



City of Muscatine



AGENDA ITEM SUMMARY

DATE:12-17-20

City Council

STAFF

Andrew Fangman, Assistant Community Development Director

SUBJECT

Resolution Approving the Final Plat of Basulto's Commercial Addition

EXECUTIVE SUMMARY

Presented for City Council's consideration is a resolution approving the final plat of Basulto's Commercial Addition. The proposed four-lot subdivision is located at 1414 and 1604 Grandview Avenue. The intent of the subdivision is to create individual lots for each of the existing three buildings and to create a fourth lot for a planned new building.

STAFF RECOMMENDATION

The Planning and Zoning Commission, on December 8, 2020, voted 6-0 to recommend approval of this proposed subdivision.

Staff recommends approval of the proposed subdivision.

BACKGROUND/DISCUSSION

If approved the proposed subdivision, submitted by David Basulto, would split the two existing adjoining parcels into four lots. The three existing buildings would each be located on their own lot, and a fourth lot encompassing a vacant area would be created with the intent of it being the site of a new building. All 4 proposed lots would through an access easement, make use of the exiting two driveways onto Grandview Avenue.

All lots that would be created by this proposed subdivision are fully in compliance with all relevant aspects of City Code. The approval of this subdivision would not necessitate the construction any new public infrastructure. The applicant has made significant investments in developing and improving the subject area since acquiring it. This subdivision is intended to facilitate further investment and improvement. Such activity directly supports the revitalization of the Grandview Avenue corridor, a critical goal of the adopted City of Muscatine Comprehensive Plan.

CITY FINANCIAL IMPACT

No direct financial impact on the City. Future development and improvements enabled by this subdivision may lead to increased property tax revenue.

ATTACHMENTS

1. Map
2. Plat
3. Resolution and Supporting Documents

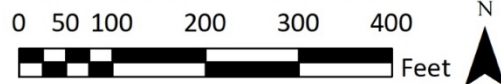


MUSCATINE *Subdivision PZS-21:*



Subject Area

Basulto's Commercial Addition



[illegible]

SURVEY BY: BEN S. HOLLIDAY - VSP ENGINEERING - 2070 HOLIDAY ROAD - SUITE 100 - CORNELLVILLE, IA 52241 - (319) 625-4634

PRELIMINARY PLAT BASULTO'S COMMERCIAL ADDITION

A PART OF THE NORTH ONE-HALF OF SECTION 10, TOWNSHIP 76 NORTH,
RANGE 2 WEST, 5TH P.M., CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

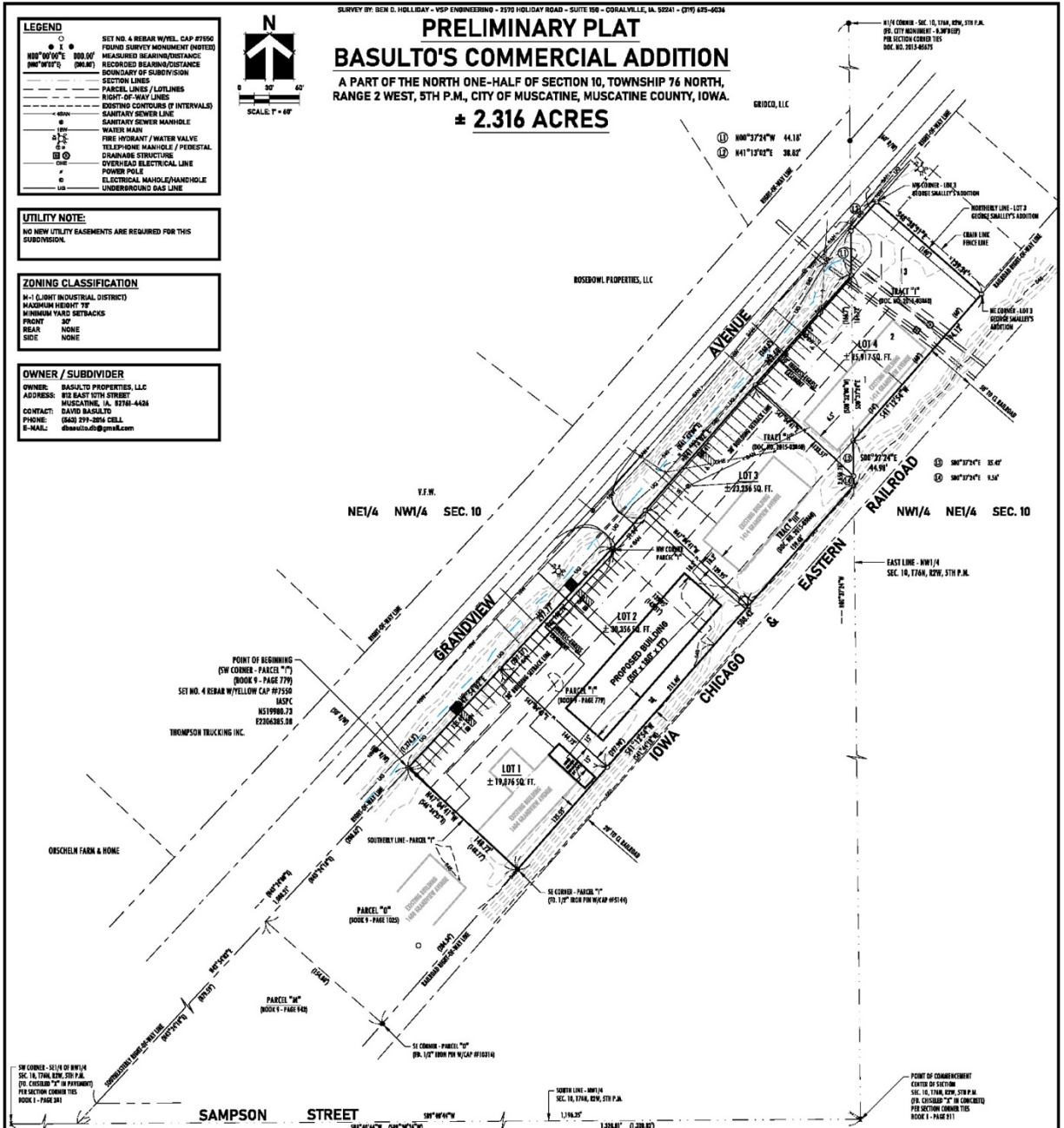
± 2.316 ACRES

LEGEND	
	SET NO. 4 REBAR W/VEL. CAP #7590 FOUND SURVEY MONUMENT (NOTES)
	RECORDED MEASUREMENT/DISTANCE
	RECORDED MEASUREMENT/DISTANCE
	BOUNDARY OF SUBDIVISION
	SECTION LINES
	RIGHT-OF-WAY LINES
	EXISTING CONTOURS (INTERVALS)
	SANITARY SEWER LINE
	SANITARY SEWER MANHOLE
	WATER MAIN
	FIRE HYDRANT / WATER VALVE
	TELEPHONE MANHOLE / PERESTAL
	DRAINAGE STRUCTURE
	OVERHEAD ELECTRICAL LINE
	POWER POLE
	ELECTRICAL MANHOLE/HANDHOLE
	UNDERGROUND GAS LINE

UTILITY NOTE:
NO NEW UTILITY EASEMENTS ARE REQUIRED FOR THIS SUBDIVISION.

ZONING CLASSIFICATION
M-1 (LIGHT INDUSTRIAL DISTRICT)
MAXIMUM HEIGHT 7'2"
MINIMUM YARD SETBACKS
FRONT 30'
REAR NONE
SIDE NONE

OWNER / SUBDIVIDER
OWNER: BASULTO PROPERTIES, LLC
ADDRESS: 812 EAST 10TH STREET
MUSCATINE, IA 52744-4404
CONTACT: DAVID BASULTO
PHONE: (562) 297-2074 CELL
E-MAIL: dbasulto@basulto.com



LEGAL DESCRIPTION
A PARCEL OF LAND BEING ALL OF PARCEL "Y" (BOOK 9 - PAGE 779) AND ALL OF TRACTS L1 & L2 AS DESCRIBED IN SUBMIT "A" OF THE WARRANTY DEED (2015-03886) ALL AS RECORDED IN THE MUSCATINE COUNTY RECORDS OFFICE AND BEING SITUATED IN THE NORTH ONE-HALF OF SECTION 10, TOWNSHIP 76 NORTH, RANGE 2 WEST, 5TH P.M. IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE CENTER OF SECTION 10 (20' DISSEMINATED 70' IN CONCRETE PAVEMENT), THENCE SOUTH 89°46'44" WEST, 176.35 FEET ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO A POINT LYING ON THE SOUTHEASTERN RIGHT-OF-WAY LINE OF GRANDVIEW AVENUE, THENCE NORTH 4°14'52" EAST, 1088.21 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF PARCEL "Y" IN BOOK 9 - PAGE 779 OF THE MUSCATINE COUNTY RECORDS OFFICE (SET NO. 4 REBAR WITH YELLOW CAP #7590) AND THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 42°54'02" EAST, 291.77 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF SAID PARCEL "Y", THENCE NORTH 4°14'52" EAST, 312.68 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT LYING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, THENCE NORTH 0°17'24" WEST, 43.18 FEET ALONG SAID EAST LINE AND RIGHT-OF-WAY LINE, THENCE NORTH 47°32'32" EAST 38.53 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 3 IN BLOCK 4 OF GEORGE SMALL'S ADDITION BOOK 27A, PAGE 58 AS RECORDED IN THE MUSCATINE COUNTY RECORDS OFFICE, THENCE SOUTH 48°39'58" EAST, 129.34 FEET ALONG THE NORTHERLY LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF SAID LOT 3 AND A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA, CHICAGO & EASTERN RAILROAD, THENCE SOUTH 47°32'32" WEST, 74.12 FEET ALONG SAID RAILROAD RIGHT-OF-WAY LINE TO A POINT LYING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, THENCE SOUTH 89°46'44" EAST, 44.18 FEET ALONG SAID EAST LINE AND RAILROAD RIGHT-OF-WAY LINE, THENCE SOUTH 47°32'32" WEST, 304.43 FEET ALONG SAID RAILROAD RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF SAID PARCEL "Y" (20' DISSEMINATED 70' IN CONCRETE PAVEMENT), THENCE NORTH 47°32'32" WEST, 148.72 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL "Y" TO THE POINT OF BEGINNING.
SAID PARCEL OF LAND CONTAINING 2.316 ACRES MORE OR LESS AND SUBJECT TO ALL COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD.



VSP
ENGINEERING
2570 Holiday Road - Suite 150 Cornellville, IA 52241
Ph: (319) 625-4634
www.vspeng.com

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

BASULTO’S COMMERCIAL ADDITION
CERTIFICATE OF ACCEPTANCE OF FINAL PLAT

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Diana L. Broderson and Carol Webb, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated **Basulto’s Commercial Addition**, in the City of Muscatine, Muscatine County, Iowa, was on **December 17, 2020**, 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 December, 2020**

Diana L. Broderson, Mayor

Attest:

Carol Webb, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this **17th Day of December, 2020**, before me, a Notary Public in and for the State of Iowa, personally appeared Diana L. Broderson and Carol Webb, 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 the **17th Day of December, 2020**, that Diana L. Broderson and Carol Webb, 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. 2020-0417

A RESOLUTION APPROVING THE FINAL PLAT OF BASULTO'S COMMERCIAL 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 the Corporate Limits of the City of Muscatine, State of Iowa, which plat lays out **four** lots; to wit:

A PARCEL OF LAND BEING ALL OF PARCEL "T" (BOOK 9 OF PLATS, PAGE 779) AND ALL OF TRACTS I, II & III AS DESCRIBED IN EXHIBIT "A" OF THE WARRANTY DEED (2015-03860) ALL AS RECORDED IN THE MUSCATINE COUNTY RECORDER'S OFFICE AND BEING SITUATED IN THE NORTH ONE-HALF OF SECTION 10, TOWNSHIP 76 NORTH, RANGE 2 WEST, 5TH P.M. IN THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 10 (FD. CHISELED "X" IN CONCRETE PAVEMENT); THENCE SOUTH 89°40'44" WEST, 1,196.35 FEET ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO A POINT LYING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF GRANDVIEW AVENUE; THENCE NORTH 42°54'102" EAST, 1,088.21 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF PARCEL "T" IN BOOK 9 - PAGE 779 OF THE MUSCATINE COUNTY RECORDER'S OFFICE (SET NO. 4 REBAR WITH YELLOW CAP #7550) AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 42°54'102" EAST, 297.77 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF SAID PARCEL "T"; THENCE NORTH 41°13'02" EAST, 362.60 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT LYING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 00°37'24" WEST, 44.18 FEET ALONG SAID EAST LINE AND RIGHT-OF-WAY LINE; THENCE NORTH 41°13'02" EAST 38.82 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 3 IN BLOCK 5 OF GEORGE SMALLEY'S ADDITION BOOK 226, PAGE 139 AS RECORDED IN THE MUSCATINE COUNTY RECORDER'S OFFICE; THENCE SOUTH 48°38'51" EAST, 139.34 FEET ALONG THE NORTHERLY LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF SAID LOT 3 AND A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA, CHICAGO & EASTERN RAILROAD; THENCE SOUTH 41°12'54" WEST, 194.12 FEET ALONG SAID RAILROAD RIGHT-OF-WAY TO A POINT LYING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE SOUTH 00°37'24" EAST, 44.98 FEET ALONG SAID EAST LINE AND RAILROAD RIGHT-OF-WAY LINE; THENCE SOUTH 41°12'54" WEST, 508.42 FEET ALONG SAID RAILROAD RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF SAID PARCEL "T" (FD. 1/2" IRON PIN W/CAP # 5144); THENCE NORTH 47°04'41" WEST, 148.72 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL "T" TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINING 2.316 ACRES MORE LESS AND SUBJECT TO ALL COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD.

WHEREAS, said plat has been approved, on December 8, 2020, 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 of **Basulto's Commercial Addition** should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named **Basulto's Commercial 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 17th Day of December, 2020.

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

Attest:

Diana L. Broderson, Mayor

Carol Webb, 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 **Basulto's Commercial Addition**, a subdivision in the City of Muscatine, Iowa, was approved and recommended by said Commission on the **8th Day of December, 2020**, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this **8th Day of December, 2020**.

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. 2020-0417 approving the Final Plat of Basulto's Commercial Addition, a subdivision in the City of Muscatine, Iowa.
3. Certificate of the Planning & Zoning Commission.

All documents 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