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COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection
Services,
Public Health,

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: April 2, 2015
Re: Rezoning Case # Z-135-15 • Steve Allchin • In the Vicinity of the Northeast corner of Fletcher Avenue and Hershey Avenue • R-3 Single Family Residential to R-5 Multi Family Residential

INTRODUCTION: Steve Allchin, has submitted an application to rezone the northern .8 acres of a 1.74 parcel located along the east side of Fletcher Avenue, just north of Hershey Avenue, from R-3 Single Family Residential to R-5 Multi-Family. Currently the zoning of this parcel is split between the R-3 and R-5 districts, approval would place the entire parcel within the R-5 district. See attached map for location details and current zoning of the subject parcel and surrounding area.

BACKGROUND: Currently the applicant owns a four unit apartment building on Hershey Avenue, directly south of the subject area. The intent of the applicant is to develop a further three, four unit apartment buildings similar in nature to existing structure. Attached is a concept sketch provided by the applicant. The majority of this proposed development is located within the R-5 zoning district which permits multi-family dwellings, but a small portion of the proposed development extends into an area currently zoned for single family use. In order for this development to proceed the proposed rezoning is necessary. If this proposed rezoning is approved the applicant will then be allowed to file for the subdivision plat and site approval that will necessary before any construction may begin.

RECOMMENDATION/RATIONALE: The Planning and Zoning Commission and staff recommend approval of this rezoning request. It is in compliance with the Comprehensive Plan, and is consistent with the existing land use characteristics of the area. The proposed rezoning is the logical extension of the existing R-5 zoning district. The majority the subject parcel is already zoned R-5, the continued splitting of this subject of the parcel between the R-3 and R-5 district serves no logical or beneficial purpose.

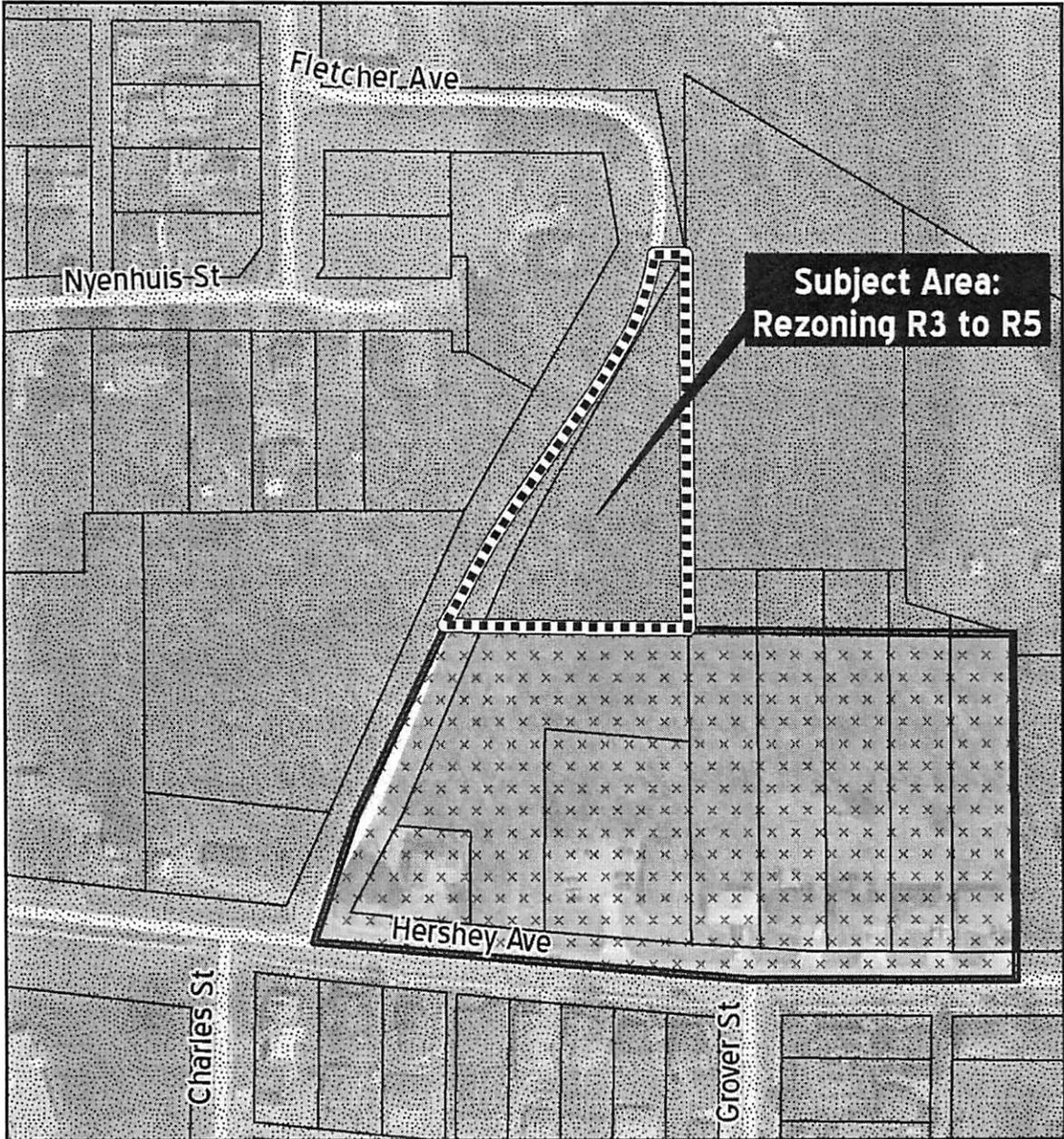
It should be noted that the extreme sloping topography of this site will make it challenging to develop. The particulars of this development will be subject to review and approval through the subdivision and site plan review process. Approving this rezoning gives the applicant a larger area to work with, and more flexibly in coming up with a development that can be approved and ultimately constructed. The fact that any potential driveways onto Fletcher Ave

"I remember Muscatine for its sunsets. I have never seen any on either side of the ocean that equaled them" — Mark Twain

are so near Hershey Avenue preserves all options for the City of Muscatine in dealing with issues further up the hill on Fletcher Avenue.

BACKUP INFORMATION:

1. Ordinance
2. Map
3. Concept Sketch



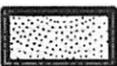
**Subject Area:
Rezoning R3 to R5**



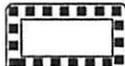
MUSCATINE

Rezoning Case # Z-135-15

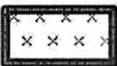
Current Zoning Distirct



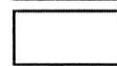
R-3 Single-Family Residence



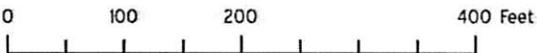
Subject Area



R-5 Multi-Family Residence



Parcel Line



Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine
Prepared by: Andrew Fangman, City Planner
Date: March 5, 2015



ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF MUSCATINE, IOWA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE,
IOWA AS FOLLOWS:

Section 1. That the boundaries of the District Map, being a part of the Zoning Ordinance, which is Title Ten of the Ordinance of the City of Muscatine, Iowa, be and the same are, hereby amended to rezone the following described real estate, situated in the City and County of Muscatine, and State of Iowa, to-wit:

A PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 3, IN TOWNSHIP 76 NORTH, RANGE 2 WEST OF THE 5TH MUSCATINE, PRINCIPAL MERIDIAN, IN THE CITY OF IOWA, PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF HERSHEY AVENUE, FORMERLY BURLINGTON ROAD, AND THE EAST LINE OF THE NORTHWEST NORTHERLY FRACTIONAL QUARTER OF SAID SECTION 3; THENCE WESTERLY ALONG THE LINE OF HERSHEY AVENUE A DISTANCE OF 342.7 FEET TO THE EASTERLY LINE OF FLETCHER AVENUE; THENCE NORTH 26°22' EAST ALONG THE NORTH LINE OF SAID FLETCHER AVENUE A DISTANCE OF 108.8 FEET; THENCE 20°08' EAST A DISTANCE OF 100 FEET; THENCE NORTH 29°45' EAST TO THE EAST LINE OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 3; THENCE SOUTH ALONG SAID EAST LINE TO THE POINT OF BEGINNING, EXCEPT THAT PART THEREOF CONVEYED TO JAMES L. REINSAGER AND LOIS REINSAGER, RECORDER HUSBAND AND WIFE, BY WARRANTY DEED, RECORDED IN THE OFFICE OF THE ALSO OF MUSCATINE COUNTY, IOWA, IN BOOK 261 OF LOTS, PAGE 312 AND WARRANTY EXCEPT THAT PART THEREOF CONVEYED TO ALAN N. DIERDORFF, BY DEED, RECORDED IN THE OFFICE OF THE RECORDER OF MUSCATINE COUNTY, IOWA, IN BOOK 288 OF LOTS, PAGE 703..

Said real estate be rezoned from R-3 Single Family Residential to R-5 Multi Family Residential.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED, AND ADOPTED this 5th day of May, 2015.

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

Attest:

By _____
DeWayne M. Hopkins, Mayor

Gregg Mandsager, City Clerk

1st Reading _____
2nd Reading _____
3rd Reading _____
Publication _____