

PLANNING & DEVELOPMENT

500 West Fourth Street
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Item 02
12-29-15

Timothy Huey
Director

To: Dee Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: December 17, 2015

Re: **A request from Greater Davenport Redevelopment Corporation to rezone 8.45 acres more or less from Agricultural General (A-G) to Commercial-Light Industrial (C-2) on property described as Tract A which is the north 280 feet of Parcel #932839003 located in Part of the NE¹/₄SE¹/₄ & Part of SE¹/₄NE¹/₄ of Section 28 Sheridan Twp.**

The Planning Commission unanimously recommended approval of this request in accordance with staff's recommendation. This request is to rezone an 8.45 acre portion of a larger 71 acre parcel of land in the Eastern Iowa Industrial Center (EIIC) from Ag-General to Light Industrial. The purpose of the rezoning is to facilitate the sale and development of the property for the proposed new Heinz-Kraft manufacturing facility. The majority of the property is being annexed into the City of Davenport prior to its development. However the entire parcel cannot be annexed because then the city limits of Davenport and Eldridge would be contiguous and the unincorporated land to the east of this property would be an "island", entirely surround by incorporated land. This is not permitted by the State of Iowa's City Development Board.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends that the rezoning of this property from Agricultural-General (A-G) to Commercial-Light Industrial (C-2) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

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**NOTICE OF BOARD OF SUPERVISORS
PUBLIC HEARING FOR REZONING**

Public Notice is hereby given as required by Section 6-31. of the County Code (Zoning Ordinance for unincorporated Scott County), that the Scott County Board of Supervisors will hold a public hearing on **Tuesday, December 29, 2015** in the Board Room of the County Administrative Center 600 West 4th Street, Davenport, Iowa. The meeting starts promptly at **5:00 p.m.**

The Board of Supervisors will consider the request of the Greater Davenport Redevelopment Corporation to rezone 8.45 acres more or less from Agricultural General (A-G) to Commercial-Light Industrial (C-2) on property described as Tract A which is the north 280 feet of Parcel #932839003 located in Part of the NE¹/₄SE¹/₄ & Part of SE¹/₄NE¹/₄ of Section 28 Sheridan Township.

On December 15, 2015 the Planning and Zoning Commission held a public hearing, took comments and with unanimous vote made a recommendation to approve the rezoning of this 8.45 acre tract more or less from Agricultural General (A-G) to Commercial-Light Industrial (C-2) based on the Commission's determination that the application did meet a preponderance of the criteria of the Scott County Land Use Policies.

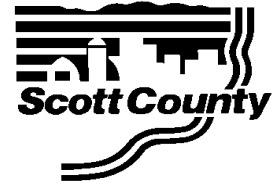
The applicant stated the purpose of the rezoning is to facilitate the sale and development of the property for the proposed new food processing facility. The majority of the property for this proposed facility is being annexed into the City of Davenport prior to its development. However the entire parcel cannot be annexed because such an annexation would result in the city limits of Davenport and Eldridge being contiguous and the unincorporated land to the east of this property would be an "island", entirely surround by incorporated land. This is not permitted by the State of Iowa's City Development Board.

If you have questions or comments regarding the public hearing, please call, write or email the Planning and Development Department, 500 West Fourth Street, Davenport, Iowa 52801, 563-326-8643, planning@scottcountyiowa.com or attend the hearing.

Timothy Huey
Director



PLANNING & ZONING COMMISSION
STAFF REPORT
December 15, 2015



Applicant: Greater Davenport Redevelopment Corporation (GDRC)

Request: Rezone 8.45 acres more or less from Agricultural General (A-G) to Commercial-Light Industrial (C-2)

Legal Description: Tract A which is the north 280 feet of Parcel #932839003 located in Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ & Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28 Sheridan Township.

General Location: South of Slopertown Road, $\frac{1}{4}$ mile east of Hillandale Road, $\frac{1}{2}$ mile west of Division Street and north of City of Davenport's rail transload facility

Existing Zoning: Agricultural-General (A-G)

Surrounding Zoning:

North: *Suburban Agricultural – City of Eldridge Designated as heavy industrial on City's Future Land Use Map*

South: *Agricultural-General (A-G) - To be rezoned to Light Industrial following pending annexation into City of Davenport*

East: Agricultural-General (A-G)

West: Agricultural-General (A-G)

GENERAL COMMENTS: This request is to rezone an 8.45 acre portion of a larger 71 acre parcel of land in the Eastern Iowa Industrial Center (EIIC) from Ag-General to Light Industrial. The purpose of the rezoning is to facilitate the sale and development of the property for the proposed new Heinz-Kraft manufacturing facility. The majority of the property is being annexed into the City of Davenport prior to its development. However the entire parcel cannot be annexed because then the city limits of Davenport and Eldridge would be contiguous and the unincorporated land to the east of this property would be an "island", entirely surround by incorporated land. This is not permitted by the State of Iowa's City Development Board.

STAFF REVIEW: Staff has reviewed this request for compliance with the criteria set forth in both the Scott County Zoning Ordinance and the Scott County Land Use Policies (enumerated in the 2008 Scott County Comprehensive Plan) for rezoning applications.

In general, the Scott County Land Use Policies encourage development to locate within cities. However, due to the reasons stated above, this is a fairly unprecedented and unique situation. Normally this entire 74 acre parcel would be annexed prior to development, as the County's land use polices encourage, but for the prohibition against the creation of unincorporated islands.



PLANNING & ZONING COMMISSION
STAFF REPORT
December 15, 2015



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

This land is not shown on the Future Land Use Map as industrial due to its adjacency to the Davenport city limits. As stated above, County policy encourages development to occur within cities so therefore it would generally be expected that land adjacent to a corporate boundary would be annexed into that City prior to development. Therefore, in areas such as this, a future land use map designation was determined not to be necessary when the current map was adopted.

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 Natural Resources Conservation Service has not, as of yet, responded to the notification of this rezoning request. Review of the Soil Survey of Scott County indicated that this portion of the property has soils identified as Muscatine silty clay loam with slopes ranging from 0 to 2% and a Corn Suitability Rating of 100. These soils are classified I for land capability, which indicate few limitations when tilled. Muscatine silty clay loam is also listed in the soil survey as prime agricultural land. This request does not meet this criterion.

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

The State Department of Transportation has approved RISE grant funding to upgrade and construct the roads adjacent to this property and required for the proposed food processing plant. Therefore this request meets this criterion.

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

The reason this area was chosen for the development of the Eastern Iowa Industrial Center was that the necessary public utilities had been or will be extended to serve the proposed development. Therefore this request meets this criterion.

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

The Eastern Iowa Industrial Center was established twenty years ago for the future development of business and industries that would expand employment opportunities for Scott County and the Quad Cities region. The property is near I-80, rail service and the Davenport Municipal airport. Therefore this request meets this criterion.

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

The Greater Davenport Redevelopment Corporation leases the undeveloped land it owns in the EIIC for crop production. The undeveloped land adjacent to this property that is privately owned is also row cropped. Therefore, it would appear that this request meets this criterion.



PLANNING & ZONING COMMISSION

STAFF REPORT

December 15, 2015



Does the area have stable environmental resources?

This area was chosen for development of an industrial park due to its stable environmental factors, among other reasons. Therefore, it would appear that this request meets this criterion.

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

Again, one of the reasons this area was chosen for development of an industrial park was because there was little surrounding land uses that would require buffering. Therefore, it would appear that this request also meets this criterion.

Is there a recognized need for such development?

The food processing facility that is being upgraded and moved to this location has historically been located in Davenport for a century and is a highly valued component of the Quad Cities' economy.

In addition to the conditions for development as noted above, the adopted land use policies identify that proposed industries may be required to meet the following conditions, as appropriate for the specific proposal:

In an area where industries are located.

The GDRC was formed as a public-private corporation to facilitate the development of the EIIC. This property was purchased by the GDRC specifically for industrial development.

Have adequate access to roads, rails, and airport.

This request would meet this criterion.

In an area removed or adequately buffered from residential development

Again, as stated above, one of the reasons this area was chosen for development of an industrial park was because there was little surrounding land uses that would require buffering. Therefore, it would appear that this request also meets this criterion.

Existing industrial uses, that meet a preponderance of these policies, may be maintained, expanded, and/or redeveloped.

The land use policies appear to provide for applications such as this to allow the relocation of an existing industry, as a new development, in an existing industrial area.

Neither the County Health Department nor the County Engineer had any comments on this request.



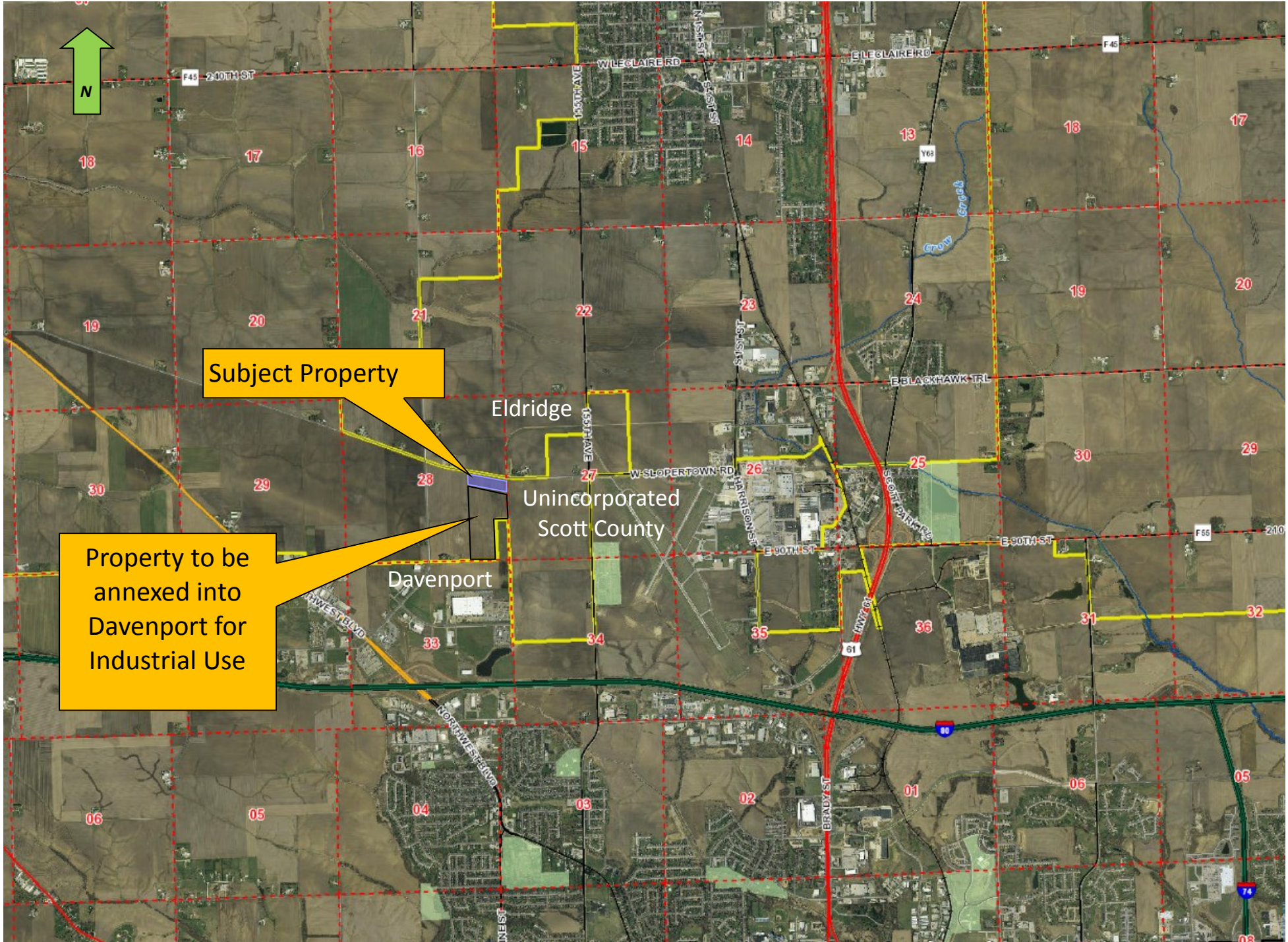
PLANNING & ZONING COMMISSION
STAFF REPORT
December 15, 2015



Staff has mailed notification to the adjacent property owners within five hundred feet (500') of this property of this hearing. A sign has also been placed on the property stating the date and time this request would be heard by the Planning and Zoning Commission. Staff has not, as of yet, received any calls or comments on this request.

RECOMMENDATION: Staff recommends that the rezoning of this property from Agricultural-General (A-G) to Commercial-Light Industrial (C-2) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

Submitted by:
Timothy Huey, Director
December 11, 2015



Subject Property

Property to be annexed into Davenport for Industrial Use

Eldridge
Unincorporated Scott County

Davenport

F45 210TH ST

WILCLAI RD

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15th Ave

Wile Claire Rd

Scott St

Blackhawk Trl

W Slapertown Rd

Scott Park Rd

E 90th St

E 90th St

W West Blvd

Koerner St

Brady St

E Le Claire Rd

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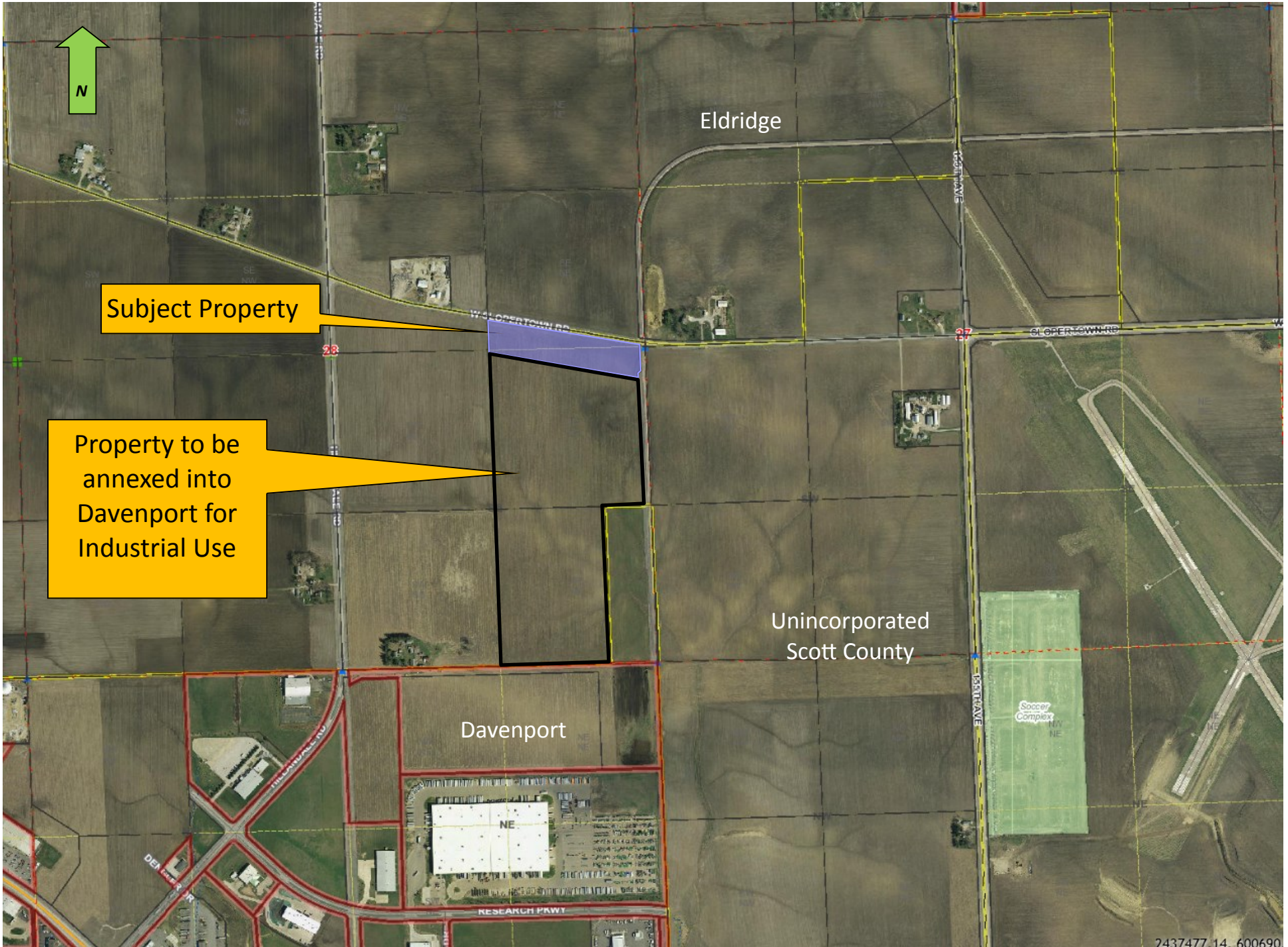
E 90th St

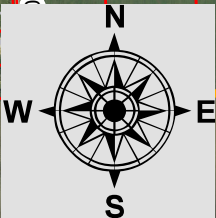
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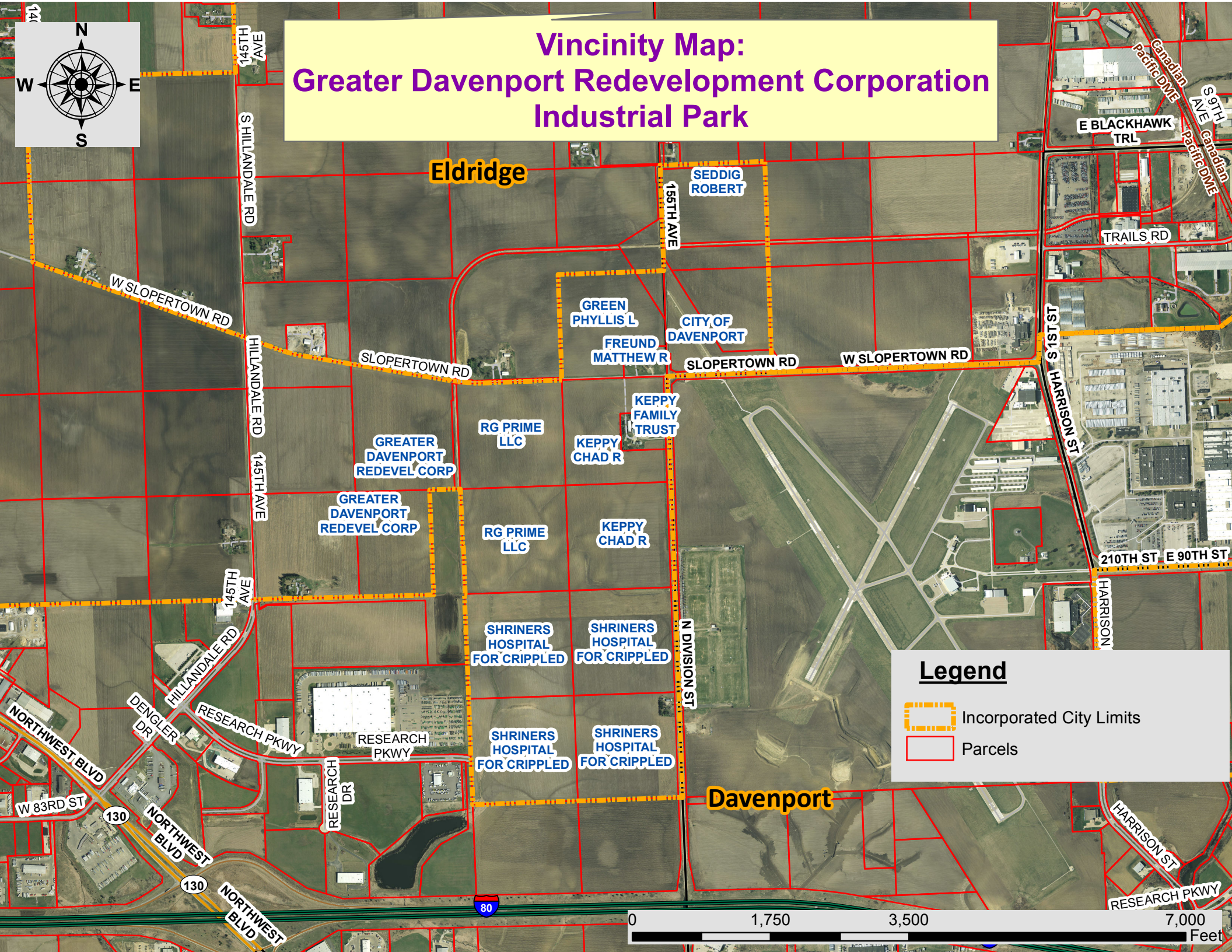
E 90th St

Crow Creek







Vincinity Map: Greater Davenport Redevelopment Corporation Industrial Park

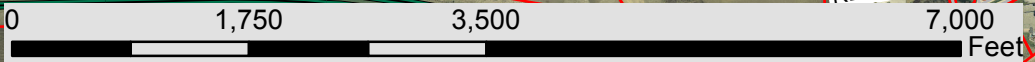


Eldridge

Davenport

Legend

-  Incorporated City Limits
-  Parcels



Prepared by: Scott County Planning and Development, 500 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 16-_____

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 8.45 ACRES IN SECTION 28, SHERIDAN TOWNSHIP FROM AGRICULTURAL-GENERAL (A-G) TO COMMERCIAL-LIGHT INDUSTRIAL (C-2), ALL WITHIN UNINCORPORATED SCOTT COUNTY.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. In accordance with Section 6-31 Scott County Code, the following described unit of real estate is hereby rezoned from Agricultural-General (A-G), to Commercial and Light Industrial (C-2) to-wit:

Part of the Northeast & the Southeast Quarters of Section 28, Township 79 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28; thence, along the South line of the Southeast Quarter, South 88 degrees 35 minutes 35 seconds West, a distance of 1325.33 feet to the West line of the Southeast Quarter of said Southeast Quarter; thence, along said West line, North 02 degrees 50 minutes 17 seconds West, a distance of 1323.87 feet to the Northwest corner of said quarter-quarter section; thence North 02 degrees 00 minutes 32 seconds West, along the West line of the Northeast Quarter of said Southeast Quarter, a distance of 1333.98 feet to the Point of Beginning; thence, continuing along said West line, North 02 degrees 00 minutes 32 seconds West, a distance of 10.39 feet to the North line of said Southeast Quarter; thence, along the West line of the East half of said Northeast Quarter, North 01 degrees 54 minutes 55 seconds West, to the centerline of Slopertown Road, a distance of 278.27 feet; thence, along said centerline, South 80 degrees 32 minutes 48 seconds East, to the west right of way line of the railroad right of way as extended northerly, a distance of 1313.20 feet; thence, along said west line of aforesaid Parcel, South 02 degrees 09 minutes 24 seconds East, a distance of 251.48 feet; thence, continuing along said west railroad right of way line, South 87 degrees 50 minutes 36 seconds West, a distance of 20.00 feet; thence continuing along said west railroad right of way line, South 02 degrees 09 minutes 24 seconds East, a distance of 33.32 feet; thence, North 80 degrees 32 minutes 48 seconds West, along a line which is 283.00 feet southerly of and parallel with the centerline of Slopertown Road, a distance of 1294.02 feet to the Point of Beginning. The above described Tract contains a gross area of 8.45 acres; less the roadway easement containing 1.00 acre, for a net total area of 7.45 acres, more or less.

Section 2. This ordinance changing the above described land to Commercial Light Industrial (C-2) is approved as recommended by the Planning and Zoning Commission.

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 4. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Approved this _____ day of _____ 2016.

Tom Sunderbruch, Chairman
Scott County Board of Supervisors

Roxanna Moritz, County Auditor