



COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Andrew Fangman, City Planner
Date: November 15, 2011
Re: Zoning Change • Muscatine County C-1to C-1 Neighborhood & General Commercial • 2875 Highway 61

INTRODUCTION: Community Bank on behalf of Mills Marine, LLC, has submitted an application to rezone two adjoining parcels totaling approximately 18 acres parcel located at 2875 Highway 61 from Muscatine County C-1 & Muscatine County C-1 to C-1 Neighborhood & General Commercial. See attached map for location details and current zoning of the subject parcel and surrounding area.

BACKGROUND: Community Bank on behalf of Mills Marine, LLC, has submitted an application to rezone two adjoining parcels totaling approximately 18 acres parcel located at 2875 Highway 61 from Muscatine County C-1 & Muscatine County C-1 to C-1 Neighborhood & General Commercial, upon annexation of this parcel into the City of Muscatine. Mills Marine, LLC plans to purchase and relocate its boat and ATV sales and service to this property. There is a signed annexation agreement for these parcels and this rezoning would run concurrently with completion of the annexation process. Currently the subject parcel is the location of a disused asphalt plant. The City of Muscatine Comprehensive Plan adopted in June of 2002 designated the desired future land of this area as rural residential/agriculture.

RECOMMENDATION/RATIONALE: It is recommended that the City Council take action to approve the resolution setting a public hearing on the zoning change for the property located at 2875 Highway for Thursday, December 6, 2012.

BACKUP INFORMATION:

1. Resolution setting the Public Hearing
2. Public Notice
3. Map
4. Rezoning Application

RESOLUTION NO. _____

**A RESOLUTION SETTING THE TIME AND PLACE OF A
PUBLIC HEARING ON A PROPOSED ZONING CHANGE, 2875
HIGHWAY 61, MUSCATINE COUNTY, IOWA**

WHEREAS, the Planning and Zoning Commission of the City of Muscatine, Iowa, has been requested to rezone from Muscatine County C-1 to C-1 Neighborhood & General Commercial, upon annexation into the City of Muscatine; said property described as:

Part of the Southeast Quarter of Section 18, Township 77 North, Range 1 West of the 5th Principal Meridian, in Muscatine County, Iowa, bounded and described as follows;

Commencing at the center of said Section 18, running thence East 23.67 chains to the middle of the Telegraph Road; thence along said road south 32 ¾° West, 11.58 chains; thence West 17.40 chains; thence North 9.75 chains to the place of beginning, and containing 18 acres, more or less.

WHEREAS, a determination has been made by the Planning and Zoning considered this request, and took action at its November 13 2012 meeting to recommend approval; and

WHEREAS, The City Council for the City of Muscatine, Iowa, must conduct a public hearing prior to action on said rezoning request, and

WHEREAS, The Council must now set the time and place for a public hearing upon said change in zoning.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that a public hearing be held on the 6th day of December, 2012, at 7:00 p.m., in the City Hall Council Chambers in City Hall, and that the attached public notice of the time and place of said public hearing shall be given by publication in the Muscatine Journal at least seven (7) days but not more than twenty (20) days prior to the established date of the public hearing.

PASSED, APPROVED, AND ADOPTED this 15th day of November 2012.

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

Attest:

DeWayne Hopkins, Mayor

Gregg Mandsager, City Clerk

PUBLIC NOTICE

NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON PROPOSED ZONING CHANGE, 2875 HIGHWAY 61, MUSCATINE COUNTY, IOWA

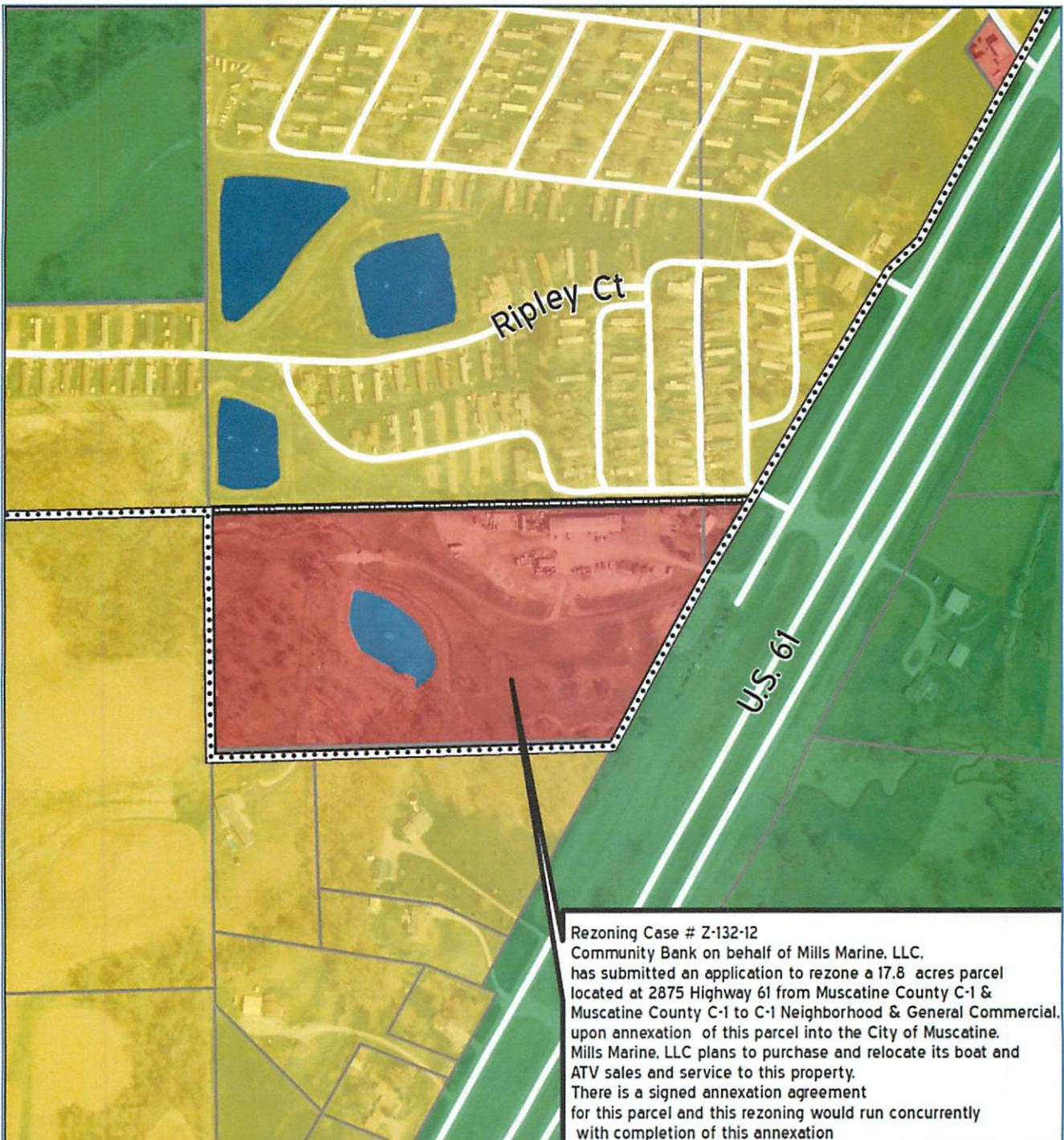
Notice is hereby given that a proposed zoning change has been reviewed and recommended for approval by the Planning & Zoning Commission for the City of Muscatine, Iowa. Said zoning would change the property located at 2875 Highway 61 rezone from Muscatine County C-1 to C-1 Neighborhood & General Commercial, upon annexation into the City of Muscatine. The real estate is further described as:

Part of the Southeast Quarter if Section 18, Township 77 North, Range 1 West of the 5th Principal Meridian, in Muscatine County, Iowa, bounded and described as follows;

Commencing at the center of said Section 18, running thence East 23.67 chains to the middle of the Telegraph Road; thence along said road south 32 $\frac{3}{4}$ ° West, 11.58 chains; thence West 17.40 chains; thence North 9.75 chains to the place of beginning, and containing 18 acres, more or less.

Notice is further given that the City council of the City of Muscatine, Iowa, will conduct a public hearing on said zoning change on Thursday, December 6, 2012, at 7:00 p.m. in the City Hall Council Chambers, at which time all interested parties are invited to comment.

Gregg Mandsager, City Clerk



Rezoning Case # Z-132-12



City Limit Upon Completion of Annexation



Subject Parcels



Parcel Line

- Muscatine County-AI
- Muscatine County-C1
- Muscatine County-M2
- Muscatine County-RI

CITY OF MUSCATINE, IOWA

APPLICATION FOR ZONING CHANGE

File No. Z-132-12
Date Filed 10/15/12
Fee Paid \$2000
Receipt No. 84408

Planning and Zoning Commission

Commissioners:

Pursuant to Section 10-22-7 of the City Code of the City of Muscatine, Iowa, the undersigned hereby requests that the following described real estate in the City of Muscatine, Iowa, to-wit:

Legal Description: See Exhibit A attached hereto

be rezoned from A-1 District to C-1 District.
(County Zoning)

The purpose of the rezoning request is to run concurrently with the annexation of this property in the City limits of Muscatine, and to change the zoning classification to be compatible with the proposed buyer, Mills Marine, LLC plans to purchase and relocate it's boat and ATV sales and service to this property.

Mills Marine, LLC


Matt Mills
2445 Mittman Road
Muscatine, IA 52761
563/264-2836

Respectfully submitted, Community Bank


Name Tom Rohlf EVP
Address 615 Cedar Street
Address Muscatine, IA 52761
Phone 563/263-1122

NOTE:

The following must be attached with this application, processing will not be initiated until received:

1. A copy of the Auditor's plat indicating all property within 200 feet of the perimeter of the above described real estate.
2. A list of all persons, with their current addresses, owning property within 200 feet of the perimeter of the above described real estate.
3. Application Fee: \$200.00

Exhibit A

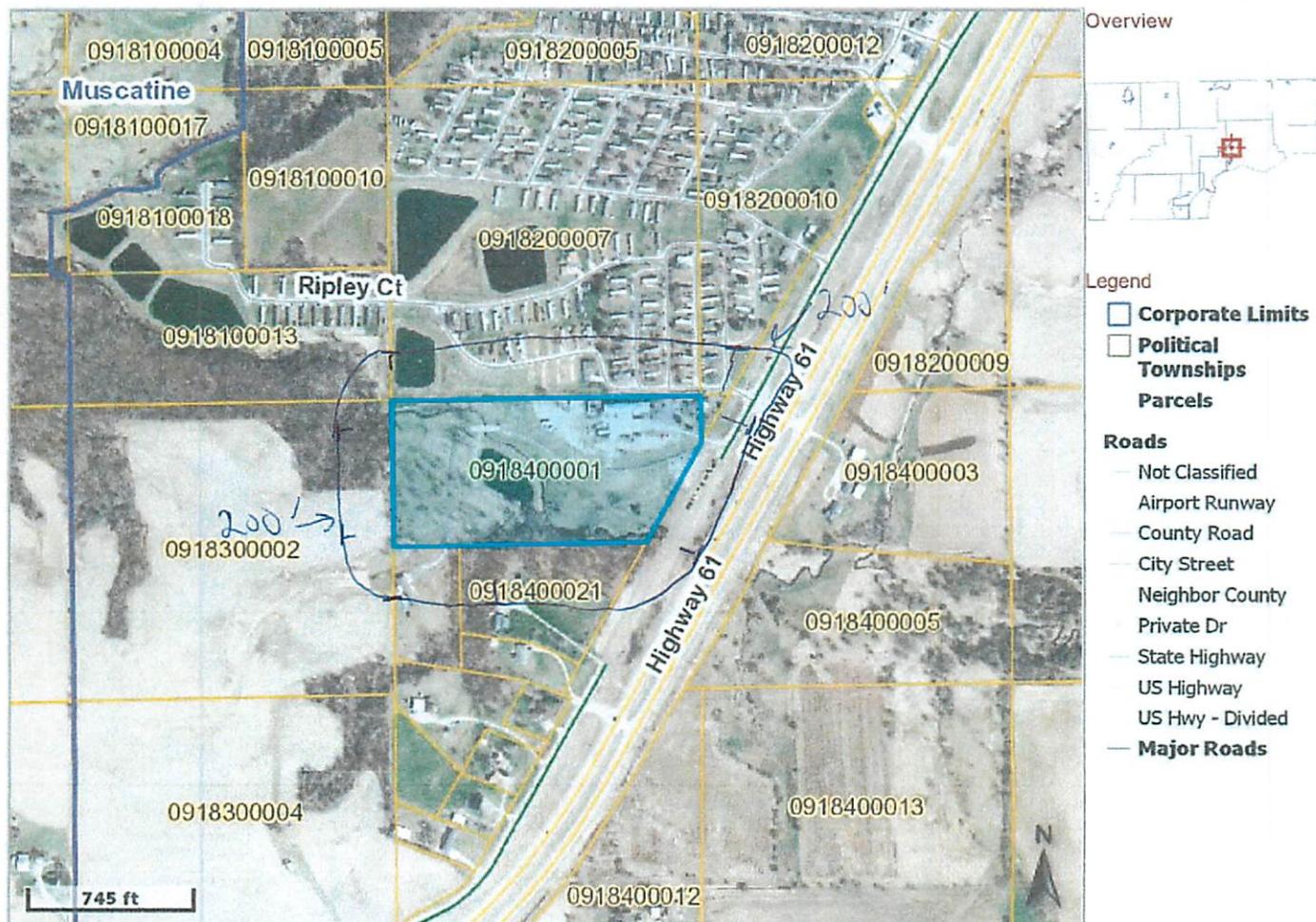
Part of the Southeast Quarter of Section 18,
Township 77 North, Range 1 West of the 5th Principal
Meridian, in Muscatine County, Iowa, bounded and
described as follows:

Commencing at the center of said Section 18, running
thence East 23.67 chains, to the middle of the Telegraph
Road; thence along said road South $32\frac{3}{4}^{\circ}$ West, 11.58
chains; thence West 17.40 chains; thence North 9.75
chains to the place of beginning, and containing 18
acres, more or less.

Muscatine Area Geographic Information Consortium (MAGIC)



Date Created: 10/9/2012



Parcel ID: 0918400001
Alternate ID: n/a
Owner Address: COMMUNITY BANK
615 CEDAR ST
MUSCATINE IA 52761
Sec/Twp/Rng: 18-77-1
Class: C - COMMERCIAL
Property Address: 2875 HWY 61
MUSCATINE
Acreage: n/a

(Note: Not to be used on legal documents)

Last Data Upload: 10/9/2012 3:44:15 AM