

## Rock Island Board of Zoning Appeals Agenda

Council Chambers (3<sup>rd</sup> Floor), City Hall

1528 3rd Avenue

April 12, 2023

5:30 PM



1. Call to Order and Roll Call
  - Gary Snyder
  - Nicole Parker
  - Kevin Day
  - Donald Mewes
  - Bill Sowards
  - Tanja Whitten
  - Pandora Lawrence
2. Public Comment
3. Opening Items
  - A. Approval of the Written Agenda for April 12, 2023  
*Recommended Motion: Move to approve the written agenda for April 12, 2023*
  - B. Approval of the March 8, 2023 Meeting Minutes  
*Recommended Motion: Move to approve the meeting minutes for March 8, 2023.*
4. Old Business
  - None*
5. New Business
  - A. 2023-07 Public Hearing: Angie Thorngren of Lamar Advertising Dubuque/Quad Cities for 310 15<sup>th</sup> Street – Authorized use of an outdoor advertising sign in a B-3 district, and variances of 10 feet of the 25 foot maximum height and 149 square feet of the 72 square foot maximum sign area allowed for outdoor advertising signs in a B-3 district.  
*Recommended Motion: Move to authorize the use and approve the variances with the identified stipulations*
6. Other Business
7. Adjournment
  - Recommended Motion: Move to adjourn.*

**Rock Island Board of Zoning Appeals Minutes**

Council Chambers (3<sup>rd</sup> Floor), City Hall

1528 3rd Avenue

March 8, 2023

5:30 PM



<b>Voting Members Present</b>	Gary Snyder Kevin Day Bill Sowards Tanja Whitten Pandora Lawrence
<b>Voting Members Absent</b>	Gary Snyder Nichole Parker
<b>Staff Present</b>	Tanner Osing Daniel Gleason
<b>Guests</b>	

**Call to Order and Roll Call**

Vice Chair Day called the meeting to order at 5:30 PM and read the roll call.

**Public Comment**

There was no one present to make any general public comments. The meeting continued.

**Approval of the Agenda**

Mr. Mewes moved to approve the written agenda for March 8, 2023. Ms. Whitten seconded the motion. The motion carried unanimously on a vote of 5 to 0.

**Approval of the Previous Meeting Minutes**

Mr. Sowards moved to approve the minutes for January 11, 2023. Ms. Whitten seconded the motion. The motion carried unanimously on a vote of 5 to 0.

**Old Business**

None

**New Business**

Vice Chair Day explained the procedure to be followed for public hearings.

2023-02 Public Hearing: Richard Nunez of Radicle Venture, LLC for 1340 31<sup>st</sup> Street – Variance of 100 feet of the 100 foot separation requirement between the buildings and outdoor storage of a micro-brewery use and residentially zoned private property.

Osing presented the staff report. He stated that the zoning ordinance requires that there be a 100-foot separation standard between the buildings and outdoor storage of a micro-brewery use and residentially zoned private property (Chapter 18, Section 2-D). The

applicant plans to continue operating the current business. Radicle Effect Breworks serves a variety of craft beer and other beverages. Beer is brewed on-site and served at the establishment.

Osing also noted that staff was originally approached by Mr. Nunez regarding other property improvements, and subsequently discovered that the business did not have a variance for the separation requirement on file. The same zoning requirements were in effect regarding micro-brewery uses at the time the business was established. Staff reason to believe that the lack of other approval for the use was possibly an oversight. Staff and Mr. Nunez agreed to move forward with a variance request to ensure the business has proper zoning approval.

Mr. Mewes asked if the request was only to bring the property into compliance. Mr. Osing responded affirmatively.

Vice Chair Day called for the applicant.

Richard Nunez of Rock Island was sworn in. He said the business has been open for 10 years, and he wants to make sure there is proper zoning approval.

As there were no other questions and one else wished to speak, the public hearing was closed.

Decision Case 2023-02- Mr. Sowards made a motion to approve the request for the variance because:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Mr. Mewes seconded the motion. The motion passed unanimously on a vote of 5 to 0 (Sowards, Mewes, Whitten, Lawrence, and Day).

2023-03 Public Hearing: The City of Rock Island's Parks & Recreation Department for Longview Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary and permanent signs to a fence.

Vice Chair Day noted that Osing had shared email messages that staff received from neighbors opposing the variance request.

Osing presented the staff report. He stated that the sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

He also noted the Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event

advertising on park property. The sponsorship banners are made of a vinyl material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship program. The proposed & existing signs will be located on the fence used for Whitewater Junction in the east yard of the park that is adjacent to 17<sup>th</sup> Street. The existing permanent sign (4' x 6') attached to the fence identifies Whitewater Junction. A maximum of four (4) temporary sponsorship banners measuring 4' x 6' are proposed

Mr. Mewes asked how long the signs have been at the park. Daniel Gleason of the City's Parks & Recreation Department explained the program started about 6 years ago, and explained on the sponsorship program helps to fund park activities.

Ms. Whitten asked if the signs would be regulated by the sign ordinance if they faced inward. Osing noted that they would not be regulated.

Vice Chair Day asked if hillside on 17<sup>th</sup> Street would have improved landscaping. Gleason explained that the hillside is a work in progress.

Vice Chair Day called for other opponents and proponents.

Calvin Carpenter of Rock Island was sworn in. Mr. Carpenter explained an issue with a placement of a fence. The Board asked if Mr. Carpenter had an opinion on the sign variance. He said he did not.

Mr. Mewes asked if the Parks Department had interested businesses in the program if the variance was to be approved. Gleason explained that there are interested businesses. Mr. Mewes also asked if the Parks Department had control over what business could put up a banner. Gleason responded affirmatively, and said the Department makes sure that the business mission aligns with the program. Commissioner's questioned if there would be any issues regulating the content, and if the messages should be family friendly. Ms. Lawrence asked if the company creates their own banner. Gleason responded that the Department creates the banners with input from the business.

As there were no other questions and one else wished to speak, the public hearing was closed.

Decision Case 2023-03- Ms. Whitten made a motion to approve the request for the variance because:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Ms. Whitten also included the following stipulation for approval:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damage.

Ms. Lawrence discussed the benefits that the program is likely to bring back to the community.

Ms. Lawrence seconded the motion, and it passed unanimously on a vote of 5 to 0 (Sowards, Whitten, Lawrence, Mewes, and Day).

2023-04 Public Hearing: The City of Rock Island's Parks & Recreation Department for Douglas Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary signs to a fence.

Osing presented the staff report. He stated the sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

He also noted the Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The sponsorship banners are made of a vinyl material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship program. The proposed will be located on the fence used for baseball diamond in the south yard of the park that is adjacent to 18<sup>th</sup> Avenue. A maximum of six (6) temporary sponsorship measuring 4' x 6' with one (1) of the banners measuring 5' x 12' are proposed.

Vice Chair Day called for the applicant.

Daniel Gleason explained that this variance includes a larger event sign, but the program is the same type of sponsorship program. Mr. Mewes asked about the cost to businesses to have a banner. Gleason explained the different price ranges.

As there were no other questions and one else wished to speak, the public hearing was closed.

Decision Case 2023-04- Ms. Lawrence made a motion to approve the request for the variance because:

1. Reasonable Return: The proposed variance will improve the return on the park and its activities to parks users.
2. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Ms. Lawrence also included the following stipulation for approval:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damage.

Mr. Sowards seconded the motion.

Mr. Mewes clarified the stipulation. The motion passed unanimously on a vote of 5 to 0 (Sowards, Whitten, Lawrence, Mewes, and Day).

2023-05 Public Hearing: The City of Rock Island's Parks & Recreation Department for Schwiebert Riverfront Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary signs to a fence.

Osing presented the staff report. The sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

He also noted the Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The sponsorship banners are made of a vinyl mesh material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship program. The proposed signs include 6 temporary banner signs measuring 4' x 6' and 1 temporary banner sign measuring 5' x 12' on the fence at 18<sup>th</sup> Street & 1<sup>st</sup> Avenue. The applicant also proposes to locate 1 temporary banner sign measuring 4' x 6' on the fence at 17<sup>th</sup> Street & 1<sup>st</sup> Avenue.

Vice Chair Day asked if the signs could be placed anywhere on the property. Osing clarified that the location is based on the specific request. Board members discussed how location requirements are specified in the request.

As there were no other questions and one else wished to speak, the public hearing was closed.

Decision Case 2023-05- Ms. Whitten made a motion to approve the request for the variance because:

1. Reasonable Return: The proposed variance will improve the return on the property.
2. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Ms. Whitten also included the following stipulation for approval:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damage.

Mr. Mewes seconded the motion. The motion passed unanimously on a vote of 5 to 0 (Sowards, Whitten, Lawrence, Mewes, and Day).

2023-06 Public Hearing: The City of Rock Island's Parks & Recreation Department for Hasselroth Park- Variances to allow temporary banner signs to be in place for more than 30 continuous days and to attach temporary signs to a fence.

Osing presented the staff report. He stated the sign ordinance requires that temporary signs be taken down after thirty (30) continuous days (Sec. 4-68-G) and that attached signs be placed on a building (Sec. 4-64-A), and prohibits any signs attached by non-permanent means, such as zip-ties (Sec. 4-71-A).

He also noted the Parks & Recreation Department has an existing program in place to help drive revenue for park programming by selling sponsorship banners and event advertising on park property. The sponsorship banners are made of a vinyl material and are attached to the fence with zip cable ties. The banners are proposed to remain in place for one (1) year as part of the sponsorship program. The proposed & existing signs will be located on the fence used for Eleanor Wallace Dog Park in the north yard of the park that is adjacent to 78<sup>th</sup> Ave West. A maximum of four (5) temporary sponsorship banners measuring 4' x 6' are proposed.

As there were no other questions and one else wished to speak, the public hearing was closed.

Decision Case 2023-06- Ms. Lawrence made a motion to approve the request for the variance because:

1. Reasonable Return: The proposed variance will improve the return on the park and its activities to park users.
2. Character Alteration: The proposed variance will not alter the character of the neighborhood.

Ms. Lawrence also included the following stipulation for approval:

1. All signs shall be diligently maintained or replaced if the signs become tattered or otherwise damaged.

Mr. Mewes seconded the motion. The motion passed unanimously on a vote of 5 to 0 (Sowards, Whitten, Lawrence, Mewes, and Day).

### **Other Business**

Osing noted that he expects there to be an April meeting.

### **Adjournment**

Vice Chair Day asked for a motion to adjourn. Mr. Sowards moved to adjourn. Mr. Mewes seconded the motion. The motion carried unanimously on a vote of 5 to 0 at 6:19 PM.

Minutes submitted by Tanner Osing.

## Memorandum

### Community and Economic Development Department

**To:** Rock Island Board of Zoning Appeals.

**Subject:** Case #2023-07: Authorize Use & Sign Variances

**Date:** April 7, 2023



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Applicant:

Angie Thorngren of Lamar Advertising of Dubuque/Quad Cities

Location:

310 15<sup>th</sup> Street

Request:

The request is for an authorized use of an outdoor advertising sign in a B-3 (community business) district. The request is also for a variance of 10 feet of the 25 foot maximum height of a freestanding sign and a variance of 149 square feet of the 72 square foot maximum sign area allowed for outdoor advertising signs in a B-3 (community business) district. The applicant proposes to locate a new two-sided outdoor advertising sign near the northeast corner of the building on the property with a sign area of approximately 10'6" by 21' and a total height for the structure of 35 feet. The applicant proposes the north side of the sign to be a digital billboard and the south side to be a static poster.

Size of Property:

The property measures 80' x 150' (12,000 square feet).

Zoning History:

None.

Existing Land Use and Zoning:

The site is occupied by a 1-story commercial building and is used as a laundromat and gaming center & bar called QC Mart Gaming Laundromat. The site is zoned B-3 (community business) district. To the north, east, and west of the property is property owned and used by Rock Island County zoned B-2 and B-3, and also a vacant church building zoned B-2. To the south of the property is an automobile mechanic shop zoned B-3.

Topography:

The site is flat and slightly above street level.

Affected Requirements:

The sign ordinance requires that outdoor advertising signs in B-3 zoning districts be considered as a use authorized by the Board of Zoning Appeals (Section 4-65). Additionally, the ordinance allows outdoor advertising signs to only have a maximum sign area of 72 square feet and a maximum height of 25 feet as measured from grade level to the top of the sign (Section 4-65).

### Conditions to Authorize Use & Variances:

1. Reasonable Return: The proposed authorized use & variances will improve the return on the property.
2. Unique Circumstances: None.
3. Character Alteration: The proposed authorized use & variances will not alter the character of the neighborhood. The property is in the downtown area and surrounded by other business zoned properties. There is also an existing outdoor advertising sign one block south at 1430 4<sup>th</sup> Avenue.

### Analysis:

The outdoor advertising sign is proposed to have a sign area of 221 square feet (10'6" by 21'), be 35 feet tall, and located near the northeast corner of the building. The applicant has a lease agreement with property owner, Bethany Enterprises, Inc., to locate the sign on the property. Currently, there is only signage identifying QC Mart on the property. Lamar Advertising does, however, maintain an existing outdoor advertising sign at 1430 4<sup>th</sup> Avenue, which is within 1,000 feet of the proposed sign location. Normally a variance would need to be requested due to the 1,000 foot separation requirement between outdoor advertising signs, but Lamar Advertising has agreed to remove the sign at 1430 4<sup>th</sup> Avenue pending approval of the new sign location. Staff believe this tradeoff will prevent sign clutter and control the use of off-premise outdoor advertising signs. Additionally, the outdoor advertising sign at 1430 4<sup>th</sup> Avenue is nonconforming to the current sign ordinance as it does not meet the setback, size, or landscaping requirements. While the proposed sign will need variances for the sign area and height, it will meet the setback and landscaping requirements of the sign ordinance. The proposed sign will also offer an improved appearance compared to other outdoor advertising signs, and provide a digital presence that is likely to be popular with local business owners. Currently, Lamar Advertising has a sign that is similarly constructed at 4600 30<sup>th</sup> Street in Rock Island (see attached photo), and a digital billboard just across Centennial Bridge in the City of Davenport at 712 W 2<sup>nd</sup> Street.

Due to longstanding concerns over digital billboards impact on transportation safety and 15<sup>th</sup> Street & 3<sup>rd</sup> Avenue having relatively high traffic counts (14,440 annual average daily count), Planning & Zoning staff asked the City's Traffic Engineering Committee to review the sign proposal. The Committee has no objections to the proposal.

Lastly, Lamar Advertising will need to receive a permit from the Illinois Department of Transportation prior to erecting the sign since the property is along a controlled route.

### **Recommendation:**

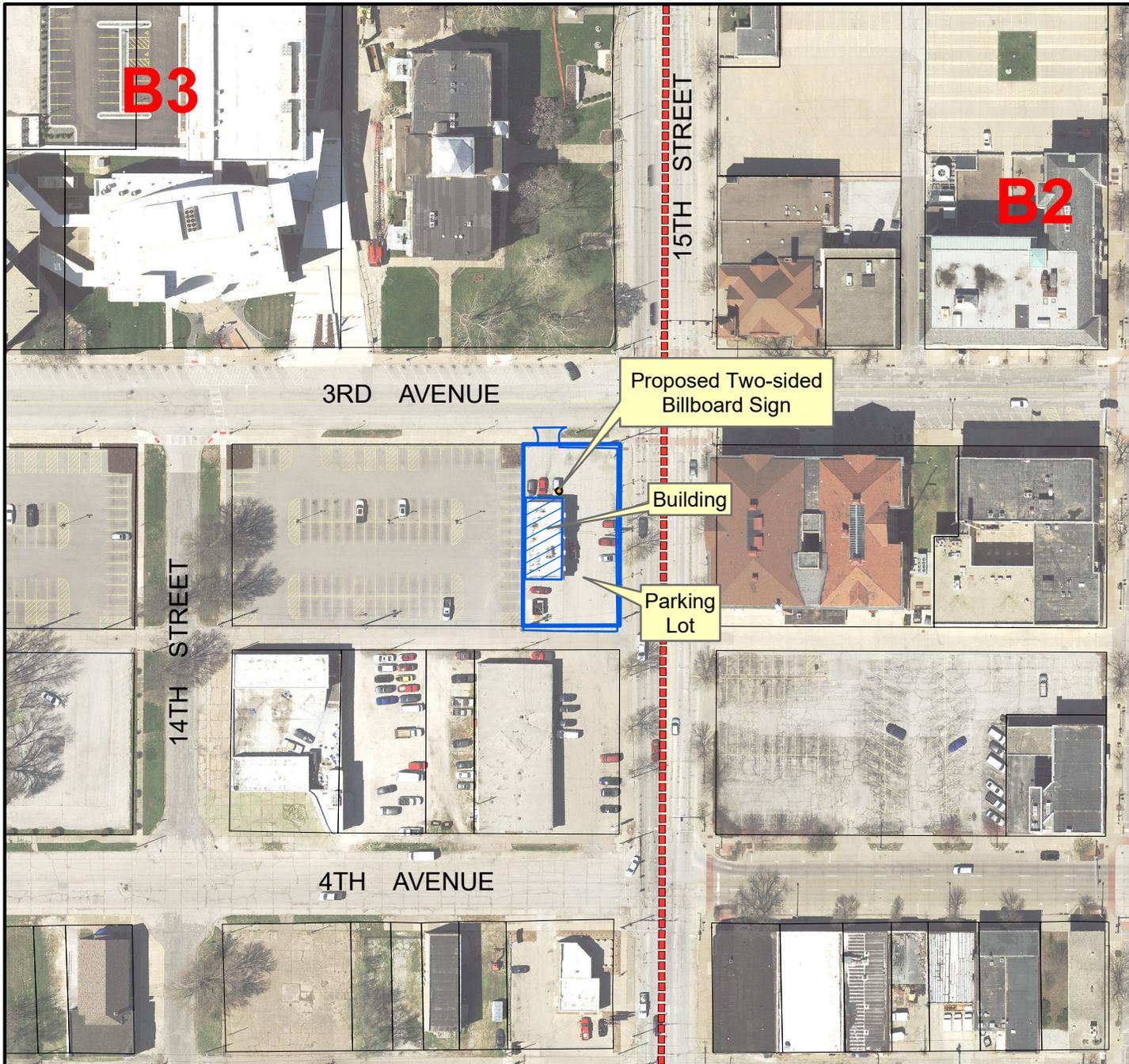
Staff recommend that the Board authorize the use and approve the variances with the following stipulations because it will improve the return on the property and not alter the character of the neighborhood.

1. Lamar Advertising shall remove the existing outdoor advertising sign at 1430 4<sup>th</sup> Avenue (PIN 0735119007) before erecting the sign at 310 15<sup>th</sup> Street (PIN 0735112003).
2. The north facing digital billboard shall contain a default mechanism to show a "full black" image or turn the sign off in case of a malfunction, or the sign shall be manually turned off within twelve (12) hours of a reported malfunction.

3. The north facing digital billboard shall hold a static image for a minimum of twelve (12) seconds, and shall not function as an animated sign. The transition from one image to the next must occur in one (1) second or less and shall be instantaneous. The transition between images shall not include scrolling, fading in, dropping in, or other transitions deemed similar.
4. The sign shall be illuminated at a level no greater than 0.3 footcandles using a footcandle (Lux) meter over ambient light levels at 150 feet from sign light source. The sign manufacturer, vendor, or installer shall submit written certification that the sign has been designed to not exceed the luminance level and that the sign is equipped with a sensor device so that the sign's luminance will automatically adjust to ambient light conditions.
5. The sign shall not create such intensity or brilliance that impairs vision, conflicts with an official traffic sign or device, or causes unusual distraction which may interfere with the safe operation of a motor vehicle or enjoyment of personal property. If a sign is perceived to conflict with these visibility standards, as determined by the Planning & Zoning Manager or designee, the sign's luminance shall be adjusted to levels suitable for the surroundings or circumstances regardless of the maximum allowable luminance level established by other City Ordinances or stipulations herein.

**Submitted by:** Tanner Osing, Planning & Zoning Manager

# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2023-7 Aerial

### Legend

 Subject Property

**B2** Zoning District



0 2040 80 120 160 Feet

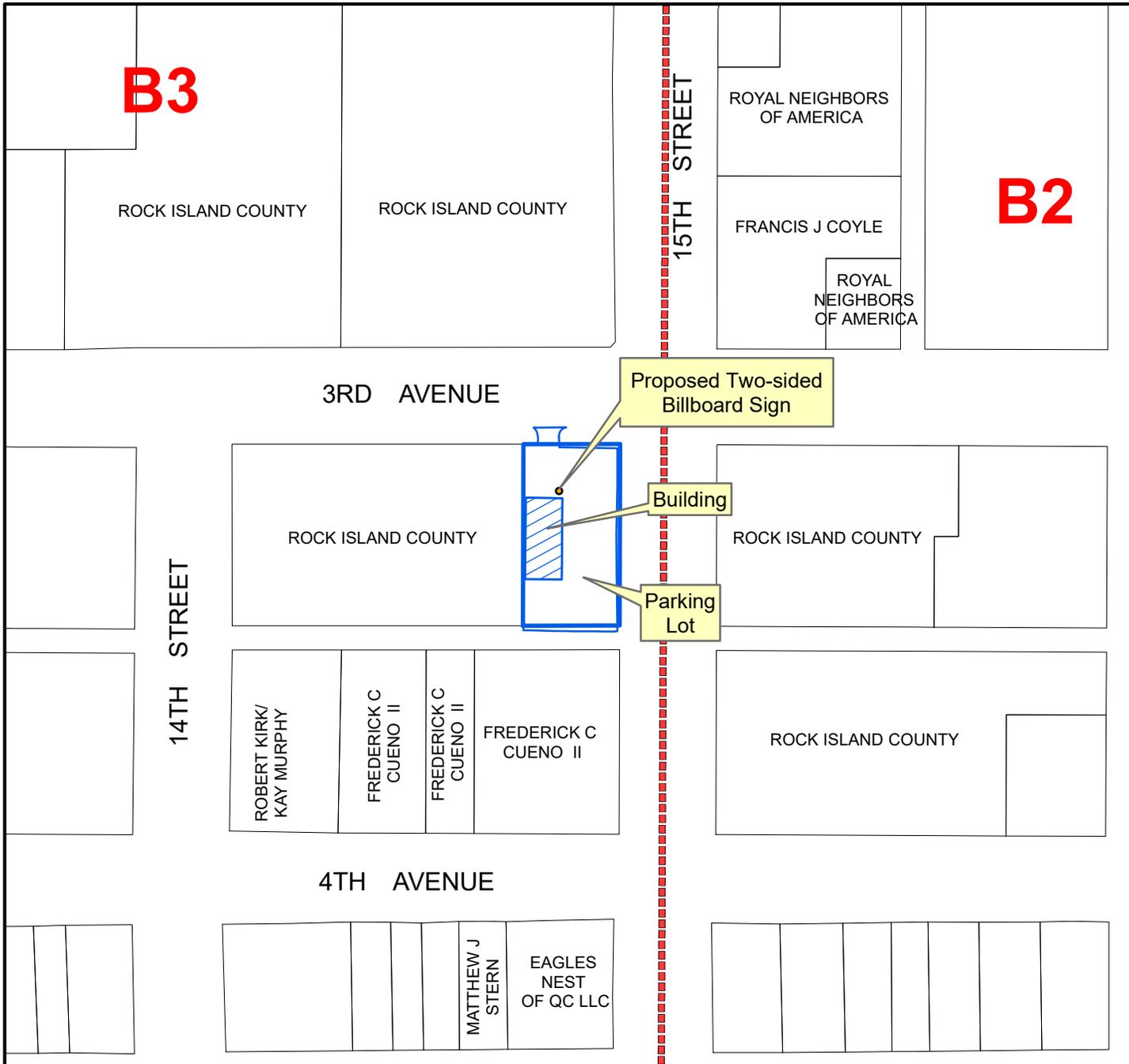


## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



# BOARD OF ZONING APPEALS



## BOARD OF ZONING APPEALS 2023-7

### Legend

 Subject Property

**B2** Zoning District

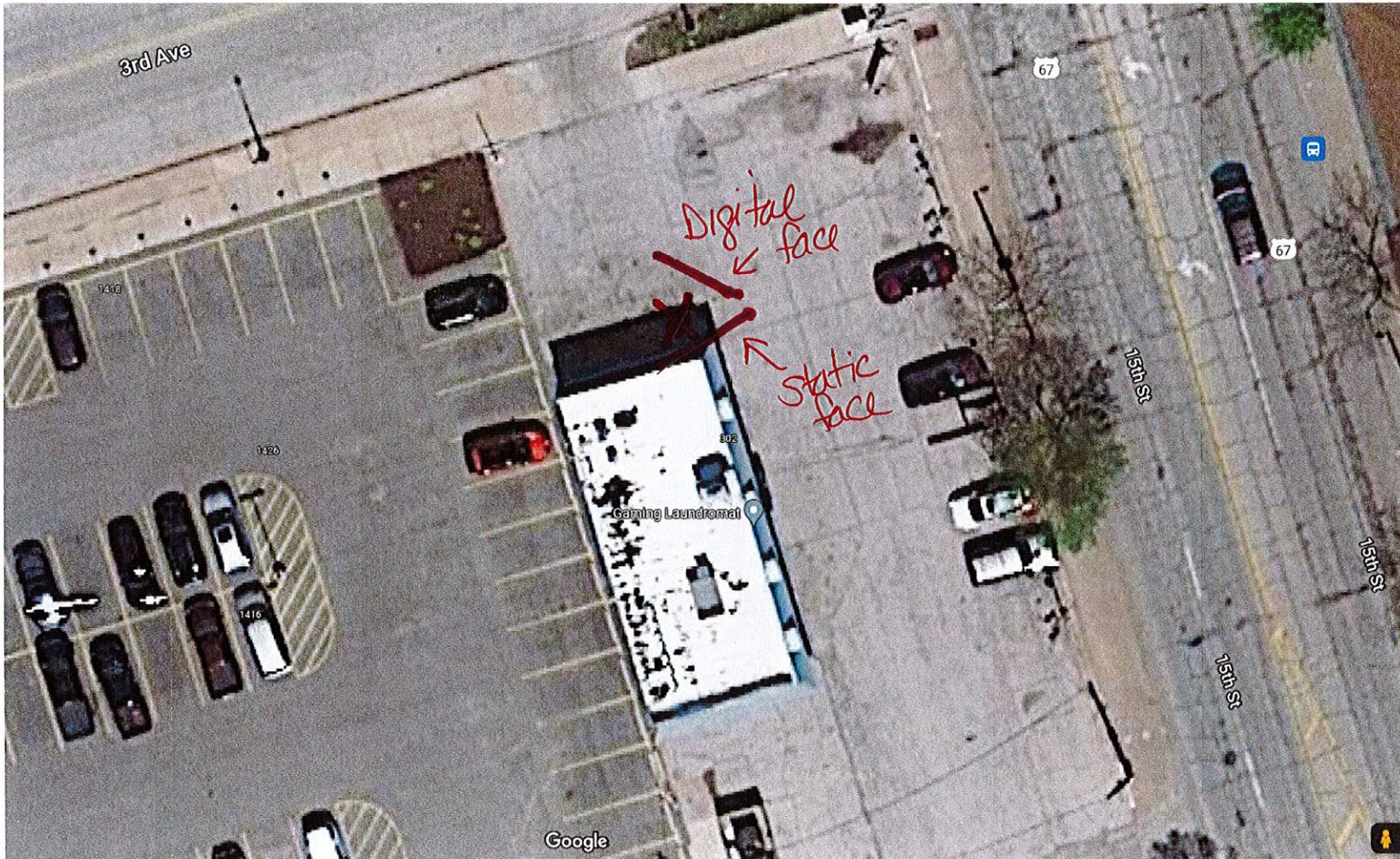


0 20 40 80 120 160 Feet

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment





310 15<sup>th</sup> St.





310 15th St., Rock Island, IL F/S (Greenfield)

Shows s/f w/ tree removed in photo.

Mock-up



Figure 1: Digital billboard at 4600 30th Street in Rock Island.