

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Dee F Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: April 19, 2011

Re: A request by Mike Petersen for Preliminary Plat approval for Schutter Farm Addition, a proposed nine (9) lot residential subdivision located in part of the SE ¼ of Section 7, Pleasant Valley Township, north of Valley Drive, west of Spencer Creek and east of Spencer Road.

This request is to approve a nine lot residential subdivision on a 27-acre parcel in Pleasant Valley that has existing development on all four sides. The lots will be accessed by a private road that will be 1,550 feet in length which exceeds the maximum permitted length. However based on the relatively low density (9 lots) and that an intermediate turnaround is provided; the Planning Commission recommended approval of this variance to the subdivision regulations. The other issues discussed by the Planning Commission are covered in the staff report on this application.

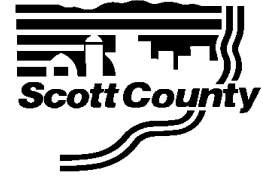
This property also lies within the two-mile platting jurisdiction of the City of Bettendorf. Copies of the City's approval of this Preliminary Plat are included with this memo.

The Planning Commission recommended approval of this Preliminary Plat with the following conditions:

- 1) A variance to the subdivision regulations be approved to allow the length of the private road to exceed 1,320 feet;
- 2). An erosion and sediment control plan be in accordance with the requirements of the Natural Resources Conservation Service and the County Engineer be submitted;
- 3). The proposed wastewater treatment facilities meet Health Department and Iowa Department of Natural Resources requirements;
- 4). The private covenants include provision for private road and common open space maintenance;
- 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
April 5, 2011



- Applicant:** Mike Petersen dba Joy Development Properties LLC
- Request:** Preliminary Plat for Schutter Farm Addition, a proposed nine (9) lot residential subdivision
- Legal Description:** Part of the SE ¼ of Section 7, Pleasant Valley Township and being a replat of part of Lot 1 shown on the plat of subdivision of part of the SE ¼ of said Section 7, shown in Book 49 of Land Deed records at page 505.
- General Location:** North of Valley Drive and east of Spencer Road
- 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 is an amended request for Preliminary Plat approval of a proposed nine lot residential subdivision. A previous Preliminary Plat request that was for the initial six lots of a thirteen lot layout was approved by the Planning Commission but withdrawn by the applicant prior to that recommendation being forwarded to the Board of Supervisors.

The property is zoned Single Family Residential (R-1) and has access and frontage on Valley Drive, a hard surfaced County maintained road. The property is a remnant of undeveloped farmland located in Pleasant Valley, about 1/4 of the property is relatively flat and has been row cropped. The balance of the property is mostly heavily wooded along a steep hillside extending up to the top of the river bluff. The property is bounded on the east by Spencer Creek, on the west by Spencer Road and on the south by Valley Drive. The property is approximately 27 acres in size. The development lots range in size with five being between one and two acres and the remaining four being around three acres in size or greater and the largest over six acres. The plat also includes three outlots, two of which are adjacent to Spencer Creek and the third adjacent to the Pleasant Valley Cemetery.

All the lots would be accessed from the proposed interior road which would be a cul de sac approximately 1,550 feet in length with a intermediate turnaround provided halfway into the subdivision and another at the end. Both turnarounds are of a hammerhead design. The maximum length of a cul de sac allowed under the subdivision regulations is ¼ of a mile or 1,320 feet.



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STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and the Zoning Ordinance. All of proposed lots are greater than the minimum lot size required by the R-1 zoning district requirements for lots not served by a central sewer system. They range in size from 1.30 acres to 6.36 acres. Lot 1, at the entrance to the subdivision has a relatively small building envelope due to the double frontage of Spencer Road and the new entrance road. Due to the topography of the site the applicant states that the entrance road cannot be moved further east to increase the size of Lot 1, instead the applicant has submitted a setback variance application to the Zoning Board of Adjustment to allow a reduction in the setback from Spencer Road for a new house on that lot. A house would face the new subdivision road, 247th Avenue, and there is no request to reduce that front yard setback.

Street and intersection layout

The proposed private access road slightly exceeds the maximum length for a dead end street. The Subdivision Regulations do allow the Planning Commission to recommend approval of a modification of the requirements of the ordinance. Staff would believe that the nature of the surrounding development, along with the location of Spencer Creek really create a unique circumstance that would allow approval of this variance to the Subdivision Regulations. The proposed road design would allow the property to be developed in a reasonable manner and the intermediate turnaround provided near the halfway point into the subdivision mitigates concerns with the total length of the road. Furthermore the subdivision is well under the maximum density of thirty (30) lots that are permitted on a dead end road.

All of the proposed nine development lots would have access to an interior road that would end with a hammerhead turnaround. The interior street intersects with Valley Drive in a location determined to be acceptable by the County Engineer. The subdivision ordinance requires this proposed street to be numbered as an avenue in accordance with the County's E-911 addressing regulations.

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. The developer has expressed a desire to have the road accepted for maintenance on the County secondary road system.

Water

The applicant proposes to serve the lots with water by extending water mains from the Iowa-American Water Company, a public water system.

Wastewater disposal systems



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Subdivisions containing less than forty (40) lots may install individual on-site systems that meet County Health Department regulations. The applicant is proposing that each lot will be served by a private on-site sand filter wastewater treatment system unless a septic system is approved by the County Health Department. The Health Department has indicated that it needs to review preliminary soils information and a grading plan in order to determine what type of on-site system is appropriate for each lot. As stated above, all of the proposed lots exceed the minimum lot size requirement of 30,000 square feet.

Stormwater management

The Subdivision regulations require all internal streets to be adequately drained and that detention facilities adequate to capture the runoff from a one hundred (100) year rain event shall be placed in the subdivision. The release rate from that detention area shall not exceed the volume produced by a five (5) year event. The stormwater drainage plan and the design of detention facilities are normally completed after Preliminary Plat approval and reviewed and approved prior to Final Plat approval. The County Engineer has discussed with the applicant's engineer a drainage plan that would direct the stormwater directly to Spencer Creek with limited detention that would be acceptable due to this property's proximity to the Mississippi River.

Erosion and Sediment Control

The subdivision regulations require the submission of an erosion and sediment control plan prior to Preliminary Plat approval. A preliminary plan has not been submitted. The applicant's engineer stated that detailed plans would be submitted in conjunction with the road construction plans. Those plans shall include information regarding the soil types, the specifications for temporary and permanent erosion and sedimentation control and the proposed timing schedule and development sequence.

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 developer is also required to submit a protection plan for any areas deemed environmentally sensitive such as wetlands or steep slopes.

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. With 9 lots in this subdivision it would not be required to meet any open space requirements.

City of Bettendorf's Review

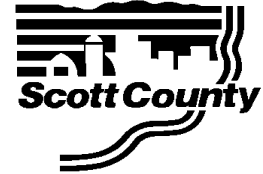
This property lies with the platting jurisdiction of the City of Bettendorf. The Bettendorf Planning and Zoning Commission will also review this Preliminary Plat and forward a



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STAFF REPORT

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recommendation to the Bettendorf City Council. The applicant must meet the subdivision requirements of both the City of Bettendorf and Scott County.

Staff has notified the adjacent property owners within five hundred feet (500') of this property of this Preliminary Plat request. Staff has not, as of yet, received any calls or comments on this request.

RECOMMENDATION: Staff recommends that the Preliminary Plat for Schutter Farm Addition be approved with the following conditions:

1. An erosion and sediment control plan be in accordance with the requirements of the Natural Resources Conservation Service and the County Engineer be submitted;
2. The proposed wastewater treatment facilities meet Health Department and Iowa Department of Natural Resources requirements;
3. The private covenants include provision for private road and common open space maintenance;
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
April 1, 2011



COUNCIL LETTER

MEETING DATE: April 4/5, 2011

REQUESTED BY: Bill Connors

ITEM TITLE: Resolution approving the preliminary plat of Schutter Farm Addition, submitted by Joy Development Properties, LLC. (Case 11-011)

Explanation (Background and How it Responds to Vision, Mission, or Goals)

Joy Development Properties, LLC has submitted an application for a preliminary plat located in Pleasant Valley. The proposed Schutter Farm Addition is located within the two-mile extraterritorial jurisdiction of the Bettendorf city limits (north of Valley Drive and east of Spencer Road) (see Aerial Photo and Site Photo, Attachments A and B). The overall concept plan has 8 lots and one outlot (see Aerial Concept, Attachment C). The property involved is approximately 30 acres in size and consists of 9 lots and 3 outlots with an adjoining right-of-way (see Preliminary Plat, Attachment D). The Scott County Planning and Zoning Commission will review the preliminary plat subject to all City of Bettendorf standards and specifications being met by the developer. The final plat will also require County approval.

Enhances the Vision: "The City of Bettendorf is the most livable community for families" is extended to the two mile area near the boundaries of the City based on Iowa statutes providing for City review.

The Planning and Zoning Commission made a recommendation for approval of the preliminary plat by a 6-0 margin at its March 16 meeting.

Consult the Planning and Zoning Commission staff report for further details.

If the matter is not budgeted in the current year, explain why funding is requested and the anticipated source:

N/A

List Attachments:

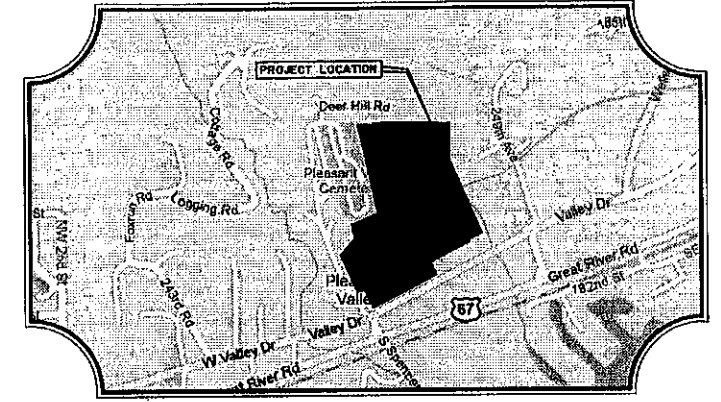
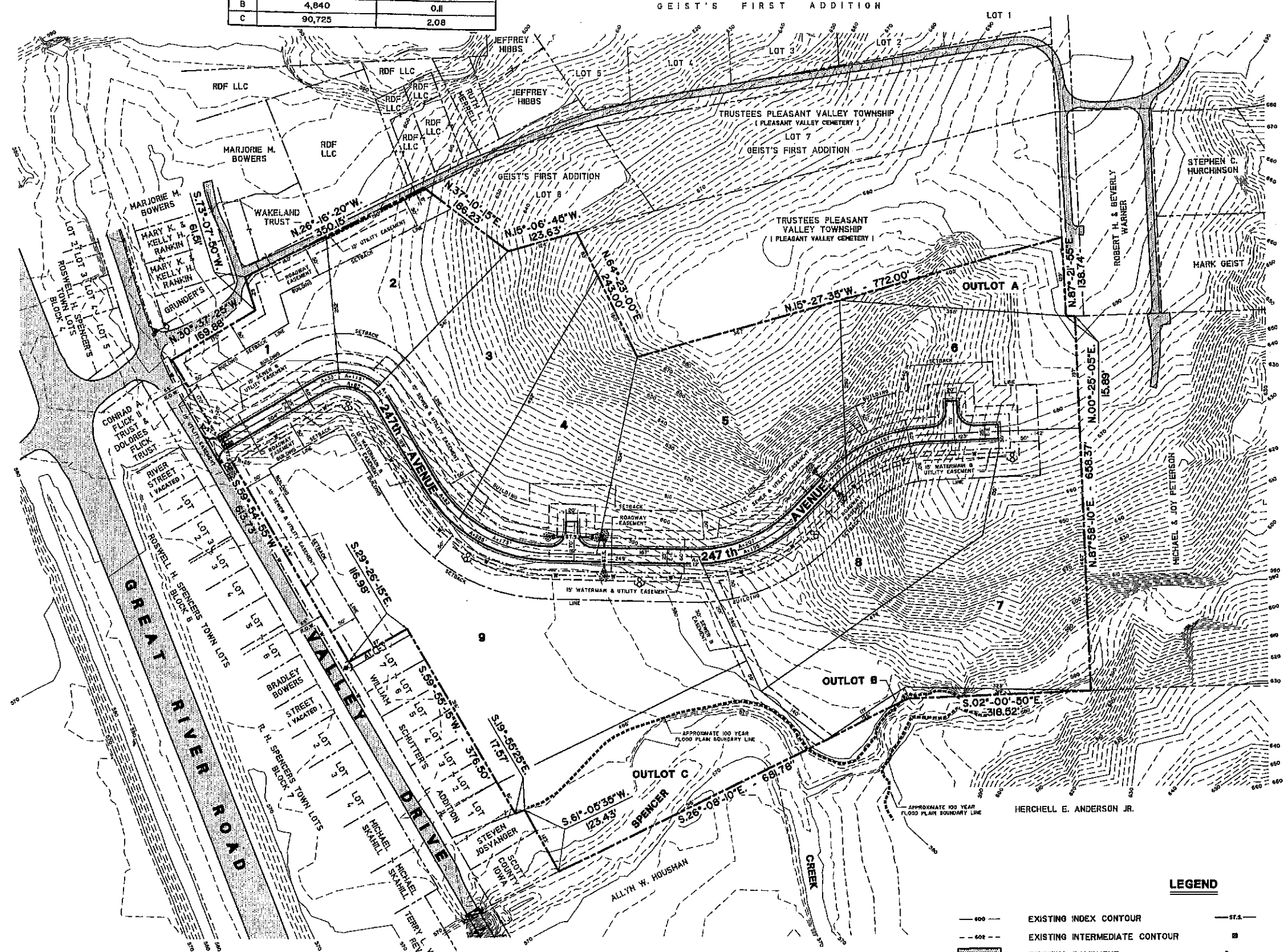
Resolution; (A) Aerial Photo; (B) Site Photo; (C) Aerial Concept Plat; (D) Preliminary Plat; (E) Staff report to the Planning and Zoning Commission; (F) Planning and Zoning Commission report to the Mayor and City Council; (G) Excerpts from the Planning and Zoning Commission meeting minutes regarding this matter.

PRELIMINARY PLAT OF SCHUTTER FARM ADDITION

BEING PART OF THE SOUTHEAST QUARTER OF SECTION 7 TOWNSHIP 78 NORTH, RANGE 5 EAST OF THE 5th P.M. AND BEING A REPLAT OF PART OF LOT 1 SHOWN ON THE PLAT OF SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SAID SECTION 7 SHOWN IN BOOK 49 OF LAND DEED RECORDS AT PAGE 505 AND ALSO BEING A REPLAT OF LOTS 8, 9, AND 10 WILLIAM SCHUTTER'S ADDITION

LOT AREAS		
NO.	SQUARE FEET (TOTAL)	ACRE (TOTAL)
1	56,576	1.30
2	65,076	1.49
3	89,565	2.06
4	80,320	1.84
5	142,830	3.28
6	92,346	2.12
7	141,300	3.25
8	117,696	2.70
9	276,900	6.36
A	27,426	0.63
B	4,840	0.11
C	90,725	2.08

SCALE: 1" = 100'
 MARCH 8, 2011
 REVISED MARCH 25, 2011
 CHANGE NOTES



LOCATION MAP

(PRELIMINARY PLAT: NOT TO BE RECORDED)

OWNER - DEVELOPER
JOY DEVELOPMENT PROPERTIES LLC
 P.O. BOX 134
 PLEASANT VALLEY, IOWA 52767
 ATTN: MIKE PETERSON

ALL IMPROVEMENTS ARE TO BE INSTALLED IN ACCORDANCE WITH THE LATEST SCOTT COUNTY, IOWA STANDARD SPECIFICATIONS AND DETAIL DRAWINGS.
 ALL INTERIOR LOT DIMENSIONS ARE APPROXIMATE.
 TOPOGRAPHY & OVERALL BOUNDARY DONE BY OTHERS.
 SUBDIVISION CONTAINS 27.28 ACRES, MORE OR LESS.
 EXISTING ZONING IS R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT), SCOTT COUNTY, IOWA ZONING CLASSIFICATIONS.
 ALL SEWAGE DISPOSAL WILL BE PROVIDED BY A PRIVATE WASTE DISPOSAL SYSTEM ON EACH LOT APPROVED BY THE SCOTT COUNTY HEALTH DEPARTMENT.
 ALL WATERMAIN SHALL BE 8 INCH DIAMETER DUCTILE IRON PIPE.
 ALL THE EXISTING ADJOINING PROPERTIES ARE ZONED R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT), SCOTT COUNTY, IOWA ZONING CLASSIFICATIONS.
 LOT 1 SHALL NOT HAVE DIRECT ACCESS TO VALLEY DRIVE. LOT 9 SHALL NOT HAVE DIRECT ACCESS TO VALLEY DRIVE UNTIL A TIME THAT IT IS DESIRED TO BE SUBDIVIDED AND REVIEWED BY THE SCOTT COUNTY PLANNING DEPARTMENT.
 OUTLOT A WILL BE DEEDED TO PLEASANT VALLEY CEMETERY. OUTLOTS B AND C CONTAIN THE 100 YEAR FLOODPLAIN FOR SPENCER CREEK. OUTLOT B WILL BE ATTACHED TO LOT 7 AT THE TIME OF A SALE OF THE LOT AND OUTLOT C WILL BE ATTACHED WITH LOT 9 AT THE TIME OF THE SALE OF LOT.
 ANY UTILITIES TO BE LOCATED IN THE ROADWAY DITCH SHALL HAVE A MINIMUM BURY OF 3 FEET.
 247th AVENUE SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. ON-STREET PARKING IS NOT ALLOWED ON 247th AVENUE.
 ANY ALTERATION OF THE GROUND WITHIN THE LIMITS OF OUTLOTS B AND C SHALL BE RESTRICTED TO CROP PLANTING, THAT NEEDED TO IMPROVE STORMWATER ABSORPTION, OR THAT NEEDED TO PREVENT OR REDUCE EROSION.

CENTERLINE CURVE DATA

CURVE NO. 1 R=76.00'	CURVE NO. 1 R=250.00'
CURVE NO. 1 R=250.00'	CURVE NO. 1 R=250.00'

LEGEND

- 100 --- EXISTING INDEX CONTOUR
- 200 --- EXISTING INTERMEDIATE CONTOUR
- PAV --- EXISTING PAVEMENT
- FH --- EXISTING FIRE HYDRANT
- W --- EXISTING WATER VALVE
- W --- EXISTING 12" D.J.P. WATERMAIN
- S.S. --- PROPOSED STORM SEWER
- CB --- PROPOSED CATCH BASIN
- F.E.S --- PROPOSED FLARED END SECTION
- R.R --- PROPOSED RIP - RAP
- W --- PROPOSED 8" DUCTILE IRN PIPE WATERMAIN
- FH --- PROPOSED FIRE HYDRANT
- W --- PROPOSED WATERMAIN VALVE

PREPARED BY

VERBEKE - MEYER
CONSULTING ENGINEERS,
 4111 EAST 60th STREET
 DAVENPORT, IOWA 52807
 PHONE NUMBER: (563) 359 - 1348



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
April 28, 2011
APPROVING PRELIMINARY PLAT OF SCHUTTER FARM ADDITION

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

Section 1. The Preliminary Plat of Schutter Farm Addition be approved in accordance with the Planning and Zoning Commission's recommendation with the following conditions:

- 1) The variance to the subdivision regulations is hereby approved to allow the length of the private road to exceed 1,320 feet;
- 2). An erosion and sediment control plan in accordance with the requirements of the Natural Resources Conservation Service and the County Engineer be submitted;
- 3). The proposed wastewater treatment facilities meet Health Department and Iowa Department of Natural Resources requirements;
- 4). The private covenants include provision for private road and common open space maintenance;
- 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.

Section 2. This resolution shall take effect immediately.