

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Dee F Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: November 23, 2015

Re: A request by Bobby Schilling, dba Building R Values LLC for approval of Preliminary Plat of Mt Carmel Addition, a proposed four (4) lot residential subdivision, located west of Great River Road and adjacent to Olethea Golf Course located in part of the SW¹/₄ Section 14 of LeClaire Township.

The Planning Commission unanimously recommended approval of the Preliminary Plat with the four (4) conditions recommended by staff. This request is for approval of a Preliminary Plat for which other layouts the Planning Commission has been reviewing since March of this year.

The most recent staff report is included with this memo.

RECOMMENDATION: The Planning Commission recommends that the Preliminary Plat of Mt. Carmel Addition be approved with the following four (4) conditions:

1. The notation on rear yard setbacks be removed from the Final Plat;
2. That a note be placed on the plat regarding Outlot B that it carries no right for separate development and that no building permits will be issued due to lack of access;
3. A covenant shall be prepared and filed along with the Final Plat prohibiting any future re-subdivision of these 4 lots for further residential development; and
4. A road maintenance agreement shall be prepared and filed along with the Final Plat creating a legal mechanism for continual maintenance of the shared access road.



PLANNING & ZONING COMMISSION
STAFF REPORT
November 17, 2015



Applicant: Building R Values, LLC / Bobby Schilling

Request: Preliminary Plat approval of a four (4) lot residential major plat

Legal Description: A fifteen (15) acre parcel located in part of the SW¹/₄ Section 14 of LeClaire Township

General Location: West of Great River Road (US Hwy 67), North of Woods and Meadows Addition, and adjacent to Olathea Golf Course.

Zoning: Single Family Residential (R-1)

Surrounding Zoning:

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

Existing Land Use: Previously used as golf course driving range; no existing structures

Surrounding Land Use:

North: Olathea Golf Course
South: Single Family Dwellings
East: Single Family Dwellings
West: Olathea Golf Course

GENERAL COMMENTS: This existing parcel was split from the golf course property with the approval of a plat of survey in 2012. It was rezoned from Agricultural-General (A-G) to Single Family Residential (R-1) just prior to the plat of survey approval. At that time, the proposed buyer intended to build a single residence on the property with an accessory private horse stable. The property has frontage on and access to US Hwy 67/Great River Road. Previously, the property served as the driving range for Olathea Golf Course. Directly adjacent to the south is an approximately 50 lot residential subdivision known as Woods and Meadows Addition. To the east across Hwy 67 are a number of residential river front lots which are zoned R-1. The adjacent property to the north and west is the main golf course property and is zoned A-G.

The applicant submitted a number of proposed sketch plans and preliminary plats for this development to the Planning Commission. The current proposed Preliminary Plat has reconfigured the road layout to create a short cul de sac from Great River Road and then have four private driveways access the building sites on the four proposed development lots. There is a fifth proposed Outlot that does not have access and would not retain any development right.



PLANNING & ZONING COMMISSION
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STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Subdivision and Zoning Ordinances. The subdivision regulations define a minor plat as any subdivision or re-subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road, or extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property. The subdivision regulations define a major plat as any subdivision not classified as a minor plat, including but not limited to subdivisions of five (5) or more lots, or any size plat requiring any new street or extension of public facilities, or the creation of any public improvements. The necessity to construct a road in conjunction with the platting of these proposed four (4) lots requires this subdivision to be reviewed as a major plat. While the proposed road that serves these 4 lots is private, it still must be built to County standards as a shared driveway.

For major plats, approval of a preliminary plat is required prior to any final plat submittal. Following a recommendation by the Planning Commission, the Preliminary Plat must be approved by the Board of Supervisors prior to the preparation of a final plat.

Zoning, Land Use, and Lot Layout

The existing configuration of the property as a single 15 acre tract that allows for the construction of one (1) single-family dwelling with access to Hwy 67. The platting of this tract into 4 lots served via a shared driveway would allow for the construction of a single-family dwelling on each lot. The two lots at the entrance to the subdivision are both just over an acre in size. The other two proposed lots will be served by longer private driveways that will come off the end of the short cul de sac entry road. Those two lots are 2.6 and 7.7 acres in size, respectively.

The plat shows a forty foot setback line which is unnecessary and somewhat inaccurate. Staff recommends that the setback restriction on the plat be removed. Setbacks are subject to zoning review at the time building permits are issued. Staff also recommends that the status of Lot B as an Outlot clearly be stated on the Plat. It has no access and can not be developed.

Access and roadway improvements

The property has frontage and access on Great River Road / Hwy 67. The 4 lots would be served by a short private cul de sac entrance connecting to Hwy 67. The subdivision regulations require that all new subdivision streets projected to serve no more than four (4) lots shall be constructed at a minimum with a 6" stone aggregate base with an asphalt surface at a minimum of 2" thickness. The design shall also at a minimum include 2 foot wide shoulders and 2 foot wide drainage ditches with 3:1 slopes, as well as a minimum right-of-way width of 50 feet. The street is designed and will be constructed to provide year round access for motorized vehicles, including an area for vehicle turnaround sufficient for emergency vehicles within the roadway easement. The County Engineer



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must approve the plans for the road, cross section, shoulders and ditches before road construction begins. The Iowa DOT would need to approve the design and construction of this proposed private road's intersection with US Hwy 67.

The County Engineer and Assistant Engineer have reviewed the Plat and road design and had no comments or concerns with the proposed road design and lot configuration.

Stormwater management

The Subdivision Regulations require the internal street to be adequately drained, and that storm water runoff from a one hundred (100) year rain event, calculated at post-developed flows, is conveyed/detained and metered out at a volume not to exceed the five (5) year event, calculated at pre-developed flows. The storm water drainage plan and the design of detention facilities are required prior to preliminary plat approval. However, due to the scope of this development, having relatively few lots large in size and a relatively small amount of road being constructed, staff has not required a separate storm water drainage plan. Instead the minimal improvements and design is shown on the submitted Preliminary Plat itself and accompanying road design. Storm water will be conveyed through surface drainage including the newly constructed road ditches, carrying water east to the ditch adjacent to Hwy 67. Prior to entering the Hwy 67 right-of-way storm water is shown detained and metered out.

Erosion and sediment control plan

The Subdivision Regulations also require the submission of an erosion and sediment control plan prior to preliminary plat approval. However, similar to the requirement for a storm water drainage plan, this provision is intended for large, multi-lot major plats. This subdivision is being reviewed as a major plat because it involves the construction of a new road. Staff has reviewed the erosion and sediment control plan and did not have any comments or concerns. The entrance road is just over 200 feet in length with less than a 10% grade. It ends at a higher but relatively level spot for the turnaround bulb that is 80 feet in diameter

Wastewater Disposal and Water Provision

The lots within this subdivision will have to be served by on-site water and wastewater treatment facilities. The Health Department has commented that either individual wells or a community well design would be acceptable. Given the size of the lots, they have no concerns that adequate on-site systems can be constructed. The design and capacity for these systems will be determined at the time a house is built on each lot.

City of Princeton review

This property is within two miles of Princeton city limits. Therefore, review and approval of the Final Plat by the City of Princeton is required. At this time, staff has notified the City of the Preliminary Plat submittal. The City had no comments at this time, and their consent/approval is not required until the Final Plat stage.



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Others Notified

The Subdivision Ordinance requires additional notification of the following County Departments: Assessor, Auditor, and District Soil Conservationist Staff. No comments have been received from any of these offices. Staff also notified adjacent property owners within five hundred feet (500') of the public hearing before the Planning Commission. Staff has not at this time received any calls or comments on this application.

RECOMMENDATION: Staff recommends approval of the Preliminary Plat with the following conditions:

1. The notation on rear yard setbacks be removed from the Final Plat;
2. That a note be placed on the plat regarding Outlot B that it carries no right for separate development and that no building permits will be issued due to lack of access;
3. A covenant shall be prepared and filed along with the Final Plat prohibiting any future re-subdivision of these 4 lots for further residential development; and
4. A road maintenance agreement shall be prepared and filed along with the Final Plat creating a legal mechanism for continual maintenance of the shared access road.

Submitted by:
Timothy Huey,
Planning Director,
November 10, 2015

Scott County Planning & Zoning Commission Meeting: November 17, 2015



1st Floor Board Room, Scott County Administrative Center
600 W. 4th Street, Davenport, IA 52801 7:30 P.M.

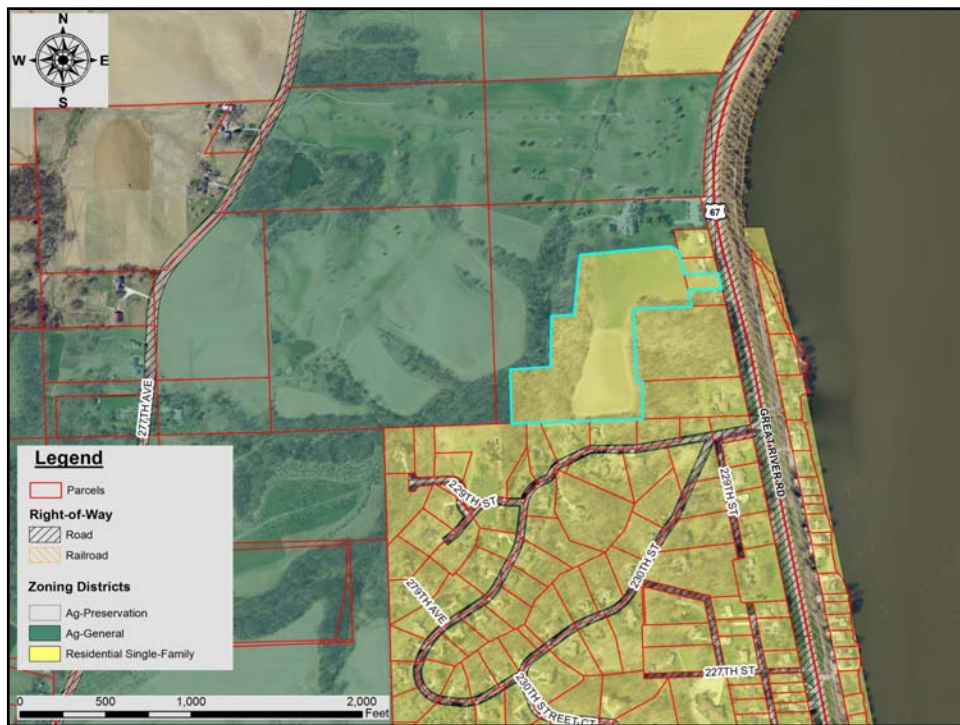
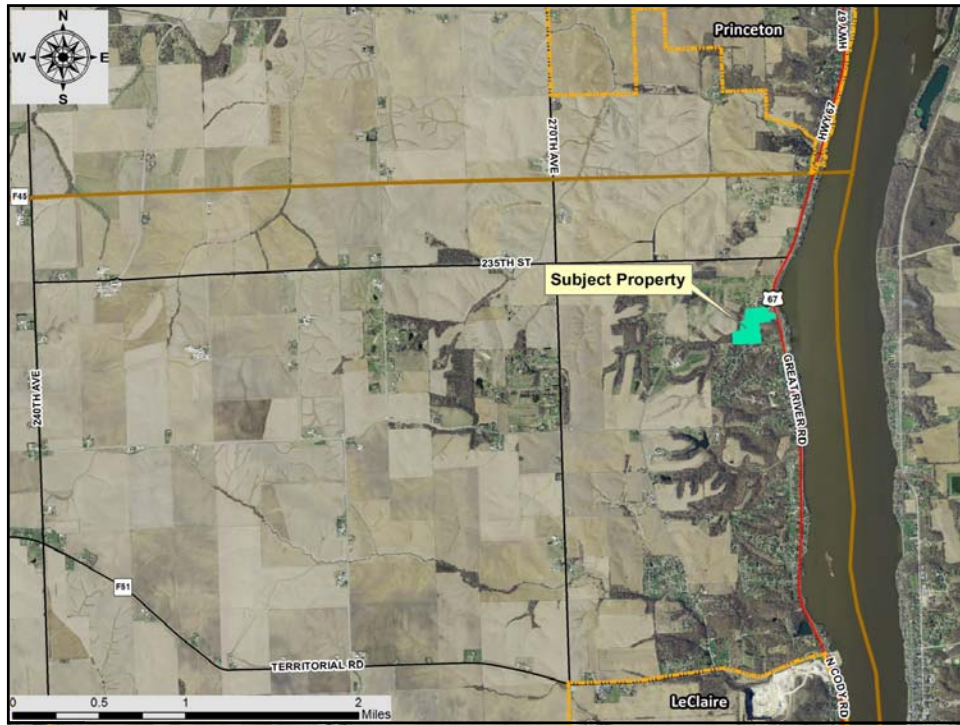
Preliminary Plat Review

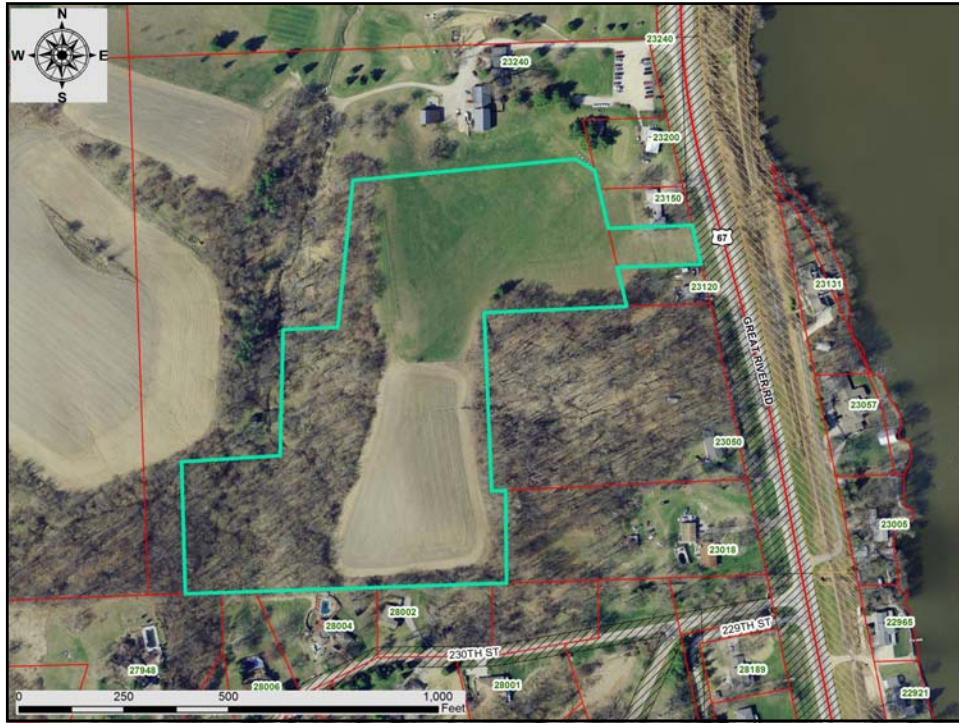
Applicant: Building R Values, LLC / Bobby Schilling

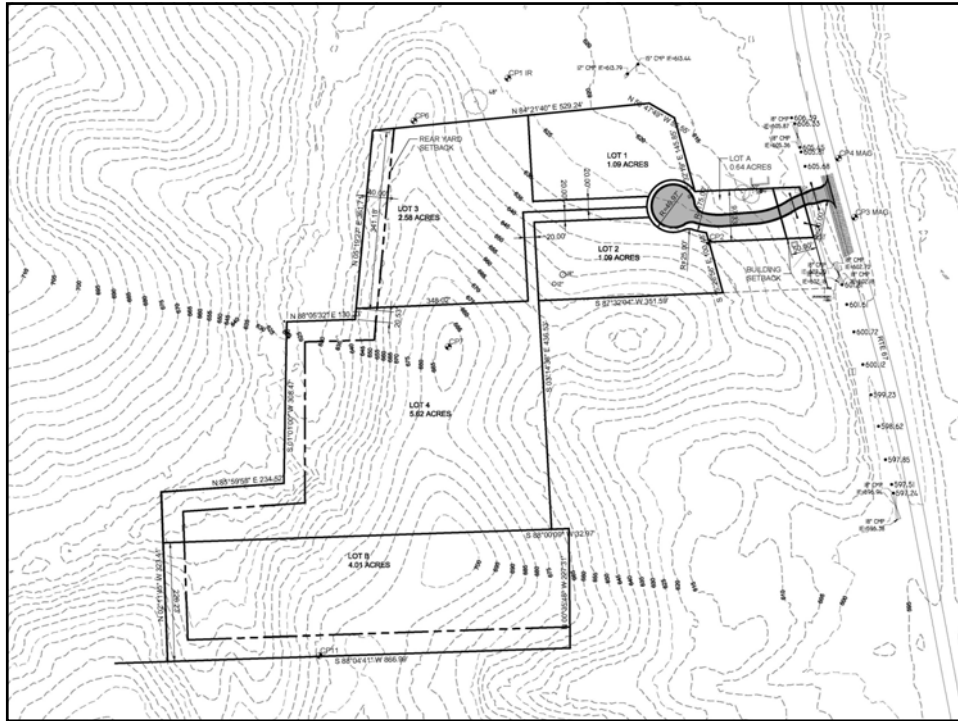
Request: Approval of a four (4) lot preliminary subdivision plat, including road design, amend lot layout from previous submittals.

Purpose: To establish preliminary approval for a major plat; allowing for submittal of a final plat

Property: An approximately 15 acre tract in the SW $\frac{1}{4}$ of Section 14, LeClaire Township







Staff Review

History

- Current 15 acre parcel was rezoned from A-G to R-1 and split from remaining land in 2012 with a plat of survey
- Property served as Olathea Golf Course driving range

Surrounding Properties

- North/West: Olathea Golf Course (zoned A-G)
- South: Woods & Meadows Addition (zoned R-1)
- East: Residential lots fronting Great River Road/Mississippi River (zoned R-1)

Staff Review, cont'd . . .

Previous Review

- Commission reviewed sketch plan back on March 17th.
 - That Sketch Plan had a slightly different road layout and lot configuration, but was still a 4 lot plat involving a new road
- Commission approved the Sketch Plan as a major plat, due to the requirement for a road built to County standards.
- On September 15 the P & Z tabled action on the Preliminary Plat and on October 20 the P & Z acknowledged the withdrawal of that Preliminary Plat.
- The current proposed Preliminary Plat has reconfigured the road layout to create a short cul de sac from Great River Road and then have four private driveways access the building sites on the four proposed development lots. There is a fifth proposed Outlot that does not have access and would not retain any development right.

Staff Review, cont'd . . .

Minor vs. Major Plat

Minor Plat: Any subdivision with 4 or fewer lots fronting on an existing street, not involving any new street/road or extension of other municipal facilities/public improvements

Major Plat: Any subdivision not classified as a minor plat, including the creation of 5 or more lots, or any size plat requiring a new street/road or the extension of public improvements

Staff Review, cont'd . . .

Subdivision Regulations – Required Improvements

- Four (4) or fewer lots may be served by a street constructed to County shared driveway standards (asphalt surface)
- County Engineer has reviewed the road design:
 - Had no comments or concerns with current road design and lot configuration.
 - Iowa DOT will have to approve driveway connection and drainage features at intersection with Hwy 67

Staff Review, cont'd . . .

Lot Layout

- All 4 proposed lots conform to the dimension and sizing requirements of the zoning and subdivision ordinances.
- Each lot will be served by private driveway coming off the cul de sac turnaround bulb. Lot 3 & 4 may have a shared drive for the initial 200+ feet of length.

Storm water, Erosion, and Sediment Control

- Surface drainage conveyed to Hwy 67 right-of-way; detained and metered out
- County would oversee any road construction, and require erosion and sediment controls as needed; no formal plan required for minimal amount of land being disturbed

Notification

Health Department

- No issues with on-site well and septic systems
- Community or individual wells per lot would be acceptable

City of Princeton

- Plat is within 2-mile extraterritorial review jurisdiction for Princeton; review and approval required on final plat

Neighbors

- Notified neighbors within 500' – no comments received to-date
- No other comments received from other County departments notified, including District Soil Conservationist





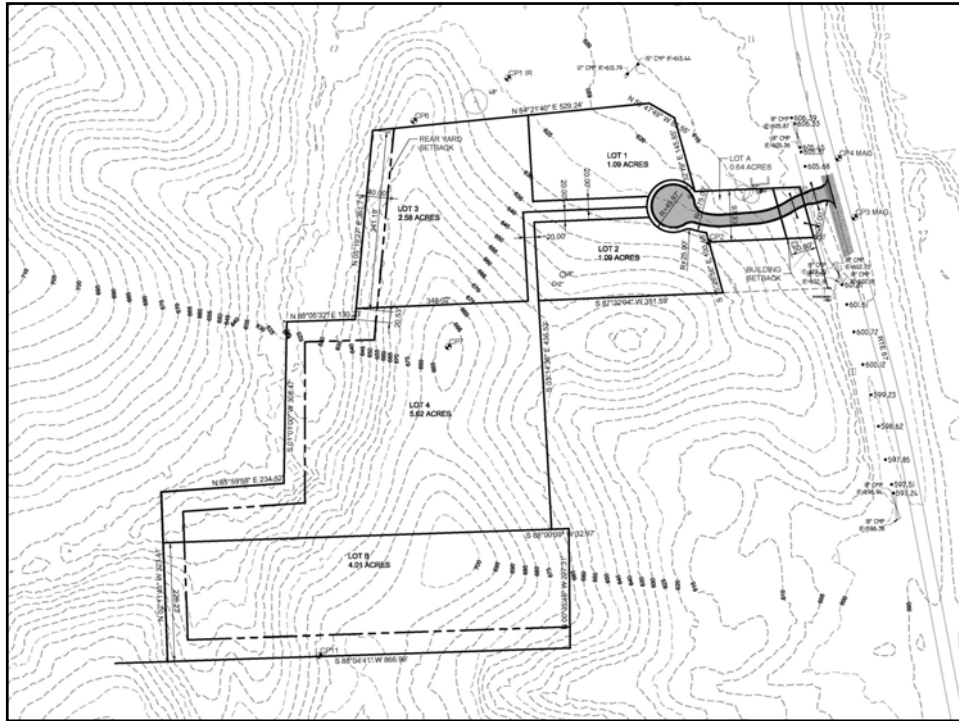




PUBLIC HEARING

Recommendation

- Staff recommends **approval** of the preliminary plat with the following conditions:
1. The notation on rear yard setbacks be removed from the Final Plat
 2. That a note be placed on the plat regarding Outlot B that it carries no right for separate development and that no building permits will be issued due to lack of access;
 3. A covenant shall be prepared and filed along with the Final Plat prohibiting any future re-subdivision of these 4 lots for further residential development; and
 4. A road maintenance agreement shall be prepared and filed along with the Final Plat creating a legal mechanism for continual maintenance of the shared access road.



THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT
THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY
THE BOARD OF SUPERVISORS ON _____
DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N
SCOTT COUNTY BOARD OF SUPERVISORS
DECEMBER 3, 2015
APPROVING PRELIMINARY PLAT OF MT CARMEL 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 3rd day of December, 2015, considered the Preliminary Plat known as Mt Carmel Addition. Said Plat is a proposed four (4) lot residential subdivision, located west of Great River Road and adjacent to Olethea Golf Course located in part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14 Township 79 North, Range 5 East of the 5th Principal Meridian, Scott County, Iowa. The Scott County Board of Supervisors, having found said Plat to be in substantial compliance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision and Zoning Ordinances, does hereby approve the preliminary plat of said subdivision with the following conditions:

1. The notation on rear yard setbacks be removed from the Final Plat;
2. That a note be placed on the plat regarding Outlot B that it carries no right for separate development and that no building permits will be issued due to lack of access;
3. A covenant shall be prepared and filed along with the Final Plat prohibiting any future re-subdivision of these 4 lots for further residential development; and
4. A road maintenance agreement shall be prepared and filed along with the Final Plat creating a legal mechanism for continual maintenance of the shared access road.

Section 2. This resolution shall take effect immediately.