



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, February 17, 2015
7:00 P.M.**

MEETING MINUTES
County Administrative Center
600 W. 4th Street
Davenport, IA 52801

- MEMBERS PRESENT:** Gary Mehrens, Linda Rivers, Tony Knobbe, Lynn Gibson
- MEMBERS ABSENT:** Lloyd, Scheibe, Kluever
- STAFF PRESENT:** Timothy Huey, Planning & Development Director
Brian McDonough, Planning & Development Specialist
- OTHERS PRESENT:** Approximately 12 members of the public, including applicants, and Supervisor Diane Holst

- 1. Call to Order:** Vice Chairman Mehrens served as Chairman in absence of Lloyd and called the meeting to order at 7:00 P.M.
- 2. Minutes:** Knobbe made a motion to approve the January 6, 2015, January 14, 2015, and February 3, 2015 meeting minutes. Gibson seconded the motion. **The minutes were unanimously approved (4-0).**
- 3. Final Plat – Minor Subdivision: Hobkirk's First Addition, Section 30 Princeton Township**

Planning Director Tim Huey presented the case background. The Planning Commission unanimously recommended approval of a sketch plan for this development at their December 16th meeting. The recommended conditions attached to that sketch plan approval have been satisfied through the preparation of this Final Plat. Specifically, the road easement issues surrounding the private drive accessing this property, known as Levi Lane, have been addressed. The required legal platting documents are being prepared by the applicant's attorney, and must be submitted prior to any consideration of this Plat by the Board of Supervisors. There were no public comments. **Huey** presented staff's recommendation. **Mehrens** asked if the applicant had any response to the staff recommendation, and Tim Hobkirk stated that he is the contract owner, the deed holder lives in Colorado, and it is taking some time to mail the legal platting documents back and forth for signature. **Knobbe** asked about the language contained in the Ag nuisance waiver recommended by staff. **Huey** responded that it would waive any owner's right to sue adjacent agricultural operations for nuisances. The waiver is broad and covers many types of potential nuisances. **Huey** presented

staff's recommendation to approve the request with conditions related to the receipt of platting and legal documents prior to consideration of the Plat by the Board of Supervisors, including a road easement agreement for Lot 4 of Hamilton's Addition, the restrictive covenant prohibiting future re-subdivision of these lots, the Ag nuisance waiver covenant, and the remaining legal platting documents required by Iowa Code. **Knobbe** made a motion to approve the request in accordance with staff's recommendation. **Rivers** seconded the motion.

Vote: All Ayes (4-0)

4. Site Plan Review – Johnson Oil Company, Section 18 Pleasant Valley Township

McDonough presented case. Johnson Oil Company operates an existing gas station business located at 17948 Great River Road, being between Valley Drive and Hwy 67/Great River Road. The owner, Art Johnson, is seeking site plan approval to expand the footprint of the convenience store and to add new diesel pumps with a canopy and a new, paved circulation area. **McDonough** showed aerial and site photos of the property, and explained that the site plan proposed a new driveway entrance onto Valley Drive. Currently the property has an approach onto both Valley Drive and Hwy 67. The land between Valley Drive and Hwy 67 is all zoned C-2, but there are residentially zoned areas and housing directly north of Valley Drive. **McDonough** explained that the Health Department and County Engineer have reviewed the request. The Health Department commented that the septic system should be protected during any development. Also, any kitchen expansion would need to meet health codes. Jon Burgstrum, the County Engineer, relayed concerns to staff related to a potential increase in truck traffic and the potential routing of that traffic onto Valley Drive. He questioned if the site plan showed adequate room for semi-trucks to turn around and exit the property onto Hwy 67 as opposed to Valley Drive. **Mehrens opened the floor to public comment.**

Chris Flesher (24496 Valley Dr) addressed the Commission with concerns about traffic, lights, and trash. He stated that he was not opposed to Johnson Oil expanding so long as it happened in the right way. He was largely concerned with a potential increase of heavy truck traffic due to the proposed new diesel pumps. **Lisa Paper (18055 243rd Avenue)** lives directly across from the development. She read a letter to the Commission with concerns about increased traffic and truck traffic on Valley Drive, and blowing garbage from the site. **Art Johnson (owner/applicant)** stated his willingness to be a better neighbor. He also showed an example of a sign he would place at the entrance to Valley Drive which would re-direct heavy truck traffic to Hwy 67. **Keith Hammer (24390 Valley Dr)** spoke against the request. He was concerned with an increase in heavy truck traffic onto Valley Drive and the safety concerns this would cause for residents and other motorists. **Jane Flesher (24496 Valley Dr)** spoke against the request. She was concerned about traffic and diesel fumes.

McDonough presented staff's recommendation for approval with conditions. The conditions addressed combining the lots, compliance with health and building codes, off-street parking, and a requirement that semi-truck traffic be routed back onto Hwy 67 through some combination of re-locating the proposed diesel pump island, providing adequate turnaround space, and signage.

The Commission discussed the request, and concluded they were uncomfortable considering the site plan as currently drawn. **Gibson** addressed Art Johnson stating that he should listen to the concerns of his neighbors related to maintenance of the property. The Commission can't ensure

there is no blowing trash or that the property is aesthetically pleasing, but he can address that issue in the spirit of being a better neighbor.

Rivers made a motion to table the item until the March 17th meeting. Before that time Mr. Johnson shall submit a revised site plan addressing the issue of heavy truck traffic exiting the property relative to the proposed new driveway entrance onto Valley Drive as well the issue of shielding the business and blowing trash from neighboring residential properties to the north through landscaping. **Gibson** seconded the motion.

Vote: All Ayes (4-0)

5. Site Plan Review – Curtis Blaum, Section 7 of Pleasant Valley Township

McDonough presented the case background, showing aerial and site photos of the property. The applicant is petitioning to convert an existing single-family dwelling into a medical office. The property is currently zoned C-2, where a medical office would be considered a permitted use. The current use is legal non-conforming in that new single-family dwellings are not permitted in C-2. Approval of this request would eliminate this non-conformity. **McDonough** explained that 3 off-street parking spaces would be required. The County Engineer expressed no concerns with those spaces being placed between the building and Valley Drive. While the spots would be in the Valley Drive road right-of-way, the same has been acceptable for the Valley Inn next door. The spaces would have to hard-surfaced. **Mehrens opened the floor to public comment.**

Curtis Blaum (owner/applicant) stated that he purchased this property after the Valley Inn. He owns several properties along this stretch of Valley Drive. The property has been a rental for several years, but the time has come to fix it up, and he had been approached by a local chiropractor looking for space to locate. **Keith Hammer (24390 Valley Dr)** spoke positively about the work Blaum has done in the area. He recommended that a 4-way stop be placed at the intersection of Valley Drive and Spencer Road. **Chris and Jane Flesher (24496 Valley Dr)** each spoke. Chris was supportive of the rehab work done by Blaum in the area, and how he has preserved the architecture of the original buildings he has restored. Jane was in support of a 4-way stop being placed at the intersection.

McDonough presented staff's recommendation to approve the request with conditions including paved parking and a reduction in the proposed room addition to meet the required 5 foot side yard setback. The Commission discussed the site plan. **Huey** commented that it is not within the discretion of the Planning Commission to require traffic improvements such as speed limits or stop signs; such changes require an ordinance amendment by the Board upon recommendation from the County Engineer. The Commission may recommend that the issue be explored, but they cannot require such improvements.

Knobbe made a motion to approve the site plan in accordance with staff's recommendation. Rivers seconded the motion. Vote: All Ayes (4-0)

With no further public comments and no other business to discuss, Chairman Mehrens entertained a motion for adjournment. Knobbe motioned, seconded by Rivers, to adjourn. All Ayes. Meeting adjourned at 8:15 P.M.