

Timothy Huey Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: March 12, 2019

Re: Presentation of Planning Commission's recommendation on the application of Victor and Michelle Gorsh of a Preliminary Plat for a six (6) lot residential Major Subdivision totaling 33 acres, more or less, known as MicVic Acres, part of the SE¹/₄SW¹/₄ less the west seven (7) acres of Section 27 in Winfield Township

This request is for approval of a Preliminary Plat of a six (6) lot residential subdivision with one (1) common outlot for storm water drainage. All six (6) residential lots are between five and six acres in size. The two lots that have frontage and access to 270th Street have existing farm houses on them. A private cul-de-sac a little less than a ¹/₄ mile in length will provide access to the four (4) rear lots. An application to rezone this entire tract from Agricultural General (A-G) to Single Family Residential (R-1) was recently approved.

The City of Long Grove is also reviewing this Preliminary Plat. A copy of the recommendations for approval by the City Attorney and City Engineer are included with the enclosures for this agenda item.

The Planning Commission unanimously recommended approval of the Preliminary Plat in accordance with five (5) condition's recommended by staff. Only the applicants and their civil engineer were in attendance to answer any questions the Commission members had.

- PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of Preliminary Plat of MicVic Acres with the following conditions:
 - 1. The City of Long Grove also approve this plat;
 - 2. That storm water management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
 - 3. That the road construction plans be submitted and approved by the County Engineer prior to any road construction;
 - 4. That the private covenants to be filed with the Final Plat include a legal mechanism for road and open space maintenance, an ag nuisance waiver & a restriction to not allow further subdivision of the six (6) lots; and
 - 5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval. Vote (recommend approval of the Preliminary Plat with five (5) conditions).

Vote: 6-0, (Portes absent)



PLANNING & ZONING COMMISSION

STAFF REPORT

March 5, 2019



Applicant:	Victor and Michelle Gorsh
Request:	Preliminary Plat approval for a six (6) lot residential subdivision, MicVic Acres.
Legal Description:	33-acre MOL parcel, located in Part of the SE ¹ / ₄ SW ¹ / ₄ less the west seven (7) acres of Section 27 of Winfield Township.
General Location:	Approximately $\frac{1}{2}$ mile west of the incorporated city limits of the City of Long Grove on the north side of 270^{th} Street
Existing Zoning:	Single Family Residential (R-1)
~	

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)		

- **<u>GENERAL COMMENTS</u>:** This request is for approval of a Preliminary Plat of a six (6) lot redsidential subdivision with one (1) common outlot for storm water drainage. All six (6) residential lots are between five and six acres in size. The two lots that have frontage and access to 20th Street have existing farm houses on them. A private cul-de-sac a little less than a ¹/₄ mile in length will provide access to the four (4) rear lots. An application to rezone this entire tract to Single Family Residential (R-1) was recently approved.
- **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 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 33-acre tract creates six (6) residential lots, each with the development right for one (1) single-family dwelling. As stated above two of the lots have existing residences on them, one still under construction, so approval of this plat will creat four (4) additional development rights.

Preliminary Plat Staff Report MicVic Acres Page 1



PLANNING & ZONING COMMISSION

STAFF REPORT

March 5, 2019



Common Open Space

Due to the large size of the proposed lots, common open space is not required.

Access and Roadway Improvements

The current proposed Preliminary Plat features a road that extends about one quarter mile into the subdivision from 270th Street. The adjacent property to the north is zoned A-P and expected to remain so therefore staff is not recommending any access to that adjacent property be required. The two lots adjacent to the west side of the property currently share a long driveway on the western boundary of the applicant's property.

The County Engineer is recommending that these subdivision roads not be accepted onto the County Secondary Road system. Road maintenance will have to be provided by a homeowners association.

E-911 Addressing and Street Naming

The proposed street name shall conform to the numbering system established for Rural Addressing System for unincorporated Scott County. As a north south roads it will be given a number as an "avenue" in accordance with the address grid and as a cul-de-sac it will have a "Court" or "Place" added to the name. Addresses for each residence will be assigned at the time a building permit is issued.

Protection of Natural Vegetation Cover

Due to the size of the lots and the minimal amount of grading required for road construction it is unlikely the existing tree cover will be impacted by the development of this property.

Storm Water Management

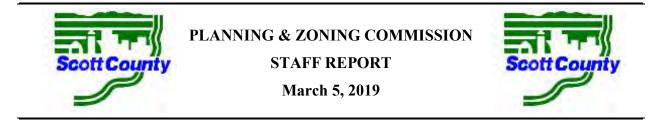
The proposed Preliminary Plat has a common detention area on Outlot A, two (2) acres in size on the east side of the cul-de-sac.

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. Any recommendation to approve this Preliminary Plat would be that an acceptable plan be developed and approved prior to any Final Plat approval.

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

Preliminary Plat Staff Report MicVic Acres Page 2



prepared until after Preliminary Plat approval and normally Erosion Control Plans are prepared in conjunction with such construction plans.

Wastewater Disposal and Water Provision

Due to the large size of the lots the Health Department did not express any concerns with locating septic drain fields on these properties.

City of Long Grove Review

This property is near but not adjacent to Long Grove city limits. Therefore, review and approval of the Final Plat by the City of Long Grove is required. No comments from City have been received.

Others Notified

The Subdivision Ordinance requires additional notification of the following County Departments and local entities: Assessor, Auditor, and District Soil Conservationist Staff.

Staff also notified adjacent property owners within five hundred feet (500') of the public hearing before the Planning Commission. Staff has not, as of yet, received any calls or comments on this rezoning request.

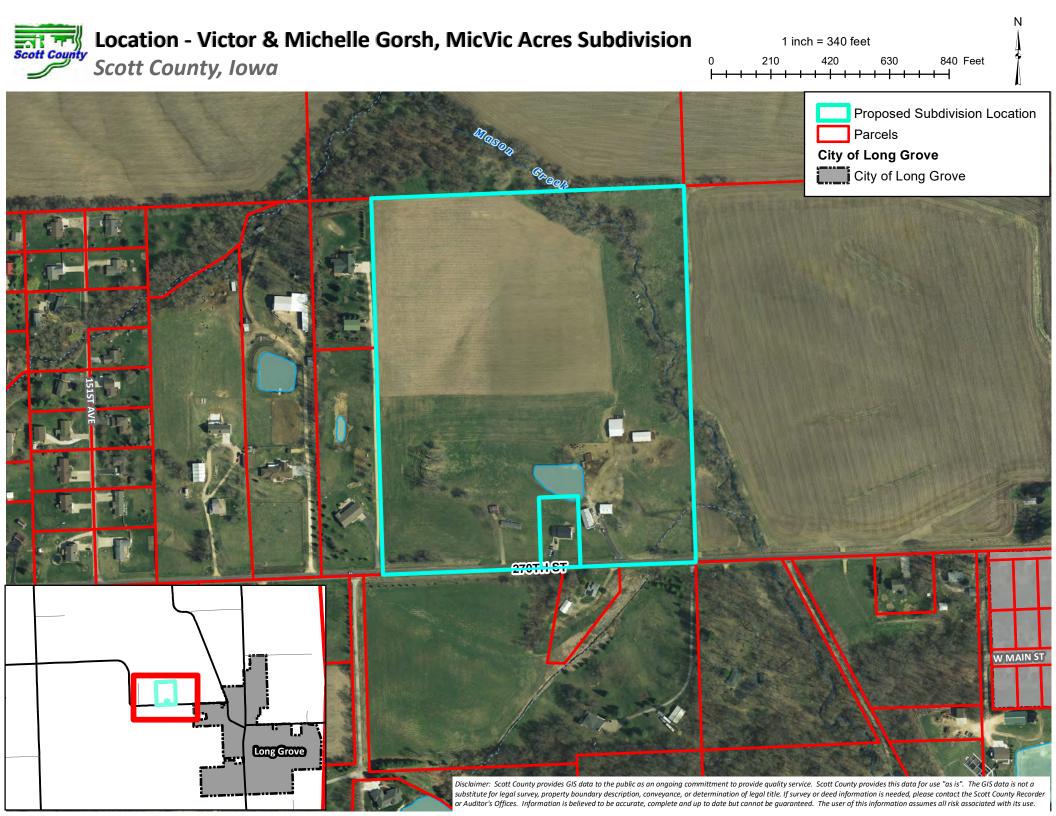
<u>RECOMMENDATION</u>: Staff recommends that the Preliminary Plat of MicVic Acres Subdivision be approved with the following conditions:

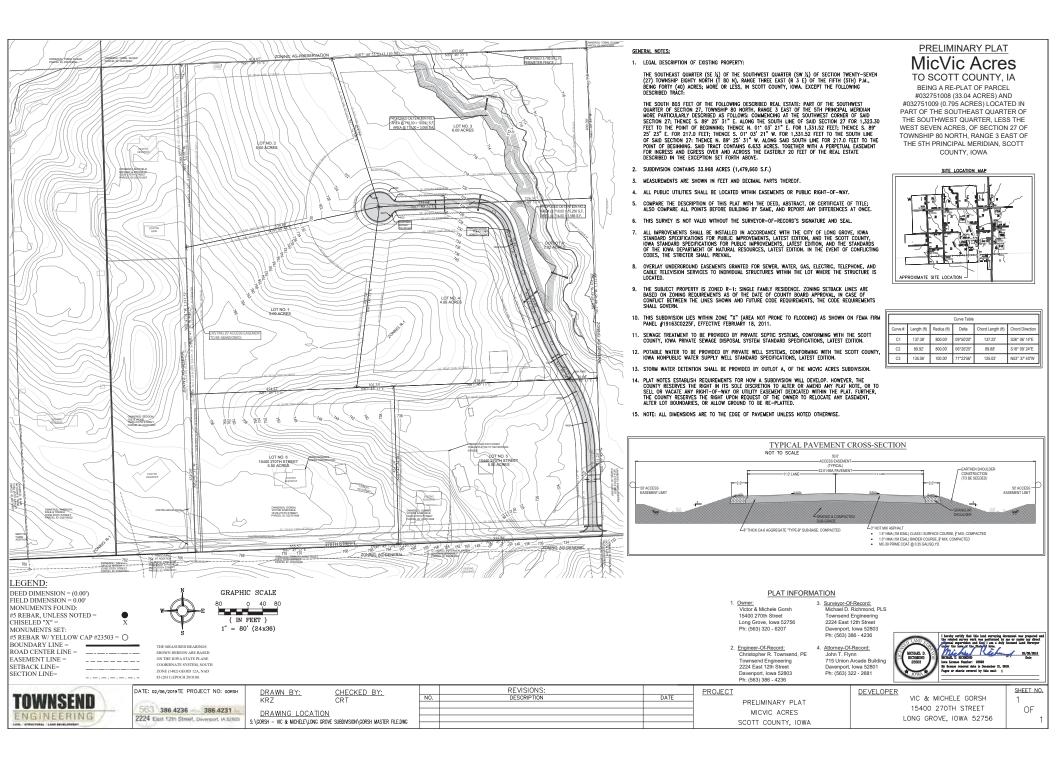
- 1. The City of Long Grove also approve this plat;
- 2. That storm water management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
- 3. That the road construction plans be submitted and approved by the County Engineer prior to any road construction;
- 4. That the private covenants to be filed with the Final Plat include a legal mechanism for road and open space maintenance; and
- 5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

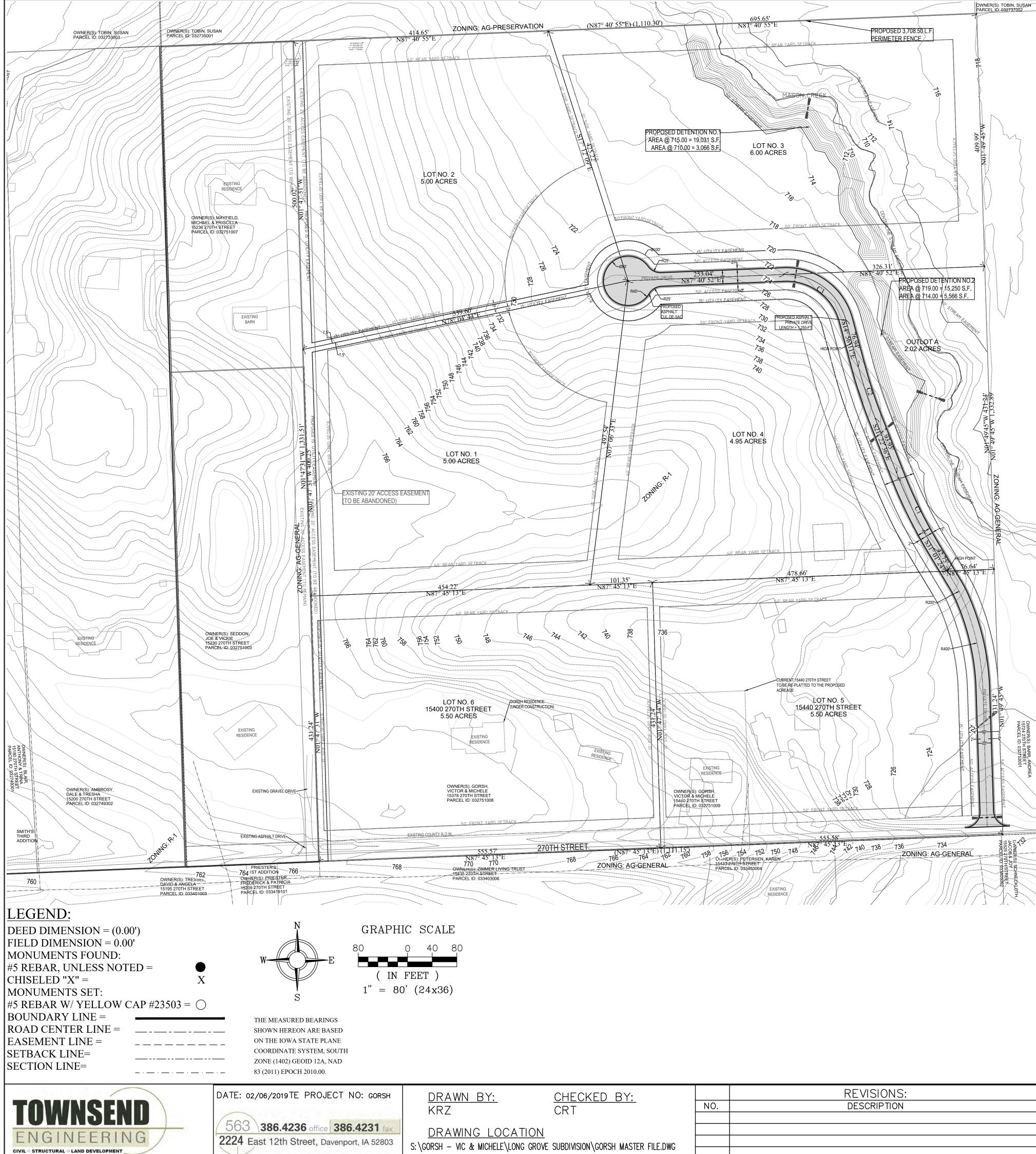
Submitted by:

Timothy Huey, Director February 27, 2019

Preliminary Plat Staff Report MicVic Acres Page 3







GENERAL NOTES:

1. LEGAL DESCRIPTION OF EXISTING PROPERTY:

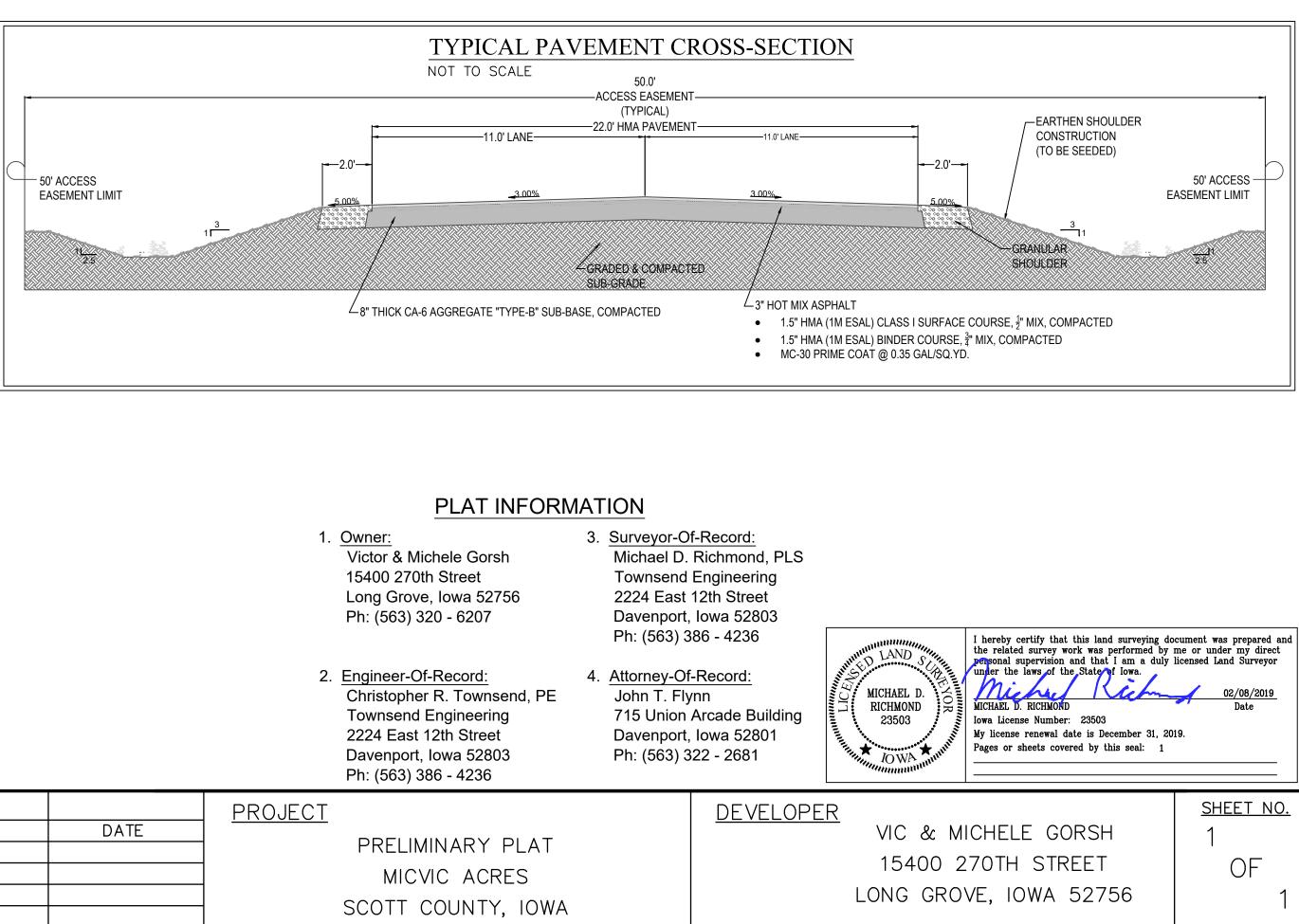
THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWENTY-SEVEN (27) TOWNSHIP EIGHTY NORTH (T 80 N), RANGE THREE EAST (R 3 E) OF THE FIFTH (5TH) P.M., BEING FORTY (40) ACRES; MORE OR LESS, IN SCOTT COUNTY, IOWA. EXCEPT THE FOLLOWING DESCRIBED TRACT:

THE SOUTH 803 FEET OF THE FOLLOWING DESCRIBED REAL ESTATE: PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 80 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE S. 89° 25' 31" E. ALONG THE SOUTH LINE OF SAID SECTION 27 FOR 1,323.30 FEET TO THE POINT OF BEGINNING; THENCE N. 01° 03' 21" E. FOR 1,331.52 FEET; THENCE S. 89° 25' 23" E. FOR 217.0 FEET; THENCE S. 01° 03' 21" W. FOR 1,331.52 FEET TO THE SOUTH LINE OF SAID SECTION 27: THENCE N. 89° 25' 31" W. ALONG SAID SOUTH LINE FOR 217.0 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 6.633 ACRES. TOGETHER WITH A PERPETUAL EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EASTERLY 20 FEET OF THE REAL ESTATE DESCRIBED IN THE EXCEPTION SET FORTH ABOVE.

- 2. SUBDIVISION CONTAINS 33.968 ACRES (1,479,660 S.F.)
- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

- CODES, THE STRICTER SHALL PREVAIL.
- LOCATED.
- SHALL GOVERN.
- PANEL #19163C0225F, EFFECTIVE FEBRUARY 18, 2011.

- ALTER LOT BOUNDARIES, OR ALLOW GROUND TO BE RE-PLATTED.



<u>BY:</u>		REVISIONS:		PROJECI
	NO.	DESCRIPTION	DATE	
RSH MASTER FILE.DWG				
SET MASTER FILE.DWG				

4. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.

5. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCES AT ONCE.

6. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR-OF-RECORD'S SIGNATURE AND SEAL.

ALL IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF LONG GROVE, IOWA STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE SCOTT COUNTY, IOWA STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, LATEST EDITION, AND THE STANDARDS OF THE IOWA DEPARTMENT OF NATURAL RESOURCES. LATEST EDITION. IN THE EVENT OF CONFLICTING

8. OVERLAY UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS

9. 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 THE LINES SHOWN AND FUTURE CODE REQUIREMENTS. THE CODE REQUIREMENTS

10. THIS SUBDIVISION LIES WITHIN ZONE "X" (AREA NOT PRONE TO FLOODING) AS SHOWN ON FEMA FIRM

11. SEWAGE TREATMENT TO BE PROVIDED BY PRIVATE SEPTIC SYSTEMS, CONFORMING WITH THE SCOTT COUNTY, IOWA PRIVATE SEWAGE DISPOSAL SYSTEM STANDARD SPECIFICATIONS, LATEST EDITION.

12. POTABLE WATER TO BE PROVIDED BY PRIVATE WELL SYSTEMS, CONFORMING WITH THE SCOTT COUNTY, IOWA NONPUBLIC WATER SUPPLY WELL STANDARD SPECIFICATIONS, LATEST EDITION.

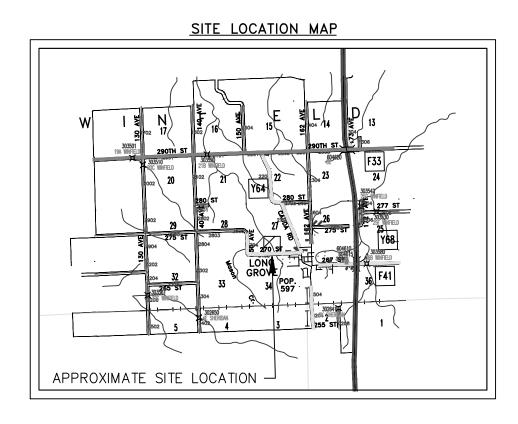
13. STORM WATER DETENTION SHALL BE PROVIDED BY OUTLOT A. OF THE MICVIC ACRES SUBDIVISION.

14. PLAT NOTES ESTABLISH REQUIREMENTS FOR HOW A SUBDIVISION WILL DEVELOP. HOWEVER, THE COUNTY 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 COUNTY RESERVES THE RIGHT UPON REQUEST OF THE OWNER TO RELOCATE ANY EASEMENT,

15. NOTE: ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT UNLESS NOTED OTHERWISE

PRELIMINARY PLAT MicVic Acres

TO SCOTT COUNTY, IA **BEING A RE-PLAT OF PARCEL** #032751008 (33.04 ACRES) AND #032751009 (0.795 ACRES) LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER. LESS THE WEST SEVEN ACRES, OF SECTION 27 OF TOWNSHIP 80 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN. SCOTT COUNTY, IOWA



Curve Table						
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction	
C1	137.38'	800.00'	09°50'20"	137.22'	S26° 06' 14"E	
C2	89.92'	800.00'	06°26'25"	89.88'	S18° 09' 24"E	
C3	135.06'	100.00'	77°22'56"	125.03'	N53° 37' 40"W	

Good Evening,

We received the initial comments from the City of Long Grove, attached in the e-mails below. I'm trying to wrap my head around some of them, like dedicating a right of way instead of the proposed access easement. Do you have any thoughts on why they'd require a dedicated right of way if we're outside city limits and there's a number of properties between our development and their city limit boundary? They've given no indication of annexing at this time, but they're also going to require curb/gutter and storm sewer (for a subdivision with all well water and septic).

Any insight would be appreciated, and the county's thoughts on Long Grove's request without a commitment to annexation would be helpful.

Thanks,

Kyle R. Zelle

Civil Engineer					
Townsend Engineering					
2224 E. 12 th Street					
Davenport, IA 52803					
O: <u>(563).386.4236</u>					
F: <u>(563).386.4231</u>					
C: (563).320.5702					
Email Logo					
	?				
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From: Long Grove Clerk <clerk@longgroveia.org>

Sent: Thursday, February 28, 2019 2:57 PM

To: Andy Cook (acookisu@yahoo.com) <acookisu@yahoo.com>; Brandon Cronise <bjcronise@gmail.com>; Cindy Blinkinsop <cindysb@mchsi.com>; Jason McKenzie <jmckenzie@vk.net>; Jon Drumm <jondrumm@rocketmail.com>; Joshua Cobie (jcobie.law@qwestoffice.net) <jcobie.law@qwestoffice.net>; Michael Limberg <mrlimberg@hotmail.com>; Nancy Herrin (njherrin@gmail.com) <njherrin@gmail.com>; Pam Petersen (petersenent7723@aol.com) <petersenent7723@aol.com>

Cc: Kyle Zelle <kyle@townsendengineering.net>

Subject: FW: Notes from Giles regarding MicVic

Council,

I am forwarding you the comments from Giles, Jason, and Josh regarding the MicVic subdivision. This email will also be forwarded to Townsend Engineering contact, Kyle Zelle, and to the P&Z. The P&Z will meet on the regularly scheduled meeting time of Monday March 18th at 7:00 pm to discuss the subdivision.

Point of contact for this will be Giles.

Thank you,

Rosína Guyer Cíty Clerk/Treasurer Cíty of Long Grove PO Box 210 Long Grove, IA 52756 Ph: <u>563-285-4904</u> Fax: <u>563-285-4929</u>

From: Josh Cobie [mailto:jcobie.law@qwestoffice.net]
Sent: Friday, February 22, 2019 1:07 PM
To: 'Jason McKenzie' <<u>imckenzie@v-k.net</u>>; Long Grove Clerk <<u>clerk@longgroveia.org</u>>
Subject: RE: Notes from Giles regarding MicVic

All – I have made review of the documents for MicVic subdivision, and have the following comments/questions in addition to what Giles and Jason have raised, for the PZ to look at:

- 1. Are the lots (larger than 1 acre) intended to remain as is in the future or are there plans that they may be further subdivided into smaller lots? Section 20.01 of the Ordinance states if there are indications that the lots may be subdivided further, care needs to be made that the streets and lots are configured in a way that allows the further subdivision
- 2. 60 foot min width for streets will this be dedicated to the City or is it going to only be a private road?
- 3. We would want a copy of the proposed subdivision restrictive covenants that address the shared road and other rules of the subdivision to review and approve
- 4. Section 28.08 10% setback of land or cash for Long Grove parks needs to be addressed
- 5. Mason Creek there appears to be a drainage easement on the plat map for it, but I cannot tell if there is at least 30 feet on each side that would be an easement granted to the City for purposes of maintaining, widening, or altering the stream, since it flows down to the City? pursuant to 28.06.03
- 6. Who is going to supply the subdivision with electric/gas utilities, the City or the County?

I didn't see any other issues at this stage with the prelim plat. It appears to show all the required pieces of info. The PZ and Council again would first have to affirmatively state that they are requiring this county subdivision to comply with the subdivision rules of LG since it's within the 2 mile radius, but from what I gather from Giles, that is already the

recommendation.

Let me know if you have any questions.

Thanks!

Josh

Joshua T. Cobie Attorney at Law Brubaker, Flynn & Darland, P.C. 201 W. 2nd St. Suite 400 Davenport, IA 52801 Phone: (563)-322-2681 Fax: (563)-322-4810

From: Jason McKenzie [mailto:jmckenzie@v-k.net]
Sent: Thursday, February 21, 2019 8:12 AM
To: Long Grove Clerk <<u>clerk@longgroveia.org</u>>; Joshua Cobie (jcobie.law@qwestoffice.net)
<jcobie.law@qwestoffice.net>
Subject: RE: Notes from Giles regarding MicVic

I had a mistake below.

Jason L. McKenzie, P.E.



Veenstra & Kimm, Inc. 1800 5th Avenue Rock Island, IL. 61201 O: 309-786-7590 F: 309-797-0996 M: 563-676-3661 jmckenzie@v-k.net

From: Jason McKenzie
Sent: Wednesday, February 20, 2019 4:39 PM
To: 'Long Grove Clerk' <<u>clerk@longgroveia.org</u>>; Joshua Cobie (jcobie.law@qwestoffice.net)
<jcobie.law@qwestoffice.net>

Rose,

V&K, Inc. have reviewed and here are our comments:

- Storm Water Detention Basins shall be located out of the 100year elevation of Mason Creek.
- Storm Water Detention Basin No. 1 shall be in an outlot too.
- Storm Water Basins shall be size to hold the 100 year storm with an 5 year existing release rate.
- Storm Water Basins calculations shall have Subbasins defined and Time of concentration paths define on a map attached to the calculations.
- Show how the runoff coefficients are calculated for the Storm Runoff Calculations?
- Provide Storm Water Basin No. 2 Stage/Discharge.
- Storm Water Basins shall have an emergency overflow that is armored.
- Shall meet City of Long Grove Standards on the following:
 Pavement Width 31 feet back to back

 - Provide Sidewalks
 - Integral Curb & Gutter
 - Concrete Pavement
 - Aggregate Subbase
 - Subdrains
 - Storm Sewer
 - 60 foot Street Right-of-Way instead of a 50' Access Easement
- Street shall be located out of 100 year elevation of Mason Creek

Thanks, Jason

Jason L. McKenzie, P.E.



Rock Island, IL. 61201 O: 309-786-7590 F: 309-797-0996 M: 563-676-3661 <u>imckenzie@v-k.net</u> From: Long Grove Clerk <<u>clerk@longgroveia.org</u>>

Sent: Tuesday, February 19, 2019 1:11 PM

To: Joshua Cobie (jcobie.law@qwestoffice.net) <jcobie.law@qwestoffice.net>; Jason McKenzie <jmckenzie@v-k.net>

Subject: Notes from Giles regarding MicVic

MicVic

Storm Water:

Storm water is being provided at Basin #2. It is also being provided at # Basin 1. (GENERAL NOTE 13.) Basin #1 is on private lot #3. Basin #2 is on out lot A.

- Who will maintain these two basins?
- Do we need to have our Engineer check the Engineering on the storm water if the County is also doing it?

General Notes:

- The two lots to the west have been sold previously. Josh, is this a concern for the City that they are not included?
- All improvements shall meet Long Grove standard specs:
 - Do our specs require curb and gutter?
 - Width of the street?
 - Street Easement? Note this is a private street.

Sub developer to be responsible for engineering fees of the City.

Jason and Josh,

Please respond with any additional notes/concerns for the proposed sub development. We will distribute these combined notes to Townsend and the Council and P&Z and then schedule a P&Z meeting. If we could have your responses before Friday, if at all possible, it would be greatly appreciated. There is another County Meeting scheduled on March 5th.

Thank you,

Rosína Guyer Cíty Clerk/Treasurer Cíty of Long Grove PO Box 210 Long Grove, IA 52756 Ph: <u>563-285-4904</u> Fax: <u>563-285-4929</u> 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

March 21, 2019

APPROVING THE PRELIMINARY PLAT OF MICVIC ACRES SUBDIVISION

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

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

- 1. The City of Long Grove also approve this plat;
- 2. That storm water management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans;
- 3. That the road construction plans be submitted and approved by the County Engineer prior to any road construction;
- 4. That the private covenants to be filed with the Final Plat include a legal mechanism for road and open space maintenance, an ag nuisance waiver & a restriction to not allow further subdivision of the six (6) lots; and
- 5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Section 2. This resolution shall take effect immediately.