

COMMUNITY DEVELOPMENT

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

MEMORANDUM

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: September 17, 2015
Re: Papoose Forest Subdivision Preliminary/Final Plat

INTRODUCTION: A request has been filed for a preliminary/final plat for the Papoose Forest Subdivision.

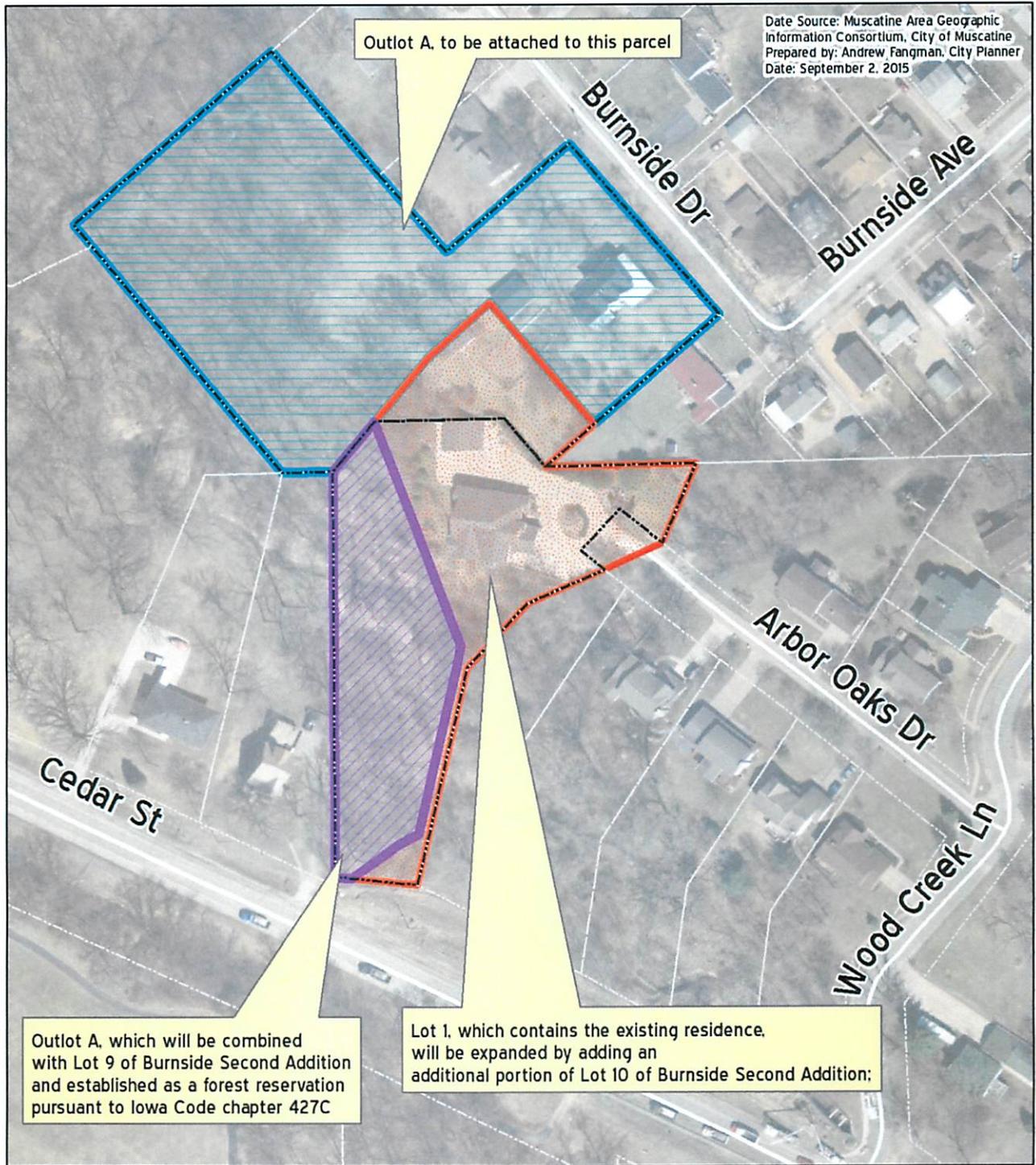
BACKGROUND: JBR Rainbow LLC has submitted a combine preliminary/final plat for a 2 lot subdivision, located at west end of Arbor Oaks Drive, see attached diagram. The intent of this subdivision is to allow for certain property lines to be rearranged and to allow for JBR Rainbow LLC to establish a forest reservation pursuant to Iowa Code chapter 427C, on a portion of its property. This subdivision will not create any new developable parcels.

RECOMMENDATION/RATIONALE

The attached final plat of the subdivision has been reviewed and approved by the Planning and Zoning Commission. Staff recommends approval of the proposed subdivision. The proposal is in compliance with both the Zoning Ordinance and the Comprehensive Plan and would not have any negatives impacts. It is therefore recommended that the preliminary/final plat for the Papoose Forest Subdivision.

BACKUP INFORMATION:

1. Resolution Approving the Final Plat
2. Certificate of Acceptance of the Final Plat
3. Certificate of the Planning and Zoning Commission
4. Certificated of True Copy
5. Plat



PAPPOOSE FOREST SUBDIVISION
CERTIFICATE OF ACCEPTANCE OF FINAL PLAT

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, DeWayne M. Hopkins, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated Papoose Forest Subdivision, in the City of Muscatine, Muscatine County, Iowa, was on September 17, 2015, filed in the office of the City Clerk and presented to the City Council of the City of Muscatine, Iowa, by resolution, a true copy of which is hereto attached, marked Exhibit A, and by this reference made a part hereof; and we, the undersigned, as Mayor and City Clerk, respectively, of the City of Muscatine, Iowa, were by said Resolution duly directed to certify such examination, consent, and approval in order to entitle said plat to be recorded in the office of the County Recorder of Muscatine County, Iowa, among the real estate records of Muscatine County, Iowa.

Dated at Muscatine, Iowa, this 17th day of September 2015.

DeWayne M. Hopkins, Mayor

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 17th day of September 2015, before me, a Notary Public in and for the State of Iowa, personally appeared DeWayne M. Hopkins and Gregg Mandsager, to me personally known, who being by me each duly sworn, did say that they are Mayor and City Clerk of the City of Muscatine, Iowa, respectively, and that the seal affixed to the foregoing instrument is the seal of the City of Muscatine, Iowa; that said instrument was signed and sealed on behalf of the City of Muscatine, Iowa, in accordance with a Resolution passed by the City Council held on 17th day of September 2015; that DeWayne M. Hopkins and Gregg Mandsager, as Mayor and City Clerk of the City of Muscatine, Iowa, respectively, severally acknowledged the execution of said instrument to be the voluntary act and deed of the City of Muscatine, Iowa, by its and them voluntarily executed.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public in and for the State of Iowa

EXHIBIT A

Prepared by Andrew Fangman, 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141

RESOLUTION NO.

**A RESOLUTION APPROVING THE FINAL PLAT
OF PAPOOSE FOREST SUBDIVISION**

WHEREAS, there has been filed with the Planning and Zoning Commission of the City of Muscatine, Iowa, and there is now submitted to the City Council of said City, a final plat of the real estate situated within the Corporate Limits of the City of Muscatine, State of Iowa, which plat lays out two(2) lots; to wit:

LOT 7 AND PART OF LOT 6 OF WOOD CREEK SUBDIVISION AND PART OF LOT 10 IN BLOCK 3 OF BURNSIDE SECOND ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

BEGINNING AT THE NORTHWEST CORNER OF LOT 7 OF WOOD CREEK SUBDIVISION; THENCE NORTH 40°32'06" EAST 141.98 FEET; THENCE NORTH 49°42'31" EAST 77.17 FEET; THENCE SOUTH 40°59'49" EAST 150.78 FEET; THENCE SOUTH 48°38'00" WEST 60.24 FEET; THENCE NORTH 88°47'48" EAST 136.51 FEET; THENCE SOUTH 23°00'28" WEST 86.43 FEET; THENCE SOUTH 66°57'04" WEST 130.87 FEET; THENCE SOUTH 43°10'47" WEST 81.55 FEET; THENCE SOUTH 13°02'18" WEST 238.19 FEET; THENCE NORTH 66°06'15" WEST 75.23 FEET; THENCE NORTH 01°13'06" WEST 384.56 FEET TO THE POINT OF BEGINNING CONTAINING 2.05 ACRES.

WHEREAS, said plat has been approved by the Planning and Zoning Commission of the City of Muscatine, Iowa, and has been examined by the City Council of the City of Muscatine, Iowa; and

WHEREAS, the Final Plat fully conforms with ordinances of the City applicable thereto; and

WHEREAS, the City Council of the City of Muscatine, Iowa, finds the final plat Papoose Forest Subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named Papoose Forest Subdivision is hereby approved and accepted by the City Council of the City of Muscatine, Iowa, and that the Mayor and City Clerk of the City of Muscatine are hereby authorized and directed to certify upon said plat the examination, consent, approval, and acceptance of the same by the City Council of the City of Muscatine, Iowa, in order that said plat may be recorded in the office of the County Recorder among the real estate records of Muscatine County, Iowa.

PASSED, APPROVED, AND ADOPTED this 17th of September 2015.

**BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA**

Attest:

DeWayne M. Hopkins, Mayor

Gregg Mandsager, City Clerk

**CERTIFICATE OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSCATINE, IOWA**

I, the undersigned, Andrew Fangman, do hereby certify that I am the Secretary of the Planning and Zoning Commission of the City of Muscatine, Muscatine County, Iowa, and that the attached Final Plat of Papoose Forest Subdivision a subdivision in the City of Muscatine, Iowa, was approved and recommended by said Commission on the 8th day of September, 2015, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 17th day of September 2015.

Andrew Fangman, Secretary
Planning and Zoning Commission
City of Muscatine, Iowa

CERTIFICATE OF TRUE COPY

I, Nancy Lueck, Director of Finance of the City of Muscatine, Iowa, certify that attached hereto are true copies of the following:

1. Certificate of Acceptance of Final Plat (original).
2. Resolution No. ____ - ____ approving the Final Plat Papoose Forest Subdivision, a subdivision in the City of Muscatine, Iowa.
3. Certificate of the Planning & Zoning Commission.

All related to the subdivision of real estate described in those documents, and that all were duly adopted and approved by the City Council and Mayor of the City of Muscatine, Iowa, and the originals are on file in the official records at City Hall for the City of Muscatine, Iowa.

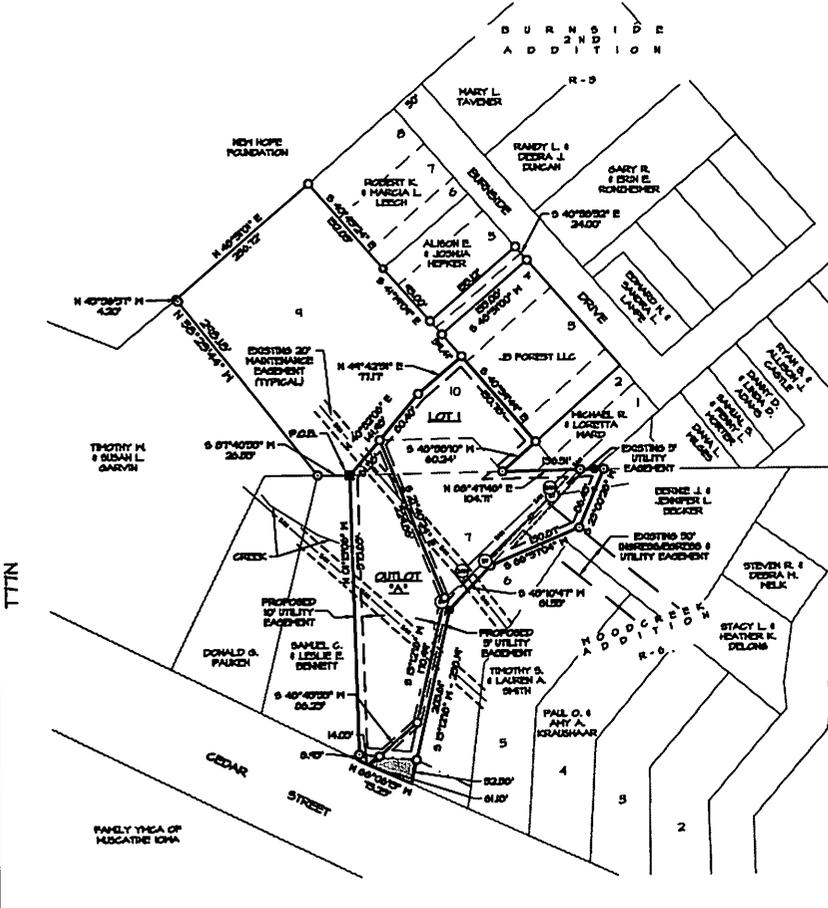
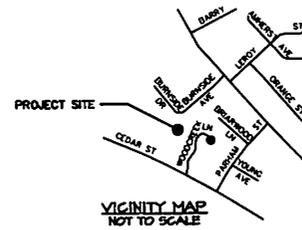
Nancy Lueck, Director of Finance

PAPOOSE FOREST SUBDIVISION PRELIMINARY - FINAL PLAT

R2W



BASIS OF BEARINGS
IOWA STATE PLANE
COORDINATE SYSTEM
SOUTH ZONE



LEGEND

- SET 1/2" X 3/8" REBAR W/YELLOW CAP #10516
- FOUND REBAR
- FOUND REBAR W/CAP
- FOUND PIPE
- FOUND CONCRETE MONUMENT
- (R) R DENOTES RECORD DATA IF OTHER THAN ACTUAL FIELD MEASUREMENT
- EXISTING 5' UTILITY EASEMENT
- EXISTING 20' MAINTENANCE EASEMENT
- EXISTING 50' INGRESS/EGRESS & UTILITY EASEMENT
- PERMANENT ROAD EASEMENT
- PREVIOUS LOT LINES
- PROPOSED LOT LINES
- PROPOSED UTILITY EASEMENT
- SANITARY SEWER MAIN
- STORM MAIN

LAND DESCRIPTION -

LOT 7 AND PART OF LOT 6 OF WOOD CREEK SUBDIVISION AND ALSO PART OF LOT 10 IN BLOCK 3 OF BURNSIDE SECOND ADDITION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

BEARING AT THE INTERSECTING CORNER OF LOT 7 OF WOOD CREEK SUBDIVISION, THENCE NORTH 40°00'00" EAST 143.98 FEET; THENCE NORTH 49°48'10" EAST 77.47 FEET; THENCE SOUTH 40°00'00" EAST 150.75 FEET; THENCE SOUTH 48°30'10" WEST 60.84 FEET; THENCE NORTH 60°47'45" EAST 150.61 FEET; THENCE SOUTH 29°00'25" WEST 64.54 FEET; THENCE SOUTH 09°07'04" WEST 120.17 FEET; THENCE SOUTH 49°10'47" WEST 81.65 FEET; THENCE SOUTH 19°18'10" WEST 80.19 FEET; THENCE NORTH 09°00'15" WEST 74.23 FEET; THENCE NORTH 09°00'15" WEST 284.50 FEET TO THE POINT OF BEGINNING CONTAINING 2.05 ACRES AND SUBJECT TO EASEMENTS OF RECORD.

NOTE: FOR CEDAR STREET PERMANENT EASEMENT, SEE ACQUISITION PLAT - DOC. # 201-05657

AREAS

LOT 1
TOTAL = 1.25 ACRES
NET = 1.20 ACRES
R.O.N. = 0.05 ACRES

OUTLOT 'A'

TOTAL = 0.82 ACRES
NET = 0.81 ACRES
R.O.N. = 0.01 ACRES

OWNER
JER RAINBOW LLC

PROPERTY ADDRESS
LOT 1 & OUTLOT 'A'
1744 ARBOR OAKS DRIVE
MUSCATINE, IOWA 52761

DEVELOPER

BILL PARKS
1744 ARBOR OAKS DRIVE
MUSCATINE, IOWA 52761

ZONING

R-5 RESIDENTIAL DISTRICT
R-6 RESIDENTIAL DISTRICT

SETBACKS

ZONING	R-5	R-6
FRONT YARD	25'	25'
REAR YARD	6'	6'
SIDE YARD	25'	25'
REAR YARD	25'	25'
MAX. HEIGHT	35'	35'
MIN. FRONTAGE	60'	50'

The utility easements as shown are acceptable to the following utilities:

Utility	Title	Date
CENTURYLINK, LC		
INTERSTATE POWER AND LIGHT, AN ALLIANT ENERGY COMPANY		
MUSCATINE POWER & WATER		
Transmission & Distribution	Title	Date
Water Production & Distribution	Title	Date
Communications	Title	Date

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Gary V. Whitacre
Date _____ Reg. No. 10510
My license renewal date is December 31, 2015

Pages or sheets covered by this sheet: 1



**Martin & Whitacre
Surveyors & Engineers, Inc.**

P.O. BOX 413 (563)283-7891 MUSCATINE, IOWA

BILL PARKS PAPOOSE FOREST SUBDIVISION
PRELIMINARY - FINAL PLAT IN THE CITY OF MUSCATINE, IOWA

FILE	BOOK	SCALE	DRN	CHK'D	DATE	JOB NO.
0	CITY 846	1"=100'	JRM	GMM	09/15/15	7405.15
REV.	0					

PREPARED BY: MARTIN & WHITACRE SURVEYORS & ENGINEERS, INC., P.O. BOX 413, MUSCATINE, IOWA 52761, LICENSE # 056-283-7891