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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: August 12, 2011
Re: Resolution Approving University Development Subdivision

INTRODUCTION: A request has been filed for a 3-lot subdivision of Lot 5 of the Northland Subdivision, a light industrial subdivision that was approved by the City in 2009.

BACKGROUND: Clark Johnson, the current owner of Lot 5 has filed a request to further subdivide his property in an effort to accommodate his needs and the interests of a buyer of the remaining 2-lots. Currently, Mr. Johnson is developing lot 1 of this subdivision for storage buildings. If approved, lots 2 and 3 will be sold to a buyer that will develop lot 2 as an insurance business office and hold lot 3 for future development. The Planning Commission conducted an on-site viewing of the property on July 28th and subsequently acted on the request during their August 9th meeting. The Planning Commission agreed to recommend the approval of the subdivision with a change that will create an easement for a single point of access onto University Drive from Lots 2 & 3. The current owner and buyer of lots 2 & 3 have agreed to alter the final plat to show the single shared access easement.

RECOMMENDATION/RATIONALE: The attached final plat of the subdivision reflects all the changes requested by the Planning Commission. Therefore the Planning Commission recommends that City Council approve the Final plat for the University Development Subdivision as attached hereto.

EXHIBIT A

Prepared by Steven Boka, 215 Sycamore Street, Muscatine, IA 52761 (563) 262-4141

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE FINAL PLAT
OF UNIVERSITY DEVELOPMENT SUBDIVISION
IN THE CITY OF MUSCATINE, IOWA**

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, County of Muscatine, State of Iowa, which plat lays out and subdivides a tract of real estate into one (3) lots within the City of Muscatine, Iowa; to wit:

LAND DESCRIPTION – (FILE NO. 2009-05857)

A SUBDIVISION OF LOT 5 OF NORTHLAND SUBDIVISION TO THE CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA.

WHEREAS, said plat has been approved 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;

WHEREAS, the City Council of the City of Muscatine, Iowa, finds that the plat fully complies with the Statutes of the State of Iowa and the Ordinances of the City of Muscatine, Iowa, relative to plats, additions, and subdivisions within the Corporate Limits of the City of Muscatine, Iowa, and said plat is conducive to an orderly development of the City of Muscatine, Iowa, and not in conflict with the rights-of-way of any extension of any streets or alleys now established; and

WHEREAS, the City Council of the City of Muscatine, Iowa, finds the final plat of University Development Subdivision should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA, that said final plat named and designated University Development Subdivision 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 18th of August 2011.

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

Attest:

Richard W. O'Brien, Mayor

Gregg Mandsager, City Clerk

UNIVERSITY DEVELOPMENT SUBDIVISION
CERTIFICATE OF ACCEPTANCE OF FINAL PLAT

STATE OF IOWA, MUSCATINE COUNTY, ss:

We, the undersigned, Richard W. O'Brien, and Gregg Mandsager, of the City of Muscatine, Iowa, do hereby certify that the attached plat named and designated University Development Subdivision in the City of Muscatine, in Muscatine County, Iowa, was on August 18, 2011, 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 18th day of August 2011.

Richard W. O'Brien, Mayor

Attest:

Gregg Mandsager, City Clerk

STATE OF IOWA, MUSCATINE COUNTY, ss:

Be it Remembered that on this 18th day of August 2011, before me, a Notary Public in and for the State of Iowa, personally appeared Richard W. O'Brien and Gregg Mandsager, 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 18th day of August 2011; that Richard W. O'Brien and Gregg Mandsager, 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

**CERTIFICATE OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSCATINE, IOWA**

I, the undersigned, Steven W. Boka, 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 University Development Subdivision, a subdivision in the City of Muscatine, Muscatine County, Iowa, was approved and recommended by said Commission on the 9th day of August, 2011, according to the minutes and records of said Commission in my possession.

Dated at Muscatine, Iowa, this 9th day of August 2011.

Steven Boka, 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. _____ - _____ approving the Final Plat of University Development Subdivision, a subdivision in the City of Muscatine, Iowa.
3. Certificate of the Planning & Zoning Commission.

All 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

