

Scott County Planning and Zoning Commission
May 1, 2007
1st Floor Board Room, Administrative Center

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

Members Absent: Baril

Staff Present: Huey and Kelly

Others Present: 1 other

1. **Call to Order** Chair Ion called the meeting to order at 7:00 p.m.
2. **Minutes** Kluever made a motion to approve the April 3, 2007 minutes. Scheibe seconded the motion. Vote: 6-0 All ayes.
3. **Preliminary Plat**-Kauth 1st Addition – Section 15, Buffalo Township

Ion read the notice and asked for staff's review. Huey showed air photos of the property and gave the history of the first six lot subdivision approved in 2002. Huey reviewed the Preliminary Plat requirements and explained that there are issues that need to be addressed such as stormwater management, erosion and sediment control, open space requirement and waste water disposal systems and more information is necessary before staff can make a recommendation for approval. Larry Linnenbrink, Health Department, a. Jon Burgstrum asked if the applicant intended for the roads to become part of the County road system and that he would like to know if that is the intent early on.

Ion asked if the applicant would like to speak. Kauth said he has contacted his engineer, Jim Egger and Egger will be submitting all the information that Huey has requested. Kauth said he does intend for the roads to become part of the County system.

Ion asked if anyone from the public wished to speak. Tom Duncan had questions about the extension of 114th Street to the adjacent property and said he is concerned about the creek that comes out of its banks during a fifty year event. Lori Elliott, 40 Locust Court, stated she just wanted to make the Commission aware that the unimproved portion of Locust Court shown on the plat has been vacated so no connection to the north will be possible.

Ion asked for staff's recommendation. Huey said staff recommends that the Preliminary Plat of Kauth's 1st Addition be tabled until June 5, 2007 to allow the applicant to submit the necessary information.

Commission discussion took place regarding stormwater drainage, well and culverts.

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Scheibe made a motion to table Kauth's 1st Addition until the June 5, 2007 meeting. Paustian seconded the motion.

Vote: All Ayes 6-0

4. **Preliminary Plat**- Dewall's 1st Addition, Section 27, LeClaire Township

Huey showed the air photo of the property, stating that the proposed subdivision was within two miles the City of LeClaire and has been reviewed and the commission had received their recommendations. Huey showed the plat of the proposed subdivision and explained the road system and connection to the north for future development. Huey showed site photos of the property, pointing out where the pavement ends and the gravel portion begins. Huey said the County Engineer has indicated that the gravel portion of 277th Avenue is slated for hard surfacing with a macadam surface this year. Larry Linnenbrink, Health Department said stated if 25% of the soil analysis fails, the homeowners association would be required to perform the state required testing of the sand filter systems and that the covenants should reflect such. Jon Burgstrum, County Engineer, said any issued he had has been addressed by the City of LeClaire. Burgstrum asked if it was the intent of the developer to have the roads taken into the county road system, Koellner replied it was and therefore they would be built to county standards.

Ion asked if the applicant would like to speak. Kevin Koellner, developer, stated there are some survey issues with the property to the east owned by Sumstines and the property will be resurveyed to determine the correct boundary lines and he will work with the Sumstines to resolve this issue.

Ion asked if anyone from the public would like to speak. Susan Sumstine stated she was present to make the commission aware of the boundary line dispute and will work with the developer to resolve the issue. Lynn Jones, property owner to the south said she is a wildlife rescuer and is concerned with additional homes in the area and the effect they may have on her well. Jones stated she does not want to be penalized for the noise her rooster and peacocks make. Jones also said she would like to see a road connection to the south should she ever want to develop her property.

Ion asked for staff's recommendation. Huey said staff recommends that the Preliminary Plat of Dewall's 1st Addition be approved with the conditions: 1). The subdivision roads be assigned an avenue and/or street number in accordance with Scott County's Rural Address Ordinance and that it be shown on the Final Plat; 2). An erosion and sediment control plat be in accordance with the requirements of the Natural Resources Conservation Service and County Engineer be submitted; 3). The proposed wastewater treatment facilities meet Health Department and Iowa Department of Natural Resources requirements; 4). The private covenants include provision for common open space maintenance, a waiver of right to file nuisance suits against agricultural operations and provision for agricultural boundary fence maintenance; 5). The County Engineer review and approve all street construction plans prior to construction; and 6). The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Discussion took place on the roads, nuisance waiver and the property to the south. Ridenour made a motion to approve with the six conditions outlined by staff and adding 7). If 25% of the

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soil analysis fails it will become the Home Owners Associations responsibility to submit state testing requirements for the sand filter systems. Kluever seconded the motion.

Vote: All Ayes 6-0

5. **Final Plat**-Chapel Hill Estates, Section 1, Buffalo Township

Huey showed the air photo of the property and gave a history of the Preliminary Plat and the many issued surrounding it. Huey said one condition of Preliminary Plat approval was that the subdivision be developed in phases, this being the first phase. Huey showed the Final Plat and said he would recommend that the drainage area located on Lot 6 be moved so that the ownership becomes under the homeowners association and not privately owned. Huey showed site photos of the property, explaining that most of the open space would be an active trail system along the drainage area constructed in the next phase. Huey said Iowa American water has extended service to this subdivision allowing water service and fire hydrants to this subdivision and surrounding homes. Huey said the County Engineer has expressed some concern with the erosion control and has discussed with the developer and they are working to resolve these issues. Larry Linnenbrink, Health Department said again if 25% of the soil analysis fails, the homeowners association would be required to perform the state required testing of the sand filter systems and that the covenants should reflect such. Jon Burgstrum, County Engineer, said the area is highly erodible and during an inspection today it was noted that the silt fencing is down and culvert plugged and he will be working with the developer to correct these issues. Only the first cul de sac, said Burgstrum is completed.

Ion asked if the applicant would like to respond. Harder had no comment.

Ion asked if anyone from the public would like to speak. Jay Eldredge asked if the number of homes has been reduced. Huey told her no this is the first phase. Eldredge had questions about the pond capturing water. Discussion took place regarding the difference between detention and retention areas.

Paustian said he sees a large problem holding soil in place in this subdivision and is a nightmare waiting to happen. Harden said he does have an erosion problem due to the three inches of rain we recently received and would like to meet with the County Engineer at the site to decide the best way to control the erosion. Huey said he is pleased with the cooperation with the County Engineer and the fact that staff has not received any complaints with the construction going on shows that Harder is doing a good job. Ridenour stated it is very helpful to have Larry Linnenbrink from the Health Department and County Engineer present and the commission appreciates it.

Ion asked for staff's recommendation. Huey said staff recommends that the Final Plat of Chapel Hill Estates be approved with the conditions: 1). The plat be amended to show the area for the stormwater detention basin be platted as an outlot to be owned and maintained by the homeowner's association; 2). The private covenants be submitted and filed with the Final Plat in accordance with conditions of Preliminary Plat approval; 3). The City of Davenport approve the Final Plat prior to approval by the Board of Supervisors; and 4). All improvements be completed and approved by the County Engineer or appropriate financial surety posted prior to Final Plat approval by the Board of Supervisors.

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Ridenour made a motion to approve the Final Plat of Chapel Hill Estates with the conditions outlined by staff and adding 7). If 25% of the soil analysis fails it will become the Home Owners Associations responsibility to submit state testing requirements for the sand filter systems. Scheibe seconded the motion.

Vote: All Ayes (6-0)

Huey advised the Commission that there will be an Advisory Committee meeting for the Comprehensive Plan on May 10, 2007 at 6:30 PM in the First Floor Board Room. Ion said she would not be able to attend.

With no new business to come before the Commission the meeting was adjourned at 8:50 PM.