

PLANNING & DEVELOPMENT

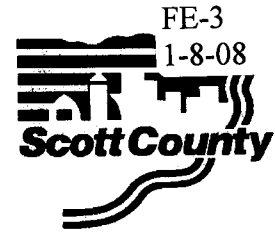
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Timothy Huey
Director

To: C. Ray Wierson, County Administrator

From: Timothy Huey, Planning Director

Date: December 27, 2007

Re: A request by Muscatine Land Holdings and Thompson Family RV LC to rezone a 7.4 acre, more or less, parcel from A-P to C-2 in part of the SE¼ in Section 35 of Blue Grass Township located west of 14040 110th Avenue.

The Planning Commission unanimously 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. The Commission indicated that one of the primary reasons for its recommendation was that this rezoning was for the expansion of an existing business and not for a new development. The Commission also stated that their recommendation for approval should not be interpreted to mean further commercial zoning to the west of this property is appropriate.

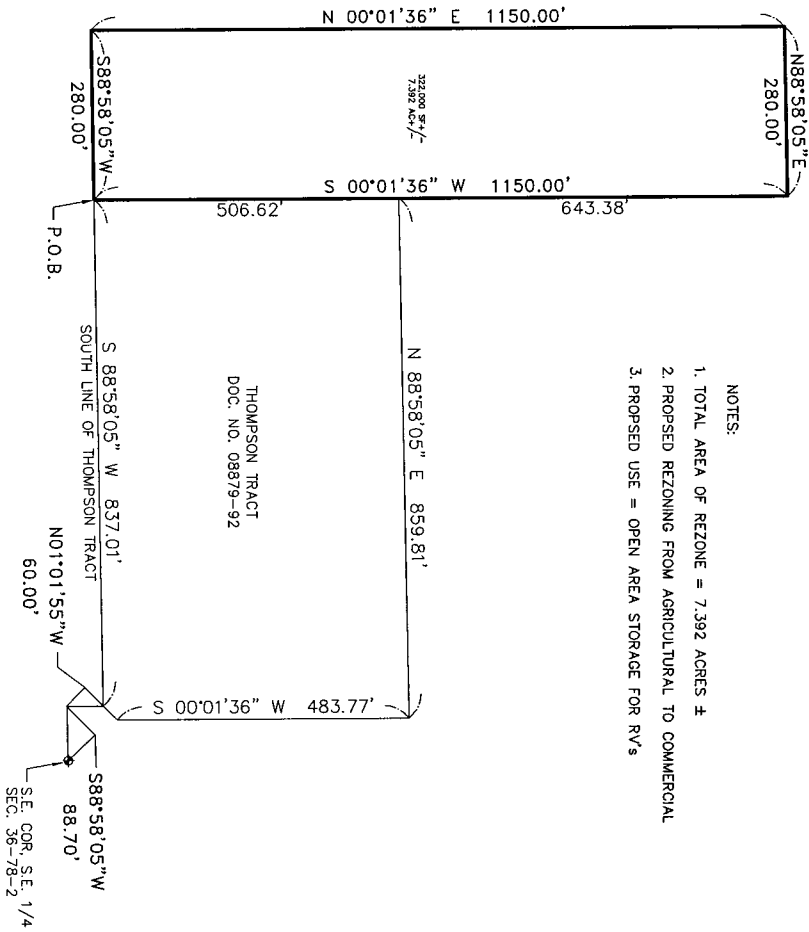
The applicant was at the public hearing and stated if the rezoning was approved that it was their intention to expand the areas for outdoor storage of RV's on the property. There were no neighbors that expressed any concerns or objections to this request.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the request to rezone 7.4 acres (more or less) from Agricultural-Preservation (A-P) to Commercial-Light Industrial (C-2) based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.



GRAPHIC SCALE

1" = 20' (11x17)



- NOTES:
1. TOTAL AREA OF REZONE = 7.392 ACRES ±
 2. PROPOSED REZONING FROM AGRICULTURAL TO COMMERCIAL
 3. PROPOSED USE = OPEN AREA STORAGE FOR RV'S

REZONING EXHIBIT
THOMPSON & SONS
FAMILY RV L.C.
 SCOTT COUNTY, IOWA

PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 78 NORTH, RANGE 2 EAST OF THE 5TH PRINCIPLE MERIDIAN, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS:

COMMENCING, AS A POINT OF REFERENCE, AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH 88 DEGREES 58 MINUTES 05 SECONDS WEST, A DISTANCE OF 88.70 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35;

THENCE NORTH 01 DEGREES 01 MINUTES 55 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF US HIGHWAY NO. 61;

THENCE SOUTH 88 DEGREES 58 MINUTES 05 SECONDS WEST TO A POINT AT THE SOUTHWEST CORNER OF A PARCEL DEEDED TO JAMES W. & DARLENE A. THOMPSON, DOCUMENT NO. 08879-92, A DISTANCE OF 837.01 FEET; SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE TRACT OF LAND HERINAFTER DESCRIBED;

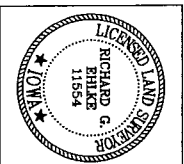
THENCE CONTINUING SOUTH 88 DEGREES 01 MINUTES 55 SECONDS WEST, A DISTANCE OF 280.00 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 36 SECONDS EAST, A DISTANCE OF 1,150.00 FEET;

THENCE NORTH 88 DEGREES 58 MINUTES 05 SECONDS EAST, A DISTANCE OF 280.00 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS WEST, A DISTANCE OF 1,150.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 322,000 SQUARE FEET MORE OR LESS, IS ENTIRELY IN SCOTT COUNTY IOWA AND IS SUBJECT TO ALL EASEMENTS OF RECORD. THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35 IS ASSUMED TO BEAR SOUTH 88 DEGREES 58 MINUTES 05 SECONDS WEST.



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.

Richard G. Biale, L.S.
 Iowa License Number: 11554
 My license renewal date is December 31, 2006.
 Pages or sheets covered by this seal: 1

Date _____

TOWNSSEND
ENGINEERING

DATE: 11/21/07
 TE Project No.: 386-4236
 503 529-4236
 2224 East 12th Street
 Des Moines, IA 50319
 386-4231

Drawn By: B. FISHER
 Checked By: C. TOWNSEND

REVISIONS	DATE	DESCRIPTION
1	11-20-07	ADDED SPT. TO THE NORTH OF REZONING AREA

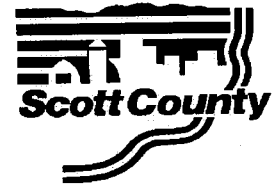
Project: THOMPSON RV
 REZONING EXHIBIT
 SCOTT COUNTY, IA

Developer: MARK THOMPSON
 14040-110 TH AVE
 DAVENPORT, IA

SHEET NO. 1 of 1



PLANNING & ZONING COMMISSION
STAFF REPORT
December 4, 2007



Applicant: Muscatine Land Holdings and Thompson family RV LC

Request: Rezone seven (7) acres more or less from Agricultural Preservation (A-P) to Commercial Light Industrial (C-2) to allow expansion of an existing recreational vehicle sales business for an open RV storage facility.

Legal Description: Part of the SE¼ of Section 35, Blue Grass Township

General Location: West of 14040 110th Avenue

Zoning: Agricultural Preservation (A-P)

Surrounding Zoning:

- North:** Agricultural General (A-G)
- South:** Commercial Light Industrial (C-2)
- East:** Single Family Residential (R-1)
- West:** Agricultural Preservation (A-P)

GENERAL COMMENTS: This request is to rezone approximately seven (7) acres adjacent to the existing recreational vehicle sales and service business located on the north side of U.S. Hwy 61 and west of County Road Y-48/110th Avenue. The proposed seven acre parcel is currently unplatted and is a portion of a larger farm parcel of approximately 100 acres. The adjacent 10 acres located to the east is zoned C-2. That property is developed with a recreational vehicle sales and service business and is operated as Thompson & Sons Family RV. The Planning Commission recently approved a Site Plan Review to allow an additional 22,000 square feet of storage, office and service space for that business. This will bring the total square footage of all the buildings on the site after completion of the proposed addition to 48,000 square feet. The applicant's state that the area requested to be rezoned would be used for additional outdoor storage areas for recreational vehicles.

STAFF REVIEW: Staff has reviewed this request for compliance with the criteria of the Scott County Zoning Ordinance and the Revised Scott County Land Use Policies for rezoning applications. The Zoning Ordinance states that it is the intent of the Agricultural-Preservation District to serve the agricultural community and protect agricultural land from the encroachment of urban development. The Scott County Land Use Policies state that proposed changes in land use and zoning should comply with a preponderance of the applicable land use policies.

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:



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

The Future Land Use Map does not anticipate any land use changes on this property. The map does not show any additional areas for commercial or industrial development in the vicinity of this property. There is currently approximately 70 acres of undeveloped land that is zoned commercial and/or industrial to the east of this property, adjacent to I-280 and Y-48 in the vicinity of Hwy 61.

Is the development on marginal or poor agricultural land?

The land use policies rank any soil with a CSR of 60 or greater as productive agricultural soil. The Soil Conservation Service has not, as of yet, responded to the notification of this rezoning request. Review of the Soil Survey of Scott County would indicate that a majority of the property has soils identified as Muscatine silty clay loam with slopes between 0% and 2%. The CSR of this soil is 100 and is classified as I for land capability, which indicates few limitations on farming practices. The remainder of the area appears to be mostly made up of Downs silt loam with slopes between 2% and 5%. The CSR of this soil is 90 and it is classified as IIe for land capability, which indicates moderate erosion concerns and generally requires limited conservation practices. These soils are listed as Prime Farmland in the soil survey. Due to these conditions it would appear that this property would be considered productive agricultural land.

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

U.S. Highway 61 is a controlled access four lane divided highway adjacent to this property. Access to the applicant's property is located off of County Road Y-48 and staff understands that access to the proposed additional property would be through the applicant's existing commercial property. The State D.O.T. has stated that no additional access to Hwy 61 will be granted. An existing median crossover and access approach is located just west of the west property line of the proposed expansion. Any use of that existing approach would be subject to State D.O.T. approval and reviewed at a subsequent Site Plan Review. The County Engineer has reviewed this proposed rezoning request and did not have any comments.

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

The property is not currently served by either public sewer or water service. The proposed use of the property for additional outdoor RV storage would not require any additional water or septic systems. The Health Department did not have any comments on this request.

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



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The property is located one mile west of the I-280/U.S. 61 interchange and ¼ mile west of Y-48. The adjacent property to the east is developed with the RV sales business and currently zoned C-2. The adjacent property to the west and north is zoned A-P and used for agricultural purposes. The adjacent property to the south, located across Hwy 61 is zoned C-2 and developed with a truck trailer repair business.

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

The adjacent property to the north and west is currently under tillage for row crops. The adjacent property to the east is developed with a commercial business. It would appear that the additional commercial development that would be permitted with the approval of this rezoning would not create any significant disruption to the existing agricultural activities in this area.

Does the area have stable environmental resources?

There is no designated floodplain on the property, and the property is relatively flat and level. However, an erosion control plan would also be required to be submitted and approved in conjunction with a subsequent Site Plan Review that would be required prior to development of the property for the proposed outdoor RV storage.

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

The need for any buffering could be reviewed when a Site Plan Review request is submitted prior to any development of this parcel.

Is there a recognized need for such development?

The applicant has indicated that Thompson & Sons Family RV has been operated in Scott County for 48 years. The business has continued to expand on the existing ten acre parcel following being relocated to the current location when Hwy 61 was expanded. The applicant's have stated that as the business has continued to expand this rezoning is requested to allow seven acres to be added to the property.

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

Commercial development within the rural area should provide only neighborhood and agricultural business needs.

As stated above, Thompson & Sons Family RV has been located in this area of rural Scott County for nearly 50 years so therefore this criterion would appear not to apply to



PLANNING & ZONING COMMISSION
STAFF REPORT
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this application. This request is to allow this existing business to expand and remain in Scott County.

Commercial development serving regional commercial needs should be directed towards existing cities having areas zoned for such development.

Again the establishment of this commercial operation far precedes the adoption of the current land use policies. Staff believes that the existing policies encourage the retention and expansion of existing businesses when determined to be appropriate.

New rural commercial development should be located adjacent to major road intersections provided the businesses do not impede traffic flow.

Staff's review and recommendation on this application is made on the basis that this request is to allow the expansion of an existing business and not for additional new commercial development.

RECOMMENDATION: Staff recommends that the rezoning of this property from Agricultural-Preservation (A-P) to Commercial-Light Industrial (C-2) be approved on the basis that it is to allow the expansion of an existing commercial business and on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

Submitted by:
Timothy Huey, Director
November 30, 2007