



**SCOTT COUNTY  
PLANNING AND ZONING COMMISSION  
Tuesday, March 21, 2023  
5:30 P.M.**

**MEETING MINUTES**

1<sup>st</sup> Floor Board Room  
600 West 4<sup>th</sup> Street  
Davenport, IA 52801

- MEMBERS PRESENT:** Steve Piatak, Lori Rochau, Carolyn Scheibe, Hans Schnekloth, Kurt Steward
- MEMBERS ABSENT:** Easton Armstrong, Joan Maxwell
- STAFF PRESENT:** Chris Mathias, Planning & Development Director  
Alan Silas, Planning & Development Specialist
- OTHERS PRESENT:** Rily and Ardita Grunwald, applicants  
Seven (7) members of the public

1. **Call to Order:** Chair Scheibe called the meeting to order at 5:30 P.M.
2. **Election of 2023 Officers:** Piatak nominated Scheibe for 2023 Chair. Vote: All Ayes (5-0)  
Rochau nominated Piatak for 2023 Vice Chair. Vote: All Ayes (5-0)
3. **Minutes:** Consideration of December 20, 2022 meeting minutes. Piatak made a motion to approve. Seconded by Steward. Vote: All Ayes (5-0)
4. **Minutes:** Consideration of Joint Meeting (January 17, 2023) minutes. Schnekloth made a motion to approve. Seconded by Steward. Vote: All Ayes (5-0)
5. **Public Hearing, Ordinance Text Amendment:** Mathias began by acknowledging that the applicants' specific proposal including location was featured in an article in the *North Scott Press*, but that this text amendment would affect all Conservation-Recreation (C-R) zoned land in general and that site-specific analysis needed to be set aside for the time being.

Mathias then detailed what the applicants were proposing and what staff was willing to recommend approval of. Two amendments were proposed by the applicant: the first to add a definition for "Snow Tubing Facility" in the Definitions section of the Ordinance; the second to add

“Snow Tubing Facility” to the (currently empty) list of Special Permitted Uses in the C-R District regulations.

The definition for “Snow Tubing Facility” proposed by the applicants would read, “A private park facility generally used for the recreational activity of sliding downhill over snow on a large inflated inner tube. Private snow tubing operations shall take advantage of natural topography, with minimal grading to provide appropriate slopes. Snow tubing operations may include: mechanical uphill surface-type person transportation system; a building to house pumps, snow-making and maintenance equipment and inner tube storage; a warming area with restrooms and concessions; a scale-appropriate parking lot; and water detention lake. Most snow tubing operations shall require approval from the Iowa Department of Natural Resources prior to construction and operation.”

**Mathias** said staff recommended approval of the addition of the definition for “Snow Tubing Facility” to the Definitions section of the Ordinance with the following modifications:

“Private snow tubing operations shall take advantage of natural topography, with minimal grading to provide appropriate slopes.” **Mathias** said staff recommends revising to read, “Private snow tubing operations shall take advantage of natural topography to provide appropriate slopes and shall not require significant grading.” Since the spirit and intent of the C-R district is to utilize and enjoy natural areas by leaving them in a mostly natural state, Staff feels “shall not require significant grading” is more appropriate and may be interpreted as more restrictive than “with minimal grading.” “Shall” is usually interpreted as obligatory or mandatory.

“...mechanical uphill surface-type person transportation system...” **Mathias** said staff recommends changing this to “...mechanical uphill surface transportation utilizing an uphill tow style or conveyor style system” The key word here is surface as the lift will not be in the air but will use the ground surface for support. Users of the lift will be on the ground being towed up the hill in a tube, or they will be standing on a conveyor holding a tube.

“...a warming area...” **Mathias** said staff recommends adding the definition of “Snow Tube Facility Concession/Warming Area” as detailed later.

“...a scale-appropriate parking lot...” **Mathias** said the parking lot should be as small as possible to accommodate the use and the lot should not be of a hard surface to be more compatible with sensitive environmental areas. ADA requirements may affect the hard surface requirement.

Along with these revisions, **Mathias** said staff recommends the addition of the definition of “Snow Tube Facility Concession/Warming Area” to the Definitions section of the ordinance, be added as follows:

“An enclosed building, limited to 720 square feet, containing restroom facilities, a warming area limited to space for changing clothes or preparation for snow tubing, and a concession area limited to the sale of pre-prepared foods with no food preparation that requires an oven, hood or grease trap.”

**Chair Scheibe** welcomed the applicants to respond.

**Rily Grunwald** said they were comfortable with the edits staff recommends, with the exception of the 720 square foot limitation for the Snow Tube Facility Concession/Warming Area. **Ardita Grunwald** said they felt it would be better to evaluate and approve building size when the site plan is reviewed during the Special Use Permit process. **Both** said they would rather not have to go through another text amendment process if the business succeeds and they want or need to expand to a size that's greater than 720 square feet.

**Chair Scheibe** opened the public hearing.

**Larry Matzen (24689 Scott Park Road)** spoke in favor of the request and agreed that the 720 square foot limitation should be removed.

**Chair Scheibe** asked whether staff had anything additional to add before the Commission began a discussion. **Mathias** reiterated that staff recommended a limitation of 720 square feet for the Snow Tube Facility Concession/Warming Area.

**Piatak** asked if the Snow Tubing Facility were to be successful, and they want to continue to expand and eventually have a restaurant, event center, or other similar use, what part of the zoning process would they need to undergo to get approval? **Mathias** said a restaurant, event center, or any other use would need to undergo the same text amendment procedure the applicants are doing now for the Snow Tubing Facility: each new use would need to be amended into the Special Permitted Use section for the C-R zoning district.

**Piatak, Rily Grunwald,** and **Mathias** had an exchange about the relative size of 720 square feet and what could practically fit within that space. **Ardita Grunwald** reiterated that they did not want to have a specific threshold for square footage. **Chair Scheibe** responded that she wanted a specific square footage limitation. **Chair Scheibe, Schnekloth,** and the **applicants** had an exchange over how much indoor space is really needed for an outdoor-focused land use like snow tubing.

**Piatak** asked the applicants for an exact size of Snow Tube Facility Concession/Warming Area they'd like to build. **Rily Grunwald** estimated 3,000 square feet. **Mathias** said staff would not recommend approval of a Snow Tube Facility Concession/Warming Area that large.

**Chair Scheibe** suggested a limitation of 1,200 square feet, which **Mathias** said staff would recommend approval of.

**Schnekloth** said he was supportive of the idea but didn't feel like much indoor space was required to have a successful Snow Tubing Facility. **Rochau** disagreed, saying as a grandparent, she would need an indoor space to supervise her grandkids. **Piatak** said he was supportive of a 1,200 square foot limitation, but could envision some of the property eventually being commercial in nature and requiring rezoning if they continue to expand.

**Schnekloth made a motion to recommend approval of the text amendment to add "Snow Tubing Facility" to the list of definitions in accordance with staff's recommendation. Seconded by Rochau. Vote: 5-0, All Ayes**

**Piatak made a motion to recommend approval of the text amendment to add "Snow Tubing Facility Concession/Warming Area" to the list of definitions in accordance with staff's**

recommendation, but with a square footage limitation of 1,200 square feet. Seconded by Schnekloth. Vote: 5-0, All Ayes

Rochau made a motion to recommend approval of the text amendment to add “Snow Tubing Facility” to the list of Special Permitted Uses in the Conservation-Recreation (C-R) Zoning District in accordance with staff’s recommendation. Seconded by Steward. Vote: 5-0, All Ayes

6. **Discussion, Ordinance Text Amendment:** The Commission agreed with staff’s proposal to double the minimum allowable lot size in the Single-Family Residential (R-1) Zoning District, which would result in a new minimum lot size of 60,000 square feet. The Commission directed staff to schedule a public hearing at an upcoming meeting.

While not a public hearing, **Chair Scheibe** welcomed the public to respond. No members of the public spoke for or against the proposal.

7. **Discussion, Ordinance Text Amendment:** The Commission mostly agreed with staff’s proposals on Accessory Dwelling Units, and directed staff to revisit the recommendation for the size limitations for detached units. As proposed by staff, detached Accessory Dwelling Units may not exceed the total habitable ground floor area of the principal dwelling – The Commission proposed that detached Accessory Dwelling Units may not exceed a certain percentage of the total ground floor habitable area of the principal dwelling. The Commission directed staff to schedule a public hearing at an upcoming meeting.

While not a public hearing, **Chair Scheibe** welcomed the public to respond.

**Jill Grunwald (409 South Schultz Drive, Long Grove)** asked whether an existing primary dwelling could become an accessory dwelling unit, which would allow the property owner to build a larger dwelling unit to become the new primary dwelling. **Mathias** said, as currently proposed, that would be permitted.

**Matzen** said he owned a 2-story home, so the square footage limitation for the accessory dwelling units being based on ground floor square footage didn’t reflect the size of his house.

8. **Discussion, Ordinance Text Amendment:** The Commission directed staff to draft ordinance text for hazardous liquid pipelines and pipelines that carry carbon dioxide.

While not a public hearing, **Chair Scheibe** welcomed the public to respond.

**Mary Kay Pence (20642 270<sup>th</sup> Street), Eileen Dexter (14510 250<sup>th</sup> Street), and Brian Klever (512 West Mulberry Lane, Long Grove),** all expressed concerns over the pipeline route proposed by Wolf Carbon Solutions, as well as the nature of the pipeline itself.

9. **Adjournment:** With no further business to discuss, **Chair Scheibe** adjourned the meeting at 6:59 P.M.