

PLANNING & DEVELOPMENT

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



Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: October 20, 2020

Re: Approval of a second six (6) month extension of Planning and Zoning Commission's recommendation for approval of the Final Plat of Brus Commercial Park 2nd 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 requested a six month extension of that recommendation that the Board approved on April 30, 2020 to allow issues between the applicant and the seller to be resolved. The applicant has now requested a second extension of the Planning and Zoning Commission's recommendation to approve the Final Plat.

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.



PLANNING & ZONING COMMISSION

STAFF REPORT

February 18, 2020



-
- Applicant:** BRUS Farms (owner) and Kwik Trip, Inc. (purchaser)
- Request:** Final Plat approval of a Minor Subdivision known as BRUS Farms Commercial Park 2nd 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 NW¹/₄NE¹/₄ of Section 1 in Buffalo Township (Parcel ID#: 720105010; 720105011)
- General Location:** Accessed and located directly south of 118th Avenue and located west of Interstate I-280
- Existing Zoning:** Commercial Light Industrial (C-2)
- 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)

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.

The Planning and Zoning Commission reviewed a sketch plan of Brus Farms Commercial Park 2nd Addition Minor Subdivision on December 17, 2019 and voted unanimously to recommend approval 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;
2. The City of Davenport approve the Final Plat; and
3. Documentation of a recorded and legally binding shared access agreement be submitted in conjunction to final plat approval.

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.



PLANNING & ZONING COMMISSION

STAFF REPORT

February 18, 2020



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.

A proposed traffic signal at the intersection of US-61/118th Avenue is currently being reviewed by the Iowa Department of Transportation (IDOT), Scott County Secondary Roads Department, and the City of Davenport. The proposed minor subdivision and site plan for the gas station, approved on December 17, 2019 by the Planning and Zoning Commission, is not contingent to the approval of the traffic signal and infrastructure improvements to the intersection at US-61/118th Avenue.

Stormwater Management

This proposal does not include any new roadways or smaller development lots, so a stormwater 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.



PLANNING & ZONING COMMISSION

STAFF REPORT

February 18, 2020



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 Final Plat was approved by the City of Davenport 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.

RECOMMENDATION:

Staff recommends that the Final Plat of Brus Commercial Park 2nd Addition be approved 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;
2. Documentation of a recorded and legally binding shared access agreement be submitted prior to final plat approval.

Submitted by:
Timothy Huey, Director
February 14, 2020



Store Engineering

FAX 608-793-6237

1626 Oak St., P.O. Box 2107
La Crosse, WI 54602

www.kwiktrip.com

January 23, 2020

Scott County – Planning and Development
Administrative Center
600 W. 4th St.
Davenport, IA 52801-1030

Dear Mr. Huey,

This letter is to accompany Kwik Trip's submittal for Final Plat for the proposed Kwik Star Store #1071 project located at Hwy 61 and 118th Street. A digital submission of the following documents have been emailed to the Planning and Development staff:

1. Final Subdivision Plat
2. Surveyor's Certificate
3. Auditor's Approval
4. Owner's Consent to Plat
5. Platting Opinion
6. Treasurer's Certificate

A check is also enclosed for \$50.00 for the Final Plat Review fee. Please feel free to call me with any questions or if any needed information is missing at 608-793-6461.

Sincerely,

Leah Berlin
Sr. Development Manager
Kwik Trip Inc.

OUR MISSION

To serve our customers and community more effectively than anyone else by treating our customers, co-workers and suppliers as we, personally, would like to be treated, and to make a difference in someone's life.

MID AMERICAN ENERGY CO.

IOWA - AMERICAN WATER CO.

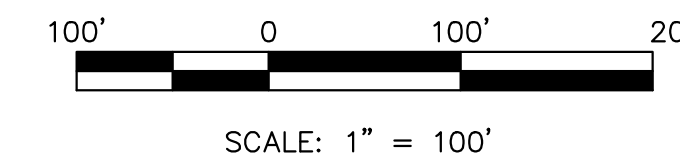
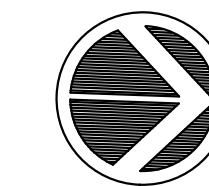
FINAL PLAT OF BRUS COMMERCIAL PARK 2ND ADDITION

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) 793-6461

NORTH IS BASED ON THE NORTH AMERICAN DATUM OF 1983,
IOWA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE
(2011 ADJUSTMENT)



BY _____
DATE _____

MEDIACOM

BY _____
DATE _____

CENTURYLINK

BY _____
DATE _____

BY _____
DATE _____

CITY OF DAVENPORT, IOWA

BY _____
ATTEST _____
DATE _____

PLANNING AND ZONING

BY _____
DATE _____

NO.	REVISION DESCRIPTION	DATE
1		1/16/2020

225 S. HARBOR BLVD
SUITE 800
ANAHEIM, CA 92805

PH: 714.400.6555
FAX: 714.400.6556
www.imegcorp.com

Kwik Trip Store #1071
Davenport, Iowa
Final Plat

IMEG Project No:
18004409.01

File Name:
18004409-02 Subdivision Plat.dwg

© COPYRIGHT 2020
ALL RIGHTS RESERVED

Field Book No:

Drawn By: DAB
Checked By: ***
Date: 11/25/2019

Sheet 1 of 1

LEGEND

- ⊗ R.O.W. MARKER, FOUND
- ⊙ RAILROAD SPIKE, FOUND
- REBAR, FOUND
- ⊗ CHISELED "X" IN CONCRETE, FOUND
- ▲ REBAR WITH CAP # _____, FOUND
- △ 5/8" REBAR WITH CAP #35-_____, SET
- ⊙ P.K. NAIL, FOUND
- ⊙ P.K. NAIL, SET
- PIPE, FOUND
- ⊗ CONCRETE MONUMENT, FOUND
- 100.00' (100.00') MEASURED DIMENSION
- RECORDED DIMENSION
- LINE CONTINUATION
- SURVEY BOUNDARY
- PROPOSED LOT LINE
- EXISTING LOT LINE
- CENTERLINE
- HISTORICAL LINE - AS NOTED
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- SECTION LINE
- EXISTING R.O.W. LINE
- PROPOSED SETBACK LINE
- EXISTING SETBACK LINE

- AC ACRES
- SF SQUARE FEET
- BSL BUILDING SETBACK LINE
- POB POINT OF BEGINNING
- ROW RIGHT OF WAY
- UE 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 re-survey, the courses and distances of the re-survey may vary from recorded calls, based on the existence of found monumentation, occupation, or other controlling calls or conditions that have occurred in the re-survey of this property.

This property is subject to any and all easements and roadways 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 development of this property was made as a part of this survey.

No part of this subdivision is subject to a Special Flood Hazard Area as designated by FEMA on Community Firm Map No. 19163C0345F with an Effective Date February 18, 2011.

Distances are listed in feet and decimal part of a foot.

All monuments have been found or set as shown on this plat.

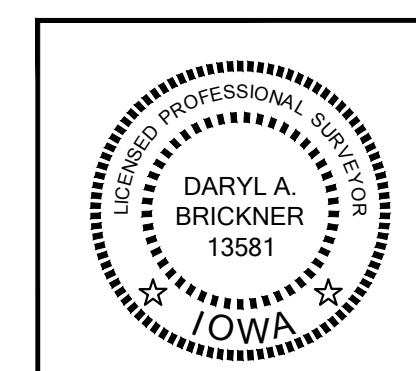
GENERAL NOTES

Blanket underground easements granted for all primary and secondary electric cables, pad mounted transformers, electric transformers, primary cable, gas service, water service, sewer laterals, telephone service, and cable T.V. to individual structures 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 lines shown and future code requirements the code requirements shall govern.

LOT 2
1,742,367 SF±
40.00 AC±
PARCEL ID 720121001

PARCEL	AREA S.F.±	AREA AC.±
LOT 1	1,027,883 SF±	23.60 AC±
LOT 2	1,742,367 SF±	40.00 AC±
TOTAL AREA	2,770,250 SF±	63.60 AC±



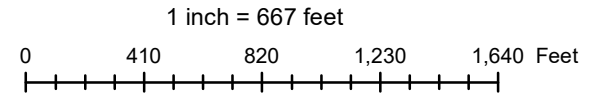
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Daryl A. Brickner, PLS No. 13581
My license renewal date is December 31, 2019
No. of sheets covered by this seal: _____



Zoning & Future Land Use - Brus Farms Minor Sketch Plan

Scott County, Iowa



Legend

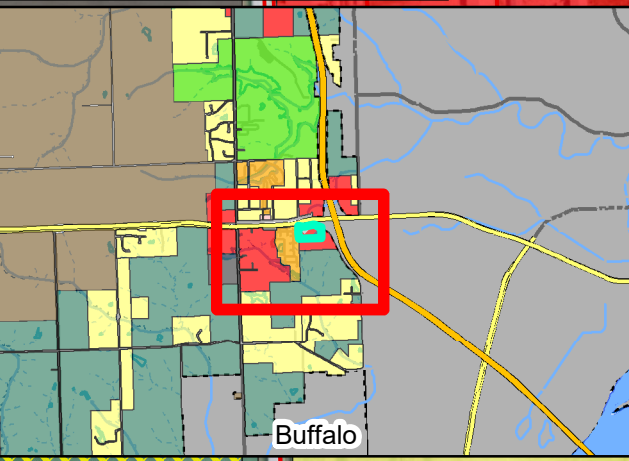
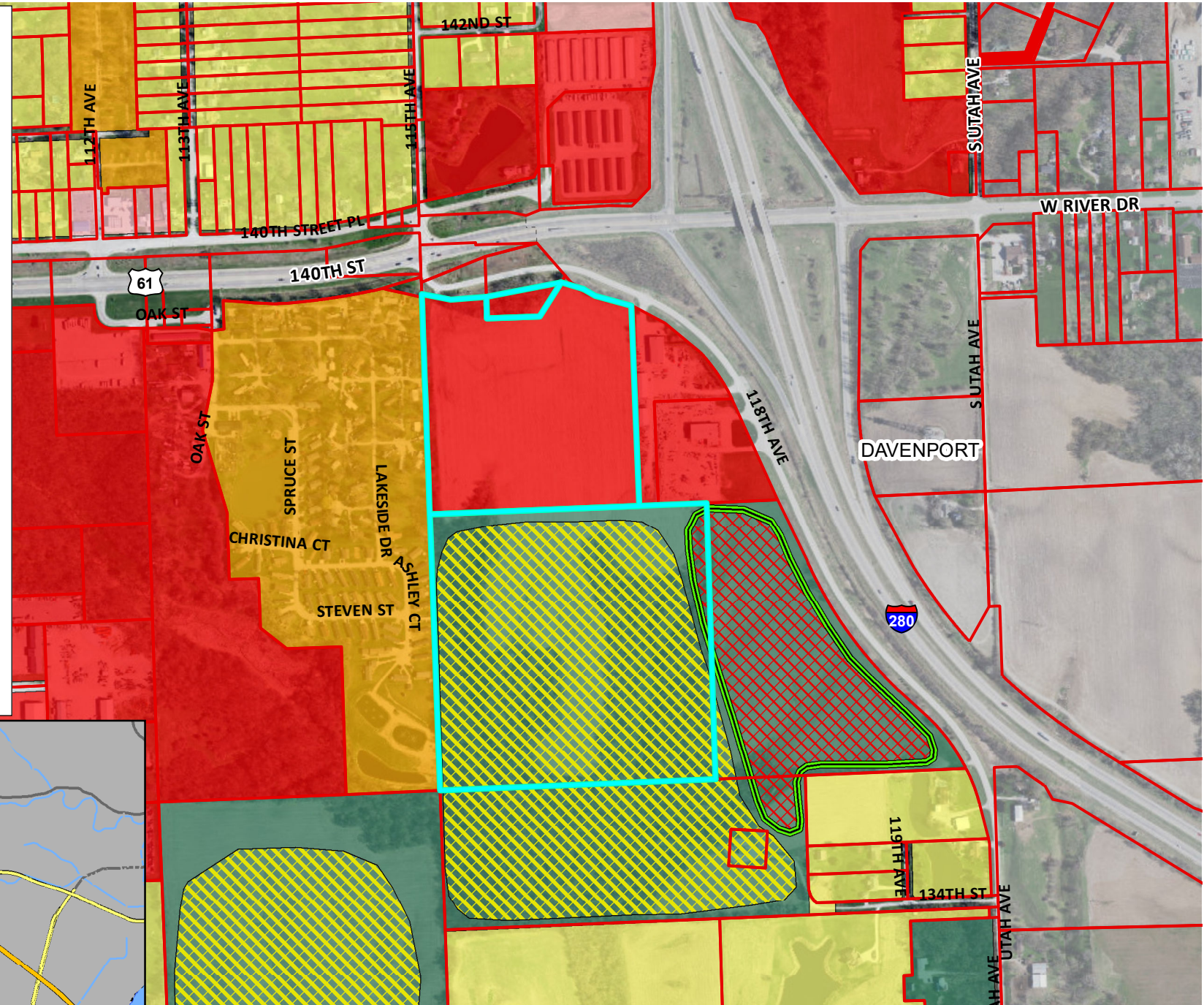
- Subdivision Area
- Parcel
- Annexation Plan

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

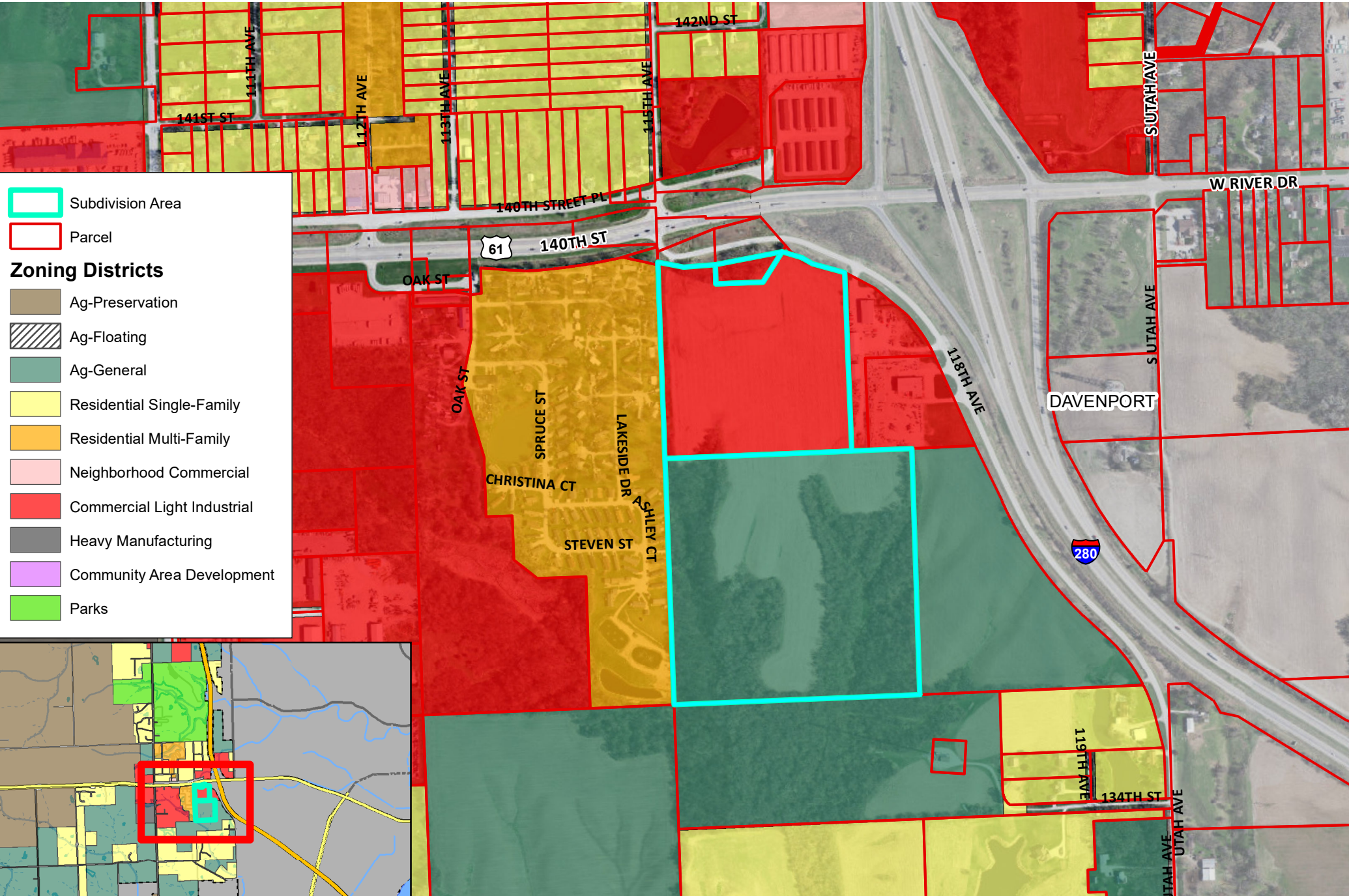
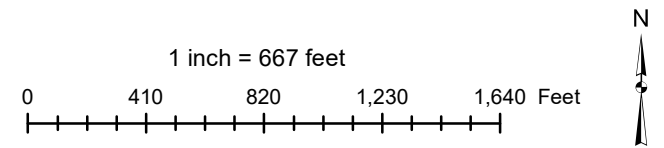


Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for legal survey, property boundary description, conveyance, or determination of legal title. If survey or deed information is needed, please contact the Scott County Recorder or Auditor's Offices. Information is believed to be accurate, complete and up to date but cannot be guaranteed. The user of this information assumes all risk associated with its use.



Zoning - Brus Farms Minor Sketch Plan

Scott County, Iowa

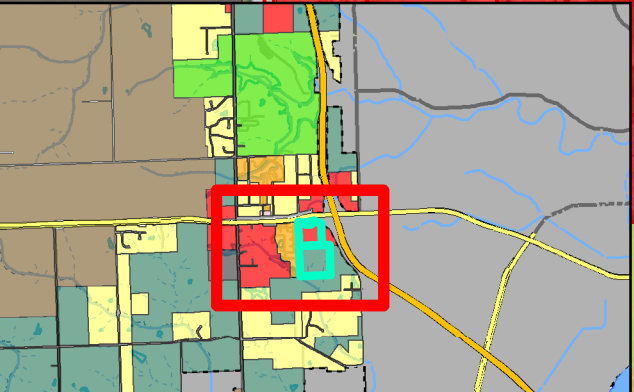


Subdivision Area

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



Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for legal survey, property boundary description, conveyance, or determination of legal title. If survey or deed information is needed, please contact the Scott County Recorder or Auditor's Offices. Information is believed to be accurate, complete and up to date but cannot be guaranteed. The user of this information assumes all risk associated with its use.

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
October 29, 2020

**APPROVAL OF A SECOND 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. On April 30, 2020, at the applicant's request, the Board approved a six month extension to the Planning and Zoning Commission's recommendation.
- Section 3. The applicant has requested a second six (6) months extension of the Planning and Zoning Commission's recommendation for approval.
- 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.