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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: May 2, 2013

Re: Rezoning Case # Z-136-13 • Muscatine Power & Water • 3205 Cedar Street • R-3 Single-Family Residential to C-3 Planned Commercial • 42 Acres

INTRODUCTION: Muscatine Power & Water has submitted an application to rezone a 42 acre parcel located at 3205 Cedar Street from R-3 Single-Family Residential to C-3 Planned Commercial.

BACKGROUND: This parcel is the location of Muscatine Power & Water's existing offices. The current R-3 zoning predates MP&W's development of this parcel. MP&W is making this request to bring the zoning of this parcel in line with its current use.

RECOMMENDATION/RATIONALE: Staff recommends approval of this rezoning request. The C-3 Planned Commercial district is consistent with Muscatine Power and Water's existing use of the parcel. The C-3 zoning is also consistent with existing C-3 zoning to south of the parcel. There is buffering in form of undeveloped land separating the developed portion of the subject parcel from existing residential development located to the north. Fuller Park is located to the west of the subject parcel and is adequately buffered from existing uses on the subject parcel. The proposed rezoning is compliance with the currently adopted comprehensive plan

On April 9, 2013 the Planning and Zoning Commission voted to recommended approval of this requested rezoning

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BACKUP INFORMATION:

1. Ordinance
2. Map

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF MUSCATINE, IOWA, 41.614 ACRES, 3205 CEDAR
STREET, CITY OF MUSCATINE, IOWA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE,
IOWA AS FOLLOWS:

Section 1. That the boundaries of the District Map, being a part of the Zoning Ordinance, which is Title Ten of the Ordinance of the City of Muscatine, Iowa, be and the same are, hereby amended to rezone the following described real estate, situated in the City and County of Muscatine, and State of Iowa, to-wit:

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 28, TOWNSHIP 77 NORTH, RANGE 2 WEST OF THE 5TH P.M., MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 89°59'59" WEST (ASSUMED BEARING) 1335.83 FEET ALONG THE SOUTH LINE OF SAID SECTION 28; THENCE NORTH 00°29'17" WEST 85.75 FEET TO THE NORTHERLY RIGHT OF WAY OF HIGHWAY #22 AND THE POINT OF BEGINNING OF SAID PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 00°29'17" WEST 1475.83 FEET; THENCE NORTH 89°58'25" EAST 973.18 FEET; THENCE SOUTH 00°28'30" EAST 240.00 FEET; THENCE NORTH 89°58'25" EAST 323.00 FEET TO THE WESTERLY RIGHT OF WAY OF HOUSER STREET; THENCE SOUTH 00°28'30" EAST 1046.77 FEET ALONG SAID WESTERLY RIGHT OF WAY; THENCE SOUTH 89°59'59" WEST 226.01 FEET; THENCE SOUTH 00°26'09" EAST 225.25 FEET TO THE NORTHERLY RIGHT OF WAY OF HIGHWAY #22; THENCE NORTH 89°58'07" WEST 429.09 FEET ALONG SAID NORTHERLY RIGHT OF WAY; THENCE NORTH 82°34'56" WEST 272.26 FEET ALONG SAID NORTHERLY RIGHT OF WAY; THENCE NORTH 89°58'07" WEST 370.91 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 41.614 ACRES.

Said real estate be rezoned from R-3 Single-Family Residential to C-3 Planned Commercial.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED, AND ADOPTED this 2nd day of May, 2013.

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

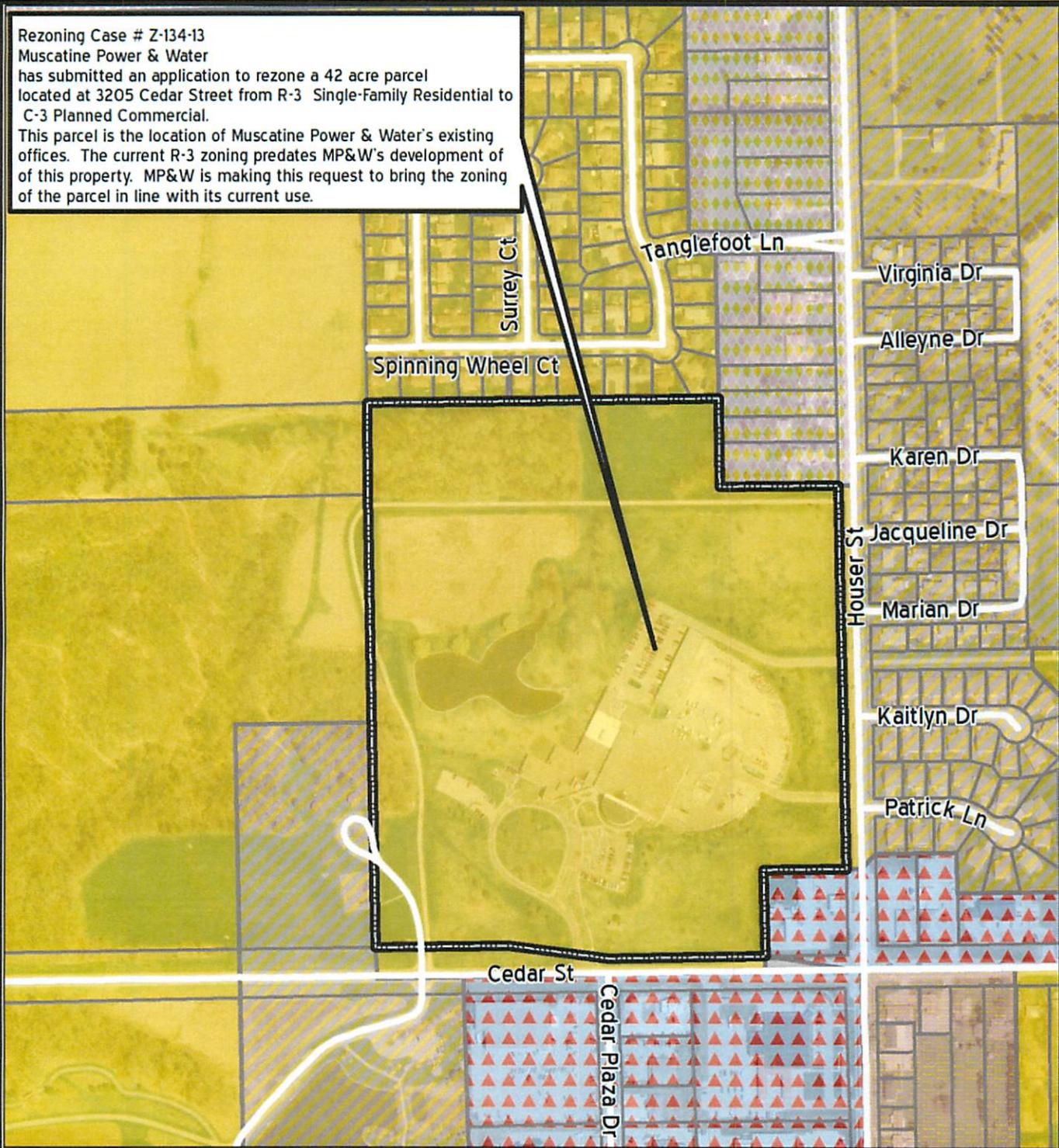
Attest:

By _____
DeWayne M. Hopkins, Mayor

Gregg Mandsager, City Clerk

1st Reading _____
2nd Reading _____
3rd Reading _____
Publication _____

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Subject Parcel

Parcel Line

Zoning Distriict

C-3 Planned Commercial

R-1 Single-Family Residence

R-2 Single-Family Residence

R-3 Single-Family Residence

R-5 Multi-Family Residence

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Date Source: Muscatine Area Geographic
 Information Consortium, City of Muscatine
 Prepared by: Andrew Fangman, City Planner
 Date: March 8, 2013

