

PLANNING & DEVELOPMENT

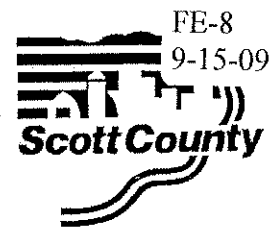
500 West Fourth Street

Davenport, Iowa 52801-1106

E-mail: planning@scottcountyiowa.com

Office: (563) 326-8643

Fax: (563) 326-8257



Timothy Huey
Director

To: Dee F. Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: September 8, 2009

Re: Approval of a two year extension of the Preliminary Plat of Kauth's Second Addition.

The Subdivision Regulations allow approval of Preliminary Plat to be effective for one year, except the Board of Supervisors, upon request of the subdivider and advice of the Planning Director may grant an extension of that time limit. The Preliminary Plat for this subdivision was originally approved August 23, 2007. A previous request to extend that approval another year was approved in July, 2008. At this point staff is recommending a two extension to allow adequate time for submittal of the Final Plat. If a Final Plat is not submitted within the next two years, staff would recommend that the Preliminary Plat be re-reviewed by the Planning and Zoning Commission.

The applicant for Kauth's 2nd Addition has submitted a request for a one year extension of the Preliminary Plat approval. Attached is the letter staff received stating the reasons for the applicant's request.

Staff would recommend approval of a two year extension.

14 August, 2006

Mr. Tim Huey
Administrator
Scott County Planning & Zoning

Subj: Request for time extension for the completion of Kauth's 2nd Addition
to Oak Valley Subdivision.

August 23, 2007, the Scott County Board approved the preliminary plat of the 2nd addition of my subdivision, and last summer an extension for one year was granted.

I have found that it takes me longer to move the dirt for the creek crossing than was originally anticipated. This is due to equipment breakdowns, wet weather, cold weather, and some health issues: a heart stent, and a knee replacement surgery.

I hope that by the end of August, I will have the creek crossing section up to grade, and we can move to the west with the road grading.

Since it is helpful for a large and deep culvert crossing to settle thru the winter before a county class concrete road is poured on top of it, I am requesting an additional year of time to completion of the 2nd addition of the Oak valley Subdivision.

Thank You for your consideration of this request.


Bob Kauth

19 June, 2008

Mr. Tim Huey
Administrator
Scott County Planning & Zoning

Subj: Time for completion of the "Kauth's 2nd Addition" to Oak Valley Subdivision.

Last August 23, the Scott County Board approved the preliminary plat of the 2nd Addition to my subdivision. The standard time given for completion was 1 yr.

I then sought approval from the City of Buffalo, which was given on 10/1/07.

Next I submitted the plans for the crossing of a small creek to the State of Iowa DNR and to the US Army Corp. of Engineers. The state of Iowa sent back an approval letter. The Corp of Engineers decided that a full scale review, with a public notice requesting comment, was required. The public notice comment period lasted til Jan 9, 2008. Because the length of a back up pool with a 100 yrs. rain might extend 600 feet up the valley, they deemed that the crossing culvert design required a phase 1 archaeological study, which could not be done correctly until the ground thawed in the Spring of 2008. This could also be followed by a Phase 2 study, requiring excavation by Archaeologists.

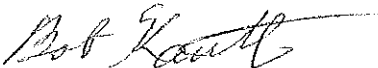
I proposed a change in the crossing design that would reduce to pool upstream of the crossing, and the Corp of Engineers, approved the project on January 15, 2008, under the "Nation Wide Permit #14" process.

The DNR issued a Storm Water Discharge Permit for construction activity dtd: 4/25/08.

I have the 78" diameter culvert on order, and expect delivery to the site about the 1st week of July. At that point I can begin to seriously move dirt.

Since I believe that a large and deep culvert crossing should settle thru a winter before a county class concrete road is poured on top of it, I am requesting an additional year of time to completion of the 2nd addition of the Oak Valley Subdivision and for my neighbors continuation of it onto their property.

Thank You for your Kind Consideration of this request.



Bob Kauth

Copy attached of Corp ltr of approval dtd 15 Jan, 2008



Timothy Huey
Director

To: C. Ray Wierson, County Administrator

From: Timothy Huey, Planning Director

Date: August 15, 2007

Re: A request by Robert Kauth for approval of the Preliminary Plat of Kauth Addition a proposed 21-lot subdivision located west of 95th Avenue and south of Hickory Hills Second Annex in part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Buffalo Township.

The Planning Commission unanimously recommended approval of the Preliminary Plat with four conditions in accordance with staff's recommendation. A previous Preliminary Plat was withdrawn earlier this year due to concerns the Planning Commission had with the access to four of the lots that crossed Dodges Creek. Those lots have been eliminated from the current plat and that area is included with the lot that contains the applicant's existing house and is 9.4 acres in size.

The Planning Commission discussed the stormwater management plan, the retention of a drainage easement along Dodges Creek, open space requirements and road standards. The applicant stated that the interior roads will be built to County standards and will be turned over to the County for maintenance following completion.

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 then an alternative system, such as a sand filter will be required.

Only the applicant and a neighboring property owner were in attendance at the Planning Commission and both spoke in favor of the Preliminary Plat.

RECOMMENDATION: The Planning Commission recommends that the Preliminary Plat of Kauth Addition be approved with the following conditions:

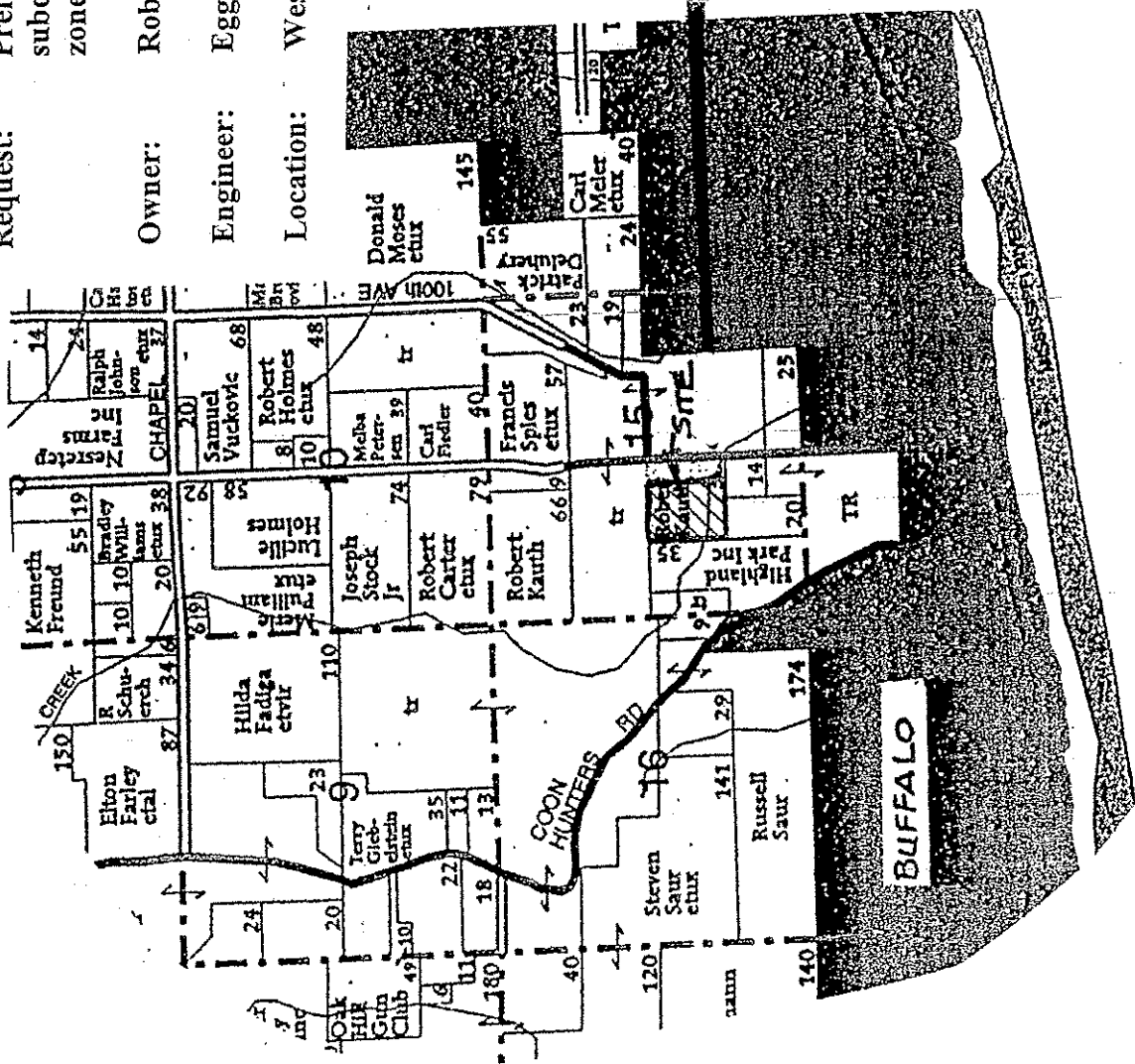
1. All grading and construction comply with the erosion and sediment control plan as approved by the County Engineer and the Natural Resources Conservation Service;
2. That permitted areas for residences and accessory buildings be shown on the Final Plat;
3. The County Engineer review and approve all street construction plans prior to construction; and
4. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Request: Preliminary Plat approval for a proposed twenty one (21) lot subdivision located in Section 15, Buffalo Township. The property is zoned Single Family Residential (R-1)

Owner: Robert Kauth

Engineer: Egger Engineering and Land Surveying

Location: West of 95th Avenue and South of Hickory Hills 2nd Annex





PLANNING & ZONING COMMISSION

STAFF REPORT

August 7, 2007



Applicant: Robert Kauth

Request: Preliminary Plat of Kauth's Addition, a proposed twenty one (21) lot subdivision.

Legal Description: Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Buffalo Township.

General Location: West of 95th Ave. South of Hickory Hills Second Annex

Zoning: Single Family Residential (R-1)

Surrounding Zoning:

North: Single Family Residential (R-1)
South: Single Family Residential (R-1), Agricultural-General (A-G)
East: Single Family Residential (R-1)
West: Single Family Residential (R-1)

GENERAL COMMENTS: This request is submitted to approve an amended Preliminary Plat of the 32 acre balance of a forty acre tract. A previous Preliminary Plat was withdrawn due to concerns with the access to four of the lots that crossed Dodges Creek. Those lots have been eliminated from the current plat and that area is included with the lot that contains the applicant's existing house and would be 9.4 acres in size. The initial 6.5 acres of this parcel was platted in 2002 and 2003 into six residential lots. That area included the entire frontage on 95th Avenue of the forty acre parcel. Access to 21 lots included in this Preliminary Plat would be by extending 114th Street through to the western boundary of this property. One short cul de sac would be extended off that road to the north to access the nine of the proposed lots. The cul de sac will be built to county road standards as would 114th Street which would be extended to the west boundary of the property.

This parcel was rezoned to Single Family Residential (R-1) in 1994. The applicant stated at that time that the purpose of the rezoning was to allow the future subdivision and development of the property.

Portions of the property, mainly adjacent to the small creeks that cross the property, are heavily wooded mixed in with areas of open meadow. Dodges Creek runs west to east on the south portion of the property and flows under 95th Avenue just south of the property. A drainage channel runs north to south, from Hickory Hills to Dodges Creek on the west side of these proposed lots.

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.



PLANNING & ZONING COMMISSION

STAFF REPORT

August 7, 2007



Street design and road layout

The plat has been amended to address the concerns of staff and the Planning Commission with the previous configuration that proposed four lots to be platted south of Dodges Creek that would have access to a shared private drive. As stated above those lots have been eliminated and the area is included with one large lot of 9.4 acres in size that contains the existing house on the property.

The other proposed streets will meet all County Road standards. The grading and design of the road for crossing the drainage area coming down from the north and on the west side of the previously platted lots would also have to be completed with this phase of the development.

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 with the road design plans following approval of the Preliminary Plat.

Easements along Streams

As stated above, Dodges Creek runs along the south boundary of this property and a tributary runs along the west lot lines of the previously platted lots. Neither of these flowage areas is shown as a designated 100-year floodplain on the Flood Insurance Rate Maps (FIRM). The applicant's engineer has shown a 100 foot wide drainage easement being retained along the centerline of Dodges 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



PLANNING & ZONING COMMISSION

STAFF REPORT

August 7, 2007



be mitigated by replacing one native tree of similar specie for every three trees removed. The areas of tree cover are shown on the Preliminary Plat. Staff would also recommend that building areas on each lot be designated to help ensure the protection of the tree cover and other environmentally sensitive areas such as the steep slopes. Staff would recommend that this information be submitted and reviewed prior to approval of the Preliminary Plat by the Board of Supervisors.

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. The previous portion of the property that was platted contained 6 lots but with these 21 proposed lots brings the total to 27 lots. Therefore this subdivision needs to provide approximately .78 acre of common open space. There is just over an acre of "nature area" shown on the plat adjacent to Dodges Creek. The Planning Commission will have determine whether this meets the requirement.

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 proposes to serve the lots with a private community water system. The well is located on Lot 20, the 9.4 acre lot with the existing house.

Staff has notified the adjacent property owners within five hundred feet (500') of this property of this Preliminary Plat request. Staff has not received any additional calls from neighbors with concerns on this request.

RECOMMENDATION: Staff recommends that the Revised Preliminary Plat of Kauth Addition be approved with the following conditions:

1. All grading and construction comply with the erosion and sediment control plan as approved by the County Engineer and the Natural Resources Conservation Service;
2. That permitted areas for residences and accessory buildings be shown on the Final Plat;
3. The County Engineer review and approve all street construction plans prior to construction; and
4. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Submitted by:
Timothy Huey, Director
August 3, 2007

