



SCOTT COUNTY PLANNING AND ZONING COMMISSION

September 3, 2013
7:30 P.M.

MEETING MINUTES

First Floor Board Room
Scott County Administrative Center

MEMBERS PRESENT: Kent Paustian, Clayton Lloyd, Carolyn Scheibe, Allan Kluever, Linda Rivers

MEMBERS ABSENT: Gary Mehrens (excused), Katherine Ion (excused)

STAFF PRESENT: Timothy Huey, Planning & Development Director
Brian McDonough, Planning & Development Specialist

OTHERS PRESENT: Approximately 10-15 members of the public

- 1. CALL TO ORDER:** Chairman Paustian called the meeting to order at 7:30 p.m.
- 2. Minutes:** It was moved by Lloyd, and seconded by Kluever, to approve the August 6, 2013 meeting minutes. **The motion carried unanimously.**
- 3. Sketch Plan Review of a Minor Subdivision Plat – Century Comtowers, LLC:**

Chairman Paustian asked for staff's review of the case.

Planning Director Timothy Huey explained the nature of the request and showed aerial and site photos of the property. He explained that the request was to split an existing approximately 28 acre parcel into two lots in order to place the existing cell tower and equipment cabinet on its own parcel. Century Comtowers, LLC and Terry Michaels of Tower Sites Inc. are the applicant's and submitted the request. Huey stated that this request is within two miles of the city of Davenport, and therefore the city would also have to review and approve any final plat in accordance with their adopted extraterritorial review authority for

new subdivision plats. Davenport's review and approval of any final plat would have to occur before the Board of Supervisors could consider the same request. Huey explained that the Commission is currently only considering a sketch plan. Following the Commission's recommendation on the sketch plan, the applicant may submit a final plat for their consideration at a subsequent meeting.

Huey showed a copy of the sketch plan, and pointed out key characteristics. Specifically, he showed and stated that the sketch plan met minimum lot frontage, width, and size requirements required by the Scott County Zoning and Subdivision Ordinances. Huey detailed the history of the property. This tract of land was rezoned from Residential Single-Family (R-1) to Agricultural General (A-G) in 1998 to allow for the placement of the cell tower. Following the 1998 rezoning, placement of a cell tower was approved via a special use permit by the Board of Adjustment. Huey showed surrounding zoning and aerials of the property, and pointed out that 134th Street, which connects the proposed lots to S. Utah Avenue, is a legally described portion of the original tract, and will remain as such as a part of the new lot 2. However, this portion of land is used as an access easement for a number of adjacent properties. The newly created lot 1 for the cell tower site is shown to be served by a new access easement, which connects this new lot to S. Utah Avenue. Huey explained that the original stretch of 134th Street will remain with the larger lot 2. Huey stated that this new easement should not create additional traffic because the need to access and maintain the cell tower site should not change. The guy wires supporting the tower will not be entirely contained on the new lot 1, but the portions of the wires which reside on lot 2 are contained in an easement shown on the plat. The remaining balance of land, the new lot 2, will remain under the ownership of Century Comtowers, LLC and will be used for recreational purposes and row crop production. The new lot 1, containing the tower site, will be transferred to Tower Sites Inc.

Chairman Paustian asked if the applicant wished to respond to staff's presentation.

Terry Michaels of Tower Sites Inc. briefly stated that Mr. Huey covered the proposal very well. He explained that the tower is primarily used to transmit two-way radio traffic, and is a "multi user" platform. Mr. Michaels stated that if this subdivision were to be approved, his company would take over ownership of the cell tower site. His understanding of the remaining land was that it would remain in Century Comtowers name and be used for general recreational purposes by the company's owner and family.

Chairman Paustian asked for staff's recommendation.

Huey presented staff's recommendation that the sketch plan request be approved with the condition that the city of Davenport review and approve the Final Plat prior to Final Plat approval by the Board of Supervisors.

Chairman Paustian provided the applicant a chance to respond to staff's recommendation.

Terry Michaels concurred with the recommendation, and had no other comments.

Chairman Paustian asked if any members of the public wished to address the Commission.
No one spoke.

Brief Commission discussion took place regarding the sketch plan request.

Lloyd asked the applicant for clarification on the request. He wanted to make sure that the purpose was to transfer the newly created lot 1.

Terry Michaels responded that his company, Tower Sites Inc., wishes to acquire this site in order to expand their network and increase their coverage area. They do plan to take ownership of the newly created lot 1.

Scheibe made a motion to recommend approval of the sketch plan in accordance with staff's recommendation. **Rivers** seconded the motion.

Vote: 5-0, All Ayes

4. Sketch Plan and Final Plat Review of a Minor Subdivision Plat – Bankland, LLC:

Chairman Paustian asked for staff's review of the case.

Huey explained the nature of the request. This proposed subdivision would constitute the Third Addition to Venwoods Estates, but will reduce the overall number of lots in the entire subdivision by two. Huey explained that this is a replat of four existing lots and one outlot. The four existing lots are being combined to create two new lots, and existing Outlot B is being reconfigured. The access to Outlot B is being relocated between the new lots 1 and 2. This proposal reduces the number of development rights from four to two. Huey explained that this is a combination sketch plan and final plat. The applicant will not have to appear before the Commission again regarding this request as their recommendation will be forwarded on to the Board of Supervisors. Huey stated that the request meets the minimum lot frontage, width, and size requirements of the Zoning and Subdivision Ordinances. Huey showed zoning and aerial photos of the area. He stated that because this request is within two miles of the city of Bettendorf, they will also need to review and approve this request prior to any final plat approval by the Board of Supervisors. Huey mentioned that this is similar to Venwoods Second Addition which replatted lots at the end of 246th Avenue.

Chairman Paustian asked if the applicant wished to respond to staff's presentation.

Kevin Koellner of Bankland, LLC briefly mentioned the nature of the request. He stated that the terrain of these four lots as well as the preferences of the prospective buyers led to him to reconfigure the layout. They are more marketable when reconfigured and combined to form two, slightly bigger lots. He mentioned that the existing topography made it difficult to place homes on the lots as they were originally platted.

Chairman Paustian asked for staff's recommendation.

Huey stated that staff recommends approval of this combination sketch plan and final plat request with the condition that the city of Bettendorf review and approve the final plat prior to final plat approval by the Board of Supervisors.

Chairman Paustian provided the applicant a chance to respond to staff's recommendation.

Kevin Koellner had no comments.

Chairman Paustian asked if any members of the public wished to address the Commission.

Wesley Taylor (19070 Wells Ferry Rd): Mr. Taylor stated that he owned property adjacent to Venwoods, and expressed concerns over drainage. He pointed out the drainage easements indicated on the plat. He asked if they were shown at grade level and if the arrows indicated the drainage direction. He also asked if any of the drainage easements had changed from the original plat.

Huey responded that the indicated drainage easements do not show direction, but simply show the land area included in the easement. He stated that the easements had not changed since the original platting of Venwoods. He mentioned that the applicant submitted a topography map of the area, and that could be viewed by Mr. Taylor anytime at the Planning and Development Office.

Kevin Koellner confirmed that the drainage easements had not changed since original platting and that drainage in the area follows the existing topography.

Brief Commission discussion took place regarding the request.

Kluever asked for clarification on the purpose of the replat.

Kevin Koellner confirmed that marketability and consumer demands were the reason for the replat. He explained that the new configuration allows for a larger building area on each lot and works better with the overall topography of the area.

Lloyd mentioned that he was employed by Missman, Inc. who prepared the plat. He stated that he did not work directly on this project, and that this was the first occasion he had seen this plat or knew about this project. He stated that he would be abstaining from voting.

Kluever made a motion to recommend approval of the sketch plan and final plat in accordance with staff's recommendation. **Scheibe** seconded the motion.

Vote: (4-0), All Ayes; Lloyd abstaining

The Commission and planning staff discussed their upcoming meeting on September 17th. Huey mentioned that the following representatives would present on economic development and future land use plans: Bill Martin of Quad Cities First, Mark Hunt from Bi-State Regional Commission, Pam Minard from the city of Davenport, Steve Van Dyke from Bettendorf, and John Dowd from Eldridge.

A brief discussion ensued about the format for the meeting and a question and answer session. Huey said it was up to the Commission as to how they would receive public comments and conduct question and answer sessions with the presenters. He said that he would put together an order of presentations, likely by population.

With no new business to discuss, Chairman Paustian entertained a motion for adjournment. It was moved by Lloyd and seconded by Scheibe to adjourn. The motion carried unanimously. The meeting adjourned at 8:25 P.M.