalf of Red Barn Storage LLC, for a Final Plat of Ruehmann Second Addition. The 1-lot subdivision is located at 3901 Hickory Grove Road on 3.37 acres. [Ward 2]





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)

APPLICANT INFORMATION

Applicant Name

Brian Boelk (Axiom Consultants)

Address

300 S Clinton Street #200

City | State | Zip

Iowa City, IA 52240

Phone

(319) 519-6220

Secondary Phone

E-Mail Address

bboelk@axiom-con.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 all development review costs, including but not limited to a traffic study.

Brian Boelk

Print Applicant's Name

Applicant's Signature

03/14/2024

Date

SUBDIVISION NAME

Ruehmann Second Addition

LOCATION DESCRIPTION

Lots 4 & 5 of Ruehmann First Addition

SUBMITTED

03/14/2024

NUMBER OF LOTS BY USE TYPE

2

ACRES

3.37

STREETS ADDED

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.

DEVELOPMENT TEAM

Developer / Project Manager

Red Barn Storage LLC (Tony Pederson)

Address

1820 Bayrum Street, Iowa City, IA 52240

Phone

Secondary Phone

E-Mail Address

pedersonsontony1@gmail.com

Engineer

Axiom Consultants (Brian Boelk)

Address

300 S Clinton Street #200, Iowa City, IA 52240

Phone

(319) 519-6220

Secondary Phone

E-Mail Address

bboelk@axiom-con.com

Owner

Red Barn Storage LLC (Tony Pederson)

Address

1820 Bayrum Street, Iowa City, IA 52240

Phone

Secondary Phone

E-Mail Address

pedersonsontony1@gmail.com

Attorney

Leff Law (Attention: Mark Danielson)

Address

222 S Linn Street, Iowa City 52240

Phone

(319) 338-7551

Secondary Phone

E-Mail Address

danielson@lefflaw.com

Authorization to Act as Applicant

I/We, Red Barn Storage LLC
[as property owner(s)]

authorize Brian Boelk of Axiom Consultants
[the above person(s)]

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

for the property located at Lots 4 & 5 of Ruehmann First Addition.



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

Notarization: _____

3/14/2024
Date

State of IA,

County of Johnson,

Sworn and subscribed before me

this 14th day of March, 2024.

Drivers License 361557997
[identification type]

[Signature]
Notary Public

My Commission Expires: 6/25/25