

PLANNING & DEVELOPMENT

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Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Taylor Beswick, Planning & Development Specialist

Date: September 8, 2020

Re: Discussion of Public Hearing and presentation of Planning and Zoning Commission's recommendation on the application of Duane Mumm to rezone a 0.31 acre tract, more or less, from "Agriculture-Preservation District (A-P)" to "Commercial and Light Industrial District (C-2)" legally described part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18 in Allens Grove Township ([Parcel# 021819008](#)).

On September 1, 2020, the Planning and Zoning Commission unanimously recommended approval of this rezoning in accordance with staff's recommendation. Even though the property is currently zoned Ag-Preservation (A-P). The rezoning application states that the purpose of the rezoning is to allow the current lot containing one (1) warehouse to be sold with its existing use. The area to be rezoned is not shown on the Future Land Use Map, but the request does not propose any land use change. The warehouse has existed on the lot since 1960. The property is not currently served by either public sewer or water service, and therefore any development must comply, or continue to comply, with State and County health regulations for private wells and on-site wastewater treatment. Given the lack of sewer and water facilities, the applicant states the only reasonable use of the property with the existing warehouse is for storage – a permitted use in the C-2 zoning district.

The applicant was present at the Commission's public hearing to answer any questions from the Commission. No members of the public spoke for or against the request. The Commission discussed the fact that even though this property was zoned A-P it was an existing commercial property that had no ag use and it was in an area where adjacent land to the southeast was zoned C-2.

The Commission determined that the request met a preponderance of the criteria of the land use policies so that the property can be divided to create a separate lot for each existing residence.

PLANNING COMMISSION RECOMMENDATION: To approve the request to rezone this property from Agricultural-Preservation (A-P) to Commercial and Light Industrial District (C-2) based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies

Vote: All Ayes (4-0)



PLANNING & ZONING COMMISSION

STAFF REPORT

September 1, 2020



Applicant: Duane Mumm

Request: Rezone a 0.31 acre parcel from Agricultural Preservation (A-P) to Commercial Light Industrial (C-2)

Address: 29640 Allens Grove Road, Dixon

Legal Description: 0.31 acre parcel, located in Part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, in Allens Grove Township.

General Location: Approximately $\frac{1}{4}$ mile southeast of the incorporated city limits of the City of Dixon along Allens Grove Road.

Existing Zoning: Agricultural-Preservation (A-P)

Proposed Zoning: Commercial Light Industrial (C-2)

Surrounding Zoning:

- North:** Agricultural-General (A-G)
- South:** Agricultural-Preservation (A-P)
- East:** Commercial Light Industrial (C-2)
- West:** Agricultural-Preservation (A-P)

GENERAL COMMENTS: This request is to rezone a 0.31 acre parcel of land from Agricultural-Preservation (A-P) to Commercial Light Industrial (C-2). The rezoning application states that the purpose of the rezoning is to allow the current lot containing one (1) warehouse to be sold with its existing use.

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:

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

The area to be rezoned is not shown on the Future Land Use Map, but the request does not propose any land use change. The warehouse has existed on the lot since 1960.

Is the development on marginal or poor agricultural land?

Containing one (1) warehouse, none of the area to be rezoned is currently in agricultural production which would limit the applicability of this criteria.



PLANNING & ZONING COMMISSION

STAFF REPORT

September 1, 2020



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

The area to be rezoned has frontage along Allens Grove Road, an adequately-constructed, paved County road.

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, or continue to comply, with State and County health regulations for private wells and on-site wastewater treatment. Given the lack of sewer and water facilities, the applicant states the only reasonable use of the property with the existing warehouse is for storage – a permitted use in the C-2 zoning district. The County Health Department did not have any comments or concerns regarding the proposal.

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

The area to be rezoned is near the city limits of Dixon. In addition, the area to be rezoned is adjacent to six (6) parcels, encompassing 7 acres, and located in the C-2 Zoning District. Since the proposal is not changing the existing land use, as stated above, 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 commercial light industrial, residential, and industrial land use, and thus would cause little added disruption to existing agricultural activities.

Does the area have stable environmental resources?

The area to be rezoned is generally flat and approval of this rezoning will not result in any additional development.

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

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?

Again, approval of this rezoning will not result in any additional commercial development.



PLANNING & ZONING COMMISSION

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September 1, 2020



Public Comment & Department Review

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 has also notified the County Engineer, County Health Department, Scott County soil conservationist, Bi-State Regional Commission, and the City of Dixon for review and comment. Bi-State Regional Commission submitted a review of the request, which generally described it as an appropriate zoning change.

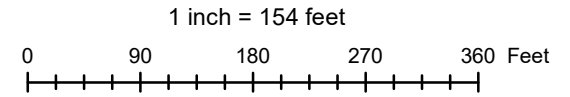
RECOMMENDATION: Staff recommends that the rezoning of this property from Agricultural-Preservation (A-P) to Commercial Light Industrial (C-2) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

Submitted by:
Taylor Beswick, Planning & Development Specialist
August 27, 2020



Location/Aerial - Mumm "A-P" to "C-2" Rezoning Request

Scott County, Iowa



Mumm Property

Parcels

MUMM
DUANE A

SIEMSEN
RICHARD A

PEWE
GILBERT JR

WOLFE
CHARLES L

SHRINERS
HOSPITAL FOR
CRIPPLED

ALLENS
GROVE RD

WOLFE
CHARLES L

WILKINS
DOROTHY T

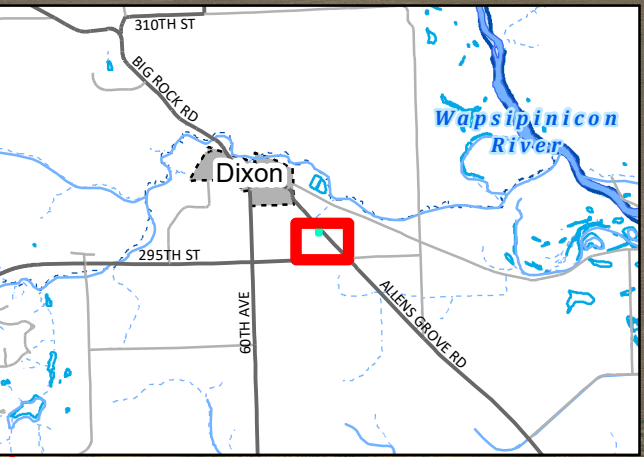
SCHABILION
MICHAEL K

ECONO-METHODS
ENGINEERING INC

ECONO-METHODS
ENGINEERING INC

ECONO-METHODS
ENGINEERING INC

RV



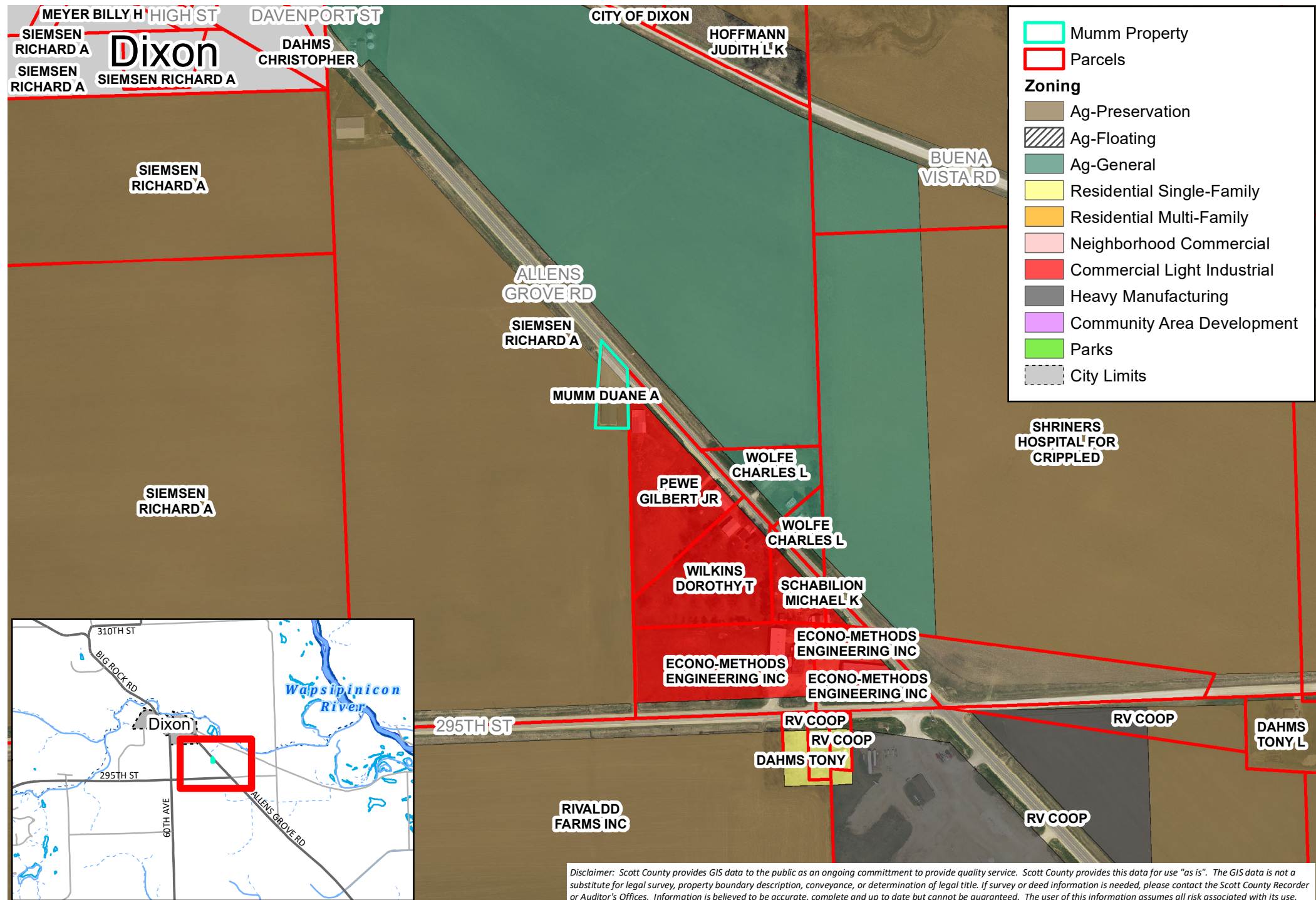
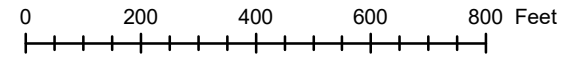
Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for legal survey, property boundary description, conveyance, or determination of legal title. If survey or deed information is needed, please contact the Scott County Recorder or Auditor's Offices. Information is believed to be accurate, complete and up to date but cannot be guaranteed. The user of this information assumes all risk associated with its use.



Current Zoning - Mumm "A-P" to "C-2" Rezoning Request

Scott County, Iowa

1 inch = 334 feet

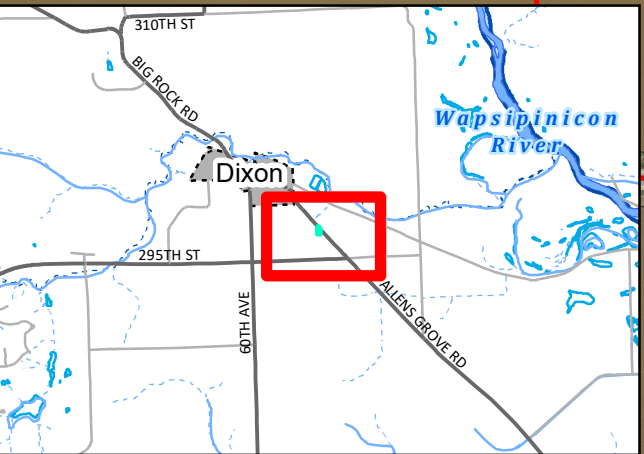


Mumm Property

Parcels

Zoning

- Ag-Preservation
- Ag-Floating
- Ag-General
- Residential Single-Family
- Residential Multi-Family
- Neighborhood Commercial
- Commercial Light Industrial
- Heavy Manufacturing
- Community Area Development
- Parks
- City Limits



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Site Photo 1 / 4 : Looking South onto Property



Site Photo 2 / 4 : South East on Allens Grove Rd



Site Photo 3 / 4 : North West on Allens Grove Rd



Site Photo 4 / 4 : East Across Allens Grove Rd

