

**MINUTES**  
**September 14, 2021 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**  
**Online GoToMeeting**

**Present:** Andrew Anderson, Kayla Bendorf, Sharon Froelich, Jodi Hansen, Robert McFadden and Steve Nienhaus

**Excused:** Mark Seaman

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

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

**Minutes:**

Andrew Anderson motioned to approve the August 10, 2021 minutes; seconded by Kayla Bendorf. All ayes, motion carried.

**Right of Way Vacations:**

**PZVROW-10 • Patrick Garrels • Undeveloped Lombard Street Right of Way Adjoining 1100 East 7<sup>th</sup> Street**

Patrick Garrels was not present but April Limburg discussed the right of way vacation request on his behalf. Ms. Limburg explained the property is currently a rental and eventually Mr. Garrels would like to put a garage on the property for the tenant to use so the vacated right of way would allow him the necessary space. Andrew Fangman added that the right of way is undeveloped and the City had previously vacated and sold another portion of the right of way in that area to Brus Construction.

Kayla Bendorf motioned to approve the Right of Way Vacation; seconded by Steve Nienhaus. All ayes, motion carried.

**PZVROW-11 • City of Muscatine • The Alley Right of Way Located Between 1248 East 5<sup>th</sup> Street and 1300 East 5<sup>th</sup> Street**

April Limburg explained the City has requested the right of way vacation request with the intent to deed the vacated right of way to the adjacent property owners for more green space but the alley is developed and is currently used so the alley would have to be permanently closed.

Sharon Froelich questioned how often the alley is used and Ms. Limburg stated it does not appear to be used by normal traffic on a regular basis, it is used more frequently by the residents in that neighborhood but even if the alley was closed those residents would have other routes available. Andrew Fangman commented that the proposed alley closure was reviewed and approved by the City's traffic committee. Ms. Limburg added that she sent notices of the request to the property owners located within a radius that was extended farther out than normal for right of way vacation requests.

Kayla Bendorf inquired if the property owners would be responsible for installing new sidewalks with the alley closure. Mr. Fangman stated since the sidewalk stops at the alley the installation of new sidewalks would not be required. Sharon Froelich asked if a property owner wanted to install a new sidewalk if they could and Mr. Fangman answered yes, but a permit would be required and Public Works would have to review the proposed sidewalk location for approval.

Robert McFadden expressed that he thought the alley is actually used quite a bit on a daily basis. Andrew Anderson agreed with Mr. McFadden's assessment and asked Mr. Fangman to expound on how the City's traffic committee completed their review. Mr. Fangman explained that the review did not include a traffic count but the committee did assess the number of surrounding alleys and streets to ensure that the proposed alley closure would not eliminate access to any necessary properties. Mr. McFadden added that he has mixed feelings as the alley is used frequently but it is also a traffic hazard to turn at that alley because it is a blind corner. Kayla Bendorf concurred with the concerns about the blind corner being a traffic hazard and pointed out that if the alley was closed drivers would only have to go a little farther for an alternative route.

Andrew Anderson inquired about which property owners in the surrounding area were notified of the right of way vacation and alley closure request. April Limburg explained notices had been sent to property owners on Lee Street, Munn Street, and East 5<sup>th</sup> Street. Mr. Anderson asked if East 4<sup>th</sup> Street property owners had been notified to which Ms. Limburg replied no and Mr. Anderson expressed concern that East 4<sup>th</sup> Street had not been notified as the property owners on that street use the alley.

Jodi Hansen echoed Mr. Anderson's concerns stating since the alley is used a lot, she would want to extend the notifications even farther out to certify that none of the surrounding property owners are greatly opposed to the alley closure and confirm that they would not be significantly impacted in a negative manner by the proposed alley closure. Andrew Fangman suggested that the request could be tabled to the next Commission meeting so notices could be sent out to more of the surrounding property owners informing them of the right of way vacation request. Ms. Hansen questioned if a traffic count could be performed and Mr. Fangman stated he would ask but was not positive that it could be done as the equipment may not be able to be set up in the alley.

Andrew Anderson agreed that more surrounding property owners need to be notified including both sides of East 4<sup>th</sup> Street and Brook Street. Kayla Bendorf added that she would like to know the conditions of the surrounding alleys as well.

Andrew Anderson motioned to table the right of way vacation; seconded by Steve Nienhaus. All ayes, motion carried.

Meeting adjourned at 5:48 p.m.

ATTEST:

Respectfully Submitted,

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Jodi Hansen, Chairperson  
Planning and Zoning Commission

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Andrew Fangman, Secretary  
Assistant Community Development Director