



**Planning & Development  
Scott County, Iowa**

**Chris Mathias, Director**

Email: [planning@scottcountyiowa.com](mailto:planning@scottcountyiowa.com)  
Office: (563) 326-8643  
Fax: (563) 326-8257

Administrative Center  
600 West Fourth Street  
Davenport, Iowa 52801-1106

April 28, 2023

**To: Mahesh Sharma, County Administrator**  
**From: Chris Mathias, Planning Director**  
**Re: Olathea Overlook Preliminary Plat Approval**

Planning Staff have received a request from Steve and Lisa Zelle (DBA Legacy Development) for a major subdivision known as Olathea Overlook. The proposed plat would subdivide 39-acre tract, more or less, (Scott County Parcel #951555002) into six (6) lots. The property is legally described as Lot 4 of Great River Hills in Section 15 of LeClaire Township.

I will be at the Committee of the Whole on May 9<sup>th</sup> to give a presentation and answer your questions on this matter. I've also attached the staff report and maps for your information. Here is a summary of how the Planning & Zoning Commission voted on this item, recommending approval at the April 18<sup>th</sup>, 2023 meeting:

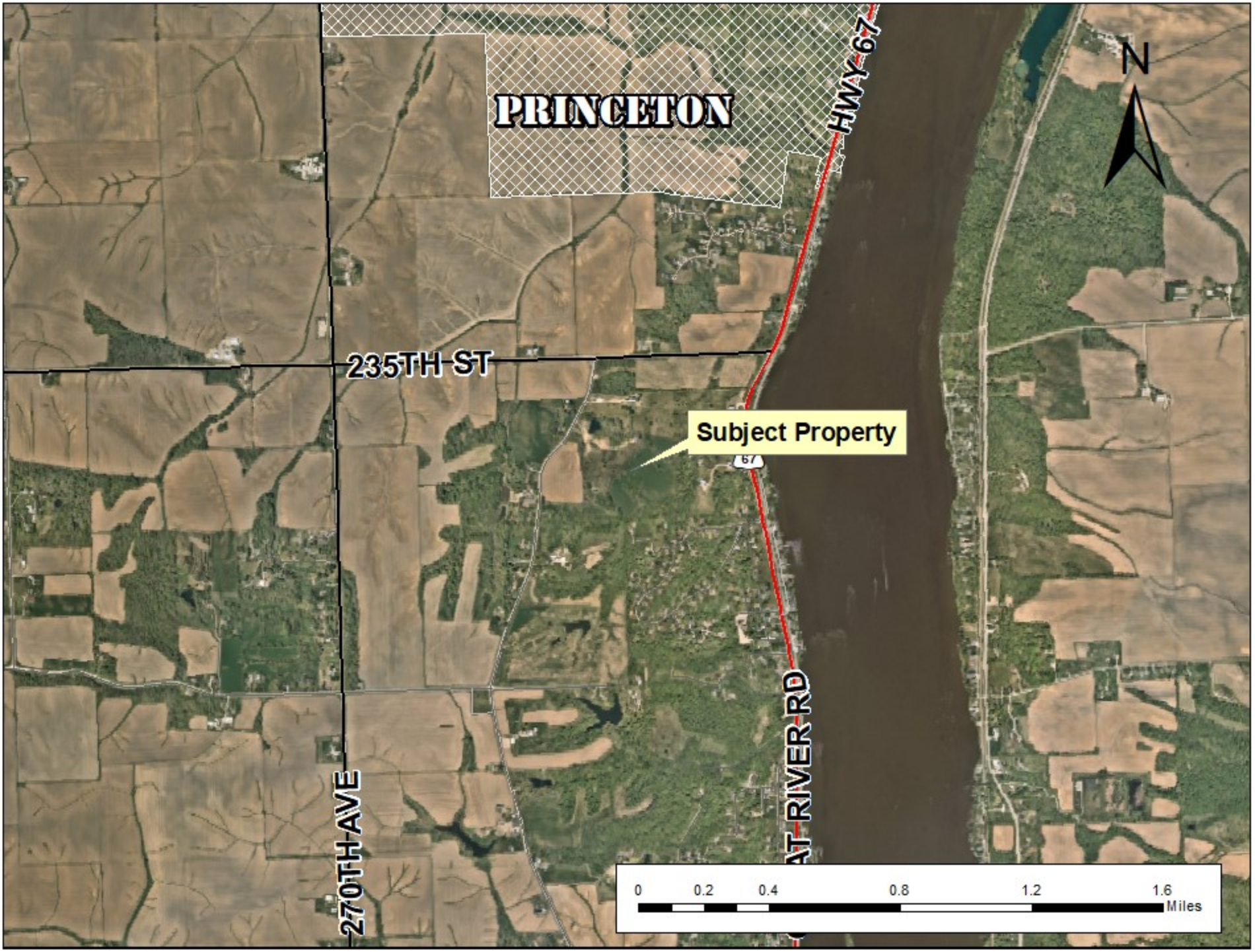
**2. Public Hearing – Preliminary Plat**

Application from Steve and Lisa Zelle (DBA Legacy Development) for a major subdivision known as Olathea Overlook. The proposed plat would subdivide 39-acre tract, more or less, (Scott County Parcel #951555002) into six (6) lots. The property is legally described as Lot 4 of Great River Hills in Section 15 of LeClaire Township.

The Commission voted (6-0) to recommend approval of the request, with conditions, in accordance with staff's recommendation. The applicants were present to answer questions. No members of the public spoke for or against the request.

**• Vote (recommend approval of Preliminary Plat with conditions): 6-0, All Ayes w/ Conditions:**

1. The private covenants include provisions for the ownership and maintenance of the proposed outlot;
2. The private covenants include provision for road maintenance of the shared private road;
3. The private covenants include provisions that no additional subdivision of these lots be permitted;
4. The County Engineer review and approve all street construction plans, drainage plans, and erosion control plans prior to construction; and
5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.



**PRINCETON**

**HWY 67**

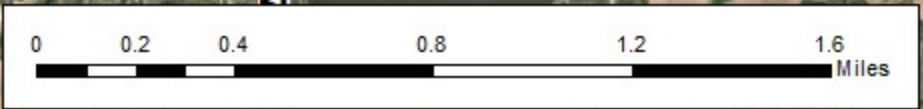
**235TH ST**

**Subject Property**

**67**

**270TH AVE**

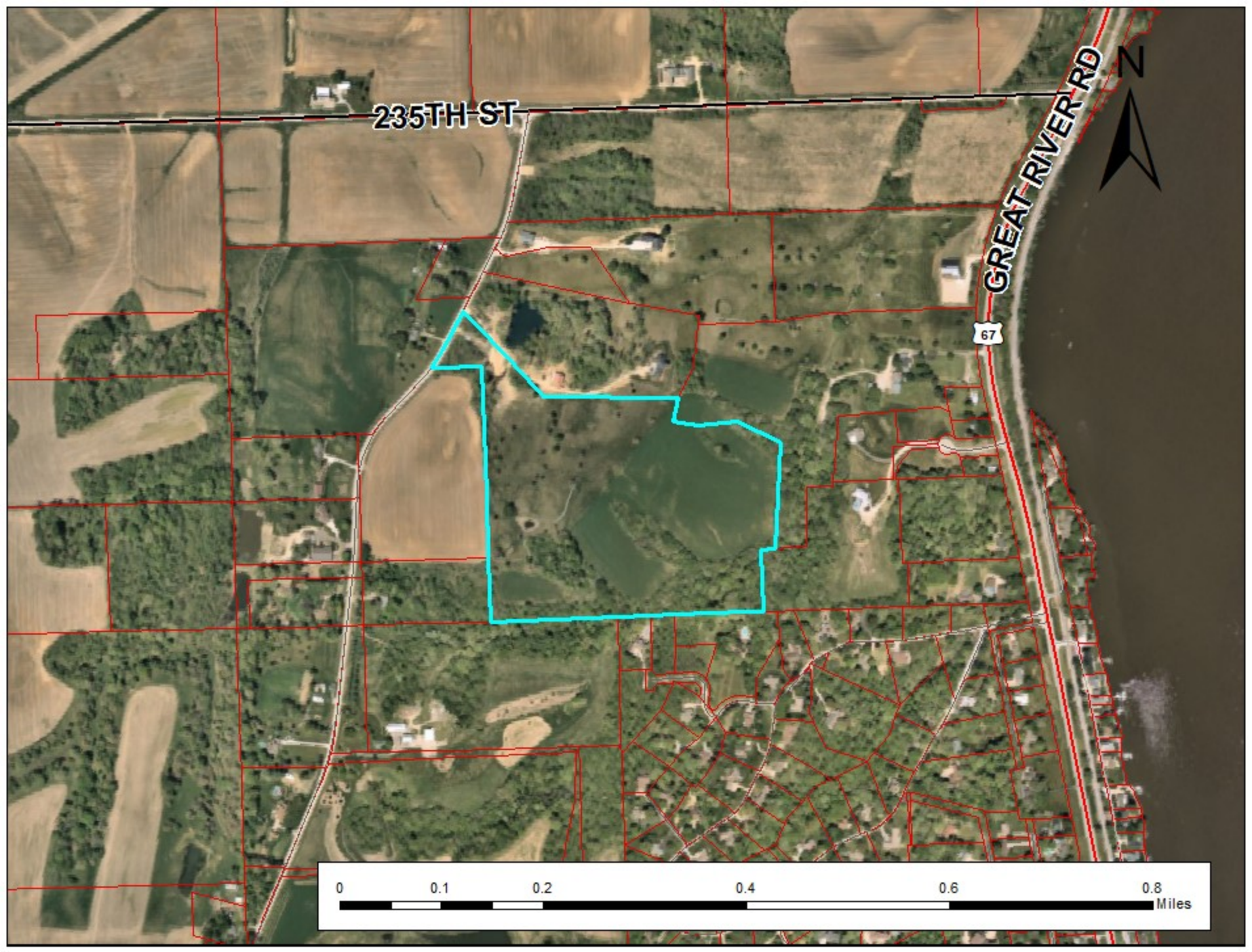
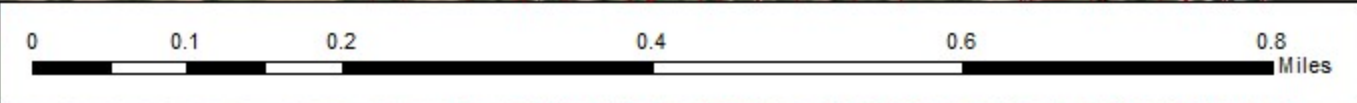
**AT RIVER RD**

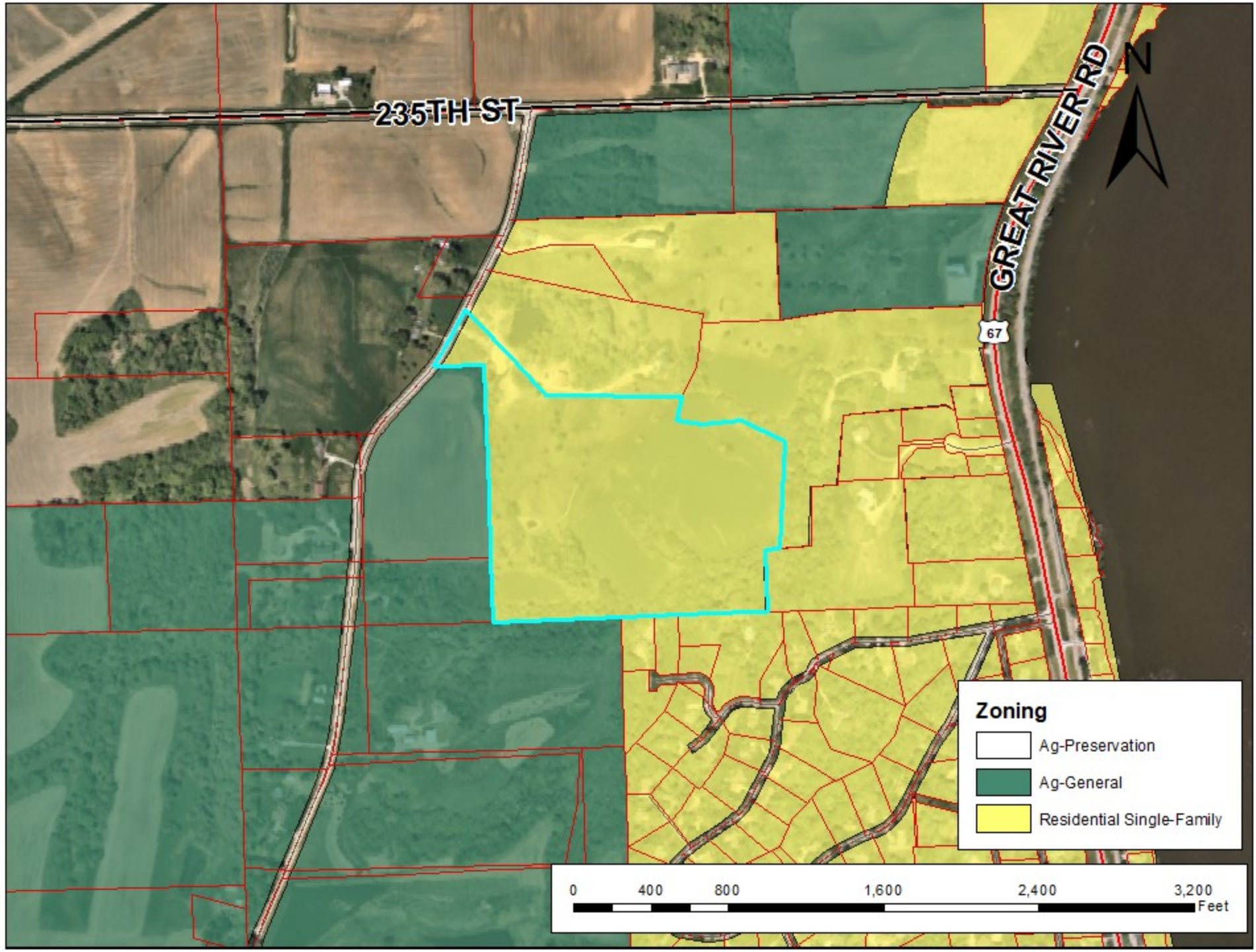


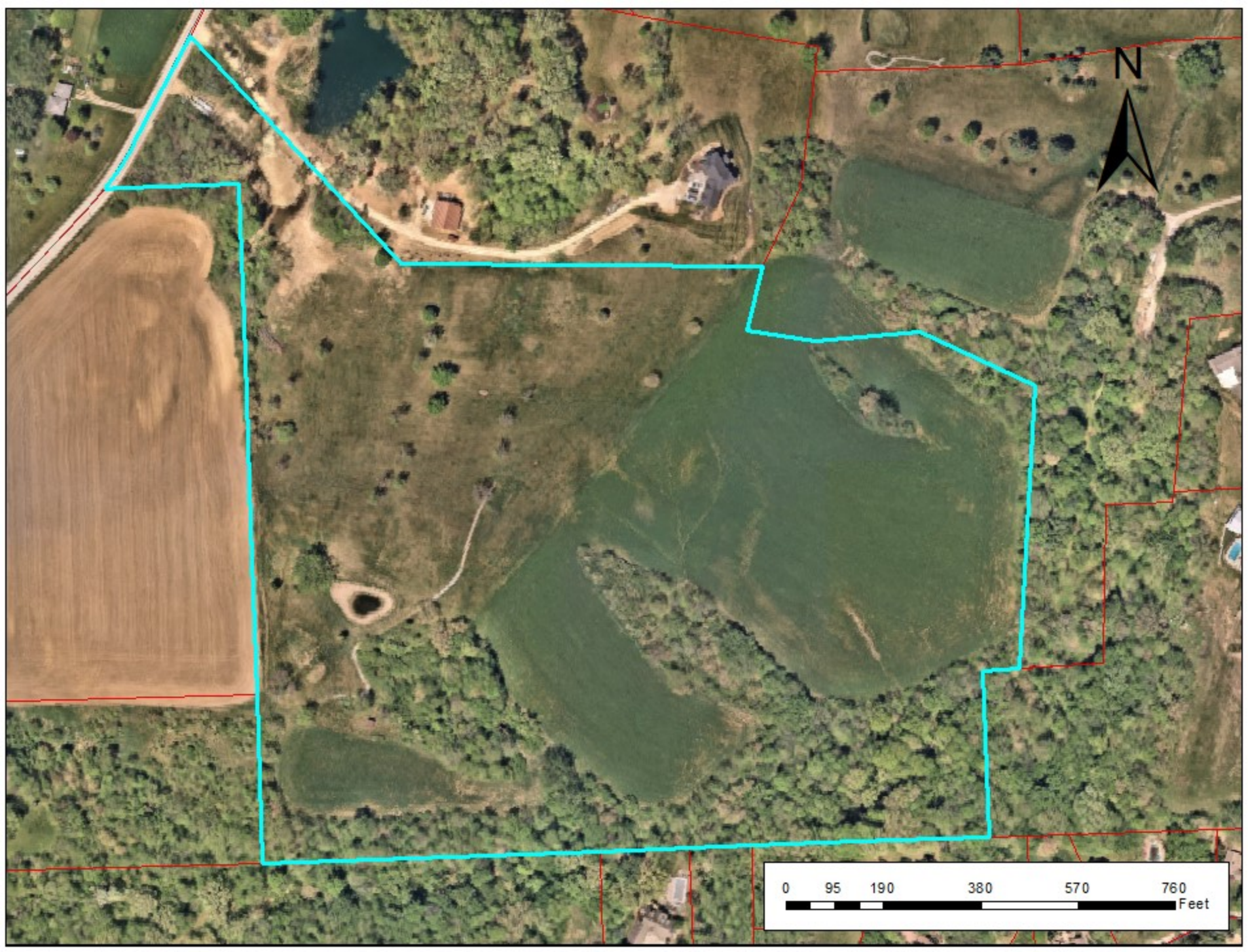
235TH ST

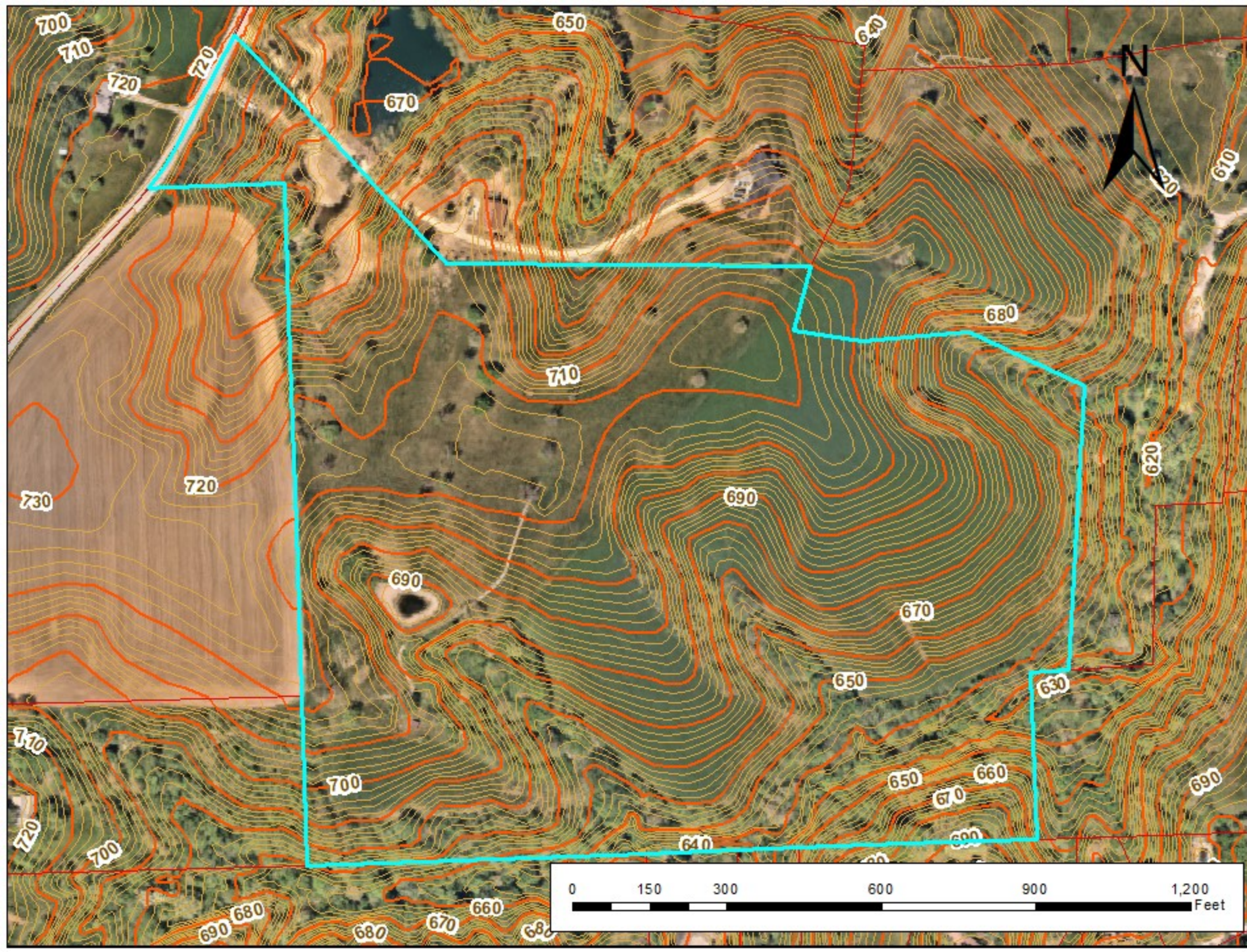
67

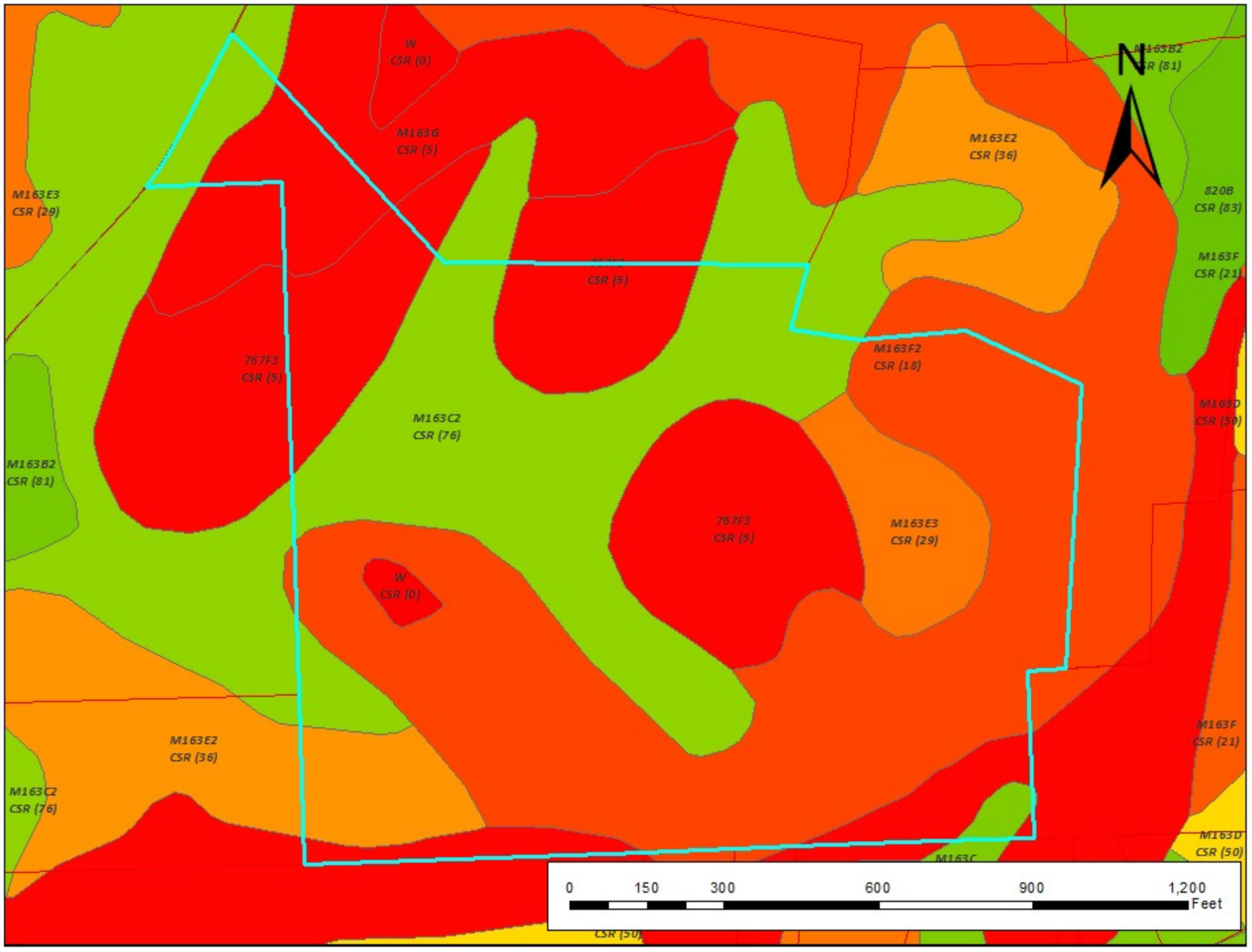
GREAT RIVER RD









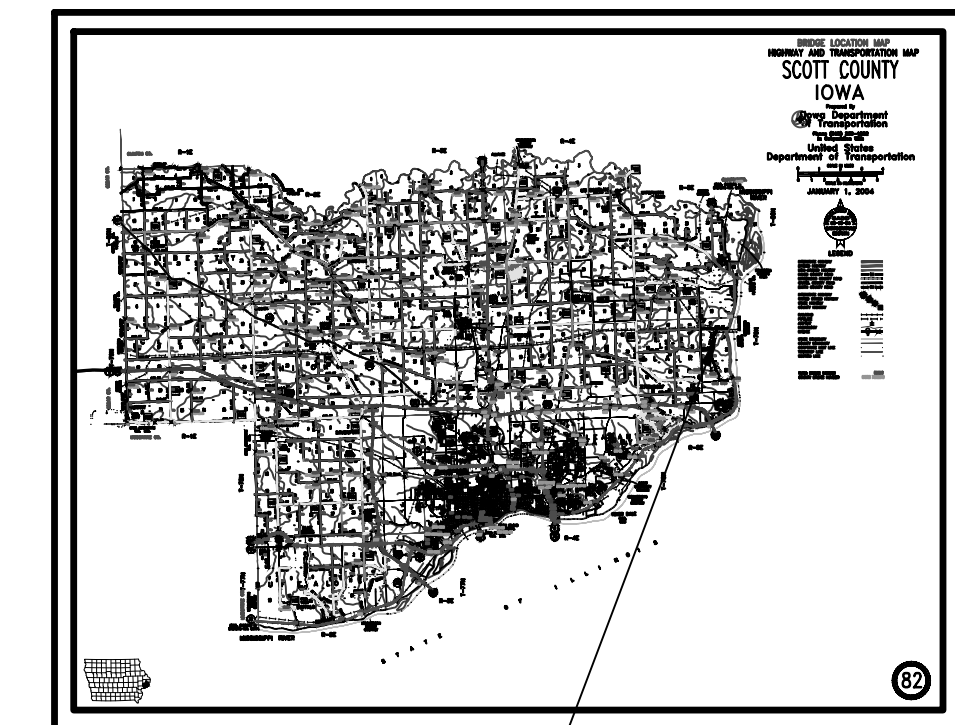


# OLATHEA OVERLOOK

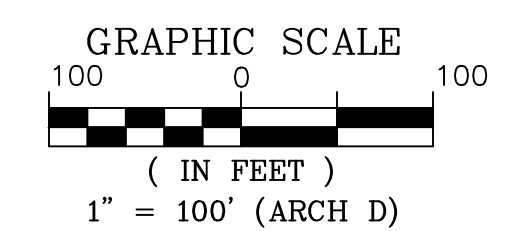
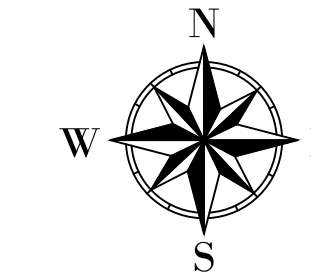
## PRELIMINARY PLAT

PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 14 AND PART OF THE SOUTHEAST QUARTER OF SECTION 15, ALL IN TOWNSHIP 79 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING A REPLAT OF LOT 4 OF THE GREAT RIVER HILLS AMENDED FINAL PLAT, AN ADDITION TO SCOTT COUNTY, IOWA

### SITE LOCATION MAP



APPROXIMATE SITE LOCATION



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

### PLAT INFORMATION

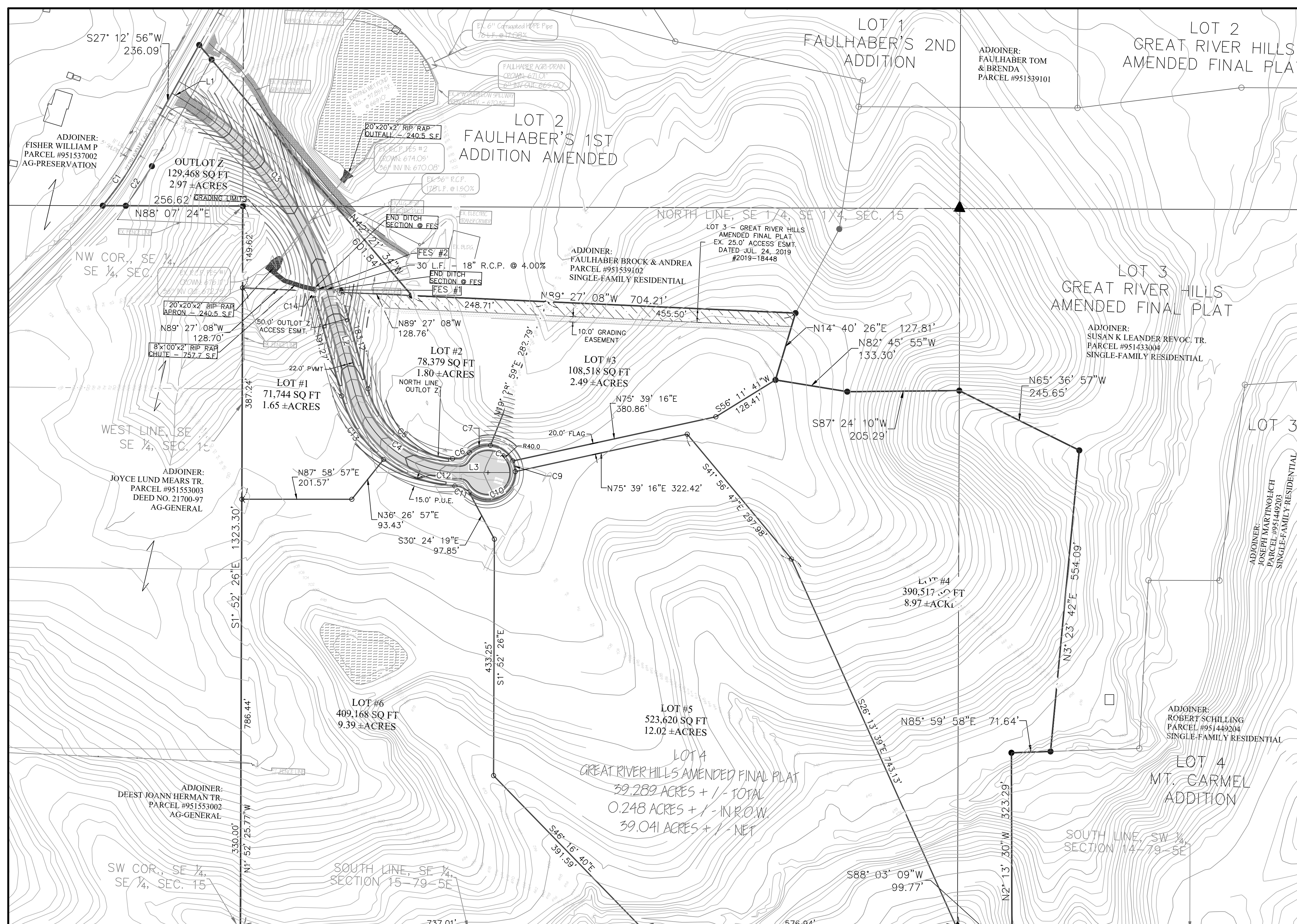
- Owner:**  
Steve & Lisa Zelle  
3285 Fields Drive  
Bettendorf, Iowa 52722  
Ph: (563) 332 - 3200
- Engineer-Of-Record:**  
Christopher R. Townsend, P.E.  
Townsend Engineering  
2224 East 12th Street  
Davenport, Iowa 52803  
Ph: (563) 386 - 4236
- Surveyor-Of-Record:**  
Michael D. Richmond, PLS  
Townsend Engineering  
2224 East 12th Street  
Davenport, Iowa 52803  
Ph: (563) 386 - 4236
- Attorney-Of-Record:**  
Curt A. Appel  
Stanley Lande & Hunter  
201 West 2nd Street, Suite 1000  
Davenport, Iowa 52801  
Ph: (563) 324 - 1000

### GENERAL NOTES:

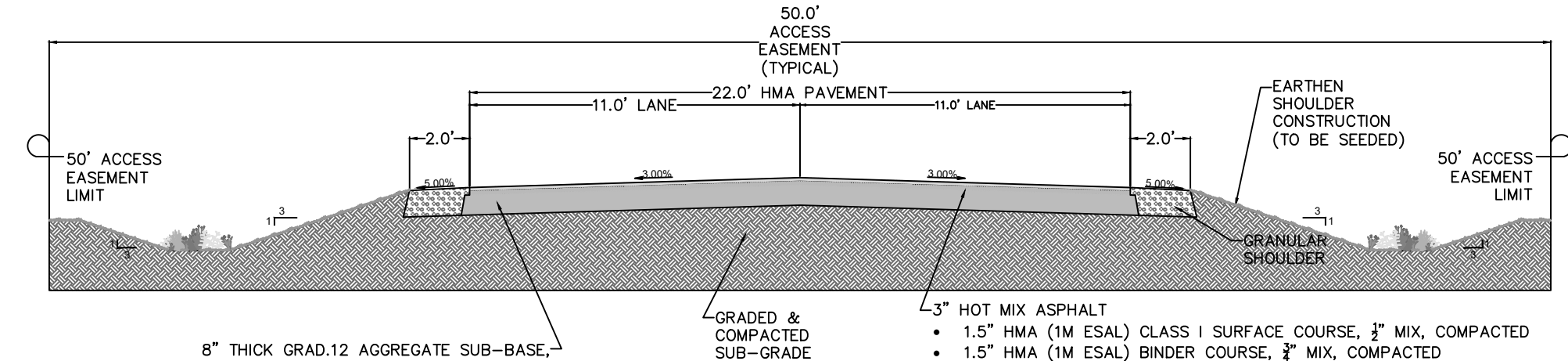
- LEGAL DESCRIPTION OF EXISTING PROPERTY:  
PART OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 14 AND PART OF THE SOUTHEAST QUARTER OF SECTION 15, ALL IN TOWNSHIP 79 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING A REPLAT OF LOT 4 OF THE GREAT RIVER HILLS AMENDED FINAL PLAT, AN ADDITION TO SCOTT COUNTY, IOWA.
- SUBDIVISION CONTAINS 39.289 ACRES (1,711,414 S.F.) TOTAL WITH 0.248 ACRES (10,798 S.F.) OF RIGHT-OF-WAY AND A NET AREA OF 39.041 ACRES (1,700,616 S.F.).
- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- THE PRIVATE LANE SHALL BE NAMED IN ACCORDANCE WITH THE RURAL ADDRESSING SYSTEM FOR UNINCORPORATED SCOTT COUNTY.
- 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 REPORT ANY DIFFERENCES AT ONCE.
- 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 PRINCETON, 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 CODES, THE STRICTER SHALL PREVAIL.
- OVERLAY UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC (PRIMARY/SECONDARY/PAD-MOUNTED EQUIPMENT & STREET LIGHTS), TELEPHONE, AND CABLE TELEVISION 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 THE LINES SHOWN AND FUTURE CODE REQUIREMENTS, THE CODE REQUIREMENTS SHALL GOVERN.
- THIS SUBDIVISION LIES WITHIN ZONE "X" (AREA NOT PRONE TO FLOODING) AS SHOWN ON FEMA FIRM PANEL #19163C0265G, EFFECTIVE MARCH 23, 2021.
- SEWAGE TREATMENT TO BE PROVIDED BY PRIVATE SEPTIC SYSTEMS, CONFORMING WITH THE SCOTT COUNTY, IOWA PRIVATE SEWAGE DISPOSAL SYSTEM STANDARD SPECIFICATIONS, LATEST EDITION.
- POTABLE WATER TO BE PROVIDED BY PRIVATE WELL SYSTEMS, CONFORMING WITH THE SCOTT COUNTY, IOWA PRIVATE WATER SUPPLY WELL STANDARD SPECIFICATIONS, LATEST EDITION.
- STORM WATER DETENTION SHALL BE PROVIDED BY EXISTING REGIONAL RETENTION POND, LOCATED ON LOT 2 OF THE FAULHABER'S FIRST ADDITION AMENDED, VIA AGREEMENT, TO BE RECORDED PRIOR TO FINAL PLAT APPROVAL.
- OUTLOT Z IS RESERVED FOR STORMWATER CONVEYANCE/DRAINAGE, PUBLIC INGRESS/EGRESS, AND PUBLIC SERVICES/UTILITIES TO THE SUBDIVISION.
- 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, ALTER LOT BOUNDARIES, OR ALLOW GROUND TO BE RE-PLATTED.
- FURTHER SUBDIVISION OF PLATTED LOTS SHOWN HEREIN IS NOT PERMITTED.

Curve #	Length (FT)	Radius (FT)	Delta	Chord Direction	Chord Length (FT)
C1	107.78	573.00	10.78	N32° 36' 15"E	107.62
C2	86.92	606.00	8.22	N31° 19' 29"E	86.84
C3	459.40	600.00	43.87	S39° 25' 30"E	448.26
C4	260.15	200.00	74.53	S54° 45' 13"E	242.19
C5	214.07	175.00	70.09	N52° 32' 00"W	200.97
C6	33.39	40.00	47.83	S68° 30' 35"W	32.43
C7	42.44	50.00	48.63	S68° 54' 38"W	41.17
C8	52.15	50.00	59.76	N56° 53' 47"W	49.82
C9	20.14	50.00	23.08	S15° 28' 45"E	20.00
C10	118.59	50.00	135.90	N64° 00' 35"E	92.69
C11	29.02	40.00	41.57	S68° 49' 34"E	28.39
C12	141.61	225.00	36.06	S71° 34' 52"E	139.28
C13	141.61	225.00	36.06	N35° 31' 14"W	139.28
C14	8.16	575.00	0.81	N17° 53' 49"W	8.16

Line #	Length (FT)	Direction
L1	13.62	S61° 21' 35.27"E
L2	191.27	S17° 29' 24.94"E
L3	51.37	N87° 58' 59.79"E



**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 = ————



EXISTING 25.0' ACCESS EASEMENT CONVEYED TO LOT 3 - GREAT RIVER HILLS DATED JULY 24, 2019 (REC# 2019-18448)

PROPOSED 10.0' GRADING EASEMENT CONVEYED TO LOT 3 - GREAT RIVER HILLS

MINIMUM LOT AREA, LOT WIDTH, SETBACK, & MAXIMUM HEIGHT REQUIREMENTS  
LOT AREA : 30,000 SQ.FT. & LOT WIDTH : 100 FT.  
FRONT YARD : 50 FT. ; SIDE YARD : 10 FT. ; REAR YARD : 40 FT.  
MAX. STORIES : 2½ ; MAX. HEIGHT : 35 FT.



DATE: 03.20.2023 TE PROJECT NO.: OLATHEA  
563 386.4236 office 386.4231 fax  
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KRZ  
CHECKED BY: MDR/KLC  
DRAWING LOCATION  
D:\TOWNSEND ENGINEERING\TE PROJECTS\PRECISION BUILDERS, INC\OLATHEA\CAD\PRODUCTION DRAWINGS\LOT 4 - GREAT RIVER HILLS (PLAN).DWG

NO.	REVISIONS: DESCRIPTION	DATE
1.		

PROJECT  
PRELIMINARY PLAT  
OLATHEA OVERLOOK  
SCOTT COUNTY, IOWA

DEVELOPER  
STEVE & LISA ZELLE  
3285 FIELDS DRIVE  
BETTENDORF, IOWA

SHEET NO.  
1  
OF  
1





PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



- Applicant:** Steve and Lisa Zelle (DBA Legacy Development)
- Request:** Preliminary plat approval for a major subdivision known as Olathea Overlook
- Legal Description:** Lot 4 of the Amended Final Plat of Great River Hills, an addition to Scott County, Iowa, being part of the SW  $\frac{1}{4}$  of the fractional Section 14 and part of the SE  $\frac{1}{4}$  of Section 15, all in LeClaire Township.  
PIN: 951555002
- General Location:** Approximately  $\frac{1}{4}$  mile West of Great River Road, South-adjacent to Faulhaber's First Addition along 277<sup>th</sup> Avenue, part of the former Olathea Golf Course
- Existing Zoning:** Single-Family Residential (R-1)
- Surrounding Zoning:**
- North:** Single-Family Residential (R-1)
  - South:** Single-Family Residential (R-1), Agricultural-General (A-G)
  - East:** Single-Family Residential (R-1)
  - West:** Agricultural-General (A-G), Agricultural-Preservation (A-P)

**GENERAL COMMENTS:** This request is for approval of a Preliminary Plat to subdivide an existing 39-acre parcel, more or less, into six (6) new lots. The subdivision, which would be known as Olathea Overlook, would have frontage along 277<sup>th</sup> Avenue and would be adjacent to several existing residential subdivisions including Faulhaber's First Addition, Mt. Carmel Addition, and Woods & Meadows. The current proposed plat features a short cul-de-sac from 277<sup>th</sup> Avenue for access to the development lots, which range in size from 1.65 to 12.02 acres. The plat also includes a 2.97-acre outlot (Outlot Z), which would contain about half of the length of the cul-de-sac at the subdivision entrance as well as components of the proposed storm water management system.

The Planning & Zoning Commission reviewed and approved a Sketch Plan for the development in February 2021, which was known as The Overlook at the time. The conditions of approval of the Sketch Plan are detailed in the Staff Review section.

**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 39-acre tract creates six (6) development lots and one (1) outlot, each with the development right for one (1) single-family dwelling. Half of the lots would be less than 3.0 acres in size (1.65, 1.80, 2.49) and the other half would be significantly larger at 8.97, 9.39, and 12.02 acres.

### **Common Open Space**

A major subdivision of this proposed density does not require common open space, but a 2.97-acre lot (Outlot Z) at the entrance would feature a portion of the roadway, components of the proposed storm water management system, and green space.

### **Access and Roadway Improvements**

The right-of-way widths prescribed in the Subdivision Regulations for local residential streets require that a typical section include a minimum of 50 feet of right-of-way. Olathea Overlook would provide 22 feet for the roadway itself, 2 feet on either side of the roadway for granular shoulders, and 12 feet on either side of the granular shoulders for drainage ditches, resulting in a 50-foot right-of-way. The County Engineer has reviewed the roadway construction plans for compliance.

The plat also includes a platted access easement to Lot 3 of Great River Hills Amended Final Plat to the east of the development (deed holder Susan K. Leander Revocable Trust) with room for an 11-foot driveway, which fulfills a perpetual access agreement to provide access to that property. The platted easement would be located along the northern boundaries of Lots 2 and 3. Given the topography of the easement location, staff required that a 10-foot grading easement be platted along the southern edge of the access easement so that future owners of proposed Lots 2 and 3 are conscious of the grading that may need to take place if the driveway were graded and paved or graveled. Zoning staff would measure required setbacks from the southern edge of the grading easement instead of the access easement or property line.

### **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. While the site contains some wooded areas in the lower elevations along the southern and eastern boundaries, as well as near the subdivision entrance, less than 15% will be impacted since the majority of the site is fallow former agricultural land or part of the former golf course.



### **Storm Water Management**

The proposed Preliminary Plat would manage storm water by utilizing a drainage easement with the owners of an adjacent subdivision, Faulhaber's First Addition, to divert storm and surface water to an existing detention basin. A copy of the drainage easement (labeled Permanent Ingress-Egress Easement and Maintenance Agreement) has been reviewed and entered into the record.

### **Erosion and Sediment Control Plan**

Erosion and Sediment Control Plans are not expected at Preliminary Plat stage, but will be forwarded to the County Engineer for review and comment at Final Plat.

### **Water**

Each lot will be served by a private well. The County Health Department did not submit any comments or concerns with this Preliminary Plat.

### **Wastewater disposal systems**

Subdivisions containing less than forty (40) lots may install individual on-site systems that meet County Health Department regulations, which is the intention for this development. The Health Department did not submit any comments or concerns with this Preliminary Plat.

### **City of Princeton Review**

This property is within two miles of the Princeton city limits. Therefore, review and approval of the Final Plat by the City of Princeton is required. At this time, staff has notified the City of the Preliminary Plat submittal. The City has had no comments at this time, and their consent/approval is not required until the Final Plat stage.

### **Approval Conditions of the Sketch Plan**

The Planning & Zoning Commission reviewed and approved a Sketch Plan for the development in February 2021, which was known as The Overlook at the time. The approval was contingent on six (6) conditions:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlet;  
*Final private covenants must be submitted at Final Plat approval, so this will remain a condition of approval.*
2. The private covenants include provision for road maintenance of the shared private road;  
*Final private covenants must be submitted at Final Plat approval, so this will remain a condition of approval.*



PLANNING & ZONING COMMISSION

STAFF REPORT

April 18, 2023



3. That the easement for the shared driveway serving Lots 3 & 4 be a minimum of a 40 feet wide road easement with a 10 feet wide utility and drainage easement adjacent to one side of the road easement  
*The shared driveway for Lots 3 & 4 has been removed, so this condition is no longer relevant.*
4. The private covenants include provisions for the use and maintenance of the proposed shared driveway;  
*The shared driveway for Lots 3 & 4 has been removed, so this condition is no longer relevant.*
5. The private covenants include provisions that no additional subdivision of these lots be permitted; and  
*Final private covenants must be submitted at Final Plat approval, so this will remain a condition of approval.*
6. The County Engineer review and approve all street construction plans, drainage plans, and erosion control plans prior to construction.  
*This will remain a condition of approval.*

**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. None of those entities submitted comments or concerns on the proposal as of this time.

Staff also notified adjacent property owners within five hundred feet (500') of the public hearing before the Planning Commission. No comments have been received as of yet.

**RECOMMENDATION:** Staff recommends that the Preliminary Plat of Olathea Overlook be approved with the following conditions:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlot;
2. The private covenants include provision for road maintenance of the shared private road;
3. The private covenants include provisions that no additional subdivision of these lots be permitted;
4. The County Engineer review and approve all final street construction plans prior to construction; and
5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval.

Submitted by:  
Alan Silas, Planning & Development Specialist  
April 14, 2023

**PLANNING & DEVELOPMENT**

600 West Fourth Street

Davenport, Iowa 52801-1106

Email: [planning@scottcountyiowa.gov](mailto:planning@scottcountyiowa.gov)

Office: (563) 326-8643

Fax: (563) 326-8257



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Chris Mathias  
Director

**NOTICE OF PLANNING AND ZONING COMMISSION  
PUBLIC HEARING FOR REVIEW OF A PRELIMINARY PLAT OF A MAJOR SUBDIVISION**

Public Notice is hereby given as required by Section 6-31 of the County Code (Zoning Ordinance), that the Scott County Planning and Zoning Commission will hold a public hearing for a proposed preliminary plat of a major subdivision on **Tuesday, April 18, 2023 at 5:30 PM**. The meeting will be held in the **1<sup>st</sup> Floor Board Room of the Scott County Administrative Center, 600 West 4<sup>th</sup> Street, Davenport, Iowa 52801**.

The Planning and Zoning Commission will consider an application from **Steve and Lisa Zelle (DBA Legacy Development)** for a Preliminary Plat review of a Major Subdivision known as **Olathea Overlook**. The plat would subdivide an existing 39-acre parcel, more or less, into six (6) new lots. The property is zoned Residential Single-Family (R-1) and each new lot would retain one (1) development right for a single-family dwelling. All lots would have access via a private road built to county standards, located to the east of 277<sup>th</sup> Avenue. The property is legally described as Lot 4 of the Amended Final Plat of Great River Hills, an addition to Scott County, Iowa, being part of the SW ¼ of the fractional Section 14 and part of the SE ¼ of Section 15, all in LeClaire Township.

If you have questions or comments regarding this meeting or the proposed plat please call, write or email the Planning and Development Department, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, [planning@scottcountyiowa.gov](mailto:planning@scottcountyiowa.gov) or attend the meeting.

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

May 11, 2023

#### APPROVING THE PRELIMINARY PLAT OF OLATHEA OVERLOOK 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 11<sup>th</sup> day of May, 2023 considered the final plat of **OLATHEA OVERLOOK ADDITION**, a 6-lot subdivision in part of the SE  $\frac{1}{4}$  of Section 15, and SW  $\frac{1}{4}$  of Section 14, Township 79 North, Range 5 East of the 5<sup>th</sup> Principal Meridian (LeClaire Township), 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 preliminary plat of said subdivision with the conditions that:

1. The private covenants include provisions for the ownership and maintenance of the proposed outlot;
2. The private covenants include provision for road maintenance of the shared private road;
3. The private covenants include provisions that no additional subdivision of these lots be permitted;
4. The County Engineer review and approve all street construction plans, drainage plans, and erosion control plans prior to construction; 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.