

**PLANNING & DEVELOPMENT**

500 West Fourth Street  
Davenport, Iowa 52801-1106  
E-mail: [planning@scottcountyiaowa.com](mailto:planning@scottcountyiaowa.com)  
Office: (563) 326-8643 Fax: (563) 326-8257



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Timothy Huey  
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: April 21, 2020

**Re: Approval of six (6) month extension of Planning and Zoning Commission's recommendation for approval of the Final Plat of Brus Commercial Park 2<sup>nd</sup> Addition.**

The Planning Commission unanimously recommended approval of the Final Plat of Brus Commercial Park Second Addition on February 18, 2020 with the following conditions:

1. The septic system for development on Lot 1 be located on that same lot in compliance with Health Department regulations; and
2. Documentation of a recorded and legally binding shared access agreement be submitted prior to Final Plat approval by the Board of Supervisors.

The applicant has requested this extension to allow issues between the applicant and the seller to be resolved.

Staff would recommend that the Board of Supervisors approve a resolution extending the Planning and Zoning Commission's recommendation an additional six (6) months in order to accommodate the applicant's request.

# **FINAL PLAT– MINOR PLAT**

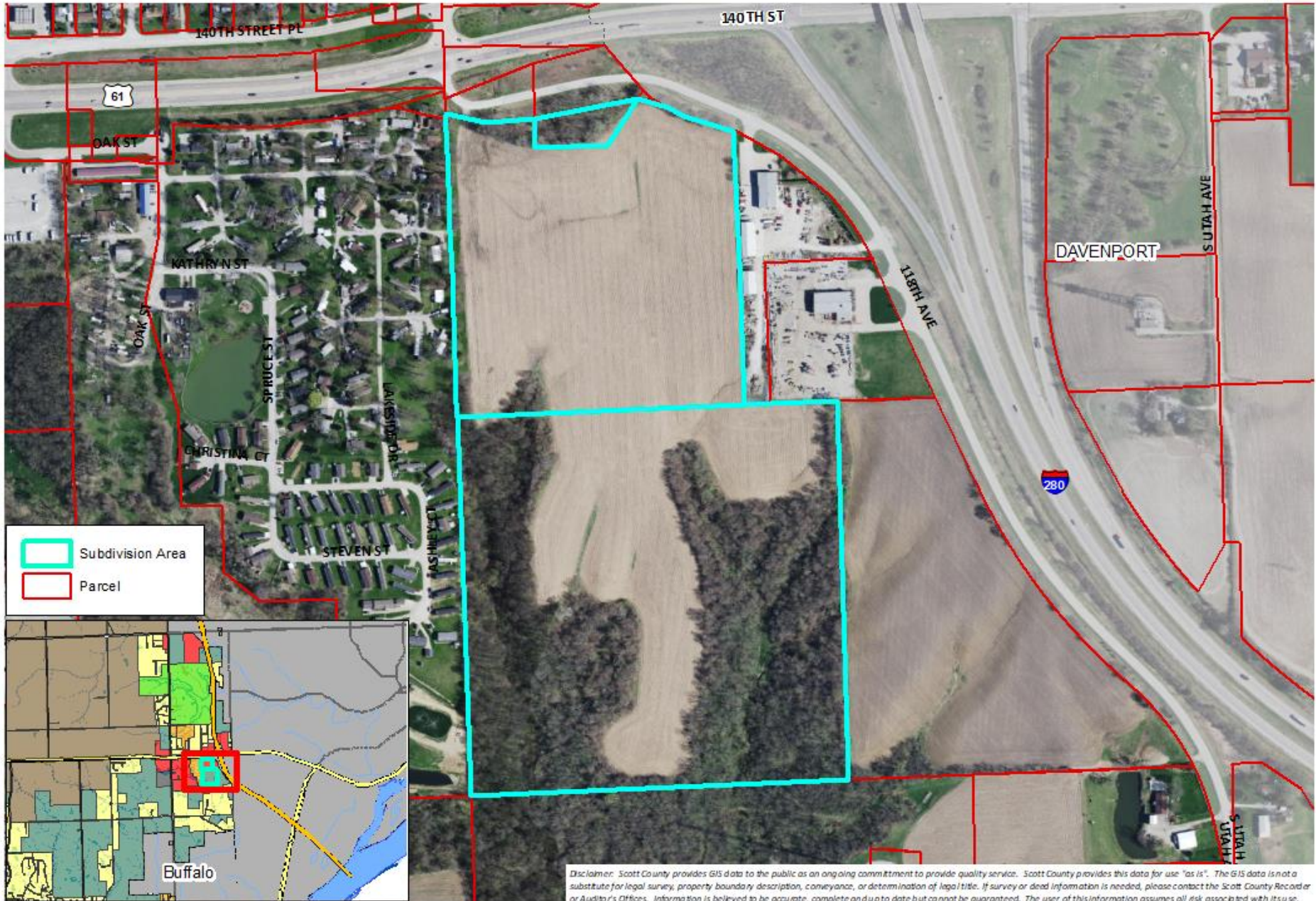
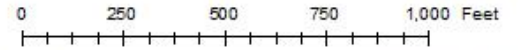
- **Applicant:** Brus Farms (owner); Kwik Trip, Inc. (purchaser)
- **Request:** Sketch Plan of a Minor Subdivision known as Brus Farms Commercial Park 2<sup>nd</sup> Addition. The plan proposes to subdivide an existing 62.8 acre tract, more or less, into two (2) new lots.
- **Legal Description:** Part of the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 1 in Buffalo Township (Parcel ID#: 720105010; 720105011)
- **General Location:** South of US-61 and accessed via 118<sup>th</sup> Avenue; west of I-280
- **Existing Zoning:** Commercial-Light Industrial (C-2) / Agricultural-General (A-G)
  
- **Surrounding Zoning:**
  - **North:** Commercial-Light Industrial (C-2)
  - **South:** Agricultural-General (A-G)
  - **East:** Commercial-Light Industrial (C-2)
  - **West:** Multi-Family Residential (R-2)



# Location – Brus Farms Commercial Park 2<sup>nd</sup> Addition Final Plat

Scott County, Iowa

1 inch = 417 feet



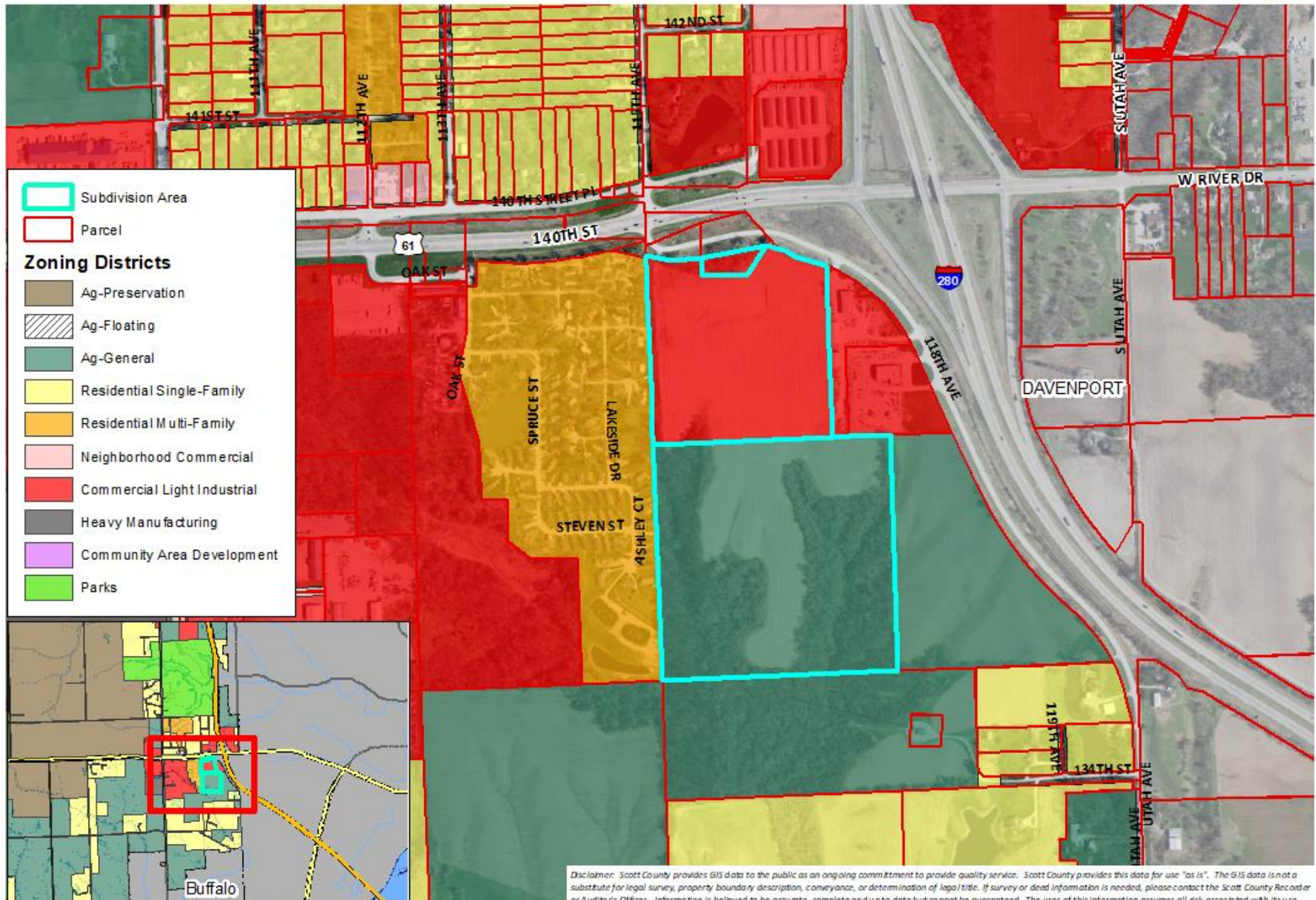
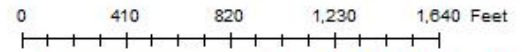
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# Zoning – Brus Farms Commercial Park 2<sup>nd</sup> Addition Final Plat

Scott County, Iowa

1 inch = 667 feet

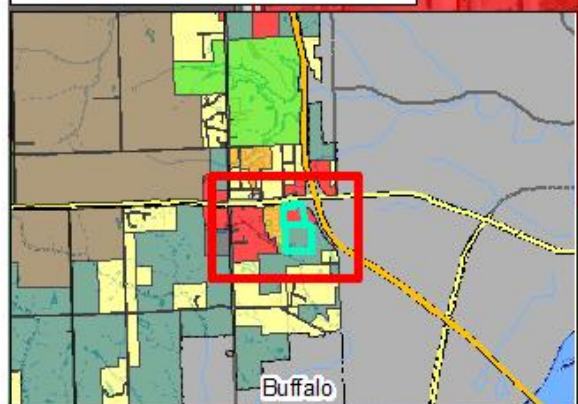


**Legend**

- Subdivision Area
- Parcel

**Zoning Districts**

- Ag-Preservation
- Ag-Floating
- Ag-General
- Residential Single-Family
- Residential Multi-Family
- Neighborhood Commercial
- Commercial Light Industrial
- Heavy Manufacturing
- Community Area Development
- Parks



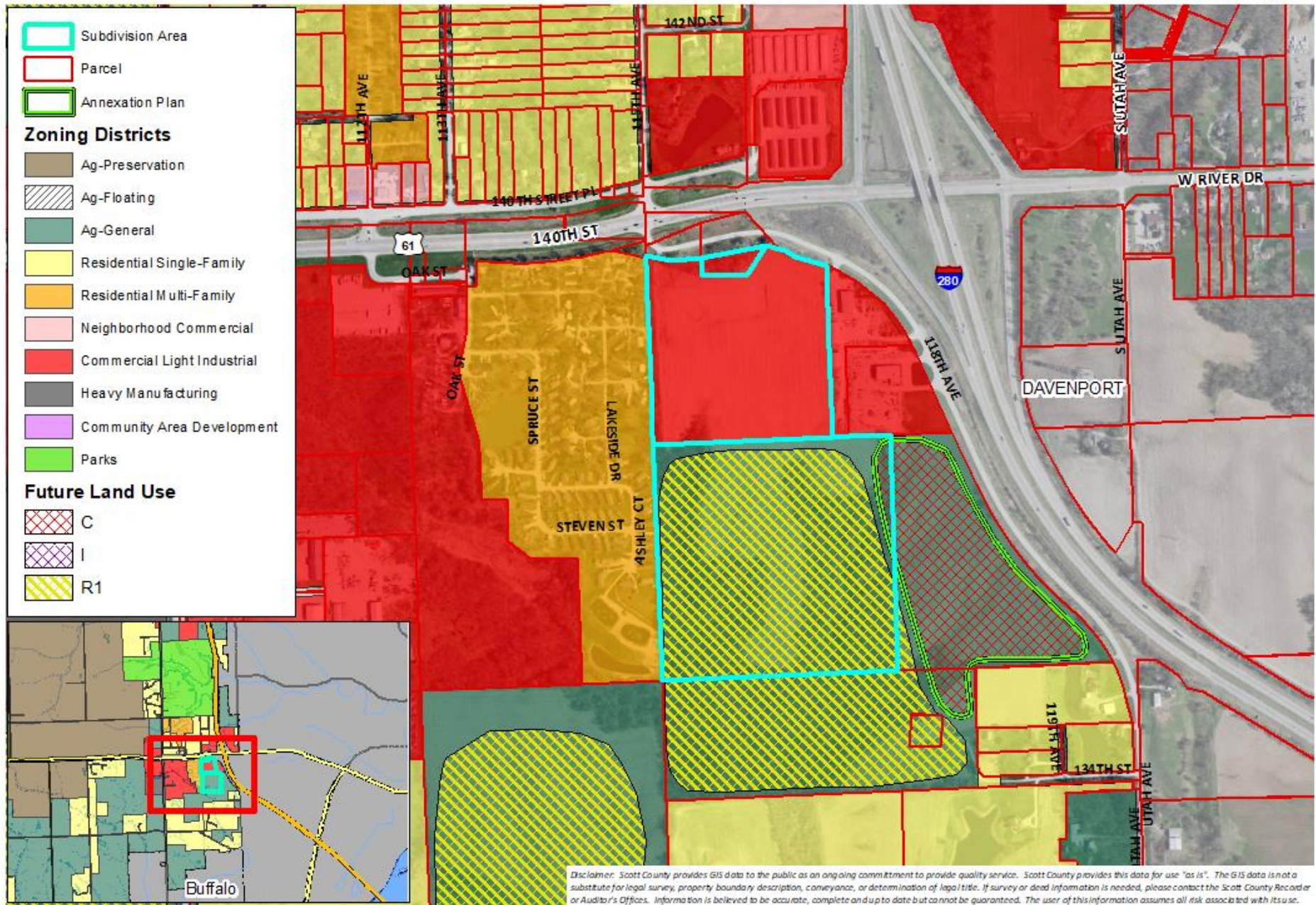
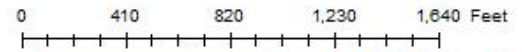
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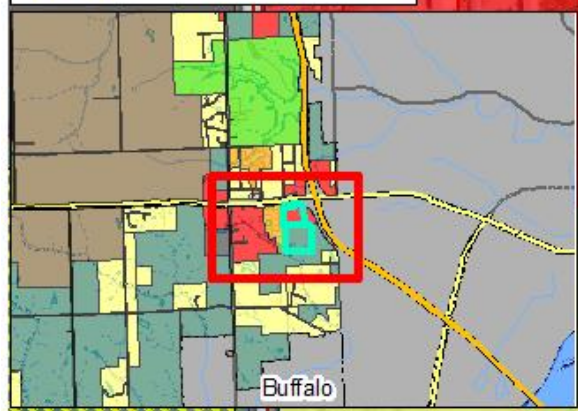
# Future Land Use – Brus Farms Commercial Park 2<sup>nd</sup> Addition Final Plat

Scott County, Iowa

1 inch = 667 feet



- Subdivision Area
  - Parcel
  - Annexation Plan
- Zoning Districts**
- Ag-Preservation
  - Ag-Floating
  - Ag-General
  - Residential Single-Family
  - Residential Multi-Family
  - Neighborhood Commercial
  - Commercial Light Industrial
  - Heavy Manufacturing
  - Community Area Development
  - Parks
- Future Land Use**
- C
  - I
  - R1



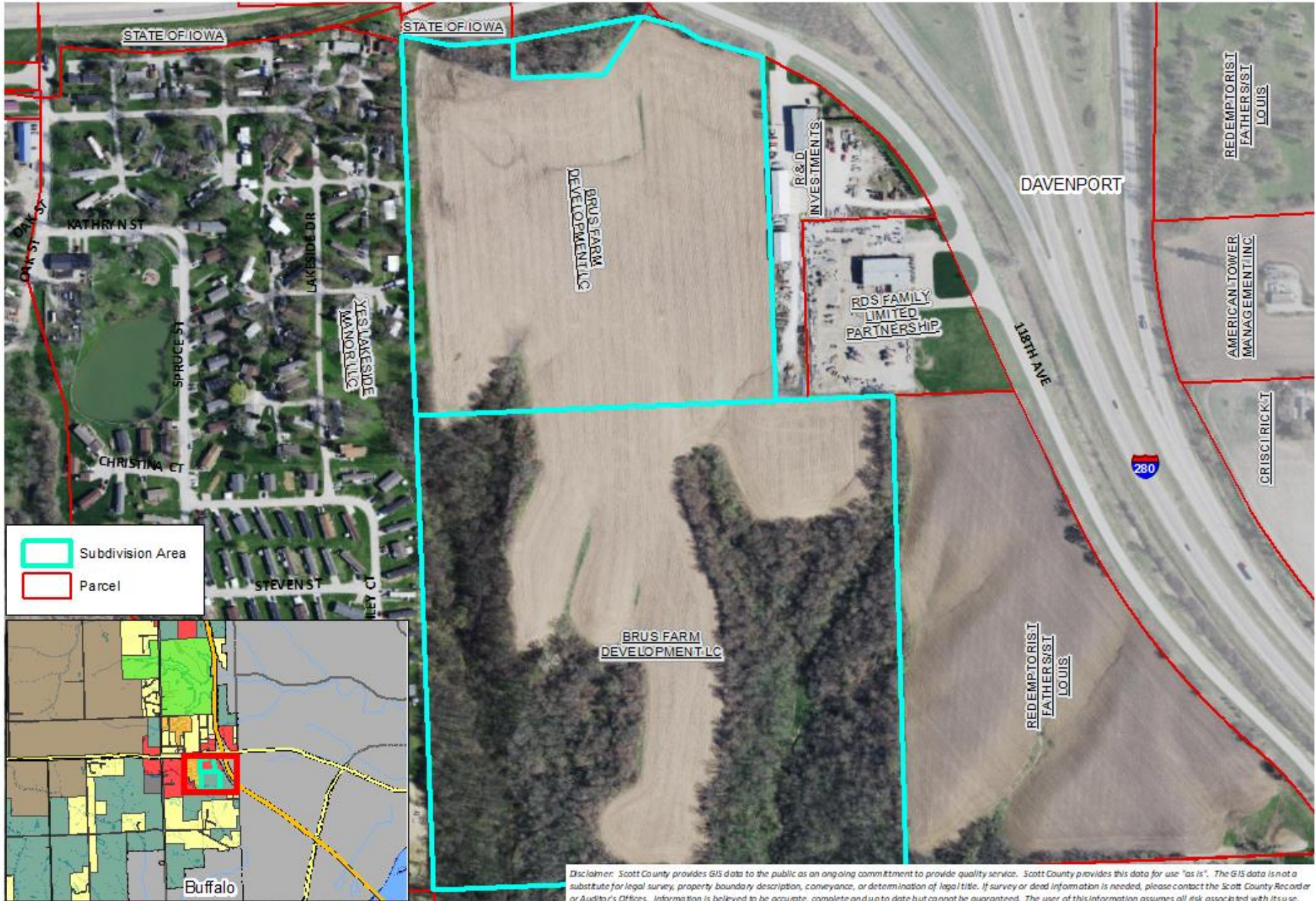
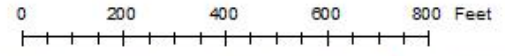
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# Ownership – Brus Farms Commercial Park 2<sup>nd</sup> Addition Final Plat

Scott County, Iowa

1 inch = 333 feet



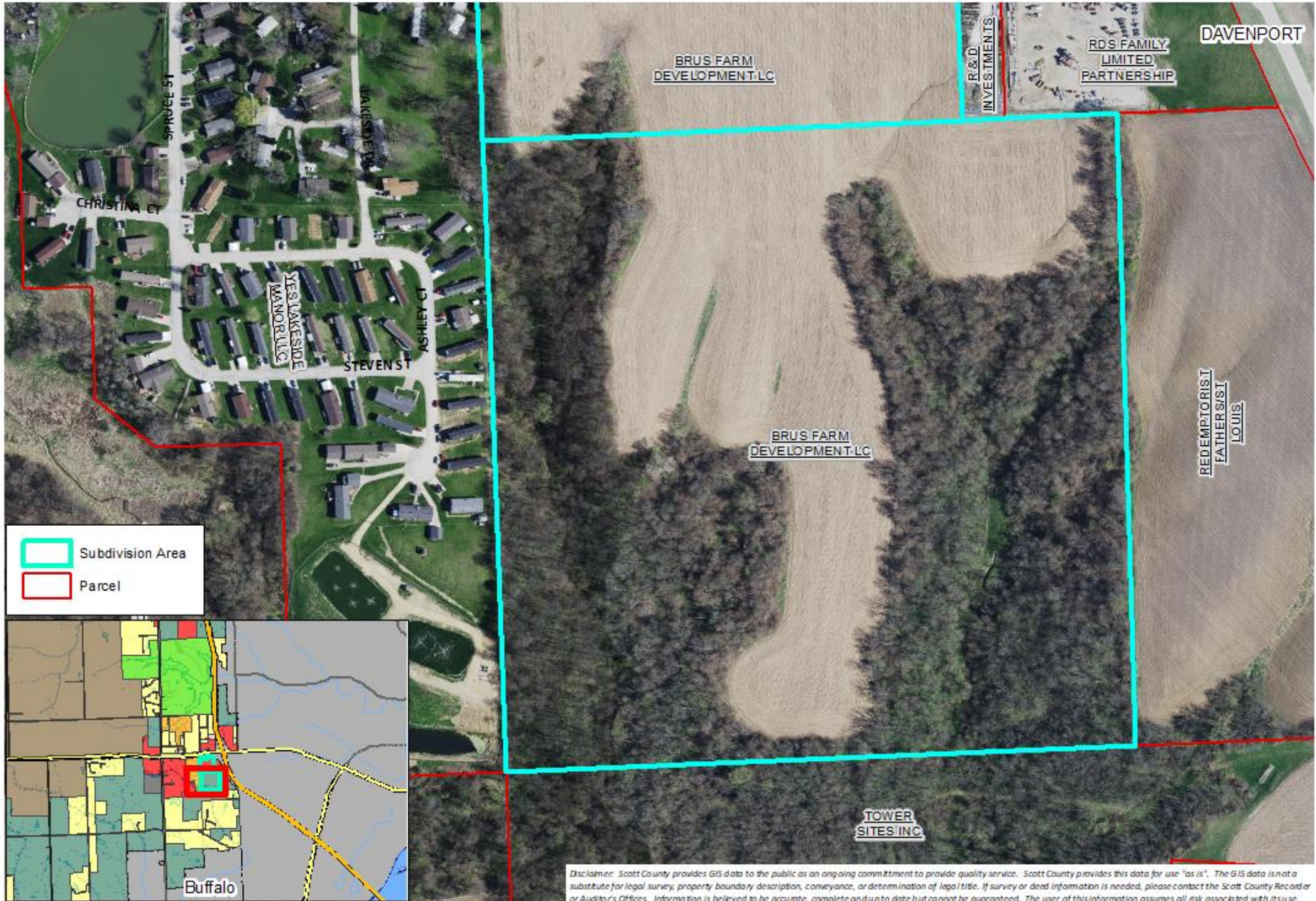
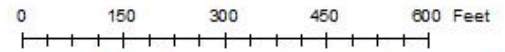
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# Ownership – Brus Farms Commercial Park 2<sup>nd</sup> Addition Final Plat

Scott County, Iowa

1 inch = 250 feet



-  Subdivision Area
-  Parcel

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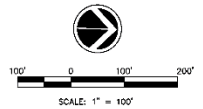
MID AMERICAN ENERGY CO. IOWA - AMERICAN WATER CO.  
 DATE DATE  
 MEDIACOM CITY OF DAVENPORT, IOWA  
 DATE ATTORNEY DATE  
 CENTURYLINK PLANNING AND ZONING  
 DATE DATE

**FINAL PLAT**  
**OF**  
**BRUS COMMERCIAL PARK 2ND ADDITION**  
 Part of the Northeast Quarter of Section 1,  
 Township 77 North, Range 2 East, Scott County, Iowa  
 63.60 Acres

**OWNER**  
 Brus Farm Joint Venture  
 3211 East 35th Street Court  
 Davenport, Iowa 52807

**SUBDIVIDER**  
 Kwik Trip, Inc.  
 P.O. Box 2107  
 La Crosse, WI 54602  
 Attn: Leah Berlin  
 (608) 763-6461

NORTH IS BASED ON THE NORTH AMERICAN DATUM OF 1983  
 IOWA STATE PLANE COORDINATE SYSTEM - SOUTH ZONE  
 (FIPS 5000 ADJUSTMENT)

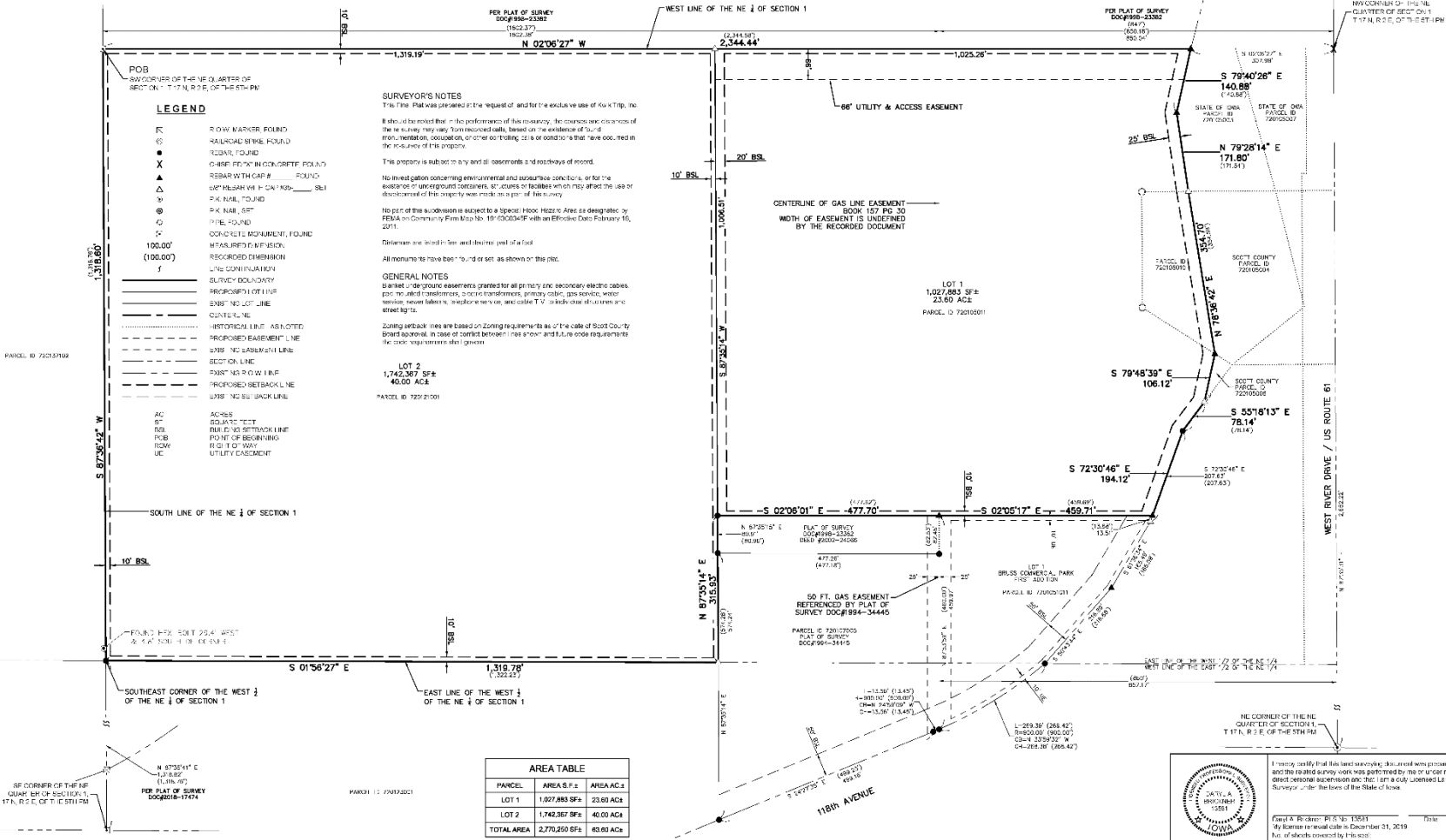


NO.	REVISIONS	DATE
1	DESCRIPTION	1/12/2019
	REVISION NUMBER	



**Kwik Trip Store #1071**  
 Davenport, Iowa  
**Final Plat**

IMEG Project No: 18004469.01  
 File Name: 18004469.01  
 Date: 11/25/2019  
 Checked By: \*\*\*  
 Date: 11/25/2019  
 Sheet 1 of 1





## General Comments

- This request is for approval of a Final Plat of a 2-lot minor subdivision of an approximately 62.8 acre tract. The tract currently contains a mixture of tilled ag land and timber.
- The Final Plat shows Lot 1 to be 23.6 acres, more or less, and Lot 2 to be 40 acres. The proposed Lot 1 is zoned Commercial Light Industrial (C-2) and the proposed Lot 2 is zoned Agricultural General (A-G). The property is accessed and located directly south of 118th Avenue and west of Interstate I-280.
- The purpose of the proposed subdivision is the development of a Kwik Star gas/diesel station and convenience store on the proposed Lot 1.

## Staff Review

- **Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and Zoning Ordinances for Final Plat approval. This subdivision is classified as a minor plat because it creates less than five (5) lots and would not involve the extension of any new streets or other public services.**

## Zoning, Land Use, and Lot Layout

- The Final Plat shows Lot 1 to be 23.6 acres, more or less, and Lot 2 to be 40 acres. The proposed Lot 1 is zoned Commercial Light Industrial (C-2) and the proposed Lot 2 is zoned Agricultural General (A-G). The property is accessed and located directly south of 118th Avenue and west of Interstate I-280. The 62.8 acre tract currently contains a mixture of tilled ag land and timber.
  - Lakeside Manor Mobile Home Park is located to the west and adjacent to the proposed subdivision and contains 124 mobile home pads. The mobile home park is located within the Multi-Family Residential (R-2) Zoning District.
  - Located adjacent to the east is a 9 acre tract, more or less, zoned Commercial Light Industrial (C-2). Currently the tract is occupied by two (2) commercial businesses and contains four (4) buildings. Each business has access via 118th Avenue.
-

## Access and Roadway Improvements

- **Currently the 62.8 acre tract is accessed from the north via 118th Avenue. The proposed subdivision will require an access easement to Lot 2 from 118th through Lot 2. The applicants have proposed to place a covenant restricting land use of Lot 2 to agricultural use only, which is the current use.**

## Storm Water Management

- This proposal does not include any new roadways or smaller development lots, so a storm water management plan would not be expected.

## Erosion and Sediment Control Plan

- Erosion Control Plans are typically reviewed by submitted the County Engineer in conjunction with the road construction plans. Since this proposal does not include any new roadways, an Erosion Control Plan would not be expected.

## Wastewater Disposal and Water Provision

- This proposal was sent to the County Health Department for its review. The County Health Department any development on Lot 1 of the proposed subdivision will require service by a septic field and this would need to be located entirely on the Lot 1.
-

## City of Davenport Review

- This property is within two miles of the Davenport city limits. Therefore, review and approval of the Final Plat by the City of Davenport is required. The City of Davenport approved the Final Plat on February 12, 2020.

## Others Notified

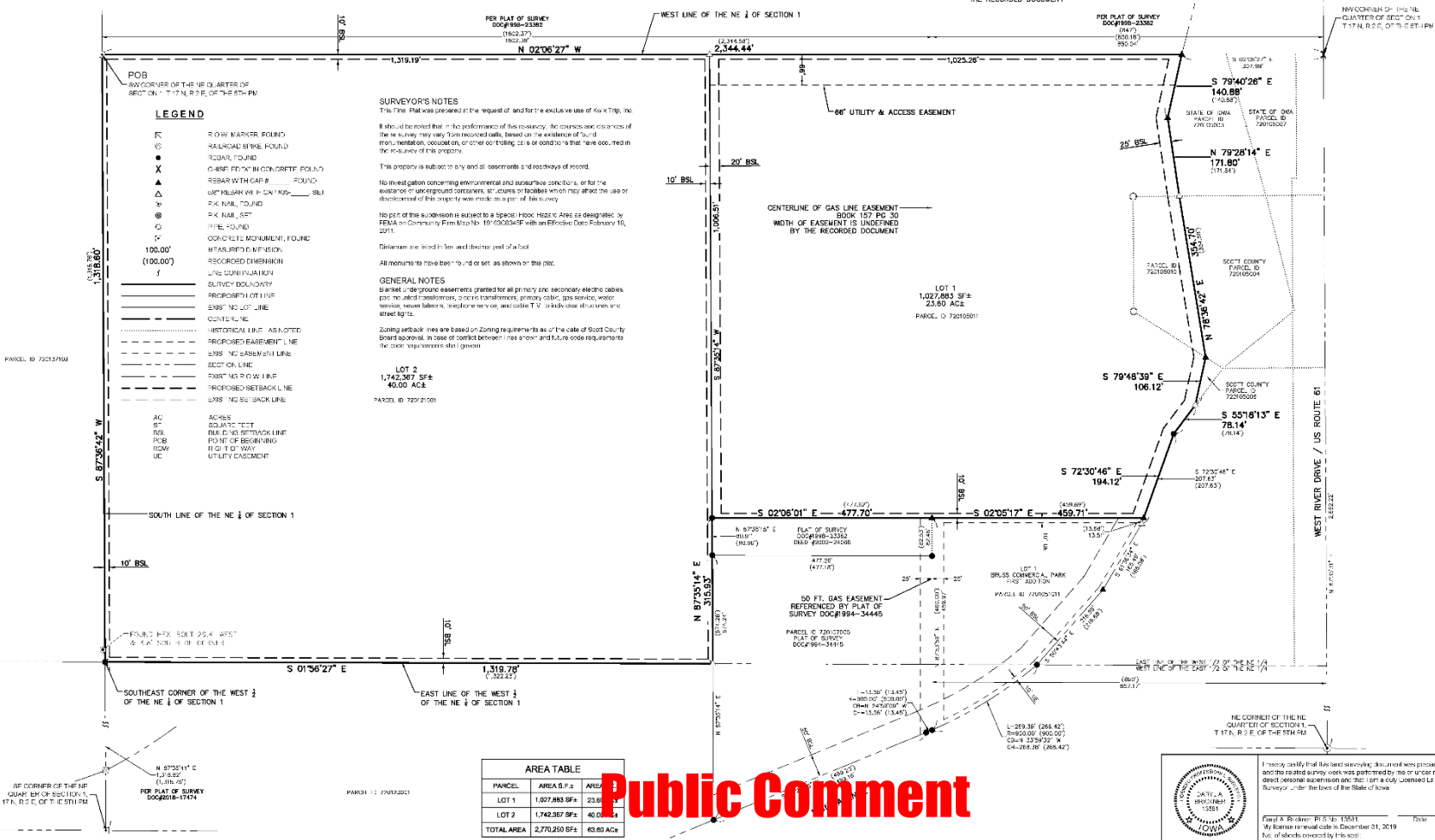
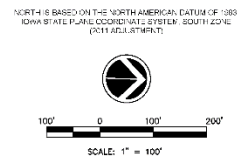
- The Subdivision Ordinance requires additional notification of the following County Departments and local entities: Assessor, and Auditor. Those entities did not have any comments at this time. Staff also notified adjacent property owners of the public hearing before the Planning Commission. No questions or comments have been received, as of yet, on this request.

MID AMERICAN ENERGY CO. IOWA - AMERICAN WATER CO.  
 DATE \_\_\_\_\_ DATE \_\_\_\_\_  
 MEDIACOM CITY OF DAVENPORT, IOWA  
 DATE \_\_\_\_\_ DATE \_\_\_\_\_  
 CENTURYLINK PLANNING AND ZONING  
 DATE \_\_\_\_\_ DATE \_\_\_\_\_

**FINAL PLAT OF BRUS COMMERCIAL PARK 2ND ADDITION**  
 Part of the NE 1/4 of Section 1,  
 Township 17 N, Range 18 E, Section 1,  
 Iowa

**OWNER**  
 Brus Farm Joint Venture  
 3211 East 38th Street Court  
 Davenport, Iowa 52807

**SUBDIVIDER**  
 Kwik Trip, Inc.  
 P.O. Box 2107  
 La Crosse, WI 54602  
 Attn: Leah Berlin  
 (608) 763-6461



**LEGEND**

- PC ROW MARKER, FOUND
- PL RAILROAD STRIKE, FOUND
- PS REBAR, FOUND
- PC CHISEL POINT IN CONCRETE, FOUND
- PS REBAR WITH CAP, FOUND
- PS UPHOLESIAH WITH CAP, FOUND
- PS PINE NAIL, FOUND
- PS PINE NAIL, SET
- PS IRON FOUND
- PS CONCRETE MONUMENT, FOUND
- PS METAL PIPE, FOUND
- PS RECORDED DIMENSION
- PS LINE CORNER MARKER
- PS SURVEY BOUNDARY
- PS PROPOSED LOT LINE
- PS EXISTING LOT LINE
- PS CENTERLINE
- PS HISTORICAL LIMIT AS NOTED
- PS PROPOSED EASEMENT LINE
- PS EXISTING EASEMENT LINE
- PS SECTION LINE
- PS POINTS SHOWING
- PS PROPOSED SETBACK LINE
- PS EXISTING SETBACK LINE
- PS ACRES
- PS SQUARE FEET
- PS BOUNDARY SETBACK LINE
- PS POINT OF BEGINNING
- PS RIGHT OF WAY
- PS UTILITY EASEMENT

**SURVEYOR'S NOTES**  
 This Final Plat was prepared at the request of and for the exclusive use of Kwik Trip, Inc.  
 It should be noted that in the performance of this survey, the records and indices of the plat survey may vary from recorded calls, based on the existence of "out of the record" monuments, occupation or other existing conditions which have occurred in the industry of this property.  
 This property is subject to any and all easements and restrictions of record.  
 No investigation concerning environmental and subsurface conditions, or for the existence of underground containers, structures or facilities which may affect the use or abandonment of this property was made as a part of this survey.  
 No part of the subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19-030345P with an Effective Date February 16, 2011.  
 Distances are in feet and decimals part of a foot.  
 All monuments to have been found or set as shown on this plat.

**GENERAL NOTES**  
 Buried underground easements granted for all primary and secondary electric cables, gas or water lines, telephone lines, sewer lines, gas or water lines, cable TV, or other utility lines and street lights.  
 Zoning setback lines are based on Zoning requirements as of the date of Scott County Board approval. In case of conflict between this record and the code requirements, the code requirements shall govern.

**LOT 2**  
 1,742,367 SF  
 40.00 AC

PARCEL ID: 72012001

**AREA TABLE**

PARCEL	AREA (S.F.)	AREA (AC)
LOT 1	1,027,893 SF	23.60 AC
LOT 2	1,742,367 SF	40.00 AC
TOTAL AREA	2,770,260 SF	63.60 AC

**REVISONS**

No.	DESCRIPTION	DATE
1	RECORD SUBMISSION NAME	1/12/2019

**IMEG**  
 1611 EAST 32ND ST  
 DAVENPORT, IA 52804  
 TEL: 563.324.3333  
 FAX: 563.324.3334

**Kwik Trip Store #1071**  
 Davenport, Iowa

**Final Plat**

IMEG Project No: 18004469.01  
 File Name: 18004469.01.dwg  
 CADDY: MCH, 2020  
 PLS: MCH, 1/12/2019  
 Field Book No:  
 Drawn By: DAB  
 Checked By: \*\*\*  
 Date: 11/25/2019

Sheet 1 of 1

**Public Comment**



I hereby certify that the land described above and was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Dated & Signed at St. Louis, Missouri this 12th day of December 2019.  
 No. of sheets covered by this seal: \_\_\_\_\_

## **Staff Recommendation**

**Staff recommends that the Final Plat of Brus Commercial Park 2nd Addition be approved**

- 1. The septic system for development on Lot 1 be located on that same lot in compliance with Health Department regulations; and**
  - 2. A shared access agreement be submitted in conjunction with final plat approval.**
-



THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT  
THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY  
THE BOARD OF SUPERVISORS ON \_\_\_\_\_  
DATE

\_\_\_\_\_  
SCOTT COUNTY AUDITOR

**RESOLUTION**  
**SCOTT COUNTY BOARD OF SUPERVISORS**  
**April 30, 2020**

**APPROVAL OF A SIX MONTH EXTENSION OF THE PLANNING AND ZONING  
COMMISSION RECOMMENDATION FOR APPROVAL OF THE FINAL PLAT OF  
BRUS COMMERCIAL PARK SECOND ADDITION.**

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

- Section 1. The Scott County Planning and Zoning Commission recommended approval of the Final Plat of Brus Commercial Park Second Addition at the February 18, 2020 meeting.
- Section 2. Section 9-16.E. of the Scott County Subdivision Ordinance states the Board of Supervisors need to receive the Final Plat and all attachments required by Chapter 354 of the Code of Iowa within sixty days of the Planning Commission's recommendation.
- Section 3. The applicant has requested an extension the Planning and Zoning Commission's recommendation for an additional six (6) months.
- Section 4. The Board of Supervisors hereby extends this time limit for the submittal of the Final Plat of Brus Commercial Park Second Addition for an additional six (6) months.
- Section 5. This resolution shall take effect immediately.