



**SCOTT COUNTY  
PLANNING AND ZONING COMMISSION  
January 6, 2015  
7:00 P.M.**

**MEETING MINUTES  
First Floor Board Room  
Scott County Administrative Center**

**MEMBERS PRESENT:** Clayton Lloyd, Gary Mehrens, Carolyn Scheibe, Allan Kluever, Tony Knobbe

**MEMBERS ABSENT:** Katherine Ion and Linda Rivers (excused absences)

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

**OTHERS PRESENT:** Denis and Kerri Bland (applicants), Chad Macke (LSIT with Ament Design), Don Holst (neighboring property owner), Lynn Gibson (incoming Planning Commissioner), Diane Holst (Supervisor), and 3 other members of the public

1. **Call to Order:** Chairman Lloyd called the meeting to order at 7:00 P.M.
2. **Minutes:** **Scheibe** made a motion to approve the December 16, 2014 meeting minutes. **Knobbe** seconded the motion. **The minutes were unanimously approved (5-0).**

3. **Election of 2015 Officers:** **Scheibe** made a motion to re-appoint Clayton Lloyd as Chairman. The motion was seconded by **Mehrens**.

**Vote: All Ayes**

**Scheibe** made a motion to re-appoint Gary Mehrens as Vice-Chairman. The motion was seconded by **Kluever**.

**Vote: All Ayes**

4. **Sketch Plan/Final Plat – Minor Subdivision Plat: Harvest Heights Addition located in Part of the SW¼ SE¼ of Section 31, Cleona Township**

**Planning Specialist Brian McDonough** presented staff's review of the case. He stated that the applicants have indicated the site will develop as a future church. This plat is being requested in order to transfer deed to the property to a new owner for that use. He showed aerial and site photos of the property as well as demonstrated its proximity to the City of Durant corporate limits and existing sewer and water infrastructure. **McDonough** indicated that the proposed new Lot 1 met all of the lot

dimension and sizing requirements of the Scott County Subdivision and Zoning Ordinances. He explained that while the site is less than  $\frac{1}{4}$  mile from the City of Durant corporate limits, it is nearly  $\frac{3}{4}$  of a mile from the City's existing sewer and water infrastructure. Because of this distance any development in the near future would require on-site water and wastewater systems. **McDonough** stated that the property is zoned A-G which permits uses such as schools and churches that are not allowed in the County's other A-P Ag zoning district. He showed the County's Future Land Use map which indicated the property as future A-P zoning. **McDonough** explained that he thought it pertinent to show the Future Land use Map designation of the property, but stressed that this is not a rezoning request, and therefore the Future Land Use Map is not taken into consideration. He explained that areas of the County directly adjacent to city limits are typically zoned A-P and shown as such on the Future Land Use Map. The reason being that this helps to leverage their annexation into the adjacent city prior to development. This property and surrounding land directly adjacent to the City of Durant is an example of where the property is currently zoned A-G but indicated as A-P on the Future Land Use Map. The Commission is only considering the plat itself and not the current zoning of the property. Any permitted use listed for the A-G district is permitted by right on the property. The land is currently zoned A-G, with the owners/applicants indicating that the property will be transferred to new owners for the future location of a church, pending the approval of this plat. **McDonough** explained that prior to the establishment of any new use on the property, the Planning Commission would have to review and approve a site plan for the development. At that time the Commission could address issues such as drainage, parking, access, and building location and setbacks.

**Chairman Lloyd asked for any comments from the applicant and general public.**

**Chad Macke** from Ament Design, the engineering firm representing the applicants, spoke in favor of the request. He had no objections to the facts presented by staff.

**Kerri Bland (property owner/applicant)** spoke in favor of the request. She stated that the land has long been in her family's possession, and that she was approached recently by a church wishing to purchase a portion of the land for a new church site.

**Don Holst (neighboring property owner)** explained that he owns and farms the land directly across the street to the south in Muscatine County, and also rents and farms the ground directly adjacent to the east of the property located in Scott County. He pointed out the areas he believed to have drainage tiles on an aerial photograph, and discussed the overall drainage pattern of the area. He objected to the request based on drainage concerns and his belief that prime farm ground should not be converted for development.

**Denis Bland (applicant)** spoke in favor of the request, and stated that none of the drainage tiles pointed out by Mr. Holst crossed the proposed Lot 1. Therefore that should be a non-issue for consideration of this Plat.

**Chairman Lloyd asked for staff recommendation.**

**McDonough** first stated that, as the staff report indicated, the City of Durant must review and approve the Plat prior to its consideration by the Board of Supervisors because it is within their two-mile extraterritorial review jurisdiction for platting. He also stated that while the County's A-G district does allow churches and schools as permitted uses, single-family dwellings are not a permitted use.

He gave staff's recommendation to approve the request with two conditions. First, that all platting documents are received, and second, that the City of Durant review and approve the Plat, both prior to any final consideration by the Board of Supervisors.

**Lloyd asked for the applicant's response to the recommendation.**

The applicants and their representative had no further comments.

**Mehrens** expressed concerns that the property should be annexed prior to development and that it was converting prime farm ground for development. He also asked about the property's designation as A-P on the Future Land Use Map.

**Planning Director Tim Huey** explained that when the County adopted its first Future Land Use Map in 1998, the Commission indicated unincorporated areas directly adjacent to city limits as future A-P zoning. As was stated in staff's presentation, the reason for this was to leverage such property's annexation into the adjacent city prior to development. Also in 1998 when the Future Land Use Map was developed, many of these areas were downzoned from A-G to A-P by the Commission, so that the future use and current zoning classification are both A-P. The land directly adjacent to the City of Durant is an example of one area where similar downzoning has not occurred. **Huey** explained that if this was a rezoning request or if the property was directly adjacent to city limits, staff's recommendation would likely be different. Any rezoning request would be evaluated against the property's A-P Future Land Use Map designation. If the property was directly adjacent to city limits then staff would recommend that the City deny an annexation request of the property before Scott County would even consider the request.

**Scheibe made a motion to approve the Plat in accordance with staff's recommendation. Knobbe seconded the motion.**

**Vote: (4-1), Mehrens dissenting.**

**Huey** presented the zoning ordinance review and update session. The joint meeting with the Park View Owners Board is set for next Wednesday, January 14<sup>th</sup>. **Huey** reviewed the CAD-R proposed district general intent, permitted, accessory, and special uses. The Commission discussed the junk yard regulations as an accessory use. **Huey** stated that the Commission should discuss these regulations, which are the exact same as the County's R-1 District junking regulations, with the Park View Board and residents at their upcoming joint meeting. **The Commission reached a consensus to leave the district regulations as proposed until after meeting with Park View.**

**Huey** reviewed C-1 Neighborhood Commercial District. Staff proposed removal of R-1 and R-2 District permitted uses as C-1 listed permitted uses. Huey also noted that staff suggested removing mobile home and travel trailer parks as well as drive up window facilities as special permitted uses. Staff also suggested adding schools, day cares, and churches as special permitted uses. **The Commission reached a consensus agreeing to staff's proposed changes.**

Huey reviewed the CAD-PV. Staff is proposing to delete the extensive list of specific uses that currently make up the permitted uses in this district. Huey explained that the Ordinance was amended in 1991 to include this CAD-PV (Park View Commercial District) in order to more strictly define and control permitted commercial uses within Park View. Staff is suggesting use categories, similar to the C-1 district, as opposed to listing a number of specific uses. For example, retail sales and service

businesses, covers the majority of current listed uses, and allows more flexibility. These changes would continue to allow convenience stores and car washes, while also continuing to disallow auto body and auto repair shops. **Huey** made it clear that these proposed changes would in no way alter the original Park View plan. Any change to that original plan requires an amendment. These proposed changes simply change how the Zoning Ordinance applies to uses in conjunction with that original Master Plan. **The Commission reached preliminary agreement upon staff's proposed changes, subject to input from Park View residents at the upcoming joint meeting.**

**Huey** reviews C-2 District. He explained that the C-2 District is intended for both commercial and light industrial uses, with light industrial allowing for processing and manufacturing inside of a building and not producing excessive noise, dust, odor, smoke, etc. Staff is proposing no changes to how adult uses are regulated. The current regulations meet State Code and municipalities must have provisions for accommodating such businesses. Staff suggested adding airports and landing fields as a special permitted use, and at the same time removing that use from the current "M" Heavy Manufacturing District. They also suggested adding communication towers as a special permitted use. **Huey** explained that currently cell towers are only allowed as a special use in Ag zoning districts. Staff also suggested some basic language to guide the Board of Adjustment in their review of a tower proposal, such as collocation, screening, providing a lease with decommissioning/removal requirements, and demonstration of compliance with federal regulations. This language was also suggested to be added to towers in Ag districts. **Lloyd** asked about restaurants, taverns, bars and night clubs. He asked why night clubs are listed in C-2, but not in C-1. **Huey** responded C-1 is setup to accommodate neighborhood establishments, to include bars, while C-2 is more appropriate for larger scale establishments with a regional draw, which the term nightclub was attempting to illustrate. He stated that the idea is to have some language in the ordinance that would allow the Commission to deny a bar type establishment in a C-1 area that is less a neighborhood bar and more a regional nightclub. **Lloyd** suggested "Restaurants, taverns, bars and night clubs" be changed to "Restaurants, drinking establishments, and nightclubs" to be more consistent with C-1, while also allowing for a larger regional scale bar/nightclub. **Knobbe** asked about regulating air quality and other environmental concerns that may arise from industrial and commercial uses. **Huey** explained that air quality and similar environmental concerns are regulated at the state or federal level, primarily. If a use came in that the Commission had environmental concerns about, they could require that the applicant demonstrate compliance with such rules. Also, the general language addressing excessive noise, dust, and smoke is enough for the Commission to examine such issues and require additional information from an applicant. **The Commission reached a consensus agreeing to staff's proposed changes, including amendments through discussion by Commission members.**

**Huey** reviewed the "I" Industrial Overlay District proposed language. He explained that currently all heavy manufacturing uses are special uses requiring not only rezoning, but approval from the Board of Adjustment. The intent of this district is to allow for the appropriate consideration of industrial land use proposals that necessitate location in the County, and to arrange the regulations so that the Planning Commission has all of the necessary information upfront before making a rezoning decision. **Kluever** asked about the current inventory of heavy industrial land. Huey responded that there is a 40 acre tract at Hwy 61 and Y-48, as well as the quarry processing sites, including the one near McCausland, and some auto recycling uses in Mt. Joy. Other than that, there is very little Heavy Manufacturing zoning in the County. Any heavy manufacturing rezoning has always been approved conditionally, whereby it is only for a specific use. If that use were to cease, the zoning would not allow for just any heavy manufacturing use, but that new applicant would have to come in for

approval for their specific use. The Commission discussed how metal foundries are addressed. **Lloyd** suggested changing #13 to say just "Metal foundries." Currently the use distinguishes between ferrous and non-ferrous metals and fuel sources. The Commission decided specific details such as this could be considered at the time of any rezoning for such a use. **The Commission reached consensus for this change.** Staff proposed deleting uses #16-22 which are really uses more commercial than industrially in nature. The Commission proposed adding "Manufacturing operations not of an industrial nature" to replace these deleted uses. **The Commission reached consensus for this change.** **Mehrens** wanted to add some provision for tile lines for adjoining properties. **Lloyd** disagreed with the language "reasonably distinct" in the required conditions section. **Knobbe** stated that it's not clear if the language "to include but not limited to" contained in the required conditions section means that they should all be met in some degree. **Lloyd** mentioned that the proposed requirement that no environmentally sensitive areas be located on any "I" site would seem to prevent mitigation of any such areas offsite. **The Commission reached a consensus to include language allowing for offsite mitigation relating to environmentally sensitive areas. The Commission also agreed to hold off on suggesting any other changes to this district until all Commissioners could be present and the proposed language could be reviewed further.**

**Huey** explained that no changes were proposed for the "LF" Solid Waste Disposal Site Overlay District or the Community Area Development Administration section. Next steps will involve the joint meeting with Park View on 1/14/15 and the Farm Bureau on 2/3/15. **Chairman Lloyd** noted that new Planning Commissioner Lynn Gibson was in the audience. Lynn would be replacing Katherine Ion, at the Commission's next meeting.

**With no other business to discuss, Chairman Lloyd adjourned the meeting at 8:55 P.M.**