

PLANNING & DEVELOPMENT

500 West Fourth Street
Davenport, Iowa 52801-1106

Office: (563) 326-8643 Fax: (563) 326-8257



Planning@scottcountyiowa.com

Timothy Huey
Director

To: Dee Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: May 15, 2012

Re: A request by Jeff Smid to rezone 1.17 acres more or less from Commercial Light Industrial (C-2) to Heavy Manufacturing District (M) located at 17100 215th Street, Lot 6 of North Brady Industrial Park, Section 25, Sheridan Township.

The Planning Commission with a 5 Aye 2 Nay (Lloyd, Rivers) vote recommended approval of the rezoning in accordance with staff's recommendation based on their determination that the request met a preponderance of the criteria of the land use policies and was based on their determination that the request met a preponderance of the criteria of the land use policies. This request is to allow a damaged vehicle salvage operation to be conducted in this location in order to sell salvaged and used vehicle parts. The property has been developed with commercial uses for over twenty years, is located on adequately constructed paved roads, and has public water but no sewer service. There is no buffering between this property and adjacent residential uses and this would be addressed through the Special Use Permit process by the Zoning Board of Adjustment.

There were four adjacent property owners present that had questions and concerns with the impact that dismantling and salvage business would have on their quality of life and their property values.

Planning Commission recommendation: The Planning Commission recommends approval with the request to rezone 1.17 acres (more or less) from Commercial Light Industrial (C-2) to Heavy Manufacturing District (M) based on its compliance with a preponderance of the criteria of the Revised land use policies.





PLANNING & ZONING COMMISSION

STAFF REPORT

May 1, 2012



Applicant: Jeff Smid

Request: Rezone 1.17 acres more or less from Commercial Light Industrial (C-2) to Heavy Manufacturing District (M)

Legal Description: Lot 6 of North Brady Industrial Park, Section 25, Sheridan Township

General Location: 17100 215th Street

Zoning: Commercial Light Industrial (C-2)

Surrounding Zoning:

- North:** Commercial Light Industrial (C-2)
- South:** Commercial Light Industrial (C-2)
- East:** Residential Multi Family (R-2)
- West:** Commercial Light Industrial (C-2)

GENERAL COMMENTS: This request is submitted to rezone a 1.17 acre parcel on the east side of 215th Street in the North Brady Industrial Park in the Mt. Joy area. The applicant currently stores damaged vehicles that he acquires, inventories the salvageable parts at another location in Mt Joy at 21251 North Brady Street before shipping the vehicles to the salvage yard he operates in the City of Iowa Falls in Hardin County. He is now proposing to dismantle and salvage parts within the existing building at this location. Currently at his existing location in Mt Joy he is restricted from any salvage or dismantling but merely inventorying damaged vehicles and selling parts that have been salvaged at his Iowa Falls location. If this rezoning is approved the applicant would also require approval of a Special Use Permit by the Zoning Board of Adjustment prior to the initiation of a damaged auto salvage operation.

STAFF REVIEW: This request is to allow a damaged vehicle salvage operation to be conducted in this location in conjunction with the sale of used and salvaged vehicle parts operated nearby in Mt. Joy. The previous rezoning from C-2 to M of the building on North Brady Street was approved to allow a vehicle parts recycler's license to be issued at that location in order to sell salvaged and used vehicle parts. The Scott County Zoning Ordinance allows the sale of used or salvaged parts with approval of special use permit in a Heavy Manufacturing (M) zoning district. As stated above, that rezoning was approved with a prohibition of any auto dismantling or parts salvaging at this location. It also required that the outdoor storage of damaged vehicles and salvaged parts be entirely screened from all adjacent properties.



PLANNING & ZONING COMMISSION

STAFF REPORT

May 1, 2012



The applicant is now proposing to seek rezoning of the current property to allow his dismantling and salvage operation to be conducted within the existing building on the site and to also store damaged vehicles and salvaged parts in a screen yard on the property. He would propose to limit all salvage operations to be conducted within the building by his employees. There would be no "pick and pull" of salvaged parts in the storage yard by employees or customers. And again, as stated above, if this rezoning is approved the applicant would also require approval of a Special Use Permit by the Zoning Board of Adjustment prior to the initiation of a damaged auto salvage operation.

In general, the Scott County Land Use Policies encourage development to locate within cities, however the guidelines for reviewing development proposals in rural areas are:

Is the development in compliance with the adopted Future Land Use Map

The adopted Future Land Use Map does not anticipate or designate this area for any land use changes. However the Future Land Use Map was not intended to identify areas to be rezoned within developed areas such as Mt. Joy. Therefore this criterion is less applicable in this case.

Is the development on marginal or poor agricultural land?

The property has been developed with commercial uses for over twenty years; therefore this criterion also does not apply in this case.

Does the proposed development have access to adequately constructed paved roads?

215th Street provides the primary access to the west side of this property. It is two lanes wide in this location. It ends in a cul de sac turn around to the west of this property and is maintained by the County Secondary Roads Department.

Does the proposed development have adequate provision for public or private sewer and water services?

There is public water serving this property, however; there is no sewer service. Wastewater treatment is handled by an on-site septic system.

Is the area near existing employment centers, commercial areas and does not encourage urban sprawl?

This property is located in Mt. Joy, an existing developed area of the County with a number of businesses and residences located in the vicinity.

Is proposed development located where it is least disruptive to existing agricultural activities?

As stated above this an existing developed commercial and residential area and there is no agricultural activity in the vicinity.



PLANNING & ZONING COMMISSION

STAFF REPORT

May 1, 2012



Is the proposed development sufficiently buffered from other less intensive land uses?

There is no buffering between this property and the adjacent residential uses. The adjacent residential single wide mobile homes to the east are zoned R-2. The adjacent surrounding property is zoned C-2 and developed with a light industrial use.

Is there a recognized need for such development?

Vehicle and equipment salvage and used parts operations are generally difficult to locate because they require Heavy Industrial zoning and due to the intense uses allowed in Heavy Industrial, there are very limited areas zoned for those uses.

In addition to the conditions for development as noted above, proposed industries may be required to meet the following conditions, as appropriate for the specific proposal:

In an area where industries are located.

The Mt. Joy area is a mixture of commercial, light industrial and residential uses. It was originally developed as the commercial strip along the main highway entering Davenport from the north. As such there are many incompatible uses that current zoning tries to avoid in newly developing areas. As stated above, there are a number of light industrial uses in the vicinity as well as some grandfathered heavy industrial uses.

Have adequate access to roads, rails, and airport.

This request would meet this criterion.

In an area removed or adequately buffered from residential development

Screening would be required as a condition of the Special Use Permit. The Special Use Permit could also place a condition that would limit the dismantling of vehicles on the property to be conducted entirely within the building. Staff would also recommend a limit on the amount of outdoor storage area be made a condition of the rezoning.

Existing industrial uses, that meet a preponderance of these policies, may be maintained, expanded, and/or redeveloped.

The land use policies appear to provide for applications such as this to allow consideration of the redevelopment of existing industrial zones.

The Health Department notes that the current building on this site has a septic system that was installed in 1974. They state that if water use in this building is increased or a new facility is going to be built, a new system may be required. The Health Department also notes that care must also be taken to keep the area of the existing system protected from heavy equipment.

The County Engineer did not have any comments or concerns with this request.



PLANNING & ZONING COMMISSION

STAFF REPORT

May 1, 2012



Staff has mailed notification to the adjacent property owners within five hundred feet (500') of this property of this hearing. A sign has also been placed on the property stating the date and time this request would be heard by the Planning and Zoning Commission. Staff has one call with objections to this request. The caller followed up with a letter stating her objections to this request.

RECOMMENDATION: Staff recommends that the rezoning of this property from Commercial-Light Industrial (C-2) to Heavy Manufacturing (M) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies with the condition that parts salvage and vehicle dismantling be permitted but be conducted only within the enclosed building and all outdoor storage be screened with a solid fence a minimum of ten feet in height.

Submitted by:
Timothy Huey, Director
April 27, 2012