

**PLANNING & DEVELOPMENT**

600 West Fourth Street

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Item #2

1/8/19

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Timothy Huey  
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: December 31, 2018

**Re: Discussion of Public Hearing and Presentation of Planning & Zoning Commission's recommendation on the application of Chris Townsend, Townsend Engineering on behalf of Deed holder Victor & Michelle Gorsh to rezone a 33-acre tract, more or less, from "Agricultural-General (A-G)" to "Single-Family Residential (R-1)" located in the vicinity of 15378 270th Street and legally described as the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  less the west seven (7) acres in Section 27 of Winfield Township.**

The Planning Commission unanimously recommended approval of the rezoning in accordance with staff's recommendation. The Commission determined that the request met a preponderance of the criteria of the land use policies. The area is shown on the Future Land Use Map as appropriate for residential development, it is near employment and commercial centers, it has access to a paved road and it is adjacent to other residential development. The property also is not directly adjacent to Long Grove corporate boundary and therefore could not be annexed.

Staff has not received any calls or comments on this request prior to the meeting however there were some neighboring property owners and the P & Z Commission meeting that had questions and expressed concern with allowing more residential development in the area. Chairman Lloyd pointed out that many of the issues they had questions about would be address with the future review of the subdivision of the property.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the request to rezone this property 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.

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Timothy Huey,  
Director

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

In accordance with Section 6-31 of the Revised Zoning Ordinance for Unincorporated Scott County, the Planning and Zoning Commission will review a proposed rezoning on **Thursday, January 10, 2019 at 5:00 P.M.** This notice is being sent to property owners of record within 500 feet of the property in question and appropriate County officials. The meeting will be held in the **Magistrate's Courtroom in the Scott County Courthouse, 400 W. 4<sup>th</sup> Street, Davenport, Iowa 52801.**

The Scott County Board of Supervisors will hear the request of Chris Townsend, applicant, on behalf of Victor and Michelle Gorsh, property owners, to rezone a 33-acre tract, more or less, from "Agricultural-General (A-G)" to "Single-Family Residential (R-1)" the property legally described as SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  less the west seven (7) acres in Section 27 of Winfield Township.

On December 4, 2018 the Planning and Zoning Commission held a public hearing, took comments, and with unanimous vote made a recommendation to approve the rezoning of this 33-acre tract, more or less, from "Agricultural-General (A-G)" to "Single-Family Residential (R-1)" based on the Commission's determination that the application did meet a preponderance of the criteria of the Scott County Land Use Policies for such a zoning change.

If you have any questions or comments regarding this meeting or proposal, please call or write the Planning and Development Department, Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, or attend the meeting.

Timothy Huey  
Director



PLANNING & ZONING COMMISSION

STAFF REPORT

December 4, 2018



- Applicant:** Chris Townsend  
Victor and Michelle Gorsh – Property owners
- Request:** Rezone a 33-acre MOL Parcel from Agricultural General (A-G) to Residential Single-Family (R-1)
- Legal Description:** 33-acre MOL parcel, located in Part of the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> less the west seven (7) acres of Section 27 of Winfield Township.
- General Location:** Approximately ½ mile west of the incorporated city limits of the City of Long Grove on the north side of 270<sup>th</sup> Street
- Existing Zoning:** Agricultural-General (A-G)
- Surrounding Zoning:**
- North:** Agricultural-Preservation (A-P)
  - South:** Agricultural-General (A-G)
  - East:** Agricultural-General (A-G)
  - West:** Agricultural-General (A-G) & Single Family Residential (R-1)

**GENERAL COMMENTS:** This request is to rezone a 33-acre parcel of land from Agricultural-General (A-G) to Residential Single-Family (R-1). The rezoning application states that the purpose of the rezoning is to allow private residential development of the property consisting of six (6) 5-acre lots using a private lane for shared access. A sketch plan of the proposed subdivision layout of these six (6) lots was also submitted with this rezoning application. There is an existing farm house on the .69 acre parcel and another farm house under construction on the larger 32.24 acre parcel.

**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.

The Zoning Ordinance states that it is the intent of the Agricultural-General (A-G) District to serve the agricultural community and act as a holding zone until a compatible urban development proposal is approved through special use permits or rezoning. It is the intent of the Single-Family Residential (R-1) District to provide for the development of both low and medium density single-family subdivisions in the rural areas. Furthermore, the Zoning Ordinance general intent for the R-1 District states that any land rezoned to R-1 shall be located on adequately-constructed and paved County/State roads.

The guidelines for reviewing rezoning proposals are outlined in the Scott County Land Use Policies as follows:



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

This land is shown on the Future Land Use Map as an appropriate area for future residential development. The map also shows this as an area that should also be considered for annexation into Long Grove. However, since this parcel is not directly adjacent to the city limits it could not be annexed unless the owners of property between this parcel and the city limits also agreed to annexation. Therefore, staff would determine that this application meets this criteria and the issue related to possible annexation has been addressed and determined not to be feasible.

*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 about 25% of the property has soils identified as Ackmore silt loam with slopes ranging from 2 to 4% with Corn Suitability Rating of 77. These soils are classified IIw land capability, which indicates moderate limitations for growing field crops, most likely due to water conditions on the site. At the same time, Ackmore silt loam is listed in the soil survey as prime agricultural land and the current property owners are utilizing it as such. However the remainder of the property is made up of Exette silt loam with CSRs of 39 and slopes between 14- 18% and Downs silt loam with CSRs ranging between 82 and 45 and slopes between 5 and 18%. Therefore, this request does appear to meet this criterion.

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

The area to be rezoned has over 1,100 feet of frontage on an adequately-constructed, paved County road, 270<sup>th</sup> Street. Therefore, the request meets this criterion.

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

The area to be rezoned would require the installation of a private well and septic systems for the residential development of this property. The Scott County Health Department reviews and approves private well and septic systems prior to construction and did not express any concerns or have any comments on this request.

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

The area to be rezoned is near other residential development in the unincorporated area west of Long Grove, and with access to US Hwy 61 within 2 miles this property would have ready access to the entire QCA. The property is near other R-1 zoned areas both within and outside the City of Long Grove it would therefore appear not to contribute to urban sprawl. It is staff's determination that this request meets this criterion.



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PLANNING & ZONING COMMISSION

STAFF REPORT

December 4, 2018

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

Again, the area to be rezoned is near other residential development and near Long Grove. Agricultural activities would very likely continue on the adjacent parcels which are currently cultivated. Since the area to be rezoned is proposed to have only a few additional single-family dwellings, the rezoning would likely be only minimally disruptive to existing agricultural activities.

*Does the area have stable environmental resources?*

The area to be rezoned is near other residential development as well as productive farmland, both of which require stable environmental resources. A rezoning of this size is not likely to destabilize any of the resources currently available. Therefore, it would appear that this request meets this criterion.

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

Since the request is to rezone 33-acre parcel with two existing farm residences (one under construction) and a sketch plan was submitted to create six 5-acre lots this would allow five more residences. The surrounding land would remain zoned Agricultural-General (A-G) and Ag-Preservation (A-P) and the parcels currently being farmed would likely remain so, the need for buffering should be minimal.

*Is there a recognized need for such development?*

Planning and Development Department staff is frequently approached by parties interested in building new single-family dwellings in the unincorporated areas of Scott County, so there is certainly a *desire* for such development. Indeed, the County's adopted Land-Use Policies recognize that there is a need for providing opportunities for a variety of housing types. However, the County's Comprehensive Plan and Zoning Ordinance are in place to, among other things, encourage efficient urban development patterns. This request fits generally in the development pattern of its immediate vicinity, in that there is residential development to the west, south and east. Also, the current zoning of the property is A-G, which is intended to act as a holding zone for future compatible development. Given its proximity Long Grove and to other rural residential development and the fact that this area is shown on the Future Land Use Map as an appropriate area for future residential development, the request seems compatible.

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. Staff also notified the County Engineer, County Health Department, Scott County soil conservationist, Bi-State Regional Commission, and the city of Long Grove. No comments from these other



PLANNING & ZONING COMMISSION

STAFF REPORT

December 4, 2018

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parties have been received.

**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 as review in the Staff Report.

Submitted by:

Timothy Huey, Director  
November 29, 2018



275TH ST

150TH AVE

Subject property



270TH ST

W GROVE ST

E GROVE RD E GROVE RD 267TH ST

F41

19 YAWHGHIGH SU 19 YAWHGHIGH SU

CADDAR RD

N CADDAR RD

Y64

162ND AVE

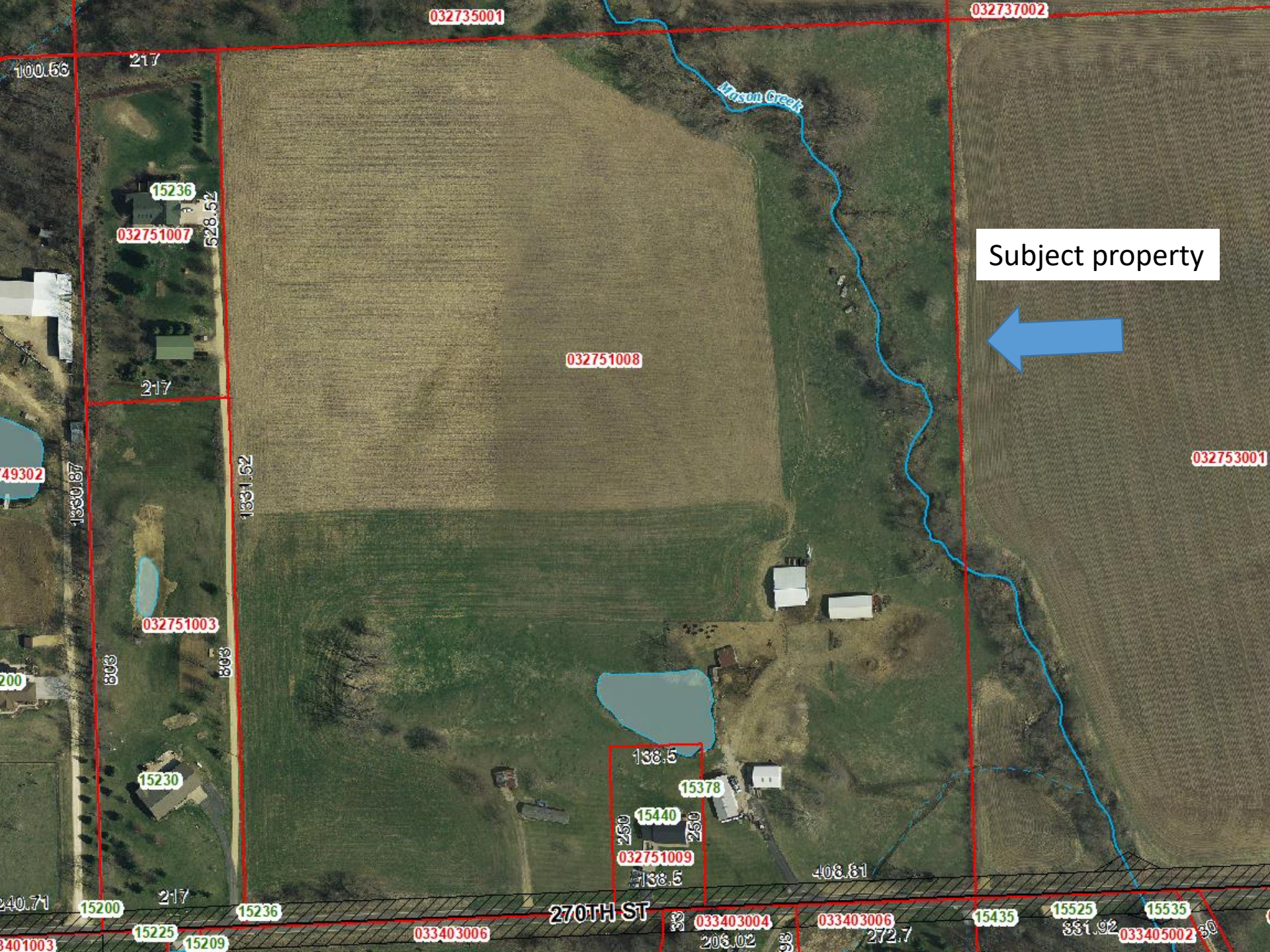
N 1ST ST

Y64

S 1ST ST

162ND AVE

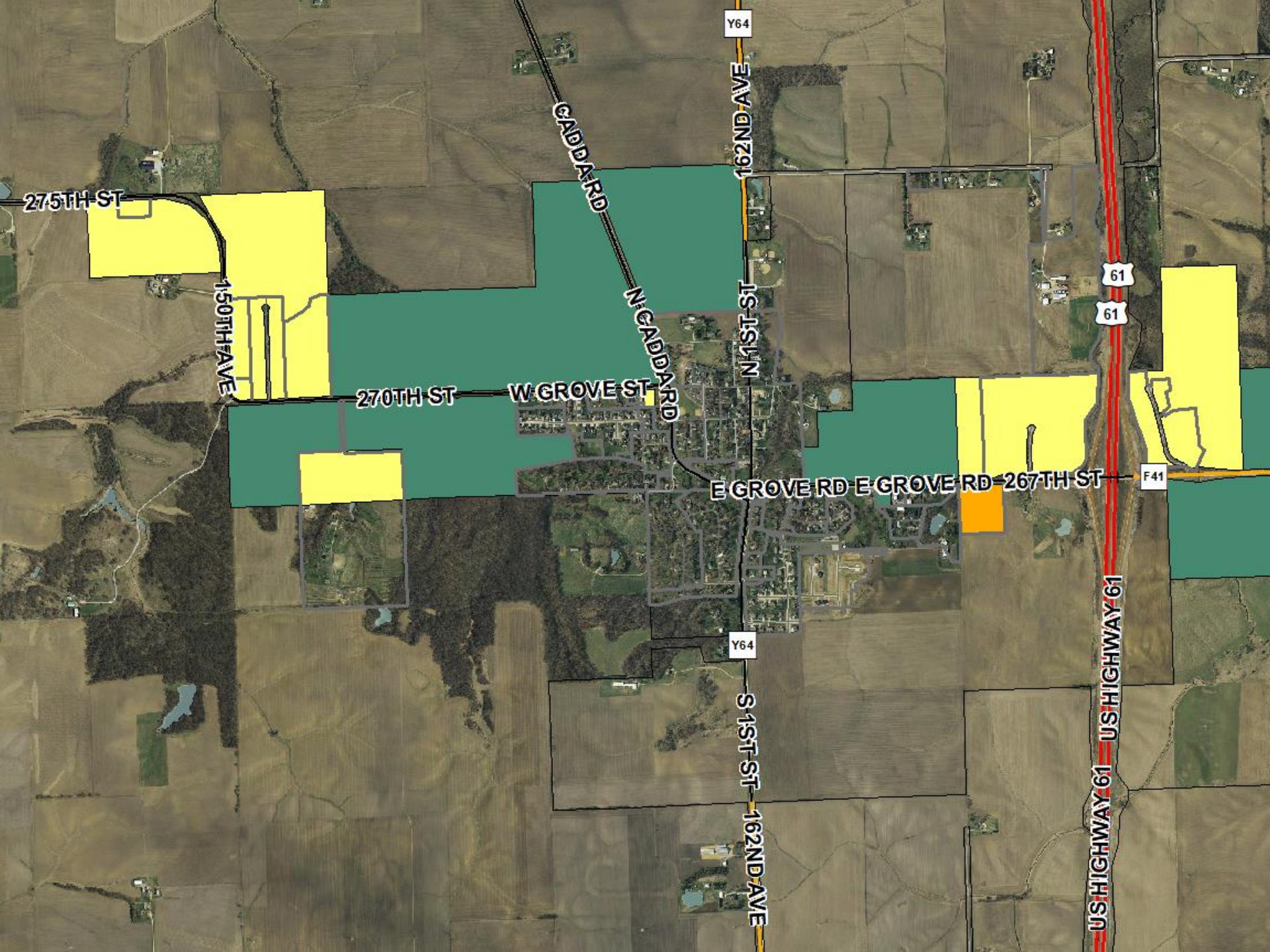
61 61



Subject property







275TH ST

150TH AVE

270TH ST

W GROVE ST

E GROVE RD E GROVE RD 267TH ST

CADDAR RD

N CADDAR RD

1ST ST N

S 1ST ST

Y64

Y64

162ND AVE

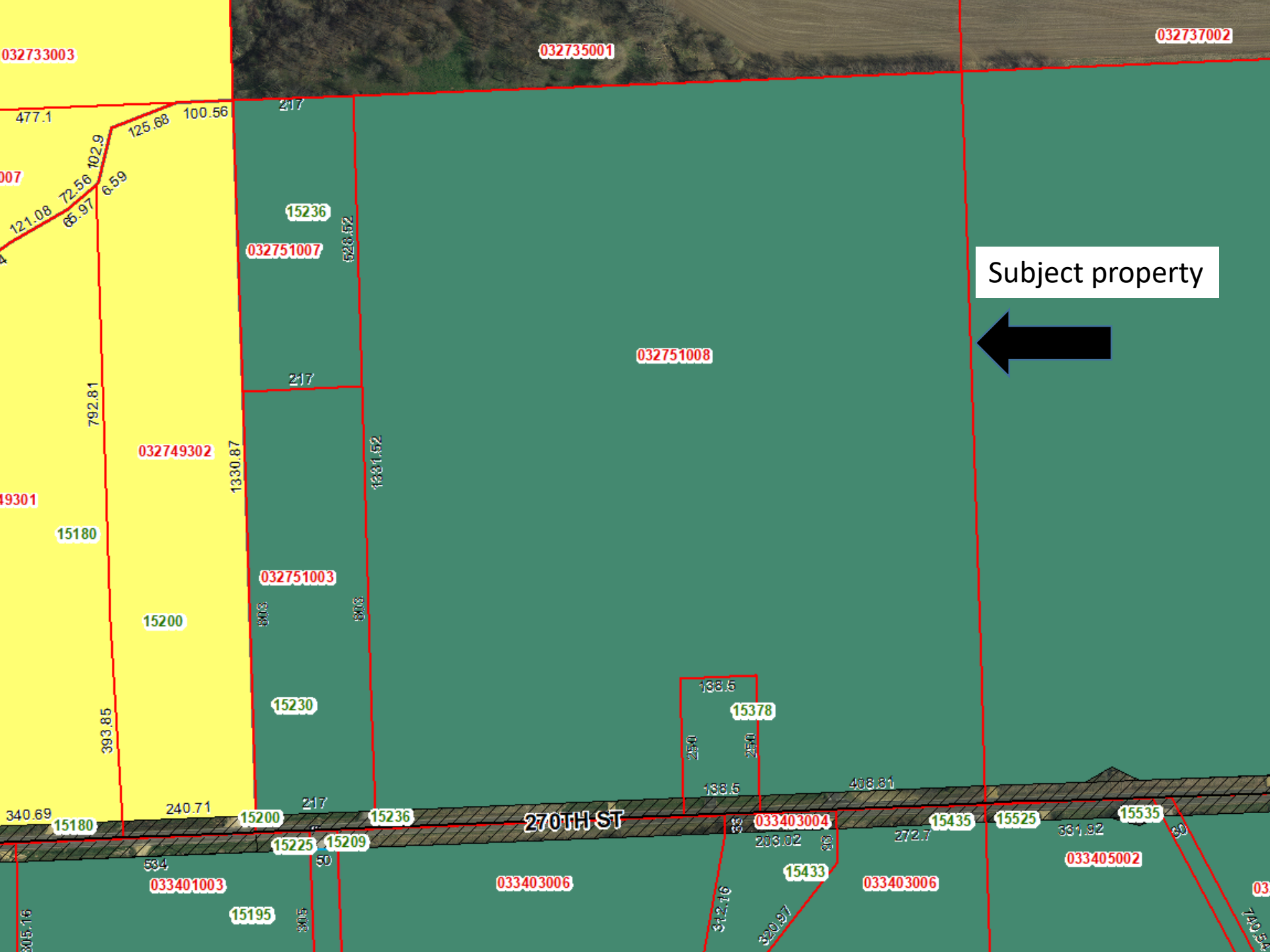
162ND AVE

61

F41

19 YAWMIGHI ST

19 YAWMIGHI ST



032737002

032735001

032733003

Subject property



032751008

15236

032751007

217

032749302

1330.87

1331.52

15180

032751003

15200

15230

15378

138.5

250

250

188.5

408.81

270TH ST

033403004

15435

15525

15535

033405002

033403006

033403006

15433

033401003

15195

3015.16

477.1

121.08

72.56

102.9

125.68

100.56

217

528.52

792.81

19301

393.85

340.69

15180

240.71

15200

217

15236

15225

15209

203.02

272.7

331.92

3015.16

534

305

50

312.16

320.97

740.5

