

**ORDINANCE NO. 92426-0613**

**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 That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.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 2<sup>nd</sup> day of May, 2013.

CITY COUNCIL OF THE CITY OF  
MUSCATINE, IOWA

By   
DeWayne M. Hopkins, Mayor



ATTEST:



Randy Hill, Acting City Clerk

1<sup>st</sup> Reading: May 2, 2013

2<sup>nd</sup> Reading: May 16, 2013

3<sup>rd</sup> Reading: June 6, 2013

Publication June 14, 2013



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

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

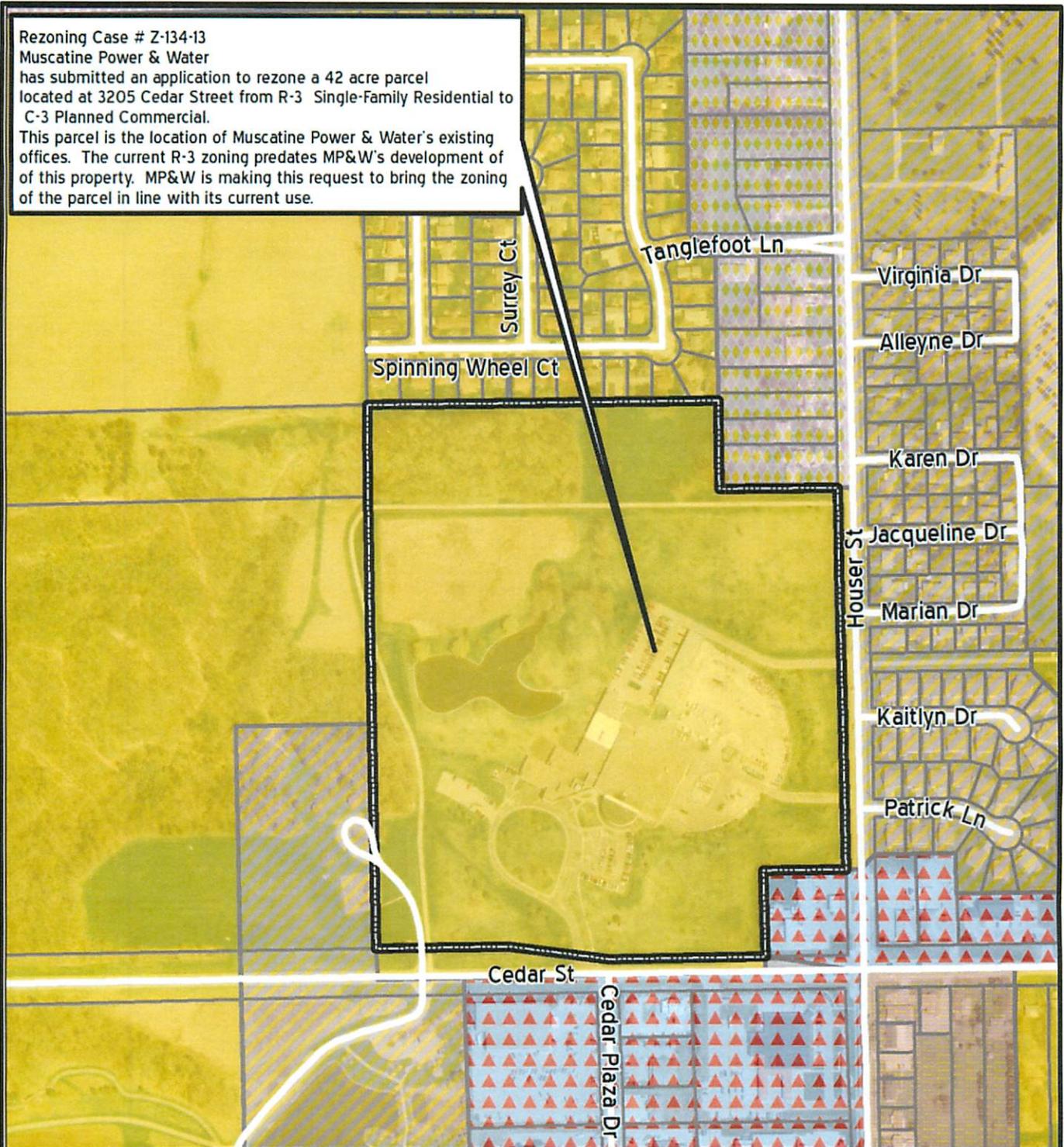
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**BACKUP INFORMATION:**

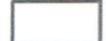
1. Ordinance
2. Map

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

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 has submitted an application to rezone a 42 acre parcel  
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 Subject Parcel

 Parcel Line

**Zoning District**

 C-3 Planned Commercial

 R-1 Single-Family Residence

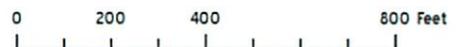
 R-2 Single-Family Residence

 R-3 Single-Family Residence

 R-5 Multi-Family Residence

**Rezoning Case # Z-134-13**

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



**PROOF OF PUBLICATION**

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk  
Ordinance No. 92426-0613

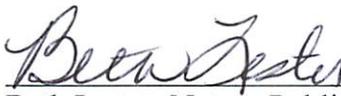
Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

June 14, 2013

  
Jeff Lee

**STATE OF IOWA  
MUSCATINE COUNTY**

14th day of June 2013

  
Beth Lester, Notary Public



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