



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, March 3, 2015
7:00 P.M.**

MEETING MINUTES

1st Floor Board Room
600 W. 4th Street
Davenport, IA 52801

MEMBERS PRESENT: Clayton Lloyd, Gary Mehrens, Carolyn Scheibe, Allan Kluever, Linda Rivers, Tony Knobbe, Lynn Gibson

MEMBERS ABSENT: None

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

OTHERS PRESENT: Liz Tallman – Quad Cities First, Matt Flynn – City of Davenport, 2 members of the public

- 1. Call to Order:** Chairman Lloyd called the meeting to order at 7:00 P.M. **Huey** introduced Liz Tallman and Matt Flynn, and reviewed the meeting agenda. He explained the status of the site plan for Johnson Oil Company that was tabled at the February 17th meeting. Planning staff has met with the property owner and their engineer and the County Engineer to revise the site plan that will be re-considered at the March 17th meeting.
- 2. Zoning Ordinance Work Session:** **Huey** reviewed economic development efforts of the greater Quad Cities region. He reviewed local development sites, including the Eastern Iowa Industrial Center (EIIC) which was developed by the Greater Davenport Redevelopment Corporation (GDRC), and which is located in the City of Davenport near Northwest Boulevard and I-80. The EIIC has "shovel ready" sites with utilities, zoning, and soils ready to accommodate the majority of industrial prospects that may consider locating in the area. The cities of Eldridge and Bettendorf have also prepared for future development. Bettendorf is marketing itself for office/commercial uses, and Eldridge for industrial development. **Huey** showed the future land use map for the region, as compiled by Bi-State. **Matt Flynn** explained Davenport's current process of updating its future land use map. Davenport is defining its urban service boundary, and is attempting to direct development within that area. **Knobbe** asked about other developable parcels in the Quad Cities. **Huey** explained that there are others, but these are the mid to large-sized parcels that can accommodate larger scale projects. **Huey** explained the

purpose of presenting this information is to show that the Quad Cities is relatively well positioned to accommodate the great majority of commercial/industrial prospects that may consider locating in the region. The Comprehensive Plan and Zoning Ordinance amendments that will be discussed later in the meeting are designed to plan for the very rare, very large site industrial prospects that may require an isolated, rural location, and which cannot be accommodated by any of these existing sites within cities.

Huey reviewed the IPSCO steel manufacturing facility which located in Muscatine County in the late 1980's and early 1990's. Following the joint meeting with the Farm Bureau staff has investigated this development as an example of a large site industrial land use in a rural setting. The development required a zoning ordinance text amendment to allow steel mills, a rezoning amendment to change the land to Heavy Industrial, and approval of a tax increment financing package in order to be approved. Neighbors were the main opponents, but no lawsuit was ever filed. Staff discussed the process with two attorneys that represented IPSCO as well as a former county supervisor. After IPSCO developed there were water issues as the development depleted the surrounding groundwater supply. The company received approval from the Army Corps to draw water from the Mississippi River, and paid for the replacement of wells on neighboring properties. **Knobbe** asked if the water level for local wells had returned, and questioned why the company didn't draw water from the Mississippi River in the first place. **Huey** did not know the answers, but speculated that the company didn't want to go through the process with the Corps to get Mississippi water upfront, or didn't think they would be approved.

Huey explained the rationale for the proposed "I" zoning district and the proposed comprehensive plan industrial language amendment. He explained the three-part test used by the courts to determine if a rezoning is illegal spot zoning. He explained the difference between overlay and floating zone concepts, and stated that the "I" Overlay really should be changed to an "I" Floating. **Huey** explained that the proposed "I" District is also intended to accommodate smaller scale businesses that require a more intensive zoning district classification.

Knobbe expressed concern with the subjectivity of the language. **Gibson** expressed the same concern. **Rivers** desired to see any buffering be located on the same land that is being developed, and did not want any farmland with high CSR's able to be rezoned to heavy industrial. **Mehrens** stated that the IPSCO facility was located in Muscatine County, which has much lower CSR values than Scott County. He noted that as population continues to increase farmland is being asked to produce more food with less land. **Gibson** asked at what point farmland would become more valuable as an economic development resource as opposed to its preservation? Property owners have the right to get the maximum dollar for their land. **Rivers** commented that the protection of farmland provides the predictability that such land will not be developed in the future, and this is important. **Scheibe** stated that these proposed changes give the Commission the opportunity to consider large scale economic development opportunities. She also agreed with Gary Mehrens that maybe such opportunities should only be considered on A-G zoned land or marginal A-P zoned land. **Rivers** had a concern that the "I" general intent section mentioned small scale development. **Huey** stated that the general intent section goes on to state that such small scale developments are only intended to be established in existing C-2 commercial areas or on A-G zoned land if appropriate, and are not to be established through the rezoning of A-P land. This is the practice currently for small scale uses requiring a heavy industrial zoning classification. **Cluever** asked how the Commission should determine what

constitutes a "significant" impact. **Huey** responded that it is whatever the majority of Commissioners, and eventually BOS members, determine to be significant. **Rivers** expressed concern that the phrase small scale would allow a wide variety of industrial uses on A-P ground. **Lloyd** suggested that the "I" district could be split into two separate zoning districts, one for small scale, and one for large scale. **Knobbe** expressed concern that the community would lose out on new businesses and jobs if the region is not prepared for commercial and industrial development. **Liz Tallman** explained that the economic development game is such that shovel ready sites are needed, and the region is well-prepared in that regard. However, Orascom highlighted the fact that a development prospect could require a rural location and a large amount of land that exceeds the size and location of any of these current shovel ready sites. In that case, the County needs to be prepared to address such a use. **Lloyd** stated that it may be time to reevaluate the future land use map to see where future commercial/industrial development should be located in the County. **Huey** agreed and stated the map was established in 1998, but has not been holistically reviewed since that time. The Commission could review the map and designate future growth areas as A-G or future Industrial. **Lloyd** recapped the conversation and consensus was reached for staff to rework the "I" District, splitting it into two districts – one for large and one for small scale industrial uses. The Commission would also review the County's Future Land Use Map as part of this process to identify areas appropriate for future development and industrial development.

- 3. Discussion of Park View Letter:** **Huey** reviewed a letter addressed to the Commission from the Park View Owners' Association Board. The PVOA is asking the County to enforce parts of their, now expired, covenants. **Huey** explained that the County does not enforce private home owners association covenants. If such covenants are less restrictive than the Ordinance, then the Ordinance still applies. More often such covenants are more restrictive, but the enforcement of those more restrictive rules is the responsibility of the HOA and not the County. **Scheibe** agreed that the County should not enforce private covenants, but would like to see the Ordinance not allow any junk vehicles in residentially zoned areas. Currently the rules allow for one, but she believed that should be changed to allow none. **Huey** stated that is up to the Commission to recommend such changes to the Board as part of this process. He believed that the County could consider amending the Ordinance as it applies to Park View to disallow farm animals on lots smaller than ½ acre in size and perhaps junk vehicles. This would seem reasonable given the small lot sizes in Park View. **Scheibe** asked if the Ordinance can be changed to not allow permits to be issued that violate more restrictive owners' association covenants. **Huey** said that the Planning and Development Department tries not to issue permits which knowingly violate private covenants, but ultimately they must issue a permit if the project complies with County codes. **Rivers** stated that building code requires a permit must be issued if the project meets local regulations. **The Commission agreed to review a revised letter at the next meeting.**
- 4. April – October Meeting Time .** The Commission briefly discussed the change in meeting time from 7:00 P.M. to 7:30 P.M. for the months of April thru October. There was a consensus that this practice should continue.

With no further public comments and no other business to discuss, Chairman Lloyd adjourned the meeting at 9:15 P.M.