



City of Muscatine

PLANNING AND ZONING COMMISSION

Tuesday, February 11, 2025

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

February 11, 2025, 5:30 PM

AGENDA

1. CALL TO ORDER/ROLL CALL

2. MISSION STATEMENT

3. MINUTES

A. Approval of minutes from the January 14, 2025 meeting

4. RIGHT OF WAY VACATIONS

A. **PZVROW-1-2025 • Matthew Hanssen • 607 Van Buren St • (Portions of alley right of way adjoining 607 Van Buren St)**

Mathew Hanssen is requesting that the portions of the alley right of way that bisects his property at 607 Van Buren St, be vacated and ultimately conveyed to him as the adjoining property owner. His ultimate intent is to build a garage on a portion of the to be vacated alley right of way.

B. **PZVROW-2-2025 • David Laughridge • 1719 Pearlview Ct • (Undeveloped right of way adjoining 1719 Pearlview Ct)**

David Laughridge is requesting that the undeveloped and unused 10' wide strip of right of way adjoining the south property line of his property, be vacated and

conveyed to him. This right of way was platted to allow for the construction of a walk path to the area immediately to the east of Peralview Court. Subsequent development has removed the need for direct pedestrian access between Pearlview Court and this area.

5. ZONING ORDINANCE AMENDMENT

- A. An amendment to City Code to promote residential infill by relaxing side-yard setback requirements for certain preexisting very narrow residential parcels. For qualifying parcels, this amendment would reduce the side-yard setback as needed to maintain a minimum buildable width of 20 feet, provided that the side-yard setback is not reduced to less than 5 feet.

6. ADJOURNMENT

MINUTES
January 14, 2025 – 5:30 p.m.
Planning and Zoning Commission
Muscatine City Hall
City Council Chambers

Present: Kayla Bendorf, Sharon Froelich, Andrew Anderson, Steve Nienhaus, Mark Seaman, and Kent Jurgersen

Unexcused: Jodi Hansen

Excused:

Staff: Andrew Fangman, Senior City Planner, Community Development
April Limburg, City Planner, Community Development

Vice Chairperson Andrew Anderson opened the meeting at 5:30 p.m. and Kayla Bendorf read the mission statement.

Minutes:

Sharon Froelich motioned to approve the December 10, 2024 minutes; seconded by Steve Nienhaus. All ayes, motion carried.

Rezoning:

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. Andrew Fangman gave a brief overview of the information given at the December meeting to caught everyone up. Tom Bowman from CHC (Community Health Care) discussed the reason to why CHC is wanting to be in the Muscatine area and has been working on the idea as well as with different medical facilities. The idea is to have all aspects of medical care under one roof to serve the community on a larger scale by being able to service everyone along with partnering with MCC for training. The CHC would like to be centrally located in the community with bus routes to make is easier for people to get the care needed. Naomi DeWinter with MCC agrees with the vision of CHC and working together with MCC to better the community as well as training for the students and staff. For a timeline, CHC is hoping to have a facility up and running a year from now. Jill Holler had concerns with the acreage being rezoned as it had changed from the December meeting, location of the facility and the ability to server those who can't afford the travel expenses. Mark Holler had concerns with the drainage and overall questions about the site plan itself. Dan Chatfield also had concerns with the appearance and future expansion. Jon Jinrich is in favor of the project but had questions as to why other locations were not looked at especially the mall. He also had concerns with the roads and creating an issue in the neighborhood, as well as the height requirements in C-1 zoning and the landscape requirements. Tom Bowman said CHC looked at several locations but would like to have a facility and site that was directly owned by CHC and not leased. The CHC Board of Directors wanted to build from the ground up and have funds in the budget to do so.

Andrew Fangman went over the next steps if the rezoning was approved including the site plan review process as there were several questions about drainage, location of the building, and so on.

Mark Seaman made a motion to approve the rezoning of the 2.5 acres from R-3 single family residence to C-1 Neighborhood and General Commercial; seconded by Kayla Bendoff. All ayes, motion carried.

Zoning Ordinance Amendment

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. Andrew Fangman went over the reasoning for the amendment. The Board discussed creating a new district and what other communities have done. Creating

this district would help make things easier with direct guidelines and not let certain areas fall into gaps. Kayla Bendorff addresses the comprehensive plan look at this several years ago. Andrew Fangman advised the intent was from the comprehensive plan but the verbiage is from the existing guideline standards in the current zoning code. Kent Jurgenson didn't agree with the communication tower as a permissive use.

Steve Nienhaus made motion to recommend staffs approval for the proposed amendment to City Code; Sharon Froelich second. Motion carried with 4 (four) ayes and 2 (two) nays.

Meeting adjourned at 6:40 p.m.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Planning and Zoning Commission

Andrew Fangman, Secretary
Assistant Community Development Director

DRAFT



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Muscatine, IA 52761-3840
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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: January 13, 2025
Re: Right of Way Vacation – PZVROW-1- 2025

INTRODUCTION: Matthew Hanssen is requesting that the City vacate then sell to him the portion of the undeveloped right of way between his two parcels.

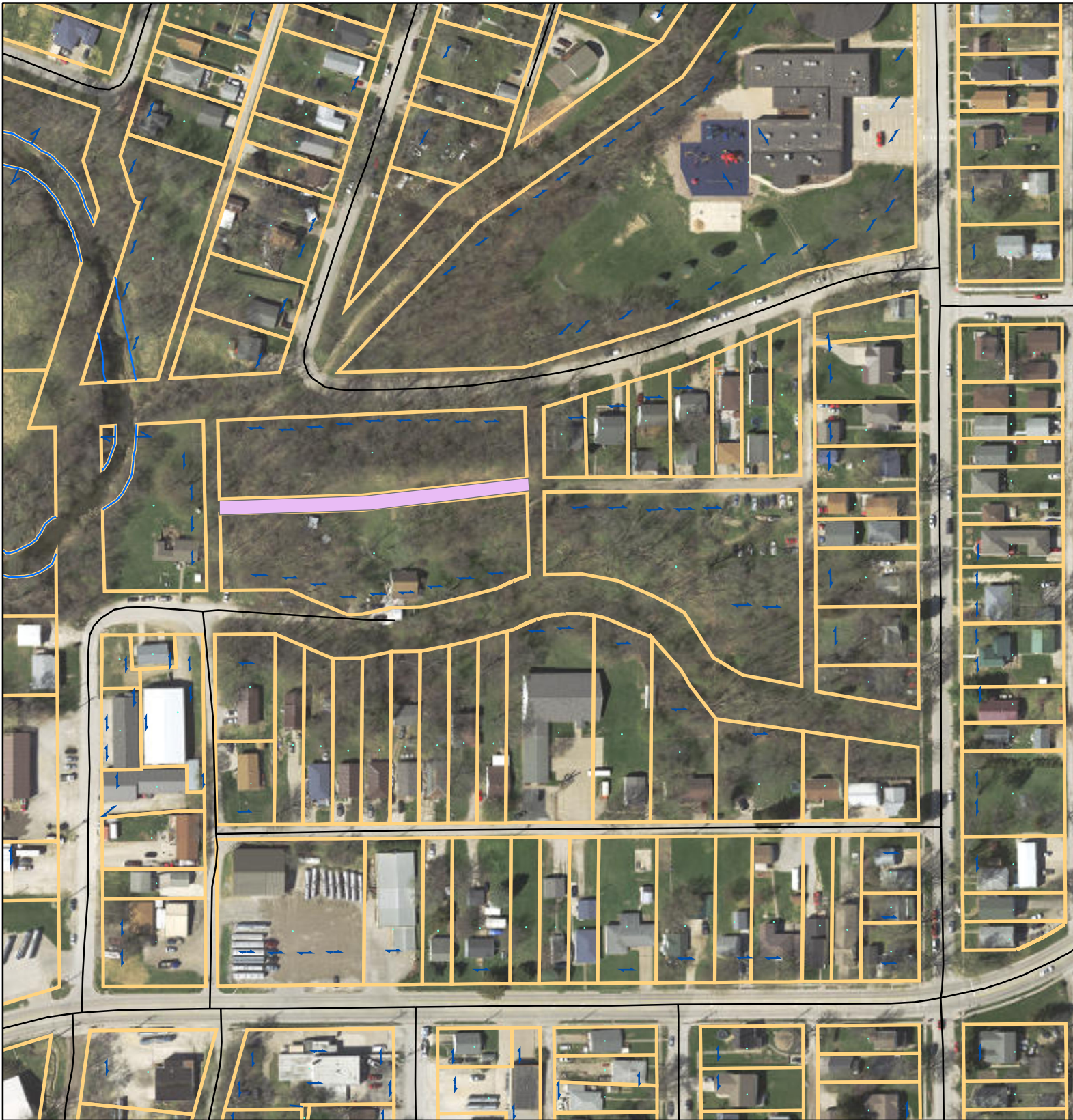
BACKGROUND: In March of 2015, Matthew Hanssen, purchased 607 Van Buren St and the parcel adjacent to it. He would like to in the future combine the two parcels and build a garage in it. The right of way was asked to be vacated between the parcels and conveyed to Matthew Hanssen as he is the only property owner to benefit for the vacation and the City does not have a use for it.

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 will be benefiting the community by allowing for the continued growth of the tax base.

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

Legal Description for vacated right of way.

All of the 18' wide east-west undeveloped alley adjoining lots 37 thru 46 BLK 33 Park Place Add and Lots 22 to 31 BLK 33 Park Place Add



Legend

-  ROW
-  Parcels

PZROWV-1-2025 Right of Way adjoining
lots 37 thru 46 BLK 33 Park Place Add
and Lots 22 to 31 BLK 33 Park Place Add

210 105 0 210 Feet





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COMMUNITY DEVELOPMENT

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Code Enforcement

To: Planning and Zoning Commission
From: April Limburg, City Planner
Date: January 13, 2025
Re: Right of Way Vacation – PZVROW-2- 2025

INTRODUCTION: David Laughridge is requesting that the City vacate then sell to him the portion of the undeveloped right of way between his parcels and the adjoining parcel.

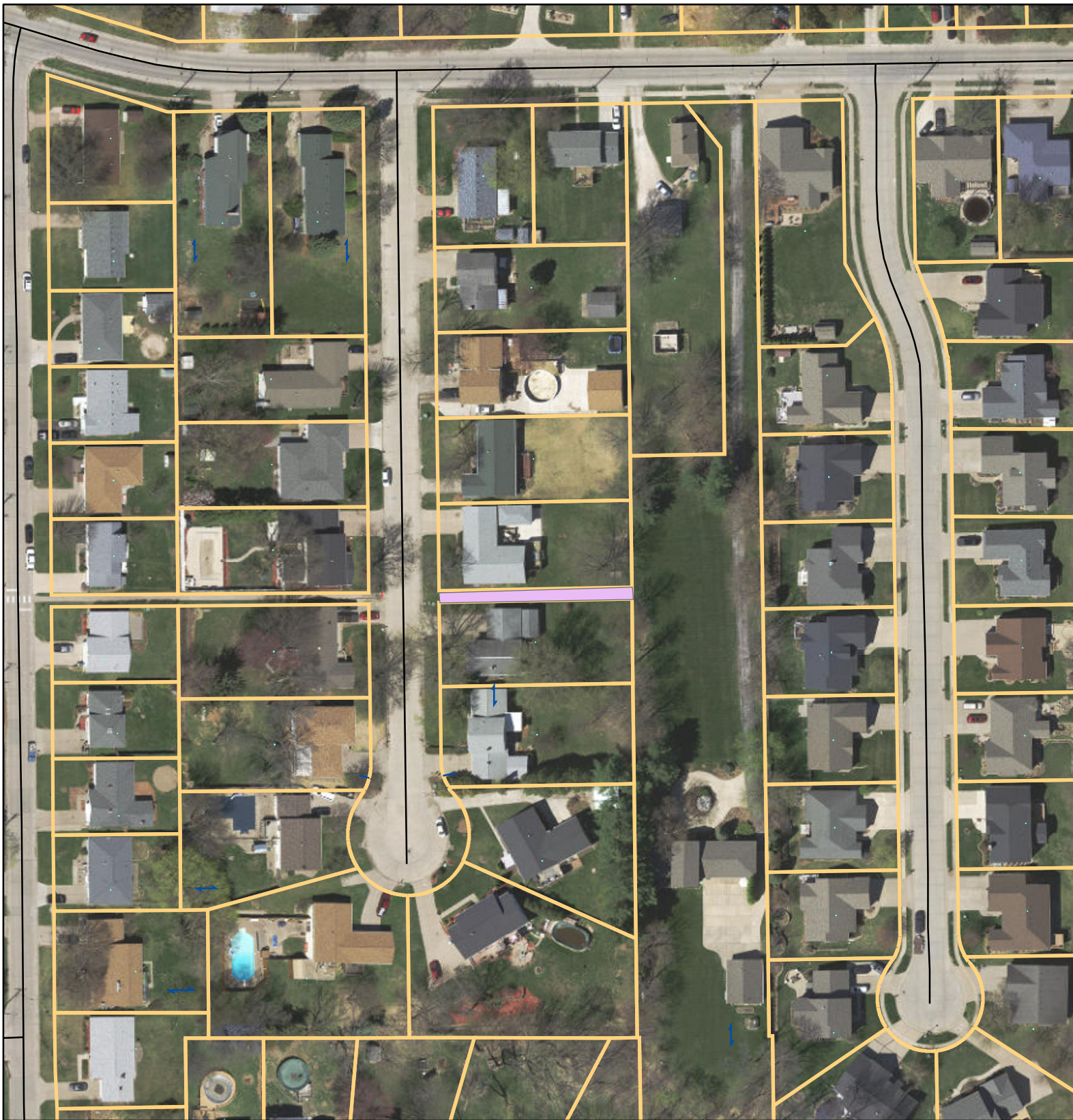
BACKGROUND: In May of 2023 David Laughridge, purchased 1719 Pearlview Ct. When the initial subdivision was platted, the right of way was created for a potential continuance of the sidewalk. The City does not plan to expand the sidewalk and no longer needs the right of way. The right of way was asked to be vacated between the parcels and conveyed to David Laughridge and the City does not have a use for it.

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 will be benefiting the community by allowing for the continued growth of the tax base.

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

Legal Description for vacated right of way.

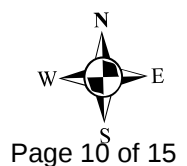
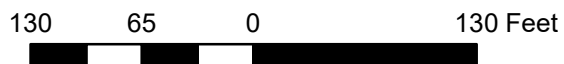
A STRIP OF LAND 10 FEET BY 164.83 FEET ADJOINING LOTS 14 & 15 PLATTED AS PUBLIC RIGHT OF WAY AND DEPICTED ON THE FINAL PLAT OF PEARLMAN'S SUBDIVISION IN THE CITY OF MUSCATINE, AS RECORDED IN BOOK 6 PAGE 102 IN THE OFFICE OF THE RECORDER, MUSCATINE COUNTY, IOWA.



Legend

-  ROW
-  Parcels

PZROWV-2-2024 Right of Way
A STRIP OF LAND 10 FEET BY 164.83 FEET
ADJOINING LOTS 14 & 15



3122

FOR Restrictive Covenants of THIS MORTGAGE

SEE BOOK 231 OF 2nd PAGE 655

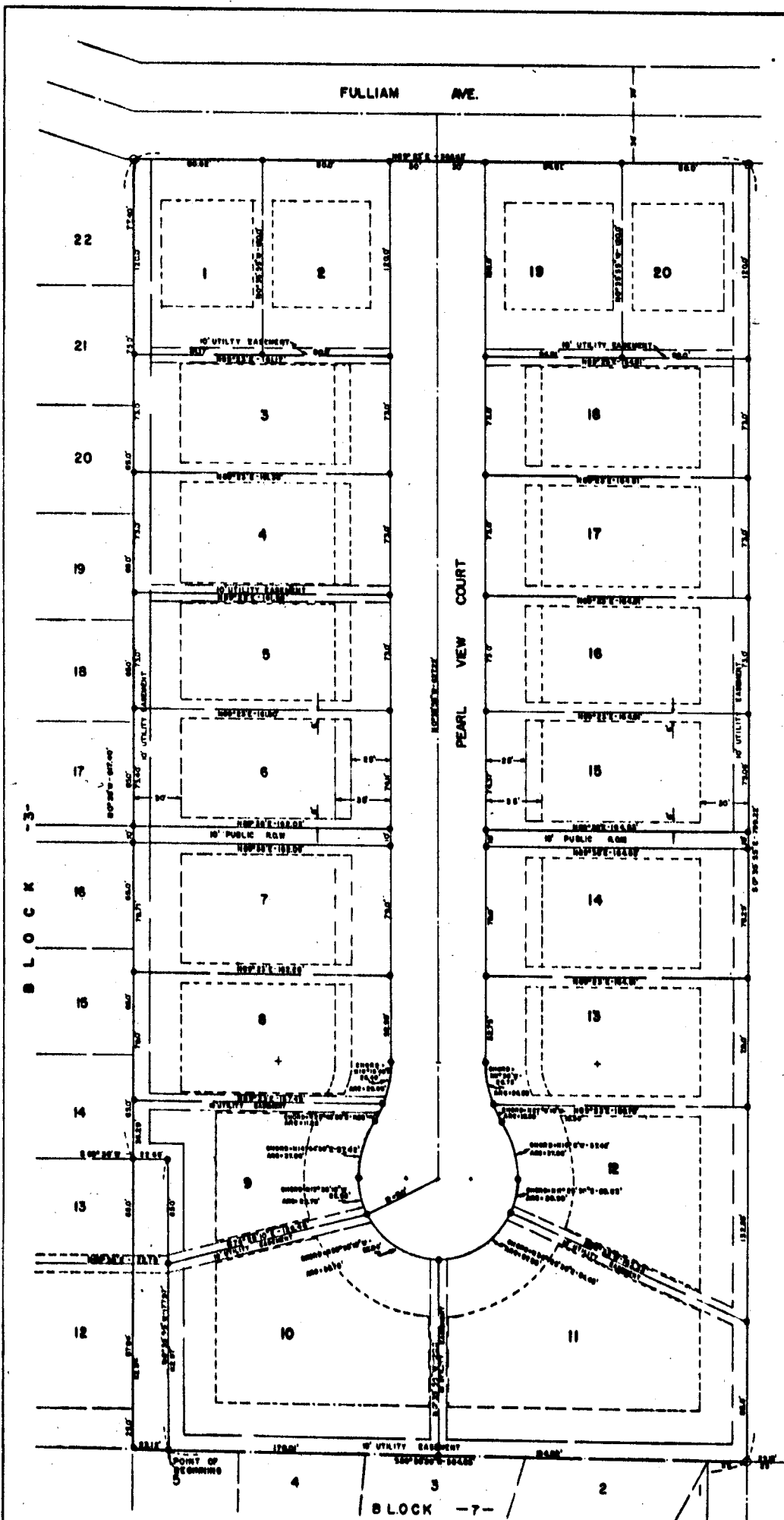
Charles V. Wheeler
9-26-1967 by Trust Managers
Recorder
Deputy

BOOK

6 PAGE 102

Recorder

Deputy



DESCRIPTION:

STARTING AT A 'CITY MONUMENT' AT THE CENTER OF SECTION 34 - T77N - R2W OF THE 5th PM, CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA, THENCE N89°58'20\"

#3559 FOR AFFIDAVIT

SEE BOOK 240 OF 2nd PAGE 392

Charles V. Wheeler
9-26-1967 by Trust Managers
Recorder
Deputy

PLAT

PEARLMAN'S SUB-DIVISION
CITY OF MUSCATINE, MUSCATINE COUNTY, IOWA
FOR
JACK L. & BESSIE PEARLMAN

JAMES B. TRACY
DATE: 8-17-67

MUSCATINE IA
PROJ. NO. 760

SCALE: 1\"

I CERTIFY THAT THIS IS A TRUE
REPRESENTATION OF THIS PROPERTY

James B. Tracy
JAMES B. TRACY
IA REG. NO. 2009

1\"

VACATION DESCRIPTION –

A STRIP OF LAND 10 FEET BY 164.83 FEET ADJOINING LOTS 14 & 15
PLATTED AS PUBLIC RIGHT OF WAY AND DEPICTED ON THE FINAL
PLAT OF PEARLMAN'S SUBDIVISION IN THE CITY OF MUSCATINE, AS
RECORDED IN BOOK 6 PAGE 102 IN THE OFFICE OF THE RECORDER,
MUSCATINE COUNTY, IOWA.

9137 LAND DESC

PROOFED BY

DATE



COMMUNITY DEVELOPMENT DEPARTMENT

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Muscatine, IA 52761-3840
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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: February 11, 2025
Re: An Amendment to City Code to Promote Residential Infill by Relaxing Side-yard Setback Requirements for Certain Preexisting Very Narrow Residential Parcels

For qualifying parcels, this amendment would reduce the side-yard setback as needed to maintain a minimum buildable width of 20 feet, provided that the side-yard setback is not reduced to less than 5 feet.

For a new home to be constructed, the parcel upon which it is constructed must meet the minimum parcel size and lot frontage requirements established for the zoning district which it is located in. Any newly created residential parcel must also comply with these standards.

Muscatine adopted its first zoning ordinance in 1957. Prior to this there were no minimum lot size, or frontage requirements for new home construction or land subdivision. Approximately 59% of housing units in Muscatine were built before 1960. This means a majority of homes and the parcels that they are located on predate the implementation of any minimum lot size, frontage, or setback regulations.

Consequently, a significant number of residentially zoned parcels do not meet one or more of the, parcel size, or frontage requirements of their respective zoning districts. Over 32% of residentially zoned parcels do not meet the minimum parcel size requirements of their zoning districts, likely due to their creation before the establishment of zoning in Muscatine.

Existing zoning regulations allow for the continued residential use and potential redevelopment of parcels with existing lot size and frontage deficiencies. Section 10-26-4(A) of the City Code permits uses allowed in a zoning district, even if the parcel does not meet minimum lot size or frontage requirements. However, the manner in which setback requirements are applied makes it difficult to redevelop existing, but extremely narrow, residential parcels.

When Muscatine was originally platted, lots were typically 60 feet by 140 feet. This practice continued in numerous subdivisions and additions during Muscatine's early years. During this period of rapid growth, it was common for these 60-foot lots to be split in half, creating 30-foot-wide lots with residences built on each. As there were no regulations prohibiting this practice, hundreds of these very narrow residential parcels can be found throughout older parts of Muscatine.

Over time, many of these very narrow residential parcels have become vacant due to the destruction or demolition of the existing dwellings. These parcels are ideally located for infill development. Constructing new homes on these parcels would revitalize surrounding neighborhoods, create much-needed new housing stock cost-effectively, and require no additional investment in public infrastructure.

The smallest and most typical setback requirement among residential zoning districts is six feet. On a 30-foot-wide parcel, this results in a building envelope of only 18 feet in width. This dramatically decreases the viability and likelihood of desired residential infill development occurring on such narrow parcels.

Muscatine Center for Social Action (MCSA), has received a neighborhood revitalization grant from the Iowa Finance Authority to build six single-family owner-occupied homes on infill sites in an area centered along Mulberry Avenue between Jefferson School and 5th Street. Three of these six homes are being developed on parcels that are 30' by 140'. The first of these new homes is currently under construction at 409 E. 6th Street. The homes being constructed here and on the other two 30-foot-wide lots share the same design, with a width of just under 20 feet. To accommodate this design, a variance was required to reduce the side yard setbacks from 6 feet to 5 feet.



New Home Under Construction at 409 E. 6th Street

Creating a functional, attractive, and economical home design on a parcel only 30 feet wide presented a significant design challenge. The extra two feet of building width, enabled by the minor reduction in side yard setbacks through these variances, was crucial for creating a functional, attractive, and economical home design.

The opportunities and challenges of infill development on 30-foot-wide parcels extend beyond the three parcels involved in the ongoing MCSA project. Currently, at least two dozen vacant residential parcels with a width of approximately 30 feet exist. Four of these are vacant City-owned surplus parcels. Additional such parcels are likely to become vacant over time. Therefore, any successful strategy for infill development must include the redevelopment of a significant number of these narrow lots.

To promote additional infill development, the City of Muscatine is currently collaborating with an architectural firm to create a pattern book of building plans. This book will include three sets of shovel-ready, complete building plans that any community member can freely use. Recognizing the opportunities and design challenges presented by the large number of very narrow infill parcels, one of the three plan sets will be for a three-bedroom, two-bathroom house that can be built on a 30-foot-wide lot.

Similar to the MCSA projects, the pattern book design for a home on a 30-foot-wide lot will likely have a width of nearly 20 feet. Under current zoning regulations, constructing such a structure on a 30-foot-wide parcel would require a variance to reduce side yard setbacks to 5 feet. It is counterproductive to require someone seeking to construct a structure according to plans produced by the City, in furtherance of a broader community objective, to first obtain a variance.

A better approach would be to make a change to City Code that allow for the desired type of infill development by right. To that end City Staff proposes that following be added as Section 10-26-2(K)

“K. Where a parcel which existed as of January 1, 2025 and has less area or frontage than herein required in the district in which it is located, a new single-family residence may nevertheless be constructed on such a parcel provided that:

- 1. A single-family residence is a permitted use in zoning district in which the parcel is located.***
- 2. Side-yard setbacks are maintained, except the buildable width cannot be reduced to less than 20 feet, except that there shall be a side yard setback five feet shall be maintained.”***

Adding this section would maximize flexibility in redeveloping existing very narrow residential parcels without substantially altering the overall zoning regulations.

The proposed amendment does not allow for the reduction of side yard setbacks to less than five feet. This is because the adopted building code requires that any exterior wall constructed within five feet of a property line must be constructed as a one-hour fire-rated wall. To achieve this rating, specific fire-resistant materials must be used, and the number of openings (windows and doors) is limited. These restrictions make it both uneconomical and a design challenge to construct closer than five feet to a property line, particularly for the type of single-family home infill development this proposed amendment aims to promote.