



**Planning & Development
Scott County, Iowa**

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

February 21, 2024

To: Mahesh Sharma, County Administrator
From: Alan Silas, Planning and Development Specialist
Re: Planning & Zoning Commission action on February 20, 2024 agenda item

Members Present: Armstrong, Eckhardt, Maxwell, Piatak, Steward
Members Absent: Rochau, Scheibe

1. Public Hearing – Rezoning

Application from **River Valley Cooperative** to rezone approximately 19.04 acres, legally described as Part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 of Allens Grove Township (a portion of Scott County Tax Parcel 021837004), from “Agricultural-Preservation (A-P)” to “Industrial (I)” to expand the existing agricultural service operation.

The Commission voted (5-0) to recommend approval of the rezoning to the Board of Supervisors in accordance with staff’s recommendation. Three (3) members of the public were in attendance, as well as a representative for the applicant (**Hobie Stutt**):

- **Tony and Tammy Dahms** (6745 295th Street) had a number of clarifying questions about the operations planned for the site. Stutt was able to respond to all of their questions and concerns.
- **Dennis Kay** (1310 Wisconsin Avenue, Davenport) attended to “stay informed” and asked Stutt a question about a different facility owned by River Valley Cooperative.

The recommendation to approve the rezoning will be forwarded to the Board of Supervisors for its own hearing on the request.

- **Vote (recommend approval rezoning from A-P to I): 5-0, All Ayes**



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MEMORANDUM

To: Scott Count Planning and Zoning Commission Members

From: David Kovarik, Planner

Date: February 7, 2024

RE: Rezoning Application submitted by River Valley Cooperative

This memorandum is being submitted in response to a regional zoning review request from Scott County, Iowa. The Public Hearing is scheduled for 5:30 p.m. on February 20, 2024 with the Planning and Zoning Commission. The applicant, River Valley Cooperative of PO Box 256, Eldridge, IA is requesting a rezoning from Agricultural-Preservation(A-P) to Industrial (I) on one tract of land totaling approximately 19.04 acres of land for the expansion of an existing agricultural retail business.

The property can be described as Part of the NW ¼ of the SE ¼ of Section 18 of Allens Grove Township (Scott County Tax Parcel 021837004).

Having reviewed the information relevant to the proposed rezoning, the following items were ascertained. The parcel is not located within the Quad Cities Metropolitan Planning Organization (MPO) Area. The closest major roadway to the site is Allens Grove Road (County Road Y42E), which runs alongside the proposed site. There are no known short or long-range transportation projects programmed in the direct vicinity of the parcel on Allens Grove Road. The parcel does not appear to be located in a flood hazard area. The parcel does not appear to be located in a high earthquake incident area. The parcel is not located in an airport-restricted zone. The proposed site should have no effect on recreational facilities. This parcel is not located near any mining complexes. The parcel is not located in a Drainage District.

The parcel is located within an area that may contain significant archeological findings. The proposed rezoning should not have an impact on historic sites or Indian mounds. There are no dedicated Iowa Nature Preserves or registered Land and Water Reserves indicated in the vicinity of this site. The US Fish and Wildlife Service indicates there may be endangered animals at the site, but given that the north side of the parcel already serves as an agricultural retail business, this is unlikely. The parcel is located in the extraterritorial jurisdictional area of the City of Dixon, and by other industrial developments as well as adjacent to residential development that have access to water and sewer that could be extended.

Should you have any questions regarding this review, please contact me at (309) 793-6300 ext. 1139.

DK/sdg
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PLANNING & DEVELOPMENT

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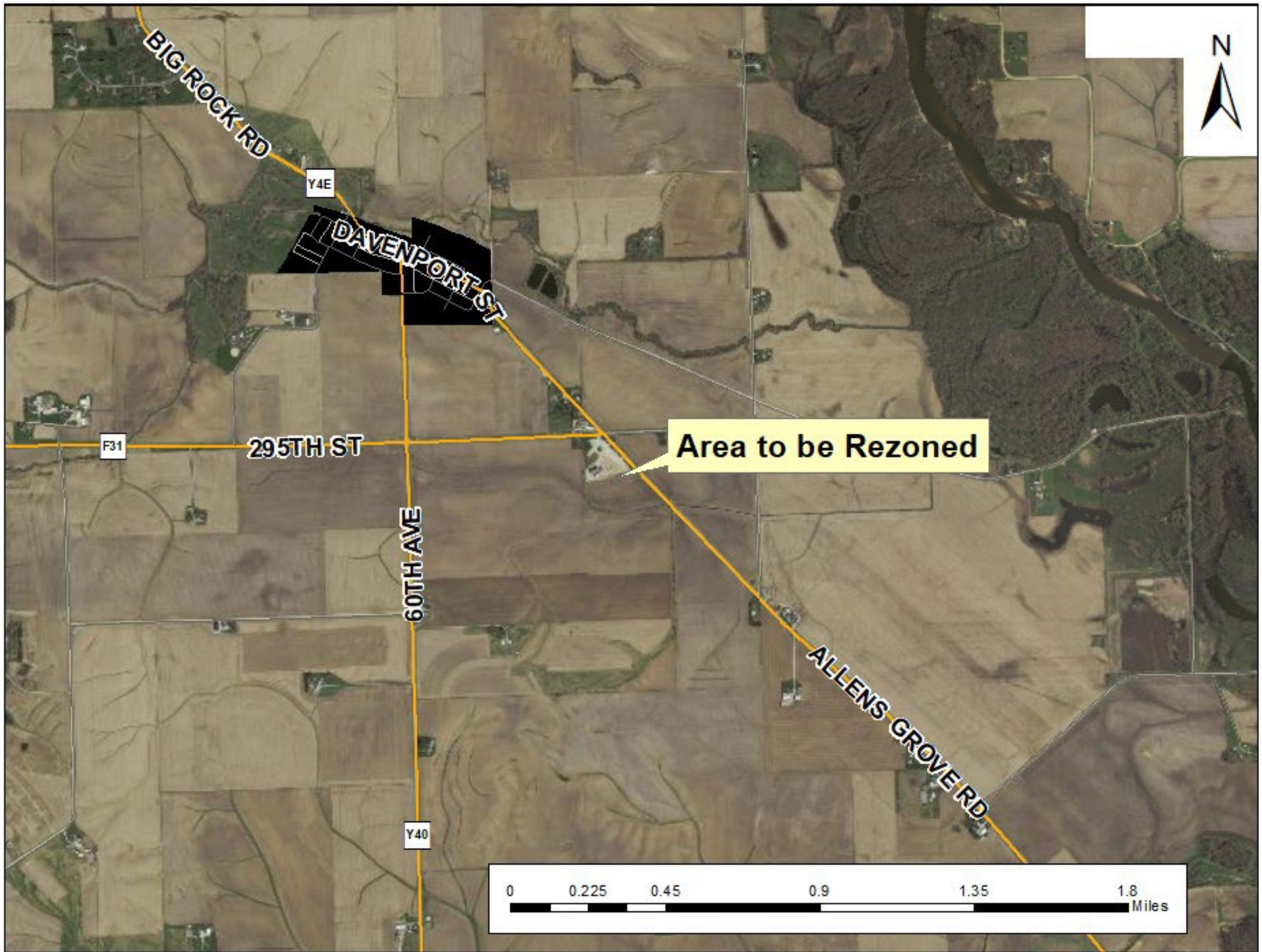


**NOTICE OF BOARD OF SUPERVISORS
PUBLIC HEARING FOR REZONING**

In accordance with Section 6-33 of the Revised Zoning Ordinance for unincorporated Scott County, the Board of Supervisors will review a proposed rezoning on **Thursday, March 14, 2024 at 5:00 P.M.** This notice is being sent to property owners of record within 500 feet of the approximate area in question and appropriate County officials. The meeting will be held in the **1st Floor Board Room of the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801.**

The Board of Supervisors will hear the request of **River Valley Cooperative** to rezone approximately 19.04 acres, legally described as Part of the NW ¼ of the SE ¼ of Section 18 of Allens Grove Township (Scott County Tax Parcel 021837004), from "Agricultural-Preservation (A-P)" to "Industrial (I)." The northwestern corner (~10 acres) of the subject parcel is currently zoned "I" and has historically been used for an agricultural retail business. The applicant intends to expand its current agricultural retail business. The Planning and Zoning Commission held a public hearing and took public comments on the proposal at its February 20, 2024 meeting and, with a 5-0 vote, recommended approval of the rezoning to the Board of Supervisors. The rezoning in and of itself will *not* allow development on the site: If the rezoning were approved by the Board of Supervisors, a Site Plan Review would need to be conducted and approved by the Planning and Zoning Commission prior to construction and operation.

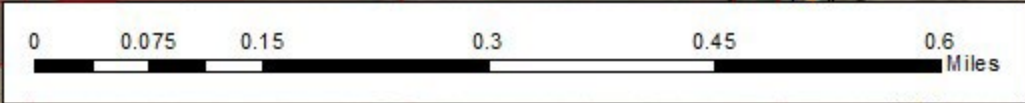
If you have any questions or comments regarding this meeting or proposal, please call or write the Planning and Development Department, Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801, (563) 326-8643, planning@scottcountyiowa.gov, or attend the meeting.

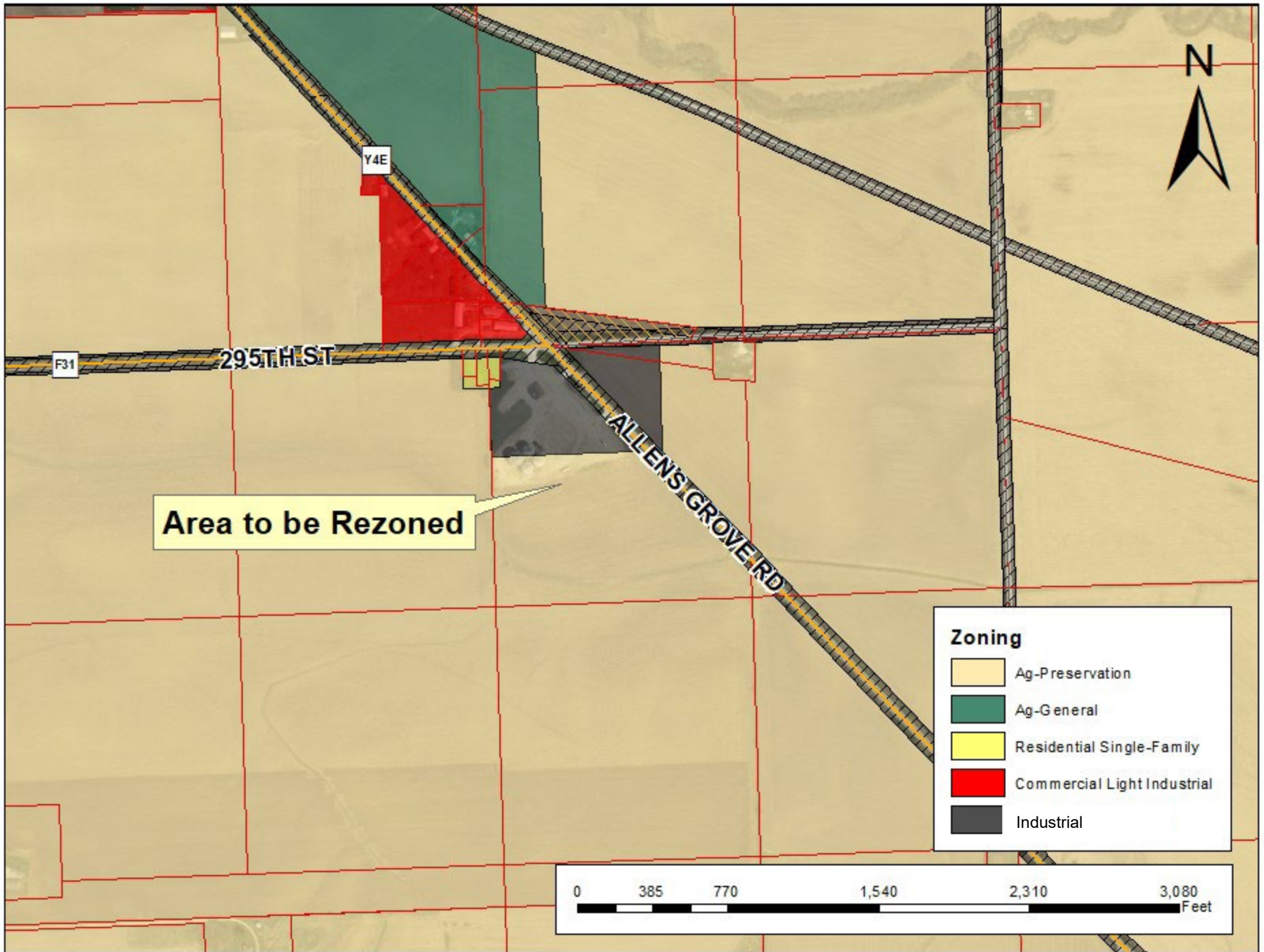


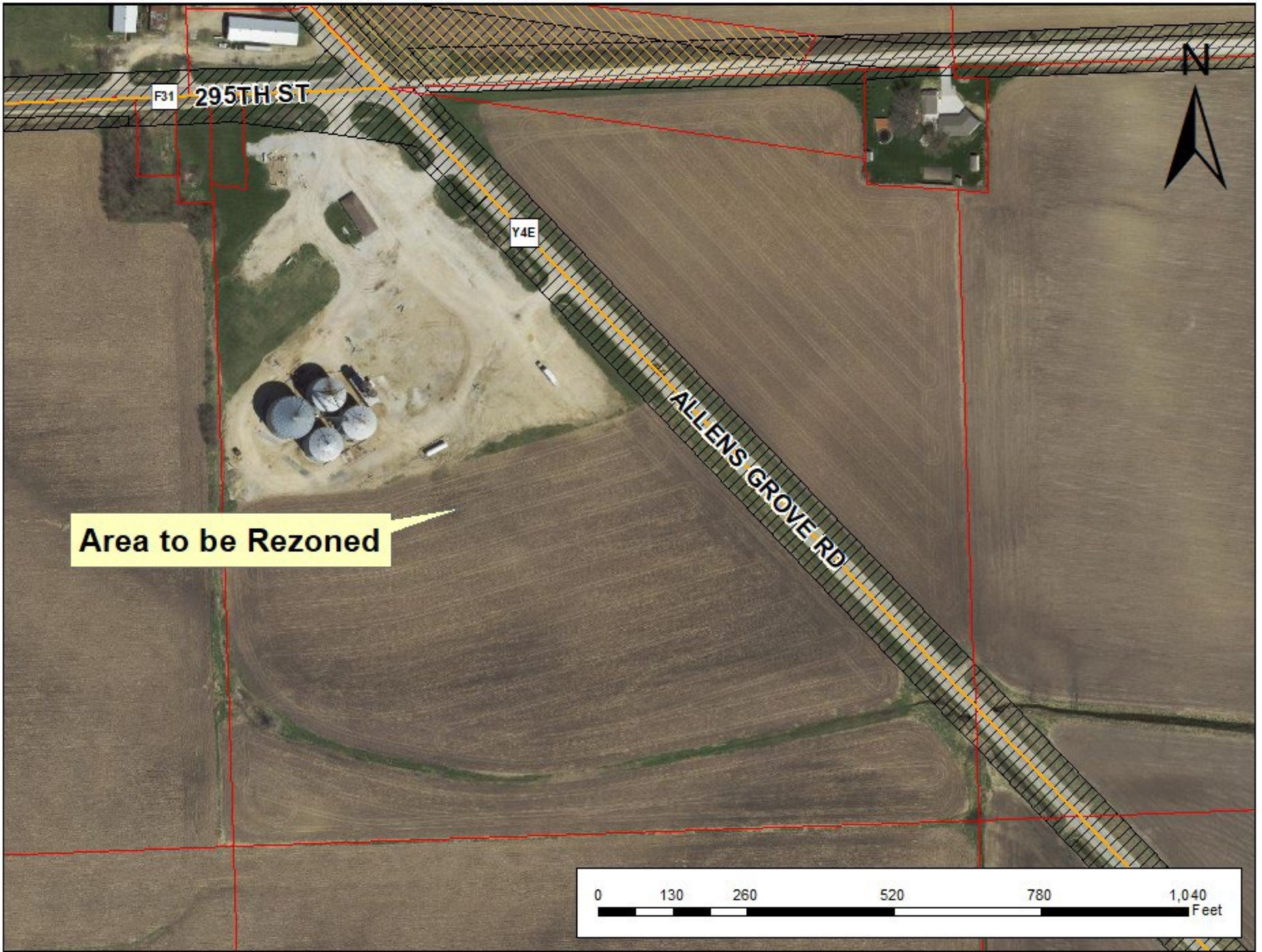




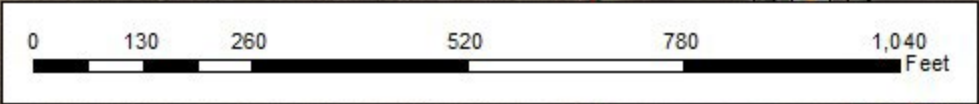
Area to be Rezoned

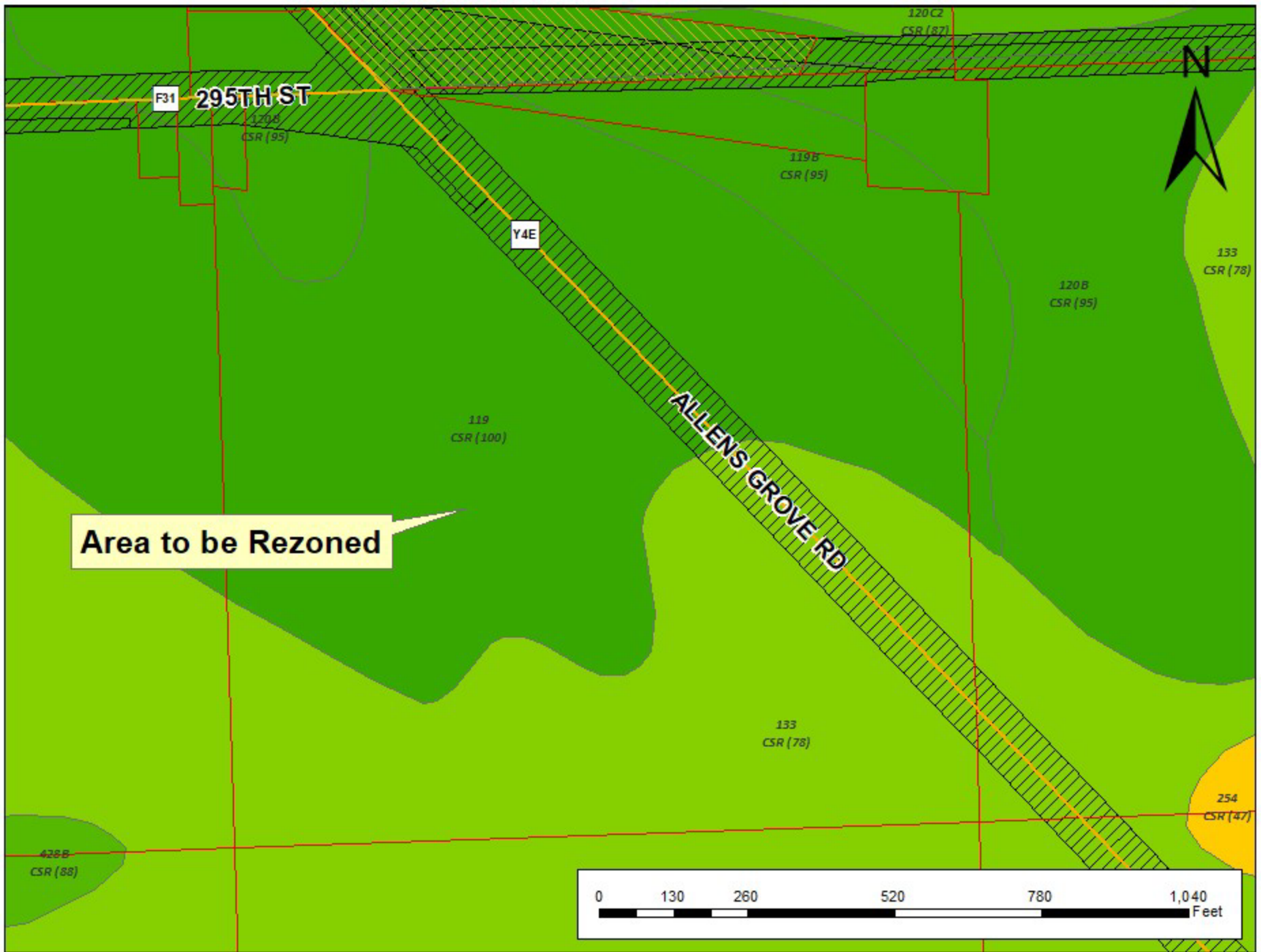


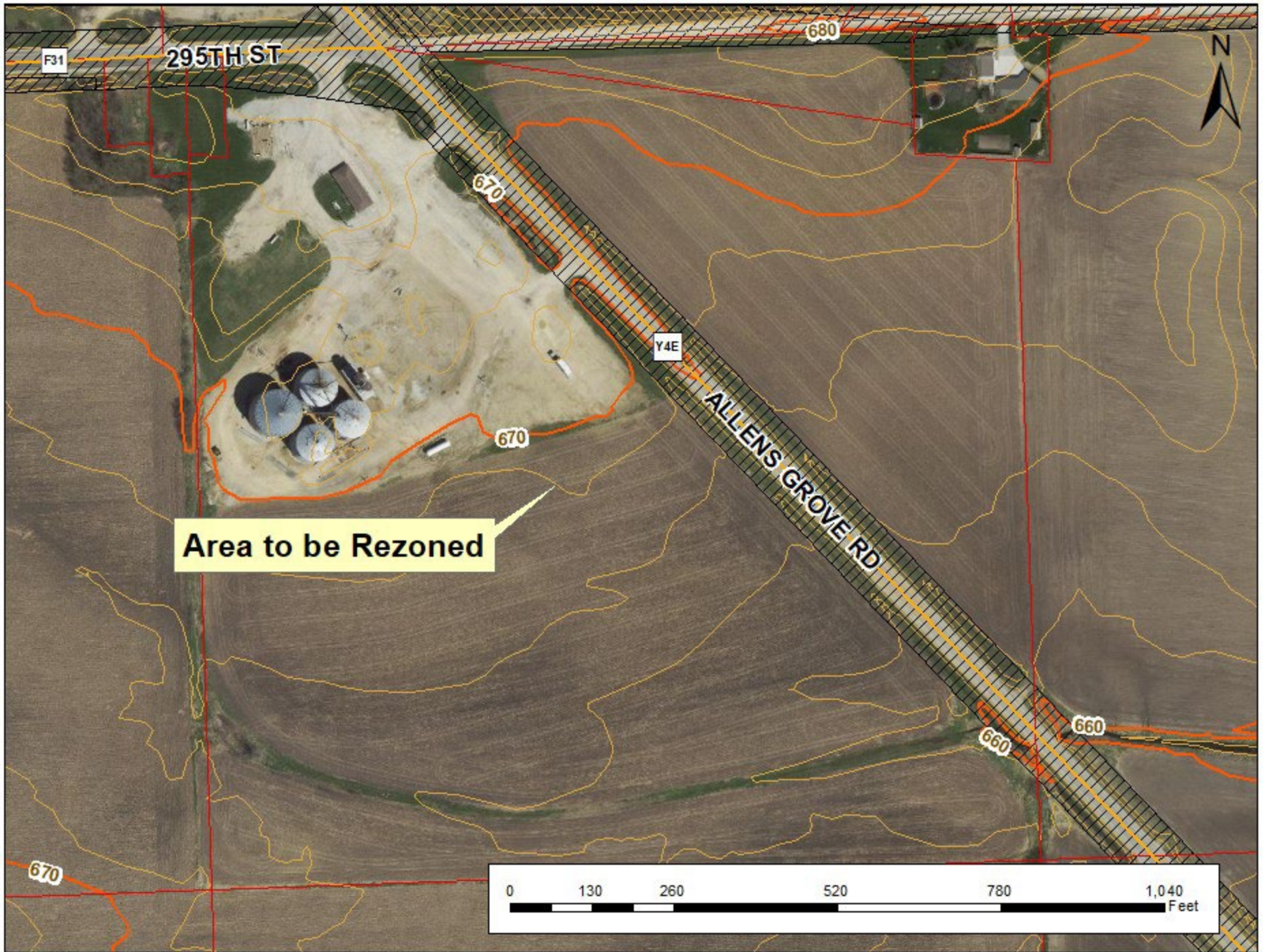




Area to be Rezoned







Prepared by: Scott County Planning and Development, 600 West Fourth Street, Davenport

Iowa SCOTT COUNTY ORDINANCE NO. 24-_____

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 19.04 ACRES IN SECTION 18, ALLENS GROVE TOWNSHIP FROM AGRICULTURAL-PRESERVATION (A-P) TO INDUSTRIAL (I), ALL WITHIN UNINCORPORATED SCOTT COUNTY.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. In accordance with Section 6-33 Scott County Code, the following described unit of real estate is hereby rezoned from Agricultural-Preservation (A-P) to Industrial (I) to-wit:

Part of the Northwest Quarter of the Southeast Quarter of Section 18, in Township 80 North, Range 2 East of the 5th P.M. (Allens Grove Township), being more particularly described as follows:

All portions of Parcel 081837004 south/southwest of Allens Grove Road not already zoned Industrial

Section 2. This ordinance changing the above described land to Industrial (I) is approved.

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 4. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Approved this _____ day of _____ 2024.

Ken Beck, Chair
Scott County Board of Supervisors

Kerri Tompkins, County Auditor

Prepared by: Scott County Planning and Development, 600 West Fourth Street, Davenport

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Approved this _____ day of _____ 2024.

Ken Beck, Chair
Scott County Board of Supervisors

Kerri Tompkins, County Auditor



PLANNING & ZONING COMMISSION

STAFF REPORT

February 20, 2024



- Applicant:** River Valley Cooperative
- Request:** Rezone 19.04 acres, more or less, from Agricultural-Preservation (A-P) to Industrial (I)
- Legal Description:** Part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 of Allens Grove Township
A portion of Scott County Tax Parcel 021837004
- General Location:** 29434 Allens Grove Road, approximately $\frac{1}{2}$ mile SE of the City of Dixon
- Existing Zoning:** Agricultural-Preservation (A-P)
- Surrounding Zoning:**
- North:** Single-Family Residential (R-1); Commercial-Light Industrial (C-2);
Agricultural-General (A-G)
 - South:** Agricultural-Preservation (A-P)
 - East:** Agricultural-Preservation (A-P)
 - West:** Agricultural-Preservation (A-P)

GENERAL COMMENTS:

This report refers to both “subject parcel” and “subject area” throughout:

Subject parcel: Scott County Tax Parcel 021837004 (37.67 acres)

Subject area: the portion of the subject parcel to be rezoned (19.04 acres)

This request is to rezone 19.04 acres, more or less, from Agricultural-Preservation (A-P) to Industrial (I). The applicant intends to expand its current agricultural retail business, utilizing an existing scale and building on site as well as constructing a truck shop and installing tanks and buildings for fertilizer storage and distribution. The subject parcel is unique in that it is unevenly bisected by Allens Grove Road. Approximately 5.7 acres of the subject parcel on the south side of Allens Grove Road are already zoned “I” and contain the existing scale and building, vehicle circulation area, and a portion of the grain bins. Another 2.9 acres of the subject parcel on the north side of Allens Grove Road is also zoned “I,” but has remained undeveloped. The request is essentially to have the remaining parcel area on the south side of Allens Grove Road zoned “I.”

Judging by the varied zoning classifications in the immediate area, which include some commercial and residential parcels zoned Commercial-Light Industrial (C-2), some formerly residential parcels zoned Single-Family Residential (R-1) (two are vacant and owned by the applicant, the other has an agriculturally-exempt farm



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building), and some residential and agricultural parcels zoned Agricultural-General (A-G), this corridor along Allens Grove Road was likely considered a unique area of the County where commercial and industrial development existed and would be appropriate to continue when the agricultural-preservation zoning map and land use policies were adopted in the 1980's.

The "I" district is intended and designed to provide areas for industrial and/or commercial development of a more intense character than those allowed in the "C-2" district. Of the non-"floating" or -"overlay" zoning districts, "I" is the most intensive and allows for operations that generate noise, smoke, odors, dust, and involve significant areas of outdoor storage of raw materials or finished products.

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. That requires the Commission to assign weight to the criteria that most apply to the rezoning request at hand, and determine whether and to what extent the request meets the spirit and intent of the Land Use Policies.

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

The adopted Future Land Use Map shows the subject area without a designation, meaning at its adoption, the County did not foresee any future change in use. Therefore, the Future Land Use Map would indicate the subject area should be preserved as agricultural.

The rezoning request does not meet this criterion.

Is the development on marginal or poor agricultural land?

Since nearly 9 acres of the subject parcel are already zoned "I," the County's database of "Rural Agricultural Parcels" and their average Corn Suitability Rating (CSR) does not include the subject parcel, which itself implies the subject area is marginal agricultural land. The Natural Resources Conservation Service (NRCS) Web Soil Survey map shows the subject area as being composed of Muscatine Silty Clay Loam (100 CSR) and Colo Silty Clay Loam (78 CSR). However, around 1.9 acres of the subject area contains the existing grain bins and vehicle circulation area and is not in productive agriculture.

The rezoning request meets a preponderance of this criterion.



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

The subject parcel has access to both 295th Street and Allens Grove Road, which are paved County roads. The County Engineer did not have any comments or concerns regarding the proposal.

The rezoning request meets this criterion.

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

Any development within the County must comply with State and County health regulations for on-site water supply and wastewater treatment. The site is currently served by a private well and septic system. The County Health Department did not have any comments or concerns regarding the proposal.

The rezoning request meets this criterion.

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

The subject area is at the southern periphery of a “development-ready” corridor near the intersection of Allens Grove Road and 295th Street outside of Dixon.

The rezoning request meets this criterion.

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

The proposed development is an expansion of an agricultural retail business, which is likely more compatible with rather than disruptive to existing agricultural activities.

The rezoning request meets this criterion.

Does the area have stable environmental resources?

The area to be rezoned is generally quite flat with elevations on the property ranging from 668 feet to 674 feet, with slopes ranging from 0% to 2% according to the Web Soil Survey data from the NRCS. The area to be rezoned is not within a



PLANNING & ZONING COMMISSION
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floodplain or floodway, and has historically accommodated productive agriculture as well as grain bins and traffic circulation areas.

The rezoning request meets this criterion.

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

The proposed development is directly adjacent to productive agricultural parcels and an agriculturally-exempt building. According to the draft site plan submitted by the applicant, the proposed truck shop on the north end of the subject parcel would be located approximately 125 feet from the agriculturally-exempt building; and the fertilizer components of the operation would be located approximately 200 feet from the nearest (west) property line and 140 feet from the Allens Grove Road easement. Any non-distance buffering requirements, like landscape screening or fencing, would be more appropriate to consider at the Site Plan Review stage.

The rezoning request meets a preponderance of this criterion.

Is there a recognized need for such development?

As stated in the applicant's petition, "[the development] will provide area farmers an opportunity to access products needed to support their businesses and growth in a more efficient manner."

The rezoning request meets this criterion.

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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.

Staff has also notified the County Secondary Roads Department, County Health Department, Bi-State Regional Commission, and the local NRCS for review and comment. The Secondary Roads Department, Health Department, and local NRCS did not have any comments or concerns. Bi-State Regional Commission provided a review of the request, which has been entered into the record.



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RECOMMENDATION: Staff recommends that the rezoning of 19.04 acres from Agricultural-Preservation (A-P) to Industrial (I) be approved based on its compliance with a preponderance of the criteria of the Revised Land Use Policies.

Submitted by:
Alan Silas, Planning & Development Specialist
February 16, 2024