

NOTICE TO THE AUDIENCE. PLEASE REMEMBER THAT IF YOU ARE INTERESTED IN MATTERS ON THE AGENDA THAT WILL HAVE SUBSEQUENT MEETINGS, IT IS YOUR RESPONSIBILITY TO NOTE THE DATES, TIMES, AND PLACES. NO FURTHER LETTERS OR REMINDERS WILL BE SENT. OF COURSE, IF YOU HAVE ANY QUESTIONS ABOUT ANY GIVEN MATTER, DO NOT HESITATE TO CONTACT THE PLANNING DEPARTMENT IN THE CITY HALL ANNEX, 4403 DEVILS GLEN ROAD, BETTENDORF, IOWA (344-4055).

**MEETING NOTICE  
BOARD OF ADJUSTMENT  
MARCH 13, 2008  
5:00 P.M.**

PLACE: Bettendorf City Hall Council Chambers, 2<sup>nd</sup> Floor, 1609 State Street

1. Roll Call: Eikenberry \_\_\_\_\_, Howe \_\_\_\_\_, McElhiney \_\_\_\_\_, Stelk \_\_\_\_\_, Voelliger \_\_\_\_\_
2. Review of Board Procedures.
3. The Board to review and approve the minutes of the meeting of February 21, 2008.
4. The Board to hold a public hearing on the following items:
  - a. Case 08-014; Lot 3, Hoffman's First Addition (A-1) - A request for a variance to reduce the required rear yard setback from 50 feet to 30 feet, submitted by DG Storage, L.L.C.
  - b. Case 08-015; 2540 State Street (C-2) - A request for a variance to reduce the required front yard setback from 20 feet to 0 feet for a portion of a commercial building, submitted by JCO Properties, L.L.C.
  - c. Case 08-016; 852 Middle Road (C-2) - A request for a variance to allow an additional "shopping center" sign, submitted by Lange Sign Group.
  - d. Case 08-017; 3027 State Street (I-2) - A request for a special location plan to allow off-site parking, submitted by Jewell Group. **Deferred to the April meeting.**

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND OTHER APPLICABLE FEDERAL AND STATE LAWS, ALL PUBLIC HEARINGS AND MEETINGS HELD OR SPONSORED BY THE CITY OF BETTENDORF, IOWA, WILL BE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. PERSONS REQUIRING AUXILIARY AIDS AND SERVICES SHOULD CONTACT BETTENDORF CITY HALL AT (563) 344-4000 FIVE (5) DAYS PRIOR TO THE HEARING OR MEETING TO INFORM OF THEIR ANTICIPATED ATTENDANCE. TEXT TELEPHONE (TTY) IS AVAILABLE AT (563) 344-4175. IN ADDITION, PERSONS USING TEXT TELEPHONE HAVE THE OPTION OF CALLING VIA THE IOWA COMPASS VOICE/TTY BY DIALING (800) 735-2942.

The following are minutes of the Bettendorf Board of Adjustment and are a synopsis of the discussion that took place at this meeting and as such may not include the entirety of each statement made. The minutes of each meeting do not become official until approved at the next board meeting.

**MINUTES  
BETTENDORF BOARD OF ADJUSTMENT  
FEBRUARY 21, 2008  
5:00 P.M.**

Chairman Stelk called the meeting to order at 5:00 p.m.

Item 1. Roll Call

PRESENT: Eikenberry, Howe, McElhiney, Stelk  
ABSENT: Koos  
STAFF: Beck, Connors, Fuhrman, Soenksen

Item 2. Review of Board Procedures.

Item 3. The Board to review and approve the minutes of the meeting of January 10, 2008.

On motion by McElhiney, seconded by Eikenberry, that the minutes of the meeting of January 10, 2008 be approved as submitted.

ALL AYES

Motion carried.

Item 4. The Board to hold a public hearing on the following items:

- a. Case 08-005; 1910 State Street (C-3) - A request for a variance from the requirements of the Downtown-Riverfront Corridor Overlay District (DRCOD) regarding signage (Code Section 18.12), submitted by Gray Family Investments.
- b. Case 08-006; 1910 State Street (C-3) - A request for a variance to reduce the front yard setback requirements regarding signage, driveway placement, and parking, submitted by Gray Family Investments.
- c. Case 08-007; 1910 State Street (C-3) - A request for a special use permit to allow a drive-up window, submitted by Gray Family Investments.

Stelk asked if there was an affidavit of publication. Soenksen stated that notice of public hearing had been received. Notice and affidavit of publication are Annex #2 to these minutes.

Soenksen reviewed the staff report. Staff reports are Annex #3, Annex #4, and Annex #5 to these minutes.

Soenksen explained that because the regularly-scheduled Board of Adjustment meeting on February 14, 2008 had had to be postponed because of a lack of a quorum, the request for approval of a site development plan for the project had already been presented to the Planning and Zoning Commission. Howe asked if the Commission members had recommended approval and asked for details regarding any relevant comments they may have had. Soenksen stated that the Commission had unanimously recommended approval subject to positive action by the Board and explained that because the Commission serves as the reviewing body for any projects proposed in the DRCOD, the members have more authority than is typically the case with regard to site development plan design standards. He indicated that the Commission members were much more receptive to the redesigned 8-foot high sign, but had indicated a preference for a 6-foot high sign. Soenksen stated that there had been some discussion about the placement of the driveway along State Street, but that they had concluded that it is appropriately located. He indicated that Commission members felt that the fact that the applicant plans to match the brick on the existing building to the west is a positive feature of the project.

Stelk asked if there was anyone present wishing to speak in favor of the request.

Jeff Reddig, the franchisee, explained that the proposed development is part of a 1031 property exchange. He reiterated that the members of the Planning and Zoning Commission had unanimously recommended that the City Council approve the site development plan for the proposed restaurant subject to the Board's approval. Reddig stated that he does not believe that it is unreasonable to request permission for two signs as the restaurant has two major street frontages and there are other businesses which have two signs. He indicated that he would prefer that the signs be allowed to be 8 feet tall to improve visibility, adding that the River's Edge development has a sign that is 12 feet tall. Reddig stated that the setback request related to parking along 20<sup>th</sup> Street does not involve a primary street and is necessary so that the restaurant can be operated correctly. He added that he and his partner plan to make approximately a \$1 million investment in the project.

Gene Holst, CEO of the Quad City Area Realtor Association, stated that as the seller of the property and as a future neighbor, he is in support of the project. He added that he feels that the applicant has done an exemplary job with regard to the aesthetics of the building.

Steve Gray, the applicant, stated that his firm builds restaurants of the highest quality and uses local sub-contractors.

Eikenberry asked if sidewalks would be installed along 20<sup>th</sup> Street in addition to State and Grant Streets. Soenksen confirmed this.

Eikenberry asked what type of hardship the applicant has established to justify granting the requests. Soenksen explained that the applicant feels that the city's acquisition of additional right-of-way would justify approval of the requests that involve State Street. Reddig added that if the parking along 20<sup>th</sup> Street were moved closer to the building, an unsafe situation with regard to traffic flow would be created. Stelk asked if there would

be an adequate turning radius if the parking were moved out of the setback. Eikenberry stated that he believes that the hardship is self-imposed.

McElhiney commented that it would be difficult for her to support the variance requests because the standards for the DRCOD are so new and it appears as though the applicant is asking for an excessive number of them for such a small lot. Reddig stated that according to the Hardee's specifications, the lot is large enough to accommodate the restaurant and the required parking. He added that the difficulty exists because of the ordinance requirements imposed on a lot with three front yards. McElhiney stated that the requirements are in place for the purpose of ensuring a quality development in the downtown.

Eikenberry asked if the sidewalks abut the back of curb along all three frontages. Connors stated the sidewalk would abut the back of curb along Grant Street, adding that a portion of the sidewalk along State Street would be installed further from the street to accommodate some existing trees and a fire hydrant. Connors stated that there would be a boulevard along 20<sup>th</sup> Street between the sidewalk and the street. McElhiney asked how wide the sidewalks would be. Beck explained that the sidewalks along Grant and State Streets would be 6 feet wide and 4 feet wide along 20<sup>th</sup> Street.

Howe commented that he believes that the project is a good one and that it would fit nicely into the downtown. He added that he sees nothing that would detract from the intent of the DRCOD standards. Howe stated that while the reduction in the proposed size of the signage is positive, he feels that it should be further reduced to 6 feet in height. Reddig explained that in order to accommodate the LED portion of the sign, it should be 8 feet in height. He added that it might be possible to reduce the height to 7 feet, but that 6 feet is not feasible. He explained that the logo portion of the sign would be flush-mounted and that the LED part would be countersunk into the monument. Howe asked how far the bottom of the LED portion of the sign is from the ground. Doug Jarvis, the sign contractor, explained that it is approximately 2 feet from the ground which is necessary to ensure visibility when there is snow. He commented that he feels that an LED sign is more aesthetically-pleasing than a changeable type sign which is allowed in the district. Jarvis stated that it would be possible to move the sign along State Street further north if a parking space were to be eliminated.

Howe asked if the LED portion of the sign would flash, scroll, or be constant. Reddig stated that his intent is for the sign to have a static message and a time-temperature indication which would be on the message board for a minimum of 5 seconds. Howe asked what type of message would be advertised. Reddig explained that the message center would be used to promote new products. Howe suggested that the vertical measurement of the LED portion of the sign could be reduced in size and still maintain the desired 2-foot distance from the ground.

Soenksen explained that the city would have no further regulatory authority with regard to the proposed LED sign such as flashing or scrolling if it is allowed by the Board. Connors commented that those types of issues could be addressed in a separate development agreement.

Stelk commented that if any one of the three requests were denied, the proposed restaurant would likely not be built.

Howe asked if the requirements of the DRCOD with regard to LED signage had been deviated from for any other business. Soenksen stated that because of an error in the original map that defines the boundaries of the DRCOD and the one that was adopted, this has occurred. Connors indicated that the boundaries of the map were expanded at the meeting at which the third reading of the ordinance was held.

Howe asked what had prompted the decision to prohibit LED signage in the DRCOD. Soenksen explained that because he was not a part of the discussion with regard to the design standards in the DRCOD, he could not comment.

Reddig asked if a changeable type sign would be allowed in the DRCOD. Soenksen confirmed this. Reddig commented that an LED sign would be much more aesthetically-pleasing. Howe concurred, adding that he does not necessarily see the value in an LED sign. Reddig stated that the sign would be very similar to the Ascentra Credit Union sign. Connors commented that the credit union is located in the expanded DRCOD.

McElhiney asked for clarification regarding how important the ability to advertise new products would be to the success of a fast food restaurant. Reddig explained that signage is very important, adding that sales figures reflect that. He indicated that a new product is introduced approximately once per month.

Eikenberry stated that he does not believe that the applicant has established a hardship for the majority of the requests that have been submitted even though it appears to be a nice development. McElhiney concurred, adding that she feels that the Board must be very consistent with regard to the requests that are allowed.

Howe stated that in the past variances have been granted for properties that have multiple front yards. He added that the applicant has been willing to accommodate the city's request for additional right-of-way to preserve existing trees and a fire hydrant. Eikenberry stated that he does not believe that all of the frontages are considered front yards. Soenksen explained that all three of the frontages are considered front yards. Eikenberry asked what the setback requirement would be for those front yards. Soenksen stated that it would be 20 feet.

Howe commented that except for the signage, he is in support of the project.

Jim Egger, the applicant's engineer, stated that a variance is necessary in order to accommodate perpendicular parking stalls along 20<sup>th</sup> Street. He added that if the plan were to be revised to include diagonal parking, a variance would be unnecessary, but that safety concerns would become an issue as the width of the driving aisle would be reduced. He indicated that it might also encourage customers to park along 20<sup>th</sup> Street instead of in the parking lot.

There being no one else present wishing to speak in favor of or in opposition to the request, Stelk closed the public hearing.

On motion by Howe, seconded by McElhiney, that the request for a variance from the requirements of the Downtown-Riverfront Corridor Overlay District regarding signage (Code Section 18.12) (Case 08-005) be denied in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #6 to these minutes.

A motion by Howe to approve Case 08-006 failed for lack of a second.

On motion by McElhiney, seconded by Eikenberry, that the request for a variance to reduce the front yard setback requirements regarding signage, driveway placement, and parking (Case 08-006) be denied in accordance with the Decision and Order.

ROLL CALL ON MOTION

AYE:	Eikenberry, McElhiney, Stelk
NAY:	Howe
ABSTAIN:	None

Motion carried.

Decision and Order is Annex #7 to these minutes.

On motion by McElhiney, seconded by Eikenberry, that the request for a special use permit to allow a drive-up window (Case 08-007) be approved in accordance with the Decision and Order.

ALL AYES

Motion carried.

Decision and Order is Annex #8 to these minutes.

5. Other.

- a. Case 07-116; 1838 State Street (C-3) - A request for an appeal of the Zoning Administrator's decision to prohibit an expansion of a non-conforming use, submitted by Ed Veit. (Reconsideration)

Soenksen reviewed the staff report. Staff report is Annex #9 to these minutes.

There being no further business, it was unanimously approved to adjourn the meeting at approximately 5:45 p.m.

These minutes and annexes approved

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John Soenksen, City Planner



COMMUNITY DEVELOPMENT  
City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4055

March 13, 2008

Staff Report

**Case No. 08-014**

**Location:** Lot 3, Hoffman's First Addition

**Applicant:** DG Storage, L.L.C.

**Zoning Designation:** A-1, Agricultural District

**Request:** for a variance to reduce the required rear yard setback from 50 feet to 30 feet

**Background Information and Facts**

The site is located southeast of the intersection of Devils Glen Road and Tanglefoot Lane (see Attachment A – Location Map). The applicant is requesting to reduce the rear yard setback from 50-feet to 30-feet as illustrated by the pink and red setback illustrations on Attachment A.

**Staff Analysis**

This property was the former Turpin Storage Facility which had a large number of recreational vehicle stored outdoors throughout the year. The property is now being redeveloped as a combination of commercial buildings (on the west portion of the property) and indoor storage units (on the east portion of the property). The easternmost storage building would, if allowed, be within 30-feet of a portion of the rear property line.

Two issues have contributed to the reason for this request:

- A large storm and sanitary sewer easement runs diagonally through the east portion of the site. This restricts the available layout for the building on this site.
- A large drainage area with a sharp drop-off is located in the southeast corner of the property.

These two issues significantly reduce the buildable area of this property.

The property is zoned A-2 Agricultural District which requires a 50-foot rear yard setback. Property to the north and south are commercial districts (see Attachment C – Zoning Map). The A-2 zoning designation is considered to be a "holding designation" until land is developed into some other appropriate use within the city. The future uses of land within the city are more accurately designated on the Future Land Use Map. The Future Land Use Map designates this property and all of the surrounding property as "Commercial" (see Attachment D – Land Use Map). The only exception to the Commercial designation is the large drainage area described above and shown as green on the Land Use Map. The rear yard setbacks in all of the commercial zoning

districts vary from zero feet up to 20-feet. If approved, this variance will still insure a 30-foot rear yard setback for this project. Therefore, the applicant could make the assertion that the actual intent of the rear yard separation for this type of commercial use is not only being observed, but in fact exceeded if the 30-foot setback is approved.

The applicant would submit that the combination of the large (60-foot wide) easement running diagonally through this property, combined with the large drainage area on the southeast corner of the property, represent a legitimate hardship for the placement of buildings on this site.

Respectfully submitted,

John Soenksen  
City Planner



SITE

50'

30'

DEVILS GLEN RD

TOWNE POINT DR

BELMONT RD

GLEN DR

MOON

BRIDGE C

**HOFFMAN DEVELOPMENT**  
 BEING PART OF THE EAST HALF OF SECTION 15  
 TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN



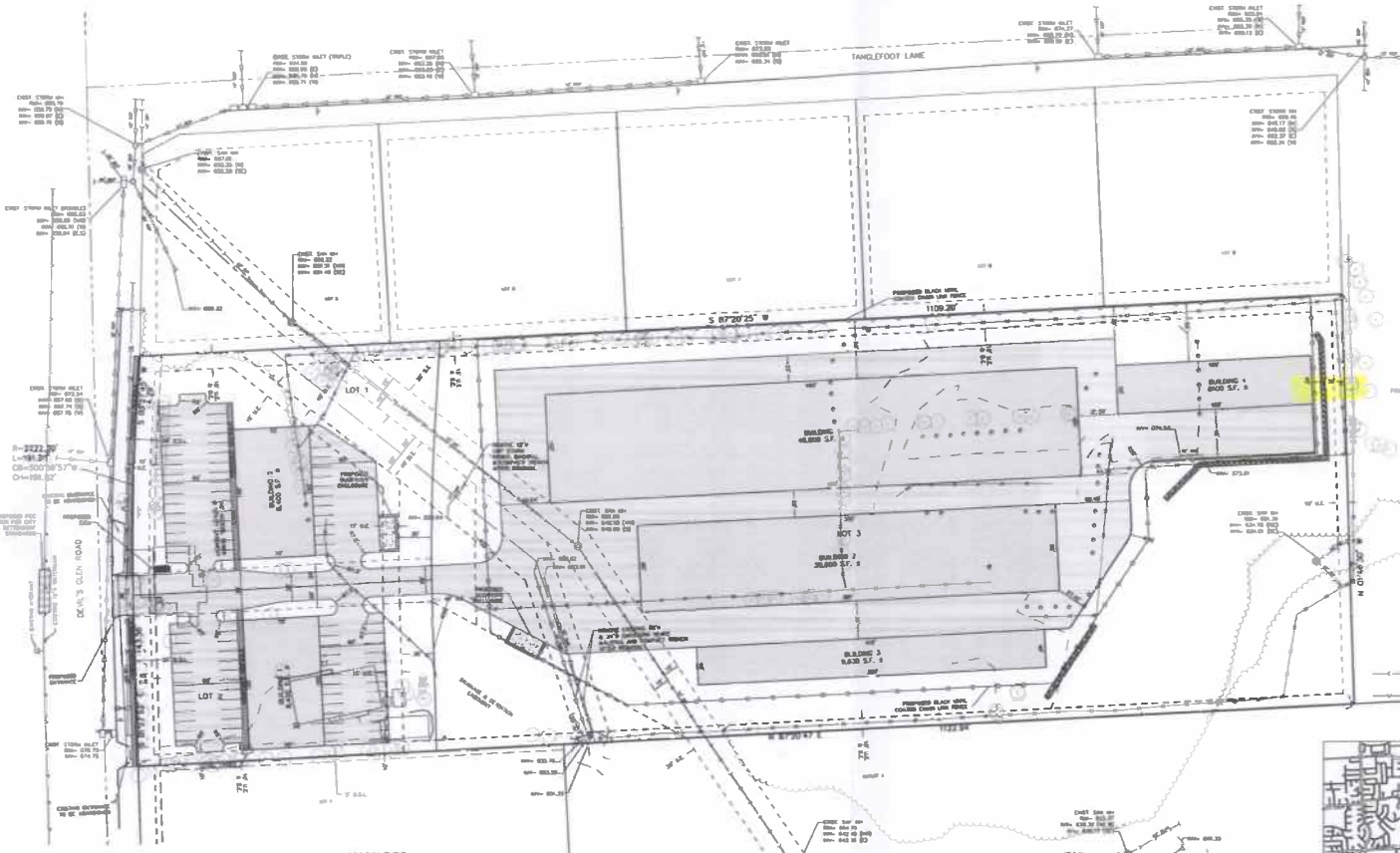
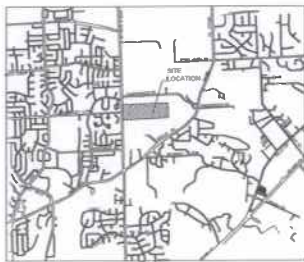
**OWNER**  
 Contact: K & L Hoffman

**DEVELOPER**  
 Built To Suit  
 Contact: Kambal Hoffman  
 1800 State Street, Suite 101  
 Bettendorf, Iowa 52722  
 PH: (562) 335-3322  
 Fax: (562) 335-7888

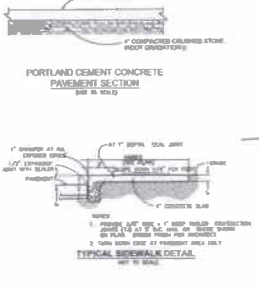
Current Zoning: C-2

SITE INFORMATION	
ZONING DISTRICT: C-2 COMMERCIAL DISTRICT	OWNER: K & L Hoffman
SITE AREA: 6.77 ACRES	DEVELOPER: Built To Suit
FRONT YARD REQUIRED: 20'-0"	CONTACT: Kambal Hoffman
REAR YARD REQUIRED: 20'-0"	1800 State Street, Suite 101
SIDE YARD REQUIRED: 20'-0"	Bettendorf, Iowa 52722
TOTAL BUILDING AREA: 38,099 S.F.	PH: (562) 335-3322
	Fax: (562) 335-7888

LEGEND	
○	STONE SPURHOLE
○	WELT
○	SANITARY SPURHOLE
○	HYDRANT
○	POWER POLE
○	POWER POLE W/TRANSFORMER
○	GUY WIRE
○	GAS METER
○	SIGN
○	CORNER TREE
○	RECREATIONAL TREE
○	BUSH/SHRUBS
○	LINE CONTINUATION
○	SURVEY BOUNDARY
○	LOT LINE
○	EASEMENT LINE
○	UNDERLYING LOT LINE
○	SECTION LINE
○	FLUTE LINE
○	SETBACK LINE
○	BOUNDARY CENTER
○	STATION CENTER
○	GUY/WIRE MARK



- GENERAL NOTES**
- ALL IMPROVEMENTS SHOWN ON THIS PLAN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF BETTENDORF ORDINANCES AND SPECIFICATIONS FOR PUBLIC IMPROVEMENTS. LATER EDITIONS AND AMENDMENTS TO THESE ORDINANCES SHALL BE APPLIED TO THIS PLAN UNLESS OTHERWISE NOTED.
  - IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL EXISTING UTILITIES AND RECORD DRAWINGS FOR ALL UTILITIES AND RECORD DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BETTENDORF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BETTENDORF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BETTENDORF.
  - THE CONTRACTOR SHALL VERIFY THE CITY OF BETTENDORF HAS THE APPROVED RECORD DRAWINGS FOR ALL UTILITIES AND RECORD DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BETTENDORF.
  - ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AS SHOWN ON RECORD DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BETTENDORF.
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  - ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AS SHOWN ON RECORD DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BETTENDORF.



I hereby certify that this plan was prepared by me or under my direct professional supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Iowa.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 James L. Redford  
 License No. 17529  
 My license expires on December 31, 2029  
 Pages or sheets contained by this set

REVISIONS	DATE
DESCRIPTION	
NO.	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

**Mississippi**  
 ENGINEERS & ARCHITECTS P.C.

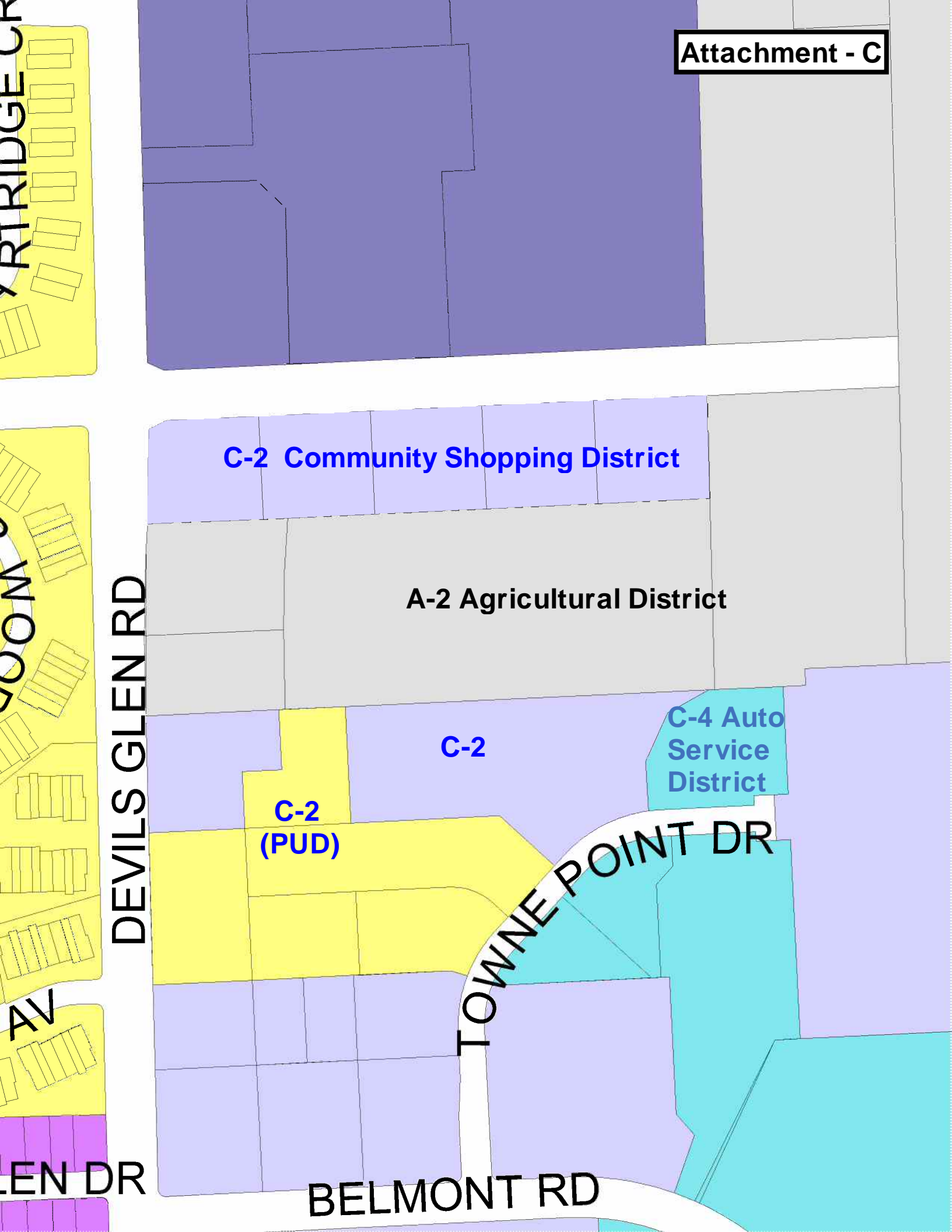
1717 Main Street, Suite 201  
 Bettendorf, Iowa 52722  
 Phone: 562-344-2222  
 Fax: 562-344-2223

Mississippi Project No: C07-2019  
 City of Bettendorf Planning Department  
 Professional Engineer under the laws of the State of Iowa  
 Drawn By: ELV  
 Checked By: JKH  
 Date: 07/26/2019  
 Scale: C-1

**BUILD TO SUIT - HOFFMAN PROPERTY**  
 BETTENDORF, IOWA

**SITE LAYOUT / PAVING PLAN**

**Attachment - B**



C-2 Community Shopping District

A-2 Agricultural District

C-2

C-4 Auto Service District

C-2 (PUD)

TOWNE POINT DR

DEVILS GLEN RD

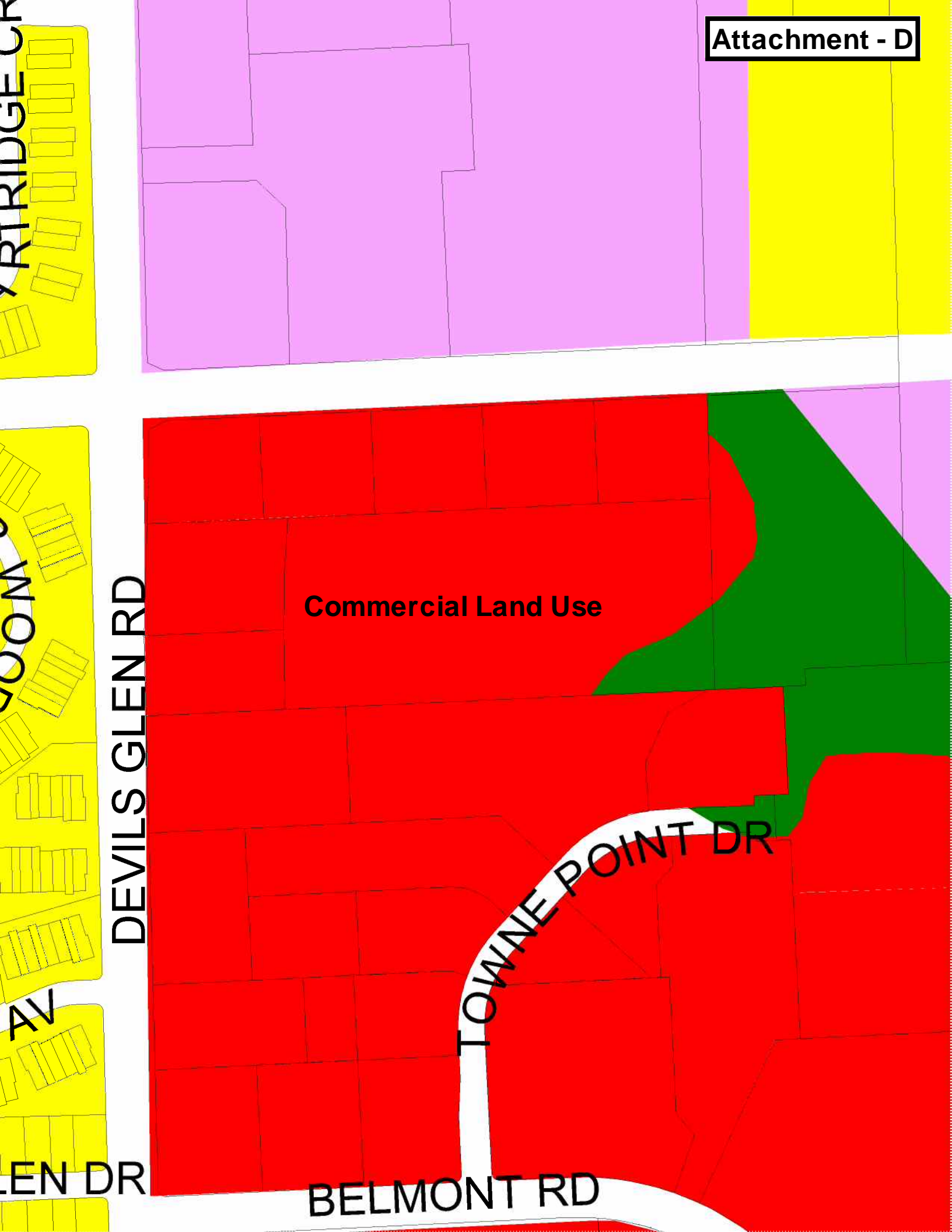
BELMONT RD

GLEN DR

AV

WOM

RIDGE CR



RYRIDGE CR

DEVILS GLEN RD

TOWNE POINT DR

BELMONT RD

GLEN DR

Commercial Land Use



COMMUNITY DEVELOPMENT  
City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4055

March 13, 2008

Staff Report

**Case No. 08-015**

**Location:** 2540 State Street

**Applicant:** JCO Properties, L.L.C.

**Zoning Designation:** C-2

**Request:** for a variance to reduce the required front yard setback from 20 feet to 0 feet for a portion of a commercial building.

**Background Information and Facts**

The site is located at the eastern convergence of State and Grant Streets the intersection of 26<sup>th</sup> Street (see Attachment A – Location). This is the former site of Jeff's Car Corner. The applicant would like to build a new multi-tenant retail facility at this site and, as designed, a portion of that structure would be in the front setback along State Street (see Attachment B – Site Plan).

**Staff Analysis**

The new structure would resemble other newer structures built in the downtown redevelopment area (see Attachment C – Building Elevation). The portion of the building requested to be in the front yard setback is demonstrated on an enclosed illustration (see Attachment D – Illustration View from eastbound on State Street). Another illustration shows the building configuration facing north from State Street (see Attachment E – Illustration Facing North).

Front yard setback variances are a common request for the Board in the downtown area. Most of the parcels in the downtown area are small lot consisting of small frontages. Much of the downtown was developed with zero setbacks for front yards (see Attachment F – Setback Illustration). Most of the downtown area is zoned commercial with C-2 and C-3 being the most common zoning (see Attachment G – Zoning Illustration). Front yard setbacks for commercial districts are as follows:

- C-1 = 25 feet.
- C-2 = 20 feet.
- C-3 = 20 feet.
- C-4 = 20 feet
- C-5 = 20 feet.

These setbacks have almost never been applied to the original downtown area.

The Board also has recognized multiple street frontages as a legitimate hardship in past cases. In this case, the property is surrounded on three sides by street frontages and therefore would require three front yard setbacks.

Base on the above analysis, Staff would ask to Board to consider if the request is in keeping with other building setbacks in the downtown area, and to consider if the front yard setbacks on three sides of the property constitute a hardship to allow a commercial development with proper off street parking.

Staff acknowledges that many of the downtown buildings already observe zero front yard setbacks and most of those businesses do not have any off street parking. Staff is also pleased that only a small portion of the structure will be within the front yard setback. Staff does not have any vehicular line-of-site concerns with this request.

Respectfully submitted,

John Soenksen  
City Planner



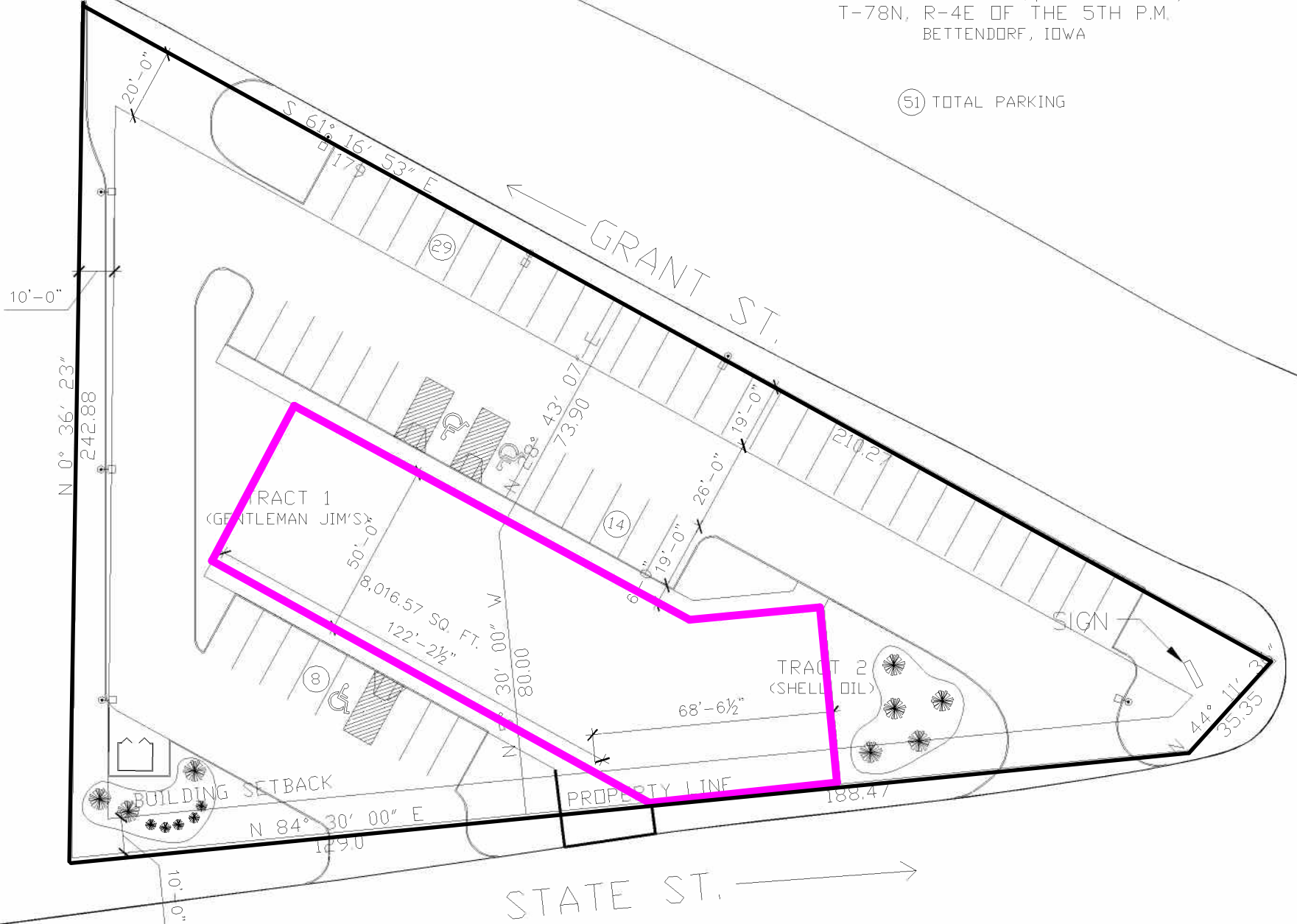
**SITE**

**SCT**

**G**

PART OF THE SE ¼ OF SEC. 28,  
T-78N, R-4E OF THE 5TH P.M.,  
BETTENDORF, IOWA

(5) TOTAL PARKING

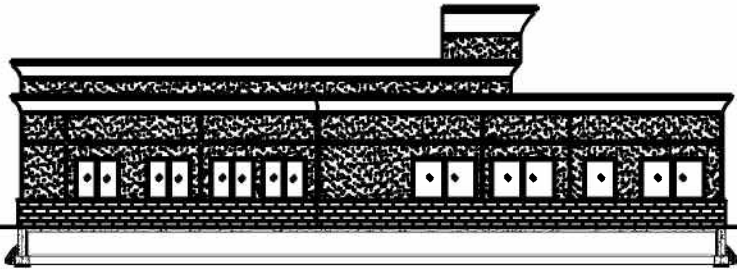


1 SITE PLAN SCHEME  
C-1 SCALE: 1" = 40'-0"

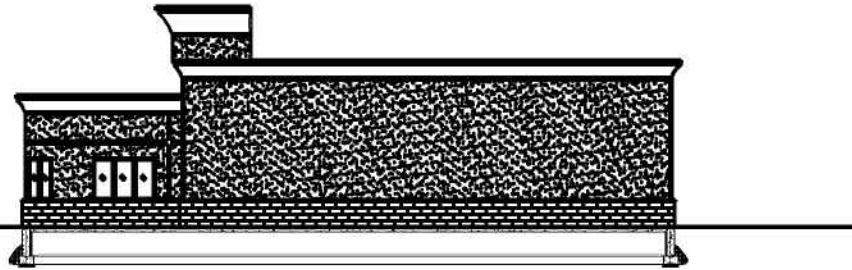


**Attachment - B**

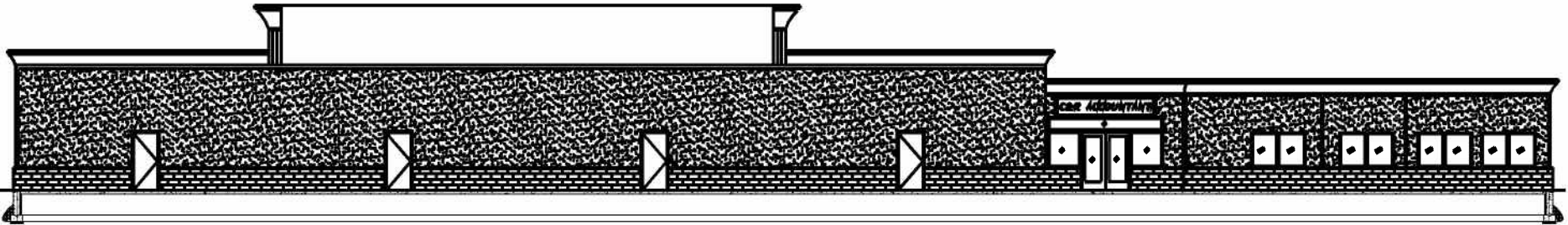
02-20-08



1 EAST ELEVATION  
E-1 SCALE: 1" = 20'-0"



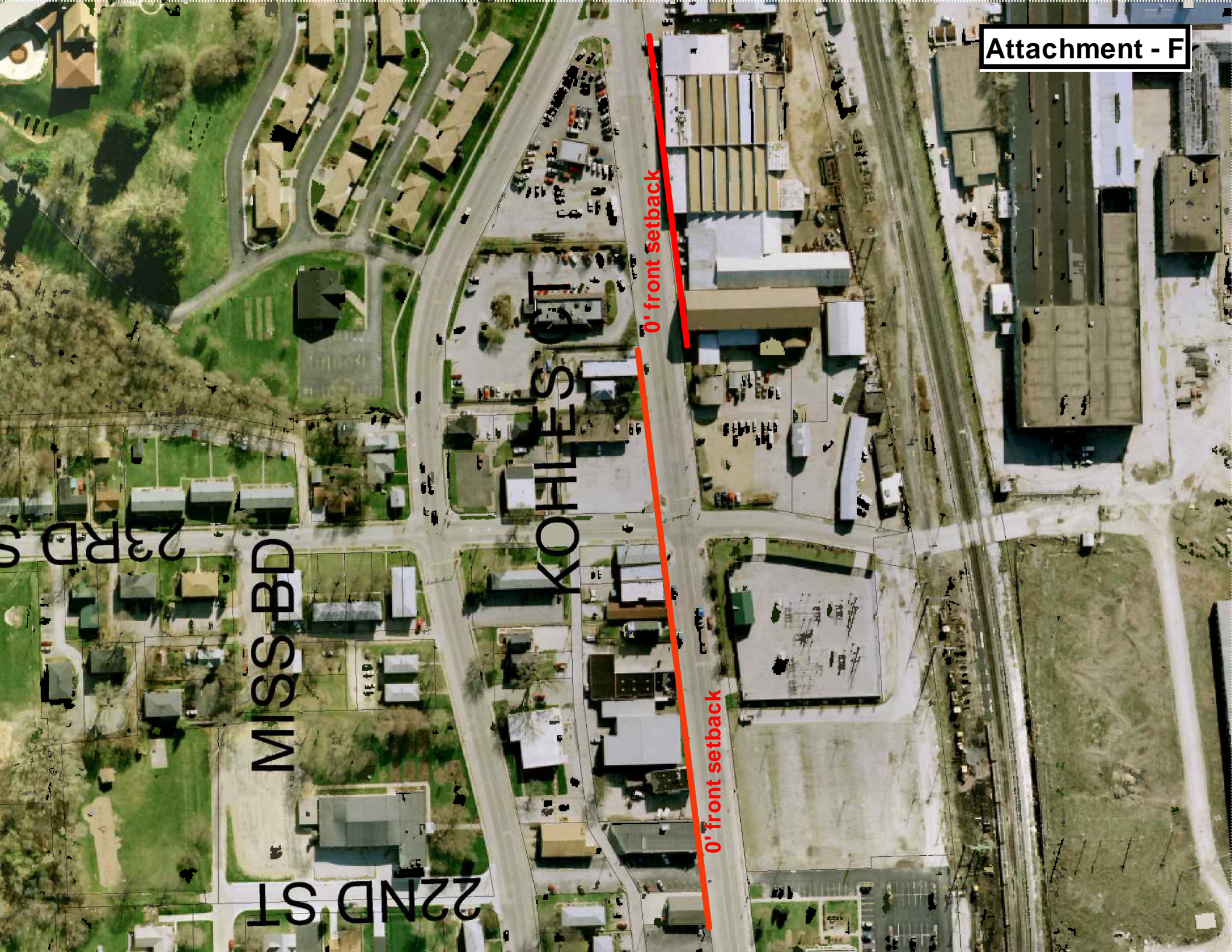
2 WEST ELEVATION  
E-1 SCALE: 1" = 20'-0"



3 SOUTH ELEVATION  
E-1 SCALE: 1" = 20'-0"







22ND ST

MISSISSIPPI

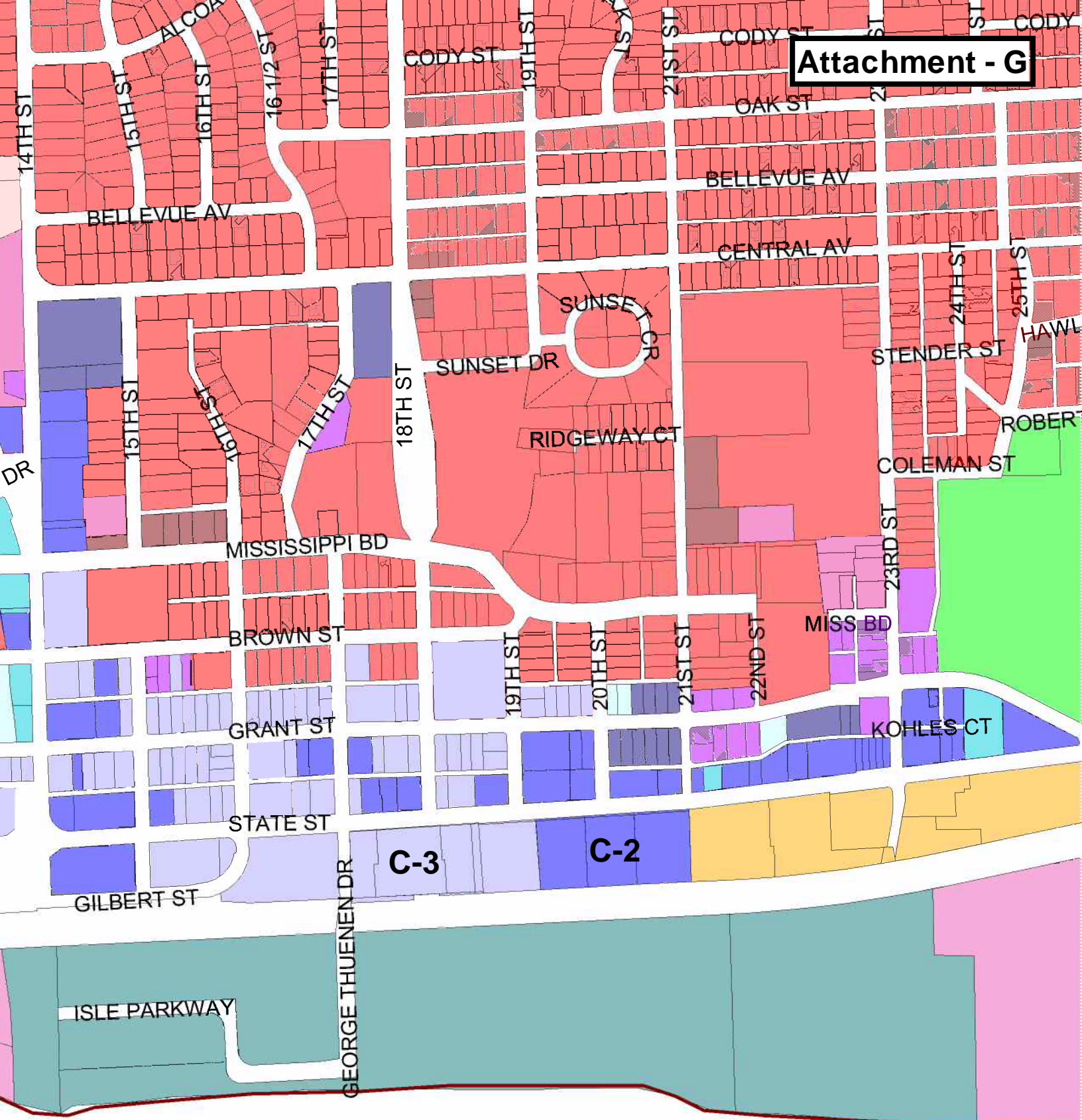
23RD ST

KOHLES ST

0' front setback

0' front setback

# Attachment - G





COMMUNITY DEVELOPMENT

City Hall Annex • 4403 Devils Glen Road, Bettendorf, Iowa 52722 • (563) 344-4055

March 13, 2008

Staff Report

**Case No. 08-016**

**Location:** 852 Middle Road

**Applicant:** Lange Sign Group

**Zoning Designation:** C-2

**Request:** for a variance to allow an additional “shopping center” sign.

**Background Information and Facts**

The site involves one of the west entrances at Duck Creek Plaza at the intersection of Middle Road and Kimberly Road (see Attachment A - Location Map). The applicant would like to place an additional “Shopping Center Sign” at the northern most entrance from Kimberly Road for the shopping complex (see Attachment B – Site Plan).

**Staff Analysis**

In July of 2005, the Board approved a variance to allow an additional Shopping Center Sign located at the Kimberly entrance closest to Schnucks Grocery Store. That sign serves the businesses surrounding and adjacent to Schnucks.

There are three businesses on the south side of the bank tower which have no visibility to Kimberly Road and very limited visibility to Middle Road. Those businesses are:

- Play It Again Sports
- Max Muscle (vitamin supplement store)
- Advanced Hearing Aid Service.

These businesses are identified on Site Plan (Attachment B).

There are also two businesses located within the tower:

- Community Foundation
- THE National Bank

Individuals associated with these businesses and with the shopping center complex have indicated that the lack of visibility for these businesses has hindered their success. In fact, Play It Again Sport is now closing. Staff believes that this is the first and only business to close since the redevelopment of this shopping center complex. The applicant also indicates that delivery trucks have difficulty finding these businesses which are address off of Middle Road while being most easily accessible from Kimberly Road.

It is hoped that the additional signage will direct traffic to the businesses as shown on the Site Plan by the red and purple arrows.

The sign ordinance does not take site configuration or site size into consideration for allowable signage. This shopping complex has almost 27 acres yet it is allowed no more signage than a site containing only ½ of an acre. The applicant would ask the Board to consider that fact as well as the above analysis to consider if the strict application of this ordinance represents a hardship in this unique situation.

If allowed, the additional sign will match the previously approved sign (see Attachment C – New Sign Illustration).

It should be noted that a property line reconfiguration is under consideration between the Iowa Department of Transportation, the City of Bettendorf, and the shopping center. That issue will have to be resolved prior to a building permit being issued even if the variance is granted.

Respectfully submitted,

John Soenksen  
City Planner

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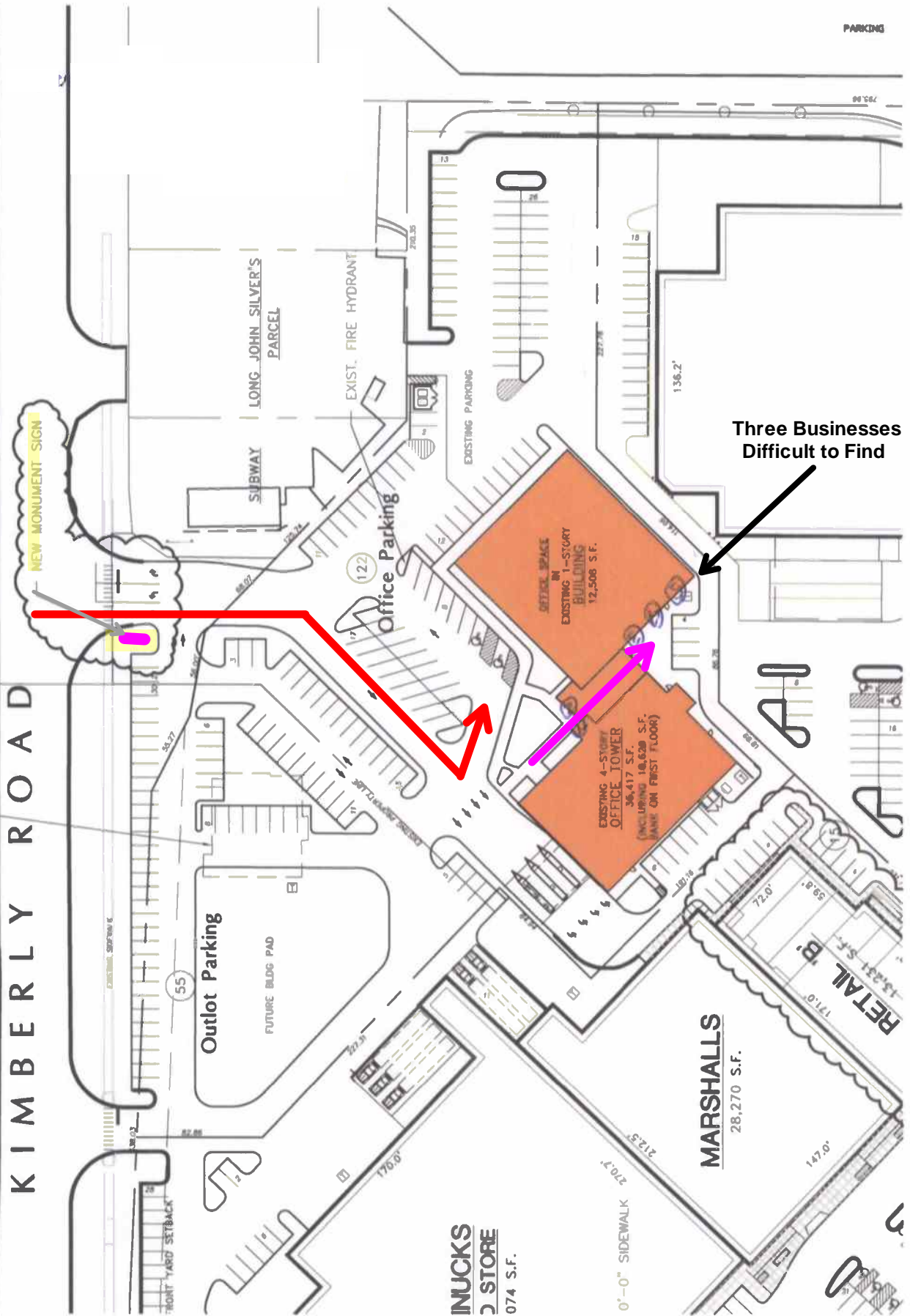


Inland Scope of work      Dalan Scope of work

# DUCK CREEK PLAZA OFFICE PARKING IMPROVEMENTS; (FUTURE RETAIL USE OUTLOT BLDG)

DASHED LINE  
INDICATES EXISTING  
TACO BELL BUILDING  
(4,146 S.F.)

## KIMBERLY ROAD



Three Businesses  
Difficult to Find

**MARSHALLS**  
28,270 S.F.

**INLUCKS**  
**2 STORE**  
074 S.F.

**Outlot Parking**

**Office Parking**

OFFICE SPACE IN  
EXISTING 1-STORY  
BUILDING  
12,508 S.F.

EXISTING 4-STORY  
OFFICE TOWER  
36,417 S.F.  
(INCLUDING 18,028 S.F.  
PARK ON FIRST FLOOR)

LONG JOHN SILVER'S  
PARCEL

SUBWAY

EXIST. FIRE HYDRANT

EXISTING PARKING

136.2'

PARKING

171.0'

72.0'

147.0'

0'-0" SIDEWALK

55

122

170.0'

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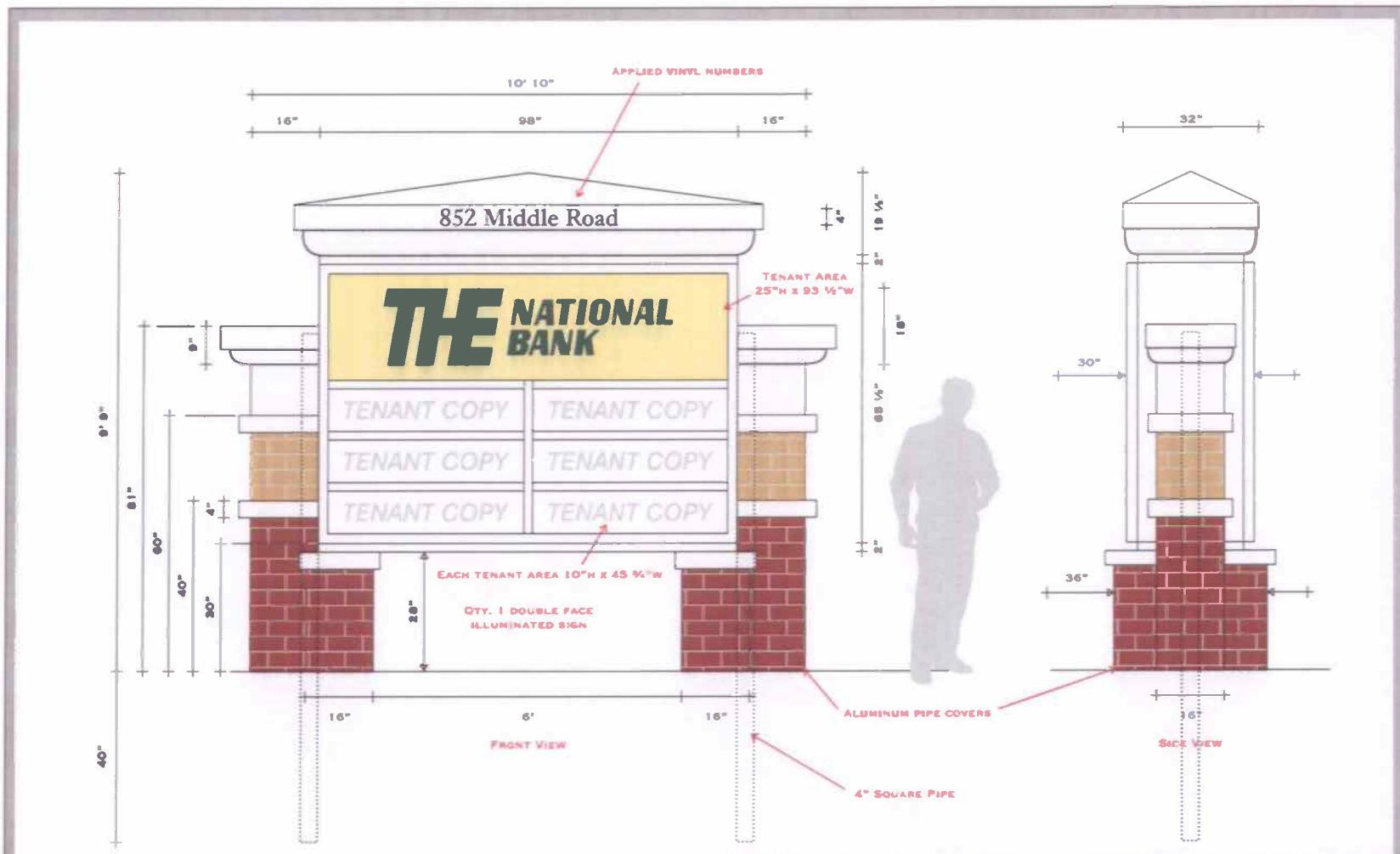
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SIGN AREA = 44.58 SQ. FT.

TYPESTYLE: DUTCH 766 BT

ONE (1) DOUBLE FACE INTERNALLY ILLUMINATED CUSTOM FABRICATED SIGN DISPLAY. SIGN FEATURES CHANGEABLE PLASTIC TENANT FRAMES AND CUSTOM PIPE COVERS WITH TOPS. SIGN CONSTRUCTION DETAILS ARE AS FOLLOWS:

SIGN FRAME IS WELDED 2" ALUMINUM SQUARE TUBING. SIDES ARE .063 ALUMINUM. BODY IS SIGNCOMP EXTRUDED ALUMINUM RETRO BODY #2040 ATTACHED TO THE SQUARE TUBE FRAME. RETAINERS ARE SIGNCOMP EXTRUDED ALUMINUM DUAL FRAME #2065, HINGED. RETAINER COVER IS SIGNCOMP EXTRUDED ALUMINUM 2-1/4" DUAL FRAME COVER #2075. DIVIDERS ARE SIGNCOMP EXTRUDED ALUMINUM 2" DIVIDER #2138. CUSTOM TOP/ENDS HAVE THE SAME 2" ALUMINUM TUBE FRAMING THAT THE MAIN CABINET HAS. THE ENDS ARE OVERLAID WITH .063 ALUMINUM. THE CUSTOM TOP HAS A WELDED 1" ALUMINUM TUBE FRAME COVERED WITH .063 ALUMINUM. RADIUS ENDS ARE SIGNCOMP EXTRUDED ALUMINUM SERIES 7 3-1/2", 1/4" ROUND EXTRUSION WITH MITERED CORNERS, #1670. CUSTOM TOP IS SIGNCOMP EXTRUDED ALUMINUM 6" RADIUS 1/4" ROUND EXTRUSION WITH MITERED CORNERS, #1671. SIGN IS SPRAYED HAP WHITE 1147. PIPE COVERS FEATURE TEXTURE PLUS HIGH DENSITY URETHANE FAUX BRICK (SEE SAMPLE). BLACK VINYL ADDRESS NUMBERS ARE APPLIED TO TOP OF SIGN. SIGN IS TO BE INSTALLED ON 4" X 4" X .25" SQUARE STEEL DOUBLE PIPE STRUCTURE ON CONCRETE PADS.

**LANGE**

SIGN GROUP  
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 Davenport, IA 52807  
 563.592.8099  
 FAX 563.592.8094  
 (TOLL FREE) 800.582.8093  
 WWW.LANGE-SIGN.COM

Client: The Daly Group

Scale: 1/2" = 1'  
 Date: 2/1/2008  
 Sketch: DGO8jan.3  
 Estimate #:   
 Drawn By: Chris B.  
 Sales Contact: GJ

Sketch E-mailed

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CLIENT APPROVAL

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Attachment - C