

# MUSCATINE

City Hall, 215 Sycamore  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

## COMMUNITY DEVELOPMENT MEMORANDUM

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

**To:** Mayor and City Council Members  
**From:** Andrew Fangman, City Planner  
**Cc:** Gregg Mandsager, City Administrator  
Dave Gobin, Community Development Director  
**Date:** November 16, 2017  
**Re:** Tripar 5 Addition (County)

**INTRODUCTION:** A request has been filed for a combined Preliminary/Final Plat for a five-lot subdivision (a replat of Lot 18 of Margate Addition Replat in Kent Estate) in unincorporated Muscatine County on the north side of Cranbrook Cross just east of its intersection with Ashford Avenue. This proposed subdivision is located in unincorporated Muscatine County but falls within the two-mile limit requiring City of Muscatine review and approval.

**BACKGROUND:** Tripar 5 LLC has filed a combined Preliminary/Final Plat for Tripar 5 Addition a 3.22-acre five lot subdivision in unincorporated Muscatine County on the north side of Cranbrook Cross just east of its intersection with Ashford Avenue. The subject area is zoned R-1 (Residential) within unincorporated Muscatine County. The proposed subdivision would create five new residential lots ranging in size between .62 and .65 acres per lot for building sites for new homes.

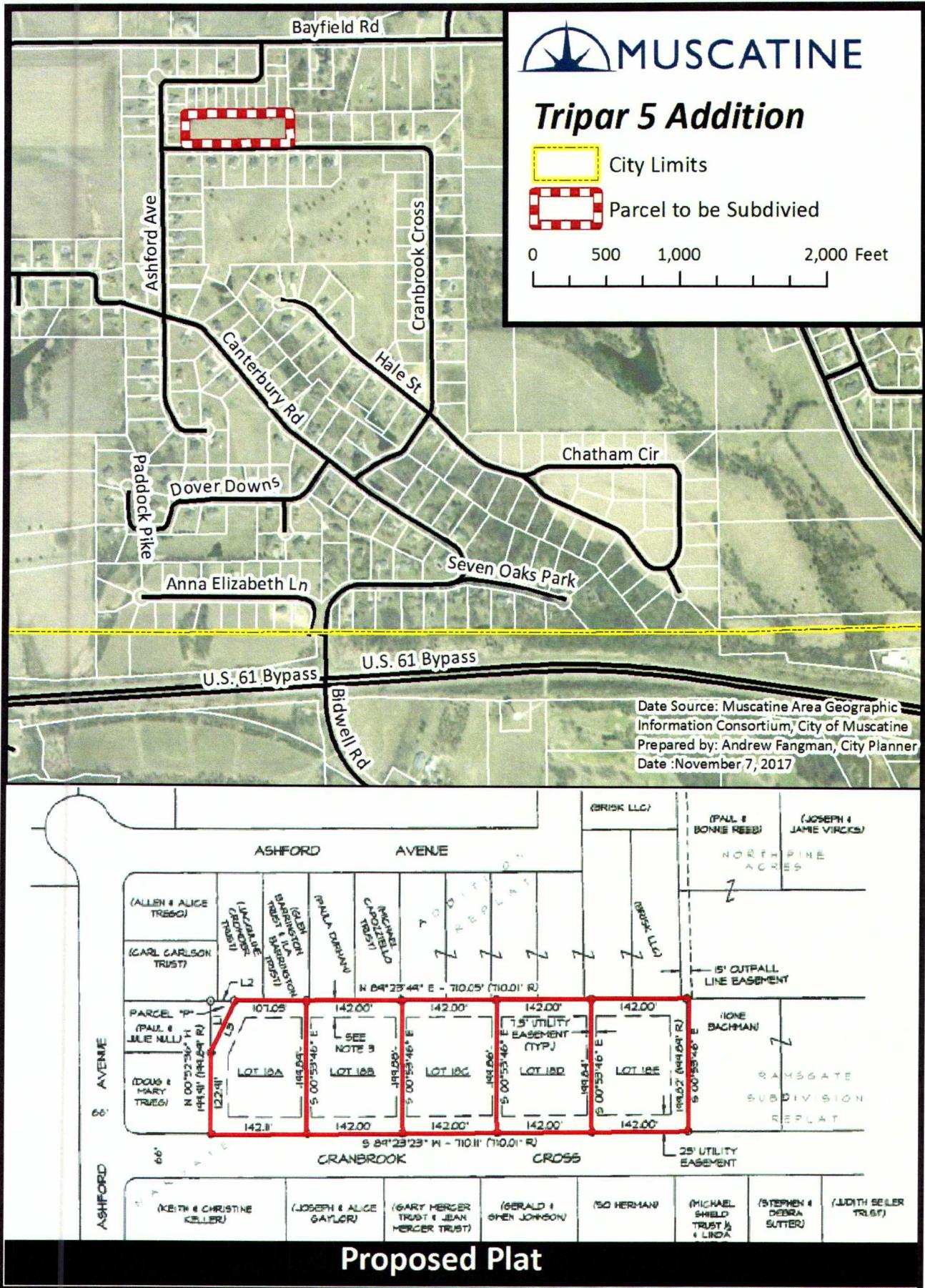
### **RECOMMENDATION/RATIONALE:**

Staff recommends approval of the proposed Tripar 5 Addition. The proposed subdivision would not interfere with the orderly development of the City of Muscatine and is consistent with the adopted Comprehensive Plan

### **BACKUP INFORMATION:**

1. **Resolution Approving the Final Plat**
2. **Certified of Acceptance of the Final Plat**
3. **Certified of the Planning Commission**
4. **Certified of True Copy**
5. **Plat**

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



**EXHIBIT A**

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT  
OF TRIPAR 5 ADDITION**

**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 two miles the Corporate Limits of the City of Muscatine, County of Muscatine, State of Iowa, which plat lays out and subdivides a tract of real estate into **five** lots; to wit:

**Land Description-**

**Lot 18, except Parcel "P", of Margate Addition, in Kent Estates, a subdivision in Muscatine County, Iowa According to replat recorded as Document No. 2003-03177, in the Muscatine County Recorder's Office.**

**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 City Council of the City of Muscatine, Iowa, finds that the plat fully complies with the Statutes of the State of Iowa and the Ordinances of the City of Muscatine, Iowa, relative to plats, additions, and subdivisions within two miles of the Corporate Limits of the City of Muscatine, Iowa, and said plat is conducive to an orderly development of the City of Muscatine, Iowa, and not in conflict with the rights-of-way of any extension of any streets or alleys now established; and

**WHEREAS**, the City Council of the City of Muscatine, Iowa, finds the final plat **Tripal 5 Addition** should be approved.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA**, that said final plat named **Tripal 5 Addition** 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 16<sup>th</sup> Day of November, 2017.**

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

Attest:

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Diana L. Broderson, Mayor

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Gregg Mandsager, City Clerk

**TRIPAR 5 ADDITION**

**CERTIFICATE OF ACCEPTANCE OF FINAL PLAT**

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Diana L. Broderson, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated **Tripar 5 Addition**, in unincorporated Muscatine County, Iowa, but within two miles of the Corporate limit of the City of Muscatine, was on the **16<sup>th</sup> Day of November, 2017**, 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 **16<sup>th</sup> Day of November, 2017**,

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Diana L. Broderson, Mayor

Attest:

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Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this **16<sup>th</sup> Day of November, 2017**, before me, a Notary Public in and for the State of Iowa, personally appeared Diana L. Broderson 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 this **16<sup>th</sup> Day of November, 2017**; that Diana L. Broderson 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.

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Notary Public in and for the State of Iowa

**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 **Tripar 5 Addition** a subdivision in Muscatine County, Iowa, Iowa, was approved and recommended by said Commission on **14<sup>th</sup> Day of November, 2017**, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this **16<sup>th</sup> Day of November, 2017**.

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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 of **Tripar 5 Addition**, a subdivision in Muscatine County, 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.

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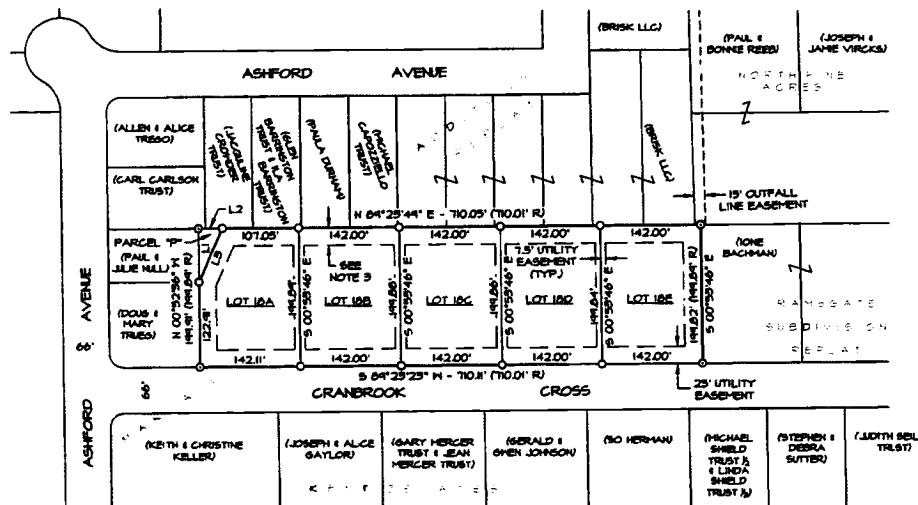
Nancy Lueck, Director of Finance

R2W

## TRIPAR 5 ADDITION FINAL PLAT

REPLAT OF LOT 18 OF MARGATE ADDITION REPLAT IN KENT ESTATES

LINE TABLE		
LINE NO.	BEAR NO.	DISTANCE
L1	N 00°52'36" W	11.00'
L2	N 84°25'44" E	55.00'
L3	S 25°36'44" W	84.45'



This plat and subdivision provisions are acceptable to the Muscatine County Board of Supervisors.

CHAPPERSON Kent Date 10/16/17  
This plat and subdivision provisions are acceptable to the County Engineer provided all roads are to remain in private maintenance.

KEN Kent Date 10/16/17  
This plat and subdivision provisions are acceptable to the Muscatine County Zoning Commission.

KEN Kent Date 10/16/17  
This plat and subdivision provisions are acceptable to the Muscatine County Board of Health.

Eastern Iowa Light and Power Cooperative utility easement requirements for all rural housing subdivisions.

Utility easement shall consist of all platted streets or roads and a 7 1/2 foot wide strip along the center of all interior lot lines and a 25 foot wide strip along all exterior lot lines and a 25 foot wide strip along and adjacent to all platted streets or roads, and a 15 foot wide strip of land on all lots, 7 1/2 foot either side of the underground electric service as built, from the point of origin to the point of service entrance.

## AREAS

TOTAL 9.22 ACRES  
LOTS 10A 0.62 ACRES  
LOTS 10B-10E 0.65 ACRES

## ZONING

R-2 RESIDENTIAL DISTRICT

## SETBACKS

FRONT YARD 55'  
SIDE YARD 12'  
REAR YARD 40'  
\*EXCEPT AS RESTRICTED BY EASEMENTS

## NOTES

- 1) SEE SANITARY PLAN DRAWINGS FOR NEW SEPTIC OUTFALL LINE CONSTRUCTION.
- 2) SEE SANITARY PLAN DRAWINGS FOR EXISTING UTILITIES.
- 3) THE 25' UTILITY EASEMENT ON THE NORTH LINE INCLUDES EXISTING AND PROPOSED SEPTIC LINES.

## DEVELOPER

TRIPAR 5, LLC  
300 E. 2ND STREET, SUITE 300  
MUSCATINE, IOWA 52641

## OWNER

TRIPAR 5, LLC  
300 E. 2ND STREET, SUITE 300  
MUSCATINE, IOWA 52641

Gary W. Whitacre

Date 10/16/17 Reg. No. 10316  
My license renewal date is December 31, 2017

Pages or sheets covered by this seal: 1



SURVEY COMPANY / RETURN TO:  
**Martin & Whitacre**  
**Surveyors & Engineers, Inc.**  
P.O. BOX 413 MUSCATINE, IOWA 52641  
INFO@MARTIN-WHITACRE.COM (563)263-7891

SURVEYOR: GARY W. WHITACRE

PROPRIETOR(S): TRIPAR 5, LLC

REQUESTOR: TRIPAR 5, LLC

LOCATION: LOT 18, OF MARGATE ADDITION, IN KENT ESTATES SUBDIVISION, MUSC. CO., IOWA

SURVEY TYPE: PRELIMINARY PLAT

FILE	BOOK	SCALE	DRW	CHKD	DATE	JOB NO.
KENT EST. KENT EST. #	1-100	1"	DRW	6/14	10/16/17	204616
REV. O			DRW	SURVEY.DMS	SHEET 1 OF 1	