

## PLANNING & DEVELOPMENT

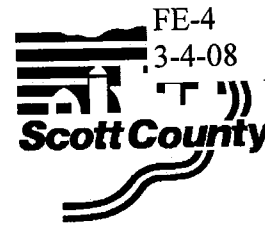
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Timothy Huey  
Director

To: C. Ray Wierson, County Administrator

From: Timothy Huey, Planning Director

Date: February 27, 2008

**Re: A request by Jeff and Cynthia Reed for approval of the Preliminary Plat of Oak Valley Addition a proposed eight (8) lot subdivision, located east of Coon Hunters Road and north of 113<sup>th</sup> Street in part of the SW¼ of Section 15, Buffalo Township.**

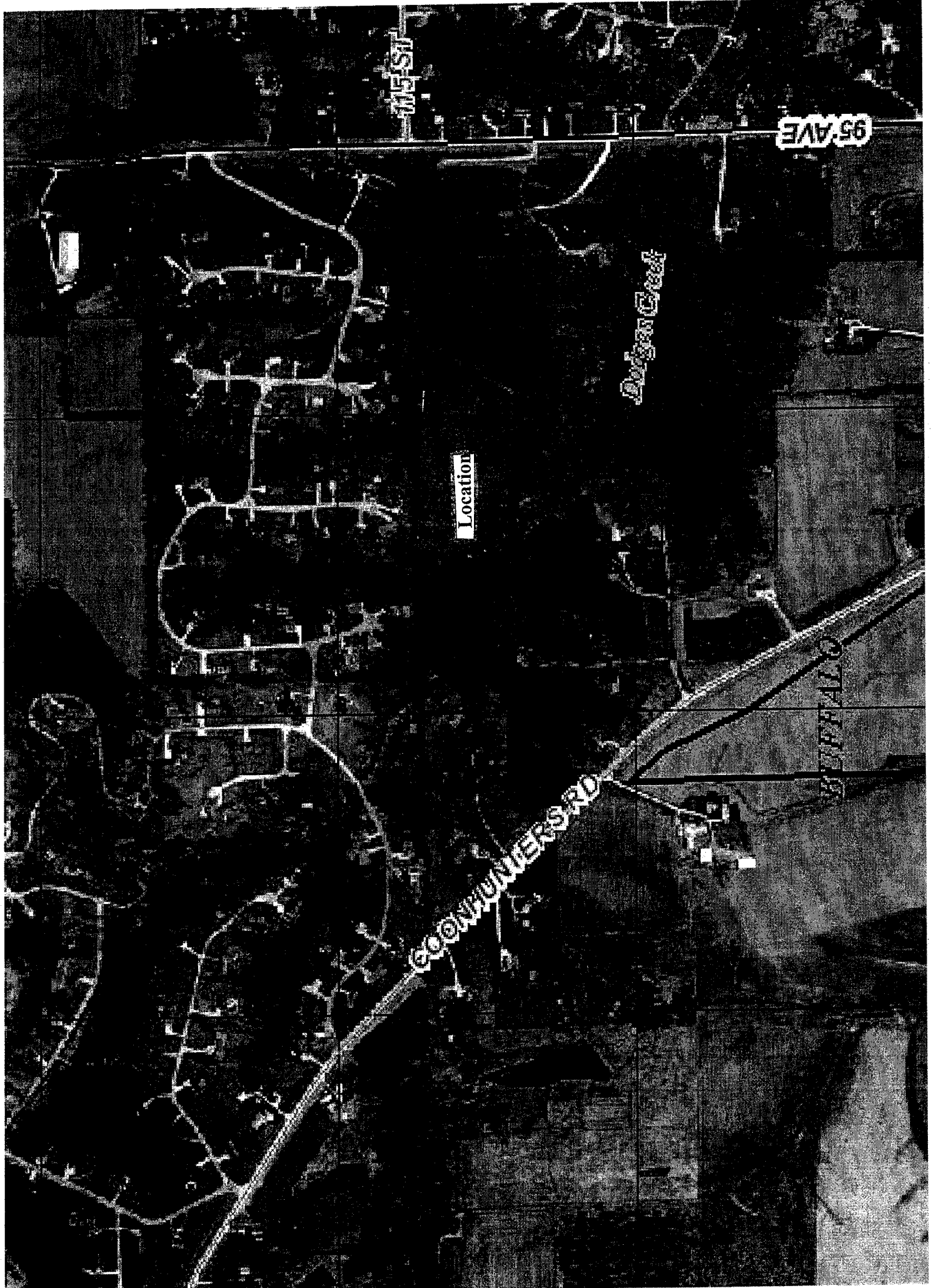
The Planning Commission unanimously recommended approval of the Preliminary Plat with six conditions in accordance with staff's recommendation. The Planning Commission had tabled its review of this Preliminary Plat, with the consent of the applicant, at its December 4<sup>th</sup> and January 8<sup>th</sup> meetings. The Planning Commission's discussion at the previous meetings dealt with its concerns on the length of the proposed cul de sac and the number of lots to be served on that cul de sac. The Planning Commission also had concerns with the inadequate existing access to the property off of Coon Hunters Road with a twenty five foot flag pole being a shared driveway to the applicant's two houses, three neighboring residences and three existing undeveloped lots the applicants owned. Some of the previous versions of the Preliminary Plat increased the numbers of lots to use this shared driveway for access. The Planning Commission indicated that it recommended the applicant upgrade this access by providing an adequate turnaround and increasing the width of the paved access. Without acquiring additional property from the adjacent land owners the width of the easement cannot be increased, therefore any increase in the paved width of that shared driveway would need to be within the twenty five foot wide flagpole. The Planning Commission also indicated that it would not recommend approval of any plat that resulted in more lots accessing this relatively narrow easement.

The Preliminary Plat for Kauth Addition, on the adjacent property to the east, was approved with 23 lots with a single entrance. The street in Kauth Addition is being extended to access the northern portion of the applicant's property. This would allow seven additional lots on the applicant's property before the 30 lot threshold was reached. The Planning Commission had indicated to the applicant that it would recommend approval of a variance to exceed maximum length of the road but not the maximum number of lots served.

The revised Preliminary Plat the Planning Commission reviewed showed a widened paved roadway within the 113<sup>th</sup> Street flagpole, a paved turnaround bulb at the end of that drive and no increase in the number of lots served by that access. This revised plat also shows seven lots on the extension of the northern cul de sac, resulting in no more than thirty lots served by a single entrance.

**RECOMMENDATION:** The Planning Commission recommends that the Revised Preliminary Plat of Oak Valley Addition dated 1/30/08 be approved with the following conditions:

1. That a variance to the Subdivision Regulations be approved to allow the proposed cul de sac to exceed the maximum length based on the minimal nature of the request, that there is no feasible alternative, and that the maximum numbers of thirty (30) lots served by a single access is not being exceeded;
2. All grading and construction comply with the erosion and sediment control plan as approved by the County Engineer and the Natural Resources Conservation Service;
3. The proposed wastewater treatment facilities meet Health Department and Iowa Department of Natural Resources requirements;
4. The existing shared access drive and proposed cul de sac bulb be constructed and hard surfaced to a minimum width of 18 feet and 40 foot radius;
5. The County Engineer review and approve all street construction plans prior to construction; and
6. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.



95 AVE

Location

Lumber Creek

CONSUMERS RD

BUFFALO



## PLANNING & DEVELOPMENT

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Timothy Huey  
Director

To: Planning & Zoning Commission

From: Timothy Huey, Planning & Development Director

Date: February 1, 2008

**Re: Revised Oak Valley Addition Preliminary Plat**

The Planning Commission has tabled its review of this Preliminary Plat at its December 4<sup>th</sup> and January 8<sup>th</sup> meetings. The Planning Commission's discussion at the previous meeting was that it may recommend approval of variance to allow the proposed cul de sac to total greater than ¼ mile in length but that it would not recommend approval of a variance to exceed a maximum of thirty (30) lots served by a single entrance. The Preliminary Plat for Kauth Addition, on the adjacent property to the east, was approved with 23 lots on the cul de sac. That street is being extended to access the northern portion of the applicant's property. This would allow seven additional lots on the applicant's property before the 30 lot threshold was reached.

The current revised Preliminary Plat has seven lots on the cul de sac being extended from Kauth Addition accessing the lots on the north portion of the applicant's property. The existing adjacent four tracts the applicant owns (which are not included in this proposed plat), in addition to the southern 11 acres of the 20 acre tract being subdivided, would continue to obtain access from the existing shared driveway that extends from Coonhunters Road. The revised plat does show a turnaround bulb with a 40 foot radius at the end of the 25 foot wide flagpole coming off of Coonhunters Road. This current revised plat does not change the number of development lots obtaining access from that existing shared driveway. There are currently two existing houses and three lots with development rights that obtain access from that existing access, this revised Preliminary Plat would not change that number.

**RECOMMENDATION:** Staff recommends that the Revised Plat Preliminary Plat of Oak Valley dated 1/30/08 be approved with the following conditions:

1. That a variance to the Subdivision Regulations be approved to allow the proposed cul de sac to exceed the maximum length based on the minimal nature of the request, that there is no feasible alternative, and that the maximum numbers of thirty (30) lots served by a single access is not being exceeded;
2. All grading and construction comply with the erosion and sediment control plan as approved by the County Engineer and the Natural Resources Conservation Service;
3. The proposed wastewater treatment facilities meet Health Department and Iowa Department of Natural Resources requirements;
4. The existing shared access drive and proposed cul de sac bulb be constructed and hard surfaced to a minimum width of 18 feet and 40 foot radius;
5. The County Engineer review and approve all street construction plans prior to construction; and
6. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.



PLANNING & ZONING COMMISSION

STAFF REPORT

January 8, 2008



- Applicant:** Jeff and Cynthia Reed
- Request:** Preliminary Plat of Oak Valley Addition, a proposed eleven (11) lot subdivision.
- Legal Description:** Part of the SW ¼ of Section 15, Buffalo Township.
- General Location:** East of Coon Hunters Road, North of 113<sup>th</sup> Street
- Zoning:** Single Family Residential (R-1)
- Surrounding Zoning:**
- North:** Single Family Residential (R-1)
  - South:** Single Family Residential (R-1)
  - East:** Single Family Residential (R-1)
  - West:** Single Family Residential (R-1)

**GENERAL COMMENTS:** This request was tabled at the December 4, 2007 Planning Commission meeting to give the applicant time to address some of the concerns raised with the initial layout of lots that were submitted. This Preliminary Plat is submitted to subdivide a twenty acre tract into eleven residential lots. The applicants own a total of thirty acres, all of which is zoned Single Family Residential (R-1). The four adjacent tracts which the applicants also own total ten acres in size. Two of those lots have existing residences, the other two tracts would each have a development right for one house. The only access to the entire property is by a twenty five foot wide "flagpole" at the southwest corner of the property that extends out to Coon Hunters Road. This strip of land, with an unimproved common driveway, serves as the only access for the applicants' twenty acre tract included in this Preliminary Plat and the four other parcels owned by the applicants which are not included with this proposed plat; two of which have existing homes. This common driveway within the twenty five (25') foot wide strip of land is also the only access to three neighboring residences adjacent to the west side of the applicants' property.

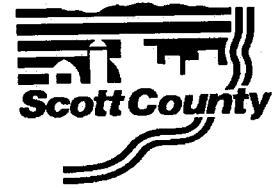
The amended Preliminary Plat proposes to create three lots on the south ten acre portion of the twenty acre tract but only two of which would be accessed by the existing shared driveway. This would result in no net increase in the number of lots served by this existing driveway. The north ten acres would be subdivided into eight one acre lots that would be accessed by extending 114<sup>th</sup> Street; when it is constructed on the adjacent property to the east and would terminate with a cul de sac on the applicants' property. A ninth lot would be accessed by a flag pole off the extended cul de sac that would also serve as the shared access to the common area in the adjacent subdivision. (A Preliminary Plat recently approved for Kauth Addition shows a road extended through the property to the east border of the applicants' property with a one acre nature area also adjacent to the applicant's property.) Additionally, a thirty (30') foot wide strip of land



PLANNING & ZONING COMMISSION

STAFF REPORT

January 8, 2008



would be extended from the end of that cul de sac to the applicants' undeveloped six acre tract on the west side of the property.

The entire property is generally heavily wooded, with steep slopes and rolling topography. Dodges Creek runs west to east through the middle portion of the property. Hickory Hills Subdivision borders the property on the north and a twenty acre parcel to the south which is also zoned R-1 but is currently developed with a single residence.

**STAFF REVIEW:** Staff has reviewed this amended request for compliance with the requirements of the Subdivision Regulations and the Zoning Ordinance. All of the proposed lots exceed the minimum lot size required by Health Department Regulations and the R-1 zoning district requirements.

**Access, Street design and road layout**

As stated above, the proposed lots on the north half of the property will be accessed by extending the new street to be constructed on the adjacent property and end it in a cul de sac. This would result in a cul de sac 1,875 feet in length that would serve 33 total lots. This is 555 feet longer than the maximum 1,320 feet permitted by the subdivision regulations and two lots more than the maximum of thirty allowed to be served by a single access. Staff does not regard the length of the proposed cul de sac excessive nor the proposed density of lots. Particularly since due to how the adjacent properties are developed this would appear to be the only feasible alternative for accessing this portion of the applicant's property. Also the applicant has narrowed the proposed access to the undeveloped six acre tract on the west side of this property to thirty (30') feet in width which would prohibit any future subdivision of that six acre tract. However, both the length of the cul de sac and number of lots served would require approval of a variance to the subdivision regulations prior to approval of the Final Plat. The road design and construction will meet all County Standards which is also required for the adjacent subdivision from which this road would be extended.

The applicant has amended the layout so only two of the three proposed lots on the south side of the property are to be accessed by the shared drive that comes off of Coon Hunters Road. The third would be accessed from a flagpole off the cul de sac extended from the adjacent property on the north part of the property. As stated above, that drive way also provides the only access for five existing residences and two undeveloped lots in addition to the two proposed lots included on this Preliminary Plat. Even though the subdivision regulations only allow a maximum of four lots to be served by a shared driveway, staff would regard the existing access as a grandfathered existing condition and the current layout would not result in any net increase in the number of lots served by this existing access. The applicant is proposing to terminate the existing shared driveway with a hammerhead turnaround which staff considers an improvement over the exiting conditions.



## PLANNING & ZONING COMMISSION

### STAFF REPORT

January 8, 2008



Following approval of the Preliminary Plat and prior to approval of the Final Plat the street construction plans will have to be submitted to the County Engineer. The County Engineer must approve those plans prior to initiation of construction.

#### **Stormwater management**

The Subdivision regulations require all internal streets to be adequately drained and that detention facilities adequate to capture the runoff from a twenty five (25) year rain event, calculated at post-developed flows, to be placed in the subdivision. The release rate from that detention area shall not exceed the volume produced by a five (5) year event, calculated at pre-developed flows. The stormwater drainage plan has been submitted and reviewed by the County Engineer.

#### **Easements along Streams**

As stated above, Dodges Creek runs through the middle of this property but it is shown as a designated 100-year floodplain on the Flood Insurance Rate Maps (FIRM). The Preliminary Plat does show a 100 foot wide drainage easement being retained along the centerline of the creek.

#### **Erosion and sediment control plan**

The subdivision regulations require the submission of an erosion and sediment control plan prior to Preliminary Plat approval. A plan is included on the Preliminary Plat document. Those plans include information regarding the soil types and the specifications for temporary and permanent erosion and sedimentation control.

#### **Protection of natural vegetation cover**

The subdivision regulations allow no more than fifteen percent (15%) of the naturally occurring tree cover to be removed as a result of roadway construction and building site preparation. If the removal of more than 15% is deemed necessary then the removal shall be mitigated by replacing one native tree of similar specie for every three trees removed. The Preliminary Plat notes that approximately 5.9 acres is currently covered with existing trees and that only .39 of an acre will be disturbed for road construction. This represents under 7% of the total area cited and well below the 15% allowed.

#### **Open space requirements**

All residential subdivisions with fifteen lots or greater must provide a minimum area of 10,000 square feet of open space plus 2,000 square feet for every lot over fifteen. This plat contains 10 lots and therefore there is no common open space required. However the plat does show an access easement to the open space lot on the plat of the adjacent property as common open space for this lot. This will allow the open space to be shared by the residents of both subdivisions.

#### **Wastewater disposal systems**

The Health Department has noted that two acceptable soil percolation tests per lot will have to be submitted prior to Final Plat approval. If soil perc tests are not acceptable then an alternative system, such as a sand filter will be required.





PLANNING & ZONING COMMISSION  
STAFF REPORT  
January 8, 2008



**Water**

The developer of the adjacent land, Mr. Kauth, has submitted a written notice that these two subdivisions will share a community water system that will meet State requirements.

The adjacent property owners within five hundred feet (500') of this property were notified of the previous Preliminary Plat request. No further notice is required.

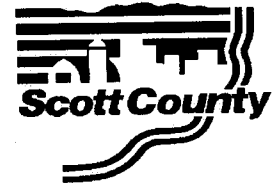
**RECOMMENDATION:** Staff recommends that the Preliminary Plat be approved with the following conditions:

1. That a variance to the Subdivision Regulations be approved to allow the proposed cul de sac be allowed to exceed the maximum length and number of lots served based on the minimal nature of the request and that there is no feasible alternative;
2. All grading and construction comply with the erosion and sediment control plan as approved by the County Engineer and the Natural Resources Conservation Service;
3. The proposed hammerhead turnaround be constructed and hard surfaced at the end of 113<sup>th</sup> Street;
4. The County Engineer review and approve all street construction plans prior to construction; and
5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Submitted by:  
Timothy Huey, Director  
January 3, 2008



PLANNING & ZONING COMMISSION  
STAFF REPORT  
December 4, 2007



**Applicant:** Jeff and Cynthia Reed

**Request:** Preliminary Plat of Oak Valley Addition, a proposed eleven (11) lot subdivision.

**Legal Description:** Part of the SW ¼ of Section 15, Buffalo Township.

**General Location:** East of Coon Hunters Road, North of 113<sup>th</sup> Street

**Zoning:** Single Family Residential (R-1)

**Surrounding Zoning:**

<b>North:</b>	Single Family Residential (R-1)
<b>South:</b>	Single Family Residential (R-1)
<b>East:</b>	Single Family Residential (R-1)
<b>West:</b>	Single Family Residential (R-1)

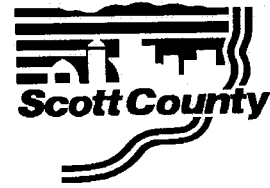
**GENERAL COMMENTS:** This request is submitted to approve the Preliminary Plat of a twenty acre tract. The applicants' own a total of thirty acres, all of which is zoned Single Family Residential (R-1). The four adjacent tracts which the applicants also own total ten acres in size. Two of those lots have existing residences, the other two tracts would each have a development right for one house. The only access to the entire property is by a twenty five foot wide "flagpole" at the southwest corner of the property that extends out to Coon Hunters Road. This strip of land, with an unimproved common driveway, serves as the only access for the applicants' twenty acre tract included in this Preliminary Plat and the four other parcels owned by the applicants which are not included with this proposed plat; two of which have existing homes. This common driveway within the twenty five wide strip of land is also the only access to three neighboring residences adjacent to the west side of the applicants' property.

The Preliminary Plat proposes to create three lots on the south ten acre portion of the twenty acre tract that would be accessed by extending the existing shared driveway. The north ten acres would be subdivided into eight one acre lots that would be accessed by extending 114<sup>th</sup> Street; when it is constructed on the adjacent property to the east and would terminate with a cul de sac on the applicants' property. (A Preliminary Plat recently approved for Kauth Addition shows a road extended through the property to the east border of the applicants' property.) Additionally, a forty (40') foot wide a strip of land would be extended from the end of that cul de sac to the applicants' undeveloped six acre tract on the west side of the property.

The entire property is generally heavily wooded, with steep slopes and rolling topography. Dodges Creek runs west to east through the middle portion of the property. Hickory Hills Subdivision borders the property on the north and a twenty acre parcel to the south which is also zoned R-1 but is currently developed with a single residence.



PLANNING & ZONING COMMISSION  
STAFF REPORT  
December 4, 2007



**STAFF REVIEW:** Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and the Zoning Ordinance. All of the proposed lots exceed the minimum lot size required by Health Department Regulations and the R-1 zoning district requirements.

**Access, Street design and road layout**

As stated above, the proposed lots on the north half of the property will be accessed by extending the new street to be constructed on the adjacent property and end it in a cul de sac. This would result in a cul de sac 1,875 feet in length that would serve 32 total lots. This is 555 feet longer than the maximum 1,320 feet permitted by the subdivision regulations and two lots more than the maximum of thirty allowed to be served by a single access. Both of these would require approval of a variance to the subdivision regulations prior to approval of the Final Plat. The road design and construction will meet all County Standards which is also required for the adjacent subdivision from which this road would be extended.

The three proposed lots on the south side of the property are proposed to be accessed by an extension of the shared drive that comes off of Coon Hunter Road. As stated above, that drive way also provides the only access for five existing residences and two undeveloped lots in addition to these three proposed lots include on this Preliminary Plat. The subdivision regulations only allow a maximum for four lots to be served by a shared driveway. The existing lots were created prior to the subdivision regulations being in place but the creation of these new lots would require compliance with the subdivision regulations. Those would require a minimum of fifty feet of road easement width and a road built to County standards. This would necessitate the applicants acquiring an additional twenty five feet of easement width at the entrance off of Coon Hunters and improving a road to County standards within that easement. That road would then be required to terminate with a eight foot diameter cul de sac turnaround.

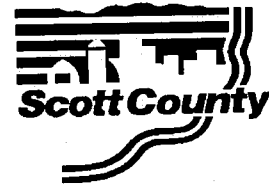
Following approval of the Preliminary Plat and prior to approval of the Final Plat the street construction plans will have to be submitted to the County Engineer. The County Engineer must approve those plans prior to initiation of construction.

**Stormwater management**

The Subdivision regulations require all internal street to be adequately drained and that detention facilities adequate to capture the runoff from a twenty five (25) year rain event, calculated at post-developed flows, to be place in the subdivision. The release rate from that detention area shall not exceed the volume produced by a five (5) year event, calculated at pre-developed flows. The stormwater drainage plan and the design of detention facilities are required prior to Preliminary Plat approval. Staff would recommend that a stormwater drainage plan be submitted prior to the Planning Commission making a recommendation on the Preliminary Plat.



PLANNING & ZONING COMMISSION  
STAFF REPORT  
December 4, 2007



**Easements along Streams**

As stated above, Dodges Creek runs through the middle of this property but it is shown as a designated 100-year floodplain on the Flood Insurance Rate Maps (FIRM). The Preliminary Plat does show a 100 foot wide a drainage easement being retained along the centerline of the creek.

**Erosion and sediment control plan**

The subdivision regulations require the submission of an erosion and sediment control plan prior to Preliminary Plat approval. A plan is included on the Preliminary Plat document. Those plans include information regarding the soil types and the specifications for temporary and permanent erosion and sedimentation control.

**Protection of natural vegetation cover**

The subdivision regulations allow no more than fifteen percent (15%) of the naturally occurring tree cover to be removed as a result of roadway construction and building site preparation. If the removal of more than 15% is deemed necessary then the removal shall be mitigated by replacing one native tree of similar specie for every three trees removed. The Preliminary Plat notes that approximately 5.9 acres is currently covered with existing trees and that only .39 of an acre will be disturbed for road construction. This represents under 7% of the total area cited and well below the 15% allowed.

**Open space requirements**

All residential subdivisions with fifteen lots or greater must provide a minimum area of 10,000 square feet of open space plus 2,000 square feet for every lot over fifteen. This plat contains 10 lots and therefore there is no common open space required. However the plat does show a strip of land .34 acres in size adjacent to the open space lot on the plat of the adjacent property as common open space for this lot. This will allow the open space to be shared by the residents of both subdivisions.

**Wastewater disposal systems**

The Health Department has noted that two acceptable soil percolation tests per lot will have to be submitted prior Final Plat approval. If soil perc tests are not acceptable than an alternative system, such as a sand filter will be required.

**Water**

The applicant has not indicated how these properties will be served with potable water.

Staff has notified the adjacent property owners within five hundred feet (500') of this property of this Preliminary Plat request. Staff has received some calls from neighbors with concerns on this request.

**RECOMMENDATION:** Staff recommends that the Preliminary Plat be tabled until January 8, 2008 to allow the applicant time to submit the requested information on access, road design, stormwater management, erosion control, and water system.

Submitted by: Timothy Huey, Director November 30, 2007