



**SCOTT COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, November 16, 2021
5:00 P.M.**

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

MEMBERS PRESENT: Easton Armstrong, Joan Maxwell, Steve Piatak, Lori Rochau, Carolyn Scheibe, Hans Schneklath, Kurt Steward

MEMBERS ABSENT: None

STAFF PRESENT: Chris Mathias, Planning & Development Director
Alan Sabat, Planning & Development Specialist
Bailey Van Hoe, Senior Office Assistant

OTHERS PRESENT: Joe Smith, applicant
Audrey Claussen, lighting ordinance petitioner
Supervisor John Maxwell

1. **Call to Order:** Chair Scheibe called the meeting to order at 5:17 P.M.
2. **Minutes:** Consideration of September 7, 2021 meeting minutes. **Armstrong made a motion to approve. Seconded by Schneklath. Vote: All Ayes (7-0)**
3. **Final Plat – Minor Subdivision:** Chair Scheibe introduced the request and welcomed Mathias to explain the case. Mathias presented location maps and the proposed plat, describing the configuration of the existing buildings and property lines. Mathias said the plat would correct conformance issues, in that one of the existing lots currently has two (2) dwellings instead of the one (1) allowed by the Zoning Ordinance. Mathias said the septic systems were in place for the existing dwellings and that all dwellings are on a shared well. Mathias said the plat would not alter development patterns in the vicinity and that no new access driveways were needed or proposed. Mathias also noted the City of Bettendorf had extra-jurisdictional review rights and that the plat would be considered by Bettendorf's city council. Mathias finished by saying staff would recommend approval of the proposed plat.

Chair Scheibe welcomed the applicant to respond. Joe Smith said he recently purchased the property a few years ago, and he's now attempting to deal with the nonconforming dwellings.

Chair Scheibe opened the public hearing. No members of the public spoke for or against the request.

Chair Scheibe asked the Commission for comment.

Maxwell asked whether the existing dwellings on proposed Lots 2 and 3 were rented out. **Smith** confirmed they were. **Maxwell** asked whether proposed Lot 1 would be a buildable lot. **Mathias** said a house was constructed in 2017.

Schnekloth made a motion to approve the final plat in accordance with staff's recommendation. Seconded by Armstrong. Vote: 7-0, All Ayes

4. **Final Plat – Minor Subdivision:** **Chair Scheibe** introduced the request and welcomed **Mathias** to explain the case. **Mathias** said the Commission had favorably considered a rezoning of the property from A-G to R-1 in January 2021, which created the development right for one (1) single-family dwelling. The current proposal would split the single-family dwelling with two (2) acres from the 35-acre tract (Lot 1), creating a 33-acre second lot (Lot 2). **Mathias** said Lot 2 would have a development right for one single-family dwelling, but the current intention is to further subdivide Lot 2 at a later date. **Mathias** said the Future Land Use Map showed the property as appropriate for residential development, so staff recommended approval of the proposed plat.

The applicants were not present for comment. **Chair Scheibe** opened the public hearing. No members of the public spoke for or against the request. **Chair Scheibe** welcomed the Commission to respond.

Maxwell asked for the size of proposed Lot 1, which **Mathias** said was 2.123 acres. **Mathias** also added that the plat would be reviewed by the City of Long Grove for extra-jurisdictional review.

Steward asked for clarification whether proposed Lot 2 was eligible for future subdivision after this plat is recorded, which **Mathias** said it would be given its size and R-1 zoning.

Maxwell asked whether the Board of Supervisors were able to put a limit on the number of lots or houses in a potential subdivision of proposed Lot 2. **Mathias** said that could be part of their consideration when approving or denying any proposed Final Plat.

Schnekloth asked for clarification that one additional house could be constructed on proposed Lot 2 if the plat is approved. **Mathias** confirmed.

Maxwell made a motion to approve the final plat in accordance with staff's recommendation. Seconded by **Armstrong**. Vote: 7-0, All Ayes

5. **Discussion of Lighting Regulations:** **Mathias** said other cities and counties have lighting ordinances that apply to their commercial areas. **Mathias** proposed any commercial property that has to undergo a Site Plan Review by the Commission also include a lighting plan in their application. **Mathias** said minimal lighting standards for commercial and institutional properties would make it easier for staff to deal with complaints.

Maxwell said focusing only on properties undergoing Site Plan Review would not address incremental lighting upgrades and changes on all commercial properties broadly. **Mathias** said the lighting ordinance could be a standalone item in the code, and not part of Site Plan Review.

Chair Scheibe asked Mathias if staff planned to continue research and return to the Commission with proposed Ordinance language. **Mathias** asked the Commission to clarify whether members wanted a standalone ordinance or just additional regulations for Site Plan Review. **Chair Scheibe** asked the Commission to respond.

Maxwell said it may be best to start with regulations for Site Plan Review for now. **Armstrong** agreed.

Rochau asked how staff would handle all the lighting upgrades that have taken place and will take place before the ordinance language is passed. **Mathias** said all changes before the ordinance language was adopted would be considered grandfathered.

Maxwell said there were lingering questions about which lighting elements would be allowed and prohibited, and provided the example of flickering and flashing lights: What if the flickering or flashing was a lighting maintenance issue – Is that considered “prohibited?” Maxwell also said non-Site Plan Review lighting changes or upgrades should be addressed somehow.

Chair Scheibe directed staff to continue moving forward on proposed ordinance language.

6. **Discussion of Utility-Scale Renewable Energy Regulations:** **Mathias** said he didn’t have any new information to present from Alliant Energy on their intentions for a utility-scale solar project in the County. **Mathias** said the next step would be for staff to prepare a draft ordinance.

Maxwell referenced the Alliant Energy project manager who spoke to the Commission last meeting, specifically the implication that utility-scale energy project could not locate within cities “because it limits the expansion/development of the cities where they are located.” **Maxwell** said she can see an abundance of usable space within urban areas – Especially in cities like Davenport where there are abandoned or underutilized industrial buildings, expansive parking lots, and commercial rooftops. **Maxwell** said energy companies are simply seeking the easy route, which is to build new in a tilled field. **Maxwell** said she believed enough agricultural land has already been taken out of commission in the County, and there are more creative ways to accomplish what they want to.

Armstrong said he felt that the Alliant Energy project manager had no interest in the areas of the County with CSR ratings under 60, the map of which Mathias presented at the last meeting. **Chair Scheibe** and **Maxwell** reiterated that Alliant is openly seeking a site near their existing infrastructure in the name of cost-saving. **Scheibe** said she thought it was possible for the Commission to find a restrictive ordinance using the CSR map to prohibit development in areas over 60 CSR. **Armstrong, Maxwell, and Piatak** vocalized support.

Maxwell reminded the Commission that the regulations could apply to other proposed utility-scale renewable energy projects. The Commission briefly discussed other renewable energy production means.

Chair Scheibe asked **Mathias** if staff had enough direction to move forward with drafting ordinance language, to which he said yes.

Maxwell asked how the County could direct Alliant to pursue parking lots and other areas within city limits. **Mathias** said the County didn't have authority over what cities should and should not allow within city limits.

Armstrong said more regulations addressing decommissioning utility-scale energy facilities would need to be included as well.

Chair Scheibe welcomed the public to comment, specifically and apologetically to Audrey Claussen who was in attendance for Item 5. **Claussen** stated she was appreciative that the Commission was still considering lighting regulations, and lamented that they were not in place sooner.

7. **Other Business:** **Chair Scheibe** asked Mathias for information on future agenda items. **Mathias** said the Commission might expect a Site Plan Review request for a commercial property in Park View. **Scheibe** notified Mathias that junk vehicles in the Park View-Commercial (CAD-PVC) district were accumulating.
8. **Adjournment:** **With no further comments and no other business to discuss, Chair Scheibe adjourned the meeting at 6:10 P.M.**