

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: September 27, 2015

Re: **A request from Greater Davenport Redevelopment Corporation (GDRC) to rezone 7.5 acres more or less from “Agricultural General (A-G)” to “Commercial-Light Industrial (C-2)” on property described as the North 250 feet of Scott County Parcel #932733001 in the NW ¼ of the SW ¼ of Section 27 of Sheridan Township**

The Planning Commission unanimously recommended approval of this request in accordance with staff's recommendation. This request is to rezone a 7.5 acre portion of a larger 80 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 future development of the property following its recent purchase by the GDRC. The majority of the property is being annexed into the City of Davenport along with the adjacent eighty (80) acre tract still owned by the Keppy's and also a forty (40) acre tract owned by Curtis. A copy of the annexation notice is included with this memo. As with the annexation of the previous tract that is being developed for the new Kraft-Heinz facility, neither the entire GDRC nor Keppy parcel can be annexed because then the city limits of Davenport and Eldridge would be contiguous and the unincorporated land to the north of these properties 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.



PLANNING & ZONING COMMISSION

STAFF REPORT

September 20, 2016



- Applicant:** Greater Davenport Redevelopment Corporation (GDRC)
- Request:** Rezone 7.5 acres more or less from Agricultural General (A-G) to Commercial-Light Industrial (C-2)
- Legal Description:** The north 250 feet of Parcel #932733001 located in Part of the NW¹/₄SW¹/₄ of Section 27 Sheridan Township.
- General Location:** South of Slopertown Road, ½ mile east of Hillandale Road, ¼ 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:** Commercial-Light Industrial (C-2)

GENERAL COMMENTS: This request is to rezone a 7.5 acre portion of a larger 40 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 marketing the development of the property for future light industrial development. The majority of the property is being annexed into the City of Davenport. 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 north and 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 the entire 40 acre parcel would be annexed prior to development, as the County’s land use polices encourage. But since the State prohibits the creation of unincorporated islands, the rezoning of this portion of the parcel is the most appropriate means of accommodating ongoing development in the EIIC.



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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. 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 EIIC was that the necessary public utilities had been or will be extended to serve the future 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.



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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?

When the City of Davenport in conjunction with Scott County, Mid American Energy and the Chamber of Commerce developed the Eastern Iowa Industrial Center twenty years ago it was intended to provide suitable sites for large site industrial development that would expand employment opportunities and the tax base for Scott County and the City of Davenport. The property is near I-80, rail service and the Davenport Municipal airport.

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 industries and/or a new development in this future industrial area.

Neither the County Health Department nor the County Engineer had any comments on



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this request.

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
September 15, 2016

Rezoning PUBLIC HEARING



Rezoning

SUMMARY

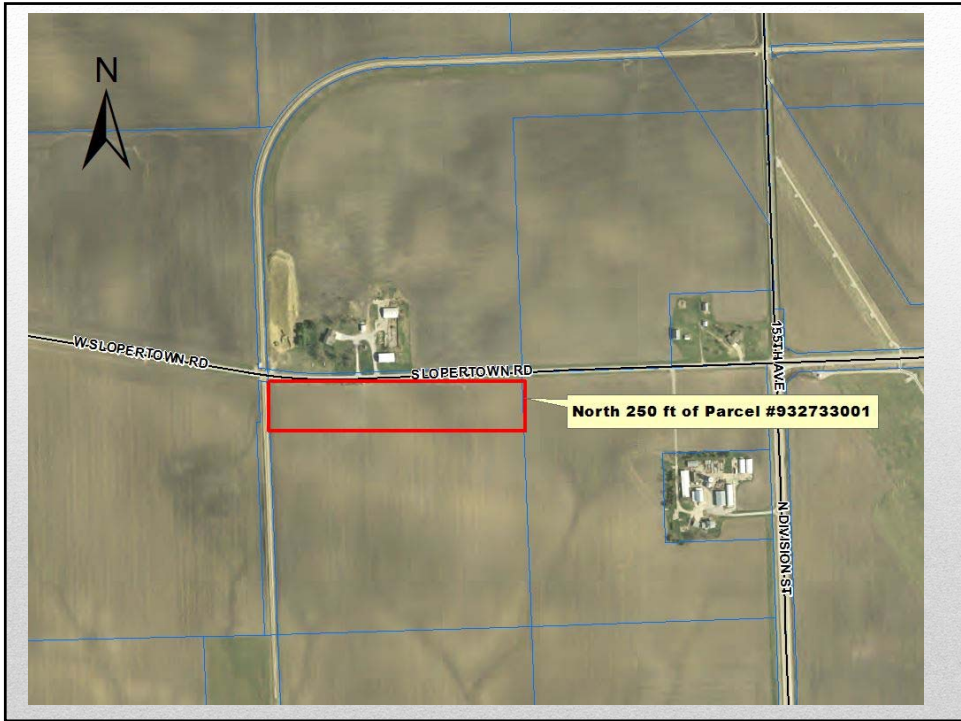
- Applicant: Greater Davenport Redevelopment Corporation
- Request: Rezoning from Agricultural-General (A-G) to Commercial-Light Industrial (C-2)
- Legal Description: North 250 feet of PIN #932733001 in the NW ¼ of the SW ¼ of Section 27 of Sheridan Township
- General Location: South of Slopertown Road, ½ mile East of Hillandale Road, ¼ mile West of Division Street
- Size: 7.5 acres
- Zoning: Agricultural-General (A-G)
- Land Use: Tilled agricultural

Vicinity Map



Area Map









**NOTICE OF PROPOSED ANNEXATION OF TERRITORY
TO THE CITY OF DAVENPORT**

Dear Interested Parties:

There are on file with the City of Davenport, Department of Community Planning and Economic Development, petitions to annex three tracts to the City of Davenport, legally described as follows:

1. Curtis Tract: The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 79 North Range 3 East of the 5th Principal Meridian, Scott County, Iowa
2. Keppy/GDRC Tracts:

Property Owner (1): Greater Davenport Redevelopment Corporation

Parcel No. 93273301:

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 Township 70 North Range 3 East of the 5th Principal Meridian and that part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27 located south of the center line of Slopertown Road, Scott County, Iowa; EXCEPTING THEREFROM the northern 250 feet of said parcel.

Property Owners (2) and (3): Chad R. Keppy, Neal C. Keppy and Erika Keppy; and Keppy Family Trust dated 11/1/2004

Parcel No. 932735003 and 932735004:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 Township 79 Range 3 East of the 5th Principal Meridian; EXCEPTING THEREFROM the northern 250 feet of said parcel.

3. Railroad Right-of-Way Tract:

Parcel No. W2801-02 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

and

Parcel No. 932839005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

These parcels are legally described as follows:

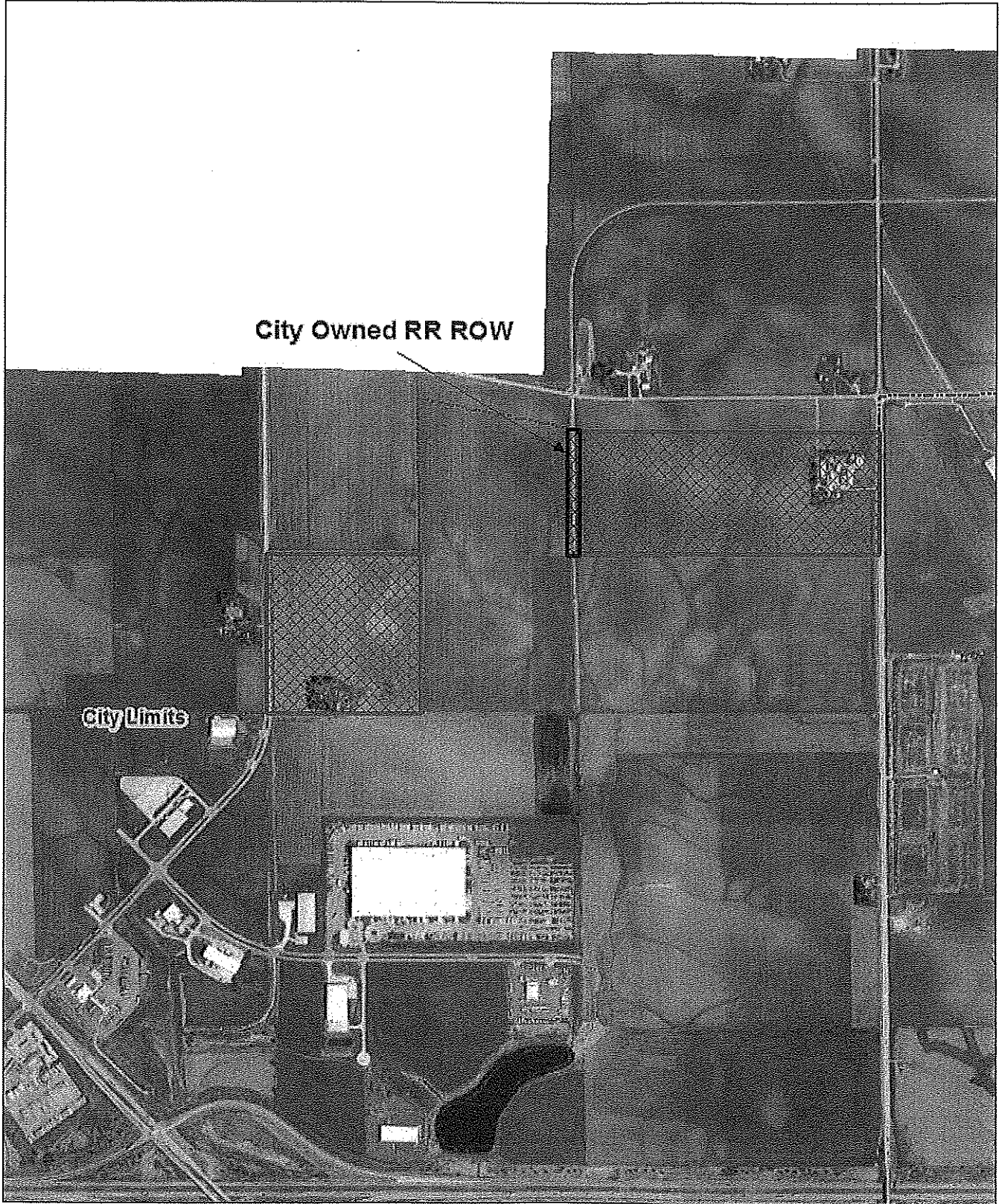
Part of the Southeast Quarter of Section 28 and the Southwest Quarter of Section 27, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A variable width right-of-way, the centerline of which is divided into equal stations of 100.00 feet in length; said centerline is

described as follows: Commencing at the West Quarter Corner of said Section 27; thence South 02 degrees 09 minutes 53 seconds East 2.85 feet on the west line of the Southwest Quarter of said Section 27; thence North 87 degrees 50 minutes 11 seconds East 0.60 feet to the east line of described right-of-way line of Slopertown Road; thence on said southerly line and the arc of a 1943.00 foot radius curve, concave northeasterly 25.98 feet, with a chord bearing and distance of North 81 degrees 38 minutes 28 seconds East 25.98 feet to the point of beginning; said point being centerline Station 219+36.05; thence South 02 degrees 09 minutes 49 seconds East on said centerline 2660.95 feet to the intersection with the south line of the Southeast Quarter of said Section 28 and there terminating a centerline Station 245+96.97. The east line of the proposed right-of-way line is 25.00 feet easterly of and parallel with the aforesaid centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet left of Station 219+40.80 and runs southerly to Station 239+99.14; thence said right-of-way widens to 35 feet easterly of and parallel with said centerline to Station 245+97.37 at the intersection with the south line of the Southwest Quarter of said Section 27; and there terminating. The west line of the proposed right-of-way is 25.00 feet westerly of and parallel with said centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet right of Station 219+31.09 and runs southerly to Station 221+49.11; thence said right-of-way line widens to 45.00 feet westerly of and parallel with said centerline to Station 237+99.52; thence said right-of-way line narrows to 25.00 feet westerly of and parallel with said centerline to Station 239+9.14; thence said right-of-way line widens to 35.00 feet westerly of and parallel with said centerline to Station 245+96.56 at the intersection with the south line of the Southeast Quarter of said Section 28, and there terminating. EXCEPT THEREFROM the northerly 217 feet and that portion located in the SW ¼ of the SE ¼ Section 27 and the SE ¼ of the SE ¼ of Section 28 both in Township 79 North

This notice is published pursuant to Iowa Code Section 368.7(3). A copy of the Voluntary Annexation Petitions, legal descriptions, and Plats of Survey is available for inspection from the City of Davenport, Community Planning and Economic Development Department, City Hall, 226 West 4th Street, Davenport, Iowa 52801. This action is being contemplated in order to allow for continued development of the Eastern Iowa Industrial Center.

The Davenport City Council will consider these petitions at its Wednesday, October 12, 2016 meeting, to be held at 5:30 pm in the Council Chambers of City Hall, 226 West 4th Street. While a public hearing is not required, it is the practice of the City Council to solicit comments from the public prior to taking official action. Final approval of the proposed annexation is the decision of the City Development Board of the State of Iowa.

Curtis and Keppy Annexations



0 465930 1,860 2,790 3,720 Feet
1 inch = 83,333 feet

