

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: June 20, 2017

Re: Approval of the Preliminary Plat of Valley View Farms, a proposed 31 lot residential subdivision in SW¹/₄ of the SW¹/₄ of Section 30 of Butler Township.

This Preliminary Plat was submitted for the April 28 Planning and Zoning Commission meeting. Staff had made a recommendation to approve the plat with seven (7) conditions, including the approval of three (3) separate variances to the Subdivisions Regulations. Due to a number of concerns expressed from the both the Planning Commission and the neighboring property owners related to lot size, septic system, stormwater drainage and road configuration, the Commission tabled any action on the plat until May 2nd Commission meeting to give the applicant more time to address those concerns.

At the May 2nd Commission meeting the applicant requested the plat be tabled until June 6th Commission meeting to give the applicant time to address the sewer and water service issues with the Park View Sewer and Water District. The applicant reached an agreement with the Park View Sewer and water District to extend their utilities to serve this subdivision. Having central sewer and water service addressed the most significant concerns the Planning Commission had with the proposed subdivision.

Two variances remained for the Planning Commission to make a recommendation on fro the approval of this Preliminary Plat as submitted. The first was the reduced roadway easement thirty (30) feet wide in lieu of the required fifty feet. The applicant added twenty five (25) feet of utility and drainage easement on both sides of the roadway easement which results in eighty (80) feet of total easement. The purpose of this variance is that it effectively reduces the front yard setback by fifteen (15) feet because even though the setback remains the required fifty (50) feet, where that setback is measured from is fifteen (15) closer to the road due to the reduction in road easement width.

The second variance was to reduce the required amount of common open space from 42,000 square feet to the 27,660 square feet proposed with the ½ mile of twelve (12) foot wide walking trail. The Planning felt that the granting of both these variances was in compliance with both the intent and spirit of the ordinance and resulted in the unique circumstances of this subdivision's proximity to both Park View and Scott County Park.

The Planning Commission voted unanimously to approve the request with ten (10) conditions:

1. A variance to the Subdivision Regulations be approved to allow the road right of way width to be thirty (30') feet wide for the subdivision streets and eighteen (18') feet wide

- for the two private streets serving Lots 20-23 and Lots 5 & 6 and to allow the proposed walking trail, twelve (12') foot wide and 2,300 feet in length, to be developed with a surface of natural materials, to meet the requirement for common open space based on the special circumstances of the subdivisions location and the provision for central sewer and water;
2. The proposed water system plans and sanitary sewer system plans be reviewed and approved by the Park View Sanitary District;
 3. That the Homeowners Association be responsible for the maintenance of the walking trail and that the trail be constructed prior to Final Plat approval;
 4. That a tree removal mitigation plan be submitted, if necessary, and approved in conjunction with the road construction plans;
 5. That a notice and disclaimer be submitted to be included with the private covenants that states the limitations on these lots regarding the size of houses to be constructed and such notice shall be reviewed and approved prior to filing with any Final Plat;
 6. That provision for turnarounds is provided at the end of the two private streets;
 7. That stormwater management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
 8. The County Engineer review and approve all street construction plans prior to construction;
 9. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval; and
 10. The Planning and Zoning Commission conduct a public hearing for all Final Plat Reviews.

Vote: 4-0, Armstrong abstaining

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Timothy Huey
Director

To: Planning & Zoning Commission

From: Timothy Huey, Planning & Development Director

Date: April 28, 2017

Re: The Preliminary Plat of Valley Park View Subdivision

The Preliminary Plat for this property was submitted for review at the April 18 Planning Commission meeting. It was reviewed and tabled by the Planning Commission. The Commission voted (5-1, Gibson dissenting) to table the request until the May 2 P & Z meeting.

Staff's recommendation had been to approve this Preliminary Plat with the conditions:

1. The Planning Commission recommend approval of the three variations and exceptions to the Subdivision Regulations relative to road easement configuration, and the type of water service and waste water treatment provided to the subdivision;
2. That a tree removal mitigation plan be submitted, if necessary, and approved in conjunction with the road construction plans;
3. That a notice and disclaimer be submitted to be included with the private covenants that states the limitations on these lots regarding the size of houses to be constructed and the placement of drain fields not be within any drainage or utility easements. Such notice shall be reviewed and approved by the Health Department prior to filing with any Final Plat;
4. That stormwater management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
5. That the road construction plans be submitted and approved by the County Engineer prior to any road construction;
6. That the private covenants to be filed with the Final Plat include a legal mechanism for road maintenance, open space and trail maintenance, and operation of any community water system or private water systems to serve these lots; and
7. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

A motion was made to amend the proposed conditions of approval to include a restriction that would prohibit the lots with frontages along Scott Park Road and 270th Street to install driveways on the two thoroughfares. Vote (amend the proposed conditions of approval): 6-0, All Ayes.

Following more discussion a motion was then made to table the request until the May 2nd meeting due to the unresolved questions regarding the septic systems and water system. Motion passed.

The applicant has met with staff to discuss various alternatives and has now requested this request again be tabled to allow additional time to address the various issues associated with this proposed subdivision. Staff would recommend that this Preliminary Plat be tabled until the June 6 Planning Commission meeting.

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Timothy Huey
Director

To: Planning & Zoning Commission

From: Timothy Huey, Planning & Development Director

Date: June 6, 2017

Re: Staff recommendation on the Preliminary Plat of Valley View Farms Subdivision

After meeting with staff on Tuesday, May 30th, the applicants submitted a revised plat with notes on the changes on Friday, June 2nd. The notes on the revised plat include:

1. The revised plat: includes thirty-one (31) lots – at the expense of a platted Park Area on the original proposal – since the revised proposal would no longer be restrained by a lack of sewer and water (see #2);
2. Includes sewer and water (final design not complete);
3. Includes a lift station (symbol for which is located on the western edge of the property line between Lots 3 and 4 on the revised plat);
4. Changes the hammerhead turnaround at the northwest corner of the development on the original proposal to a cul-de-sac;
5. And provides a 12' wide walking trail 2,296 feet in length as common open space.
6. The developers have discussed the proposal with the Park View Sewer and Water District.
7. The developers have talked to the Mayor of Long Grove.
8. The proposed roadway right-of-way width still varies from the Subdivision Regulations at thirty (30) feet, but the utility easements have been expanded from fifteen (15) to twenty-five (25) feet.

Staff has reviewed the amended Preliminary Plat and makes the following findings:

Road right of way width and turnarounds

Approval of this Preliminary Plat would require approval of a variance to the width requirements for road right of way and private streets. The plat would also require a variance to the turnaround requirement at the end of the two proposed private streets that serve no more than four (4) lots.

The R-1 zoning district regulations previously included provisions to reduce the minimum lots size below 30,000 square feet if central sewer was provided in a subdivision. The recent revisions to the zoning ordinance only addressed a smaller lot size when central sewer is provided in R-2 zoning districts and not R-1. By reducing the road right of way width from fifty feet to thirty feet the building area on these lots is increased by 15 feet in the front yard while still keeping the setback at 50 foot. Therefore these homes could be 15 feet closer to the road than in adjacent R-1 districts with on-site septic and 15 feet further back than the homes in Park View and Kaasa Heights that have central sewer. Also the area for public utilities is increased by

retaining a 25 foot wide utility easement on both sides of this 30 foot wide road right of way, resulting in an effective width of 80 feet for public use.

The four cul de sac turnaround bulbs shown at the end of these subdivision streets do comply with the requirements of 100 feet of right of way diameter and 80 feet diameter of pavement.

The two proposed private streets that are shared driveways for Lots 20-23 and Lots 5 & 6 show an 18 foot wide easement and driving surface and no turnaround bulb. Staff will recommend that some provision for a turnaround be provided at the end of both these private streets.

Open Space Requirements

The regulations require that subdivisions, with this number and size of proposed lots, provide 42,000 square feet of common open space. The proposed plat shows a 12 foot wide walking trail 2,296 feet in length resulting in 27,660 square feet of open space. The regulations do allow area points for a bike trail area to be doubled for a paved bike trail but only if a minimum of 10,000 square feet of other common open space is provided. In this case the applicant is not proposing any additional open space other than the trail and also is proposing that the trail be an unpaved walking nature trail. Therefore the applicant is asking that as a variance to the regulations that the walking trail be sufficient to meet the open space requirement.

Staff recommendation:

That the Preliminary Plat be approved with the following conditions:

1. A variance to the Subdivision Regulations be approved to allow the road right of way width to be thirty (30') feet wide for the subdivision streets and eighteen (18') feet wide for the two private streets serving Lots 20-23 and Lots 5 & 6 and to allow the proposed walking trail, twelve (12') foot wide and 2,300 feet in length, to be developed with a surface of natural materials, to meet the requirement for common open space;
2. The proposed water system plans and sanitary sewer system plans be reviewed and approved by the Park View Sanitary District;
3. That the Homeowners Association be responsible for the maintenance of the walking trail and that the trail be constructed prior to Final Plat approval;
4. That a tree removal mitigation plan be submitted, if necessary, and approved in conjunction with the road construction plans;
5. That a notice and disclaimer be submitted to be included with the private covenants that states the limitations on these lots regarding the size of houses to be constructed and such notice shall be reviewed and approved prior to filing with any Final Plat;
6. That provision for turnarounds is provided at the end of the two private streets;
7. That stormwater management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
8. The County Engineer review and approve all street construction plans prior to construction;
9. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval; and
10. The Planning and Zoning Commission conduct a public hearing for all Final Plat Reviews.



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- Applicant:** Valley Construction
- Request:** Preliminary Plat of Valley Park View
- Legal Description:** Part of the SW ¼ of the SW ¼ of Section 30, Butler Township
- General Location:** Adjacent to Baughman Height's 3rd, 4th, 5th, & 8th Additions to the Northwest of Park View, East of Scott Park Road, surrounding the Butler Township Cemetery
- Zoning:** Residential Single-Family (R-1)
- Surrounding Zoning:**
- North:** Residential Single-Family (R-1)
 - South:** Park View Commercial (PV-C), Park View Residential (PV-R)
 - East:** Residential Single-Family (R-1)
 - West:** Agricultural-Preservation (A-P)

GENERAL COMMENTS: This request is for approval of a Preliminary Plat of a 30-lot major subdivision known as Valley Park View. The approximately 29-acre tract has frontage along Scott Park Road and 270th Street and, while it is zoned Residential Single-Family (R-1), it is currently being used for agricultural crop production. The tract is adjacent to Baughman Heights 3rd, 4th, 5th, & 8th residential subdivisions to the north and east, the Community Area Development (CAD) known as Park View to the south, and productive agricultural land to the west. The Butler Township Cemetery, which is zoned Agricultural-General (A-G), is located at the northeast intersection of Scott Park Road and 270th Street.

The applicant consulted with Planning and Development staff prior to submitting the Preliminary Plat for consideration by the Planning and Zoning Commission. The current proposed Preliminary Plat features a short cul-de-sac from 270th Street to provide access to four (4) proposed development lots, and a roadway from Scott Park Road that branches into two (2) cul-de-sacs, a hammerhead turn-around, and two (2) private driveway easements, one that would serve two (2) proposed development lots, the other four (4). A smaller (24,732 square feet) lot near the Scott Park Road entrance is designated Park Area and an easement has been proposed for a 2,315-foot Walking Trail.

STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and Zoning Ordinances. 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. For major plats, approval of a preliminary plat is required prior to any final plat submittal. Following a



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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 proposed configuration of the 29-acre tract creates 30 development lots, each with the development right for one (1) single-family dwelling. The lots range in size from 81,874 square feet to the minimum lot size of 30,000 square feet, averaging approximately 40,768 square feet per lot. Eight (8) of the 30 lots (around 26%) are 30,355 square feet or less, two (2) of which are also triple-frontage lots with three (3) observed 50-foot front-yard setbacks (Lots 26 and 30). Lots 24, 25, and 27 along Scott Park Road (30,206, 30,200, and 30,030 square feet, respectively) are double-frontage lots with two (2) observed front-yard setbacks. The building envelopes for the double- and triple-frontage lots greatly limit the flexibility for house and accessory building placement.

Common Open Space

A major subdivision of the proposed density requires 10,000 square feet of open space for the first fifteen (15) lots, and 2,000 square feet for each additional lot, totaling 40,000 square feet of required open space. A 24,732 square foot lot near the Scott Park Road entrance is designated Park Area and an easement has been proposed for a 2,315-foot Walking Trail. The Subdivision Regulations incentivize the creation of such trail easements, in that the land area designated for the easement shall count double towards fulfilling the open space requirement. J+M Civil Designs, the firm that created the site design, calculated the trail easement area at approximately 23,150 square feet which doubled would total 46,300 square feet. Along with the Park Area, the total amount of calculated open space is approximately 71,032 square feet, well above the required amount of 40,000. The Public Notice that was sent out prior this Public Hearing incorrectly stated that the applicant was requesting a variance to the open space requirement, which was due to an oversight by Planning Staff not to include the trail area as part of that open space calculation.

Access and Roadway Improvements

The current proposed Preliminary Plat features a short cul-de-sac from 270th Street to provide access to four (4) proposed development lots, and a roadway from Scott Park Road that branches into two (2) cul-de-sacs, a hammerhead turn-around, and two (2) private shared driveway easements: One that would serve two (2) proposed development lots (Lots 5 and 6); the other four (4) lots (Lots 20 through 23), which is the maximum number of lots that can be serviced by a private shared driveway without the construction of a public roadway. The private shared driveway for Lots 20 through 23 is also an extension of a hammerhead turn-around rather than a standard cul-de-sac, which could create an obstacle for maneuvering emergency vehicles.



The rights-of-way shown in the Preliminary Plat also vary from the right-of-way widths prescribed in the Subdivision Regulations: A typical section with drainage ditches should include 60 feet of right-of-way, 30 for the typical road surface and 30 for its accompanying utility and drainage infrastructure. Valley Park View has a designated 30-foot “road easement” with additional 15-foot wide “drainage and utility easements” adjacent to either side. As such, the proposal still creates a 60-foot wide public use area, but effectively reduces the front yard setback requirements set in the Zoning Ordinance since setbacks are measured from the edge of the *road* easement, not the utility easement.

Protection of Natural Vegetation Cover

Whenever a wooded site is to be developed, no more than fifteen percent (15%) of the naturally occurring canopy-tree cover shall be removed due to surface earth grading, roadway construction, building site clearance, or any other construction activity associated with subdivision site improvement. Whenever removal of more than fifteen percent (15%) of the naturally occurring vegetation cover is deemed necessary and unavoidable a mitigation replanting measure shall be implemented. Such mitigation shall require re-establishment of one (1) native tree of a similar specie to those removed for every three trees of three (3) inch caliper or greater removed or fatally damaged.

Staff would recommend that such a mitigation plan be submitted, if necessary, and approved in conjunction with the road construction plans.

Stormwater Management

The proposed Preliminary Plat has designated “Drainage and Utility Easements” along the lowest-lying areas of the development, which drain from west to east toward Baughman Heights 3rd, 4th, and 5th Additions, as well as two (2) designated “Stormwater Detention Areas.” The Subdivision Regulations require that such detention facilities be sufficient to capture the runoff of a “one-hundred (100) year storm”, calculated at post-developed rates and then to release the water at a rate so as not to exceed the volume produced by a “five (5) year storm” when measured at the pre-developed flow rates.

Erosion and Sediment Control Plan

Staff allowed the preparation and submittal of these plans to be deferred until the road construction plans were prepared and submitted. Road construction plans are not prepared until after Preliminary Plat approval and normally Erosion Control Plans are prepared in conjunction with such construction plans.

Wastewater Disposal and Water Provision

According to the Subdivision Regulations, “subdivisions containing fifteen (15) or more lots that are located within ½ mile of a public water utility (Park View Water Company water and sewage infrastructure is within ½ mile of this subdivision) shall extend water service from such utility when determined to be feasible,” and “subdivisions containing



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five (5) or more lots shall provide for a common water supply.” However, the proposed Preliminary Plat would not utilize wastewater disposal or water supply from the Park View Water Company and would instead rely on private on-site septic systems on each lot for wastewater, and either multiple wells to provide water to groups of lots or a large central well to serve the entire subdivision. The applicants intend to have a final decision on the water supply to share at the public hearing.

Due to site topography, lot sizes, and the requirements of the Subdivisions Regulations mentioned above, both the Health Department and Bi-State Regional Planning Commission expressed concerns about the practicality of installing compliant wastewater and water infrastructure for this subdivision. The comments provided by Bi-State are included with this staff report.

The comments provided by Jack Hoskins, Scott County Health Department stated:
A soils analysis was conducted throughout the proposed subdivision by A & E Soil Consultants to determine the viability of septic systems. According to the report, conventional systems should work on the majority of the lots if the lots are properly sized and the homes are not oversized for the lots. Allowing minimal lot sizes would create more of a challenge for installing conventional systems. Sand filter systems are only to be used when conventional systems will not work. Sand filters require a discharge which would be difficult on lots with minimal slope. These discharges would also have to be monitored annually. So, in reference to the question “Do we want to consider a special notice or requirement for sand filters on some of these lots?,” it would be a poor decision to consider allowing all sand filters in the subdivision.

In reference to your other question “Could a drain field be allowed to encroach into that utility and drainage easement?”, our distance separations refer to property lines not easements so we couldn’t prevent the encroachment. I would recommend that this be thought out carefully, you cannot have a system in a drainage way or too close to a drain tile. You also cannot install a system over or under utilities so once its installed, that area cannot be altered.

The developer says Park View water is no longer an option which only leaves them with 2 choices. One would be to drill a DNR permitted and monitored public well to serve the entire subdivision. Any septic system would need to maintain a 200 foot separation from this well. The other option would be to drill multiple private wells within the subdivision. A minimum of 5 wells would have to be drilled, serving no more than 6 homes each. These wells would have to have completely independent well associations consisting of people from the homes served. Each association must make its own decisions, be financially independent of the other associations and cannot be part of or controlled by the Homeowners Association. There can be absolutely no interconnection between these wells. Any septic system would only need to maintain a 100 foot separation from these wells.



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Staff would recommend that as a condition of any Preliminary Plat approval that a notice and disclaimer be prepared to be included with the private covenants that states the limitations on these lots regarding the size of houses to be constructed and the placement of drainfields not be within any drainage or utility easements. Such notice shall be reviewed and approved by the Health Department prior to filing.

Exceptions and Variances

The Subdivision Regulations state that whenever the tract proposed to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this Chapter would result in substantial hardships or injustices, the Board of Supervisors upon recommendation of the Planning and Zoning Commission may modify or vary such requirements to the end that the subdivider is allowed to develop the property in a reasonable manner; provided, however, that all such variations and exceptions granted hereunder shall be in harmony with the intended spirit of this Chapter and granted with the view toward protecting the public interest and welfare. Any variance recommended by the Planning and Zoning Commission is required to be entered in writing in the minutes of the Planning and Zoning Commission and the reasoning on which the departure was justified shall be set forth.

Any approval of this proposed Preliminary Plat, as submitted, would require the Planning Commission to make its recommendation to the Board of Supervisors on three exceptions:

1. Approval of a 30 foot wide road easement with 15 foot wide drainage and utility easements adjacent to each side of the road easement;
2. Approval of waiving the requirement to extend a public water utility (Park View Water) to serve this subdivision; and
3. Approval of waiving the requirement to provide common waste water treatment facilities for a subdivision containing 30 lots when the median lot size is less than one (1) acre.

City of Long Grove Review

This property is within two miles of the Long Grove city limits. Therefore, review and approval of the Final Plat by the City of Long Grove 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.

Others Notified

The Subdivision Ordinance requires additional notification of the following County Departments and local entities: Assessor, Auditor, Bi-State Regional Planning Commission, and District Soil Conservationist Staff.



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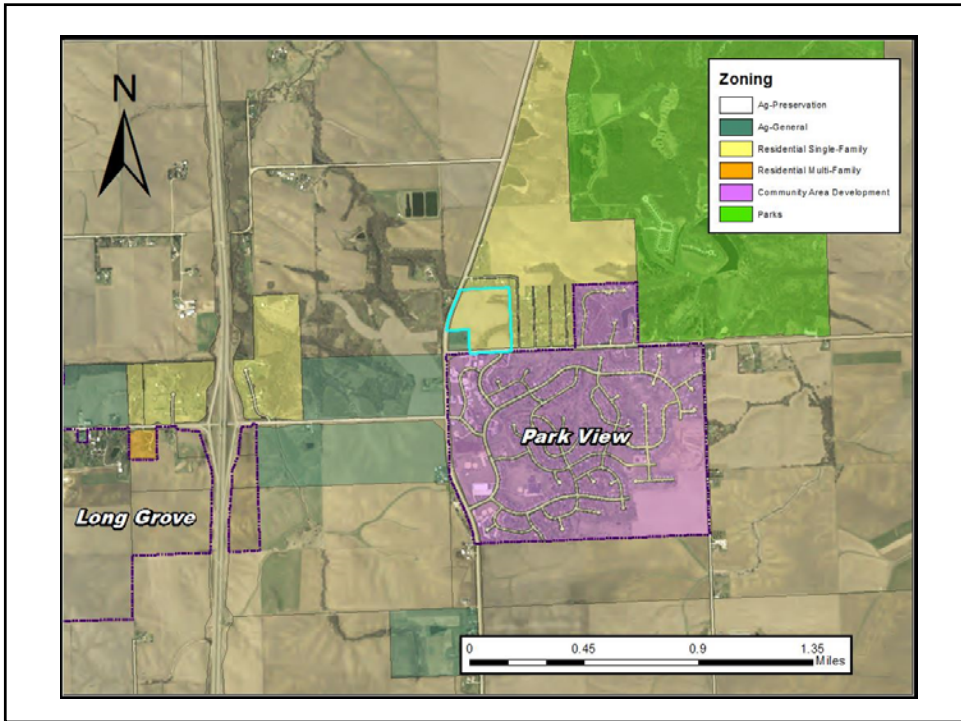
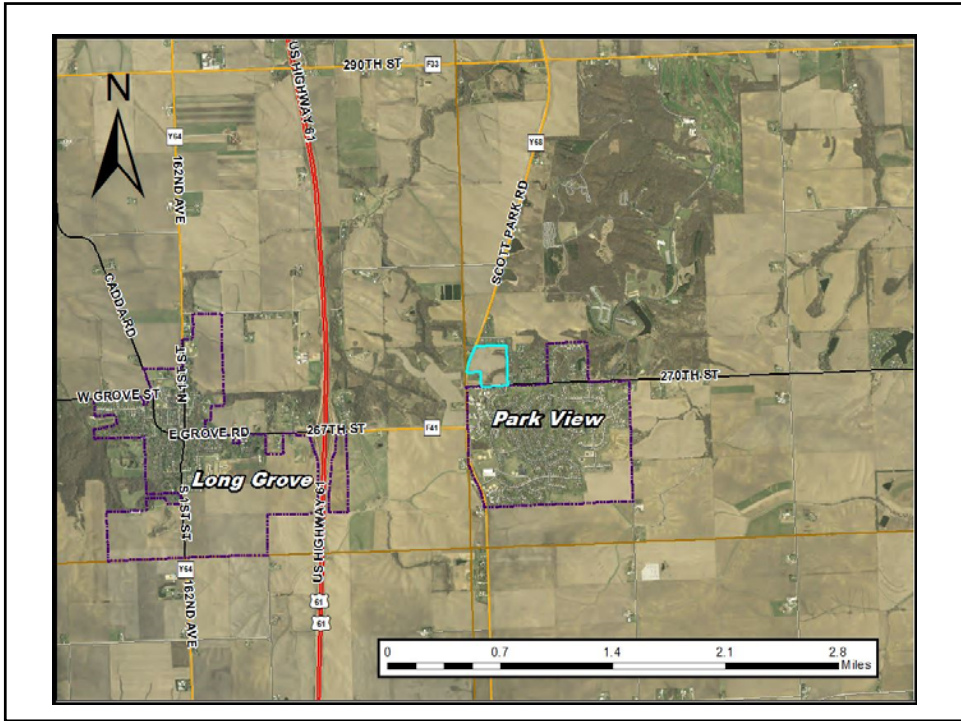


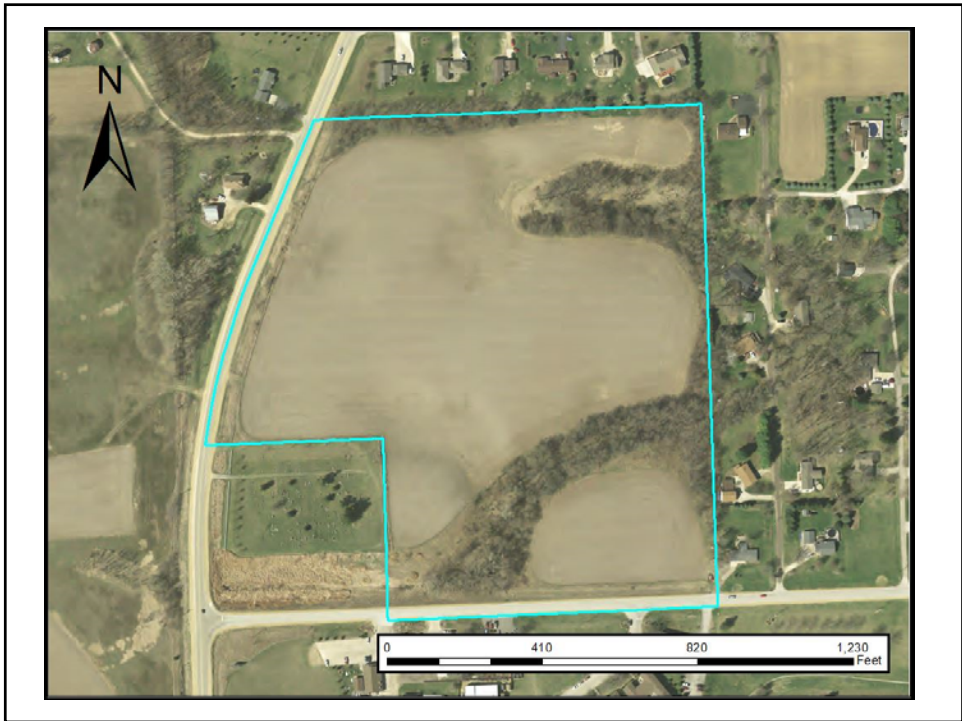
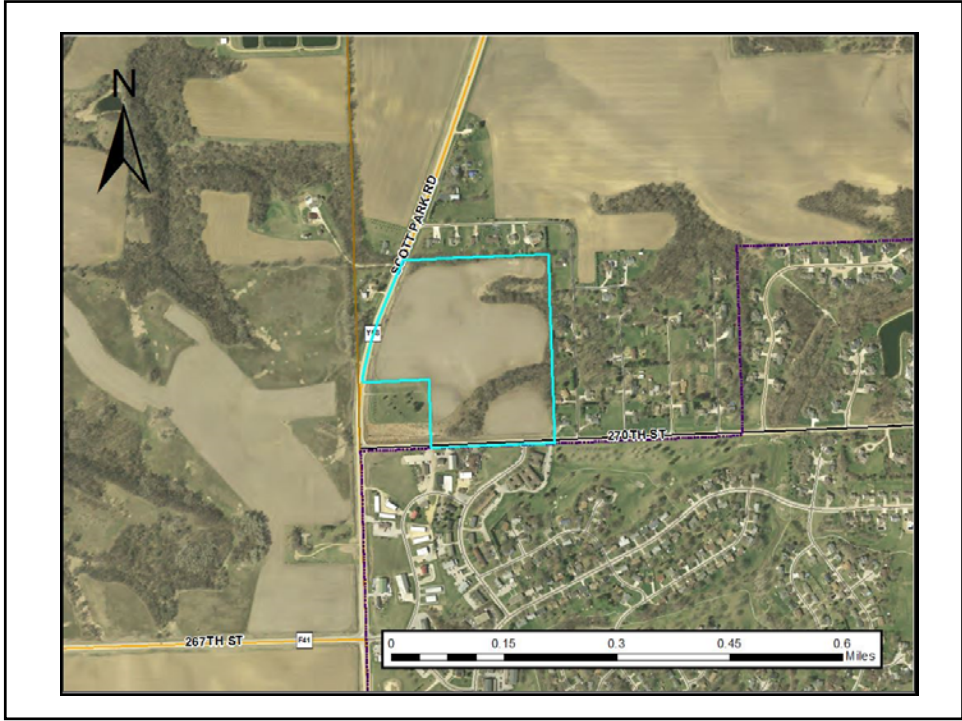
Staff also notified adjacent property owners within five hundred feet (500') of the public hearing before the Planning Commission. A neighboring property owner visited with staff to describe the current drainage problems experienced in Baughman Heights Additions, and to express concerns about emergency access to Lots 20 through 23, which would be accessed through a shared private drive.

RECOMMENDATION: Staff recommends that the Preliminary Plat of Valley Park View Subdivision be approved with the following conditions:

1. The Planning Commission recommend approval of the three variations and exceptions to the Subdivision Regulations relative to road easement configuration, and the type of water service and waste water treatment provided to the subdivision;
2. That a tree removal mitigation plan be submitted, if necessary, and approved in conjunction with the road construction plans;
3. That a notice and disclaimer be submitted to be included with the private covenants that states the limitations on these lots regarding the size of houses to be constructed and the placement of drain fields not be within any drainage or utility easements. Such notice shall be reviewed and approved by the Health Department prior to filing with any Final Plat;
4. That stormwater management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
5. That the road construction plans be submitted and approved by the County Engineer prior to any road construction;
6. That the private covenants to be filed with the Final Plat include a legal mechanism for road maintenance, open space and trail maintenance, and operation of any community water system or private water systems to serve these lots; and
7. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Submitted by:
Timothy Huey, Director
April 13, 2017











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

June 29, 2017

APPROVING THE PRELIMINARY PLAT OF VALLEY VIEW FARMS SUBDIVISION

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

Section 1. The Preliminary Plat of Valley View Farms is approved in accordance with the Planning and Zoning Commission's recommendation with the following conditions:

1. A variance to the Subdivision Regulations be approved to allow the road right of way width to be thirty (30') feet wide for the subdivision streets and eighteen (18') feet wide for the two private streets serving Lots 20-23 and Lots 5 & 6 and to allow the proposed walking trail, twelve (12') foot wide and 2,300 feet in length, to be developed with a surface of natural materials, to meet the requirement for common open space based on the specials circumstances of the subdivisions location and the provision for central sewer and water;
2. The proposed water system plans and sanitary sewer system plans be reviewed and approved by the Park View Sanitary District;
3. That the Homeowners Association be responsible for the maintenance of the walking trail and that the trail be constructed prior to Final Plat approval;
4. That a tree removal mitigation plan be submitted, if necessary, and approved in conjunction with the road construction plans;
5. That a notice and disclaimer be submitted to be included with the private covenants that states the limitations on these lots regarding the size of houses to be constructed and such notice shall be reviewed and approved prior to filing with any Final Plat;
6. That provision for turnarounds is provided at the end of the two private streets;
7. That stormwater management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
8. The County Engineer review and approve all street construction plans prior to construction;
9. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval; and
10. The Planning and Zoning Commission conduct a public hearing for all Final Plat Reviews.

Section 2. This resolution shall take effect immediately.