

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

THURSDAY, MAY 12, 2022; 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

A. Consideration of the 4-28-2022 minutes.

III. Old Business

IV. New Business

A. Request HV22-03 of Adam Goldberg on behalf of Amazon.com, Inc. at 2022 Research Parkway for a hardship variance for a second freestanding sign and two (2) directional signs exceeding size limitations as required by Section 17.12.050.C.9 and 17.12.060.D. of the municipal code which limits the site to one (1) freestanding sign and directional signs to 4 sq.ft., five (5) feet tall. Directional signs are 3' taller and 2 and 18sf over the allowed size restrictions. [Ward 8]

V. Other Business

VI. Adjourn

City of Davenport  
Zoning Board of Adjustment

Department: DNS  
Contact Info: ScottKoops@davenportiowa.com

**Date**  
**5/12/2022**

Subject:  
Consideration of the 4-28-2022 minutes.

ATTACHMENTS:

Type	Description
▣ Exhibit	ZBA Minutes 4-28-22

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	5/5/2022 - 3:23 PM



**MINUTES**  
**Zoning Board of Adjustment**  
**April 28, 2022**



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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:**

Chairman Darland called the Zoning Board of Adjustment (ZBA) meeting to order in City Hall Council Chambers, Davenport, Iowa at approximately 4:01 p.m.

Board Members present (4): Reistroffer, Boyd-Carlson, Quinn, and Darland

Excused: None

Staff present: Koops, Zoning Administrator Berkley, staff Attorney Bagby

**II. Secretary's Report:**

Minutes were approved for the 4-14-22 ZBA Hearing by a voice-vote (4-0).

**III. Old Business:**

None.

**IV. New Business:**

None.

**V. Other Business**

Reistroffer discussed used a two-year election cycle of officers. Staff informed the Board that two year terms would be problematic as it would be possible for an elected chair to be outgoing after already having been elected for the next two years. Staff informed the Board that they would be working on some possible updates to the By-Laws, which would be discussed with the Board at a later date.

**VI. Adjourn**

The meeting adjourned unanimously by voice vote at approximately 5:06 p.m.

City of Davenport  
Zoning Board of Adjustment

Department: DNS  
Contact Info: ScottKoops@davenportiowa.com

**Date**  
**5/12/2022**

**Subject:**

Request HV22-03 of Adam Goldberg on behalf of Amazon.com, Inc. at 2022 Research Parkway for a hardship variance for a second freestanding sign and two (2) directional signs exceeding size limitations as required by Section 17.12.050.C.9 and 17.12.060.D. of the municipal code which limits the site to one (1) freestanding sign and directional signs to 4 sq.ft., five (5) feet tall. Directional signs are 3' taller and 2 and 18sf over the allowed size restrictions. [Ward 8]

**ATTACHMENTS:**

Type	Description
▣ Exhibit	Staff Report
▣ Exhibit	Application
▣ Exhibit	Notice List
▣ Exhibit	Public Hearing Notice

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	5/5/2022 - 3:28 PM



**Zoning Board of Adjustment  
Planning Staff Report  
Freestanding Sign/Directional Signage  
May 12, 2022**

**Description**

Request HV22-03 of Adam Goldberg on behalf of Amazon.com, Inc. at 2022 Research Parkway for a hardship variance for a second freestanding sign and two (2) directional signs exceeding size limitations as required by Section 17.12.050.C.9 and 17.12.060.D. of the municipal code which limits the site to one (1) freestanding sign and directional signs to 4 sq.ft., five (5) feet tall. Directional signs are 3' taller and 2 and 18sf over the allowed size restrictions. [Ward 8]

**Background**

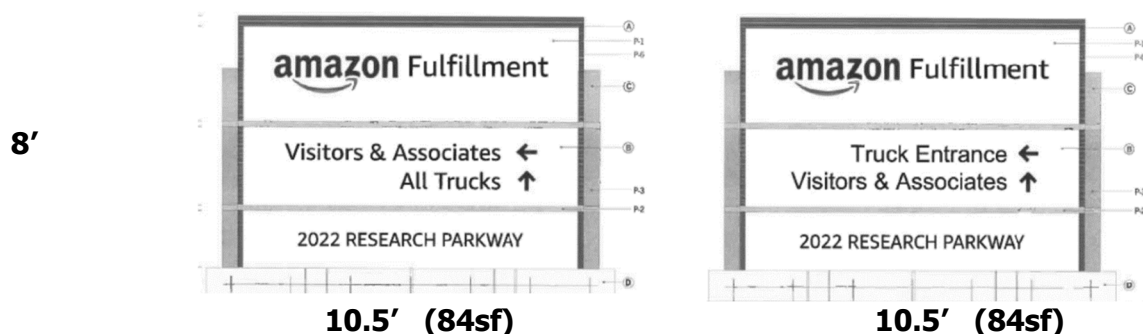
The petitioner has requested a hardship variance from sign code requirements, and requests a second freestanding sign, and increased size for two directional signs.

The signs will be located along the future extension of Research Parkway from the western edge of the property to the east lot line along N. Division Street. The property is 160 acres (0.25 square miles) and the proposed developed site (parking lot/storage lot/warehouse) is 1.8 million square feet. Ample public right-of-way will be granted for the road and the proposed traffic aroundabouts. The proposed distance between the two freestanding signs would provide approximately 900' of separation from the second freestanding sign to the allowed freestanding sign. Likewise the distance from the right-of-way to the proposed directional signs shall be more than the required minimum distance. The scale of the Amazon site is greater than the typical Davenport development. The Amazon site will be one of the largest business operations located in Davenport.

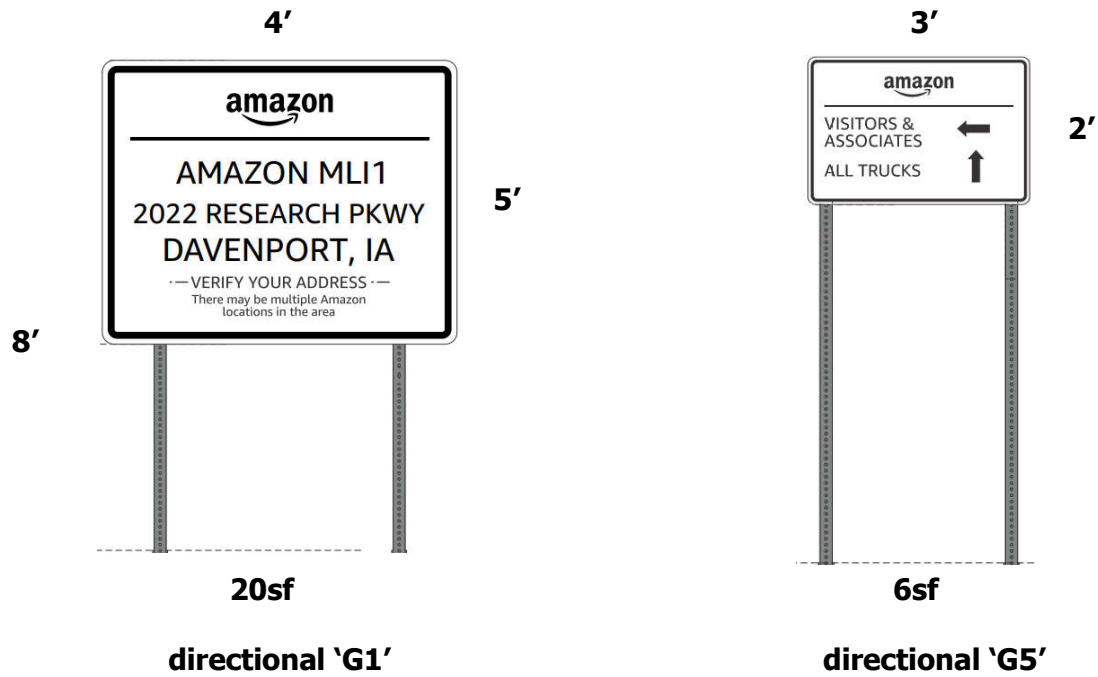
**Request** (as stated by the applicant)

1. A variance is requested to allow for an additional ground mounted monument sign at one (1) of the entrances to the facility off of the Research Pkwy extension.
2. A variance is requested to increase the dimensions of one directional sign from the required 2' x 2' to 2' x 3' and the other from the required 2' x 2' to 4' x 5'.
3. A variance is requested to increasing the maximum mounting height of two (2) of the directional signs from 5' to 8'.

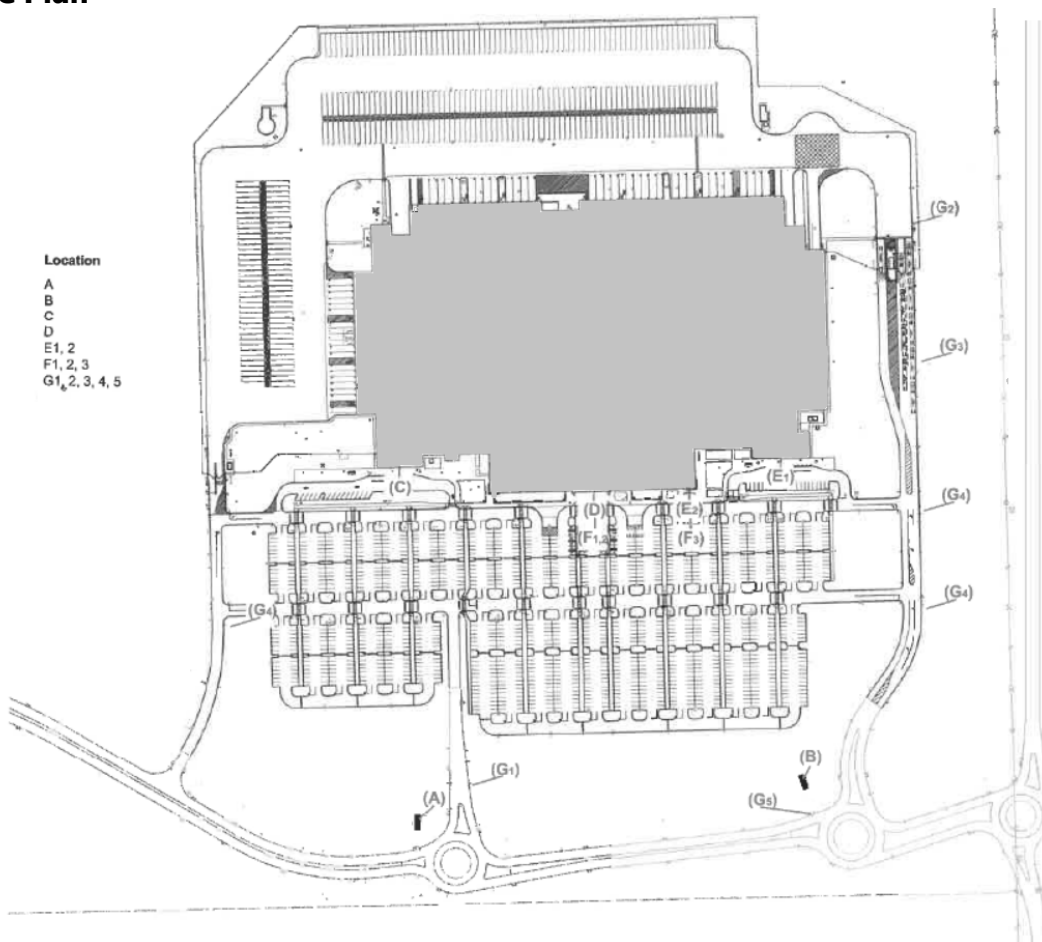
**Proposed Freestanding Signs ('A' and 'B'):**



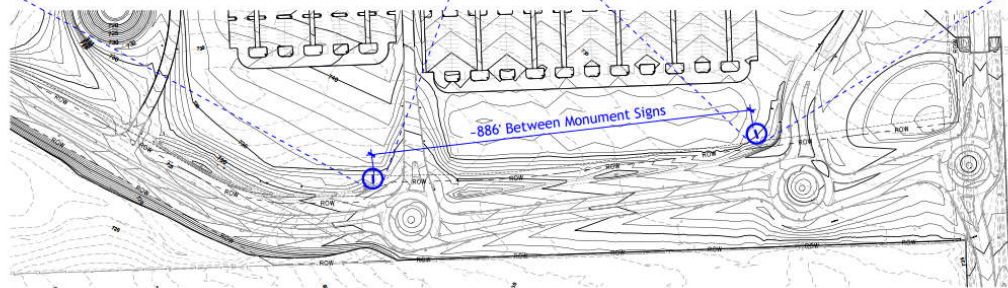
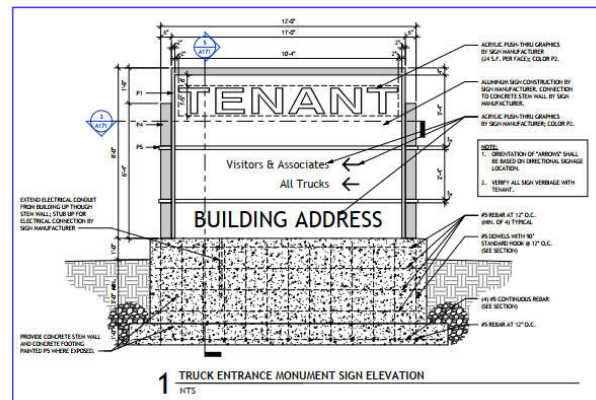
## Proposed Directional Signs:



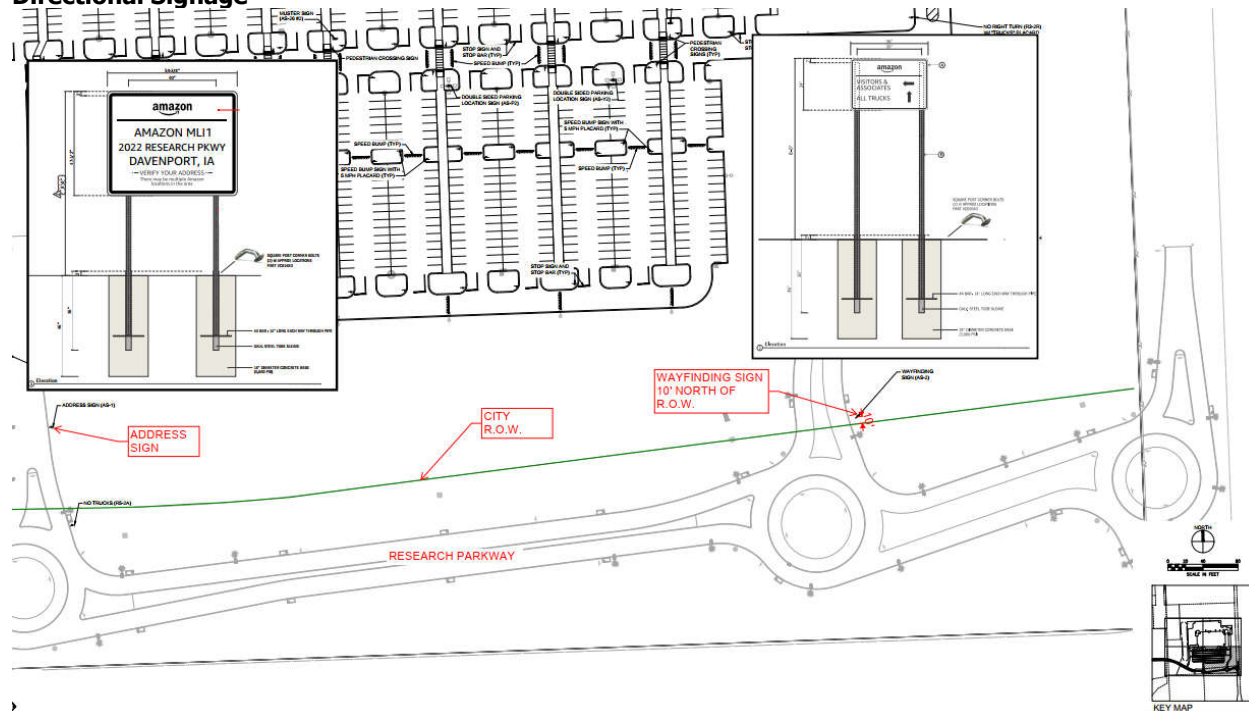
## Site Plan



## Freestanding Signage



## Directional Signage



## Public Input

No comments were received; notices were sent to adjacent owners within 200 feet of the site.

## Purpose of a Hardship Variance

Davenport Municipal Code Section 17.14.060 states: *The purpose of the hardship variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this Ordinance that create practical difficulties or particular hardships.*

## Approval Standards

The Zoning Board of Adjustment decision must make findings to support each of the following: (code requirement/ *applicants response*/staff comments)

1. Strict application of this Ordinance will result in hardship unless the specific relief is granted.

### Applicant Response:

*Variance #1. The current Ordinance allows for 1 ground mounted monument sign per road frontage. As part of this project we are extending Research Parkway including three (3) entry roads to the facility. There are no entrances to the facility off of Division Street. The first two (2) entries starting from the West are for cars/associates only (except in extreme situation where the Western entry can become a secondary truck exit). The East entry/exit is the only entry that allows trucks to ENTER. The hardship is a safety concern. Normally, 2 monument signs are erected, one for the main car/associate/visitor entrance and one for the only truck entrance. If only one (1) monument sign is allowed, the concern is that trucks will occasionally enter the property in the center/main car/associate entry causing a large safety concern. The truck would have to navigate through the parking lot that is not designed for truck turning radii or figure out a way to turn around in the parking lot causing safety concerns as well. It is important to be clear on Research Parkway as to the proper entrance for each vehicle type.*

*Variance #2. The current ordinance allows for directional signs to be a maximum of 2' x 2'. Due to the nature of quite a bit of the traffic expected on Research Parkway, increasing one of the signs to 2' x 3' and the other to 4' x 5' (due to the amount of information and font sizing) will make them incrementally larger and easier to see from a trucker's perspective. The larger signs will make them much easier to see from the vantage point of a truck driver. This is a safety issue as missed directional signs could impact the safety of associates, employees and the public due to misdirected trucks/tractor trailers.*

*Variance #3. The current ordinance allows for two (2) of the directional signs to be mounted a maximum of 5' in height. Due to the nature of quite a bit of the traffic expected on Research Parkway, increasing the maximum height to 8' will make them easier to see from the truck driver's perspective. This is a known safety issue that has been experienced at other facility locations and could impact the safety of associates, employees and the public due to misdirected trucks/tractor trailers.*

### Staff Comments:

Staff concurs with the applicant's assessment.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.



Applicant Response:

*The hardships are safety related. If a single monument sign and the smaller directional signs are honored, the chances of misdirected tractor trailers entering the property in the wrong location goes up. If/when this occurs, it would increase the likelihood of an associate/visitor having an interaction with a fully loaded tractor trailer. The variance requests are to aid in accident avoidance and minimize the chances of accidents and/or property damage.*

Staff comments:

Safety would be enhanced with the proposed sign package. The additional height and size of the directional signs appear to be warranted given the proposed site plan, height/size of the delivery trucks, and the scale of the property.

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Applicant Response:

*The majority of the adjoining or nearby properties are much smaller than this property. The scale and size of this facility and parking lots is quite large. The Sterilite building to the North is the only reasonable comparable building in scale to this one. Sterilite has an entry on Slopertown Rd. and Division St. We do not have an entrance off of Division. They would not have a hardship due to the 2 entries being on 2 different roads. A 2nd entry off of Division St. was not considered safe due to the proximity to the Soccer fields and the quantity of truck traffic projected.*

Staff Comments:

Staff concurs that the scale and size of the property negates concerns regarding the potential for sign proliferation.

4. The hardship variance, if granted, will not alter the essential character of the locality.

Applicant Response:

*The additional monument sign and increased directional sign dimensions & height will not alter the character of the locality in general or specifically the functioning or character of Research Parkway. Considering the distance from one monument sign to the next, it would not appear to be excessive or out of place.*

Staff Comments:

Staff concurs that the size of the property negates concerns regarding the potential impact to the essential character of the local. On a typical commercial street, a property of this size would easily support ten or more businesses along this frontage, each with their own freestanding sign. The proposed use in the same area would only have two (2) freestanding signs. Essential character will not be impacted.

**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 the request.

Prepared by:

A handwritten signature in black ink, appearing to read "Scott Koops".

Scott Koops, AICP, Planner II

Attachments: ZBA Application/plans, Notice Documents



1200 E 46th Street Davenport,  
Iowa 52807  
(563) 326-6198  
[Planning@davenportiowa.com](mailto:Planning@davenportiowa.com)

Complete application can be emailed to [planning@davenportiowa.com](mailto:planning@davenportiowa.com)

**Property Address\***

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

**Applicant (Primary Contact)\*\***

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

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

**Zoning Board of Adjustment**

Zoning Appeal  
Special Use  
Hardship Variance

**Engineer** (if applicable)

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

**Design Review Board**

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

**Architect** (if applicable)

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

**Historic Preservation Commission**

Certificate of Appropriateness  
Landmark Nomination  
Demolition Request

**Administrative**

Administrative Exception  
Health Services and Congregate  
Living Permit

**Attorney** (if applicable)

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

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

**Request:**

Please describe the variance(s) requested:

Existing Zoning:

**Submittal Requirements:**

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed structures affected by the hardship variance. If a paper copy is provided, the maximum size is 11" x 17".
- Description and evidence that demonstrates consistency with the criteria listed in Section 17.14.060 of the Davenport Municipal Code.
- 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.
- Required fee - \$200.

**The Applicant hereby acknowledges and agrees to the following procedure and requirements:****(1) Application:**

- Prior to submission of the application for the hardship variance, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the hardship variance 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) Public Notice for the Zoning Board of Adjustment public hearing:**

- Planning staff will send a public hearing notice to surrounding property owners.

**(3) Zoning Board of Adjustment's consideration of the hardship variance:**

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.

**(4) The staff report will be available on the City website approximately 4 days before the ZBA meeting at this location: [https://www.cityofdavenportiowa.com/government/boards\\_commissions](https://www.cityofdavenportiowa.com/government/boards_commissions) under Zoning Board of Adjustment > Search Minutes & Agendas.**

It is the applicant's responsibility to access the website to see the staff report. Planning staff will not mail/email the report.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#1) The strict application of the terms of this Ordinance will result in hardship unless the specific relief requested is granted.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#2) The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#3) The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Provide description and evidence that demonstrates consistency with the following criteria listed in Section 17.14.060 of the Davenport Municipal Code:

#4) The hardship variance, if granted, will not alter the essential character of the locality.



## HV22-03 - 2022 Research PKWY Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner: 2022 RESEARCH PKWY		Amazon		
Neighborhood: none				
Ward/Ald: Ward 8		Ald. Lee	All Alderman Notified	Notices Sent: 13
W3433-04		JFSJA HAMANN LIVING TRUST	19051 220TH ST	DAVENPORT IA 52807
W3433-04		NANCY L STEFFEN IRREVOC TRUST	108 7TH ST	DURANT IA 52747
W3435-03A		JFSJA HAMANN LIVING TRUST	19051 220TH ST	DAVENPORT IA 52807
W3435-03A		NANCY L STEFFEN IRREVOC TRUST	108 7TH ST	DURANT IA 52747
W3439-05A		AVERY LAND & FARMING LLC	515 W STERLING RD	WALCOTT IA 52773
W3437-01C		AVERY LAND & FARMING LLC	515 W STERLING RD	WALCOTT IA 52773
W3323-02A	2403 RESEARCH PKWY	PENSKE TRUCK LEASING CO L P	PO BOX 563	READING PA 19603-0563
W3323-03A		GREATER DAV REDEVELOPMENT CORP	331 W 3RD ST	DAVENPORT IA 52801
W3339-03		GREATER DAV REDEVELOPMENT CORP	331 W 3RD ST	DAVENPORT IA 52801
W3339-OLA		GREATER DAV REDEVELOPMENT CORP	331 W 3RD ST	DAVENPORT IA 52801
W2733-03	2021 SLOPERTOWN RD	STERILITE CORPORATION	PO BOX 8001	TOWNSEND MA 01469-8001
W3305-01E	2900 RESEARCH PKWY	DEERE & COMPANY	ONE JOHN DEERE PLACE	MOLINE IL 61265
X3501-02E	8991 DIVISION ST	DAVENPORT AIRPORT COMMISSION	226 W 4TH ST	DAVENPORT IA 52801



## Public Hearing Notice | Zoning Board of Adjustment

**Date:** 5/12/2022    **Location:** City Hall | 226 W 4th ST | Council Chambers  
**Time:** 4:00:00 PM    **Subject:** Hearing for Hardship Variance | Zoning Board of Adjustment

Ward 8  
13 Notices Sent

To: All property owners within 200' of the subject property **2022 Research PKWY:**

### What is this About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimensional code requirement.

#### Request/Case Description

**Request HV22-03 of Adam Goldberg on behalf of Amazon at 2022 Research Parkway for a hardship variance for a second freestanding sign and two (2) directional signs exceeding size limitations as required by Section 17.12.050.C.9 and 17.12.060.D. of the municipal code which limits the site to one (1) freestanding sign and directional signs to 4 sq.ft., five (5) feet tall. [Ward 8]**

### 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 via email or in person at the public hearing. Official comments must have written signatures sent to [planning@davenportiowa.com](mailto:planning@davenportiowa.com) (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46<sup>th</sup> 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](mailto: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](mailto:planning@davenportiowa.com) for updates.

Notice Area

