

PLANNING & DEVELOPMENT

600 West Fourth Street
Davenport, Iowa 52801-1106
E-mail: planning@scottcountyiaowa.com
Office: (563) 326-8643 Fax: (563) 326-8257



Item #6
7/24/18

Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: July 17, 2018

Re: Approval of the Final Plat of Venwoods Estates 4th Addition, a proposed 6 lot residential subdivision in SW¹/₄ of the SE¹/₄ of Section 6 and NW¹/₄ of the NE¹/₄ of Section 7 all in Pleasant Valley Township.

The Preliminary Plat for Venwoods Estates 4th was approved September 7, 2017 with six (6) conditions. Approval of this Final Plat will subdivide Lot 36 of Venwoods Estates into six (6) residential lots with access to a cul de sac road extended south from Wells Ferry Road. The applicant stated that when Venwoods Estates was originally developed that Lot 36 of Venwoods Estates was always planned to be further subdivided for five or six houses. The applicant told the commission that the Venwoods Estates Homeowners' Association had discussed the use of Outlot B of Venwoods Estates for the storm water drainage from the 4th Addition. The Association president said Lot 36 was planned to handle the storm water drainage for five houses, but that the sixth should not be an issue. However the Association did have concerns about the drainage easement between Lots 4 and 5 of the proposed development, and that an erosion barrier should be installed at the drainage outlet.

The applicant stated that the HOA for this new Addition would share the cost for the maintenance of the Outlot with Venwoods Estates Homeowners' Association. The neighboring property owners expressed concerns with the capacity of the storm water detention basin.

The Commission had requested that documentation of both the capacity and maintenance of the storm water system to address the storm water detention requirements of this subdivision be submitted and reviewed by staff prior to Final Plat approval. The applicant's engineer submitted his calculations and determination that the detention basin in Venwoods Third Addition had the capacity to handle the storm water from this subdivision. The applicant also submitted a signed affidavit that the Venwoods Estates HOA approved its detention basin being used by Venwoods Estates 4th Addition. The two HOAs will share the maintenance cost for the storm water system within the entire subdivision.

The neighboring property owners also expressed concerns with the road design and the strip of land between the proposed cul-de-sac and their adjacent access lane that runs parallel. Their concerns were that snow removal from the cul de sac would worsen the snow drifts on the adjacent lane and that their access to wells Ferry Road would be negatively affected..

The Commission asked whether this cul de sac would be a private road or accepted by the County for maintenance. The subdivision regulations require the street to be built to County standards but the decision on whether to accept the street on the County road system is made by

the Board of Supervisors after the subdivision plat is approved. The existing Venwoods Estates streets are maintained by the County. The County Engineer stated he would not recommend this cul de sac be accepted onto the County Secondary Road system and requested that the note on the plat stating 248th Street R.O.W. would be dedicated to Scott County be deleted prior to approval of the plat.

Whether Scott County is going to accept roads on to the County Secondary Roads system is not an issue normally addressed by the Planning Commission. However, in this case, the Planning Commission did include in its recommendation that the note regarding dedication of the road to Scott County be removed from the plat document. The Subdivision Regulations state that all road construction plans must be reviewed and approved by the County Engineer prior to construction and the County Engineer is to inspect those roads during construction to ensure compliance with County road standards and the approved construction plans. The Subdivision Regulations provide that the County Engineer may do the inspections with County inspectors or hire an outside firm and bill the developer for those costs. Regardless of how the roads will be maintained the requirement is that they be built to County standards. The Subdivision Regulations provide for the decision on road maintenance be addressed by the Board of Supervisors with a recommendation by the County Engineer after the Final Plat is approved and recorded.

In this case the County Engineer has indicated from the time this plat was submitted that he would not be recommending that the roads be accepted onto the Secondary Roads system. Therefore, if the Board determines it will not approve the acceptance of these subdivision roads, the proposed covenants will need to be amended to reflect that and provide that the Homeowners Association be given the responsibility for maintaining these roads and that the roads remain private. If that is the case, any resolution approved by the Board should include the requirement for private road maintenance be included in the Private Covenants as a condition of Board approval.

Finally, water mains from the Iowa-American Water Company, a public water system, have been extended to serve these lots. The applicant stated that each lot will be served by a private on-site sand filter wastewater treatment system unless a septic system is approved by the County Health Department.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the Final Plat of Venwoods Estates 4th Addition be approved with the following conditions:

1. The plat note reading, "248th Street R.O.W. be dedicated to Scott County with the acceptance and recordation of this plat," be removed prior to recording as recommended by the County Engineer; and
2. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Vote 7-0, All Ayes



PLANNING & ZONING COMMISSION

STAFF REPORT

June 5, 2018



Applicant: Pete Stopulos

Request: Final Plat of Venwoods Estates 4th Addition

Legal Description: Lot 36 of Venwoods Estates in Section 7, Pleasant Valley Township

General Location: Adjacent to Venwoods Estates and Venwoods Estates 3rd Addition, South of Wells Ferry Road, approximately ¾ mile East of the City of Bettendorf

Zoning: Residential Single-Family (R-1)

Surrounding Zoning:

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

GENERAL COMMENTS: This request is for approval of a Final Plat of a six-lot major subdivision known as Venwoods Estates 4th Addition. The approximately 6.39-acre tract has frontage along Wells Ferry Road and, while it is zoned Residential Single-Family (R-1), it is currently being used for agricultural crop production. The tract is adjacent to the rest of Venwoods Estates and Venwoods Estates 3rd Addition to the West, numerous residential subdivisions to the North and East, and productive agricultural land to the East and South.

The current final plat proposal features a short cul-de-sac from Wells Ferry Road for access to the six (6) development lots, which average approximately 0.8 acres in size. A smaller (0.601 acres) lot near the entrance is designated Greenspace, though a proposal of this density is not required to provide common open space. The Preliminary Plat was approved by the Planning and Zoning Commission on August 15, 2017 and the Board of Supervisors on September 7, 2017 with the following conditions:

1. That documentation be submitted of the approval for this development to use Outlot B of Venwoods Estates 3rd Addition for stormwater generated from this property;
2. The proposed wastewater treatment facilities meet Health Department requirements;
3. The private covenants include provision for private road and common open space maintenance;
4. The County Engineer review and approve all street construction plans prior to construction;
5. The subdivision infrastructure improvements be completed or a surety bond posted prior Final Plat approval;
6. And that an erosion mitigation measure such as riprap be installed at the stormwater drainage outlet that exits West of Lots 4 and 5.



STAFF REVIEW: Staff has reviewed this request for compliance with the requirements of the Subdivision Regulations and Zoning Ordinances for Final Plat approval. 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.

Zoning, Land Use, and Lot Layout

The proposed configuration of the 6.39-acre tract creates six (6) development lots, each with the development right for one (1) single-family dwelling. The lots range in size from 0.691 acres to 1.329 acres, averaging approximately 0.8 acres per lot.

Common Open Space

A major subdivision of this proposed density does not require common open space, but a .601-acre lot (Outlot A) at the entrance is designated Greenspace.

Access and Roadway Improvements

The current proposed Final Plat features a short cul-de-sac with curb and gutter from Wells Ferry Road for access to the six (6) development lots. One lot at the end of the cul-de-sac (Lot No. 6) has a flagpole configuration.

The right-of-way widths prescribed in the Subdivision Regulations for local residential streets with curb and gutter require that a typical section include a minimum of 50 feet of right-of-way. Venwoods Estates 4th Addition has designated 22 feet for the roadway with additional 15-foot wide utility easements adjacent to either side, which include a 4-foot wide sidewalk on the West side of the roadway, resulting in a 52-foot right-of-way.

The County Engineer recommended that the note reading, “248th Street R.O.W. be dedicated to Scott County with the acceptance and recordation of this plat,” be removed prior to recording since he is recommending this street remain private, though he did review and approve the street construction plans.

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. Staff did not recommend nor did the Commission require that such a tree removal mitigation plan be submitted after Preliminary Plat approval.

Stormwater Management

The proposed Final Plat would utilize an underground storm sewer system with five (5) stormwater intake gutters along the roadway and a 20-foot storm sewer easement between Lot 4 and Lot 5 with a stormwater outlet on the west side of the property adjacent to Outlot B of Venwoods 3rd Addition.



Erosion and Sediment Control Plan

While typically not expected at Preliminary Plat stage, the proposal included a complete Erosion Control Plan. The plan was forwarded to the County Engineer for review at the time and no comments or concerns were provided.

Water

The applicant proposes to serve the lots with water by extending water mains from the Iowa-American Water Company, a public water system.

Wastewater disposal systems

Subdivisions containing less than forty (40) lots may install individual on-site systems that meet County Health Department regulations. The Health Department did not submit any comments or concerns with this Final Plat. As stated above, all of the proposed lots exceed the minimum lot size requirement of 30,000 square feet.

City of Bettendorf Review

This property is within two miles of the Bettendorf city limits. Therefore, review and approval of the Final Plat by the City of Bettendorf is required. Bettendorf is scheduled to approve the Final Plat on June 5, 2018.

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.

Though not required, staff also notified adjacent property owners within five hundred feet (500') of the meeting. Staff received an email from a neighboring property owner with three concerns regarding access, utility easements, and right-of-way dedication, the responses to which are enclosed with this report.

RECOMMENDATION: Staff recommends that the Final Plat of Venwoods Estates 4th Addition be approved with the following conditions:

1. The plat note reading, "248th Street R.O.W. be dedicated to Scott County with the acceptance and recordation of this plat," be removed prior to recording as recommended by the County Engineer; and
2. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Submitted by:
Timothy Huey, Director
June 1, 2018

FINAL PLAT OF:

VENWOODS ESTATES FOURTH ADDITION

BEING A REPLAT OF LOT 36 OF VENWOODS ESTATES LOCATED IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6 AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7 IN TOWNSHIP 78 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA

NOTES:

- SUBDIVISION ACREAGE: 6.380± ACRES / 276,264± S.F.
- 248th STREET R.O.W.: 0.666± ACRES / 42,030± S.F.
- 248th STREET R.O.W. TO BE DEDICATED TO SCOTT COUNTY WITH THE ACCEPTANCE AND RECORDATION OF THIS PLAT.
- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF BETTENDORF STANDARD SPECIFICATIONS.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- THE SUBJECT PROPERTY IS ZONED R-1; SINGLE FAMILY RESIDENCE. ZONING SETBACK LINES ARE BASED ON ZONING REQUIREMENTS AS OF THE DATE OF COUNTY BOARD APPROVAL, IN CASE OF CONFLICT BETWEEN LINES SHOWN AND FUTURE CODE REQUIREMENTS THE CODE REQUIREMENTS SHALL GOVERN.
- THIS SUBDIVISION LIES WITHIN ZONE "A" (AREA NOT PRONE TO FLOODING) AS SHOWN ON FEMA FIRM PANEL #18163C0383F, EFFECTIVE FEBRUARY 16, 2011.
- SEWAGE TREATMENT TO BE PROVIDED BY PRIVATE SEPTIC SYSTEMS.
- STORM WATER DETENTION TO BE PROVIDED BY VENWOODS ESTATES 3rd ADDITION - OUTLOT B VIA DRAINAGE EASEMENT.
- OUTLOT A SHALL ACCESS VIA 248TH AVENUE.
- ALL EASEMENTS AND RESTRICTIVE COVENANTS OF VENWOODS ESTATES APPLY TO THIS SUBDIVISION.
- PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE CITY RESERVES THE RIGHT IN ITS SOLE DISCRETION TO ALTER OR AMEND ANY PLAT NOTE, OR TO SELL OR VACATE ANY RIGHT OF WAY OR UTILITY EASEMENT DEDICATED WITHIN THE PLAT. FURTHER, THE CITY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT, ALTER LOT BOUNDARIES OR ALLOW GROUND TO BE REPLATED.

PLAT INFORMATION

1. Owner:
321 Partners, LLC
1940 Cromwell Circle
Davenport, Iowa 52807
2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:
Michael D. Richmond
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:
Ben Yeggy
Gomez May Schutte Yeggy Bieber
2322 E. Kimberly Rd. #120W
Davenport, Iowa 52807
Ph: (563) 359-3591

Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	96.37	99.07	55°46'18"	22.61'	N25°14'43"E
C2	67.91	61.07	63°46'52"	64.45'	S21°14'25"W
C3	127.05	61.07	119°19'52"	105.30'	S70°18'57"E
C4	56.09	61.07	52°39'32"	54.11'	N23°41'21"E
C5	1.68	1071.07	0°35'23"	1.68'	N38°18'40"W
C6	82.84	1071.07	4°25'55"	82.82'	N40°32'19"W
C7	271.20	1071.07	14°30'30"	270.47'	N50°00'31"W

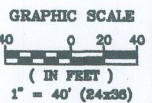
APPROVAL SIGNATURES:

- MAYOR _____ DATE: _____
- CITY CLERK _____ DATE: _____
- BETTENDORF, CHAIRMAN PLAN & ZONE _____ DATE: _____
- CENTURY LINK _____ DATE: _____
- IOWA - AMERICAN WATER COMPANY _____ DATE: _____
- MEDIACOM _____ DATE: _____
- MIDAMERICAN ENERGY _____ DATE: _____
- APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C. _____
- SCOTT COUNTY PLANNING AND ZONING _____ DATE: _____

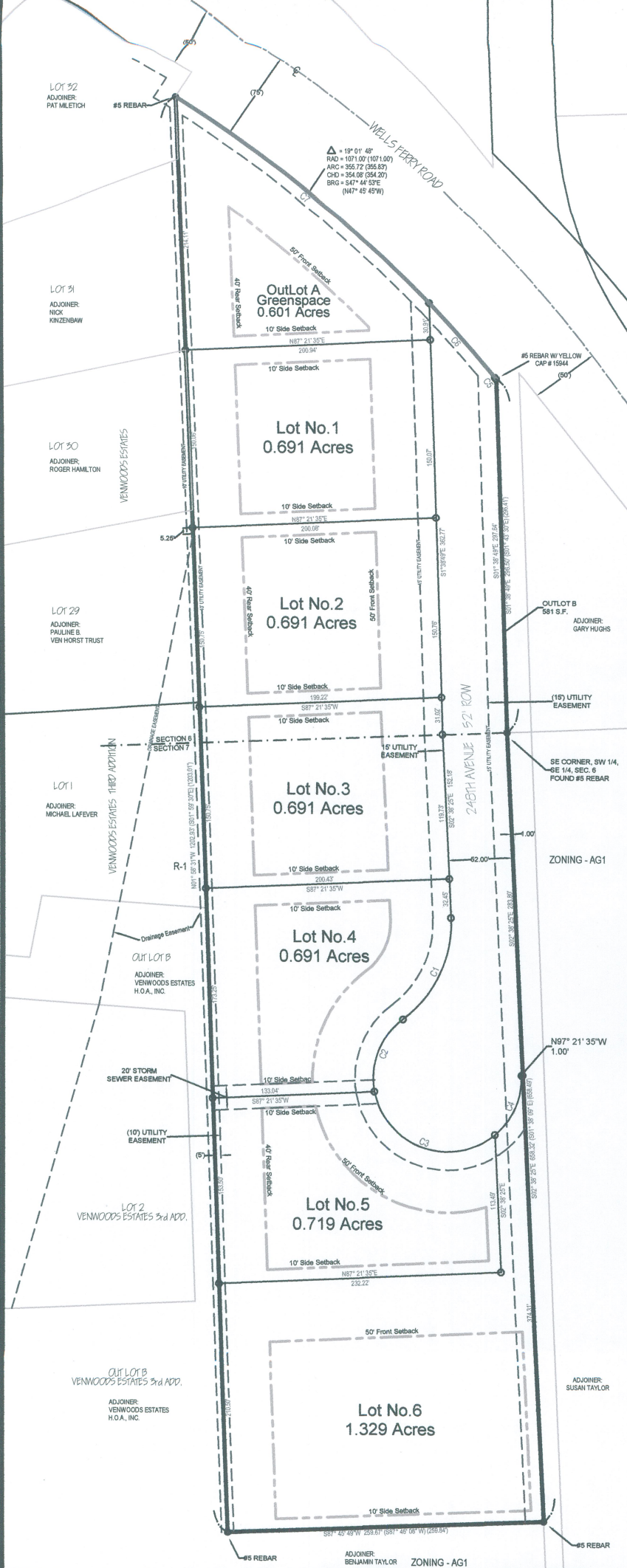
LEGEND:

- DEED DIMENSION = (0.00')
- FIELD DIMENSION = 0.00'
- MONUMENTS FOUND
- #5 REBAR, UNLESS NOTED = ●
- CHISELED "X" = X
- MONUMENTS SET:
- #5 REBAR W/ YELLOW CAP #23503 = ○
- BOUNDARY LINE = _____
- ROAD CENTER LINE = _____
- EASEMENT LINE = _____
- SETBACK LINE = _____
- SECTION LINE = _____

THE MEASURED BEARINGS SHOWN HEREBY ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (1402) GRS82 12A, NAD 83 (2011) EPOCH 2010.00.



I hereby certify that this land contains, contains, or encloses all the interest therein and that the plat is correct and true to the best of my knowledge and belief. My license expires on December 31, 2011. Sign or check correct by this date: _____



DATE: 4/24/18
PROJECT NO: VENWOODS
563 386.4236
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: JLC
DRAWN BY: MSR
LOCATION: Venwoods Estates 4th Add.

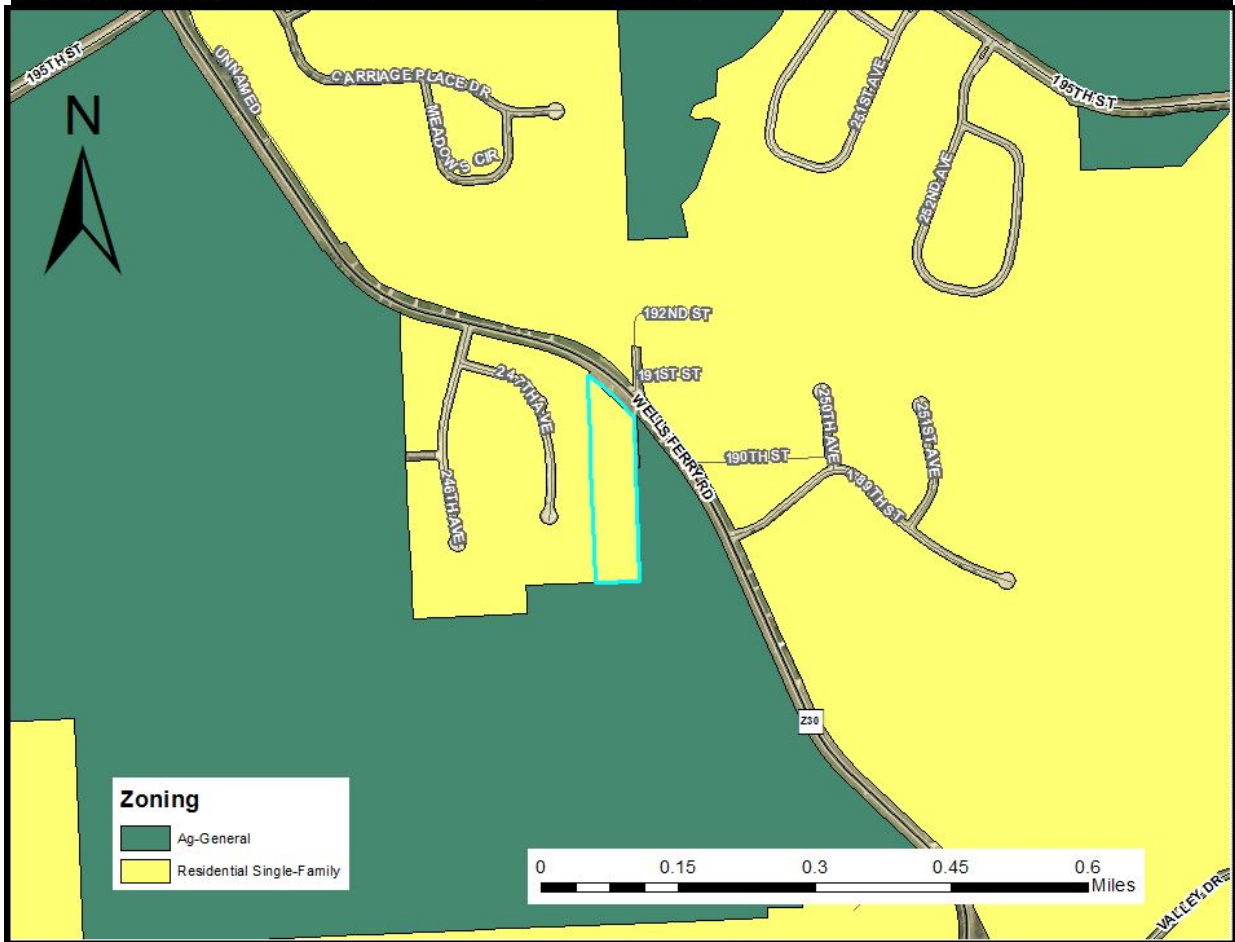
REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: FINAL PLAT VENWOODS ESTATES 4th ADDITION BETTENDORF, IOWA

DEVELOPER: 321 PARTNERS LLC 4646 WELCOME WAY DAVENPORT, IOWA

SHEET NO. 1 OF 1





CERTIFICATE OF APPROVAL BY SCOTT COUNTY

I, Tony Knobbe, Chairman of the Scott County Board of Supervisors, do hereby certify that said Board adopted a Resolution on July 26, 2018 in which it approved the Final Plat of **Venwoods Estates Fourth Addition** as follows:

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 26th day of July, 2018, considered the final plat of **Venwoods Estates Fourth Addition**. Said plat is a subdivision in Part of the SW ¼ of the SE ¼ of Section 6 and Part of the NW ¼ of the NE ¼ of Section 7, T78N R4E (Pleasant Valley Township), being a replat of Lot 36 of Venwoods Estates in 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 Ordinance, does hereby approve the final plat of **Venwoods Estates Fourth Addition**.

Section 2. The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature.

Section 3. This Resolution shall take effect immediately.

Signed this 26th day of July, 2018

SCOTT COUNTY, IOWA

BY: _____

Tony Knobbe, Chair

ATTESTED BY: _____

Roxanna Moritz, Auditor

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

July 26, 2018

APPROVING THE FINAL PLAT OF VENWOODS ESTATES FOURTH 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 26th day of July, 2018, considered the final plat of **Venwoods Estates Fourth Addition**. Said plat is a subdivision in Part of the SW ¼ of the SE ¼ of Section 6 and Part of the NW ¼ of the NE ¼ of Section 7, T78N R4E (Pleasant Valley Township), being a replat of Lot 36 of Venwoods Estates in Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the final plat of said subdivision.

Section 2. The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature.

Section 3. This Resolution shall take effect immediately.