

PLANNING & DEVELOPMENT

600 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: December 15, 2020

Re: Final Plat approval of a Minor Subdivision known as Brus Commercial Park 2nd Addition located in part of the SW¹/₄NE¹/₄ and NW¹/₄NE¹/₄ of Section 1 in Buffalo Township, south and west of 118th/Utah Avenue and east of Lakeside Manor Mobile Home Park.

This property is the proposed location of a new Kwik Star gas station and convenience store. The Planning Commission approved the Site Plan review for the development of the Kwik Star and the sketch plan for this subdivision at its meeting on December 17, 2019. The applicants are only purchasing the north portion of the property (Lot1) and Lot 2 will remain undeveloped and zoned Ag-General.

The Planning Commission has reviewed this Final Plat and determined it was in compliance with ordinance requirements and the conditions of the sketch plan approval. This property is in the platting jurisdiction of the City of Davenport and the City has also approved this plat.

There has been considerable delay in scheduling the closing to purchase this property and the applicant and current owner did not want the plat recorded until the closing date was set and firm. The applicant has twice requested extensions of the Planning and Zoning Commission's recommendation to approve the Final Plat and the Board of Supervisors has twice approved those extensions in six month increments. The first extension was approved on April 30 and the second was approved October 29, 2020.

The Scott County Building Inspector will complete plans review before the building permit is issued and then conduct building inspections while it is under construction.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the Final Plat of Brus Commercial Park 2nd Addition.

Vote: All Ayes (7-0).



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 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.



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



PLANNING & ZONING COMMISSION

STAFF REPORT

February 18, 2020



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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

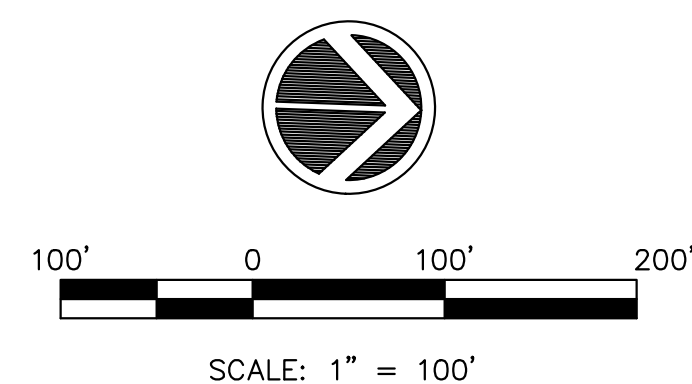
OWNER Brus Farm Joint Venture

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

BY DATE MEDIACOM CENTURYLINK

BY DATE CITY OF DAVENPORT, IOWA PLANNING AND ZONING

SUBDIVIDER: Kwik Trip, Inc.



REVISIONS table with columns for NO., DESCRIPTION, DATE, and REVISION SUBMISSION NAME.



Kwik Trip Store #1071 Davenport, Iowa Final Plat

IMEG Project No: 18004409.01 File Name: 18004409-02 Subdivision Plat.dwg

LEGEND

- List of symbols and line styles for R.O.W. MARKER, RAILROAD SPIKE, REBAR, CHISELED 'X' IN CONCRETE, etc.

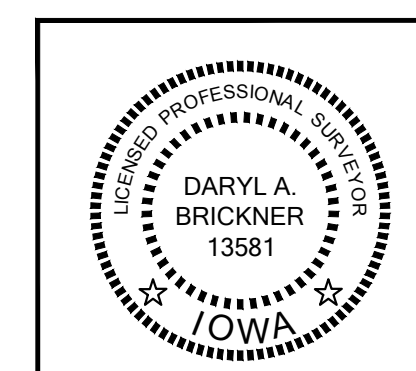
SURVEYOR'S NOTES

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...

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.

AREA TABLE with columns for PARCEL, AREA S.F.±, AREA AC.±, and TOTAL AREA.

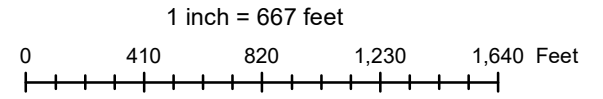


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.



Zoning & Future Land Use - Brus Farms Minor Sketch Plan

Scott County, Iowa



Legend

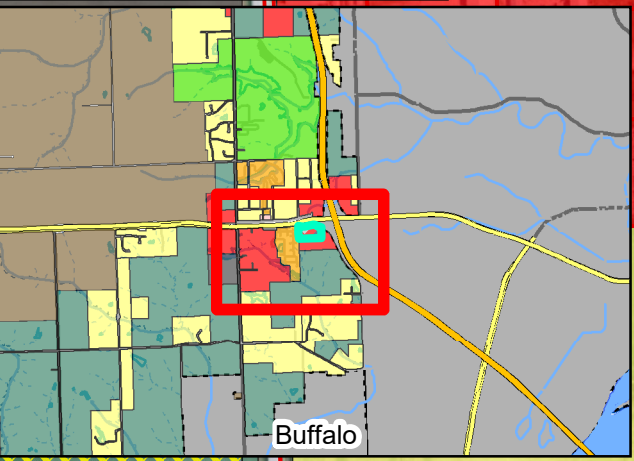
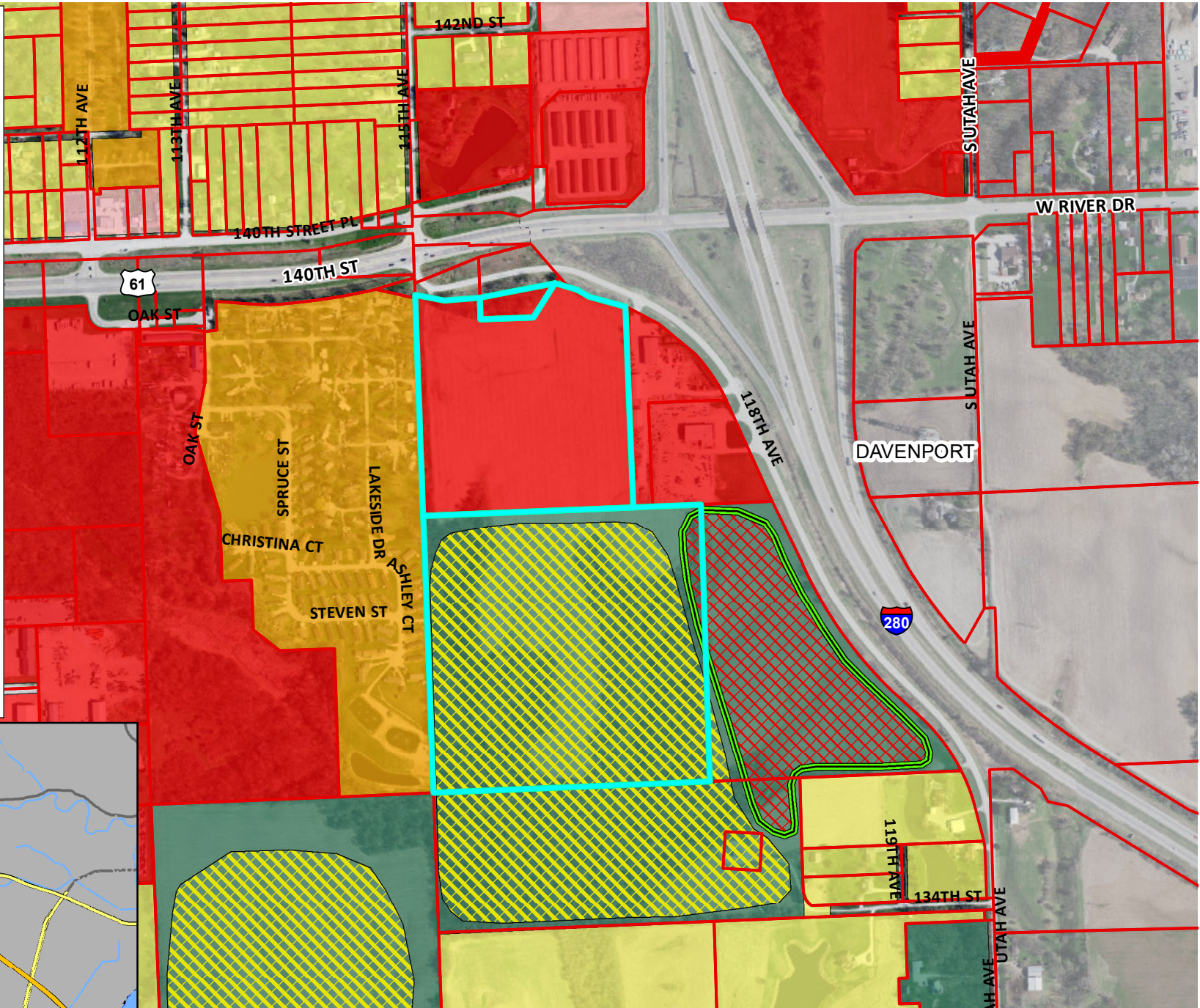
- Subdivision Area
- Parcel
- Annexation Plan

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



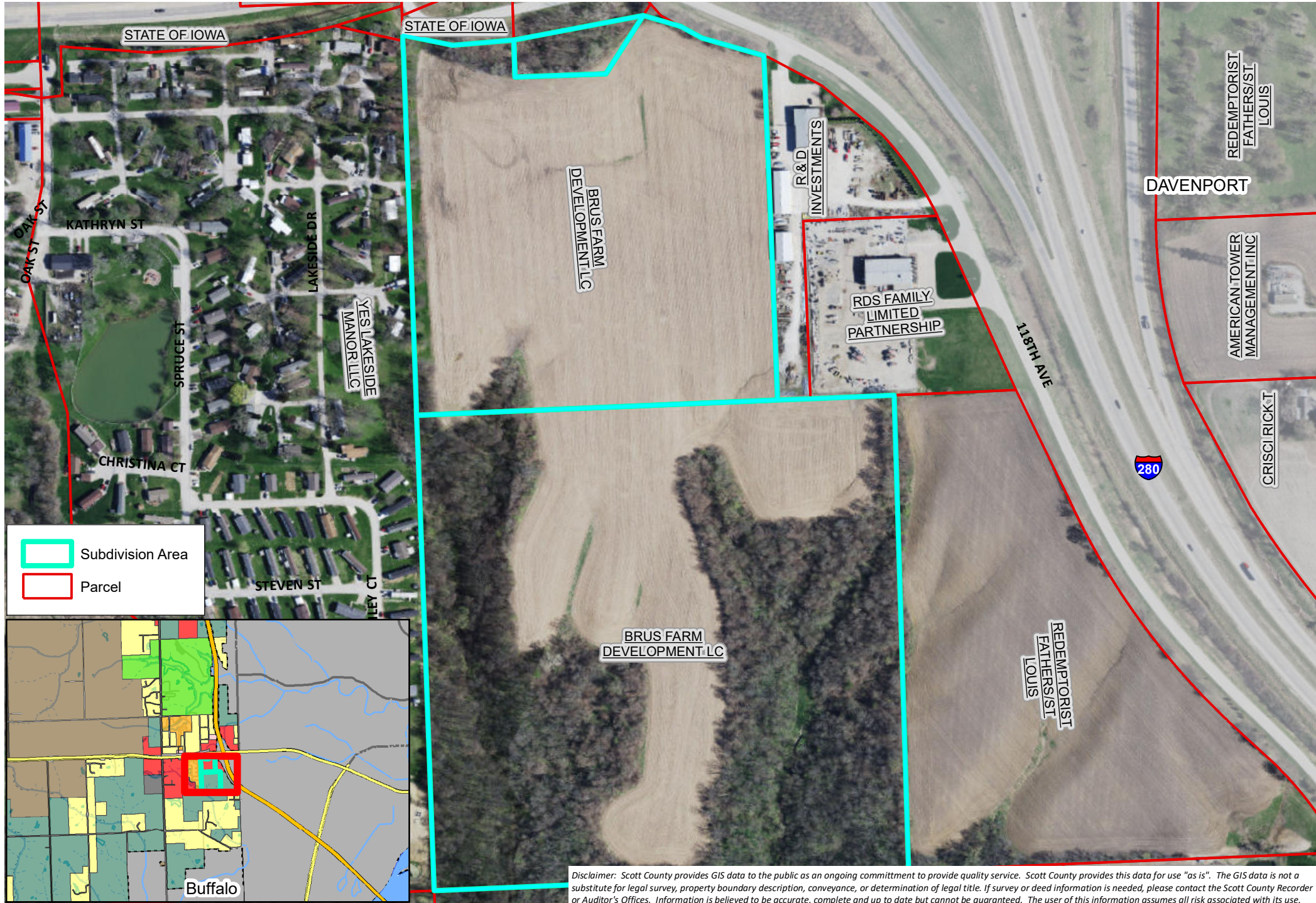
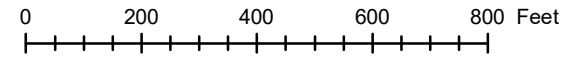
Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for legal survey, property boundary description, conveyance, or determination of legal title. If survey or deed 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.




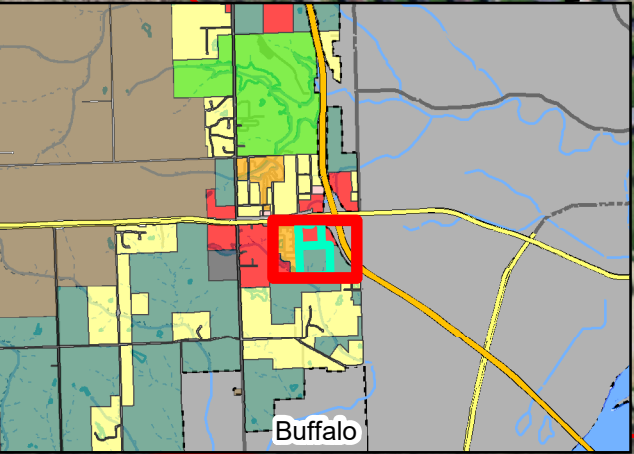
Ownership - Brus Farms Minor Sketch Plan

Scott County, Iowa

1 inch = 333 feet



 Subdivision Area
 Parcel

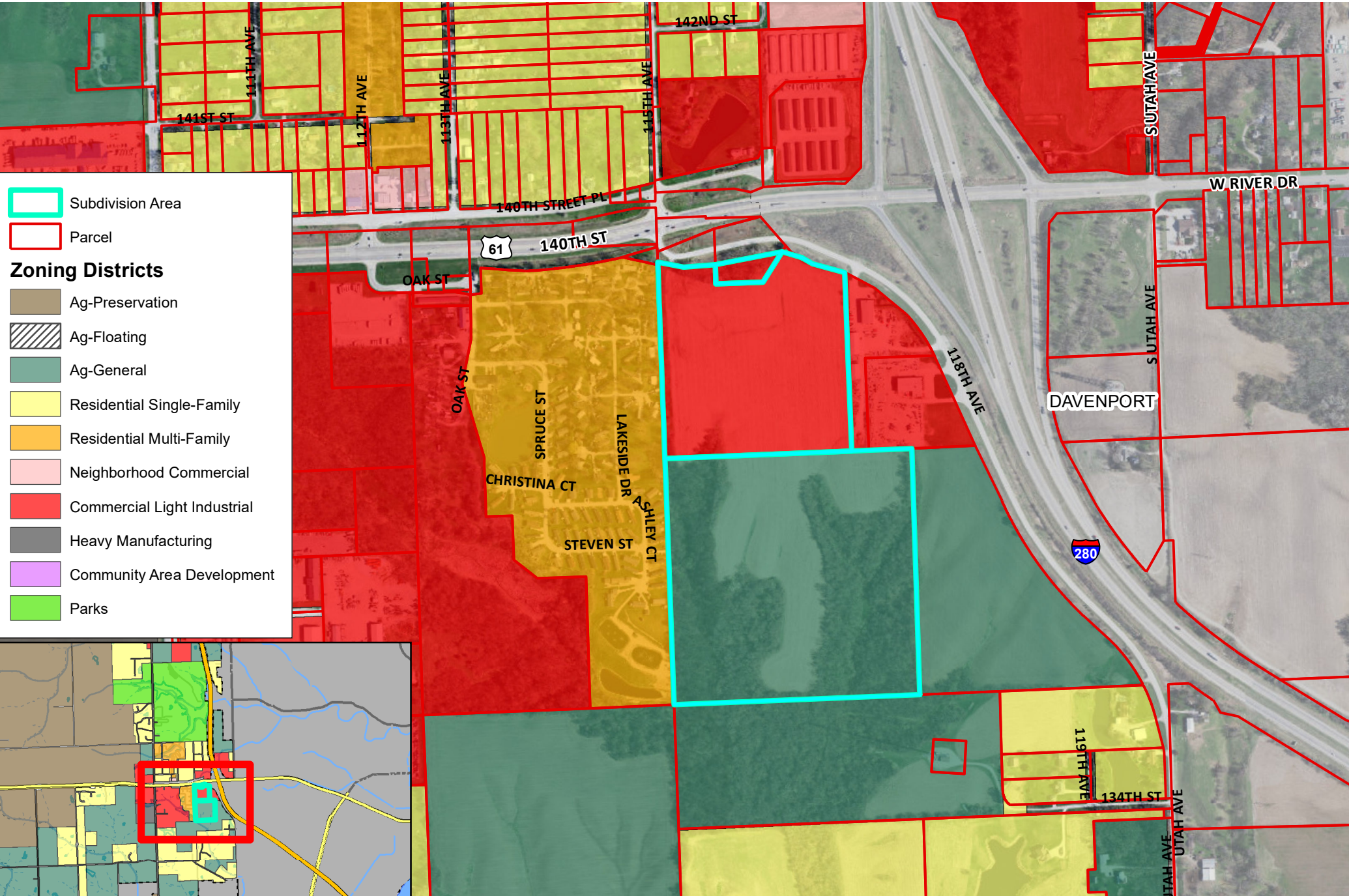
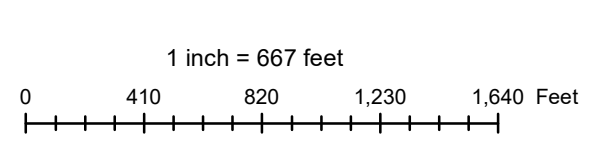


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Zoning - Brus Farms Minor Sketch Plan

Scott County, Iowa

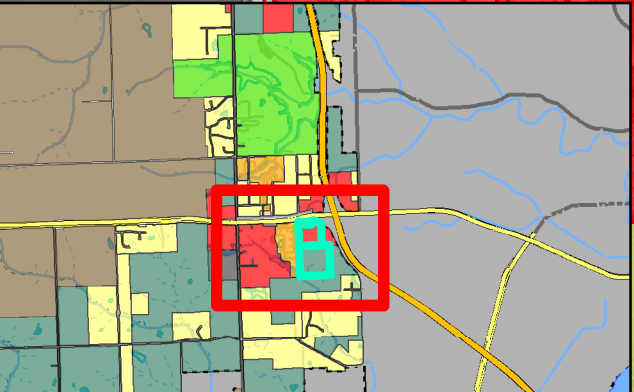


Legend

- Subdivision Area
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Zoning Districts

- Ag-Preservation
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- Residential Single-Family
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CERTIFICATE OF APPROVAL BY SCOTT COUNTY

I, Tony Knobbe, Chair of the Scott County Board of Supervisors, do hereby certify that said Board adopted a Resolution on December 22, 2020 in which it approved the Final Plat of **BRUS COMMERCIAL PARK 2ND ADDITION** as follows:

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

Section 1. As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 5th day of March, 2020 considered the final plat of **BRUS COMMERCIAL PARK 2ND ADDITION**, a 2-lot subdivision in the part of the NE ¼ of Section 1, Township 77 North, Range 2 East of the 5th Principal Meridian (Buffalo Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the final plat of said subdivision.

Section 2. The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature.

Section 3. This Resolution shall take effect immediately.

Signed this 22nd day of December, 2020

SCOTT COUNTY, IOWA

BY: _____
Tony Knobbe, Chair

ATTESTED BY: _____
Roxanna Moritz, Auditor

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

December 22, 2020

APPROVING THE FINAL PLAT OF BRUS COMMERCIAL PARK 2ND ADDITION

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

Section 1. As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 22nd day of December 2020 considered the final plat of **BRUS COMMERCIAL PARK 2ND ADDITION**, a 2-lot subdivision in the part of the NE ¼ of Section 1, Township 77 North, Range 2 East of the 5th Principal Meridian (Buffalo Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the final plat of said subdivision.

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