

**Scott County Planning and Zoning Commission**  
**May 17, 2005**  
**1<sup>st</sup> Floor Board Room, Administrative Center**

Members Present: Ewoldt, Ion, Jansen, Paustian, Ridenour, Scheibe

Members Absent: Kluever

Staff Present: Huey and Kononovs

Others Present: Forty others

1. **Call to Order** Chair Ion called the meeting to order at 7:30 p.m.
2. **Minutes** Scheibe made a motion to approve the minutes from the May 3, 2005 meeting, Ridenour seconded the motion.  
Vote: 6-0 All ayes
3. **Discussion**-River Highlands 4<sup>th</sup> Addition, Section 14, LeClaire Township

Huey showed the air photo of the property and the areas being affected by the stormwater drainage. Huey showed the topography of the property and explained the historic water flow and the requirements for such in the Subdivision Ordinance. Huey showed site photos of the property and said the Larry Mattusch, County Engineer was here to speak about this issue. Mattusch said he has not seen hydraulic calculations but discussed the proposal with Chris Townsend, Engineer for Mike Mahler the developer, and is satisfied that the corrections they are proposing will alleviate the current stormwater run off problem. Chris Townsend went over the calculations, pipe sizes and rain events and said the corrections should eliminate the problems that Mrs. Mears is experiencing. Gary Benson the farmer that farms the Mears farmland said the proposed solution will help but not eliminate the problem, and further explained what is happening with the stormwater runoff.

Paustian said he is tired of this problem occurring over and over and asked Mattusch what he saw as a solution. Mattusch said his department has been somewhat lax in supervising the installation of these systems, but does not have the personnel to inspect the subdivision when the roads are not going to be accepted in the county road system, but does believe that the proposed design changes will definitely alleviate the problem.

Ion asked if anyone from the public had any questions. No one spoke.

Paustian made a motion to not allow any further development to occur in the subdivision until this issue is resolved to Mrs. Mears satisfaction. Ewoldt seconded the motion.

Vote: 6-0 all Ayes

#### **4. Rezoning- Priester, Section 34, Winfield Township**

Huey gave the history of the property and showed air and site photos. Huey said the north twenty acres of this property is zoned Agricultural General and the south forty acres is zoned Agricultural Preservation. This request said Huey, has been modified to rezone only the north 20 acres of the property that is zoned Agricultural General and leaving the 40 acres that is zoned Agricultural Preservation as such. Huey said staff has reviewed this request for compliance with the Zoning Ordinance and Land Use Policies and stated the criteria used for rezoning request.

Ion asked if the applicant would like to respond. Jeff Paul said Mr. Priester only wishes to build one more home on the property and is willing to place a restrictive covenant on the property stating no further subdivision of the property would be allowed.

Commission discussion took place and the options the Commission has concerning the request.

Ion asked for staff's recommendation. Huey said staff recommends that the rezoning of 20 acres from Agricultural General to Single Family Residential be approved with the condition that a restrictive covenant be placed on the plat stating no further subdivision of the property be allowed.

Commission discussion took place. Scheibe made a motion to approve the rezoning with the condition recommended by staff. Ridenour seconded the motion.

Vote: 6-0 All Ayes

#### **5. Final Plat- Dexter Acres 6<sup>th</sup> Addition, Section 31, Butler Township**

Huey said this item was tabled at the May 3, 2005 meeting to allow the Commission time to review the petition submitted by the neighbors. Huey showed the site photos of the property and pointed out the areas of concern to the neighbors.

Ion asked if the applicant would like to speak. Dan Schneckloth said he feels that they have complied with all the regulations set forth by the Subdivision Regulations and would request action be taken upon the request.

Ion asked if anyone from the public would like to speak. Greg Hintgen said he and his neighbors are still concerned with the elevation of the site and the erosion. Hintgen presented the Commission with pictures of the area.

Ion asked for staff's recommendation. Huey said staff recommends the Final Plat for Dexter 6<sup>th</sup> Addition be approved with the condition that the surety for the road and utility improvements be posted prior to approval by the Board of Supervisors and that no construction or grading of the area be initiated until the development of Dexter Acres 5<sup>th</sup> Addition is completed.

Ridenour made a motion to approve the Final Plat of Dexter 6<sup>th</sup> Addition be approved with conditions set forth by staff. Jansen seconded the motion.

Vote: 6-0 All Ayes

**6. Public Hearing-Rezoning-TRA3H Investments, Section 2, Buffalo Township**

Ion read the public notice and asked for staff's review. Huey showed the air photo of the property and the current zoning district map explaining the difference between Agricultural General and Agricultural Preservation. Most of Buffalo Township, said Huey, is zoned Single Family Residential. A rough estimate would be 2000 acres of residentially zoned property currently developed and 500 acres of residentially zoned property undeveloped. Huey explained the CSR of the property and the criteria used to determine the appropriateness of the request. Huey showed the Future Land Use Map, site photos of the property, and the proposed subdivision. Huey said the County Engineer has determined that 100<sup>th</sup> Avenue is adequate to handle additional traffic. The Subdivision Regulations requires subdivision of 40 lots or more to have a common sewer system.

Ion asked if the applicant would like to respond. Eric Jerzees, representing the applicant, said he did not have a lot to add, but they plan is to comply with all the subdivision regulations and handle stormwater runoff to not affect the surrounding property owners.

Ion asked if anyone from the public would like to speak. Steve McGivern said he is concerned about the number of lots proposed in regard to the traffic on Hwy 61 and 100<sup>th</sup> Avenue. Ray Harre said he agrees with the traffic concerns but is also concerned about the affect the additional run off will have on the creek and ultimately his property. Sharon Wilkinson said she is concerned with the safety of no shoulders on 100<sup>th</sup> Avenue and the school bus dropping children off. Wilkinson also said she attended the last meeting regarding the rezoning of the property across the road from this request and a statement was made that the area between 100<sup>th</sup> Avenue and Blue Grass was a "slow zone" and should not be developed. John Fell said that the overall CSR of the property is above the 60 set by the Zoning Ordinance as prime ag land and the area of the property that has a lower CSR is still pasture, and that too is necessary for agriculture. Jim Goodwin, said he is with law enforcement for the City of Davenport and is concerned about the additional work load a new development in this area would place on the Sheriff's Department. Goodwin said the speed limit on Hwy 61 is 65 mph and most go over that speed limit. Robb Ewoldt said he farms the property to the south and is concerned about the impact on his farm operation with drainage onto his property and contamination of the water supply for the cattle through runoff. The average CSR said Ewoldt is higher than the standard set by the county with the balance of the land being pasture which is also needed for cattle production. The topography of the land would dictate that the homes will be built on the good ag land not the area with the lower CSR said Ewoldt. There are plenty of area already zoned for development, in both the county and the City of Blue Grass. Jennifer Ewoldt, a large animal veterinarian, said she has been asked to read a letter from Ralph Johansson. Ewoldt read the letter. She then proceeded to explain her concerns to the Commission from both her viewpoint as a farmer's and volunteer firefighter's wife and that of a veterinarian. Don Moses, farmer to the south of Leaf Lake said the developer of that subdivision was supposed to construct a fence as a condition of approval and has not yet done so, so there is no guarantee what is proposed will be what happens. Chuck Brozovich said that 95<sup>th</sup> Avenue and 130<sup>th</sup> Street should be paved to alleviate the traffic on 100<sup>th</sup> Avenue.

Ion asked if the applicant would like to respond. Michael Adams, representing TRA3H Investments said he has been a developer for 20 years mainly in Polk County. The things that are being addressed here said Adams, are things that should be addressed during the subdivision process.

Ion asked for staff's recommendation. Huey said staff recommends that the rezoning of this property from Agricultural General to Single Family Residential be approved based on its compliance with a preponderance of the criteria.

Commission discussion took place. Ridenour asked about the road, Mattusch explained Macadam surface is more cost efficient than full depth concrete. Mattusch said the 100<sup>th</sup> Avenue is adequate for traffic coming out of the proposed subdivision. Ewoldt asked about the size of a detention pond and discussion took place regarding check dams.

Ewoldt made a motion to recommend denial of the request based on the Planning Commission's determination that the request did not meet a preponderance of the criteria of the Land Use Policies due to the prime ag soils, safety concerns with the additional traffic and the existing inventory of undeveloped R-1 in the area. Paustian seconded the motion.

Vote: 6-0 All Ayes

Huey told the applicant they have seven days to forward the request to the Board of Supervisors.

7. **Site Plan Review-** John Madden, Section 31, Butler Township

Huey showed the air photo of the property and said this is phase two of a project approved in July of 2004. Huey said if this proposed building had been shown on that site plan a permit could have been issued and another site plan would have not been necessary. Huey showed the site plan for the proposed new building.

Ion asked if anyone wished to speak regarding this request. No one spoke.

Ion asked for staff's recommendation. Huey said staff recommends that the site plan for a 30 foot x 110 foot mini storage building be approved with the conditions that: 1). The parking and circulation areas shown on the approved site plan meet the Scott County Engineer's requirements for hard surfacing within one paving season of the issuance of a building permit; and 2). Surety to secure those paving improvements be posted prior to the issuance of a building permit.

Commission discussion took place. Ridenour made a motion to approve the site plan with the conditions recommended by staff. Jansen seconded the motion.

Vote: 6-0 All Ayes

With no new business to come before the Commission, the meeting was adjourned at 9:35 P.M.

