



City of Muscatine

PLANNING AND ZONING COMMISSION

Tuesday, January 14, 2025

The Planning and Zoning Commission meets on the 2nd Tuesday of each month at 5:30 p.m. in City Hall Council Chambers.

January 14, 2025, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. MINUTES

A. Approval of minutes from the December 10, 2024 meeting

4. REZONING

A. An approximately undeveloped 2.5-acre portion of the Muscatine Community College Campus, located at the southwest corner of the campus • R-3 Single-Family Residence to C-1 Neighborhood and General Commercial

Muscatine Community College (MCC) has submitted a request to rezone an approximately undeveloped 2.5-acre portion of the Muscatine Community College Campus, located at the southwest corner of the campus from R-3 Single-Family Residence to C-1 Neighborhood and General Commercial. MCC intends to sell this portion of the campus to Community Health Care, Inc (CHC). CHC plans to develop a 13,769 square foot medical clinic on this site. This clinic will

offer medical, behavioral health and dental care, and will also include a pharmacy.

5. ZONING ORDINANCE AMENDMENT

- A. An amendment to add, Chapter 17A, Title 10 of City Code Creating the Community Facility (CF) Zoning District. The current Zoning Ordinance does not have a specific zoning district primarily focused on community facility land uses. These non-commercial uses are primarily governmental or institutional in nature. This amendment to City Code would create a new zoning district specifically intended to accommodate community facility type land uses.

6. ADJOURNMENT

MINUTES
December 10, 2024 – 5:30 p.m.
Planning and Zoning Commission
Muscatine City Hall
City Council Chambers

Present: Kayla Bendorf, Sharon Froelich, Jodi Hansen, Mark Seaman, and Kent Jurgersen

Unexcused: **Andrew Anderson**

Excused: Steve Nienhaus

Staff: Andrew Fangman, Assistant Community Development Director, Community Development
April Limburg, City Planner, Community Development

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

Minutes:

Mark Seaman motioned to approve the October 8, 2024 minutes; seconded by Sharon Froelich. All ayes, motion carried.

Rezoning:

3580 Mulberry Avenue • 5.56 Acres • R-1 Single-Family Residence to C-1 Neighborhood and General Commercial

ORA Orthopedics has submitted a request to rezone a 5.56-acre property located at 3580 Mulberry Avenue (the northwest corner of Mulberry Avenue and U.S. 61 Bypass) from R-1 Single-Family Residence to C-1 Neighborhood and General Commercial. ORA intends to develop a 21,200-square-foot medical clinic on this site and sell the unused portion of the property not needed for their project. Mike Janecek from Martin & Whitacre submitted the application on behalf of ORA and gave the Commission a brief overview of the project as it is in the beginning stages of development. Kent Jurgerson asked about the paving of the road in which it will be an asphalt overlay. Kent Jurgerson motioned to approve the zone change; seconded by Kayla Bendorf. Motion carried with four ayes and Jodi Hansen abstained.

Muscatine Community College Campus • 40.5 Acres • R-3 Single-Family Residence to C-1 Neighborhood and General Commercial

Muscatine Community College (MCC) has submitted a request to rezone a their 40.5-acre campus from R-3 Single-Family Residence to C-1 Neighborhood and General Commercial. MCC has two reasons for submitting this rezoning request.

☑ To convert the zoning status of the campus from legal non-conforming to conforming. MCC currently qualifies as a legal non-conforming use because it existed at this location prior to the establishment of the R-3 zoning district. Rezoning the campus to C-1 would make its current usage conform with its zoning.

☑ To allow for the development of a medical clinic. MCC has been approached about developing a medical clinic on the currently undeveloped southwest portion of its campus along Park Avenue. Corey Johnson with MCC gave an overview of the reason why the rezoning as well as selling a portion to be developed by a medical clinic. The facility will be open to the public as well as train and run medical operations for the community. Naomi DeWinter discussed more details about the Community Health Care (CHC) Clinic and the plans of building a facility with medical services to better serve our community. Jill and Dan Holler both support MCC and the need for more CHC clinics in the community but were worried about why the rezoning from residential to commercial, why this wasn't done before now, wanted to know the notification process as the letter didn't have a location on it, had concerns with property values declining with the zone change, increase traffic along with the width of the service road, and what the contract between MCC and the clinic will look like. Andrew Fangman addressed the rezoning questions and went over the process and procedures of notify adjacent property owners. The Commission discussed wanting to give everyone around MCC's property the opportunity to attend. They also discussed with Corey Johnson the reasoning behind sell the acreage to a clinic versus leasing the property. It was also requested to have a rendering of what the clinic may look like. Jodi Hansen made a motion to table the rezoning to the next scheduled meeting on January 14, 2025 to give members in the adjacent area time to be notified properly as well obtain a rendering of the future clinic; seconded by Mark Seaman. All ayes, motion carried.

John Jindrich wanted to know if other locations such as the vacant mal or other structures on town were taken into consideration before approaching MCC. He and several others love seeing the green space and would had to lose it. Andrew Fangman advised John, several properties were looked at before approaching MCC.

Meeting adjourned at 6:15 p.m.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Planning and Zoning Commission

Andrew Fangman, Secretary
Assistant Community Development Director

DRAFT



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, Senior Planner
Date: January 14, 2025
Re: Rezoning an approximately undeveloped 2.5-acre portion of the Muscatine Community College Campus, located at the southwest corner of the campus from R-3 Single-Family Residence to C-1 Neighborhood and General Commercial

INTRODUCTION Muscatine Community College (MCC) has submitted a request to rezone an approximately undeveloped 2.5-acre portion of the Muscatine Community College Campus, located at the southwest corner of the campus from R-3 Single-Family Residence to C-1 Neighborhood and General Commercial.

BACKGROUND: Muscatine Community College (MCC) has requested a zoning change for approximately 2.5 acres of undeveloped land on their campus. This land, currently zoned R-3 Single-Family Residence, is proposed to be rezoned to C-1 Neighborhood and General Commercial.

MCC intends to sell this portion of the campus to Community Health Care, Inc. (CHC). CHC plans to develop a 13,769-square-foot medical clinic on this site. This clinic will offer medical, behavioral health, and dental care, and will also include a pharmacy.

Rezoning to C-1, which allows for clinics, is essential for the development of the medical clinic.

This rezoning request is a revision to a request by MCC to rezone their entire campus from R-3 to C-1 that was heard by the Planning and Zoning Commission in December. MCC had requested the rezoning of its entire campus to C-1 in order convert the zoning status of the campus from legal non-conforming to conforming: A community college is not a permitted use within the R-3 zoning district. However, MCC qualifies as a legal non-conforming use because it existed at this location prior to the establishment of the R-3 zoning district.

Based on feedback from the December Planning and Zoning Commission hearing, MCC has withdrawn its original request to rezone the portion of the property not being sold to CHC to the C-1 zoning district.

Currently, no existing zoning district permits secondary educational institutions, such as MCC, while excluding general commercial uses. The creation of such a zoning district, intended for community facilities like schools, churches, and government buildings, is a specific goal outlined in the City's adopted Comprehensive Plan.

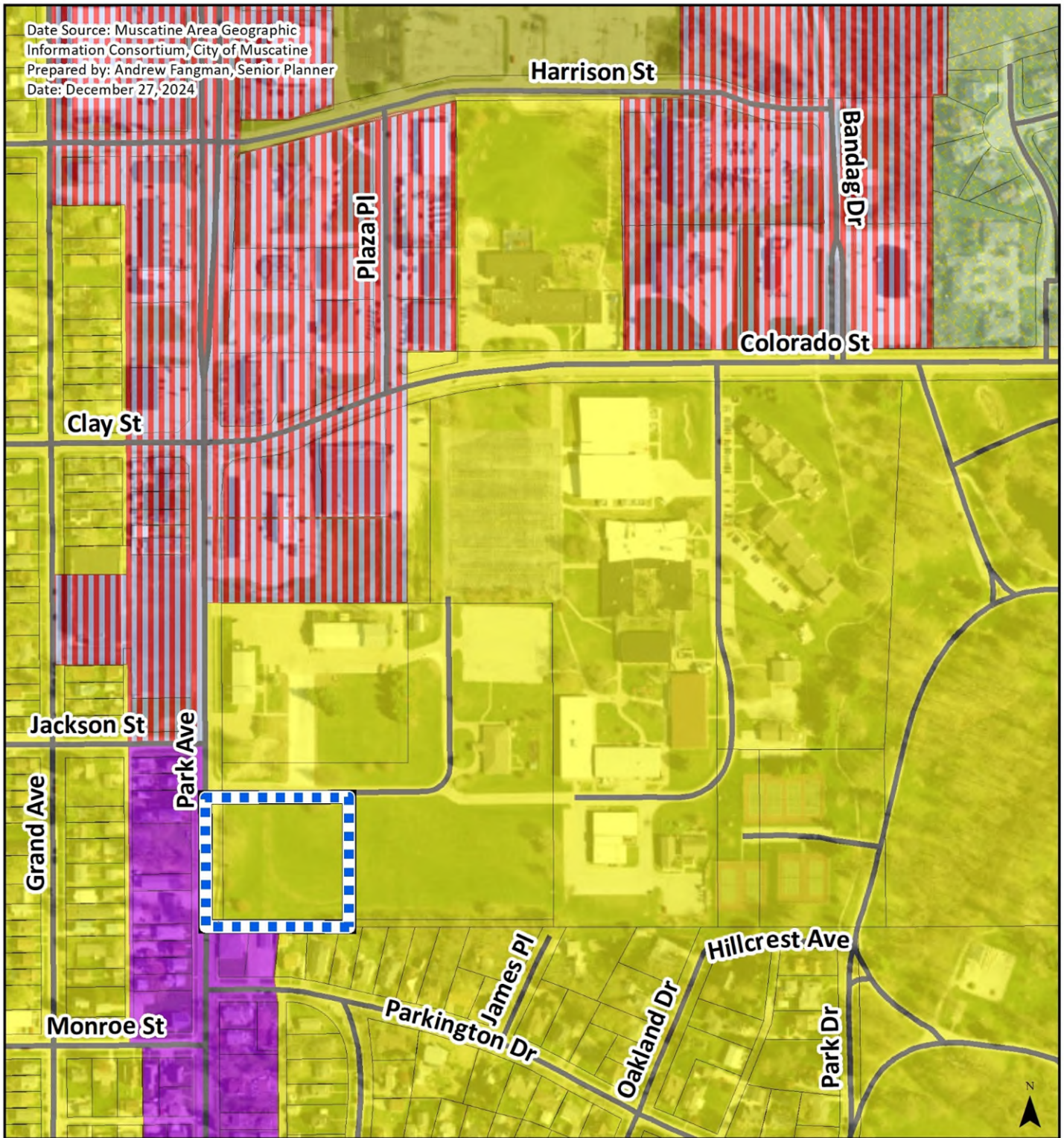
MCC intends to pursue the rezoning of its campus once the City Code is amended to create this new zoning district. The Planning and Zoning Commission will be reviewing draft language for this new zoning district at its January 14th meeting.

RECOMMENDATION/RATIONALE:

Staff recommends approval of this rezoning request. The recommendation is based on:

- The proposed rezoning being consistent with the adopted Comprehensive Plan and compatible with adjacent and nearby land uses.
- The expanded medical services that a new clinic would provide would significantly improve access to medical care for Muscatine residents, reducing the need for out-of-town travel. Locally available medical care is a key factor in maintaining a vibrant community.

Date Source: Muscatine Area Geographic
Information Consortium, City of Muscatine
Prepared by: Andrew Fangman, Senior Planner
Date: December 27, 2024



Muscatine Community College Rezoning



Subject Area

Current Zoning District



Parcel Lines



C-1, Neighborhood and General Commercial



Subject Parcels

R-3, Single Family Residential



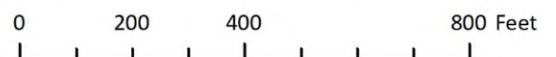
S-1, Special Development District



S-2, Institutional-Office District

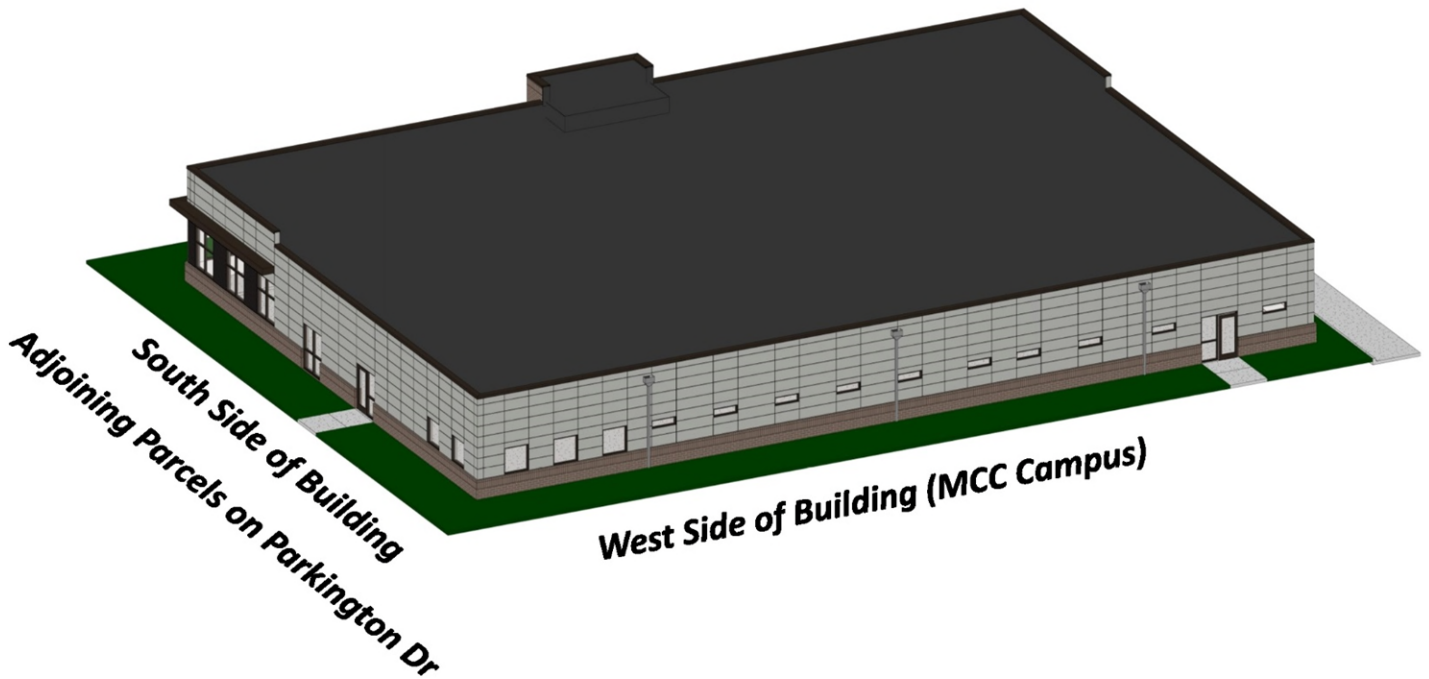
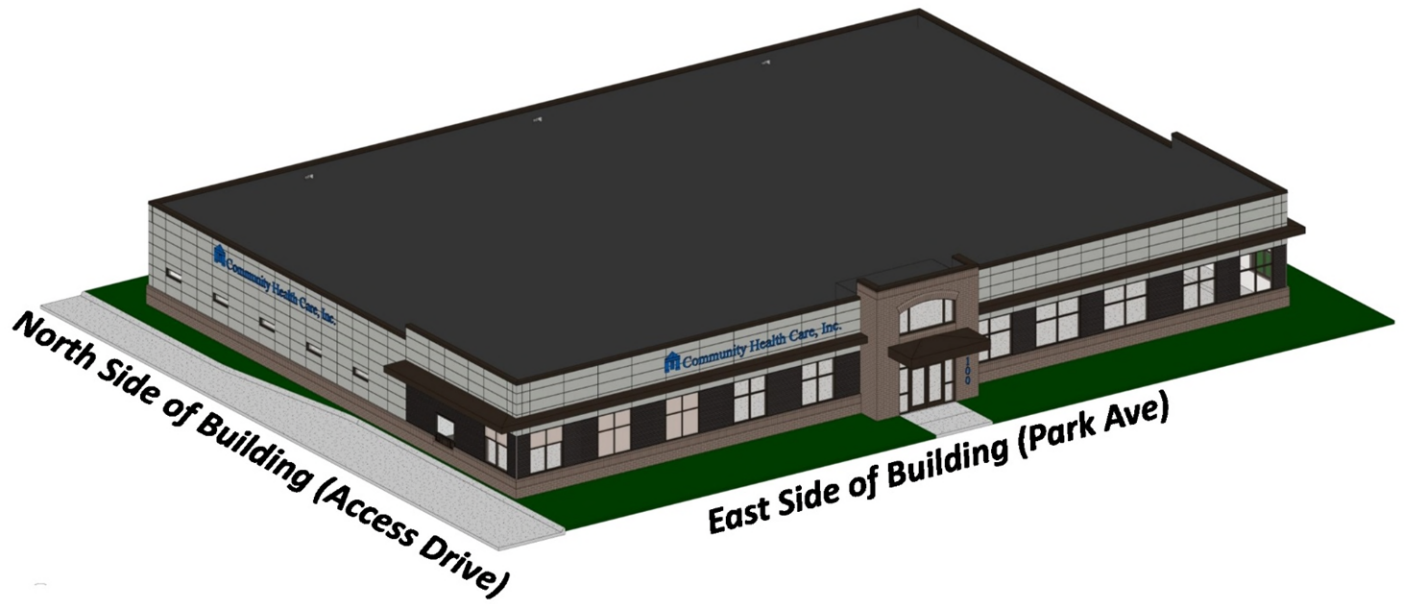


RL Large Scale, Residential Development



The site plan illustrates the proposed development at the intersection of Park Ave and an existing access drive. The central feature is the **Proposed Medical Clinic Building**, highlighted in red, measuring 137' by 95' for a total of 13,750 Sq. Ft. To the north of the building is a **Proposed Parking Lot (46 Spaces)**. The plan also shows the **Existing Property Line** to the north and east, and the **Proposed Property Line** to the south and west. Key dimensions include a 152' width for the combined building and parking area, a 75' depth for the northern portion, and a 100' depth for the building itself. A 40' wide strip is shown along the western boundary. The site is bounded by **Park Ave** to the north, **Existing Access Drive** to the east, and three unnamed streets to the west: **1211 Park Ave**, **115 Parkinson Dr**, **117 Parkinson Dr**, and **121 Parkinson Dr**. A north arrow points towards the top right of the plan.





Renderings of Proposed Clinic Building



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

To: Planning and Zoning Commission
From: Andrew Fangman, Senior Planner
Date: January 14, 2025
Re: An Amendment to add, Chapter 17A, Title 10 of City Code Creating the Community Facility (CF) Zoning District.

INTRODUCTION This amendment to City Code would create a new zoning district specifically intended to accommodate community facility type land uses.

BACKGROUND: The City of Muscatine Zoning Ordinance does not have a specific zoning district primarily focused on community facility land uses. These non-commercial uses are primarily governmental or institutional in nature and include, but are not limited to, uses such as governmental offices, schools, hospitals, parks, cemeteries, religious institutions, police stations, fire stations, lift stations, recreational facilities, and golf courses.

Community facility uses fit well within non-residential zoning districts as they are simply a subset of non-residential land use. Allowed community facility uses within non-residential zoning districts generally correspond with similar types of commercial uses. For example, governmental offices are allowed in the same locations and must meet the same development standards as commercial offices.

However, community facility land uses do not fit as neatly within residential zoning districts. There is a tension between the desire to have many community facilities, such as schools and churches, in close proximity to residential areas and the potential problems that building size, intensity of use, and traffic generated by these facilities can cause for nearby residents. The way community facilities are permitted within residential zoning districts reflects this tension.

Many of these community facility type uses were established in residential areas before the adoption of the zoning ordinance, such as Muscatine Community College.

Most community facilities are permitted within residential zones, but with significant restrictions to ensure compatibility with surrounding homes.

These restrictions may include:

- **Larger lot sizes:** Required for many community facilities.
- **Increased setbacks:** To provide greater buffer space between the facility and nearby residences.
- **Higher allowable building heights:** In some cases, though often with specific limitations.

Furthermore:

- **Conditional use permits** are often required for community facilities within residential zones.
- **An approved site plan** is mandatory for all non-residential development in residential areas.

These regulations effectively create a quasi-zoning district for community facilities within residential zones, despite the lack of a dedicated zoning category. This fragmented approach hinders a centralized and comprehensive planning framework for these important community assets.

Certain community facilities, such as higher education institutions, are not permitted in any residential zoning districts. Zoning districts that allow these uses often also permit a wide range of commercial and other non-residential uses. This presents a challenge when the goal is to allow community facilities while preventing potential future conversion to commercial uses.

The Comprehensive Plan's Goal LU.9 envisions the retention and enhancement of community facilities, such as government offices, schools, hospitals, and parks, as vital neighborhood centers. These facilities provide employment, services, and amenities. However, the expansion or construction of major community facilities must be carefully planned to avoid negative impacts on adjacent neighborhoods, such as housing stock loss, increased traffic congestion, or spillover parking.

While community facilities are recognized as compatible with residential development when appropriate standards are applied, Goal LU.9 acknowledges that these standards do not align well with the current structure of residential zoning districts. Community facilities are ideally suited for transitioning between commercial/industrial and residential land uses.

To address this, the Comprehensive Plan call for the creation of a new community facility zoning district. This new district will be clear, consistent, and easy to understand. It will require an approved development plan, similar to how the R-L, S-3, and S-1 zoning districts currently operate in Muscatine. The proposed development plan for a new or substantially expanded community facility will be evaluated against the guidelines within the community facilities zoning district regulations and assessed for compatibility with surrounding land uses.

Attached is draft language for a new community facility zoning district. This district aims to create a specific zoning category for uses such as governmental offices, schools, hospitals, medical clinics, parks, cemeteries, religious institutions, police stations, fire stations, recreational facilities, and golf courses. This zoning will ensure that these community facilities can effectively serve their purpose while maintaining compatibility with surrounding residential areas. Rezoning a single parcel to this new community facility district within a residential area will not be considered spot zoning, provided the proposed use is compatible with the surrounding residential environment.

RECOMMENDATION/RATIONALE:

Staff recommends approval of this proposed amendment to City Code.

Muscatine's current zoning ordinance lacks a specific district tailored to the needs of community facilities, especially when located near residences. This amendment aims to create such a district, directly fulfilling Goal LU.9 of the Comprehensive Plan.

By establishing this new zoning district, the Muscatine Community College campus would achieve zoning compliance while preventing any future commercial land uses.

Title 10 – Zoning

Chapter 17A – Community Facilities District (CF)

10-17A-1 Intent

The intent of this district is to retain and enhance community facilities, such as governmental offices, schools, hospitals, medical clinics, parks, cemeteries, religious institutions, police stations, fire stations, recreational facilities, golf courses, etc. as important neighborhood centers and providers of employment, services and amenities, and ensuring that community facilities are compatible residential development. The rezoning of single parcel to a new community facility zoning district in an area zoned for residential use is not considered to be spot zoning so long as the proposed community facility use is compatible with the surrounding residential uses.

10-17A-2 Permissive Uses

- A. Hospital
- B. Medical clinics, not including veterinary clinics
- C. Cemetery
- D. Parks
- E. Public and private recreational uses
- F. Place of worship
- G. Schools
- H. Residential uses directly associated with an educational or religious use on the same parcel
- I. Government building or offices
- J. Golf course
- K. Community center, library, museum, or similar public-public building
- L. Utility substation
- M. Communication tower

10-17A-3 Dimensional Standards

A. Maximum height of structures

- 1. Places of worship: 75 feet
- 2. All other permitted uses: 60 feet

B. Minimum yard depth:

1. Minimum yard depth shall be as indicated on the following table:

Use	Zoning of parcel adjacent to or across the street from yard					
	Residential			Non-Residential		
	Front	Side	Rear	Front	Side	Rear
Hospital	25'	100'	100'	20'	6'	20'
School	25'	50'	50'	20'	6'	20'
All other permitted uses	25'	25'	25'	20'	6'	20'

2. For every foot a structure exceeded 35 feet the structure must be set back and additional foot from the yard line establish by Section 10-17A-3(B)(1).

E. Minimum parcel frontage: None**G. Minimum parcel size**

1. Hospital: 5 acres
2. School: 20,000 square feet
3. All other permitted uses: None

H. Maximum Parcel Coverage

No more than 50% of a parcel may be occupied by structures.

10-17A-4 Screening and Landscaped Buffers

- A. Areas directly adjacent to a public street, residentially zoned parcel, or a parcel being used exclusively for residential purpose, shall be screened with a landscaped buffer area at least 6 feet in width.
- B. One tree and 6 shrubs shall be planted in the landscaped buffer per 25 linear feet of landscaped buffer area.
- C. All fractional amounts of required trees or shrubs shall be rounded up to the next whole number. For example 2.15 trees rounds up to three trees.
- D. A tree may be plant in lieu of any shrub required by this chapter.

E. Screening of Trash Receptacles

In such cases where new construction or substantial improvements of a nonresidential nature are proposed adjacent to existing residential units or in a location visible from a public street, outside trash receptacles and outside storage of equipment shall be screened from view by fencing (at least 75% opaque) or landscaping of sufficient height and density to provide screening at maturity or within 3 years.

10-17A-5 General Requirements

A. Site Plan Review

Approval of a site plan in accordance with Section 10-2-7(I) is required for:

- 1.** All new construction.
- 2.** Remodeling, modification, or alteration of an existing structure(s) that increase the square footage by 50% or more.

B. Outdoor Lighting

In such cases where new construction or substantial improvements of a nonresidential nature are proposed adjacent to existing residential units, no direct outside lighting shall shine onto adjacent property.