

**MINUTES**  
**February 7, 2017 – 5:30 p.m.**  
**Zoning Board of Adjustment**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Larry Wolf, Seth Munier, Jodi Hansen, and Robert McFadden

**Excused:** Monica Gonzalez

**Staff:** Andrew Fangman, City Planner, Community Development  
Dave Gobin, Director, Community Development  
Stephanie Oien, Office Coordinator, Community Development

Chairperson Larry Wolf opened the meeting at 5:30 p.m. and read the Mission Statement.

**Minutes:** Hansen motioned to approve the minutes submitted for the January 3, 2017 meeting; seconded by McFadden. All ayes, motion carried.

**Conditional Use Case #ZBACU5-012417, filed by Steve Long of HBK Engineering, to construct an automobile service station at 407 Sycamore Street. An automobile service station is a designated Conditional Use in a C-1 Zoning District per City Code 10-11-2(A).**

Steve Long of HBK Engineering and Dan Garneau of Kum & Go LLC were present to discuss the request. Mr. Long advised that Kum & Go was proposing a new Go Fresh Market Place unit. He explained that the market place sites are more food focused; offering on-site dining with indoor and outdoor seating. He noted that half of their site is located in the C-1 Zoning District and the other is the C-2 Zoning District. An automobile service station is allowed in the C-2 but is permitted by conditional use only in the C-1. Their site plan will place the building structure in the C-1 portion of the lot with the fuel pumps and canopy in the C-2 portion. Fangman explained that according to the current zoning ordinance their fuel use is defined as an auto service station due to the definition of City Code and the era in which it was written. Wolf noted that the site was used as a gas station prior to 1981 and asked if this use would be grandfathered. Fangman replied that there were leaking underground storage tanks and that the site was cleaned in 1996. The “grandfathering” went away with the lapse in use. It was also stated that the previous gas station may have been in place prior to the current zoning ordinance being established. McFadden asked if the project would be new construction. Long responded that they intend to tear down the existing building and build a new one. McFadden asked if the station would provide 8-10 jobs. Mr. Garneau replied that it will likely provide 10-12 jobs. He explained that they employ more than a typical service station as there is more staff with the market place preparing fresh foods. Fangman advised that he spoke with Doug Reist, who owns a building at 411 Sycamore Street, which will be surrounded by the Kum & Go campus. Mr. Reist had no objection to the project. Prior to the meeting staff took one phone call from Miriam Neff, 207 E. 5<sup>th</sup> Street, who was concerned that the forthcoming alley closure would affect the alley that runs behind her home in the next block. Staff explained that the only portion of the alley to be affected would be that which was contained within the Kum & Go property. After this explanation, Ms. Neff expressed support of the project.

Fangman told the Board that revisions to the sign code are underway. This process may be complete and in place prior to the Kum & Go project completion. He asked that the Board add a condition to their motion that would keep Kum & Go in compliance with the regulations to come. He advised that post and pylon signs will be prohibited in this area. Ground signs will be allowed with a height limit of six feet. Mr. Garneau said they would be glad to comply. Fangman noted that this project is also going through the site plan review process as well as a right-of-way vacation request with the Planning & Zoning Commission.

Bob Nicolai, a representative for Zion Lutheran Church, asked for a definition of “Go Fresh”. Garneau replied that it was made-to-order food with seating in and out. They will also have fresh produce. He advised Muscatine is getting one of the first stores of this kind in this area. Mr. Nicolai asked what the plans were for the existing Kum & Go site (501 Cedar Street). Garneau stated that a concrete plan has not been determined yet. He added they would not continue to use that site. Nicolai stated that the alley closing would limit the traffic along their building and hopefully reduce the amount of trash that they get now.

Gobin mentioned that in conversations with representatives from Kum & Go it has been advised that the awning and tanks will be removed and the site cleaned of the potential fuel hazards prior to sale.

Munier motioned to approve the request with the condition that signage will conform with the proposed sign code revisions, to include: no post or pylon signs will be allowed at the site; ground signs, not exceeding six feet in height, will be allowed. Seconded by Hansen. All ayes, motion carried.

Meeting adjourned.

ATTEST:

Respectfully Submitted,

---

Larry Wolf, Chairperson  
Zoning Board of Adjustment

---

Andrew Fangman, Secretary  
City Planner