

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

Thursday, April 23, 2026; 4:00 PM

City Hall | 226 West 4th Street | Council Chambers

The Zoning Board of Adjustment holds public hearings to consider hardship variances, special uses, and interpretation appeals.

- I. Call to Order
- II. Secretary's Report
 1. Consideration of the March 12th, 2026 ZBA Minutes.
- III. Old Business
- IV. New Business
 1. Request SU26-03 of Attorney Tom Pastrnak on behalf of O'Bros, LLC at 3885 Elmore Ave. for a special use for a wholesale establishment in an existing commercial building and in a 52,800 SF addition to said commercial building. Section 17.08.030 EE. Principal Use Standards require properties zoned C-3 to obtain a Special Use for wholesale uses. [Ward 6]
- V. Other Business
- VI. Adjourn

City of Davenport

Department: Development & Neighborhood Services
Contact Info: |

Action / Date
4/23/2026

Subject:
Consideration of the March 12th, 2026 ZBA Minutes.

Recommendation:

Background:

Attachments:

1. ZBA Minutes 2026-03-12



MINUTES
Zoning Board of Adjustment
March 12, 2026



By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.
See the following link: <https://www.youtube.com/user/DavenportToday/videos>

I. Call to Order:

Vice Chair Galliard called the Zoning Board of Adjustment (ZBA) meeting to order in City Hall Council Chambers, Davenport, Iowa at approximately 4:00 p.m.

Members Participating: Galliard, Boyd-Carlson, Kleffmann, Crawford, Darland
Excused: None.
Staff present: Berkley, Koops

II. Secretary's Report:

Minutes were approved for the 2026-3-12 ZBA Hearing by voice-vote (5-0).

III. Old Business:

None.

IV. New Business:

Request HV26-02 of John Meehan on behalf of Molo Oil dba Big 10 Mart at 5310 Corporate Park Drive for a hardship variance to reconstruct and reface an existing 125 sq ft nonconforming freestanding sign. Section 17.12.060.D allows a maximum of 100 sq ft for this freestanding monument sign. The property is zoned C-3 General Commercial District. [Ward 6]

Koops presented the staff report to the board.

Findings & Staff Recommendation:

Findings: (as summarized from the staff report's analysis section)

- Item #1 application of the ordinance creating hardship has been established;
- Item #2 physical surroundings imposing hardship has been established;
- Item #3 unique circumstance has been established;
- Item #4 protection of essential character has been established;

Recommendation:

The requested hardship variance, based on the findings of the staff report, supports approval of request HV26-02.

The applicant addressed the Board.

Motion:

A motion by Galliard to approve the request as proposed, seconded by Kleffmann, carried unanimously (5-0).

Boyd-Carlson, yes; Kleffman, yes; Crawford, yes; Galliard, yes, Darland, yes;

V. Other Business

None.

VI. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:12 p.m.

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Scott Koops | 563-326-6701

Action / Date
4/23/2026

Subject:

Request SU26-03 of Attorney Tom Pastrnak on behalf of O'Bros, LLC at 3885 Elmore Ave. for a special use for a wholesale establishment in an existing commercial building and in a 52,800 SF addition to said commercial building. Section 17.08.030 EE. Principal Use Standards require properties zoned C-3 to obtain a Special Use for wholesale uses. [Ward 6]

Recommendation:

Background:

Attachments:

1. Staff Report SU26-03 - 3885 Elmore Ave OBros LB edits
2. Action 2026-97
3. Example ZBA Public Hearing Notice April 23 2026
4. SU26-03 Adjacent Owner Notice List - 3885 Elmore Ave



**Zoning Board of Adjustment
Planning Staff Report
3885 Elmore Avenue | Wholesale Special Use
April 23, 2026**

Description

Request SU26-03 of Attorney Tom Pastrnak on behalf of O'Bros, LLC at 3885 Elmore Ave. for a special use for a wholesale establishment in an existing commercial building and in an 52,800 SF addition to said commercial building. Section 17.08.030 EE. Principal Use Standards requires properties zoned C-3 to obtain a Special Use for wholesale uses. [Ward 6]

Background

The subject property does not currently have a Special Use as the use was established prior to the Wholesale Ordinance [ORD25-03 | 2026-97], which was the approved by City Council in March of 2026.

The wholesale use of the property dates back prior to the 2019 Zoning Ordinance rewrite which made the wholesale use of 3885 Elmore Avenue legal nonconforming. With the successful application for a Special Use, 3885 Elmore Avenue will once again become a legal conforming land use.

The recent Wholesale ordinance requires the following for a legal conforming wholesale use:

1. A Special Use (approved by the ZBA post March of 2026).
2. Compliance to and with Principal Use Standards for Wholesale Establishments per Section 17.08.030 EE. (post March 2026) which addresses wholesale establishments.

Principal Use Standards for Wholesale Establishment per Section 17.08.030 EE.:

1. The principal use and any associated accessory uses shall not emit any dust, odors, gases, or pollution and shall not emit excessive noise or vibrations.
2. The storage of aggregate materials shall be prohibited.
3. The following additional standards apply to all outdoor storage:
 - a. [Any] storage area must be completely enclosed by a solid fence or wall a minimum of six feet in height including ingress and egress.
 - b. Fences or walls shall meet principal use setback requirements.
 - c. Outdoor storage of any kind is prohibited outside the fence or wall

The proposed use will meet all of the above-referenced Principal Use Standards.

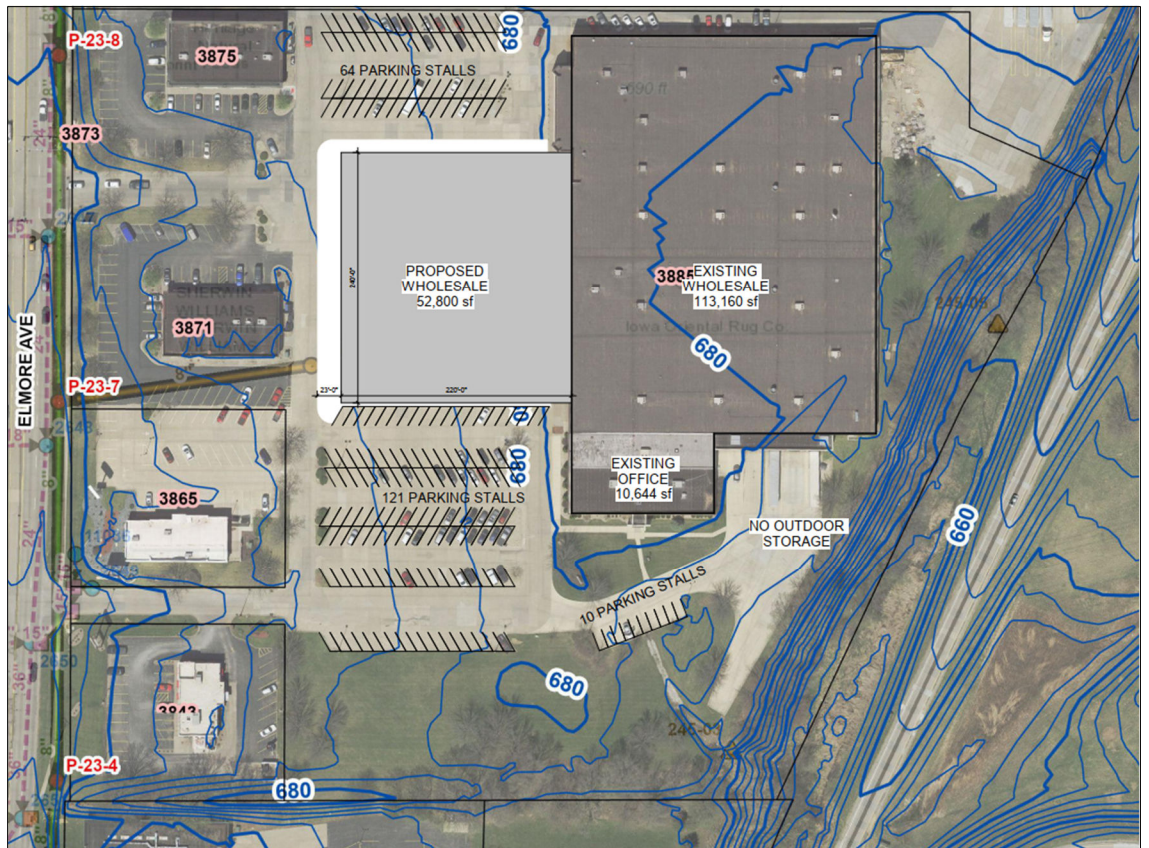
Additionally, the application and the applicant have not proposed any outside storage or the keeping of aggregate materials. A fence is therefore not required as there are (and will be) no outdoor uses on the site. Any such change would require a rehearing of this Special Use.

The applicant's site plan shows the location of the proposed 52,800 SF building addition which will house additional wholesale product and be serviced by the existing loading docks.

Aerial Photo: May 2025



Site Plan:



Discussion

O'Bros LLC wishes to expand the existing 113,160 SF wholesale facility as proposed on the submitted site plan with a 52,800 SF addition for supplementary wholesale product. The site is zoned C-3 General Commercial which now requires (as of March of 2026) an approved special use by the ZBA for wholesale use and compliance with 17.08.030 EE. Principal Use Standards for wholesale. Staff has reviewed the request and finds that it generally meets all required standards. Generally, the wholesale items at 3885 Elmore fall under NAICS code 4236.

Description of Request as Submitted by the applicant

"Wholesale establishment. O'Rourke Sales Company is a family-owned wholesaler with a passion for service to its customers. OSC wholesales TV's , appliances, and computers to a vast group of retailers nationwide including rent to own, premium and incentive customers, e-commerce, military exchanges, and both independent and national retailers. The brands we wholesale include Samsung, Speed Queen, TCL, Sony, Asus, HP, and Hisense to name a few."

Approval Standards (in addition to the required Principal Use Standards for Wholesale)

1. The establishment, maintenance, and operation of the proposed special use will not endanger the public health, safety, or welfare.

Applicant:

Allowing this wholesale use in the C-3 District will provide for the expansion of an otherwise vacant lot, reduce loitering/vagrancy in the area, and provide enrichment to the tax base. Furthermore, based on principal use standards for wholesale in Sec. 17.08.030 (i.e.: principal use and any associated accessory uses shall not emit any dust, odors, gases or pollution and shall not emit excessive noise or vibrant; the storage of aggregate materials shall be prohibited) public health, safety and welfare will not be endangered.

Staff Response:

The proposed use will meet code requirements for a wholesale use, and as a building addition the proposed adjoining structures will be subject to the necessary Eplan review and approval process of which Building, Engineering, Zoning, Natural Resources, and Fire Departments participate in the review process. The site should have minimal, if any, impact on adjacent property from a zoning perspective, as conditioned by this special use. Significantly, the proposed use will NOT generate any undue noise, odor, or dust and shall not have any outdoor storage and the use will not change from how the site has operated since O'Bros LLC purchased the property. Additionally, the site will meet all Principal Use standards found in Section 17.08.030 EE.

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

Applicant:

The proposed wholesale use will be compatible with adjacent properties in the C-3 General Commercial Zoning District as it is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets and wholesaling is consistent with Davenport's current comprehensive plan and was previously allowed in certain C-Districts under Davenport's prior zoning code, such that to resurrect its use now leaves little to be done and allows market conditions to proceed with redevelopment.

Staff Response:

The plans meet code requirements and the site is properly designed to have minimal, if any, impact on adjacent property as proposed and as conditioned per this report. Zoning and Land use policy requirements and guidelines have been or will be met.

3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and adopted land use policies.

Applicant:

Permitting the requested special use in this instance will actually lessens the intensity on the property in a C-3 District that is consistent with the Comprehensive Plan and land use policies and creates synergy with the existing development in the area.

Staff Response:

Land use policy has been met along with all code requirements, as properly conditioned per this staff report.

Recommendation & Findings

Findings:

1. The petitioner's proposed location/design meets Special Use requirements
2. This use is compatible with adjacent land uses and type of development
3. The proposed Special Use is in accordance with the criteria for Special Use approval.

Recommendation:

Staff recommends the Board adopt staff's findings and approve request SU26-03 subject to the following conditions:

1. The extent of submitted Site Plan shall be binding; any changes deemed a modification shall be subject to Special Uses §17.14.50;
2. The extent of the type of wholesale items sold or stored at the property shall be limited to those of a Household Appliances and Electrical and Electronic Goods Merchant Wholesaler as outlined and described in the North American Industry Classification System Code (NAICS code 4236)
3. Prior to construction a full site plan review shall be approved through the City's E-Plan system; and
4. Should complaints arise due to non-compliance of conditions a rehearing of the Special Use shall be scheduled for Board of Adjustment action, as permitted by City Municipal and Zoning Code.

Prepared by:



Scott Koops, AICP
Planner II

Attachments: Map, Site Plan, Application, Notification Map, Exhibits

City of Davenport

2026-97

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

Action / Date
3/11/2026

Subject:

Third Consideration: Ordinance for Case ORD25-03 being the request of Leverage Holdings LLC to amend Chapter 17.08 entitled "Uses" of the Municipal Code of Davenport, Iowa, to allow wholesale establishment as a special use in the C-3 zoning district and add principal use standards for wholesale establishment. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

At its November 4, 2025, meeting, the Plan and Zoning Commission unanimously recommended Case ORD25-03 to the City Council with a recommendation for approval subject to the findings and listed conditions. The conditions for the creation of principal use standards for wholesale establishment have been incorporated into the Ordinance.

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 may create minor nonconformities.

Conditions

Create the following principal use standards for Wholesale in Section 17.08.030:

1. The principal use and any associated accessory uses shall not emit any dust, odors, gases, or pollution and shall not emit excessive noise or vibrations.
2. The storage of aggregate materials shall be prohibited.
3. The following additional standards apply to all outdoor storage:
 - a. The storage area must be completely enclosed by a solid fence or wall a minimum of six feet in height including ingress and egress.
 - b. Fences or walls shall meet principal use setback requirements.
 - c. Outdoor storage of any kind is prohibited outside the fence or wall.

Case Overview

City staff received an application for a zoning text amendment from a property owner requesting an amendment to allow "Wholesale" as a permitted use in the C-3 General Commercial Zoning District. The proposed zoning text amendment will impact all properties throughout Davenport zoned C-3 General Commercial Zoning District. The Petitioner has provided initial statements by approval standard as a supplement to the request, which can be seen in the application document. The summary provided by the applicant is below:

As indicated, the Petitioner perceives there are various reasons that a text amendment is needed to add wholesale use in the C-3 Districts, but the most blatant/obvious include, but are not limited to:

1. Current commercial market conditions have changed as less big-box buildings are being built and those that have been built now need to be retrofitted for alternative uses.
2. Wholesaling, for the most part, will lessen the intensity in these Districts, and while truck/semi-truck traffic could slightly increase, the streets and properties in the C-3 District can easily accommodate such concerns. In essence, while wholesaling is distinguishable from retail, in this stance, it's a distinction without a real difference.
3. Wholesaling is consistent with Davenport's current comprehensive plan and was previously allowed in certain C-Districts under Davenport's prior zoning code, such that to resurrect its use now leaves little to be done and allows market conditions to proceed with redevelopment.

Zoning Ordinance Purpose Statement

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Zoning Ordinance Use Definition

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Use Matrix (Table 17.08-1)

The principal use "Wholesale Establishment" is permitted in the following zoning districts:

1. I-1 Light Industrial District
2. I-2 Heavy Industrial District

The principal use "Wholesale Establishment" is permitted as a special use in the following zoning districts:

1. I-MU Industrial Mixed Use District

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.

Upon staff review, the following proposed principal use standards alleviate concerns for future wholesale in C-3.

Proposed Principal Use Standard

1. The principal use and any associated accessory uses shall not emit any dust, odors, gases, or pollution and shall not emit excessive noise or vibrations.
2. The storage of aggregate materials shall be prohibited.
3. The following additional standards apply to all outdoor storage:
 - a. The storage area must be completely enclosed by a solid fence or wall a minimum of six feet in height including ingress and egress.
 - b. Fences or walls shall meet principal use setback requirements.
 - c. Outdoor storage of any kind is prohibited outside the fence or wall.

Public Input

A notice of Public Hearing was published in the *Quad-City Times* informing the community of the October 14, 2025, Plan and Zoning Commission Public Hearing. In addition, the notice of a Public Hearing was published in the *Quad-City Times* for the November 19, 2025, Public Hearing at the Committee of the Whole. To date, staff have not received any public comments in favor or opposition to the request. Staff will apprise Council of any correspondence.

Amendment

At the March 4, 2026, Committee of the Whole Meeting, City Council approved an amendment to the Ordinance changing wholesale establishment from a permitted use to a special use in the C-3 zoning district.

Attachments:

1. Ordinance AMENDED 030426
2. Ordinance
3. Application Leveraged Holdings
4. Proposed Principal Use Standard - Wholesale Establishment
5. C-3 District Overview Map
6. Industrial Zone Overview Map
7. Use Matrix Table - Wholesale1

ORDINANCE NO. 2026-97

AN ORDINANCE FOR CASE ORD25-03 BEING THE REQUEST OF LEVERAGED HOLDINGS LLC TO AMEND CHAPTER 17.08 ENTITLED "USES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, TO ALLOW WHOLESALE ESTABLISHMENT AS A SPECIAL USE IN THE C-3 ZONING DISTRICT AND ADD PRINCIPAL USE STANDARDS FOR WHOLESALE ESTABLISHMENT.

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

Section 1. That Section 17.08.020 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to add "Wholesale Establishment" as a special use in the C-3 zoning district on Table 17.08-1: Use Matrix.

Section 2. That Section 17.08.030 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to add a new subsection EE, with all subsequent subsections re-lettered accordingly, and to update the Use Standard column of Table 17.08-1 in Section 17.08.020 to reflect this change.

EE. Wholesale Establishment

1. The principal use and any associated accessory uses shall not emit any dust, odors, gases, or pollution and shall not emit excessive noise or vibrations.
2. The storage of aggregate materials shall be prohibited.
3. The following additional standards apply to all outdoor storage:
 - a. The storage area must be completely enclosed by a solid fence or wall a minimum of six feet in height including ingress and egress.
 - b. Fences or walls shall meet principal use setback requirements.
 - c. Outdoor storage of any kind is prohibited outside the fence or wall.

Section 3. At the March 4, 2026, Committee of the Whole Meeting, the City Council approved an amendment to the Ordinance changing wholesale establishment from a permitted use to a special use in the C-3 zoning district.

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

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

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

First Consideration November 25, 2025

Second Consideration December 10, 2025

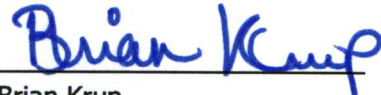
Approved March 11, 2026

Published in The Quad-City Times on March 21, 2026

Attest:



Jason Gordon
Mayor



Brian Krup
Deputy City Clerk

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ORD25-03 BEING THE REQUEST OF LEVERAGED HOLDINGS LLC TO AMEND CHAPTER 17.08 ENTITLED "USES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, TO ALLOW WHOLESALE ESTABLISHMENT AS A PERMITTED USE IN THE C-3 ZONING DISTRICT AND ADD PRINCIPAL USE STANDARDS FOR WHOLESALE ESTABLISHMENT.

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

Section 1. That Section 17.08.020 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to add "Wholesale Establishment" as a permitted use in the C-3 zoning district on Table 17.08-1: Use Matrix.

Section 2. That Section 17.08.030 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to add a new subsection **EE**, with all subsequent subsections re-lettered accordingly, and to update the Use Standard column of Table 17.08-1 in Section 17.08.020 to reflect this change.

EE. Wholesale Establishment

1. The principal use and any associated accessory uses shall not emit any dust, odors, gases, or pollution and shall not emit excessive noise or vibrations.
2. The storage of aggregate materials shall be prohibited.
3. The following additional standards apply to all outdoor storage:
 - a. The storage area must be completely enclosed by a solid fence or wall a minimum of six feet in height including ingress and egress.
 - b. Fences or walls shall meet principal use setback requirements.
 - c. Outdoor storage of any kind is prohibited outside the fence or wall.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Jason Gordon
Mayor

Brian Krup
Deputy City Clerk



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

Office 563.326.6198
 planning@davenportiowa.com

APPLICATION FOR
ZONING TEXT AMENDMENT
 (CHANGE TO ZONING ORDINANCE LANGUAGE)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
	09/18/2025	

ZONING CODE HEADINGS & SECTION NUMBERS IMPACTED
 17.05.020; 17.08; Table 17.08-1; *See Addendum

REASON FOR ZONING CODE TEXT CHANGE
 Allow Wholesale Establishment as Permitted Use in C-3 Zoning District

EXISTING ZONING CODE LANGUAGE TO BE CHANGED
 C-3 zoning appears to restrict Wholesale Establishment

PROPOSED ZONING CODE LANGUAGE
 Permit within the C-3 zoning district Wholesale Establishments as defined in 17.08.050, thereby allowing sale to warehouses and distributors.

APPLICANT INFORMATION

Applicant Name | Company Name
Leveraged Holdings LLC

Address
5167 Utica Ridge Road

City | State | Zip
Davenport IA 52807

Phone
 [REDACTED]

Secondary Phone
 [REDACTED]

Acceptance of Applicant

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

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

Thad DenHartog

Type Applicant's Name

09/18/2025

Applicant's Signature

Date

DEVELOPMENT TEAM

Owner
Leveraged Holdings LLC

Address
5167 Utica Ridge Road

Phone
 [REDACTED]

Secondary Phone

E-Mail Address
 [REDACTED]

Attorney/Other
Thomas J. Pastrnak

Address
313 W. 3rd Street Davenport, IA 52801

Phone
 [REDACTED]

Secondary Phone

E-Mail Address
 [REDACTED]

COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED

Existing & Proposed Text, as a .PDF, if preferred

Authorization to Act as Applicant, if necessary

Application Fee: (REQUIRED) **\$400***

*plus Scott County Recording Office fees at a later date

PROCEDURE SHALL BE AS STATED IN §17.14.040

Approval Standards:

- Consistency with the Comprehensive Plan and Future Land Use Map.
- Promotion of public health, safety, and welfare of the City.
- Consistency with the general intent and regulations of Title 17.
- Purpose of the amendment (error correction/omission, or clarification).
- Extent that the proposed amendment protects against nonconformities.

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

Addendum to
Zoning Code Headings & Section Numbers Impacted

*and such other provisions in Davenport's City Code, especially relating to C-3 zoning, that should be included therewith

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

Not surprisingly and by adding/permitting wholesale (which is merely selling goods and/or services to a limited customer base as defined by Davenport's Code) it lessens the intensity on properties in a C-3 District (although it may increase traffic and/or semi-truck traffic which the arterial roads in the C-3 District are very capable of handling along with the properties thereon which, in most instances, already have load areas) such that:

- A. consistency with the Comprehensive Plan and land use policies are maintained; and
- B. synergy with existing development will also be maintained

Furthermore, as wholesaling was once a permitted use in certain C-Districts based on Davenport's prior zoning code, its reemergence will not impair and/or impact properties in the C-3 District; rather, based on existing market conditions, it enhances development in the C-3 District.

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

While the text amendment is somewhat neutral on this issue, Petitioner submits that by allowing wholesale use in the C-3 District, it will provide:

- A. the expansion/development of big box facilities that are vacant/near vacant;
- B. remove/reduce loitering/vagrancy in these affected areas; and
- C. provide enrichment to the tax base

3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

Petitioner reemphasizes that wholesaling was once a permitted use in certain C-Districts based on Davenport's prior zoning code, such that in essence its truly not inconsistent with the concept and general notion of what is or should be in a commercial district.

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.

No, although Petitioner acknowledges that market conditions have changed commercially, such that there are less big-box stores being built and those that have been built need to be retrofitted.

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

Actually, by adding wholesaling, the text amendment renders those properties previously grandfathered under the prior zoning code or currently engaging in wholesaling on an ancillary basis to now be a conforming use once again (in fact, some existing retailers are already engaging in wholesale activities with business customers, for example: Sam's Club, Costco, Best Buy, etc.)

Proposed Wholesale Establishment Ordinance Amendment

November 4, 2025

*The proposed principal use standard will go as 17.08.030.EE to maintain appropriate alphabetical order.
Following P&Z action, section instructions will be written for amendment proposal.*

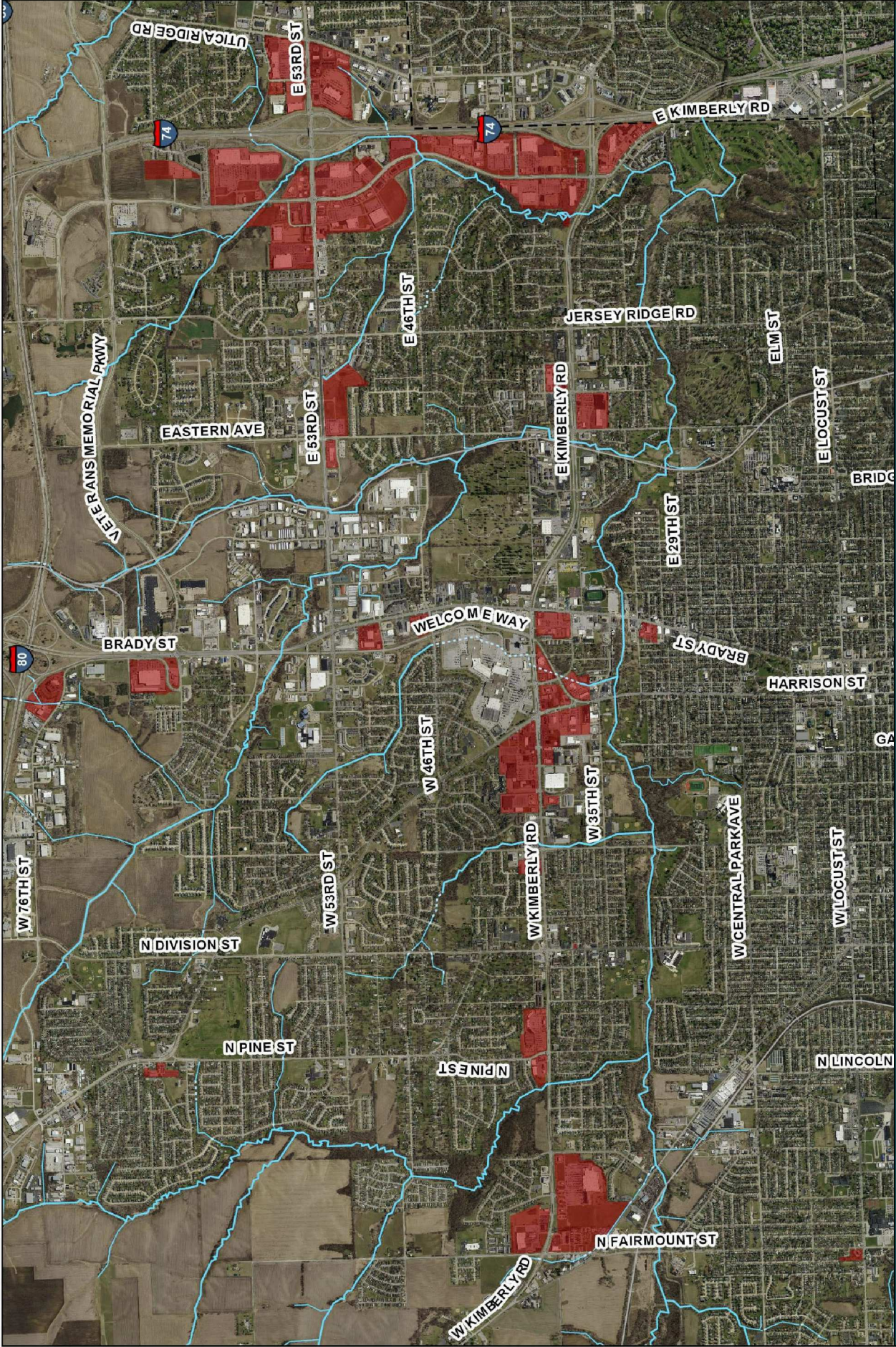
Proposed Table 17.08 – 1 Use Matrix

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	AG	OS	IC	Use Standard
Wholesale Establishment										P						P	P	S				Sec. 17.08.030.EE

17.08.030 Principal Use Standard

EE. Wholesale Establishment.

1. The principal use and any associated accessory uses shall not emit any dust, odors, gases, or pollution and shall not emit excessive noise or vibrations.
2. The storage of aggregate materials shall be prohibited.
3. The following additional standards apply to all outdoor storage:
 - a. The storage area must be completely enclosed by a solid fence or wall a minimum of six feet in height including ingress and egress.
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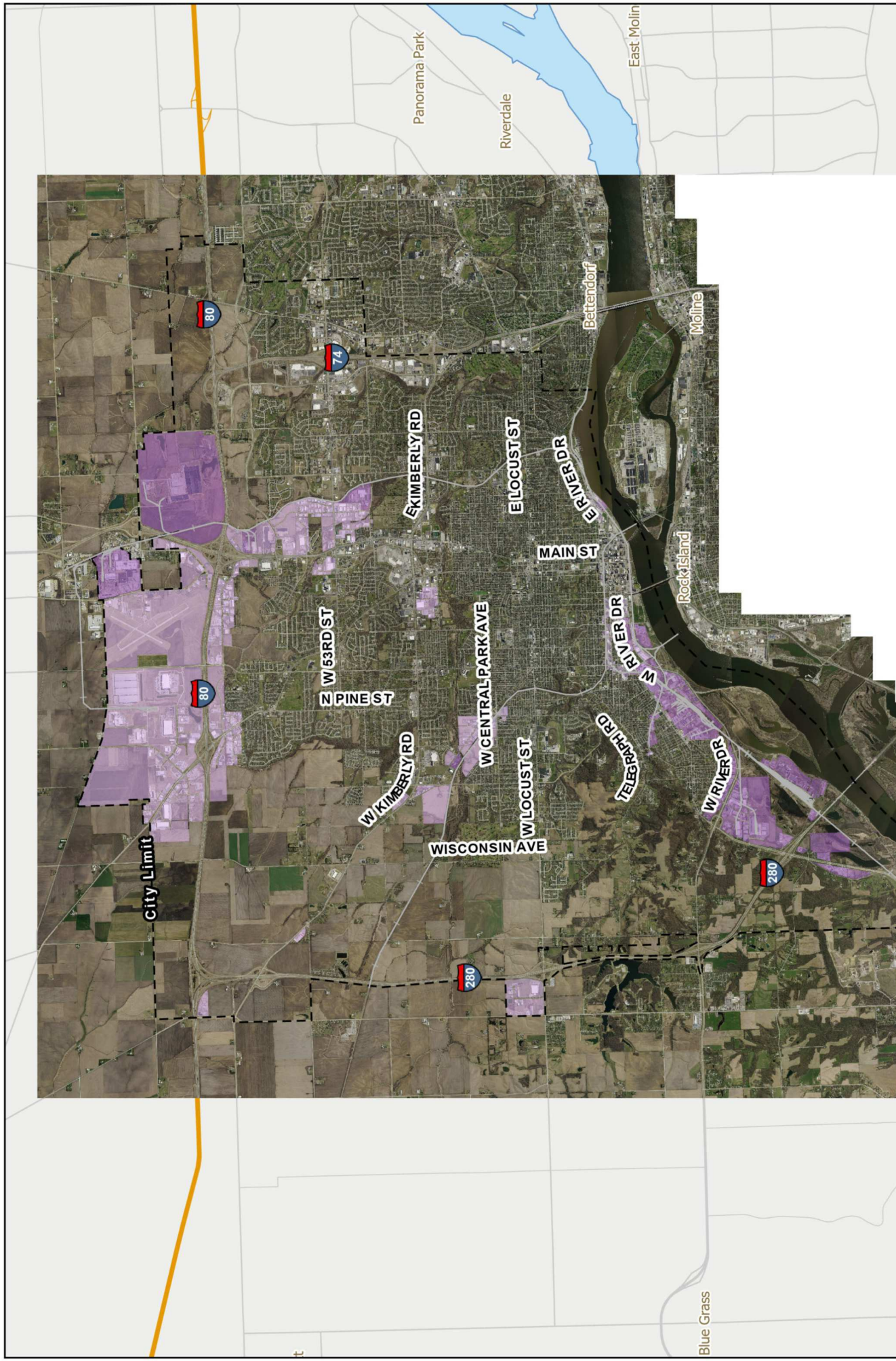
C-3 Zone Overview Map



Legend

Zoning Districts

- C-3 General Commercial Zoning District



Industrial Zone Overview Map

Legend

- I-1 Light Industrial Zoning District
- I-2 Heavy Industrial Zoning District
- I-MU Industrial Mixed-Use Zoning District

N

0 1 2 Miles

ZONING

17 Attachment 1
 City of Davenport
 Table 17.08-1
 Use Matrix

[Amended 12-11-2024 by Ord. No. 2024-522; 3-13-2024 by Ord. No. 2024-119; 1-11-2023 by Ord. No. 2023-05; 11-23-2021 by Ord. No. 2021-445; 6-9-2021 by Ord. No. 2021-218; 6-10-2020 by Ord. No. 2020-233; 9-11-2019 by Ord. No. 2019-363]

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	AG	OS	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			S								
Animal Care Facility - Large Animal																			P			
Animal Care Facility - Small Animal							S	S	P	P	P		S	S	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									P	P	P		P	P	P							
Bar - Neighborhood																						Sec. 17.08.030.C
Bed-and-Breakfast	S	S	S	S	S	S	S												P			Sec. 17.08.030.D
Billboard									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	
Campground																			S	P		Sec. 17.08.030.F
Car Wash														S								Sec. 17.08.030.G
Casino																						
Cemetery																				P		
Children's Home					P				P	P	P							S			P	Sec. 17.08.030.H
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	Sec. 17.08.030.I
Conservation Area																			P			
Country Club																						
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	Sec. 17.08.030.J
Day-Care Home	P	P	P	P	P																	Sec. 17.08.030.J
Drive-Through Facility													S									Sec. 17.08.030.K
Drug/Alcohol Treatment Facility,									S	S	S										S	Sec. 17.08.030.L

DAVENPORT CODE

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	L-1	L-2	I-MU	AG	OS	IC	USE STANDARD
Residential																						
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L
Domestic Violence Shelter								P	P	P					P			P			P	Sec. 17.08.030.H
Dwelling - Accessory Dwelling Unit	P	P	P	P															S			Sec. 17.08.030.M
Dwelling - Manufactured Home						P												P				Sec. 17.08.030.N
Dwelling - Multifamily									P	P	S				P			P				Sec. 17.08.030.O
Dwelling - Townhouse									P	P	S				P			P				Sec. 17.08.030.P
Dwelling - Single-Family	P	P	P	P																		Sec. 17.08.030.P
Dwelling - Single-Family Semidetached											S											Sec. 17.08.030.P
Dwelling - Two-Family (New Construction)											S											Sec. 17.08.030.P
Dwelling - Two-Family (Conversion)																						Sec. 17.08.030.P
Educational Facility - Primary or Secondary	P	P	P	P																	P	
Educational Facility - University or College																						
Educational Facility - Vocational																						
Equine, Keeping of/Equestrian Facility	P							S	S	S	P	P	P	S	P				P	S	P	Sec. 17.08.030.Q
Fairground																						
Financial Institution																						
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R
Food Bank																						
Food Pantry									P	S					S			P				
Funeral Home								S	S	S	P				P			P				
Gas Station								S	P	P	S				P			P				Sec. 17.08.030.S
Golf Course/Driving Range																				P		
Government Office/Facility																		P		P	P	
Greenhouse/Nursery - Retail																		P	S			
Group Home	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																						
Heavy Retail										S					S			P				
Homeless Shelter									S	S					S			P				Sec. 17.08.030.L
Hotel									P	P	P	P	S	P				P				
Industrial - General																						
Industrial - Light																						
Industrial Design								P	P	P					P							

ZONING

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	L-1	L-2	I-MU	AG	OS	IC	USE STANDARD
Live Performance Venue																						
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	P	P			
Microbrewery/Distillery/Winery																						
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																						
Parking Lot (principal use)																						
Parking Structure (principal use)							S	S	S	S	S	S	S	S	S	S	S	S	S			Sec. 17.08.030.W
Personal Service Establishment							S	S	S	S	S	S	S	S	S	S	S	S	S			Chapter 17.10
Place of Worship							P	P	P	P	P	P	P	P	P	P	P	P	P			Chapter 17.10
Private Recreation Facility							P	P	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			
Public Safety Facility							P	P	P	P	P	P	P	P	P	P	P	P	P			
Public Works Facility							P	P	P	P	P	P	P	P	P	P	P	P	P			
Reception Facility							S	S	S	S	P	P	S	S	P	P	P	P	S			Sec. 17.08.030.X
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F
Research and Development												P										
Residential Care Facility							P	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			
Retail Alcohol Sales							P	P	P	P	P	P	P	P	P	P	P	P	P			
Retail Sales of Fireworks											S											
Salvage Yard																						Sec. 17.08.030.Z
Self-Storage Facility: Enclosed									S	S												
Self-Storage Facility: Outdoor															P	P	P	P				Sec. 17.08.030.AA
Social Service Center																						Sec. 17.08.030.AA
Solar Farm																						
Specialty Food Service																						
Storage Yard - Outdoor																						
Truck Stop																						
Vehicle Dealership - Enclosed																						
Vehicle Dealership - with Outdoor Storage/Display																						
Vehicle Operation Facility																						

DAVENPORT CODE

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	L-1	L-2	I-MU	AG	OS	IC	USE STANDARD	
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	S				Sec. 17.08.030.DD	
Warehouse																P	P						
Wholesale Establishment										P						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					
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	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	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	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	S	Sec. 17.08.030.FF
TEMPORARY USE																							
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	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	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	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	



Public Hearing Notice | Zoning Board of Adjustment

Date: 4/23/2026 **Location:** City Hall | 226 W 4th ST | Council Chambers
Time: 4:00 PM **Subject:** Hearing for Special Use | Zoning Board of Adjustment

Example Notice
10 Notices sent

To all property owners within 200' of the subject property **3885 Elmore Ave:**

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Special Use. The purpose of the Special Use is to authorize certain special/conditional uses of property which are allowed but require special consideration.

Request/Case Description

Request SU26-03 of Attorney Tom Pastrnak on behalf of O'Bros, LLC at 3885 Elmore Ave. for a special use for a wholesale use in an existing commercial building and in an 52,800 SF addition to said commercial building. Section 17.08.030 EE. Principal Use Standards requires properties zoned C-3 to obtain a Special Use for wholesale uses. [Ward 6]

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. Rulings of the Zoning Board of adjustment are final. The applicant may request reconsideration at the next public hearing, and aggrieved parties may file a writ of certiorari with the district court.

Would You Like to Submit an Official Comment?

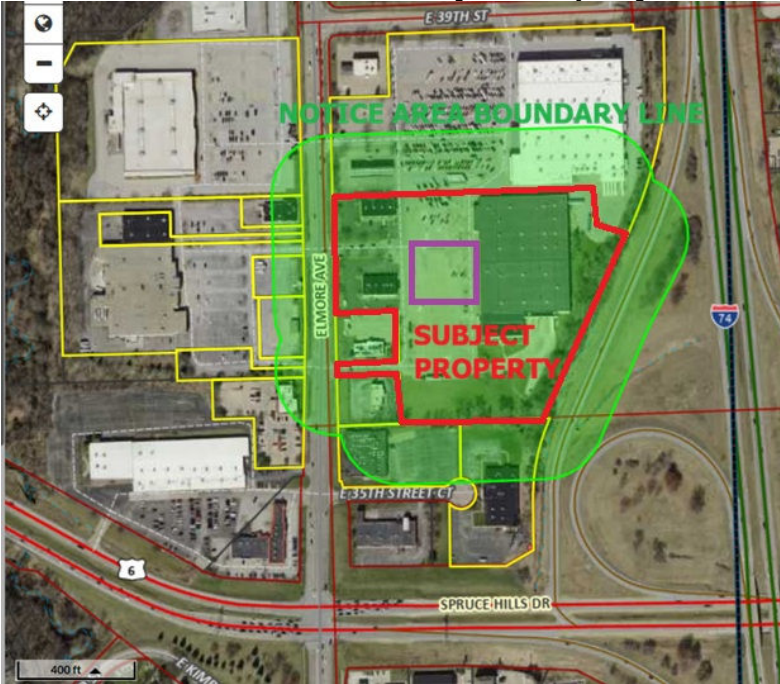
As a property owner/occupant you may have an interest in commenting on the proposed request (either in favor of or opposed to the request). Submit comments via email or in person at the public hearing. Official comments must have written signatures sent to planning@davenportiowa.com (no later than 12:00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

Do You Have Any Questions?

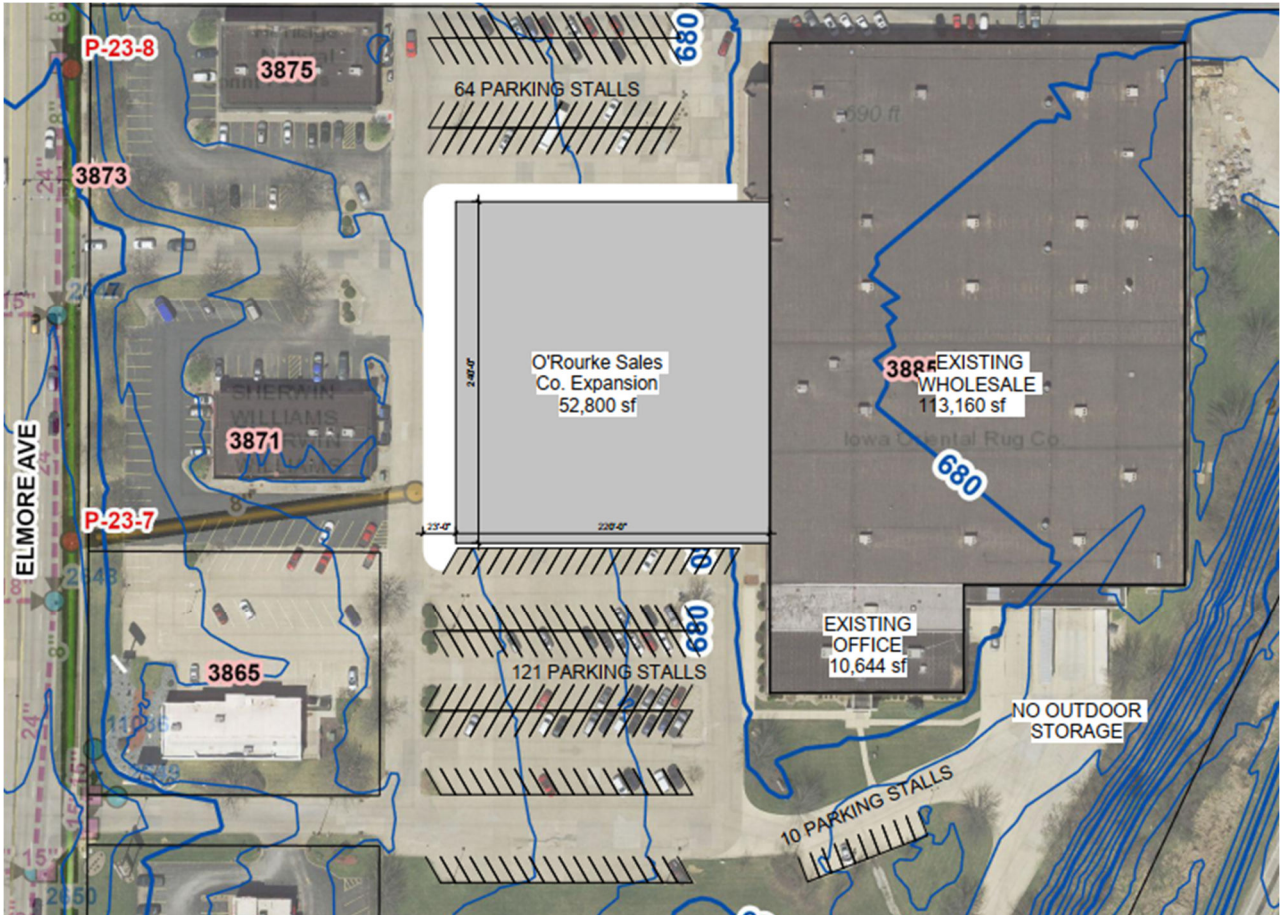
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

Adjacent Owner Notice Area:
Owners within 200' of the Subject Property



Site Plan



SU26-03 Adjacent Owner Notice List - 3885 Elmore Ave

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Subject Property:		3885 ELMORE AV	O'BROS LLC	3885 ELMORE AVE
Ward:		6TH WARD		NOTICES SENT: 13
N1709-02	3850 ELMORE AV	NIKI BELL LLC	11720 EL CAMINO REAL SUITE 250	SAN DIEGO CA 92130
N1709-04	3862 ELMORE AV	ELMORE AVE LLC	2401 CORAL CT STE 1	CORALVILLE IA 52241
N1709-20M	3910 ELMORE AV	KOHL'S DEPARTMENT STORES INC	PO BOX 2148	MILWAUKEE WI 53201
N1709A01	3860 ELMORE AV	ELMORE AVE LLC	2401 CORAL CT STE 1	CORALVILLE IA 52241
N1709A02		ELMORE AVE LLC		
N1709A03		NIKI BELL LLC	11720 EL CAMINO REAL SUITE 250	SAN DIEGO CA 92130
N1710-02C	3843 ELMORE AV	PEM COOL SPRINGS 27 LLC	PO BOX 661	CARMICHAEL CA 95609
N1710-02E	3887 ELMORE AV	SAM'S REAL ESTATE BUSINESS TRU	1301 SE 10TH ST	BENTONVILLE AR 72716
N1710-02G	3865 ELMORE AV	OTIS REAL ESTATE LLC	1735 JOHN F KENNEDY RD	DUBUQUE IA 52002
N1715A01	3218 E 35TH CT	MEL FOSTER CO PROPERTIES INC	3211 E 35TH ST CT	DAVENPORT IA 52807
N1716-14D	3838 ELMORE AV	TUG INC	2380 NEW CUT RD	SPARTANBURG SC 29303