

**PLANNING & DEVELOPMENT**

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Timothy Huey  
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: April 10, 2018

**Re: Discussion of Public Hearing and presentation of Planning and Zoning Commission's recommendation on the application of Susan Leander to rezone 98 acres, more or less, from Agricultural-General (A-G) to Residential Single-Family (R-1) located in Part of the South Part of the SW<sup>1</sup>/<sub>4</sub> lying west of U.S. Highway 67 in Section 14, and Part of the South Part of the SE<sup>1</sup>/<sub>4</sub> lying east of 277th Avenue in Section 15, LeClaire Township, adjacent to the west side of Great River Road and the east side of 277th Avenue, formerly Olathea Golf Course. on the**

This request is to rezone the 98 acres of the Olathea Golf Course property from Agricultural-General (A-G) to Single Family Residential (R-1). The property owners have operated the golf course for over 30 years but have now ceased its operation. They are requesting this rezoning in order to market the property for residential development. There is a sale pending on a portion of the property contingent on the approval of this rezoning.

This Golf Course property is shown on the new Future Land Use Map as appropriate for consideration of residential development. Approval of the rezoning of this property would only be the necessary first step prior to any development of the property. Prior to any development the next step would be the submission of a Preliminary Plat to show how the property would be developed in accordance with County standards. This property is also in the extraterritorial jurisdiction of the City of Princeton so any subdivision would also have to be approved by Princeton.

The Planning Commission held a public hearing on this request and one neighboring property owner spoke in strong support of this.

Since this request has a favorable recommendation, and there have been no concerns expressed by neighboring property owners, staff would request, on behalf of the applicant, that the Board consider approving the first reading of the rezoning immediately following the public hearing. This would facilitate the pending sale by shortening the time frame for approval by two weeks.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the request to rezone 98 acres (more or less) from Agricultural-General (A-G) to Single-Family Residential (R-1) based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

**Vote: Unanimous (7-0)**



PLANNING & ZONING COMMISSION

STAFF REPORT

March 30, 2018



- Applicant:** Susan Leander
- Request:** Rezone 98 acres, more or less, from Agricultural-General (A-G) to Single-Family Residential (R-1)
- Legal Description:** Part of the South Part of the SW ¼ lying west of U.S. Highway 67 in Section 14, and Part of the South Part of the SE ¼ lying east of 277<sup>th</sup> Avenue in Section 15, Township 79 North, Range 5 East of the 5<sup>th</sup> Principal Meridian (LeClaire Township)
- General Location:** West of Great River Road along the Mississippi River, formerly Olathea Golf Course
- Existing Zoning:** Agricultural-General (A-G)
- Surrounding Zoning:**
- North:** Agricultural-General (A-G), Single-Family Residential (R-1)
  - South:** Agricultural-General (A-G), Single-Family Residential (R-1)
  - East:** Single-Family Residential (R-1), Mississippi River
  - West:** Agricultural-Preservation (A-P), Agricultural-General (A-G)

**GENERAL COMMENTS:** This request is to rezone the 98 acres of the Olathea Golf Course property from Agricultural-General (A-G) to Single Family Residential (R-1). The property owners have operated the golf course for over 30 years but have now ceased its operation. They are requesting this rezoning in order to market the property for residential development. In 2012, a similar rezoning was approved to rezone 15 acres that had been the driving range for the golf course and that property was sold and developed as a four-lot residential subdivision known as Mt. Carmel Addition. The property currently has frontage and access to Great River Road/US Hwy 67 to the east and frontage and access to 277<sup>th</sup> Avenue to the west. Woods and Meadows, a residential subdivision is adjacent to the south side of this property and is zoned R-1. The adjacent property located to the north is zoned A-G and has two major natural gas transmission that cross the Mississippi River.

If this rezoning is approved, any future residential development of the property would have to meet the requirements of the Subdivision Ordinance. The property owners currently live in the one residence on the property.

**STAFF REVIEW:** Staff has reviewed this request for its adherence to the Scott County Zoning Ordinance and to the Scott County Land Use Policies. Any proposed changes in zoning in the rural unincorporated area of the county should comply with a preponderance of the applicable Scott County Land Use Policies:



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

The area to be rezoned is shown on the Future Land Use Map with Recreation shown as Existing Land Use and A-G as the Future Land Use designation. The A-G district is considered a “holding zone” to protect agricultural operations and preserve agricultural land until a compatible development proposal is approved. Golf courses are a permitted use in the A-G Zoning District.

The new Future Land Use Map currently being considered by the Board of Supervisors, though not yet adopted at the time of this report, shows the property as appropriate for future residential development. The request meets this criterion.

*Is the development on marginal or poor agricultural land?*

The area to be rezoned is currently set up as a 9-hole golf course with some areas along the southern boundaries utilized for agricultural production. The 98-acre tract has Corn Suitability Ratings (CSR's) ranging from 5 to 85. The County's land use policies consider any soils with ratings above 60 as prime agricultural land. According to the Web Soil Survey from the Natural Resources Conservation Service, approximately 66% of the tract has soils with CSR's under 60. The request appears to meet this criterion.

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

The area to be rezoned has frontage along 277<sup>th</sup> Avenue on the west side and Highway 67/Great River Road to the east, both are adequately-constructed, as a paved County road and State highway.

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

The property is not currently served by either public sewer or water service, and therefore any development must comply with State and County health regulations for private wells and on-site wastewater treatment unless sewer is extended. The County Health Department did not have any comments regarding the proposal at this time since a subdivision proposal including number of development lots and lot configurations has not yet been submitted. According to the Web Soil Survey from the Natural Resources Conservation Service, the vast majority of the property is considered “Very limited” for “Septic Tank Absorption Field Suitability” and the remainder is “Somewhat limited.” Further review by and comment from the Health Department would thus be an important element for the consideration of any subdivision proposals.

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

The area to be rezoned is about ½ mile south of the City of Princeton and about 2 miles north of the City of LeClaire, both of which have existing employment centers and



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commercial areas. There has been an historic trend of residential development among the bluffs along the Mississippi River in the unincorporated areas of the county, so the area to be rezoned is immediately adjacent to existing residential development to the south and southeast, the Woods and Meadows Additions and Mt. Carmel Addition. Since the proposal would adhere to nearby development trends, it would not be seen as encouraging urban sprawl.

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

The intent of the Scott County land use policies is not only to limit or prevent the conversion of prime agricultural land for development, but also to prevent the incursion of non-farming neighbors into agricultural areas. The area to be rezoned is near other residential development and fits the residential development trends that have taken place in the areas along the river, but would likely have an effect on the existing agricultural activities to the north and west.

*Does the area have stable environmental resources?*

The majority of the area to be rezoned has been maintained as a 9-hole golf course known as Olathea Golf Course since 1984. The northeast portion of the property is relatively flat with a general incline from east to west. A bluff extends from the southwest boundary of the property, creating some steep slopes and a wooded ravine area between the property and the Woods and Meadows Additions to the south and Mt. Carmel Addition to the southeast. A creek flowing north runs along the southeast portion of the property, exiting its northern boundary. According to the Web Soil Survey from the Natural Resources Conservation Service, only about 30% of the property has soils with high-to-moderate infiltration rates, or “low runoff potential when thoroughly wet.” The remainder is moderately to steeply sloped with high runoff potential, which would indicate that any construction on this property would need to meet design and construction standards set by a professional civil and/or structural engineer.

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

Since residential development has occurred immediately to the south of the property along the Mississippi River, the rezoning would not be inconsistent with the general vicinity’s land use patterns and would not require buffering.

*Is there a recognized need for such development?*

Even in a strict agricultural preservation county like Scott County, it must be recognized that there is a demand (“need”) for residential development in the rural areas.

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.



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Staff as not, as of yet, received any calls or comments on this request.

Staff has also notified the County Engineer, County Health Department, Scott County soil conservationist, Bi-State Regional Commission, and the cities of LeClaire and Princeton for review and comment. The memo and supplemental maps received from Bi-State planning staff is included with this report.

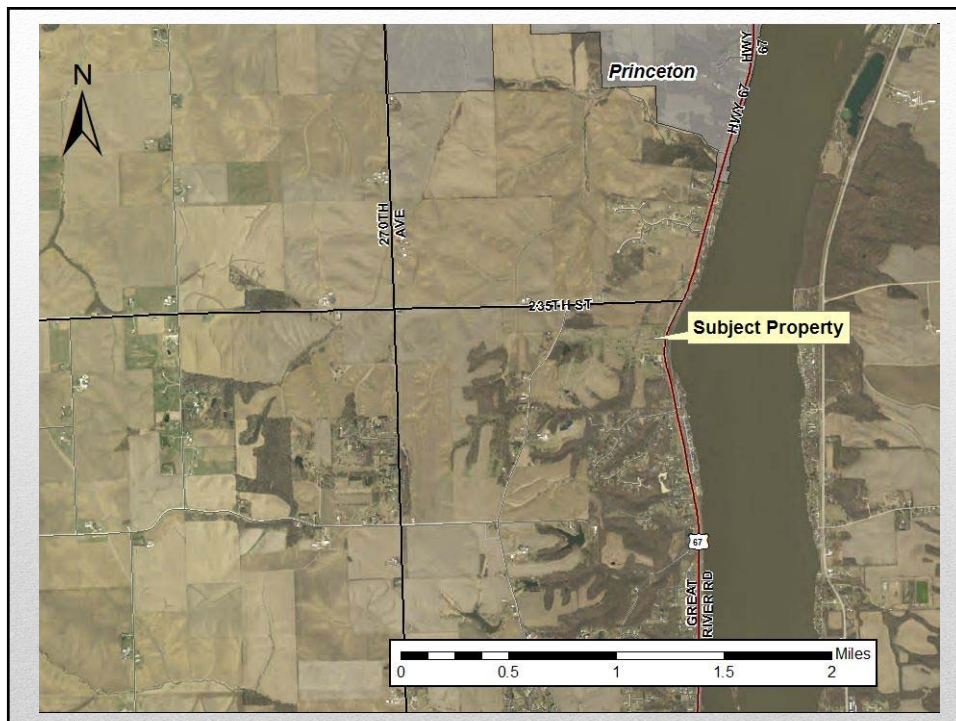
**RECOMMENDATION:** Staff recommends that the rezoning of this property from Agricultural-General (A-G) to Single-Family Residential (R-1) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

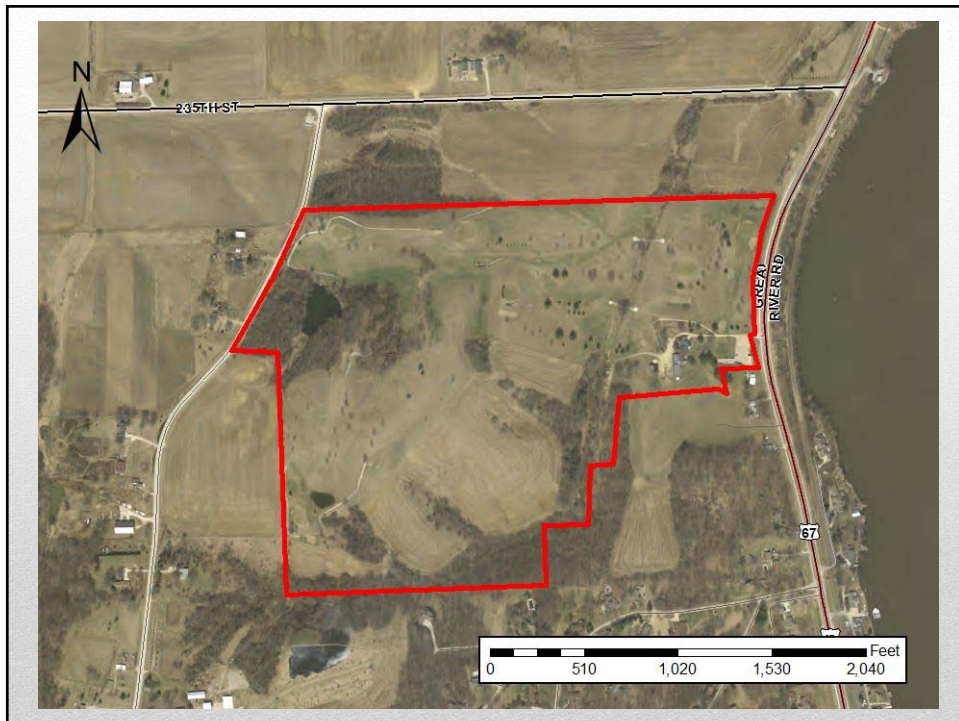
Submitted by:  
Timothy Huey, Director  
March 30, 2018

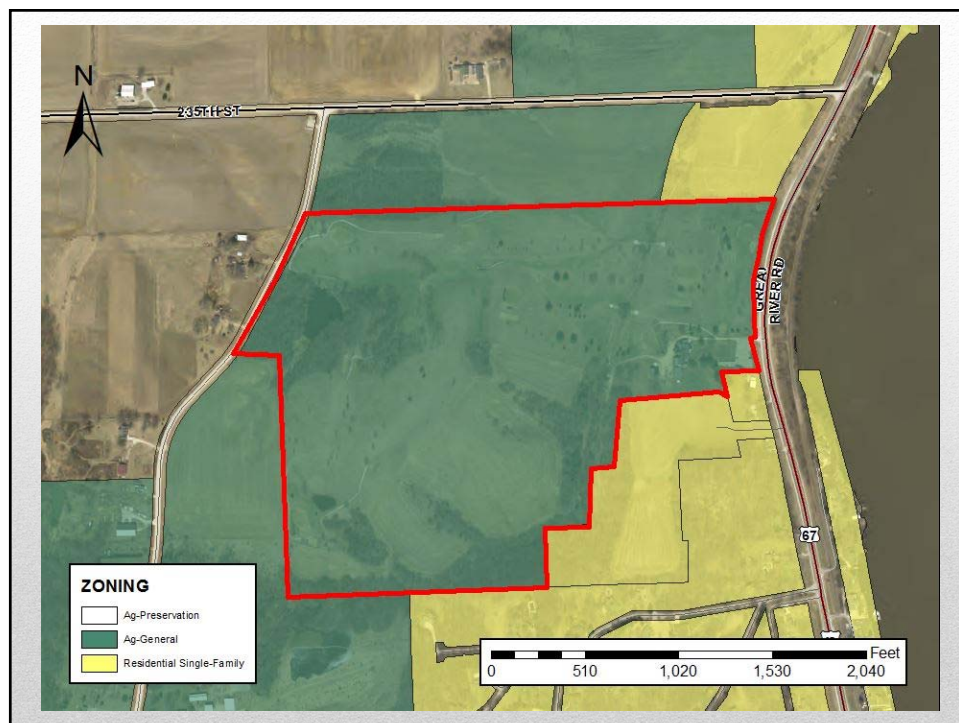
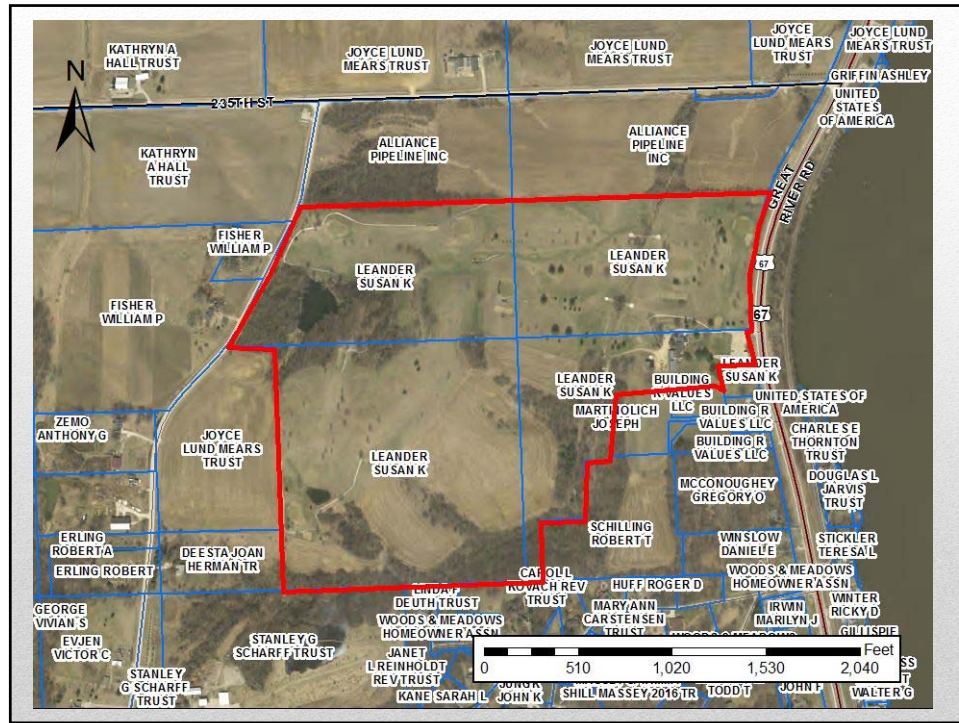
# REZONING

## SUMMARY

- **Applicant:** Susan Leander
- **Request:** Rezone from Agricultural-General (A-G) to Single-Family Residential (R-1)
- **Legal Description:** Part of the SW ¼ of Section 14 and Part of the SE ¼ of Section 15 in LeClaire Township
- **General Location:** Former Olathea Golf Course, east of Great River Road, west of 277<sup>th</sup> Avenue
- **Size:** 98 acres (approximately)
- **Zoning:** Agricultural-General (A-G)















Prepared by: Scott County Planning and Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 18-\_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 100 ACRES IN SECTIONS 14 & 15, LECLAIRE TOWNSHIP FROM AGRICULTURAL-GENERAL (A-G) TO SINGLE-FAMILY RESIDENTIAL (R-1), 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 Single-Family Residential (R-1) to-wit:

Part of the SW ¼ SW ¼ lying west of the Hwy containing 15 MOL acres and Part of NW ¼ SW ¼ lying west of the Hwy containing 22 MOL acres all in Section 14 of LeClaire Township and Part of the NE ¼ SE ¼ lying East of the Rd containing 22 MOL acres and Part NW ¼ SE ¼ lying East of the Rd containing 1 MOL acres and the SE ¼ SE ¼ containing 40 MOL acres all in Section 15 LeClaire Twp containing a total of 100 acres more or less.

**Section 2.** This ordinance changing the above described land to Single-Family Residential (R-1) 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 \_\_\_\_\_ 2018.

\_\_\_\_\_  
Tony Knobbe, Chair  
Scott County Board of Supervisors

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Roxanna Moritz, County Auditor