



City of Muscatine

PLANNING AND ZONING COMMISSION

Tuesday, April 9, 2024

5:30 p.m. - City Hall Council Chambers 215 Sycamore St Muscatine, IA

To participate electronically in this meeting use the following link:

<https://bit.ly/AprilPandZ>

Meeting ID: **812 5313 3389**

Passcode: **707070**

April 9, 2024, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. MINUTES

A. Approval of minutes from the September 12, 2023 meeting

4. RIGHT OF WAY VACATION

A. **PZROWV-1-2024 • Undeveloped Alley Right of Way Adjoining 1202, 1204, & 1206 E. 4th St.**

The owner of 1202 E. 4th Street has requested the adjoining undeveloped alley right of way be vacated and then sold to them. As per City policy such a vacation can only be considered if the entire undeveloped alley right of way, which also

adjoins 1204 & 1206 E. 4th Street is also vacated and conveyed to the adjoining property owners.

5. **SUBDIVISIONS**

- A. **PZS-1-2024 • Grandview Subdivision • 3 Lots • 2.9 Acres • 1700 Grandview Ave**
Norm Nicol, has submitted a preliminary/final plat for a three subdivision, located at 1700 Grandview Avenue. The current parcel located at 1700 Grandview Avenue contains three buildings. The intent of the proposed subdivision is to create three individual lots, one for each building.
- B. **PZS-2-2024 • Heuer Subdivision • 3 Lots • 1.28 Acres • 2433 Mittman Road**
Heuer Construction Inc. has filed a combined preliminary and final plat for a 3 lot subdivision located 2433 Mittman Road. The purpose of the proposed subdivision is to create three individual lots, separating the portions of the current parcel being used residential and commercial uses. This proposed subdivision is located in unincorporated Muscatine County, but falls within the two-mile limit requiring City of Muscatine review and approval.

6. **REZONING**

- A. **PZZ-1-2024 • 910 E. 2nd St • 2.75 Acres • M-2 & M-1 to C-2**
The City of Muscatine has submitted a request to rezone 2.75 acres of City owned property located at the 910 E. 2nd Street (southwest corner of 2nd Street and Highway 92), from M-2 General Industrial & M-1 Lights Industrial to C-2 Central Commercial. The city is currently working on relocating the dredge spoil dewatering operations from this site, which would make this site available for a more beneficial use. Currently this site is zoned is primarily zoned M-2 General Industrial. The M-2 does not permit residential uses. Any future redevelopment of this parcel would ideally include a mix commercial and residential uses. As such the City is proposing to rezone this area as C-2 Central Commercial, a zoning district would support such a redevelopment.

7. **ZONING ORDINANCE AMENDMENT**

- A. An amendment to Section 1, Chapter 12, Title 10 of City Code allowing for a portion of the ground floor of structures to be used for residential purposes, if located within in the C-2 zoning district, but outside the downtown core.

8. **OTHER BUSINESS**

- A. Selection of two Planning and Zoning Commission member to site Comprehensive Plan consultant selection panel. The City is in the process of selecting a consultant that will be creating a new comprehensive plan. This plan

will review request for proposal that have submitted and the make a recommendation to City Council on the selection of a consulting firm.

9. **ADJOURNMENT**

MINUTES
September 12, 2023 – 5:30 p.m.
Planning and Zoning Commission
Muscatine City Hall
City Council Chambers
Online GoToMeeting

Present: Andrew Anderson, Kayla Bendorf, Jodi Hansen, Kent Jurgersen and Mark Seaman

Excused: Sharon Froelich and Steve Nienhaus

Staff: Andrew Fangman, Assistant Community Development Director, Community Development
Christa Bailey, Office Coordinator, Community Development
April Limburg, Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m. and read the mission statement.

Subdivisions:

PZS-1-2023 • PMP 1st Addition • 2 Lot • 1.28 Acres • 3494 Mulberry Ave.

A representative from PMP Holdings LLC was not present so Andrew Fangman explained the proposed subdivision on their behalf, stating the lot is bigger than what PMP Holdings needs and they've found a buyer for the vacant portion. Mr. Fangman declared that staff recommends approval of the subdivision.

Kayla Bendorf questioned how the new lot will be accessed, to which Mr. Fangman responded the IDOT will not allow access from Highway 61 but it can be accessed by private roadway from Mulberry Ave.

Andrew Anderson inquired if PMP Holdings LLC had shared on the buyer or the buyer's intended use for the lot. Mr. Fangman shared he did not have any knowledge of that but if the intended use is against the allow uses per the zoning the buyer will have to come before the Commission.

Jodi Hansen asked if anyone had contacted the City with concerns for this proposed subdivision and Mr. Fangman stated he was not contacted with any feedback or concerns.

Andrew Anderson motioned to approved the subdivision; seconded by Mark Seaman. All ayes, motion carried.

Meeting adjourned at 5:37 p.m.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Planning and Zoning Commission

Andrew Fangman, Secretary
Assistant Community Development Director

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Planning and Zoning Commission
From: April Limburg, City Planner
Date: March 21, 2024
Re: Right of Way Vacation – PZVROW-1- 2024

INTRODUCTION: Star H1, LLC whom purchased 1202 E 4th St is requesting that the City vacate then sell to them the portion of the undeveloped Brook St right of way.

BACKGROUND: In August of 2023, Star H1, LLC, LLC, purchased 1202 E 4th St purchased the property to rehabilitate the property. They would also like to construct a structure on the lower half of the lot. A variance of appeal application was submitted. The Zoning Board of Adjustments tabled the variance due to the lower half of the lot not having access. In order to construct the structure, the lot would need to be granted access to the property in which is currently doesn't have access with out vacating the right of way. The right of way was asked to be vacated along with 1202 E 4th St, 1204 E 4th St, and 1206 E 4th St to be able to purchase the vacated right of way adjacent to the properties.

RECOMMENDATION/RATIONALE: Staff recommends approval of this request. The right of way being proposed for vacation serve no useful public purpose. The sale of the Right of Way to the three property owners, will be benefit the community by allowing for the continued developed of 1202 E 4th St which enhances the appearance of the area and grows the tax base.

Legal description of the Right of Way being requested to be vacated:

Legal Description for portion behind 1202 E 4th St

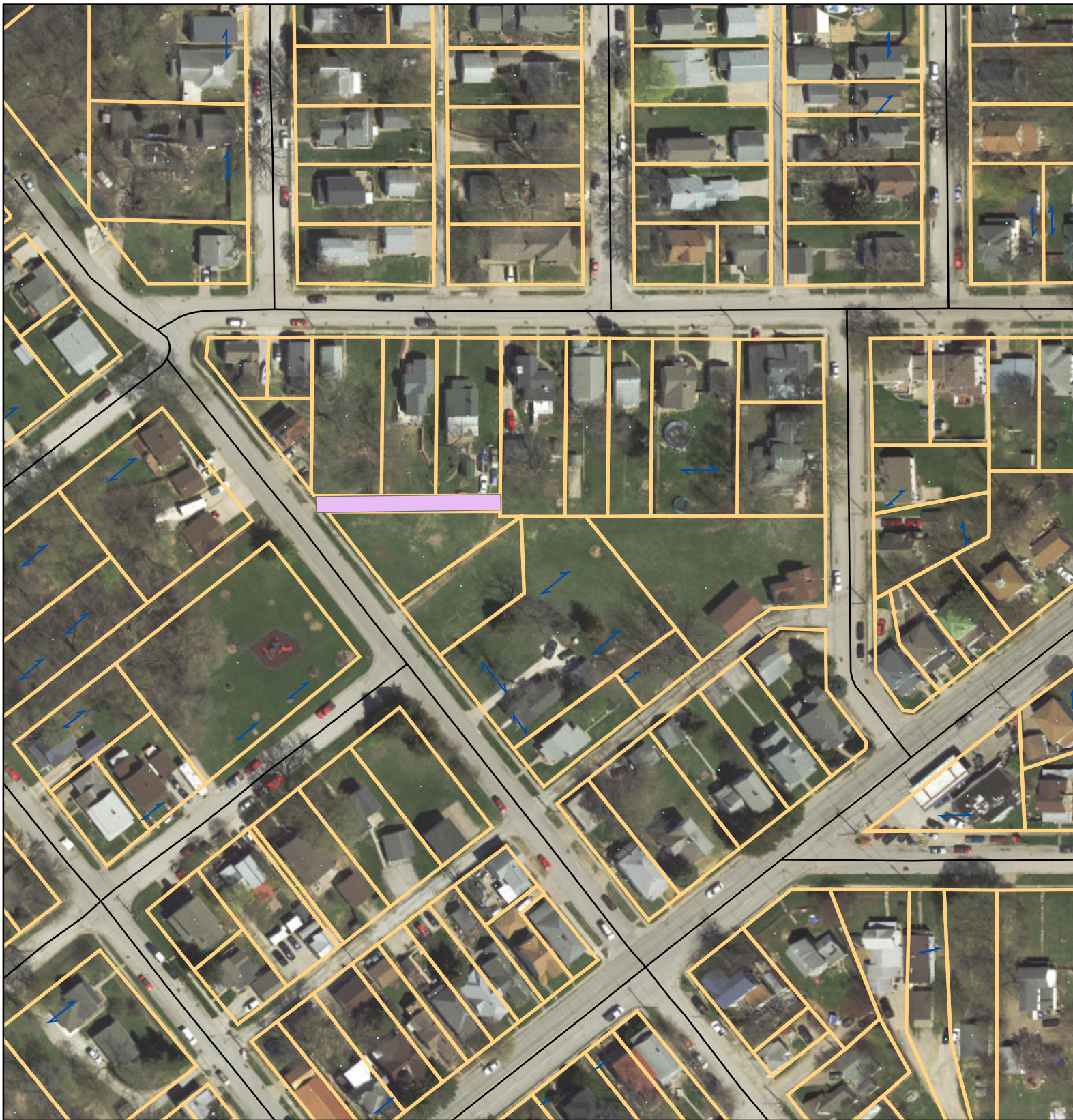
All of the 20' wide east-west undeveloped alley adjoining Lot 14 in Block 1, of Brook Street Addition.

Legal Description for portion behind 1204E 4th St

All of the 20' wide east-west undeveloped alley adjoining Lot 15 in Block 1, of Brook Street Addition.

Legal Description for portion behind 1206 E 4th St

All of the 20' wide east-west undeveloped alley adjoining Lot 16 in Block 1, of Brook Street Addition.



Legend

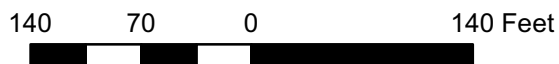


ROW



Parcels

PZROWV-1-2024 Right of Way adjoining
1202 E 4th St, 1204 E 4th St, and 1206 E 4th St.





City Hall, 215 Sycamore St.
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(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Planning and Zoning Commission
From: Andrew Fangman, Assistant Community Development Director
Date: March 10, 2019
Re: Grandview Subdivision– Preliminary/Final Plat

INTRODUCTION: A request has been filed for a combined preliminary/final plat for the Grandview Subdivision.

BACKGROUND: A preliminary/final plat for a three-lot subdivision, located at 1700 Grandview Avenue was filed.

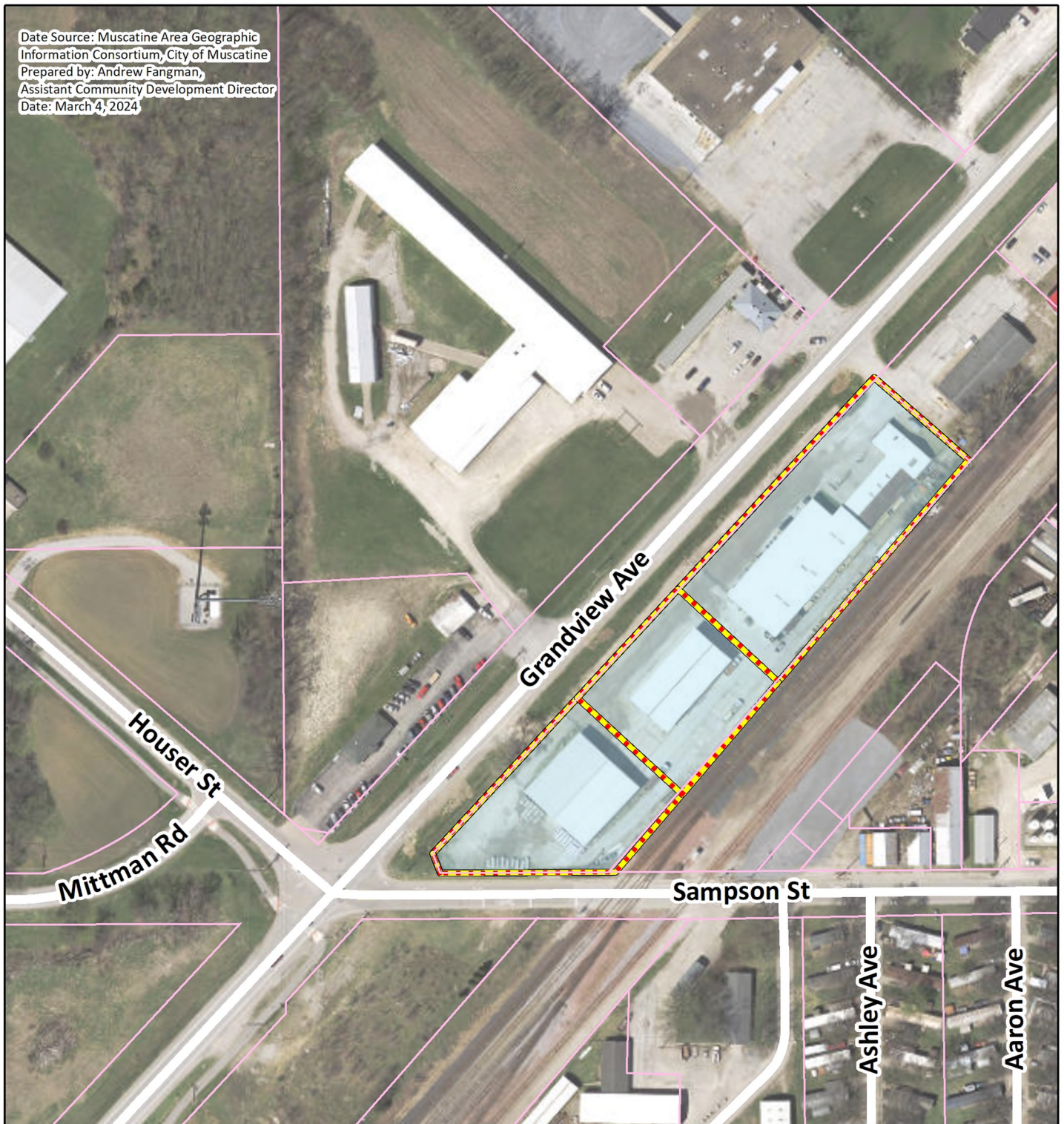
RECOMMENDATION/RATIONALE

The current parcel located at 1700 Grandview contains three buildings. The purpose of the proposed subdivision is to create three individual lots, one for each building. Staff recommends approval of the proposed subdivision, as it brings parcel lines into line with the way the land is being used. The proposal is in compliance with both the Zoning Ordinance and the Comprehensive Plan

BACKUP INFORMATION:

1. Plat Map

Date Source: Muscatine Area Geographic
Information Consortium, City of Muscatine
Prepared by: Andrew Fangman,
Assistant Community Development Director
Date: March 4, 2024



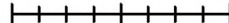
PZS-24-1 Grandview Subdivision

Legend

 Parcel Lines

 Area Proposed for Subdivision

 Proposed New Lots

0 50 100 200 Feet




PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 76 NORTH, RANGE 2 WEST OF THE 5TH PRINCIPAL MERIDIAN, IN MUSCATINE COUNTY, IOWA.

SPECIAL WARRANTY DEED #2020-00258
PARCEL M PER PLAT OF SURVEY RECORDED IN BOOK 9 OF PLATS, AT PAGE 943, IN THE
MUSCATINE COUNTY RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 75 NORTH, RANGE 2 WEST OF THE 5TH
PRINCIPAL MERIDIAN, IN MUSCATINE COUNTY, IOWA. EXCEPTING PROPERTY DESCRIBED IN
ACQUISITION PLAT DOC. #2023-00562

ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE, ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.

BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED

UTILITY EASEMENTS SHALL ACCOMMODATE GAS, ELECTRIC, WATER AND COMMUNICATION LINES AS NEEDED.

WATER PRODUCTION & DISTRIBUTION **DATE:** _____

JERRY D. ROGERS
Iowa License Number: 0860
My license renewal date is December 31, 2025
Pages or sheets covered by this seal: 1

PREPARED FOR	NORM NICHOL 1700 GRANDVIEW AVENUE MUSCATINE, IOWA	SHEET NO. 1 OF 1
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4. Attorney:
John Eichelberger
736 Lake Park Blvd.
Muscatine, Iowa 52761
(563) 263-6900



THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US
STATE PLANE COORDINATE
SYSTEM, IOWA SOUTH ZONE (1402)
GEOID 12A, NAD 83 (2011) EPOCH
2010.00.



DATE: 02/19/2024	DRAWN BY: KLC	CHECKED BY: JDR	NO.
563 386 4236 386 4231 2224 East 12th Street, Daverport, IA 52603	DRAWING LOCATION S: MUSCATINE LUMBER		

PROJECT	REVISIONS:
	DESCRIPTION
	DATE

FINAL PLAT GRANDVIEW SUBDIVISION MUSCATINE, IOWA	PREPARED FOR NORM NICHOL 1700 GRANDVIEW AVENUE MUSCATINE, IOWA	SHEET NO. 1 OF 1
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COMMUNITY DEVELOPMENT

MEMORANDUM

To: Planning and Zoning Commission
From: Andrew Fangman, Assistant Community Development Director
Date: April 9, 2024
Re: Combined Preliminary Heuer Subdivision (PZS-2-24)

**Planning,
Zoning,
Building Safety,
Construction Inspection
Services,
Public Health**

INTRODUCTION: A request has been filed for a combined preliminary/final plat for a three lot subdivision in unincorporated Muscatine County at 2433 Mittman Road. This proposed subdivision is located in unincorporated Muscatine County, but falls within the two-mile limit requiring City of Muscatine review and approval.

BACKGROUND: Heuer Construction Inc. has filed a combined preliminary and final plat for a 3 lot subdivision located 2433 Mittman Road. The purpose of the proposed subdivision is to create three individual lots, separating the portions of the current parcel being used residential and commercial uses.

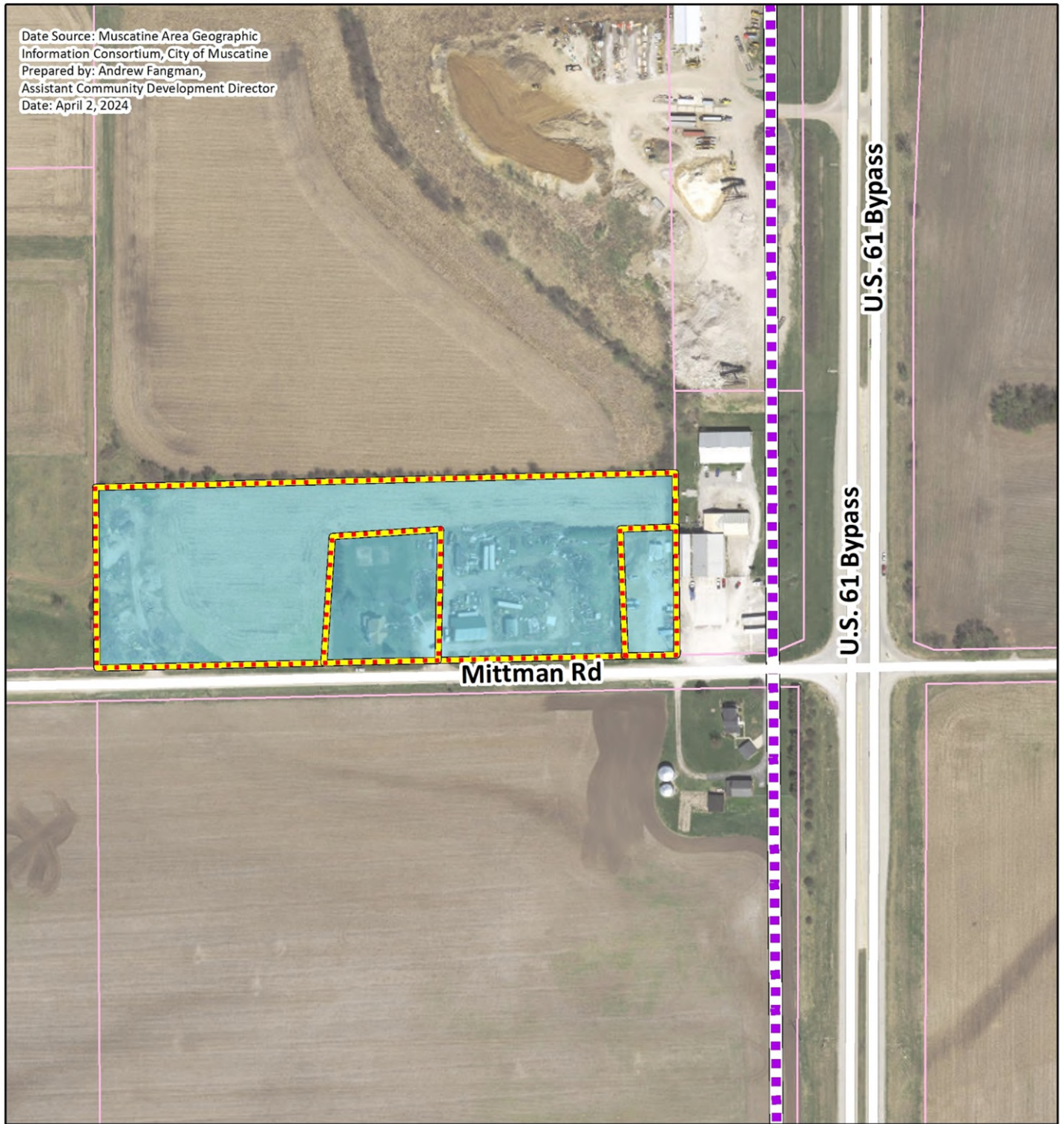
RECOMMENDATION/RATIONALE:

Staff recommends approval of the proposed Heuer Subdivision. The proposed subdivision would not interfere with the orderly development of the City of Muscatine and is consistent with adopted Comprehensive Plan

BACKUP INFORMATION:

1. Plat

Date Source: Muscatine Area Geographic
Information Consortium, City of Muscatine
Prepared by: Andrew Fangman,
Assistant Community Development Director
Date: April 2, 2024



PZS-24-2 Heuer Subdivision



Proposed New Lots



Parcel Lines



Area Proposed for Subdivision



City Limit

0 100 200 400 Feet
|-----|-----|-----|-----|

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COMMUNITY DEVELOPMENT DEPARTMENT

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

Planning • Zoning • Building Safety • Construction Inspection Services • Public Health • Housing Inspections • Code Enforcement

To: Planning and Zoning Commission
From: Andrew Fangman, Assistant Community Development Director
Date: April 9, 2024
Re: Rezoning Case #PZZ-1-2024 • City of Muscatine • 910 E. 2nd St • R M-2 General Industrial & M-1 Lights Industrial to C-2 Central Commercial

INTRODUCTION The City of Muscatine has submitted a request to rezone 2.75 acres of City owned property located at the 910 E. 2nd Street (southwest corner of 2nd Street and Highway 92), from M-2 General Industrial & M-1 Lights Industrial to C-2 Central Commercial.

BACKGROUND: The Hawkeye Site is a 2.75-acre city-owned parcel on the banks of the Mississippi River at the mouth of Mad Creek. The City dewateres spoil generated by harbor dredging operations at this site. The site was previously used as a lumber yard for over 100 years before it was acquired by the City in 2004. The site is located in the floodplain and is occasionally impacted by flooding.

In 2004, as part of a larger package of riverfront improvements, the City assumed full control and responsibility, including dredging, for the Harbor from the Federal Government. As part of this, the City purchased a dredge and the Hawkeye Site at this time, to be used as a location to dewater the spoils generated by dredging the Harbor.

The harbor is dredged using a floating hydraulic dredge operated by Water & Resource Recovery staff. The dredge spoil is pumped directly from the dredge to the Hawkeye Site through a permanently installed underground pipe. At the Hawkeye Site, large geotextile bags are filled with the spoil. The water slowly seeps out of the bags, leaving the solid dredge spoil behind. The bags are then cut open, and the dried-out spoil is piled up and eventually removed from the site.

The Hawkeye Site's unique combination of size, riverfront location, and proximity to downtown and major employment centers, creates the potential for significantly more beneficial use of this site. However, realizing the full potential of this site would first require relocating the dredge spoil dewatering operations. By extending the existing underground pipe further up Mad Creek, to the public works yard or another upstream location, it would become possible to relocate dewater operations.

The relocation of dredge spoil dewatering operation would open up the Hawkeye Site for a use that is more impactful and beneficial to the community. It would also remove a highly visible eyesore from a gateway into the community and downtown. In addition, construction of an extension of the dredge spoil pipe could coincide with construction of a trail along Mad Creek extending upstream from the existing riverfront trail.

For these reasons the City is actively a plan to relocating the dredge spoil dewater operations which would make this site available for a more beneficial use. Currently this site is zoned is primarily zoned M-2 General Industrial. The M-2 does not permit residential uses. Any future redevelopment of this parcel would ideally include a mix commercial and residential uses. As

such the City is proposing to rezone this area as C-2 Central Commercial, a zoning district would support such a redevelopment.

RECOMMENDATION/RATIONALE:

Staff recommends approval of this rezoning request. The recommendation of approval is based on a finding that the proposed rezoning is supported by the adopted Comprehensive Plan, and compatibility with adjoining and nearby land uses.

Attracting more people to live in Muscatine, where they work, is a key strategy for spurring growth and maintaining community vibrancy. Developing housing to make this possible is critical. The Hawkeye Site's size and proximity to the riverfront, downtown, major employment centers, and the trail network create a unique opportunity for such development.

Redevelopment of the Hawkeye Site would require filling the site to 1 foot above base flood elevation, which is feasible and allowable with the appropriate permits. There has been active and credible interest in developing housing on the Hawkeye Site. However, without relocating the dredge spoil dewatering operations, any alternate use of the site is not possible.

Redevelopment of the Hawkeye Site would help achieve and advance multiple goals contained within the adopted Comprehensive Plan, Strategic Plan, Capital Improvement Plan, and Bike and Pedestrian Plan. These goals relate to workforce housing, gateway beautification and enhancement, infill development, and trail development.

Comprehensive Plan

Goal H.5 - Downtown Housing

"A strong residential component to downtown which provides residents an attractive lifestyle that includes the opportunity to bike or walk to meet their daily needs and carry out other activities. This lifestyle is attractive to people of all ages and incomes and facilitates a vibrant Downtown environment."

Goal LU.3 - Infill

"Increase new development (housing and commercial) on vacant lots in portions of the City already served by public infrastructure."

Goal T.13.F

"A trail running along Mad Creek from Washington Street connecting to the existing trail network at the riverfront."

Goal C.4 - Gateways

"Gateways into Muscatine will be attractive, contribute to improving the city's identity and help implement the master community image/appearance plan."

Goal ED.16 - Retain Within the Muscatine Economy a Greater Percentage of the Wages Paid by Muscatine Employers

"Grow the Muscatine economy by retaining within Muscatine more of the wages paid by Muscatine business establishments. By increasing the percentage of those who work in Muscatine also living in Muscatine over the next decade a higher percentage of those dollars earned in Muscatine should be spent in Muscatine."

2021 Strategic Plan

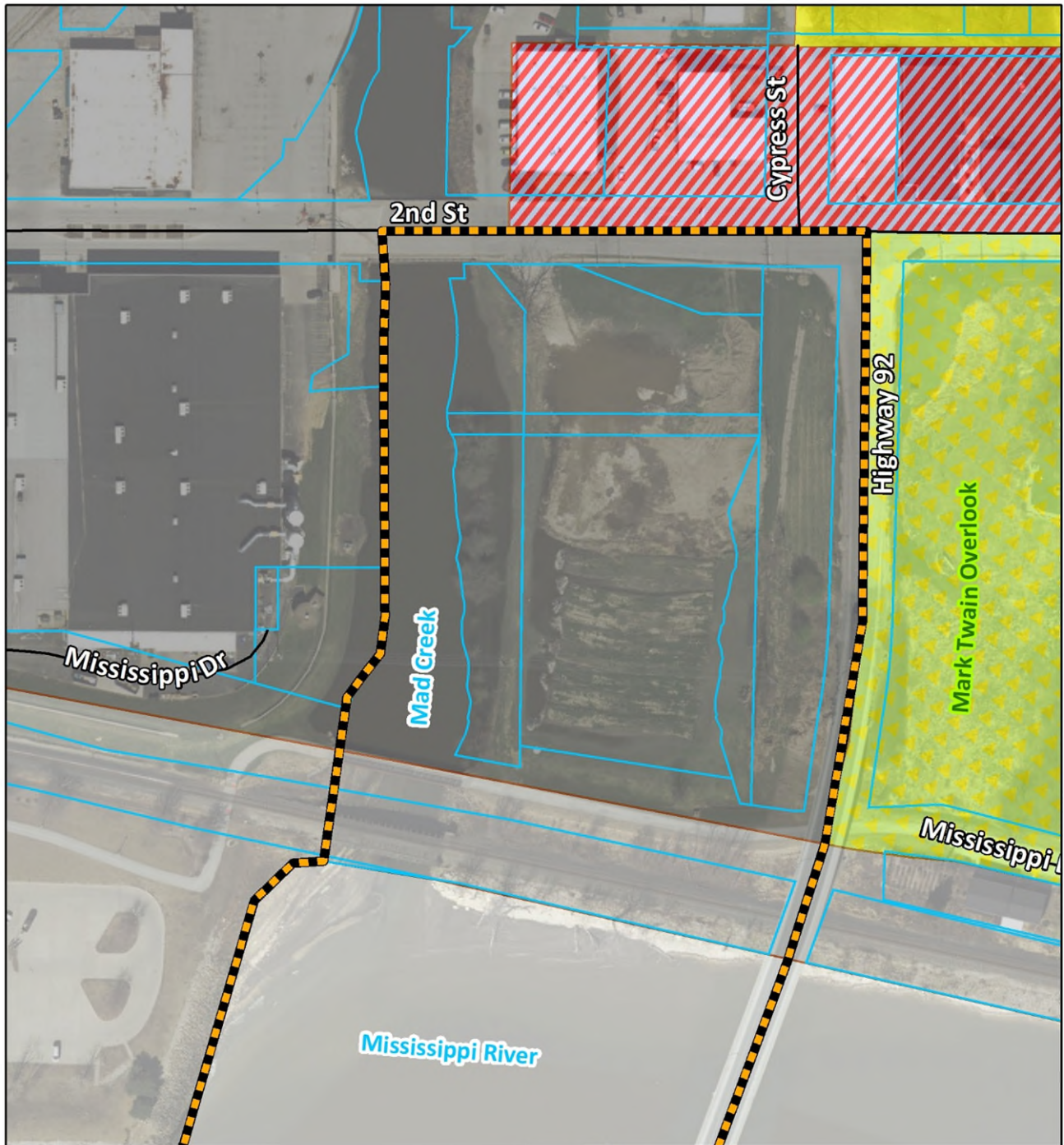
Vibrant Community

"Enhance and improve the vitality of our community core and gateways including the Grandview Avenue Corridor, Park Avenue Corridor, Riverfront, and Downtown areas to support a thriving economy, vibrant neighborhoods, and a high quality of life and place."

Healthy Community

"Enhance Support a healthy community through the availability of quality affordable housing, outstanding recreational amenities, collaboration with community and healthcare partners, and opportunities for lifelong learning."





Area Proposed for Rezoning to C-2



Parcels

Current Zoning Districts



C-1 Neighborhood & General Commercial



M-1 Light Industrial



M-2 General Industrial



R-3 Single Family Residential



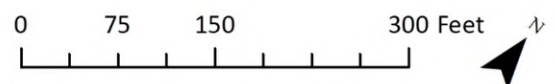
R-4 Two Family Residential



MUSCATINE

Rezoning Case #PZZ-24-1

Date Source: Muscatine Area Geographic Information Consortium, City of Muscatine
Prepared by: Andrew Fangman,
Assistant Community Development Director
Date: April 3, 2024





COMMUNITY DEVELOPMENT DEPARTMENT

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

Planning • Zoning • Building Safety • Construction Inspection Services • Public Health • Housing Inspections • Code Enforcement

To: Planning and Zoning Commission

From: Andrew Fangman, Assistant Community Development Director

Date: April 9, 2024

Re: An Amendment to Section 1, Chapter 12, Title 10 of City Code Allowing for a Portion of the Ground Floor to be Used for Residential Purposes in the C-2 Zoning District, Outside the Downtown Core.

INTRODUCTION This amendment to City Code would allow for a portion of the ground floor of structures to be used for residential purposes, for properties located in the C-2 zoning district, outside the downtown core.

BACKGROUND: Currently Section 10-12-1(A) of City Code limits residential uses in C-2 Central Commercial Zoning district to the second floor and above.

The proposed amendment would allow for a portion, but not all of the ground floor to be used for residential purposes. This amendment would only apply to area located outside of downtown core, defined as the area bounded by Mississippi Drive, Oak Street, 5th Street, and Pine Street.

This amendment would accomplish this by adding the following as a permit use in the C-2 zoning district (Section 10-12-1(I))

“Except for in the area bounded by Mississippi Drive, Oak Street, 5th Street, and Pine Street, a portion of the ground floor of a structure may be used for residential purposes, so long as another portion of the ground floor is being used for a non-residential purpose.”

RECOMMENDATION/RATIONALE:

Staff recommends approval of this proposed amendment to City Code. Mixed use building which includes using a portion of the ground floor for residential purposes have become more common in recent years.

Currently Muscatine’s zoning ordinance does not include a zoning district that would allow for such a structure by right. Either a variance, or the approval of a specific development plan is required for zoning approval for such a building to be constructed. Amending the C-2 district to allow for such structures in the C-2 district, when not in the downtown core, would address this gap, and would help facilitate the redevelopment of key downtown adjacent locations such as the Hawkeye Site and Carver Corner.