



PLANNING & ZONING COMMISSION

STAFF REPORT

September 19, 2023



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**Applicant:** VTJ Properties LLC, submitted by Townsend Engineering

**Request:** Site Plan approval for a commercial outdoor storage use

**Legal Description:** Two tracts totaling 4.74 acres, more or less, located on Lots 14-20 of Blessing Acres in part of the E½ of the NW¼ of Section 1 Buffalo Township (Parcel #s: 7201011152, 720101120)

**General Location:** 13991 110<sup>th</sup> Avenue

**Existing Zoning:** Commercial-Light Industrial (C-2)

**Surrounding Zoning:**

- North:** State Highway 61 / Single-Family Residential (R-1)
- South:** Commercial-Light Industrial (C-2)
- East:** Commercial-Light Industrial (C-2)
- West:** Commercial-Light Industrial (C-2)

**GENERAL COMMENTS & STAFF REVIEW:** In accordance with Section 6-31 of the Scott County Zoning Ordinance, approval of a site plan is required by the Planning and Zoning Commission for new developments, substantial improvements to existing developments, as well as change in use or re-occupancy of existing developments. A site plan review affords the Commission the chance to ensure that minimum County development standards are met.

A public meeting was held on a proposal for this site in December 2022. The Planning and Zoning Commission voted to deny the proposal “without prejudice,” which effectively signals that the request was denied temporarily rather than definitively, often meaning more information or testimony was being sought to make a decision. The Commission cited the need for clarification on the storm water management planning. After extensive communication with County Planning and Engineering staff regarding storm water management planning, the applicants believe they have reached solutions to address the Commission’s request.

First note: The initial site plan provided to the Commission on September 1, 2023 has undergone several revisions by County request. The significant changes between the initial site plan and the one provided with this staff report are as follows:



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1. The existing pavement around the existing indoor storage buildings as well as proposed riprap north of the pavement has been removed from the Highway 61 right-of-way.
2. The proposed fence located in the northwest corner of the property has been removed from the Highway 61 right-of-way.
3. The proposed detention pond east of the indoor storage buildings has been removed.
4. Riprap leading from the main storage areas to the existing detention pond has been added.
5. Riprap at two locations adjacent to the east part of the parking area has been added.
6. A drainage pipe within the drainage easement associated with the existing detention pond has been added.

#### **Land Use**

In the current proposal, the applicant states the proposed use would be the addition of an outdoor self-storage lot to an existing indoor storage facility that includes two buildings. The existing concrete surrounding the indoor storage buildings, both of which are 5,500 square feet in size, is 31,692 SF. The buildings are located on the in the northwest corner of the lot. Directly east, the applicant is proposing to construct an outdoor self-storage lot, totaling 83,937 square feet or 1.927 acres. The lot would include 47 angled outdoor self-storage spaces and six (6) parking spaces for visitors. All proposed uses in the site plan are permitted in the Commercial-Light Industrial (C-2) Zoning District.

#### **Access and Roadways**

The proposed development site is accessed by 110<sup>th</sup> Avenue on the west side of the lot. The entrance to the facility is near the existing storage buildings and traffic would be routed to the south of those buildings. A traffic circulation pattern for the facility has been included on the site plan.

A 30' ingress/egress (access) easement was platted in 1972 on the initial plat for Blessing Acres along the southern boundary of the west half of the property to provide access to the property adjacent to the south (Parcel #720101001). The applicant will be responsible for allowing that property owner both permanent access to and usage of that easement, especially if that property is developed. The proposed screening fence along the southern boundary of the property appears to obstruct access, so staff has requested the fence be removed from the plans, at least along the property line the two properties share. If an updated site plan removing the fence is not submitted by the meeting, staff will recommend its removal as a condition of approval.



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The County Engineer commented: According to the proposed grading plan, a drainage ditch is proposed for construction within the ingress/egress easement along a portion of the southern border of the project site. If the property owner has responsibility to share costs in providing a road, private lane, or driveway within the area of this easement, this should be considered in regards to the proposed finish grading within the easement.

A roadway easement was also initially platted with access to 110<sup>th</sup> Avenue along the northern boundary of the property and curved southward to provide an access road to Lots 15-20 of Blessing Acres (The entire subject property, Lots 14-20, was eventually replatted and consolidated into two parcels). Since the plat was recorded, Highway 61 obtained the east-west portion of the easement along the northern boundary of the property, leaving a remnant of the portion that curved southward, which provided access to former Lots 19 and 20.

Since the easement remnant would need to connect directly to State Highway 61 instead of 110<sup>th</sup> Avenue as was intended at the initial plat, staff made contact with the Iowa Department of Transportation (IDOT) to determine if a future roadway in this location would even be permitted given the current intersections nearby. IDOT indicated that they would need to see a specific proposal to make a determination, but approval would be unlikely. If IDOT would not allow a roadway here, then according to the County Auditor's office, this easement would effectively be vacated and the applicant would be able to place a fence, vehicle, or other obstructions in it. In the event IDOT approved a roadway, the applicants would be liable for allowing usage of the platted easement and would be required to remove all temporary and permanent obstructions. Should the applicants develop that portion of the site, they do so at their own risk.

#### **Off-Street Parking**

In reviewing the off-street parking requirements of Sec 6-27, this specific use is not listed. All of the uses listed have occupancy or square footage that drives the number of parking spaces required. Because this use is not proposing any new buildings and there is no interior space to consider occupancy requirements, the six (6) visitor parking spaces provided should be enough. One of those spaces will need to be a handicap-accessible parking stall in compliance with ADA standards and SUDAS Design Standard 8C-1. The applicant will need to submit a revised plan sheet detailing this parking stall with the appropriate signing and pavement markings.



The County off-street parking regulations also require that all parking and circulation areas be hard surfaced, and that all required parking stalls, including handicap-accessible stall(s), be striped. The applicant is proposing using asphalt millings instead of the hard surfaced paving requirement in the Code. The request to vary from hard surfaced paving requirements is actually done by Special Use Permit in the Code. Therefore, the applicant will need to obtain a Special Use Permit from the Zoning Board of Adjustment in order to use asphalt millings as opposed to a hard surface.

The County Engineer recommended the following approval conditions for the Special Use Permit, which will be included in the staff report to the Zoning Board of Adjustment:

1. If the property owner chooses to surface the lot with a flexible or rigid pavement in the future, they will be required to submit the plan set for review and approval prior to construction.
2. If the property owner chooses to re-develop the site, the county will have the authority to evaluate the re-development proposal in regards to the parking lot surfacing material and may require the parking lot to be surfaced with a flexible or rigid pavement at that time.

#### **Screening, Landscaping, and Lighting**

The regulations for outdoor storage land uses require screening from adjacent roadways and residences, as well as landscaping as deemed appropriate by the Planning and Zoning Commission. The applicant is proposing a six-foot privacy fence to achieve the screening requirement. While the required setback from Highway 61 and 110<sup>th</sup> Avenue is 50' for privacy fencing in this zoning district, the applicant plans to pursue a Special Use Permit with the Zoning Board of Adjustment to allow a 10' setback for the fence along Highway 61 and a 20' setback along 110<sup>th</sup> Avenue. There are no adjacent residences to provide screening for.

No landscaping is shown currently on the site plan. While interior landscaped islands may not be necessary or appropriate with this style of development, staff will recommend the installation of landscaping near the entrance and/or around the perimeter of the site adjacent to the roadways.

The applicants do not intend to install new lighting, so the project is not subject to the lighting standards of Section 6-31.

#### **Storm Water Management**

Regulations require all internal impervious surfaces to be adequately drained and controlled on-site with detention facilities sufficient to capture the post-development



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runoff of a 24-hour, one hundred (100) year storm. Additionally, the release rate of storm water out of the detention facility shall be restricted so as not to exceed the volume produced by a five (5) year storm when measured at the pre-developed flow rates.

The applicant and County staff have had extensive contact since December 2022 to come to a viable option to manage storm water on site. Ultimately the applicant intends to utilize and expand the existing detention pond on site, and utilize the platted drainage easement running southeasterly from the pond by installing a drainage pipe to extend to the ravine on the south-adjacent property (Parcel #720101001). Therefore, storm water from on site will no longer be diverted to the existing culvert to the east of the property. Only storm water from off site will be conveyed through the existing culvert.

According to the memo prepared by the County Engineer, which will be provided in full to the Commission along with this report, there are four (4) documents that will need to be submitted, reviewed, and approved before construction begins:

1. Final hydraulic calculations for the detention pond.
2. Detailed drawing of the detention pond outlet pipe, including details in the plan set regarding how the outlet pipe will reconstructed if it is not sized appropriately or deteriorated and in need of replacement.
3. Storm water management plan detailing how storm water will be managed during reconstruction of the pond. Both water from the construction site and water that is entering the pond from the crossroad culvert under 110<sup>th</sup> Avenue.
4. A copy of the National Pollutant Discharge Elimination System (NPDES) permit and Pollution Prevention Plan.

The County Engineer indicated she felt comfortable enough with the current proposal to forward the application to the Planning and Zoning Commission. She will be present at the meeting to provide any needed clarification or to answer any questions.

#### **Other Entities Notified and Public Comment**

The County Engineer has provided a staff memo on the Site Plan Review. Her comments were included in the appropriate sections in this report, but the full memo is also being provided and entered into the record.

The Scott County Health Department commented that “as long as there are no buildings that require water or plumbing, we would have no issues with the proposal.”



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Since no new structures are being proposed, the Scott County Building Inspector did not provide comment.

Property owners within 500' of the subject property were sent a legal notice and agenda for the meeting. Staff has not, as of yet, received any calls or comments.

**RECOMMENDATION:** Staff recommends that the Site Plan be approved for the proposed outdoor commercial storage with the following conditions:

1. The County Engineer review and approve the four (4) documents listed in the Storm Water Management section prior to the start of construction.
2. The applicant submit a revised plan sheet detailing the ADA-accessible parking stall with the appropriate signing and pavement markings.
3. The applicant add landscaping near the entrance of the site and/or along the perimeter of the site adjacent to the roadways.
4. (If not revised and submitted prior to the meeting) the Site Plan be revised to remove the privacy fence along the property line shared with the south-adjacent property (Parcel #720101001)
5. Any significant changes to or expansion of this proposed use, or the construction of additional buildings, undergo another Site Plan Review before the Planning and Zoning Commission.
6. The Commission accept the pending decision of the Zoning Board of Adjustment on the Special Use Permit request regarding the fence location. Hearing date September 27, 2023.
7. The Commission accept the pending decision of the Zoning Board of Adjustment on the Special Use Permit request regarding paving requirements. Hearing date September 27, 2023.

Submitted by:  
Alan Silas, Planning & Development Specialist  
September 15, 2023