

Scott County Planning and Zoning Commission
September 20, 2005
1st Floor Board Room, Administrative Center

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

Members Absent: None

Staff Present: Huey and Kelly

Others Present: County Administrator Ray Wierson, Board of Supervisors
Chairman Minard, Vice Chair Jim Hancock, Greg Adamson, Tom
Sunderbruch, Chris Gallin and 15 others.

1. **Call to Order** Chair Ion called the meeting to order at 7:30 p.m.
2. **Minutes** Ridenour made a motion to correct the minutes by removing the word table from the last paragraph of page one. Ewoldt made a motion to approve the august 16, 2005 minutes with the correction. Scheibe seconded the motion.
Vote: 7-0 All ayes

3. **Amended Site Plat Review-** Stanley Arnold Family Partnership, Section 25,
Sheridan Township

Huey explained that a previous request for a site plan review to allow three 50-foot x 120 foot storage buildings was approved June 21, 2005. the current request is to amend the fencing condition said Huey and for clarification of the outdoor storage requirement. Huey showed the air photo of the property and the original site plan and the revised site plan applicable to this request. Huey showed site photos of the property both from June and presently and explained the current request for fencing. Huey said the commission received a copy of the letter received by adjacent property owners expressing their concerns with the fencing requirements.

Ion asked if the applicant would like to speak. Arnold said he really had nothing new to add but agrees with the conditions recommended by staff in the staff report.

Ion asked if anyone from the public would like to speak. No one spoke.

Ion asked for staff's recommendation. Huey said staff would recommend approval for three 50-foot x 120-foot storage buildings with the conditions that: 1). That prior to the issuance of a building permit all conditions of the 2003 rezoning be met; 2). The additional parking and circulation areas shown on the site plan meet the Scott County Engineer's requirement for hard surfacing within one paving season of the issuance of a building permit; 3). That outdoor storage of materials not be permitted but that this not include parking and storage of vehicles and trailers within the screened areas; 4). A

screening fence be installed between the rear walls of the buildings and also be extended from Building #3 to the side property line to the northeast and from Building #1 to the south corner of the adjacent property; and 5). The open space between the building and the adjacent properties to the northwest be maintained and kept free of weeds, litter and refuse.

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

Vote: all Ayes (7-0)

4. **Preliminary Plat**-Timber Creek Estates, Section 30, Lincoln Township

Huey showed the air photo of the property, pointing out the location of the property. Huey explained the platting jurisdictions and showed the proposed plat of the subdivision. Site photos were shown, and Huey explained the criteria used for subdivisions such as stormwater management, erosion and sediment control plan, open space requirements, wastewater disposal systems and water system. Huey explained the paved road requirements and that 180th Avenue is currently gravel but scheduled for a macadam surface in 2006, therefore, said Huey, staff would recommend that the Final Plat be approved for no more than four lots, which would include Lots 1 and 2 the location of two existing homes.

Ion asked if the applicant would like to speak. Myron Scheibe representing the applicant addressed the commission. Scheibe said the Davenport P & Z Commission passed on their recommendation for approval eliminating their original recommendation for platting of a road easement to the south. Scheibe said neighbors were notified in June and a meeting held explaining the proposed subdivision and that went very well. Scheibe said that Kaasa Heights subdivision developed by the applicant has brought in over a million dollars in tax revenue. Scheibe said the developer would request that the condition recommended by staff to allow only four homes, 2 existing and 2 new be amended to allow seven homes, 2 existing and 5 new.

Ion asked if anyone from the public had any comments. Tony Knobbe, 21665 180th Ave. had a question about an easement along the creek. The setbacks from the easement were explained. Ron Schneckloth, 19105 210th Street, said he thinks that due to the dust and odors an ag nuisance waiver should be made part of this approval. Schneckloth was told that an ag nuisance waiver is often made a condition of approval of a subdivision.

Commission discussion took place. Paustian made a motion to approve the Preliminary Plat of Timber Brook Estates with the conditions: 1) That the Final Plat for no more than 7 lots (which would include Lots 1 & 2 the location of the two existing houses) be approved until the macadam base and seal coat work on 180th Avenue is completed; 2). That the Final Plat for the remaining lots not be approved until after the asphalt surface is completed on the adjacent County Road; 3) The City of Davenport also review and approve the Preliminary and Final Plat prior to Final Plat approval by the Board of

Supervisors; 4). The private covenants include provision for road and common open space maintenance; 5). The County Engineer review and approve all drainage, erosion control and street construction plans prior to construction; 6). The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval and adding 7). An ag nuisance waiver be included and filed with the restrictive covenants. Ridenour seconded the motion.

Vote: 5 Ayes 1 Abstention (Scheibe)

5. **Rezoning-** R & MS Land Company, Sections 5 & 6, Pleasant Valley Township

Huey showed air photos of the property and explained the platting of Stoney Creek and Stoney Creek North. Huey went over the criteria used to determine if land is suitable for development. That criteria being; compliance with the Future Land Use Map, marginal or poor agricultural land, access to adequately paved roads, public or private sewer and water services, near existing employment and commercial centers, least disruptive to existing agricultural activities, stable environmental resources, buffered and the need for such development. Huey showed site photos of the property and said staff only received one letter expressing concerns with this request.

Ion asked if the applicant would like to respond. Tim Dolan said there will be no well in the subdivision but will be hooked up to Iowa American Water.

Ion asked if anyone from the public would like to speak. No one spoke.

Commission discussion took place. Scheibe made a motion to approve the rezoning of from Agricultural General to Single Family Residential based on its compliance with the criteria of the Revised Land Use Policies. Kluever seconded the motion.

Vote: 6 Ayes 1 Abstention (Ion)

5. **Site Plan Review-** Debra Fenn, Section 1, Buffalo Township

Huey showed air photos of the property and explained that this request is to allow the re-occupancy of a restaurant in a building that had previously been a restaurant but has been vacant to for more than a year. Therefore, said Huey, this building would lose any previous grandfathered status relative to zoning regulations. Huey showed the proposed site plan and floor plan by submitted by the applicant.

Ion asked if the applicant would like to speak. Mike Fenn said that the handicapped parking would be moved to the front of the building and seal coating would begin immediately if approved.

Ion asked if anyone from the public. No one spoke.

Ion asked for staff's recommendation. Huey said staff recommends that the site plan for the reoccupancy of an existing restaurant be approved with the conditions: 1). That the required parking and circulation area for the establishment be hard surfaced within one year of the approval of this application; 2). The requirements of the Health Department relative to food handling requirements be met; and 3). All building code requirements be met.

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

Vote: 7-0 All Ayes.

6. Annual Meeting with the Board of Supervisors

Chairman Minard addressed the Commission and introduced all the board members, Administrator Wierson and Assistant Administrator Greufe. Minard thanked the commission for all their work and said the Planning and Zoning Commission and the Board of Supervisors have an excellent working relationship. Minard said that the recent rezoning issue is one of the rare times that the two did not agree and the Board of Supervisors feel now may be a good time for the Future Land Use Map to be reviewed. The Commission, said Minard has seen an increase in activity most likely due to the low interest rates. The Future Land Use Map, said Minard may need to be readdressed as six years have lapsed since it came to be. Paustian said the Land Use Policies and the Future Land Use Map was to provide a guide with the 5- 15 years and 15-30 years indicated for development and it is probably true that the increase has a lot to do with the interest rates. Paustian said there is a significant amount of R-1 zoned land not developed and maybe should be developed before more rezonings occur. Paustian said that he agrees that the Future Land Use Map should be looked at again in the near future. Discussion took place on the criteria used for rezoning. Minard again thanked the commission for their work.

With no new business to come before the Commission, the meeting was adjourned at 9:15 P.M.