

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, APRIL 20, 2021; 5:00 PM

COUNCIL CHAMBERS CITY HALL 226 W 4TH STREET

A PARTIALLY ELECTRONIC MEETING IS BEING HELD BECAUSE A FULLY "IN PERSON" MEETING IS IMPRACTICAL DUE TO CONCERNS FOR THE HEALTH AND SAFETY OF COUNCIL MEMBERS, STAFF, AND THE PUBLIC PRESENTED BY COVID-19, AND TO FOLLOW THE GOVERNOR'S PROCLAMATION AND THE MAYOR'S EXECUTIVE ORDER DIRECTING SOCIAL DISTANCING AND PLACING RESTRICTIONS ON GATHERINGS. IN PERSON ATTENDANCE BY THE GENERAL PUBLIC AT ANY CITY OF DAVENPORT PUBLIC MEETING WITHIN ITS FACILITIES SHALL BE LIMITED TO 20 PERSONS.

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. Old Business

II. New Business

- A. Case REZ21-02: Request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less. [Ward 7]

III. Next Public Hearing: May 4, 2021

REGULAR MEETING AGENDA

I. Roll Call

II. Report of the City Council Activity

III. Secretary's Report

- A. Consideration of the April 6, 2021 meeting minutes.

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

- i. Case ORD21-01: Request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled "Zoning." [All wards]

VI. Subdivision Activity

- A. Old Business

- B. New Business

- VII. Future Business

- VIII. Communications

- IX. Other Business

- A. Election of Officers

- X. Adjourn

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Scott Koops, Planner II, AICP
Scott.Koops@davenportiowa.com

Date
4/20/2021

Subject:

Case REZ21-02: Request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less. [Ward 7]

Recommendation:

There is no recommendation provided at a public hearing.

Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

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

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

Zoning:

The property is currently zoned C-2 Corridor Commercial Zoning District.

Technical Review:

Technical review comments have been requested and will be shared with the final staff report.

Public Input:

Property owners within 200 feet of the property have been notified and a sign has been placed on the property.

A neighborhood meeting was held on Tuesday, April 12, 2021 at the site. Seven (7) residents/neighbors attended. Issues brought up at meeting were the following: timing, number and size of trucks for used for deliveries, required fencing on west and north property line, and the storm drain.

The Notice of a Public Hearing was published in the Quad City Times on April 12, 2021.

Discussion:

The petitioner is requesting a rezoning to C-3 General Commercial to accommodate an electrical component retail sales business that has limited need (50' x 50') of an outdoor storage enclosure. The storage area proposed would be screened by a 6' tall solid privacy fence with gates. The present zoning (C-2) does not allow for any outdoor storage.

In 2013 a rezoning request by Murray Warehousing to allow a warehousing/distribution center at this site failed at City Council on October 9th. Under the former zoning code, the request was to rezone the property to Planned Development "PDD" which would have allowed for warehousing.

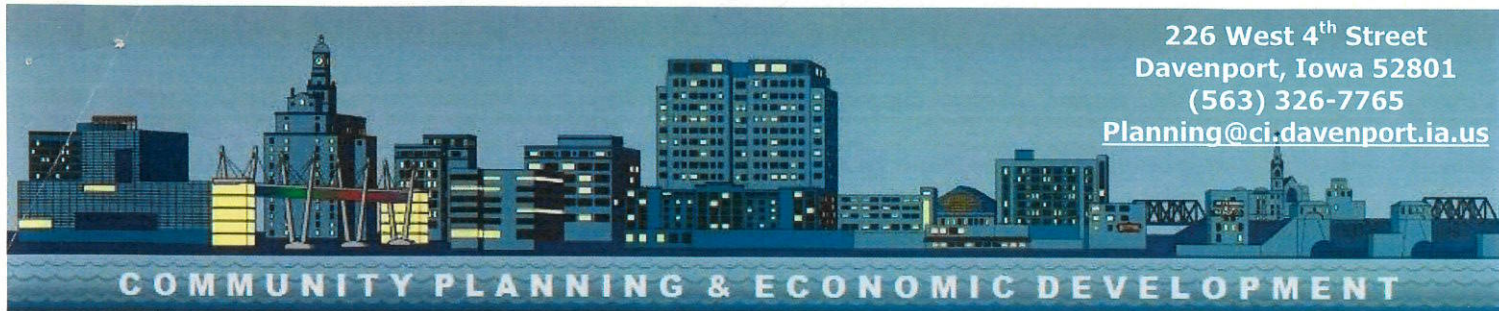
ATTACHMENTS:

Type	Description
▣ Exhibit	Application
▣ Exhibit	Additional Applicant Documents
▣ Exhibit	Aerial Photo
▣ Exhibit	Zoning Map
▣ Exhibit	Davenport 2035 Land Use Map
▣ Exhibit	Site Photos

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	4/16/2021 - 12:28 PM



226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

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

Property Address* 1320 W. Kimberly Road, Davenport, Iowa

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

Applicant (Primary Contact)**

Name: Tom Pastrnak
Company: Pastrnak Law Firm, PC
Address: 313 W. 3rd Street
City/State/Zip: Davenport, IA 52801
Phone: 563-323-7737, ext 210
Email: tpastrnak@pastrnak.com

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

Name: Chris Belser
Company: Belser Ventures, LLC
Address: 3511 8th Street
City/State/Zip: Rock Island, IL 61201
Phone: 563-529-4951
Email: chris@bsmqc.com

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Design Review Board

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

Engineer (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

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

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name: Tom Pastrnak
Company: Pastrnak Law Firm, PC
Address: 313 W. 3rd Street
City/State/Zip: Davenport, IA 52801
Phone: 563-323-7737, ext 210
Email: tpastrnak@pastrnak.com

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

Submitted 3-25-21
REZ 21-02
Paid
Pls Public Hearing 4-20-21

PASTRNAK LAW FIRM, P.C.

Attorneys at Law
313 W. 3rd Street
Davenport IA 52801
Phone: (563) 323-7737, Ext. 210
Fax: (563) 323-7739
E-mail: tpastrnak@pastrnak.com

Thomas J. Pastrnak*
Candy K. Pastrnak*

Thomas R. Schulz – Of Counsel *
Gregory S. Jager – Of Counsel**
Dee A. Runnels – Of Counsel *

*Attorneys Admitted in Iowa and Illinois

**Attorney Admitted in Iowa Only

ILLINOIS OFFICE:
6300 75th Ave., Suite A
Milan, IL 61264

VIA HAND DELIVERY

March 25, 2021

MS LAURA BERKLEY
DEVELOPMENT AND PLANNING ADMINISTRATOR
CITY OF DAVENPORT
1200 E 46TH STREET
DAVENPORT IA 52807

RE: Rezoning Old K's Merchandise building to C-3 Heavy Retail

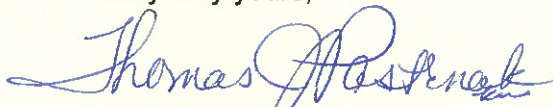
Dear Laura:

Pursuant to our discussions over the past week, enclosed please find the Petitioner's rezoning application regarding the above captioned matter, along with a draft in the sum of \$920.00 for processing.

Please place on the Public Hearing agenda before Plan & Zoning Commission for April 20th, and I'll be in touch shortly to seek to schedule the neighborhood meeting.

I look forward to working with you in connection with this rezoning matter.

Very truly yours,



THOMAS J. PASTRNAK
Attorney at Law

TJP/kkn
Enclosures

Request:Existing Zoning: C-1 C-2Proposed Zoning Map Amendment: C-3**Purpose of the Request:**

To allow Tenant, Consolidated Electrical Distributors, Inc., a Delaware Corporation, to lease and occupy 24,443 sq. ft. of the building and enable Tenant to conduct its business thereon, which consists of wholesale and retail distribution of electrical supplies and deemed a Heavy Retail Use under City of Davenport's current Zoning Code.

Total Land Area: 254.739 Square Feet Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No**Submittal Requirements:**

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

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

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

(2) Plan and Zoning Commission public hearing:

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

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

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

Formal Procedure (continued):

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

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

Applicant:

Date:

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

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

Authorization to Act as Applicant

I, Chris Belser of Belser Ventures, LLC
authorize Tom Pastmak of Pastmak Law Firm, PC
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

X 

Signature(s)

State of Illinois,
County of Rock Island.
Sworn and subscribed to before me

This 23rd day of March 2021

Drivers License

Form of Identification


Notary Public

My Commission Expires: Oct 5, 2021





Doc ID: 019845400002 Type: LAN
Recorded: 01/22/2014 at 09:08:14 PM
Fee Amt: \$1,536.20 Page 1 of 2
Revenue Tax: \$1,519.20
Scott County Iowa
Rita A. Varpas Recorder

File **2014-00001484**

Preparer Information: William T. Phares, 4500 Kennedy Drive, East Moline, IL 61244
Address Tax Statement: Chris and Lisa Belser, 3511 – 8th Street, Rock Island, IL 61201
Return To: Skorepa Law Office, 3725 Blackhawk Road, #200, Rock Island, IL 61201

WARRANTY DEED

For the consideration of one dollar and other valuable consideration,

JJZ DEVELOPMENT, LLC, an Illinois limited liability company,

hereby conveys to

BELSER VENTURES, LLC, an Iowa limited liability company,

the real estate situated in Scott County, Iowa and described as follows:

Lot 3 of the Final Plat of Old K's Subdivision, in part being a replat of Lot 1 of Victory Acres, part of the NE Quarter of Section 15, Township 78 North, Range 3 East of the 5th P.M. to the City of Davenport, Scott County, Iowa.

Grantor does hereby covenant with grantee and successors in interest, that grantor holds the real estate by title in fee simple; that grantor has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; that grantor is a manager managed limited liability company and the undersigned in the ordinary course of the company's business are authorized signors to act on behalf of the Company; and grantor covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated.

Subject to Declaration of Easements with Covenants and Restrictions Affecting Land (ECR"),
recorded 1/22/2014, as Document No. 2014-1483, in the office
of the Scott County Iowa Recorder.

Dated: January 21st, 2014.

J. B. Massa
Jayme B. Massa, Manager/Member

Zachary M. Sottos
Zachary M. Sottos, Manager/Member

STATE OF IOWA)
) ss
COUNTY OF SCOTT)

I, the undersigned, a Notary Public, in and for the County, and State aforesaid, DO
HEREBY CERTIFY THAT,

Jayme B. Massa, Manager/Member, and Zachary M. Sottos, Manager/Member

personally known to me to be the same persons whose names are subscribed to the foregoing
instrument, appeared before me this day in person and acknowledged that they signed and
delivered said instrument as their free and voluntary act, and as the free and voluntary act of
said limited liability company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 21st day of January, 2014.



Kim Stevenson
Notary Public

467724

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673480 CORP \$50.00 PATH 2 1/4/13

CERTIFICATE OF ORGANIZATION
OF
BELSER VENTURES, LLC

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to Iowa Code Section 489.201 of the Iowa Revised Uniform Limited Liability Company Act, the undersigned adopt the following articles of organization for the company:

ARTICLE I

Name

The name of the limited liability company is Belser Ventures, LLC (the "Company").

ARTICLE II

Initial Registered Agent and Registered Office

The name and street address of the Company's initial registered agent and office in Iowa is Nancy A. Patterson, 3910 N. Lillie Avenue, Davenport, Iowa 52806.

ARTICLE III

Principal Office

The street address of the Company's principal office is 1320 West Kimberly Road, Davenport, Iowa 52806.

ARTICLE IV

Period of Duration

The Company's existence shall commence upon the filing of the Certificate of Organization with the Office of the Iowa Secretary of State and shall continue perpetually, unless dissolved sooner in accordance with the terms of the Company's operating agreement.

(3)

ARTICLE V

Managers

A. The business and affairs of the Company shall be governed by managers elected by the members in the manner described in the Company's operating agreement. No member's action nor any other person's action shall bind the Company except as authorized by the Company's operating agreement.

B. The managers shall have all of the duties, powers, and authority as set forth in the Company's operating agreement, including but not limited to the power and authority to purchase, accept, transfer, assign, mortgage, and encumber real estate in the name of the Company and on behalf of the Company.

ARTICLE VI

Non-Liability and Indemnification

A. No member or manager of this Company shall be personally responsible or liable for any of the acts, debts, liabilities, or losses of this Company.

B. No manager of this Company shall be personally responsible or liable to the Company or its members or anyone else for monetary damages for breach of fiduciary duty as a manager, except for liability (i) for any breach of the manager's duty of loyalty to the Company or its members, (ii) for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of law, (iii) for a transaction from which the manager derived an improper personal benefit or a wrongful distribution in violation of Section 489.405 of the Iowa Code.

C. Each person who is or was a manager of the Company (and the heirs, executors, personal representatives, administrators, or successors of such person) who was or is made a party to, or is involved in any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that such person is or was a manager of the Company or is or was serving at the request of the Company as a manager, director, officer, partner, trustee, employee or agent of another limited liability company, corporation, partnership, joint venture, trust, employee benefit plan or other enterprise ("Indemnatee"), shall be indemnified and held harmless by the Company to the fullest extent permitted by applicable law, as the same exists or may hereafter be amended. In addition to the indemnification conferred in this Article, the Indemnatee shall also be entitled to have paid directly by the Company the expenses reasonably incurred in defending any such proceeding against such Indemnatee in advance of its final disposition, to the fullest extent authorized by applicable law, as the same exists or may hereafter be amended. The right to indemnification conferred in this Article shall be a contract right.

D. The Company may, by action of the managers, provide indemnification to such of the officers, employees and agents of the Company to such extent and to such effect as the managers shall determine to be appropriate and authorized by applicable law.

E. The rights and authority conferred in this Article shall not be exclusive of any other right which any person may have or hereafter acquire under any statute, provision of the articles of organization or operating agreement of the Company, agreement, vote of members or disinterested managers, or otherwise.

F. Any repeal or amendment of this Article by the members of the Company shall not adversely affect any right or protection of a manager or officer existing at the time of such repeal or amendment.

The existence of this Company shall commence upon the filing of the Certificate of Organization with the Office of the Iowa Secretary of State.

Dated this 12 day of November, 2013.


Christopher J. Belser

Prepared by:

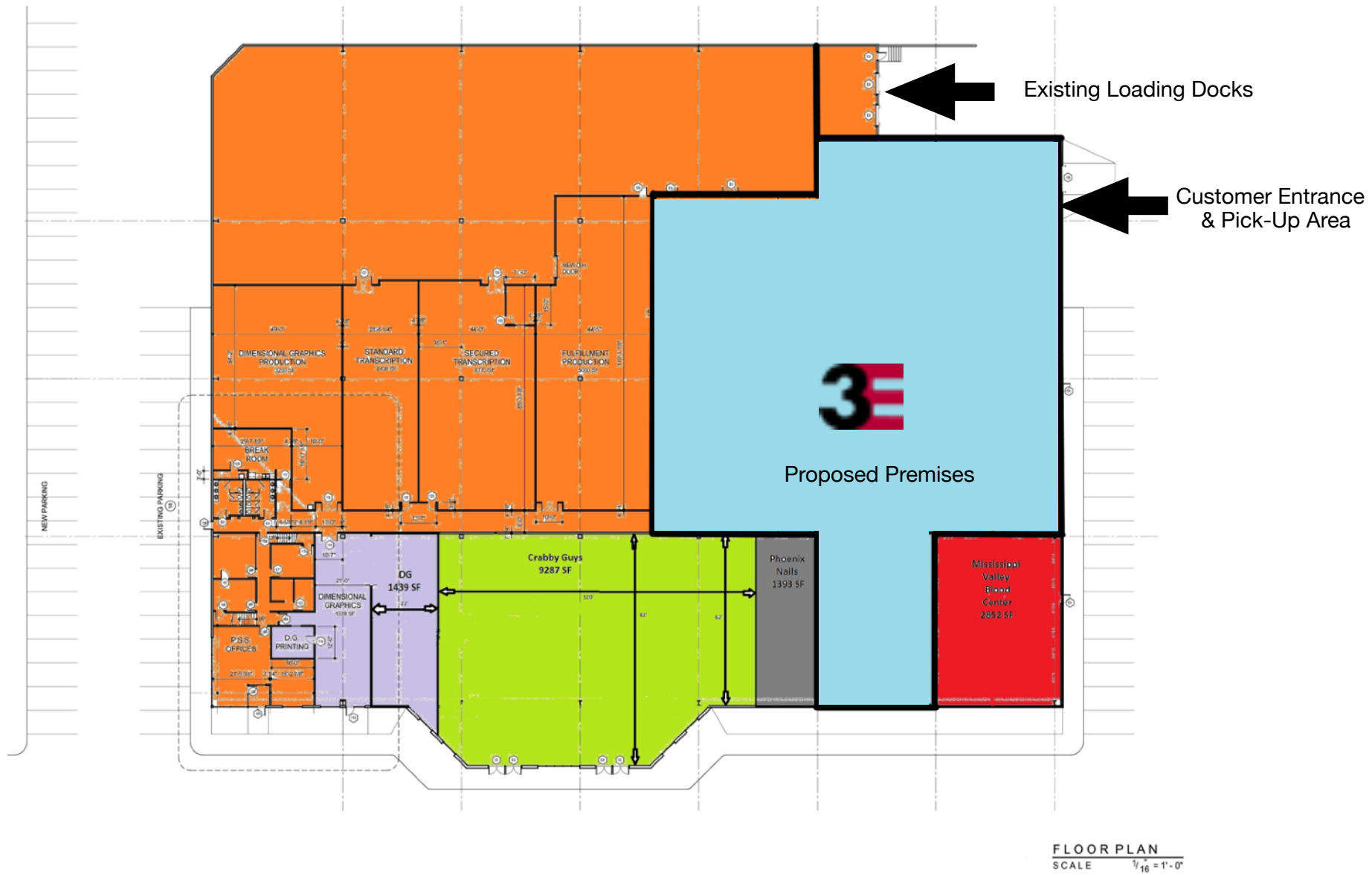
Law Offices of Thomas A. Skorepa, P.C.
3725 Blackhawk Road, Suite 200
Rock Island, IL 61201
Phone: 309-788-7481
Fax: 309-788-8779
E-mail: skorepalaw2@sbcglobal.net

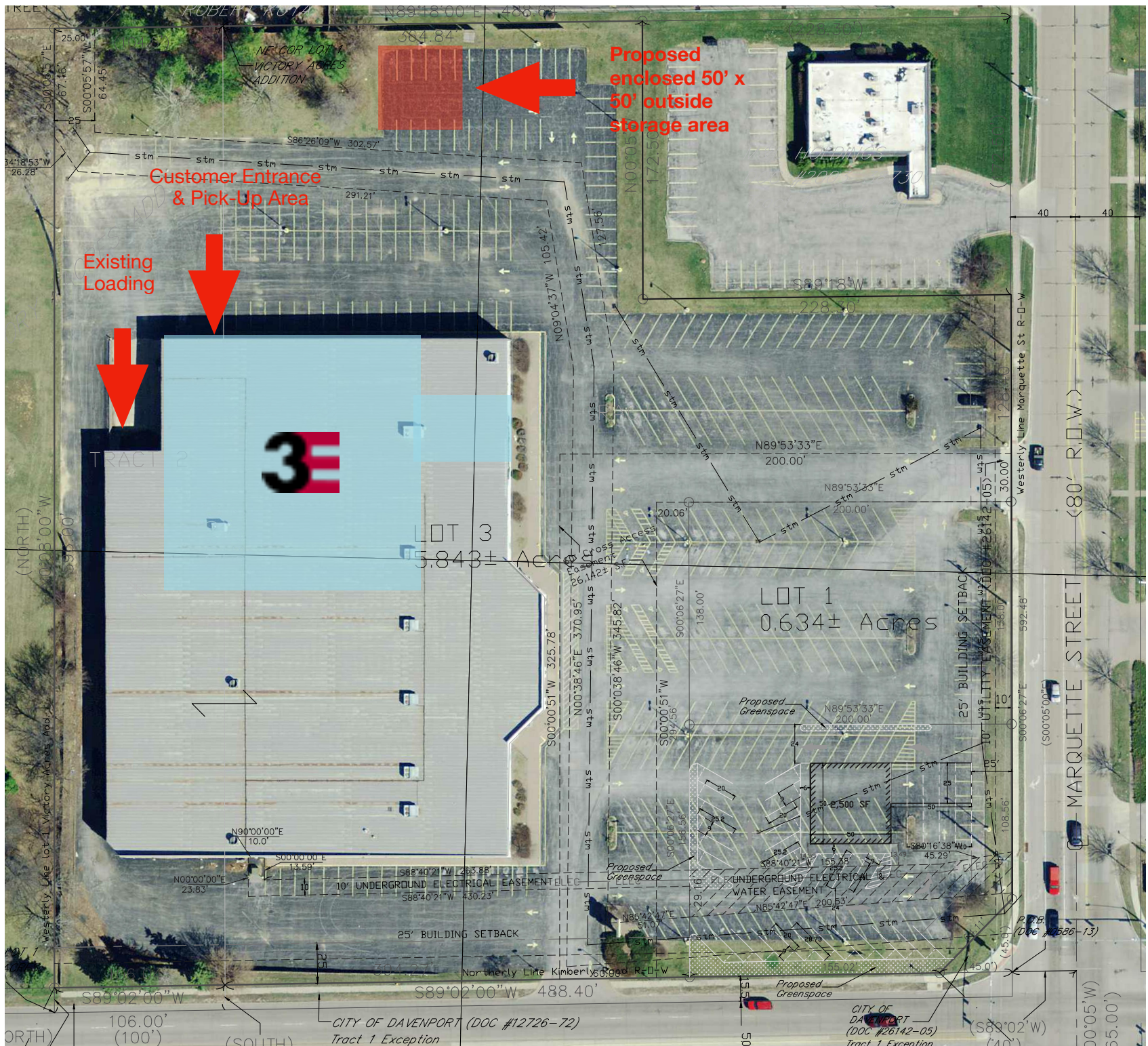
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SECRETARY OF STATE

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3-E Planing & Zoning Meeting





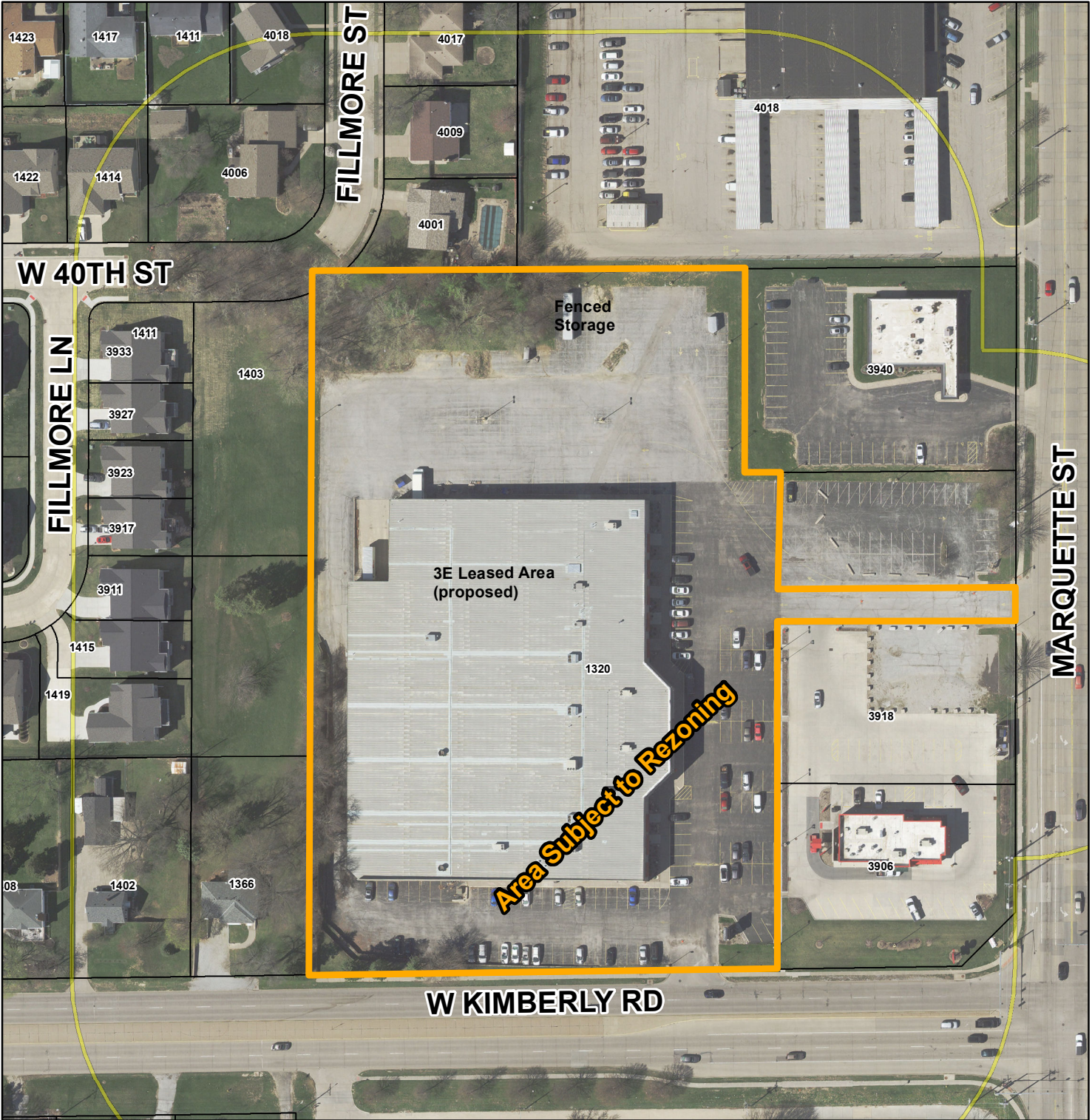
3-E Planing & Zoning Meeting

Meeting Notes

- 3-E is a 100-year old electrical retailer with locations world-wide
- General hours of operation are 6:30 AM to 4:0 PM, Monday - Friday
- We have around 20 employees, but all of them do not “work” at the physical location, such as sales people and service technicians.
- We have been at our current location in Downtown Davenport for 20+ years and are literally surrounded by on all sides by residential. No complaints have been ever made to city or employees about our use; We are a very quiet neighbor to have.
- Generally speaking we get 3-5 delivery trucks daily. 2 of them are Fed Ex and UPS, which is currently making stops at the property, so no increase in frequency will result. The other deliveries are usually LTL “Less than full load”, which probably will come on a carrier that is also servicing the property.
- Delivery trucks coming to the property usually arrive no earlier than 9:00 AM and are completed around 3 PM.
- Great thing about our business is we usually deliver products to our customer, so rather than having multiple customers come to our store, we deliver to them in our straight trucks. Thereby reducing the amount of traffic to and from the store.
- We have a need for a 50' x 50' outside storage area for larger materials and generators. This will be inside a stockade-style fence with landscape materials on the outside per city code. The generators are delivered to our customers and are not “running” on-site.
- We use both electric and LP gas fork lifts that are super quiet and should not be heard outside the building.

Currently we are operating out of 3 facilities, 2 are in Downtown Davenport and another is in Milan, Illinois. Our customers are asking us to stay in Davenport and we like this location for a variety of reasons. Basically, we are a hardware store that specializes in electrical components from bulbs, wire, switches and more. We principal customer is a contractor, but we often times sell to anyone that walks in our door. For those customers that walk-in, we believe in identifying the part needed, picking the product from the shelf and putting into the customer's vehicle. This customer service element is what differentiates us from a Menards, Lowe's & Home Depot. Our use as being similar to a hardware store/big box retailer requires us to have a C-3 zoning, which is why we are here to discuss this matter with you, our future neighbor.

Aerial Photography



Subject Property

200' Notice Boundary Line

Case REZ21-02: Request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less. [Ward 7]

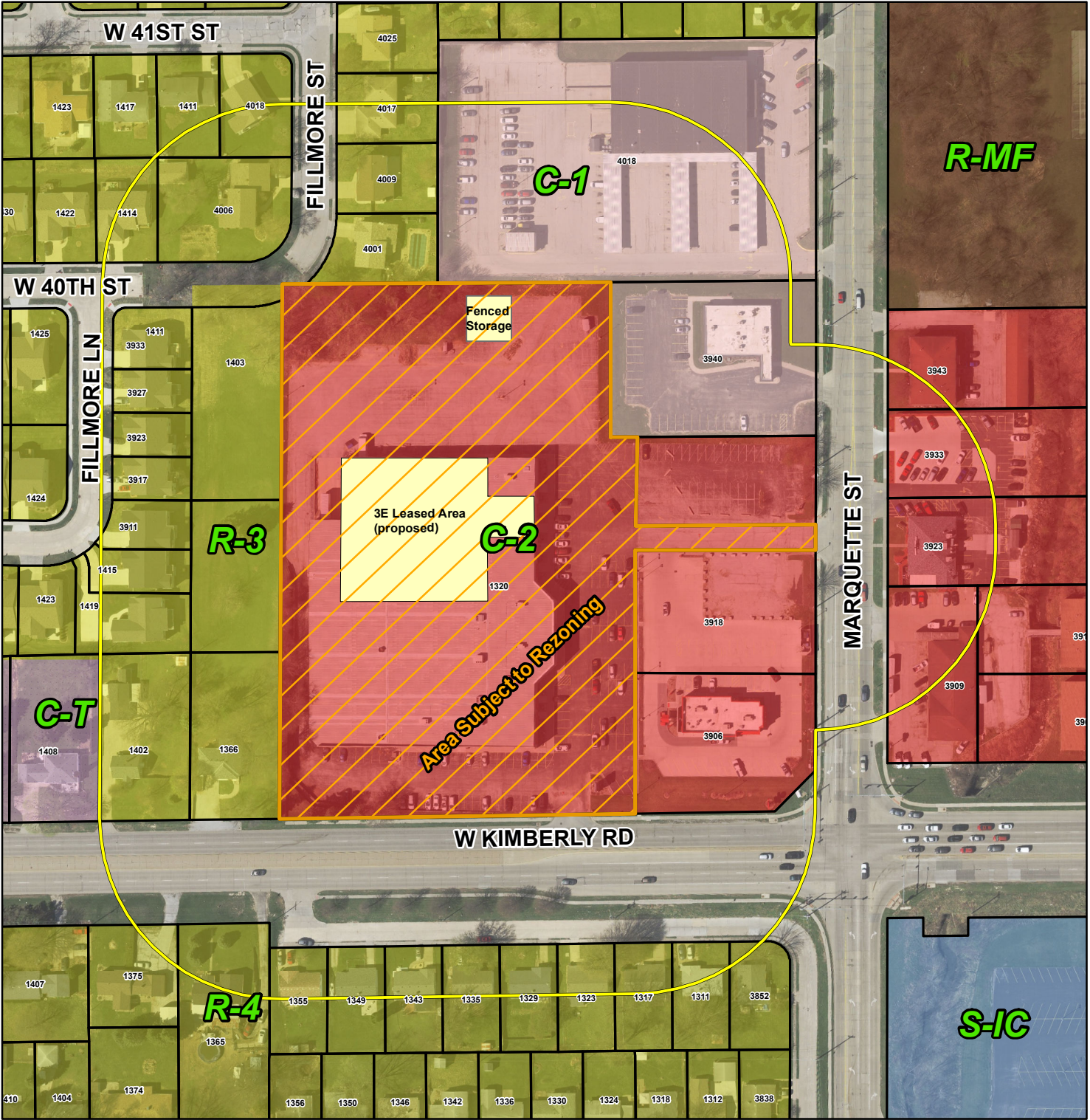
0 50 100 200 Feet



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

Zoning Map

REZ21-02 | 1320 W. Kimbelry RD



Subject Property



200' Notice Boundary Line

Zoning District



C-2 Corridor Commercial

Case REZ21-02: Request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less. [Ward 7]

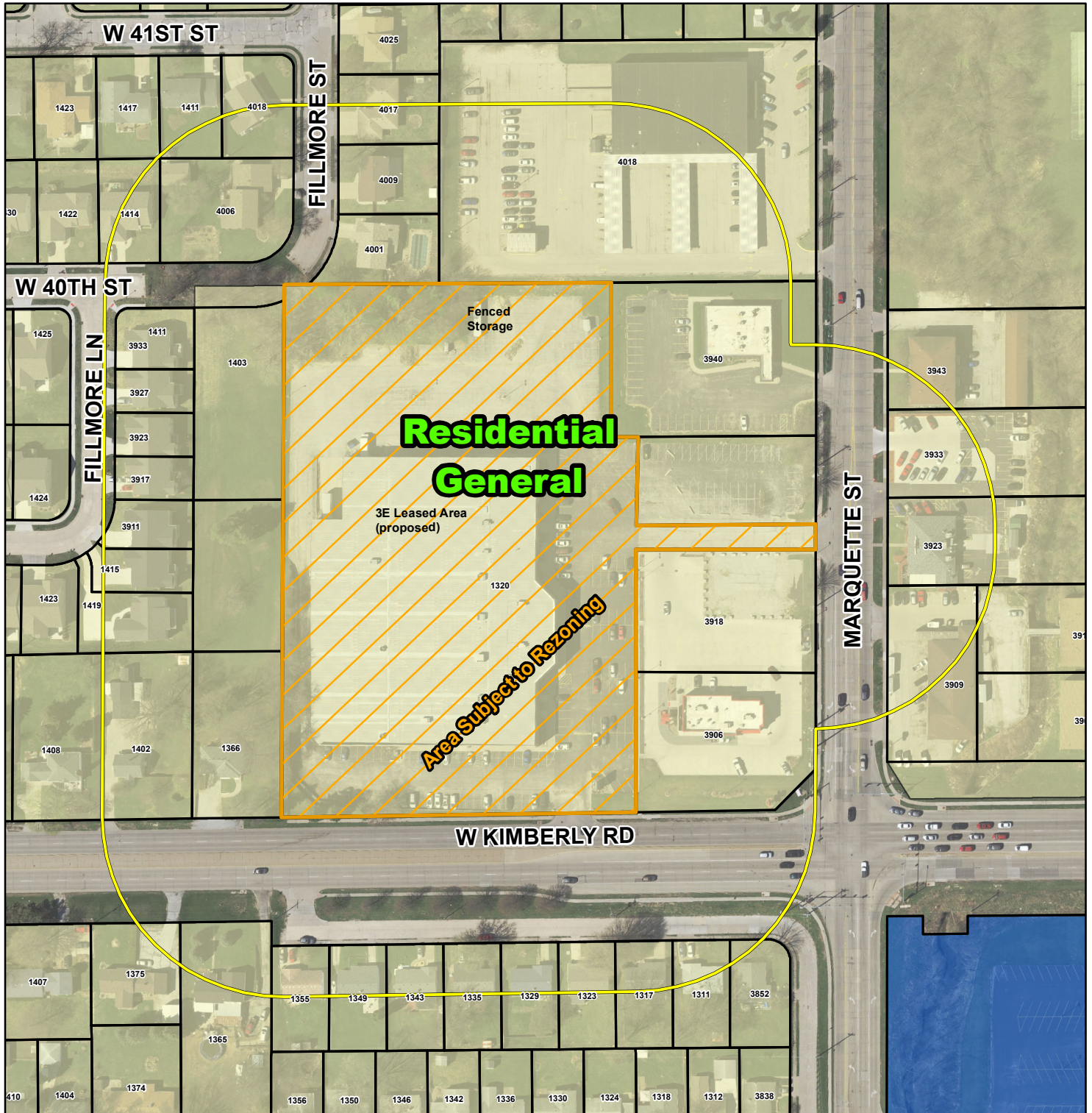


0 50 100 200 Feet

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Davenport 2035 Land Use

REZ21-02 | 1320 W. Kimberly RD



Subject Property



200' Notice Boundary Line

Land Use 2035



Residential General



Civic and Institutional

Case REZ21-02: Request of Belser Ventures, LLC for a zoning map amendment to rezone 1320 West Kimberly Road from C-2 Corridor Commercial to C-3 General Commercial District to allow Heavy Retail of commercial electronic components; containing 5.37 acres more or less. [Ward 7]



0 50 100 200 Feet

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3923 N Marquette St

Davenport, Iowa

Google

Street View







Popeyes
Louisiana Kitchen
Takeout • Delivery



Quad City Family
Physicians Pc



1320 US-6

Davenport, Iowa



Google



Street View



















City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
4/20/2021

Subject:
Consideration of the April 6, 2021 meeting minutes.

Recommendation:
Approve the minutes.

ATTACHMENTS:

Type	Description
▣ Backup Material	Meeting Minutes 4-6-21

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	4/14/2021 - 4:15 PM

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, APRIL 6, 2021; 5:00 PM
CITY HALL, 226 W 4TH ST, COUNCIL CHAMBERS

A PARTIALLY ELECTRONIC MEETING IS BEING HELD BECAUSE A FULLY “IN PERSON” MEETING IS IMPRACTICAL DUE TO CONCERNS FOR THE HEALTH AND SAFETY OF COUNCIL MEMBERS, STAFF, AND THE PUBLIC PRESENTED BY COVID-19, AND TO FOLLOW THE GOVERNOR’S PROCLAMATION AND THE MAYOR’S EXECUTIVE ORDER DIRECTING SOCIAL DISTANCING AND PLACING RESTRICTIONS ON GATHERINGS. IN PERSON ATTENDANCE BY THE GENERAL PUBLIC AT ANY CITY OF DAVENPORT PUBLIC MEETING WITHIN ITS FACILITIES SHALL BE LIMITED TO 20 PERSONS.

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. New Business

- A. Case ORD21-01: Request of the City of Davenport to amend Title 17 of the Davenport City Code (hereto referred to as DMC), entitled “Zoning” amending the following sections [All Wards]:

Berkley provided an overview of the proposed zoning text amendments. No members of the public spoke at the hearing. Commissioner Lammers inquired if any recently approved items will be impacted by the zoning text amendments.

With no additional comments, the public hearing closed.

II. Next Public Hearing: April 20, 2021

REGULAR MEETING AGENDA

I. Roll Call

Present: Schneider, Lammers, Johnson, Inghram, Brandsgard, Reinartz, Garrington
Excused: Tallman, Hepner, Maness
Staff: Berkley, Koops, Werderitch

II. Report of the City Council Activity

Berkley updated the commission on the following items that were approved by City Council:

1. Case REZ20-08 – 5000 Grand Avenue
2. Case REZ20-09 – 4607 East 53rd Street
3. Case ORD20-02 – Palmer College Major Amendment
4. Case ROW20-02 – East 11th Street and Alley Vacation
5. Case F21-01 – Westlake Business Park 4th Addition

III. Secretary's Report

- A. Consideration of the March 2, 2021 meeting minutes.

Motion by Schneider, second by Lammers to approve the March 2, 2021 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

- i. Case F21-02: Request of Prairie Heights Development, LLC for a Final Plat of Prairie Heights 4th Addition for a 21 lot subdivision on 17.13 acres located west of Olde Brandy Lane and Mississippi Avenue. [Ward 8]

Berkley introduced the case. No additional comments were provided by the Commission.

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case F21-02 to the City Council with a recommendation for approval subject to the 4 listed conditions.

Conditions:

1. That the surveyor signs the plat;
2. That the utility providers sign the plat when their easement needs have been met;
3. That the cul-de-sac radius is increased to meet City specifications
4. That all easements be a minimum of 15 feet or twice the depth of the utility line.

Findings:

1. The plat conforms to the comprehensive plan Davenport+2035; and
2. The plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Motion by Schneider, second by Lammers to approve Case F21-02.

Motion to approve was unanimous by roll call vote (6-0).

VII. Future Business

VIII. Communications

IX. Other Business

Berkley updated the Commission on an upcoming final plat located at the southeast corner of West 76th Street and North Division Street. Staff anticipate a second final plat near the intersection of Telegraph Road and Wisconsin Avenue to be on the next meeting agenda. There will also be a public hearing at the April 20, 2021 meeting for a rezoning petition at 1320 West Kimberly Road.

X. Adjourn

Motion by Schneider, second by Johnson to adjourn the meeting. Motion to adjourn was unanimous by voice vote.

The meeting adjourned at 5:32 pm.

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Laura Berkley, 563-888-3553

Date
4/20/2021

Subject:

Case ORD21-01: Request of the City of Davenport to amend various sections of Title 17 of the Davenport City Code, entitled "Zoning." [All wards]

Recommendation:

Staff recommends approval of the proposed amendments

Background:

Following the adoption of the new code in January, 2019, Staff committed to 'fine-tuning' the ordinance at regular intervals after adoption. The following amendments are proposed at this time:

Section 17.04.020 Uses

- **Replace with B2 "Conversion of a structure from a single-family dwelling into a two-family dwelling is prohibited.**

Explanation: Need to update language to reflect removal of two-family conversion in R-3, R-3C, R-4 and R-4C.

Section 17.05.040 Design Standards

- **In cases of conflict between commercial design standards and dwelling use standards, the developer can choose between commercial design standards or the applicable dwelling use standards.**

Explanation: Certain commercial design standards are in direct conflict with dwelling unit new construction. Transparency is of largest concern where at least 50% window transparency on street facing facades is required. This will provide additional flexibility depending on the character of the proposed development.

Table 17.08-01 Use Matrix Proposed Changes

- **Remove Bars as a Special Use in C-1**

Explanation: The intensity of a Bar as a use has been determined to be incompatible with the Neighborhood Commercial Zoning District which serve the nearby residential neighborhoods. Certain areas may be reestablished as defined as the new use "Bar-Neighborhood."

- **Add Bar - Neighborhood as Permitted in C-1**

Explanation: This new use allows certain areas of C-1 to reestablish as bars. This is to address certain locations that have traditionally been bars to remain in order to support the neighborhood and its character. Areas are defined in the Principal Use Standards in 17.08.030.

- **Remove Drive-Through Facility as a Special Use in C-1 and I-MU**

Explanation: The intensity of a Drive-Through as a use has been determined to be incompatible with Neighborhood Commercial Zoning District which are to serve the nearby residential neighborhoods. The dimensional standards and typical lot size (no minimum lot

size required) of both districts are in direct conflict with the use standards meaning a Hardship Variance will likely be needed for the use to locate within the districts.

- **Remove Dwelling – Two-Family (Conversion) as a Special Use in all R-3 and R-4 Districts**

Explanation: The code emphasizes preservation of neighborhood character as well as promotion of infill development. The code still allows new construction two-family homes within these districts.

- **Add Live Performance Venue as Permitted in I-1**

Explanation: As a use that has the potential of producing more noise, I-1 would be an appropriate district to located live performance. This use also encourages adaptive reuse of buildings that are functionally obsolete.

- **Add Outdoor Dining as Permitted in S-IC**

Explanation: This addition would allow schools, hospitals, colleges and universities the ability to develop areas for users to dine outdoors.

- **Add Place of Worship as Permitted in I-1 and I-MU**

Explanation: This use would be a good adaptive reuse of buildings that are functionally obsolete. Access and parking are often more prevalent in these districts than others that currently allow this use. Existing building stock is potentially large enough to accommodate use.

- **Add Private Recreation Facility as Permitted in C-OP and I-1**

Explanation: This use would be a good adaptive reuse of buildings that are functionally obsolete. Traditionally, indoor tennis, basketball and volleyball facilities have been located in industrial districts. C-OP would offer a complimentary use to office complexes where employees may wish to utilize the facilities before or after work or on lunch breaks. Buildings would need to meet design standards.

- **Add Vehicle Repair/Service-Major as Special Use in C-3**

Explanation: Activities may be deemed appropriate in C-3 with careful review and oversight. This would be done on a case by case basis by reviewing proposed location, site plan, surrounding uses, analysis for the neighborhood, review of business model and practice, and with certain conditions in place to minimize impacts. Allowing RV dealerships in C-3 without allowing work on them is counter intuitive. C-3 can support higher intensity uses but also provide more appropriate access to patrons. Minimum lot size is twice what is required in I-1, allowing for flexibility in site plan design to accommodate Special Use conditions.

- **Remove Vehicle Repair/Service-Minor as Special Use in C-1**

Explanation: This use has been determined as not compatible with Neighborhood Commercial Zoning District uses which are to serve the nearby residential neighborhoods.

Section 17.08.030 Bar - Neighborhood

1. Establishes a sunset rule for establishments within certain areas of the city that can reestablish as a bar within 10-years of the adoption of the ordinance.
2. The areas are Harrison between 14th and Locust; Washington between 14th and Locust, West Locust between Fillmore and Division.

Explanation: This new use allows certain areas of C-1 to reestablish as bars. This is to address certain locations that have traditionally been bars to remain in order to support the neighborhood and its character.

Section 17.08.050 Use Definitions

- **Add a definition for Bar- Neighborhood**

Explanation: To provide clarity and context for the new proposed use: Bar - Neighborhood.

- **Remove the word “primarily” from Retail Alcohol Sales**

Explanation: The intent of this definition and the zoning code is to regulate all alcohol sales. Removing the word "primarily" removes ambiguity in its use and how primarily is determined.

Section 17.17.010 Reservation of Previously Approved Conditions

Explanation: The City has been alerted to a recorded covenant that restricts the use of part of this property. Staff has been instructed to add the conditions of the rezoning back into this section to align with the original intent to the rezoning and covenant.

Public Input:

A Notice of Public Hearing was published in the Quad City Times informing the community of the April 6, 2021 Plan and Zoning Commission Public Hearing. Not comments were received during the public hearing.

To date, staff has received one comment from the community supporting the removal of Two-Family Conversions from all R-3 and R-4 zoning districts. The correspondence has been included in the background info.

ATTACHMENTS:

Type	Description
▢ Backup Material	Proposed Change 17.04.020
▢ Backup Material	Proposed Change 17.05.040
▢ Backup Material	Proposed Changes in Table 17.08-1: Use Matrix
▢ Backup Material	Proposed Change 17.08.030
▢ Backup Material	Proposed Change 17.08.050 - Bar - Neighborhood
▢ Backup Material	Proposed Change 17.08.050 - Retail Alcohol Sales
▢ Backup Material	Proposed Change 17.17.010
▢ Backup Material	Public Hearing Notice

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	4/16/2021 - 4:06 PM

Section 17.04.020 Uses

- A. Chapter 17.08 lists permitted, special, and temporary uses for the residential districts.
- B. In the R-3, R-3C, R-4, and R-4C Districts, two-family dwellings are allowed as follows:
1. New construction of a two-family dwelling is a permitted use.
 2. Conversion of a structure from a single-family dwelling into a two-family dwelling is a special use prohibited.

Section 17.04.030 Dimensional Standards

- A. Table 17.04-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. See Section 17.02.040 for measurement methodologies.
- B. A house court design for single-family and/or two-family dwellings must comply with the dimensional standards of Section 17.08.030.N.
- C. R-MHP District standards are found in Section 17.04.040.

Table 17.04-1: Residential Districts Dimensional Standards SF = Single-Family // SF-SD = Single-Family Semi-Detached // 2F = Two-Family // TH = Townhouse // MF = Multi-Family				
	R-1	R-2	R-3	R-3C
Bulk				
Minimum Lot Area	20,000sf	SF: 10,000sf SF-SD: 10,000sf/du	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf	SF: 7,500sf SF-SD: 4,000sf/du 2F: 8,500sf Non-Residential: 10,000sf
Minimum Lot Width	100'	SF: 60' SF-SD: 60'/du	SF & 2F: 60' SF-SD: 30'/du Non-Residential: 75'	SF & 2F: 50' SF-SD: 25'/du Non-Residential: 75'
Maximum Building Height	35'	35'	35'	35'
Maximum Building Coverage	25%	35%	35%	35%
Maximum Impervious Surface	40%	50%	60% Non-Residential: 70%	60% Non-Residential: 70%
Setbacks				
Minimum Front Setback	30' or average of front setbacks, whichever is less	30' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less	25' or average of front setbacks, whichever is less
Minimum Interior Side Setback	7'	7'	7'	5'
Minimum Corner Side Setback	25'	20'	15'	15'
Minimum Reverse Corner Side Setback	30'	30'	25'	25'
Minimum Rear Setback	30' or 20% of lot depth, whichever is less	30' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less	25' or 20% of lot depth, whichever is less

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
Façade Design					
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.					•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•
Fenestration Design					
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•		
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•		
Roof Design					
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•
Entrance Design					
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.					•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.					•

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-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					
Amusement Facility - Outdoor										S				S	P		S					
Animal Care Facility – Large Animal																		P				
Animal Care Facility – Small Animal							S	S	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					
Arts and Fitness Studio							P	P	P	P		P	P	P			P					
Bar								S	P	P		P	P	P			P					
Bar – Neighborhood								P													Sec. 17.080.030	
Bed and Breakfast	P	P	S	S	S													P			Sec. 17.08.030.C	
Billboard									P	P					P	P					Sec. 17.08.030.D	
Body Modification Establishment								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.E	
Car Wash									P	P				S			P				Sec. 17.08.030.F	
Casino														P								
Cemetery																			P			
Children’s Home					P				P	P				P			S			P	Sec. 17.08.030.G	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	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		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.H	
Conservation Area																		P	P			
Country Club																			P			
Cultural Facility							P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P			P			P	Sec. 17.08.030.I	
Day Care Home	P	P	P	P	P													P			Sec. 17.08.030.I	
Drive-Through Facility								S	P	P		S		P	P	P	P				Sec. 17.08.030.J	
Drug/Alcohol Treatment Facility, Residential									S	S				S			S			S	Sec. 17.08.030.K	
Drug Treatment Clinic									S	S				S			S			S	Sec. 17.08.030.K	
Domestic Violence Shelter					P			P	P	P				P			P			P	Sec. 17.08.030.G	
Dwelling – Accessory Dwelling Unit	P	P	P	P																	Sec. 17.08.030.L	

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-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Dwelling – Manufactured Home						P												S			Sec. 17.08.030.M	
Dwelling - Multi-Family					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.N	
Dwelling - Townhouse					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.030.O	
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.030.O	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.030.O	
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.030.O	
Educational Facility - Primary or Secondary	P	P	P	P	P															P		
Educational Facility - University or College										P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P		
Equine, Keeping of/Equestrian Facility	P																	P			Sec. 17.08.030.P	
Fairground																		S	S	P		
Financial Institution							P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S				S			P				Sec. 17.08.030.Q	
Food Bank															P		P					
Food Pantry									P	S				S			S					
Funeral Home							S	S	S	P				P			P					
Gas Station								S	P	P				P	P	P	P				Sec. 17.08.030.R	
Golf Course/Driving Range																			P			
Government Office/Facility							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-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.S	
Halfway House									S	S				S			S			S	Sec. 17.08.030.K	
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.K	
Hotel									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					

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

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-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Dealership – With Outdoor Storage/Display										S				S	S		P				
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	P				Sec. 17.08.030.CC
Vehicle Repair/Service – Minor								S	P	P				P	P	P	P				Sec. 17.08.030.CC
Warehouse															P	P					
Wholesale Establishment															P	P	S				
Wind Energy System											S				S	S		S		S	Sec. 17.08.030.DD
Wine Bar								S	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	Sec. 17.08.030.EE
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	Sec. 17.08.030.EE
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	Sec. 17.08.030.EE
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	Sec. 17.08.030.EE
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	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	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	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	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	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	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	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	Sec. 17.08.040.H

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of seven feet in height is required for all exterior exercise areas.
2. Animal care facilities must locate all overnight boarding facilities indoors. Outdoor boarding facilities for animal breeders are permitted but must be designed to provide shelter against sun/heat and weather.
3. All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

C. Bar - Neighborhood

1. The property must be within one of the following geographic locations.
 - a. Harrison Street from 14th Street to Locust Street.
 - b. Washington Street from 14th Street to Locust Street.
 - c. West Locust from Fillmore Street to Division Street.
2. A Class C license, as defined under Chapter 5.10 of the Davenport City Code, shall have been issued ten years prior to July 1, 2021.
3. Eligible neighborhood bars shall not be reestablished after July 1, 2031.

(all subsequent headings and numbers of this section shall be renumbered as appropriate)

C. Bed and Breakfast

1. The exterior of a bed and breakfast must maintain its original appearance as a single-family dwelling. No parking may be located in front of the front building facade.
2. Cooking equipment is prohibited in individual guest rooms. However, a mini-refrigerator and/or a microwave is allowed.
3. No retail sales are permitted with the exception of ancillary retail of related items such as souvenirs, postcards, and snack items.
4. No bed and breakfast may operate a restaurant. Meals may only be served to registered guests and at private events.
5. One sign, either freestanding, window, or wall, is permitted. Such sign may not exceed six square feet in sign area. Freestanding signs are limited to six feet in height and must be a minimum of five feet from any lot line.

D. 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.

B. Animal Care Facility – Small Animal, and Animal Breeder

These standards do not apply to any animal shelters operated by a City agency.

1. Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet and a maximum of seven feet in height is required for all exterior exercise areas.
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4. Billboards must meet principal building setbacks.
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protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Restaurant. An establishment where food and drinks, including alcoholic beverages, are provided to the public for on-premises consumption by seated patrons and/or for carry-out service.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment do not include specialty food service.

Retail Alcohol Sales. A retail establishment that sells **primarily** beer, wine, or liquor.

Retail Sales of Fireworks. The sale of fireworks, which is the sale and storage of Iowa Department of Transportation Hazard Classes 1.3g and 1.4g fireworks, excluding any and all sparklers. The retail sales of fireworks includes both principal use of the property for such sales as well as temporary stands and accessory uses.

Salvage Yard. An establishment where damaged or junk vehicles or other machinery is broken up and the parts saved and processed for resale. A salvage yard also includes the storage of vehicles and trailers regardless if they are in the process of being dismantled. A salvage yard operation shall be completely screened from adjacent properties and rights of way by a solid fence, wall, or berm at least six feet in height and vehicle or part storage shall only occur upon a paved surface. A salvage yard cannot abut or adjoin a storage yard. A salvage yard use or property cannot be subdivided.

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Self-Storage Facility: Outdoor. A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.

Social Service Center. A service establishment that provides assistance for those recovering from chemical or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

Solar Farm. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Specialty Food Service. A business that specializes in the sale of certain food products, such as a delicatessen, bakery, candy maker, meat market, catering business, cheesemonger, coffee roaster, or fishmonger, and may offer areas for ancillary retail sales or restaurants that serve the products processed on-site. Specialty food service also includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts.

Storage Yard - Outdoor. The storage of material outdoors as a principal use for more than 24 hours. The storage of vehicles and trailers is not included in this definition (see Salvage Yard).

Temporary Cell on Wheels (COW). Cell on wheels (COW) is a portable, mobile cell site that provides temporary network and wireless coverage to locations where additional cellular coverage is required due to a temporary increase in user volume at such location or states of emergency.

Temporary Contractor Office and Contractor Yard. A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a contractor's yard where materials and equipment are stored in conjunction with a construction project.

3. In the event East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer College of Chiropractic, a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue. The cost of removing the roadway materials, curbs and sidewalks and the installation of the pedestrian walkway and historical markers shall be the expense of Palmer College of Chiropractic.

L. Ordinance 2018-364

1. Condition 2. That a 25 foot wide landscape buffer be maintained along the south property line. This landscape buffer has contain a 6 foot high fence along the northern portion of the landscape buffer.
2. Condition 3. That a 25 foot wide landscape buffer be maintained along the west property line.
3. Condition 4. That there be no vehicular access to Lorton Avenue.
4. Condition 5. That the following uses be prohibited because the potential for incompatibility with the surrounding residential properties: carryout sales of alcoholic beverages; gasoline stations and car washes.
5. Condition 6. That any dumpsters be located at least 60 feet from the south and west property line.
6. Condition 7. That parking lot lighting be shielded and directed away from the residential properties to the south and west.
7. Condition 8. That the west driveway access to East 53rd Street turn and through lanes extend to the southernmost east-west driveway to avoid being blocked by the through movement queue.

M. Ordinance 2002-177

1. Condition 1. That the uses be limited to apartments (with a maximum density of 192 units) and 8 condominiums in 4 buildings buffering the adjacent single family homes. All structures shall be limited to 2 ½ stories in height.
2. Condition 9. That parking lot lighting be limited to downcast luminaries.
3. Condition 14. That the developer shall construct the eight condominium units in four two-family structures on the eastern end of the of the subject property.

Section 17.17.020 Reservation of Previously Approved Concept Plan, Land Use Plans and Narrative of Intent and Compatibility with Surrounding Area.

The Concept Plans, Land Use Plans and Narrative of Intent and Compatibility with Surround Area being reserved were approved in conjunction with the adopted Ordinances listed below. The listed Concept Plans, Land Use Plans and Narrative of Intent and Compatibility with Surround Area are available for viewing in the records of the Zoning Administrator.

A. Ordinance 2006-158.

1. Concept Plan.

B. Ordinance 2006-514.

1. Concept Plan.

C. Ordinance 2012-96

1. Land Use Plan and Narrative of Intent and Compatibility with Surround Area.

D. Ordinance 2016-569

***** Proof of Publication *****

STATE OF IOWA
SCOTT COUNTY, } ss.

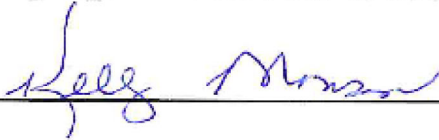
The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the dates listed below.

CITY OF DAVENPORT

226 W 4TH ST
DAVENPORT, IA 52801

ORDER NUMBER 90979

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.



NOTICE

NOTICE OF PUBLIC HEARING
Tuesday, April 6, 2021 – 5:00P.M.
City of Davenport Plan and
Zoning Commission

Council Chambers – Davenport City Hall
226 W. 4th Street – Davenport, Iowa

There is on file in the Development & Neighborhood Services Department (DNS), on behalf of the Plan and Zoning Commission, the following request:

Case ORD21-01: Request of the City of Davenport to amend Title 17 of the Davenport City Code (hereto referred to as DMC), entitled "Zoning" amending the following sections [All wards]:

Section 17.04.020.B(2) by replacing "a special use" with "prohibited." Section 17.05.040 to allow new construction of dwellings to meeting either the Commercial Design Standards or Use Standards in section 17.08.030. Modifying Table 17.08-01 in Section 17.08.020 by removing Bars as a Special Use in C-1; adding a new use called "Neighborhood Bar"; removing Drive-Through Facility as a Special Use in C-1 and I-MU; removing Dwelling – Two-Family (Conversion) as a Special Use in all R-3 and R-4 Districts; adding Live Performance Venue as Permitted in I-1; adding Outdoor Dining as Permitted in S-1C; adding Place of Worship as Permitted in I-1 and I-MU; adding Private Recreation Facility as Permitted in C-OP and I-1; adding Vehicle Repair/Service-Major as Special Use in C-3; and removing Vehicle Repair/Service-Minor as Special Use in C-1. Section 17.08.030 by adding use standards for Neighborhood Bar. Section 17.08.050 by removing "primarily" from the definition of Retail Alcohol Sales and adding a definition for Neighborhood Bar. Section 17.17.010 by adding certain conditions of Ordinance 2002-177.

The public hearing on the above matters is scheduled for 5:00 p.m. on April 6, 2021, in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item or attend the public hearing to express your views, or both; only written comments will be used to calculate comment percentages. Interpretive services are available at no charge. Services interpretativos libres están disponibles. TTY: (563) 326-6145.

Any written comments to be reported at the public hearing should be received in the Development & Neighborhood Services Department at the Public Works Building, 1200 E. 46th Street, Davenport, Iowa 52807, no later than 12:00 noon on the day of the public hearing. PO No. 2108881. Phone: 563-326-6196

City of Davenport
Plan and Zoning Commission

Department: DNS
Contact Info: Matt Werderitch 563.888.2221

Date
4/20/2021

Subject:
Election of Officers

Recommendation:
Elect a new Chairperson, Vice-Chairperson, and Secretary.

Background:
The Commission shall elect from its membership a Chairperson, Vice-Chairperson, and Secretary. The officers' duties shall be those described in the attached Bylaws. All positions shall hold office for a period of one year or until his/her successor is elected.

Current Officers

1. Chairperson: Robert Inghram
2. Vice-Chairperson: Barbara Maness
3. Secretary: David Tallman

ATTACHMENTS:

Type	Description
▣ Backup Material	Plan and Zoning Commission Bylaws

Staff Workflow Reviewers

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	4/12/2021 - 3:34 PM

**BYLAWS AND RULES OF PROCEDURE
CITY PLAN AND ZONING COMMISSION
DAVENPORT, IOWA**

UPDATED AND ADOPTED JULY 19, 2016

Section 1.0

Officers.

1.1

Officers.

1.1.a Chairperson

- 1) The position of Chairperson is hereby established.
- 2) The Chairperson shall preside at all meetings of the Commission.
- 3) The Chairperson shall have general charge of the business of the Commission.
- 4) The Chairperson shall appoint all committees.
- 5) The Chairperson shall perform such other duties as are usually exercised by the Chairperson of a Commission or as specifically authorized by the Commission.

1.1.b Vice-Chairperson

- 1) The position of Vice-Chairperson is hereby established.
- 2) The Vice-Chairperson shall act in the capacity of Chairperson in the absence of the Chairperson.
- 3) In the event the office of Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Commission shall elect a successor to the office of Vice-Chairperson for the unexpired term.

1.1.c Secretary

- 1) The position of Secretary is hereby established.
- 2) The Secretary shall attend all regular and special meetings and public hearings and shall call the roll of those members present.

- 3) The Secretary shall present a record of those meetings to the Commission.
- 4) The Secretary shall act in the capacity of Chairperson in the absence of the Chairperson and the Vice-Chairperson.

1.2 Election of Officers and appointment of Committees.

- 1.2.a The Chairperson of the Commission shall be elected at the Annual meeting of the Commission and shall hold office for one year or until his/her successor is elected.
- 1.2.b The Vice-Chairperson shall be elected at the Annual Meeting of the Commission immediately after the election of the Chairperson and shall hold office for one year or until his/her successor is elected.
- 1.2.c The Secretary shall be elected at the Annual Meeting of the Commission immediately after the election of the Vice-Chairperson and shall hold office for one year or until his/her successor is elected.
- 1.2.d Any vacancy in the office of Chairperson, or Vice-Chairperson or Secretary of the Commission may be filled at any Regular or Special Meeting after such vacancy.
- 1.2.e As needed, the Chairperson shall appoint his/her committees and the chairperson of each.

Section 2.0 Public Hearings.

- 2.1 Before the adoption of an amendment of any part of the Comprehensive Plan, or recommending approval of an amendment to the text of the Zoning Ordinance or an amendment to the official Zoning Map or recommending the vacation of a public right-of-way to the City Council, the Commission will hold a public hearing on the matter.
The Committee of the Whole shall hold public hearings with proper notice with regard to proposed changes to the zoning ordinance, alterations to the zoning map in conformance with Comprehensive Plan and the vacation of streets and alleys.
- 2.2 Notice of the time and place of the hearing will be given, not less than 4 nor more than 20 days prior to such hearing by one publication in a newspaper of general circulation.

- 2.3 Special notice of a proposed rezoning will be given by mail to all owners of property within 200 feet of the boundaries of the premises under consideration.

Section 3.0 Meetings.

3.1 Regular Meetings.

- 3.1.a The Annual Meeting for the election of Officers of the Commission shall be held at the April Commission meeting each year.
- 3.1.b The monthly meetings of the Commission shall be held on the Tuesday preceding the first and third Wednesday of the month at 5:00 p.m.
- 3.1.c Adjourned Annual Meetings or adjourned Monthly Meetings of the Commission may be held at such time and place as may be fixed in the resolution of adjournment or notice of Special Meetings. If no other place is fixed in the resolution, the meeting shall be held at the regular meeting place of the Commission.
- 3.1.d All Regular Meetings shall be held at City Hall unless otherwise specified.
- 3.1.e In the event that the Chairperson and the Vice-Chairperson and the Secretary of the Commission should be absent or unable for any reason to attend to the duties of their office, the members of the Commission may at any Regular Meeting or Special Meeting called for that purpose, appoint a Chairperson pro-tempore or a Secretary pro-tempore, as the case may be, who shall attend to all the duties of such officer until such officer shall return or be able to attend to his/her Meetings.
- 3.2.a Special Meetings of the Commission may be called by the Chairperson and held at any time or place fixed in the call.
- 3.2.b The Chairperson shall call a Special Meeting of the Commission at the request, in writing, of any three or more members of the Commission and if the Chairperson shall

fail to comply with such request, said members so requesting shall call such meeting, all signing the notice.

- 3.2.c Adjourned Special Meetings of the Commission may be held at such time and as may be fixed in the Resolution of Adjournment. If no other place is fixed in the Resolution, the meeting shall be held at the regular meeting place of the Commission.

3.3 Notices of Meetings.

- 3.3.a The Staff shall file with the Deputy City Clerk the time and place of all Commission meetings, together with a copy of the Agenda and previous minutes at least twenty-four hours in advance of the meeting. A copy of the agenda and minutes together with such additional material as the Staff deems appropriate, shall be given to each member of the Commission.

- 3.3.b Notice of Special Meetings shall name the time and place and business to be transacted and shall be mailed to each member of the Commission at the address given the Commission. At least twenty-four hours before, notice shall be given each member to attend any special meeting.

3.4 Quorum.

- 3.4.a Roll call of members shall start each Commission meeting.
- 3.4.b Fifty percent of the appointed membership, exclusive of vacancies, shall constitute a quorum for the transaction of business at Commission, Public Hearing, or Committee meetings.
- 3.4.c Without a quorum, no business will be transacted and no official action on any matter will take place.

3.5 Order of Business:

Agenda

Public Hearing

- 1) Roll call by the Secretary

- 2) Report of Old Business
- 3) Report of New Business
- 4) Adjournment

Regular Meeting

- 1) Roll Call by Secretary
- 2) Report of City Council Activity
- 3) Secretary's Report
- 4) Comprehensive Plan Report
- 5) Zoning Activity Report(s)
- 6) Subdivision Activity Report(s)
- 7) Other Business
- 8) Future Business
- 9) Communications
- 10) Adjournment

3.6 Voting.

- 3.6.a Voting will be by voice roll call, called by the Secretary, and will be recorded by yeas and nays or present. Present will have the effect of a nay vote.
- 3.6.b Every member of the Commission, excluding the Chairperson, is required to cast a vote upon each motion. The Chairperson may vote upon a motion in the case that a tie occurs or to cause a tie to occur. If a tie occurs following the vote of the chairperson, a negative recommendation will be forwarded to the City Council.
- 3.6.c A member may abstain, only if the member believes there is a conflict of interest, as provided for in Subsection 3.7

3.6.d Members shall be physically present at the meeting in order to exercise their vote. Proxy voting, mail voting or telephone voting are prohibited.

3.6.e The affirmative vote of a majority of those members voting shall be required for the exercise of powers or functions conferred or imposed on the Commission, but less than a quorum of the members may meet and adjourn from time to time until a quorum is present

3.7 Conflict of Interest.

A member of the Commission must abstain from participating in a matter before the Commission when the member has a conflict of interest or an appearance of impropriety. Conflict of interest shall mean a direct and personal interest in the outcome of the proceedings. An appearance of impropriety shall mean an apparent conflict of interest based on objective standards. A member of the Commission shall declare their conflict or appearance of impropriety as soon as the matter comes before the Commission for discussion or as soon thereafter as the member becomes aware of the appearance of impropriety or conflict. Thereafter, the member shall take no part in the discussion or vote on the matter.

Section 4.0 Meeting Attendance.

4.1 Commission members are expected to attend all regular and special Committee and Commission meetings and public hearings of the Commission.

4.2 Prior to any scheduled Commission meeting, Committee meeting or public hearing, members shall notify the appropriate city Staff regarding the excused or anticipated absences. Any Commission member who shall be absent from three consecutive Commission meetings, Committee meetings or public hearings without just cause or who shall be absent from a total combination of six Commission meetings, Committee meetings and public hearings in any calendar year without just cause shall no longer be a member of this Commission. Just cause shall include, but not be limited to, death, illness or being out of the city. The Executive Committee shall determine in closed session in each case whether or not just cause exists for the absence.

Section 5.0

Communications.

- 5.1 Only the Chairperson shall speak, make statements, comment on social media, or issue news releases on behalf of the entire Commission pertaining to its actions, attitudes and/or actions. Any member of the Commission may express his/her personal opinion on matters not before the Commission, provided he/she expressly states they are commenting as a private citizen and not as a member of the Commission.
- 5.2 It is the policy of the City Plan and Zoning Commission that members not attend private meetings whose principal purpose is to discuss business that is before the Commission, unless such attendance is approved by the Commission prior to the meeting.
- 5.3 Ex Parte means communication between a Commission member(s) and a party or third person outside of duly scheduled meetings on an issue pending before the Commission. Ex Parte communications should be avoided because they raise the issue of due process fairness. In the event a situation arises where they occur, the member shall place on the public record the sum and substance of the communication to enable interested persons to rebut the communications.
- 5.4 Any written communication to a Commission member will be reported and presented to the entire Commission and shall be included in the public record.

Section 6.0

Duties

- 6.1 The duties of this Commission include:
 - 6.1.a Review, advise, and make recommendations regarding the development of public projects to be considered by the City Council, including existing or proposed projects under consideration in the Capital Improvements Program (CIP);
 - 6.1.b Review subdivision plans and other development proposals to ensure that they are in conformance with the Comprehensive Plan of the City of Davenport and that the provisions of the Subdivision Ordinance are fulfilled. In addition, following a public hearing,

makes recommendations to the City Council on the vacation of public rights-of-way of streets and alleys.

- 6.1.c Review proposed changes to the Zoning Ordinance, altering the map or text, in conformance with the Comprehensive Plan and the City Code.

7.0 Committees.

7.1 Executive Committee

- 7.1.a The Executive Committee is a standing committee of the Commission, which consists of the Chairperson, Vice-Chairperson and Secretary, which meets at times determined by the Committee or Chairperson, with proper notice.

- 7.1.b The duties of the Committee consist of:

1. Each year after the Annual Meeting, the first meeting of April, the Committee will review the Bylaws and present possible changes to the Commission for discussion.
2. The Committee shall consider items to be brought before the Commission as a whole which are not considered by any other committee in existence or appointed by the Chairperson.

7.2 Comprehensive Plan Committee

- 7.2.a The Comprehensive Plan Committee is tasked with supporting the maintenance and implementation of the Comprehensive Plan of the City of Davenport and shall be comprised of the entire Commission. The Chairperson may appoint subcommittees to study particular issues if he/she chooses to do so.

7.3 Special Committees

- 7.3.a Special Committees as may be deemed necessary or advisable by the Commission may be created from time to time by resolution of the Commission at any regular meeting or special meeting called for that purpose.

- 7.3.b The Chairperson of the Commission shall appoint one member of each Committee the Chairperson thereof, and the Committee shall meet at such times and places as directed by the Chairperson of the committee or at the regularly scheduled time and place of a particular committee meeting.
- 7.3.c The members of the Committees shall serve for one year or until their successors are appointed or in the case of Special Committees, until their work is completed. Any vacancy in a Committee shall be filled by the Chairperson of the Commission.

Section 8.0 Staff.

- 8.1 The Director of Community Planning and Economic Development or the designated representative shall serve as staff to the Commission.
- 8.2 The Staff shall be responsible for preparation of the Agenda and for the provision of all staff support and reports to the Commission and its Committees. The Staff shall provide to the Commission all reports pending on its upcoming agenda and the same shall be posted at least 24 hours (state law) prior to the scheduled meeting. Action may be deferred on any agenda item not meeting this requirement.
- 8.3 The Staff shall be responsible for the maintenance of all records, reports and correspondence.

Section 9.0 New Commissioner Orientation and Training

9.1 Orientation

Following appointment to the Commission and as soon as possible, new Commissioners shall attend an orientation session with the Commission Chair and Staff. At this meeting the following topics shall be among those covered:

- Duties of the Commission
- The Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and Flood Protection Ordinance
- Meeting attendance
- Commission by-laws, including conflict of interest and ex-parte contact
- Commissioner decorum

Staff will provide new Commissioners links to relevant documents and training materials, or provide hard copies upon request.

9.2 Training

Commissioners shall be offered the opportunity for training through invitations to webinars hosted by the Bi-State Regional Commission and other sources. The cost of attendance shall be the responsibility of the individual Commissioner, or through full or partial reimbursement by the City if funds are available.

Section 10.0 Rules of Order.

10.1 Parliamentary Procedure.

Roberts Rules of Order, Revised, will serve as a guide for the Commission meetings in all cases where these rules do not provide for the procedures to be followed.

10.2 Amendments.

The foregoing bylaws, or any part thereof, may be amended at any Regular Meeting of the Commission, or at any special meeting of the Commission where not less than three days' notice has been given to all members of the Commission and a copy of the proposed amendment sent with the notice, providing, however, it shall require an affirmative vote by the majority of Commissioners present to make any amendment or change in these bylaws.

10.3 Delays in processing.

Issues brought before the Commission for recommendation shall be considered in a timely manner. Any issue under consideration by the Commission or one of its Committees, which has been tabled, postponed or returned for additional supporting information, shall be returned to the agenda of the appropriate body on or before its sixth meeting following the tabling, postponing or returning for additional information (approximately 90 days). Should the requested information not be submitted in the amount of time provided for above, the Commission or Committee may make a recommendation based on the information available or it may return the petition, request, etc. to the party submitting it for future resubmission after making a determination that the petition, request, etc. is incomplete and after listing the requisite information to complete it.

