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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: Steven Boka, Director of Community Development

Date: March 5, 2013

Re: Request to Set Public Hearing – 2013 Muscatine Urban Revitalization Area

INTRODUCTION: Pursuant to the provisions of Chapter 404 of the Code of Iowa, the City of Muscatine may designate an area(s) of the City as an urban revitalization area, if that area meets the criteria of Section 1 of the Act. Before designating an urban revitalization area, the City must prepare a proposed plan for the area(s), hold certain public hearings thereon, and otherwise comply with the procedures set forth in the Act.

BACKGROUND: The City Council continues to promote economic development in the City through the use of urban revitalization programs, enterprise zones, and tax increment financing. While frequently used for commercial and industrial expansion and job retention, Chapter 404 also provides a mechanism for expanding that effort to include tax abatement programs intended to incentivize residential development and the preservation of historic properties. Following a presentation to City Council in September of 2012, staff was authorized to begin developing a program to address and stimulate new and expanding residential development in designated areas, promote infill opportunities, and encourage historic preservation. The first step in developing a revitalization area under Chapter 404 is to set a public hearing on the matter. State law requires that notification be mailed to all owners real property located within the proposed boundaries of the urban revitalization area at least 30 days prior to the scheduled hearing. The public notice must also be published in the *Muscatine Journal* at least 4 but not more than 20 days prior to the hearing.

RECOMMENDATION/RATIONALE: It is recommended that the City Council adopt the attached resolution declaring necessity and providing for notice of hearing on the proposed revitalization area for Muscatine.

BACKUP INFORMATION:**1. Resolution**

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

MINUTES OF MEETING TO SET
HEARING DATE ON PROPOSED
URBAN REVITALIZATION PLAN

(NRA) 421464-37

Muscatine, Iowa

March 7, 2013

A meeting of the City Council of Muscatine, Iowa, was held at _____ o'clock ____m.,
at the _____, in the City, on March 7, 2013. The Mayor presided and the roll
was called, showing members present and absent as follows:

Present: _____

Absent: _____.

The City Council took up and considered the establishment of a proposed urban
revitalization area and a proposed urban revitalization plan pursuant to Chapter 404, Code of
Iowa. Whereupon, Council Member _____ moved the adoption of the
resolution declaring necessity and providing for notice of hearing on proposed urban
revitalization plan. The motion was seconded by Council Member _____,
and passed by record vote as follows:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution adopted as follows:

RESOLUTION NO. _____

Resolution declaring necessity and providing for notice of hearing on proposed urban revitalization plan.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act") the City of Muscatine, Iowa (the "City"), may designate an area of the City as an urban revitalization area, if that area meets the criteria of Section 1 of the Act; and

WHEREAS, pursuant to the provisions of the Act, before designating an urban revitalization area, the City must prepare a proposed plan for the designated urban revitalization area, hold certain public hearings thereon, and otherwise comply with the procedures set forth in the Act; and

WHEREAS, it has been proposed that certain real property situated within the City (hereinafter referred to as the "2013 Muscatine Housing Urban Revitalization Area") be designated as a revitalization area pursuant to the Act, such 2013 Muscatine Housing Urban Revitalization Area being legally described and having such boundaries as formally set forth in the notice appearing as part of this resolution in Section 5 hereof; and

WHEREAS, a proposed plan (the "Proposed Plan") for the 2013 Muscatine Housing Urban Revitalization Area is being prepared for presentation to the City Council for consideration in accordance with the provisions of the Act;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscatine, Iowa, as follows:

Section 1. It is hereby found and determined:

(a) A portion of the property situated in the 2013 Muscatine Housing Urban Revitalization Area is an area which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, deterioration of site or other improvements, and a combination of these and other factors, substantially impairs or arrests the sound growth of the City, constitutes an economic and social liability and is a menace to the public welfare in its present condition and use.

(b) A portion of the property to be situated in the 2013 Muscatine Housing Urban Revitalization Area comprises an area in which there is a predominance of buildings and improvements which, by reason of age, history, architecture and significance, should be preserved and/or restored to productive use.

(c) The 2013 Muscatine Housing Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.

(d) The 2013 Muscatine Housing Urban Revitalization Area is an area which is appropriate for public improvements related to housing and residential development, or

construction of housing and residential development, including single or multifamily housing.

(e) The rehabilitation, redevelopment, economic development and promotion of housing and residential development in the 2013 Muscatine Housing Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the 2013 Muscatine Housing Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.

Section 2. This Council will meet at 7:00 o'clock p.m., on the 11th day of April, 2013, at the City Hall Council Chambers, in the City, at which time and place it will conduct a public hearing on the Proposed Plan and the designation of the 2013 Muscatine Housing Urban Revitalization Area as an urban revitalization area pursuant to the Act.

Section 3. The City Clerk is hereby directed to give notice of such hearing by publication once, in a newspaper published at least once weekly and having general circulation in the City, not less than four nor more than twenty days before the date on which the hearing will be held. In addition, the City Clerk is hereby directed to send notice of such hearing by ordinary mail to the last known address of the owners of record of real property located within the 2013 Muscatine Housing Urban Revitalization Area, such notice to be mailed by no later than the thirtieth day prior to the date set for the hearing.

Section 4. As authorized by the Act, this Council hereby waives the mailing of notice to the "occupants" of city addresses located within the 2013 Muscatine Housing Urban Revitalization Area, due to the lack of a reasonably current and complete address list and the finding of the Council that published notice will be sufficient to apprise such persons of the hearing.

Section 5. Such notice shall be in the form substantially, as follows:

NOTICE OF PUBLIC HEARING ON THE DESIGNATION OF THE
2013 MUSCATINE HOUSING URBAN REVITALIZATION AREA AND THE ADOPTION
OF A PLAN FOR SUCH REVITALIZATION AREA

NOTICE IS HEREBY GIVEN: That there is now on file for public inspection in the office of the City Clerk of Muscatine, Iowa, a Proposed Urban Revitalization Plan (the "Plan") for the rehabilitation and redevelopment of the property proposed for inclusion on the 2013 Muscatine Housing Urban Revitalization Area (the "Area"), such property lying within the City and being described as follows:

(1) Blighted Area:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of the main channel of the Mississippi River and an extension of the centerline of Kemper Avenue, thence westerly along the extension of the centerline of Kemper Avenue, thence westerly along the centerline of Kemper Avenue to the center of the intersection of Kemper Avenue and Stewart Road, thence southwesterly along the centerline Stewart Road to the center of the intersection of Stewart Road and Wallace Street, thence westerly along the centerline of Wallace Street to the center of the intersection of Wallace Street Aaron Avenue, thence northerly along the centerline of Aaron Avenue to the center of the intersection of Aaron Avenue and Sampson Street, thence westerly along the centerline of Sampson Street to the center of the intersection of Sampson Street and 25th Street South, thence northwesterly along the centerline of 25th Street South until it becomes the centerline of South Houser Street, thence northwesterly and northerly along the centerline of South Houser Street to the center of the intersection of South Houser Street and the north bank of the Muscatine Slough, thence easterly along north bank of the Muscatine Slough to the center of the intersection of the north bank of the Muscatine Slough and an extension of the centerline of Charles Street, thence northerly along an extension of the centerline Charles Street to the center line of Charles Street, thence northerly along the centerline of Charles Street to the center of the intersection of Charles Street and Hershey Avenue, thence easterly along the centerline of Hershey Avenue to the center of the intersection of Hershey Avenue and Fletcher Avenue, thence northerly along the centerline of Fletcher Avenue to the center of the intersection of Fletcher Avenue and Lucas Road, thence northwesterly along the centerline of Lucas Road to the center of the intersection of Lucas Road and Newall Avenue, thence easterly along the centerline of Newall Avenue to the center of the intersection of Newall Avenue and Logan Street, thence northerly along the centerline of Logan Street to the center of the intersection of Logan Street and Dillaway Street, thence easterly along the centerline of Dillaway Street to the center of the intersection of Dillaway Street and Roscoe Avenue, thence northwesterly along the centerline of Roscoe Avenue to the center of the intersection of Rsoce Avenue and Fulliam Avenue, thence westerly along the centerline of Fulliam Avenue to the center of the intersection of Fulliam Avenue and Cedar Street, thence southeasterly along the centerline of Cedar Street to the center of the intersection of Cedar Street and Bartlett Street, thence northeasterly along the centerline of Bartlett Street to the center of the intersection of Bartlett Street and Mulberry Avenue, thence northwesterly along the

centerline of Mulberry Avenue to the center of the intersection of Mulberry Avenue and Maple Avenue, thence northeasterly along the centerline of Maple Avenue to the center of the intersection of Maple Avenue and Oak Street, thence northwesterly along the centerline of Oak Street to the center of the intersection of Oak Street and Woodlawn Avenue, thence easterly along the centerline of Woodlawn Avenue to the center of the intersection of Woodlawn Avenue and Isett Avenue, thence northerly along the centerline of Isett Avenue to the center of the intersection of Isett Avenue and Clay Street, thence easterly along the centerline of Clay Street to the center of the intersection of Clay Street and Park Avenue, thence southerly along the centerline of Park Avenue to the center of the intersection of Park Avenue and Washington Street, thence easterly along the centerline of Washington Street and then along an extension of the centerline of Washington Street to the intersection of an extension of Washington Street and the main channel of the Mississippi River, thence southwesterly along the main channel of the Mississippi River to the point of beginning.

- (2) Aspen Villas Condos
- (3) Cobblestone Place Part One
- (4) Cobblestone Ridge Condos
- (5) Cobblestone Ridge Phase I
- (6) Cobblestone Ridge Phase III
- (7) Pine Ridge Acres Addition
- (8) Riverbend 1st Addition
- (9) Riverbend 2nd Addition
- (10) Riverbend 3rd Addition
- (11) Riverbend 4th Addition
- (12) Riverbend 5th Addition
- (13) Riverbend 6th Addition
- (14) Hubbard Prairie Subdivision
- (15) Parcel Numbers: 0827101024, 0822351011, 0825226012, and 0930101014

The City Council will meet at 7:00 o'clock p.m., on the 11th day of April, 2013, at the City Hall Council Chambers, Muscatine, Iowa, at which time a hearing will be held pursuant to the provisions of Chapter 404, Code of Iowa (the "Act") on the proposal to adopt the Plan and the proposal to establish the above described area as an urban revitalization area. At such public

hearing all owners of record of real property, tenants, and all “occupants” of city addresses within the described area, and any other person having an interest in the matter may appear and be heard for or against the adoption of the Plan and/or the establishment of the Area.

Once the Area has been designated pursuant to the Act, property therein on which certain improvements are constructed may become eligible for certain property tax exemptions as set forth in the Plan which is on file for inspection in the office of the City Clerk.

Published by order of the City Council of the City of Muscatine, Iowa.

Gregg Mandsager
City Clerk

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved March 7, 2013.

Mayor

Attest:

City Clerk

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There being no further business to come before the meeting, it was upon motion adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, Iowa, do hereby certify that the above and foregoing is a true, correct and complete copy of the minutes of a meeting of the Council, held as therein shown, insofar as such minutes pertain to the establishment of the 2013 Muscatine Housing Urban Revitalization Area and the Proposed Urban Revitalization Plan therefor, including a true, correct and complete copy of the resolution referred to in said minutes.

WITNESS MY HAND this ____ day of _____, 2013.

City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, Iowa, do hereby certify that on the ____ day of _____, 2013, not less than thirty (30) days before the hearing on the Proposed Urban Revitalization Plan, I mailed by ordinary mail to each owner of record of real property located within the 2013 Muscatine Housing Urban Revitalization Area, a copy of the notice of hearing in the form attached to this certificate.

WITNESS MY HAND this ____ day of _____, 2013.

City Clerk

(Attach hereto a copy of the notice as mailed.)

STATE OF IOWA
COUNTY OF MUSCATINE SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, Iowa, do hereby certify that I caused to be published a notice of public hearing, of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2013.

City Clerk

(Attach hereto publisher's original affidavit of publication of notice with a clipping of the notice as published attached.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)