



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION**

**Tuesday, April 7, 2015
7:30 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:** Approximately 10 members of the public including applicant Bill Gronewold, Supervisor Diane Holst, and Brian Dockery (Riverstone Group, Eldridge City Councilman)

1. **Call to Order:** Clayton Lloyd called the meeting to order at 7:30 P.M.
2. **Minutes:** Knobbe made a motion to approve the March 17, 2015 meeting minutes. **Seconded by Scheibe. All Ayes (6-0).** Commissioner Gibson arrived shortly after approval of minutes.
3. **Sketch Plan Review – Bill Gronewold, Section 21 of Winfield Township**

Huey reviewed the case, showing aerial and site photos. He explained the request was a minor plat to divide an existing 10 acre parcel into two new lots, being approximately 1 acre and 9 acres respectively. The one acre parcel would contain the existing house and accessory building on the property, while the 9 acre parcel would create a development right for a single-family dwelling due to the property's R-1 zoning. The property is located on a gravel road, but is only a few hundred feet south of St. Ann's Road/290th Street which is a paved County road.

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

Bill Gronewold (applicant) spoke in favor of the request. He stated that he recently purchased the property, and planned to live in the existing house until he could build a new house on the proposed 9 acre lot. He stated that he has lived in this area his entire life, growing up across the street.

Bill Gronewold (applicant's father – 28980 140th Avenue) spoke in favor of the request. He said another home would increase the County's tax base, and did not see how this would cause any negative issues.

Brian Dockery (Gronewold family friend) spoke in favor of the request. He stated the property is already zoned for residential development, and is large enough to accommodate one additional house.

Cluever asked if any of the property is tillable farm ground. **Gronewold** answered that approximately 4 of the 9 acres is currently farmed.

Knobbe asked if there would be a separate or shared driveway. **Gronewold** stated that would be decided at the time the house was built.

Mehrens asked if the owner would continue to live at the property. **Gronewold** stated he would continue to live in the existing house, with plans to eventually construct a new house on the proposed new lot for his growing family. He also stated he is making improvements to the existing house.

Joe Gross (14225 290th Street) spoke against the request with concerns over storm water drainage. He presented letters from neighbors in opposition.

Rick Wit (south of property) asked to present subdivision covenants, and stated that the covenants for the area prevented any re-subdivision of lots. He asked if every landowner could subdivide their lot, and if this action is setting a precedent. **Lloyd** stated that the County and Commission do not enforce private home owner covenants, and also added that depending upon their age and renewal they may be expired. He also stated that any property owner can request to subdivide their lot. **Huey** added that the County can require covenants as a condition of approval at the time of a land use change, such as preventing future re-subdivisions, but such covenants are different than private home owner covenants. He also reiterated Lloyd's comment that any property owner could request a subdivision. He stated that had the applicant asked to create several more lots, the recommendation by staff may have been very different. He replied this may set a precedent that the few other owners in the area with large, residentially zoned lots could also create one additional development right through approval of a similar minor plat.

Ron Gent (no address given) stated concerns with storm water drainage. He said he had no objections to the request itself, but only desired that the neighbors cooperate to address drainage issues.

Ray Bodeing (28893 140th Avenue) stated his objection to the construction of a new house at the back of the property as it would block his view to the east.

Bill Gronewold (applicant's father – 28980 140th Avenue) spoke further about drainage in the area, and pointed out the natural flow of water. **Joe Gross (14225 290th Street)** also spoke

further about storm water drainage. He was concerned with additional runoff generated by a new buildable site.

Chairman Lloyd asked for staff's recommendation. Huey stated that staff recommends approval with the conditions that any future subdivision of the property not be allowed, and also that an Ag nuisance waiver accompany the recording of the plat.

There was no applicant or public response to the staff recommendation.

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

Vote: 5 Ayes, 2 Nays (5-2) – Kluever and Mehrens voted against stating they believed approval would set a precedent for future requests.

Zoning Ordinance Review and Update Work Session

Huey reviewed the Comprehensive Plan and Zoning Ordinance amendments. Staff was asked to draft two separate industrial zoning districts following the last meeting. **Huey** explained that the uses are the same for each, but that the proposed Industrial Floating Zone "I-F" is developed to accommodate those rare, large-scale industrial uses which have significant economic impacts. He explained that the proposed amendments to the Comprehensive Plan create the rationale for the development and intent of the "I-F" zone. **Huey** reviewed the Comprehensive Plan amendments.

Rivers did not think the Commission was going to be considering Comprehensive Plan amendments. **Mehrens** agreed. **Gibson** disagreed stating the Commission had directed staff to prepare these changes for consideration. She stressed that the Comprehensive Plan needs to be in accordance with the Zoning Ordinance, and stated that she agrees with what staff has presented. **Knobbe** agreed as well and stated that the Commission is not deciding between economic development and Ag preservation, but needs to find a balance between the two.

Huey stated if it is the consensus of the commission to not consider an "I-F" zone for large-scale industrial developments, then staff will not continue on that road. He was under the impression the Commission had given staff direction to do so.

Lloyd stated that this language allows the Commission to discuss large-scale industrial proposals and does not obligate them to approve any particular request. **Scheibe, Gibson, and Knobbe** stated approval with the language, as did **Lloyd**. **Mehrens** asked at what point an economic development opportunity outweighs the protection of prime Ag ground. **Huey** stated that is a judgement call and is up to the commission and elected officials to determine during a specific proposal, and explained that the County's land use policies are considered in their totality, not just based upon one criterion.

The Commission reached a consensus to move forward with draft changes to the Comprehensive Plan and Zoning Ordinance to allow for the creation of an Industrial Floating Zone. (Mehrens, Rivers, and Kluever were opposed to making such amendments).

Lloyd suggested minor grammatical changes to the proposed Comprehensive Plan amendments, none of which changed the intent of any section. **The Commission reached a consensus approving the changes.**

Huey went over the proposed "I" and "I-F" districts in greater detail. **Lloyd** questioned the phrase "best practical means" in the first required condition in the "I" district. Staff suggested using "most effective." **Huey** stated the word practical does have a cost-benefit or economic aspect that may not be desirable. **Brian Dockery** suggested using "reasonable." **The Commission reached consensus on the change to "reasonable."** **Huey** reviewed the "I-F" district. **Lloyd** questioned E.2 and E.7. He did not think aquifer recharge areas should be included, because of their size. Such a requirement could prevent any big water user. He wanted the Commission to rethink #7 requiring that property values not be diminished or impaired. He said they should be considered, but that any large-scale industrial use could certainly diminish or impair such values. **Brian Dockery** commented that potential impacts upon property values are difficult to determine and would be a difficult condition for the planning commission to administer. Staff would give this some more thought.

Discussion of Response to Park View Owners' Association and Farm Bureau

Lloyd asked that it be made clear in both letters that the responses represent a consensus of the entire Planning Commission. Regarding the Farm Bureau letter, **Lloyd** also commented that it be made clear that the change in name of the proposed industrial district from overlay back to floating is a matter of terminology, and does not represent any larger change to the district's intent. **Lloyd** also asked that both letters include a short "next steps" section. **The Commission reached consensus on these changes.**

Huey suggested the Planning Commission hold a series of public input meetings once the remaining sections of the Ordinance are reviewed, and prior to any final public hearings that would precede the Commission's recommendations being forwarded to the Board of Supervisors. **The Commission reached a consensus to release both letters.**

Huey thanked Brian Dockery for attending meeting and adding comments.

Supervisor Diane Holst commented on the proposed Comprehensive Plan amendments. She questioned the requirement that "appropriate technical documents be submitted." She asked how decision makers would know when an appropriate amount of information was present to make a decision. She asked if there was a limit to when the Commission or Board had to make a decision on an application. **Huey** thought there was no time limit on either the Planning Commission or the Board to consider a rezoning request, but he would confirm that and get back to Diane. He also stated that it is up to the individual Commissioners and Board members to determine when they need more information and when they have enough to base a decision. He did note that the current development climate is very competitive, especially for larger projects, and that companies want shovel-ready sites, and a predictable review process. Communities that can't offer that would likely not be seriously considered at all.

With no further public comments and no other business to discuss, Chairman Lloyd adjourned the meeting at 9:45 P.M.