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COMMUNITY DEVELOPMENT

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

MEMORANDUM

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 M-2, A-1, and R-1 to the R-4 Residential District • Ripley's Mobile Home Park, U.S. 61

INTRODUCTION: Ripley's Development Corp, the deed holder of 9 parcels totaling 131.8 acres of land along U.S. 61 upon which Ripley's Mobile Home Park is located, has signed an agreement to voluntarily annex these parcels into the City of Muscatine. This request is to rezone these parcels from Muscatine County M-2, A-1, and R-1 to the R-4 Residential District. See attached map for location details and current zoning of the subject parcel and surrounding area.

BACKGROUND: Ripley's Development Corp, the deed holder of 9 parcels totaling 131.8 acres of land along U.S. 61 upon which Ripley's Mobile Home Park is located, has signed an agreement to voluntarily annex these parcels into the City of Muscatine. The subject parcels are currently zoned as either Muscatine County M-2, A-1, and R-1. This request is to rezone them to the R-4 Residential District. The R-4 Residential District, is the City of Muscatine zoning district which permits mobile home parks. This rezoning will run concurrently with annexation of these parcels. The voluntary annexation agreement between the City of Muscatine and Ripley's Development Corp stipulates that this parcel will placed into a zoning district that is most equivalent to its current Muscatine County zoning district. This rezoning will run concurrently with annexation of this parcel.

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 along Highway 61 and know Ripley's Mobile Home Park for Thursday, December 6, 2012.

BACKUP INFORMATION:

1. Resolution string the Public Hearing
2. Public Notice
3. Map

RESOLUTION NO. _____

**A RESOLUTION SETTING THE TIME AND PLACE OF A
PUBLIC HEARING ON A PROPOSED ZONING CHANGE,
RIPLEY'S MOBILE HOME PARK, 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 M-2, A-1, and R-1 to the R-4 Residential District, upon annexation into the City of Muscatine; said property described as:

ALL THAT PART OF THE NORTHEAST QUARTER (NE) OF SECTION EIGHTEEN (18) TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE ONE (1) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, SITUATED IN MUSCATINE COUNTY, IOWA LYING NORTH AND WEST OF U.S. HIGHWAY #61. EXCEPT 3.24 ACRES IN THE NORTHWEST CORNER THEREOF CONVEYED TO THE DAVENPORT & MUSCATINE RAILWAY COMPANY AND TO J.C. WOOD BY RIGHT OF WAY DEED RECORDED IN BOOK 57 OF LANDS PAGE 28 AND WARRANTY DEED RECORDED IN BOOK 55 OF LANDS, PAGE 499. EXCEPT A PARCEL OF LAND CONVEYED TO MUSCATINE COUNTY FOR ROAD PURPOSES BY DEEDS RECORDED IN BOOK 57 OF LANDS PAGE 28 AND BOOK 55 OF LANDS, PAGE 499 AND BOOK 67 OF LANDS, PAGE 480 AND EXCEPT PART UNDER AMENDMENT TO LAND LEASE AGREEMENT CONVEYED TO CASEY'S GENERAL STORES, INC. RECORDED IN BOOK 363 PAGE 1007. AND EXCEPT A PARCEL OF LAND CONVEYED TO SPRING VALLEY BIBLE CAMP BY WARRANTY DEED RECORDED AS DOCUMENT NO. 2008-06106. ALSO THE SOUTH SIXTEEN AND ONE-HALF (16 1/2) ACRES OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION EIGHTEEN (18), IN TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE ONE (1) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN. ALSO ALL THAT PART OF THE FOLLOWING DESCRIBED REAL ESTATE LYING SOUTH AND EAST OF THE CITY OF MUSCATINE ANNEXATION AS SHOWN IN DOCUMENT NO. 2009—03952: THE WEST 49.68 ACRES OF THE EAST 79.89 ACRES OF THE NORTH 158.36 ACRES OF THE NORTHWEST QUARTER (1/4) OF SECTION EIGHTEEN TOWNSHIP SEVENTY-SEVEN (77) NORTH RANGE ONE (1) WEST OF THE 5TH P.M., TOGETHER WITH ALL RIGHT, TITLE, AND INTEREST IN THE FORMER RIGHT-OF-WAY OF CLINTON, DAVENPORT AND MUSCATINE RAILWAY COMPANY CONVEYED TO CHRISTIAN ALTENBERND AND KATE ALTENBERND BY SAID CLINTON, DAVENPORT AND MUSCATINE RAILWAY BY QUIT CLAIM DEED DATED NOVEMBER 29, 1939, AND RECORDED IN BOOK 88 OF LANDS PAGE 452, OF THE REAL ESTATE RECORDS OF MUSCATINE COUNTY, IOWA; SITUATED IN MUSCATINE COUNTY, STATE OF IOWA.

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

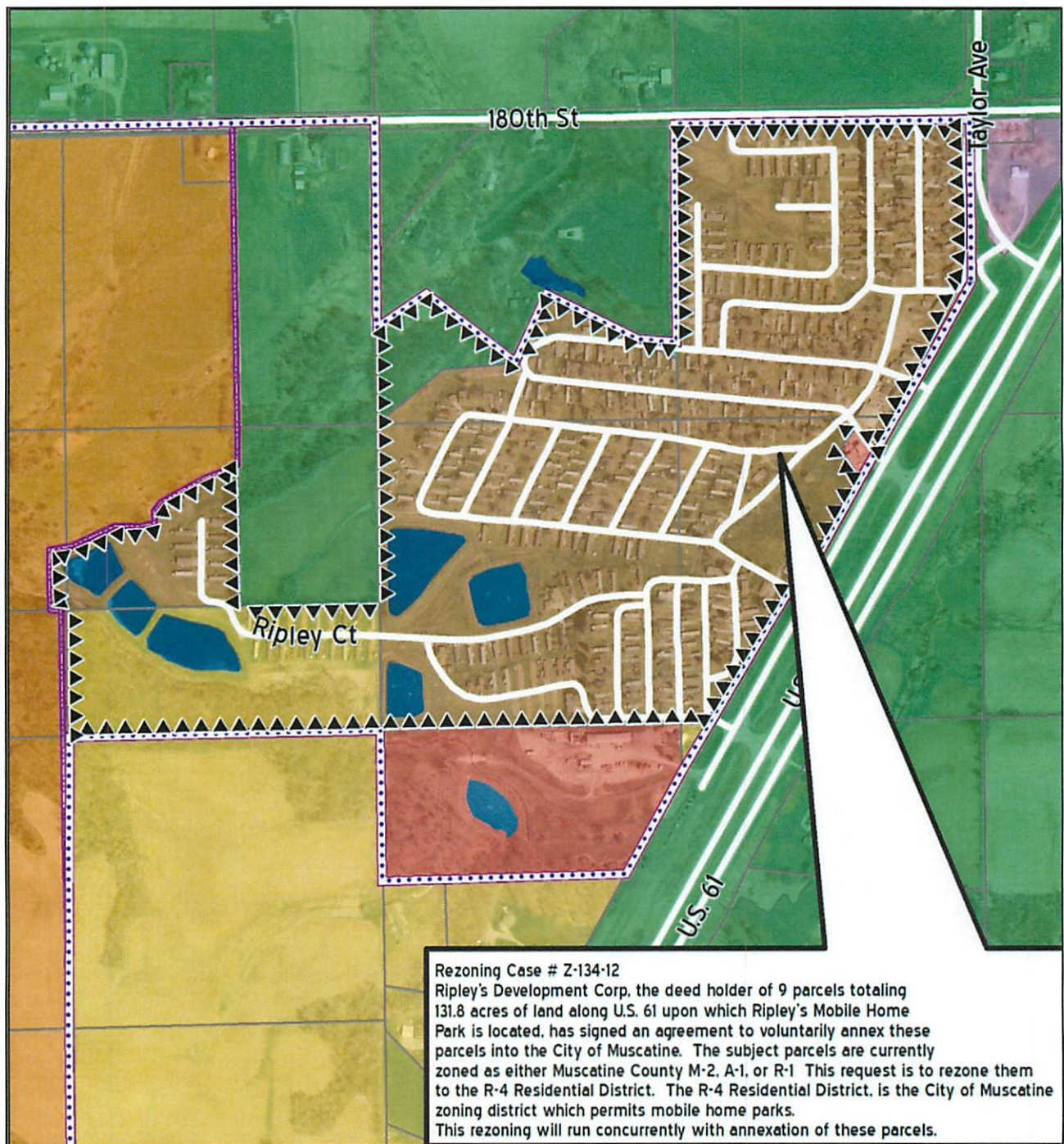
NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON PROPOSED ZONING CHANGE, RIPLEY'S MOBILE HOME PARK HIGHWAY 61, MUSCATINE COUNTY, IOWA

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, Ripley's Mobile Home Park. Locate along Highway 61, from Muscatine County M-2, A-1, and R-1 to the R-4 Residential District, upon annexation into the City of Muscatine. The real estate is further described as:

ALL THAT PART OF THE NORTHEAST QUARTER (NE) OF SECTION EIGHTEEN (18) TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE ONE (1) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, SITUATED IN MUSCATINE COUNTY, IOWA LYING NORTH AND WEST OF U.S. HIGHWAY #61. EXCEPT 3.24 ACRES IN THE NORTHWEST CORNER THEREOF CONVEYED TO THE DAVENPORT & MUSCATINE RAILWAY COMPANY AND TO J.C. WOOD BY RIGHT OF WAY DEED RECORDED IN BOOK 57 OF LANDS PAGE 28 AND WARRANTY DEED RECORDED IN BOOK 55 OF LANDS, PAGE 499. EXCEPT A PARCEL OF LAND CONVEYED TO MUSCATINE COUNTY FOR ROAD PURPOSES BY DEEDS RECORDED IN BOOK 57 OF LANDS PAGE 28 AND BOOK 55 OF LANDS, PAGE 499 AND BOOK 67 OF LANDS, PAGE 480 AND EXCEPT PART UNDER AMENDMENT TO LAND LEASE AGREEMENT CONVEYED TO CASEY'S GENERAL STORES, INC. RECORDED IN BOOK 363 PAGE 1007. AND EXCEPT A PARCEL OF LAND CONVEYED TO SPRING VALLEY BIBLE CAMP BY WARRANTY DEED RECORDED AS DOCUMENT NO. 2008-06106. ALSO THE SOUTH SIXTEEN AND ONE-HALF (16 1/2) ACRES OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION EIGHTEEN (18), IN TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE ONE (1) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN. ALSO ALL THAT PART OF THE FOLLOWING DESCRIBED REAL ESTATE LYING SOUTH AND EAST OF THE CITY OF MUSCATINE ANNEXATION AS SHOWN IN DOCUMENT NO. 2009—03952: THE WEST 49.68 ACRES OF THE EAST 79.89 ACRES OF THE NORTH 158.36 ACRES OF THE NORTHWEST QUARTER (1/4) OF SECTION EIGHTEEN TOWNSHIP SEVENTY-SEVEN (77) NORTH RANGE ONE (1) WEST OF THE 5TH P.M., TOGETHER WITH ALL RIGHT, TITLE, AND INTEREST IN THE FORMER RIGHT-OF-WAY OF CLINTON, DAVENPORT AND MUSCATINE RAILWAY COMPANY CONVEYED TO CHRISTIAN ALTENBERND AND KATE ALTENBERND BY SAID CLINTON, DAVENPORT AND MUSCATINE RAILWAY BY QUIT CLAIM DEED DATED NOVEMBER 29, 1939, AND RECORDED IN BOOK 88 OF LANDS PAGE 452, OF THE REAL ESTATE RECORDS OF MUSCATINE COUNTY, IOWA; SITUATED IN MUSCATINE COUNTY, STATE OF IOWA.

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-134-12

- City Limit Upon Completion of Annexation
- Current City Limit Line
- Parcel Line

- Current Zoning**
- Muscatine County-A1
 - Muscatine County-C1
 - Muscatine County-M2
 - Muscatine County-R1
 - Muscatine County-R3
 - City of Muscatine R-3

Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine
 Prepared by: Andrew Fangman, City Planner
 Date: October 23, 2012

0 250 500 1000 Feet

