



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

MEETING MINUTES

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

- MEMBERS PRESENT:** Gary Mehrens, Carolyn Scheibe, Allan Kluever, Tony Knobbe
- MEMBERS ABSENT:** Clayton Lloyd, Linda Rivers, Lynn Gibson
- STAFF PRESENT:** Timothy Huey, Planning & Development Director
Brian McDonough, Planning & Development Specialist
- OTHERS PRESENT:** Approximately 20 members of the public including applicants Art Johnson and Bobby/Christine Schilling, as well as their engineer – Dave Meyer

1. **Call to Order:** Gary Mehrens served as chairman in the absence of Commissioner Lloyd and called the meeting to order at 7:00 P.M.
2. **Minutes:** Knobbe made a motion to approve the February 17, 2015 and March 3, 2015 meeting minutes. **Seconded by Scheibe. All Ayes (4-0).**
3. **Site Plan Review – Johnson Oil Company, Section 18 Pleasant Valley Township**

McDonough presented staff's review of the case, and noted that the Commission voted to table the original site plan submitted for this expansion at their February 17, 2015 meeting. At that meeting, neighbors expressed concerns related to additional truck traffic and access to Valley Drive, lights, noise, and blowing trash. Commission members expressed similar concerns and voted to table the item until this meeting, and asked that Mr. Johnson submit a revised site plan addressing these issues. **McDonough** presented the new site plan, which had removed the proposed second access point to Valley Drive, reduced and relocated the proposed diesel pump island and canopy, and added landscaping improvements to shield residential properties to the north. He showed aerial and site photos of the property, and an example of the proposed landscaping shrubs.

Staff paused for any public comments. Chairman Mehrens opened the floor.

Chris Flesher (24496 Valley Drive) stated that the neighbors were pleased with the revised site plan, but had additional changes they would still like to see. **Lisa Paper (18055 243rd Avenue)** read a letter to the Commission regarding continued concerns related to heavy truck traffic exiting onto Valley Drive. She asked that the diesel pump island and canopy be relocated back to the east side of the property where it had been originally proposed. She stated the location would prevent semi-truck traffic from entering the site. She also requested additional landscaping along the north and east property lines and a lighting plan. She asked that the County require a restrictive covenant be filed against the property for these conditions. **Paul Yoga (24498 Valley Drive)** stated that the septic system is not adequate to serve the property, and this expansion would further impair the system. **Keith Hammer (24390 Valley Drive)** stated that he would also like to see the provisions recommended by neighbors enforced through a restrictive covenant required by the County.

Chairman Mehrens asked for staff's recommendation. Huey stated that staff recommends approval with the condition that all parking and circulation areas be installed and paved prior to any final building inspection and that all health and building codes be met. Huey also noted that the Ordinance requires the Commission take action on a site plan within 35 days from its initial consideration, otherwise it is deemed approved. The item has already been tabled four weeks, and therefore if no action was taken at this meeting the item would be approved by way of expiration of the 35 day time limit, prior to the next meeting.

Mehrens asked for any applicant response to the staff recommendation. Art Johnson (applicant/owner) appreciated the neighbor's concerns, and stated that he and his employees work very hard to keep the site clear of trash.

Chris Flesher reiterated the additional improvements that the neighbors hoped would be included in the Commission's decision.

Knobbe made a motion to approve the request in accordance with staff's recommendation. Scheibe seconded the motion. 3 Ayes, 1 Nay (3-1); Kluever was the Nay vote, citing the lack of truck turnaround room on the site.

4. Sketch Plan Review – Major Plat, Section 14 LeClaire Township

Huey reviewed the case and showed aerial and site photos of the property. He explained the site was the former driving range for the next door Olathea Golf Course. The property was previously rezoned from A-G to R-1, and divided off as a plat of survey. Huey explained that staff classified the plat as major due to the need for a road to access the lots. A major plat is any subdivision which creates 5 or more lots or involves a road extension or other public improvements. While only 4 developable lots and one outlot are proposed, the need to construct a road classifies this as a major plat. The difference between a major and minor plat is that a major plat requires storm water, erosion, and road construction plans be submitted and reviewed during a preliminary platting stage. The road would be private, but required to be constructed to County standards if reviewed as a major plat. Huey reviewed the proposed lot and street layout, and discussed drainage, wastewater and water provision, and platting review that would be required by the City of Princeton.

Huey paused for any public comments. Mehrens opened the floor.

Bobby Schilling (applicant) explained the cost difference he would face if this were reviewed as a major plat versus a minor plat. He requested the Commission review this subdivision as a minor plat.

Following questions from the Commission Huey explained why staff made a major plat determination. He showed the proposed road extension, and stated it would need to be several hundred feet in length. He explained it is within the Commission's discretion to approve the Sketch Plan as a minor plat, but then no road construction, erosion or storm water drainage engineering plans would be submitted and reviewed by the County, and no preliminary plat stage would be required.

Beth Peters represented her mother's property at 23050 Great River Road. She stated the property is directly adjacent to the south and east. She expressed concerns related to drainage if this property were to be developed.

Dennis Stolk of Ruhl and Ruhl Reality stated that he represented the sellers and asked for clarification on what all would be required if this were to be reviewed as a minor plat. **Huey** explained that there would be no preliminary plat stage and no engineering reports. While the County Engineer would still review a minor plat and make recommendations, there would be no formal road design.

Christie Schilling (applicant) stated that the crop ground behind the Peters' property would be converted to grass, which should reduce any current runoff.

Beth Peters stated they also had concerns about additional wells that would be put in with new houses. She stated that since Woods and Meadows subdivision was developed the water table has been reduced.

Mehrens asked for staff's recommendation. **Huey** stated that staff recommends approval the Sketch Plan as a major plat with the conditions outlined in the staff report requiring covenants restricting future subdivision of the lots and provisions for maintenance of the common road easement as well as the County Engineer's approval of all drainage, erosion and road construction plans. **Huey** advised the Commission that approval of a sketch plan is essentially a recommendation by the Commission to itself that they would approve any preliminary and final plats. He stated that this is the Commission's opportunity to classify the plat as minor or major and to give the applicant some degree of certainty regarding future plat submittals.

Mehrens asked for any applicant response to the staff recommendation. **Bobby Schilling (applicant)** asked the Commission to consider this a minor plat.

Knobbe asked about the grade of the road. The contours appear that the grade would have to be rather steep in spots. **Huey** stated that the Subdivision Ordinance required a grade at no more than 7%, but there is a provision to exceed that 7% if necessary. It would be up to the applicant and design engineer to submit a road plan. **Dave Meyer (applicant's engineer)** stated

that a road constructed over the natural grade would likely exceed 7% in some areas, but could be reduced in the design.

Kluever asked for some more clarification on the review of the plat as major versus minor. **Huey** stated that the question before the Commission is whether or not they view the proposed subdivision as a minor or major plat. It is staff's determination that the narrow frontage of the lot requires an extensive road be built to access the proposed lots, and therefore staff recommends the plat be reviewed as major. A minor plat is intended to allow for the creation of 4 or fewer lots that front an existing street, and simply creates new lots. The minor plat process does not provide the County the opportunity to review and define the standard to which a road or other new infrastructure shall be built. He reiterated it is within the Commission's discretion to classify this as a minor plat, but cautioned that if they chose to do so, they should not make mention of a road or have conditions relating to a road because a minor plat by definition is reviewed as a plat not requiring such infrastructure.

Knobbe asked how the outlot would be used. **The Schillings** stated it would be kept as open space. **Huey** stated that outlots by definition don't retain a development right, and any final plat would be required to note it as such.

Dennis Stolk noted the uniqueness of this request. He stated that if for a subdivision to be reviewed as a minor plat it simply needs frontage onto an existing street, that this lot does front Hwy 67. He noted that one of the lots would already have access via that frontage, so really the road would only serve 3 lots.

Bill Hanford (Geneseo, IL) asked if the recommended covenants could be required for a minor plat the same as a major.

Commissioner Scheibe stated that she would not vote for this to be reviewed as a minor plat. The extensive road required to access the proposed lots furthest north on the property makes this a major plat.

Kluever made a motion to approve the Sketch Plan as a major plat in accordance with staff's recommendation. Mehrens seconded the motion. All Ayes (4-0)

With no further public comments and no other business to discuss, Chairman Mehrens adjourned the meeting at 8:15 P.M.