



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, October 18, 2016
7:00 P.M.**

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

MEMBERS PRESENT: Clayton Lloyd, Marsha Findlay, Lynn Gibson, Tony Knobbe, Carolyn Scheibe, Hans Schneklloth

MEMBERS ABSENT: Daniel Portes

STAFF PRESENT: Timothy Huey, Planning & Development Director
Alan Sabat, Planning & Development Specialist

OTHERS PRESENT: Michael Coffman (applicant), Marijo Anderson (applicant), Scott County Supervisor Diane Holst, and nine (9) members of the public

1. **Call to Order:** Chairman Lloyd called the meeting to order at 7:00 P.M.
2. **Minutes:** Consideration of October 4, 2016 meeting minutes. **Schneklloth made a motion to approve. Seconded by Knobbe. Vote: All Ayes (6-0)**
3. **Rezoning Public Hearing:** Chairman Lloyd called on staff to review a rezoning request from Michael Coffman to rezone a 1.57-acre portion of a parcel in Section 27 of LeClaire Township from Agricultural-General (A-G) to Single-Family Residential (R-1). **Huey** described the applicant's intention to construct a single-family dwelling on the portion to be rezoned, noting that the property's location between the cities of Princeton and LeClaire is near clusters of both recent and established residential development. **Huey** also noted that the Planning and Zoning Commission considered a Preliminary Subdivision Plat on the east side of 277th Avenue in the past, which never came to fruition. **Huey** presented aerial and zoning maps as well as site photos before outlining the criteria for considering rezoning requests described in the Revised Land Use Policies.

Huey responded to each criterion: The property is shown on the Future Land Use Map as an appropriate place future residential development; The parcel as a whole may not be considered



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“prime” farmland, but it is not marginal or poor agricultural land; The property has access to an adequately-constructed, paved County road; The property is larger than .69 acre, so there’s adequate space for private water and sewer; The property is between Princeton and LeClaire with access to employment centers and commercial areas, and one single-family dwelling is not encouraging sprawl; The one single-family dwelling is not likely to disrupt existing agricultural activities; The area has stable environmental resources, which is why residential and agricultural activities have been established; The development would be sufficiently buffered from less intensive land uses given the remaining A-G zoning of the rest of the property; And there has historically been a desire for residential development in this area of the County.

Chairman Lloyd welcomed the applicant to speak. **Michael Coffman** explained that he was purchasing the entire farm parcel, which had an average CSR of 56.

Schnekloth asked whether the remaining farmland was rented. **Coffman** responded that it is leased at the moment, but he hopes to one day farm it himself.

Chairman Lloyd opened the public hearing. **Michael Gravert** (21704 Mc Carty Creek Drive), who lives immediately south of the larger farm parcel in Haessler’s 5th Addition, described the storm water runoff problems that began when the current property owners took ownership. **Gravert** expressed concern that developing the land would worsen the problems. **Coffman** assured the Commission that he would review the tenant farmer’s storm water management practices. In light of Gravert’s concern, **Chairman Lloyd** asked if Coffman had considered the future sewer system. **Coffman** responded that the placement of the septic system would be approved by the County Health Department.

Chairman Lloyd questioned why Coffman planned to build so far from the nearby residential development. **Coffman** said he intended to build his single-family dwelling “on the hill,” so that the views of the farmland aren’t blocked.

Schnekloth asked whether the farmland was leased to the previous owners. **Coffman** responded no, and that the current tenant would continue to lease.

Chairman Lloyd asked for staff’s recommendation. **Huey** responded to the drainage issues by stating that farm drainage is exempt from County regulations, so Coffman should consult with the Natural Resources Conservation Service (NRCS) and the Farm Service Agency (FSA). **Huey** said, should a subdivision be proposed for the remaining farm acreage in the future, storm water drainage would be addressed. **Huey** recommended the rezoning from A-G to R-1 be approved based on its compliance with a preponderance of the criteria for the Revised Land-Use Policies.

Chairman Lloyd welcomed the Commission to act. **Knobbe moved to recommend approval of the rezoning request to the Board of Supervisors. Seconded by Scheibe. Vote: All Ayes (6-0)**



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4. **Rezoning Public Hearing: Chairman Lloyd** called on staff to review a rezoning request from Paul and Marijo Anderson to rezone 350 acres, more or less, in Sections 10 and 11 of Princeton Township from Agricultural-Preservation (A-P) to Agricultural-General (A-G). **Huey** presented aerial and zoning maps and went into detail about the zoning nearby: The land to the north is within the City of Princeton's jurisdiction and is zoned for agricultural use. The River Highlands residential subdivision to the south is zoned R-1. A portion of the applicants' property is currently zoned A-G and another portion R-1, which was a result of the County's original geography-based zoning delineations. The property is adjacent to the Mississippi River to the east and land zoned A-P to the west.

Huey reviewed site photos and aerial images provided by the applicant, which showed rolling hills and portions of timberland. **Huey** noted that the River Highlands subdivision has road Right of Way platted at points on its north and south boundaries, the north of which abuts the applicants' land. **Huey** explained that property zoned A-P cannot be rezoned directly to development zones, so rezoning from A-P to A-G is a logical step to prepare for future development. However, **Huey** said, rezoning to A-G does not allow any non-agricultural development in itself.

Huey responded to each criterion for considering rezoning requests described in the Revised Land Use Policies: The property is not shown on the Future Land Use Map with any designation given its A-P zoning and proximity to Princeton; The soil composition isn't marginal or poor, but the topography and seasonal flooding of the creeks presents production limitations; The property has one access point off of Great River Road/Highway 67, which would be very limiting to any development, especially since no more than fifty single-family dwellings can be built in a subdivision with a single entrance/exit; Any development must comply with State and County health regulations for private wells and on-site wastewater treatment unless sewer is extended; The property is directly adjacent to the city limits of the City of Princeton, which has employment centers and commercial areas. And since rezoning the property to A-G does not allow any non-agricultural development in itself, there's no concern of urban sprawl at this stage; The rezoning would allow existing agricultural activities on the property and nearby to continue without disruption; Any environmental instability would be attributed to erosion from the steeper slopes and seasonal flooding of Bud Creek, but the existing agricultural activities on the property indicates that the environmental resources are stable enough to continue such activities; Since this request does not propose land uses that are more intensive than agricultural, the surrounding agricultural land uses should be able to continue without buffering; And in terms of need for development, this rezoning will not, by itself, enable any development of this property. The change to A-G zoning will allow the existing agricultural activities to continue, but will also create a holding zone until a compatible urban development proposal is approved through special use permits or rezoning.

Chairman Lloyd welcomed the applicant to speak. **Marijo Anderson** explained that the property had belonged to the Anderson family since the 1960's and that, while her and her



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husband don't have a definitive plan for the future of it, she feels the property is attractive and she'd like the rezoning to create a holding zone for future development.

Chairman Lloyd asked Anderson whether the family planned to offer the property to others for development, or if they planned on developing it themselves. **Anderson** responded that either way, she loved the property and wanted the exact right use for it. **Anderson** explained that the property was assessed six years ago and noted that its elevation is exceptionally high overlooking the Mississippi River. **Anderson** said her family was holding out for the best.

Chairman Lloyd referred to the assessment, asking whether the Orascom fertilizer plant approached them. **Anderson** responded yes, but the company sought other opportunities. **Anderson** said that access to freshwater from the Mississippi River was attractive to them. **Chairman Lloyd** asked if the family was given an offer from the company, which **Anderson** responded no, that the family only listened.

Gibson asked who was farming the land currently, which **Anderson** responded the family was and would continue.

Schekloth asked whether Anderson foresaw a non-agricultural land use in the future, which **Anderson** responded probably since there were past plans to develop the eastern fifty acres.

Knobbe brought forward an advertisement for the property from Central Iowa Power Cooperative that he obtained through the Quad Cities Chamber and asked whether there had been activity. **Anderson** stated that she was unaware of the advertisement and that there had not been activity as a result from it.

Gibson stated that with what had been presented by staff and the applicant, she felt the land was not ideal for development. **Knobbe** suggested that the views may attract residential development. **Gibson** responded regardless, it would take a special buyer.

Chairman Lloyd opened the public hearing. **Kathryn Hall** (27630 235th Avenue), who lives immediately south of the applicants' property, expressed concerns about the effects future development will have on the creeks on her property that flow to the Anderson's land. The Commission and Huey explained that any proposed future development will undergo a thorough review process that will consider storm water management practices.

Scott County Supervisor Diane Holst brought up the proposal to extend the electric utilities known as the "Rock Island clean lines" on or near the applicants' property. **Anderson** responded that she was aware of a MidAmerican utility easement. **Gibson** asked whether utility easements would need to be negotiated between the Anderson's and the utility companies, which **Huey** responded he wasn't aware there was an easement on the applicants' property. **Supervisor Holst** asked how big the MidAmerican easement was, which



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Anderson responded she was not sure. **Schnekloth** added that he had not been approached by a utility company to create easements on his farm in approximately a year.

Chairman Lloyd asked Huey to expand on the River Highlands subdivision road Rights of Way. **Huey** explained that he received calls from residents of River Highlands and the homeowners' association with concerns about future development utilizing the Rights of Way to expand the road network, which would cause an increase in traffic within the subdivision. **Huey** stated that the Subdivision Ordinance indicates preference for networks of roads within and entering and exiting new development instead of having one way in and one way out. **Chairman Lloyd** asked whether the Rights of Way were defined pieces of property for private or public Right of Way, which **Huey** responded that ultimately even privately-maintained streets are dedicated to the public. **Chairman Lloyd** asked if the owner of the Rights of Way could declare them as not public. **Huey** said the answer was not firm, but there are examples in the County where the owners were required to allow construction of a public road.

Schnekloth expressed his hesitation in recommending approval of the rezoning request, describing that he felt the request did not meet at least four of the criteria from the Land Use Policies. **Schnekloth** said he understood that rezoning to A-G would not initiate development, but that development is clearly the intention for the future, so he has kept that in mind when considering the criteria.

Knobbe asked Huey to define "urban sprawl." **Huey** said he would describe it as development that is not adjacent to established development.

Chairman Lloyd asked for staff's recommendation. **Huey** recommended that the rezoning from A-P to A-G be approved based on its compliance with a preponderance of the criteria for the Revised Land-Use Policies. **Anderson** stated her support of the recommendation.

Gibson moved to recommend approval of the rezoning request to the Board of Supervisors. Seconded by Findlay.

Chairman Lloyd said this request struck him mostly because of the magnitude, and because approval would position the land to be developed. He said that he liked that the property abutted the city limits of Princeton, but he also pointed out that the southern edge of Princeton is completely undeveloped. He expressed that it was difficult for him to support development on the vast western portion of the property since there's some development surrounding the eastern portion and preserved agricultural land in every other direction. He said while this request makes him more comfortable to have future discussions about development, he would feel less uncomfortable if the western portion was not included in the rezoning. **Huey** said the Commission had the authority to approve rezoning less land area than what was being requested. **Gibson** stated that she felt it was not the Commission's place to modify the request.



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Scheibe said that she too had some concerns given the scale of the rezoning and asked if, given its proximity to Princeton, annexation into Princeton would be required. **Huey** said it would not be required, but Princeton would certainly be approached. **Scheibe** asked if Princeton would retain the A-G designation if it were annexed after rezoning, which **Huey** responded no. **Scheibe** then asked if that meant the land could be developed after annexing into Princeton, which **Huey** responded yes.

Gibson stated that her mind was eased after hearing from Anderson and Huey, and that she felt she would be comfortable reviewing development proposals in the future.

Chairman Lloyd welcomed the Commission to vote on Gibson's motion and Findlay's second to recommend approval of the rezoning to the Board of Supervisors. Vote: Approval (5-1, with Schnekloth dissenting)

5. **Other Business:** **Findlay** announced that she submitted her resignation from the Commission to the Board of Supervisors and thanked the Commission for the experience.

Chairman Lloyd brought up the idea of revisiting the Future Land Use map as discussed at the Annual Joint Meeting on October 4, 2016, asking Huey how the Commission should proceed. **Huey** said after the holiday season, it would be ideal to have work-study sessions and public hearings, and to carefully consider the areas on the Future Land Use map that are shown as appropriate for future development that have not been developed. **Huey** said he felt the Future Land Use map wasn't broken, but that it's been a while since it's been reconsidered.

6. **Adjournment:** **With no further comments and no other business to discuss, Chairman Lloyd adjourned the meeting at 8:14 P.M.**