

**Scott County Planning and Zoning Commission**  
**August 16, 2005**  
**1<sup>st</sup> Floor Board Room, Administrative Center**

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

Members Absent: None

Staff Present: Huey and Kelly

Others Present: Sixty eight others

1. **Call to Order** Chair Ion called the meeting to order at 7:30 p.m.
2. **Minutes** Ridenour made a motion to approve the minutes from the July 19, 2005 meeting, Jansen seconded the motion.  
Vote: 7-0 All ayes

3. **Site Plat Review-** Casey's General Store, Section 36, Blue Grass Township

Huey explained that this request had been tabled at the July 19, 2005 meeting to allow time for Casey's to consider an alternative location for the underground storage tanks and the need for additional dust control on the gravel shoulders. Huey showed the air photo and amended site plan of the property. Huey went over the proposed tank location. Huey explained the fence that will serve as a buffer for the property.

Ion asked if the applicant would like to speak. Joann Dyers, representing Casey's said the amended site plan has addressed the Commission's concerns and Casey's will comply with the conditions of approval.

Ion asked if anyone from the public would like to speak. Elba and Dorothy Turner, adjacent neighbors, addressed the Commission with their concerns regarding the dust control.

Commission discussion took place. Paustian made a motion to approve this request with the conditions that; 1). The development comply with the approved site plan dated July 20, 2005; 2). That dust control be applied to the road shoulders adjacent to the store property every two months; 3). That the required parking and circulation area for the building be hard surfaced, in accordance with the County Engineer's specifications; 4). All building code requirements be met. Jansen seconded the motion.

Vote: 7-0 All Ayes

4. **Sketch Plan Review**-JTP LLC, Section 1, Buffalo Township

Huey said this request was tabled at the July 19, 2005 meeting to allow information to be obtained regarding access to the remaining unplatted balance of the property. Huey showed the air photo and a plat of the property. Huey explained he talked to the property owner Jack Groves regarding the access and the property does have access to from US Hwy 61. Huey showed the site photos of the property.

Ion asked if the applicant would like to speak. John Cross said he is interested in expanding this existing property and will combine the additional land to his existing.

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

Commission discussion took place. Jansen made a motion to approve the Sketch Plan. Scheibe seconded the motion.

Vote: All Ayes (7-0)

5. **Rezoning**- Harder Development LLC, Section 1, Buffalo Township

Huey showed air photos of the property and said this sixty acre tract was originally part of an eighty acre tract but split off with a plat of survey in December 2001 and sold for ag purposes. Huey showed the zoning map and explained the existing surrounding zoning districts. Huey explained the adoption of the Future Land Use Map and the criteria used to designate the time frame placed on the residential areas of the Future Land Use Map. Huey said in 1998 this property did not have access to Chapel Hill Road, a situation that has changed since the adoption of the Future Land Use Map. Huey went over the criteria used to determine if an area is appropriate for development; marginal or poor agricultural land, access to adequately paved roads, public or private sewer and water services, proximity to existing employment and commercial centers, least disruptive to existing agricultural activities, environmental resources, sufficiently buffered from other less intensive land uses, need for development, developed in a manner supportive of energy conservation.

Ion asked if the applicant would like to respond. Jason Harder said he had nothing new to add but would be available for any questions the Commission might have.

Ion asked if anyone from the public would like to speak. Teresa Durant, 13224 Utah Ave, said she is concerned about her farm animals. Elk and deer that she raises for her personal livelihood. The animals would not react favorable to homes in their back yard. Durant

also said she is concerned with the preservation of farmland. Ladonna Posten, 11769 130<sup>th</sup> Street said she could not access a website to obtain information that was available on Friday. Posten said she is concerned with the digging that will occur in the cemetery area. Leonard Grutzmacher said the road known as 134<sup>th</sup> Street is actually his dike and he does not see the need for further residential development as there are over 300 lots available in the Blue Grass and Buffalo area. Pastor Orefice, 13009 114<sup>th</sup> Avenue, said his church is concerned with the close proximity of the proposed road to where congregation children play and the affect homes will have on the church's new sand filter system. Roger Kirkpatrick, 13470 Utah Ave., said he is concerned about drainage and the sludge in the existing creek from Lakeside Manor's lagoon and also the access to the property and the inadequate sight distance. Brian Pottinger, 13055 114<sup>th</sup> Ave., presented the Commission with a petition of names against the rezoning. Teresa Plett, 11350 130<sup>th</sup> Street, said she is concerned about retaining farmland for future generations. Lou Ogden, 11491 130<sup>th</sup> Street, said his driveway is directly across from this property and he is concerned with traffic. Mark Heidt, 13085 114<sup>th</sup> Ave., said he is concerned about the hydraulic report, Ipsco also had a hydrology report that obviously proved to be inaccurate and the affect this proposed development will have on his well. Heidt also expressed concerns about runoff. David Durant, 13224 Utah Ave., expressed concern about the wildlife and presented the Commission an accident report for the last 2 ½ years. Brad Posten, 11769 130<sup>th</sup> Street, said he is concerned about traffic, as the school bus must cross the centerline when picking up and dropping off school children due to the narrowness of the road.

Ion asked if the applicant would like to respond. Harder said he would be glad to answer any questions the Commission may have. Ewoldt asked Harder about the distance of the proposed road, and other accesses to the proposed development. Ridenour asked about more than one access to more than 30 lots. Discussion on these issues and the location of the existing cemetery took place.

Ion asked for staff's recommendation. Huey said staff recommends that the rezoning of this property from Agricultural General (A-G) to Single Family Residential (R-1) be approved based on its compliance with a preponderance of the criteria of the Revised Land Use Policies.

Commission discussion took place. Paustian said he is voting to approve this request but wants developer to be aware of the number of issues that will need to be addressed in the subdivision process. Scheibe made a motion to approve the rezoning of sixty acres from Agricultural General (A-G) to Single Family Residential (R-1) based on its compliance with a preponderance of the criteria of the Land Use policy of Scott County. Paustian seconded the motion.

Vote: All Ayes (7-0)

Huey informed the audience of the next step for this request.

With no new business to come before the Commission, the meeting was adjourned at 9:00 P.M.

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