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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: June 30, 2011

Re: Zoning Change – National Guard Armory Property – 1421 Park Ave.

INTRODUCTION: On September 6, 2007 the City entered into an Agreement for the Lease and conveyance of Real Property with the Adjutant General of Iowa on behalf of and as Chairman of the Iowa Armory Board (public document no. 90255) which granted the state a long term lease of 17.276 acres of real estate located in the southeast portion of the Muscatine Municipal Airport in exchange for the current National Guard Armory property and buildings located at 1421 Park Avenue. The acreage located on the airport property is currently being developed as a joint readiness facility for both the Army Reserves and the Iowa National Guard. When complete, the National Guard will relocate to the new readiness center and the property at 1421 Park Avenue will be transferred to the City.

BACKGROUND: The existing building and property located at 1421 Park Avenue is zoned R-3, Single-Family Residential. The residential classification does not present a viable reuse of the property. In fact, the Future Land Use Map in the Comprehensive Plan adopted in 2002 calls for the property to be developed commercially. In order for the City to realize the potential sale and development of the property, a zoning change is requested to C-1, Neighborhood and General Commercial. The zoning change was reviewed by the Planning Commission during their June 14, 2011 meeting and they have unanimously recommended the change of zoning as outlined herein. Prior to any consideration of a zoning change, a public hearing must be conducted

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 1421 Park Avenue for Thursday, July 21, 2011.

BACKUP INFORMATION:

1. Resolution string the Public Hearing
2. Public Notice
3. Site Diagram

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

RESOLUTION NO. _____

**A RESOLUTION SETTING THE TIME AND PLACE OF A
PUBLIC HEARING ON A PROPOSED ZONING CHANGE
WITHIN THE CITY OF MUSCATINE, IOWA**

WHEREAS, the City Council for the City of Muscatine, Iowa, has deemed the property located as 1421 Park Avenue to be of no benefit to the public; said property described as:

A CERTAIN TRACT OR PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-FIVE (25), 533.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), THE PLACE OF BEGINNING; RUNNING THENCE EAST TO THE EAST LINE OF PARK AVENUE IN THE CITY OF MUSCATINE, IOWA, TO A POINT 800 FEET NORTHERLY MEASURED ALONG THE EAST LINE OF SAID PARK AVENUE FROM A POINT WHERE THE NORTH LINE OF FAIR OAKS ADDITION TO THE CITY OF MUSCATINE, IOWA, INTERSECTS THE EAST LINE OF SAID PARK AVENUE, THENCE CONTINUING EAST A DISTANCE OF 400 FEET, THENCE NORTH 200 FEET, THENCE WEST TO A POINT ON THE NORTH AND SOUTH CENTER LINE OF SAID SECTION TWENTY-FIVE (25), 200 FEET TO THE PLACE OF BEGINNING..

WHEREAS, the City Council is interested in having the property zoning changed to support the highest and best use of the property, and offer the property for sale and redevelopment; and

WHEREAS, a determination has been made by the Planning Commission that the highest and best use of the real estate would be for commercial use; 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 21st day of July, 2011, 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 7th day of July 2011.

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

Attest:

Richard W. O'Brien, Mayor

Gregg Mandsager, City Clerk

PUBLIC NOTICE

NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON A PROPOSED ZONING CHANGE WITHIN THE CITY OF MUSCATINE, IOWA

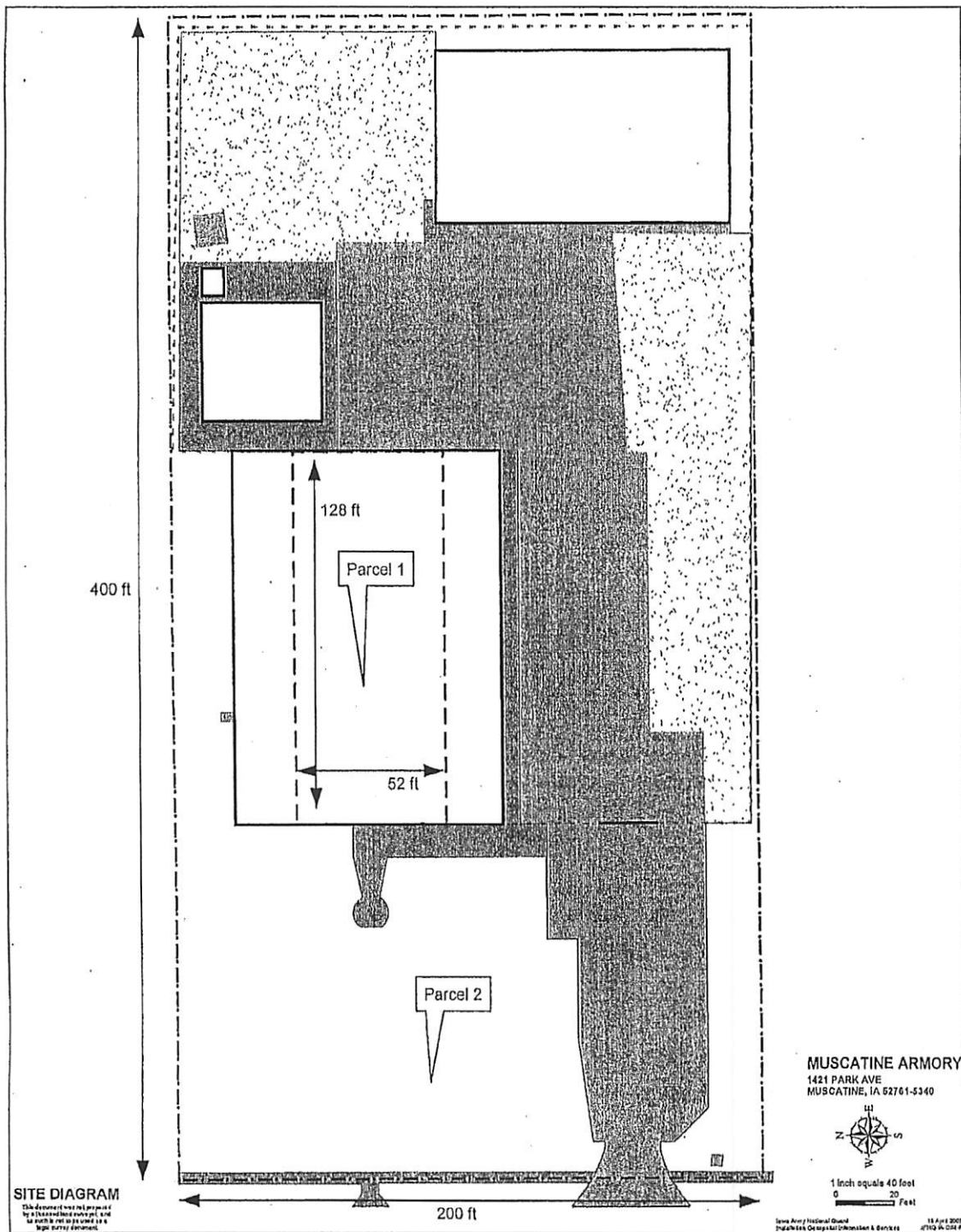
Notice is hereby given that a proposed zoning change has been reviewed and recommended for approval by the Planning & Zoning Commission for the City of Muscatine, Iowa. Said zoning would change the property located at 1421 Park Avenue from R-3, Single-Family Residential, to C-1, general & Neighborhood Commercial. The real estate is further described as:

A CERTAIN TRACT OR PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTY-SEVEN (77) NORTH, RANGE TWO (2) WEST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-FIVE (25), 533.8 FEET SOUTH OF THE CENTER OF SAID SECTION TWENTY-FIVE (25), THE PLACE OF BEGINNING; RUNNING THENCE EAST TO THE EAST LINE OF PARK AVENUE IN THE CITY OF MUSCATINE, IOWA, TO A POINT 800 FEET NORTHERLY MEASURED ALONG THE EAST LINE OF SAID PARK AVENUE FROM A POINT WHERE THE NORTH LINE OF FAIR OAKS ADDITION TO THE CITY OF MUSCATINE, IOWA, INTERSECTS THE EAST LINE OF SAID PARK AVENUE, THENCE CONTINUING EAST A DISTANCE OF 400 FEET, THENCE NORTH 200 FEET, THENCE WEST TO A POINT ON THE NORTH AND SOUTH CENTER LINE OF SAID SECTION TWENTY-FIVE (25), 200 FEET TO THE PLACE OF BEGINNING..

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, July 21, 2011, 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



SITE DIAGRAM
This document was prepared by the author and is not to be used as a legal survey document.

Parcel 1

A certain tract or parcel of land in the Southeast Quarter of Section Twenty-five (25), Township Twenty-seven (27) North, Range One (1) East of the Fifth (5th) Principal Meridian, described as follows:

Commencing at a point on the West line of the Southeast Quarter of said Section Twenty-five (25), 533.8 feet South of the corner of said Section Twenty-five (25), running thence South to the East line of Park Avenue in the City of Muscatine, Iowa, to a point 500 feet northerly measured along the East line of said Park Avenue from a point where the North line of said Park Avenue intersects the East line of said Park Avenue, thence North a distance of 107 feet to the true point of beginning; thence East a distance of 128 feet thence North a distance of 52 feet to the true point of beginning.

Parcel 2

A certain tract or parcel of land in the Southeast Quarter of Section Twenty-five (25), Township Twenty-seven (27) North, Range One (1) East of the Fifth (5th) Principal Meridian, described as follows:

Commencing at a point on the West line of the Southeast Quarter of said Section Twenty-five (25), 533.8 feet South of the corner of said Section Twenty-five (25), running thence South to the East line of Park Avenue in the City of Muscatine, Iowa, to a point 500 feet northerly measured along the East line of said Park Avenue from a point where the North line of said Park Avenue intersects the East line of said Park Avenue, thence North a distance of 107 feet to the true point of beginning; thence East a distance of 128 feet thence North a distance of 52 feet to the true point of beginning.

Subject to the rights of the public and of the City of Muscatine, Iowa, in Park Avenue and along said half section line running North and South through the center of said Section Twenty-five (25), Township Twenty-seven (27) North, Range One (1) East of the Fifth (5th) Principal Meridian, and also subject to any and all easements now or hereafter.

Except, however, the following described tract hereinafter devised by Ordinance to the State of Iowa, to-wit:

Commencing at a point on the West line of the Southeast Quarter of said Section Twenty-five (25), 533.8 feet South of the corner of said Section Twenty-five (25), running thence South to the East line of Park Avenue in the City of Muscatine, Iowa, to a point 500 feet northerly measured along the East line of said Park Avenue from a point where the North line of said Park Avenue intersects the East line of said Park Avenue, thence North a distance of 107 feet to the true point of beginning; thence East a distance of 128 feet thence North a distance of 52 feet to the true point of beginning.