

**MINUTES**  
**March 1, 2022 – 5:30 p.m.**  
**Zoning Board of Adjustment**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Jodi Hansen, Nancy Jensen, Robert McFadden, Larry Murray and Julie Wolf

**Excused:** None

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

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

**Minutes:**

Minutes from the January meeting were not present at this time.

**Appeal Cases:**

**Appeal Case No. 53, filed by Muscatine Downtown Investors, LLC to allow a new mixed-use commercial and residential building located at 403 W Mississippi Dr.**

The new building will have three commercial units on the lower level along with five residential units above with access of Linn St. The variance requesting to allow for a change in front setbacks and to allow multifamily occupancy on the parcel. The minimum required front yard depth is 30 feet, as the request is to change the depth to 15 feet to allow for the mixed-use and residential building. The structure will not meet the setback requirements by Section 10-14-3 (B) of City Code. The current parcel is zoned M-1 Light Industrial which does not allow for multifamily occupancy by Section 10-14-2- (B) of City Code.

Mike Nolan was present to discuss the appeal. Nolan stated the reason for the appeal of the setback being due to the balcony and allowing for the street level to be in line with the current buildings in the area. He also addressed the attached garages for parking for the residents along with the parking behind the building.

Jim Barry with J&K Button was in favor of the setback as well as the multifamily use.

Keith Barrett was concerned with the lack of parking for the residents and in general as well as there isn't a sidewalk on the lower level of Linn St if people were to park and walk down to Mississippi. He was okay with the store fronts but not having residential units above.

David Meloy was concerned with the height of the building as well if the rental units were going to be used a rentals or condos.

Brandy Olson had concerns with the height of the building, parking the light pole which was recently added, and the overall design of the area.

Andrew addressed the ZBA members, there is enough parking for the residents and overall parking.

Nolan addressed the ZBA members, he was not able to give a height as he is not the property owner, however with the lot currently zoned M1 – Light Industrial the height of the building could be 75 feet. He could see the building being 35 to 45 feet from the street level in height but it was still undetermined.

Robert made a motion to table ZBAV Case No. 53 to the next meeting for Nolan and the property owner to work out the details in regards to the height of the building. Julie seconded, motion carried with all ayes.

**Appeal Case No. 52, filed by Don Holladay on behalf of Muscatine County Social Action (MCSA) to allow for a change in front setbacks, to waiver the 1,000 sq ft per unit lot size, and waver the 50% onsite parking requirement located at 601 E 6<sup>th</sup> Street.**

The minimum required front yard depth is 25 feet, as the request is to change the depth to 15 feet to allow for the new 15 unit construction for housing. The structure will not meet the setback requirements by Section 10-6-3 (B) of City Code. The three parcels combined are 12,740 sq ft lot and short of the 15,000 sq ft lot by Section 10-8-3(G) of City Code. The parking requirement is 15 onsite spaces and the request is to decrease the onsite parking to 8 spots by Section 10-31-2 (C)(3B) of City Code.

Scott Dahlke with MSCA was present to discuss the appeal. MCSA would like to provide a 15 unit permanent supportive housing and along with 8 parking spots for staff. The units would be efficient and in the center of the building would be an office with 24 hr staffing. The residents would have to meet income requirements as will have to sign a lease. Each unit will be a single unit and the exits will be monitored.

James Woepking is supportive of MSCA but was concerned with parking as on street and off street parking is very slim as it is with not having a 15 unit development.

Dahlke explained the parking would be for staff and the staff will be staggered. If a person is advancing in the program to have a car, there is alternative housing for those individuals. The area is ideal as it is walking, riding a bike, or a bus ride away from downtown and essential establishments. The empty lot across the street was brought up as a place to be used for parking. Dahlke advised everything MSCA does is determined by a Board and is State funded so funds for a parking lot across the street was not allocated.

Julie made a motion to approval ZBAV Case No. 52. Robert seconded, motion carried with all ayes.

**Appeal Case No. 51 filed by Todd Morgan to allow for a change in rear setbacks as well as construction of a 728 sq ft garage on the property located at 1607 Mulberry Ave.**

The minimum required rear yard depth is 25 feet, as the request is to change the depth to 15 feet to allow for the garage construction. The structure will not meet the setback requirements by Section 10-6-3 (D) of City Code. The proposed garage will be 728 sq ft. The lot currently has two garages currently. The proposed addition would cause the property to exceed by 681 square feet, the maximum cumulative square footage of all accessory buildings and attached garages allowed by Section 10-20-2 (B) of City Code.

Todd Morgan was present to discuss the appeal. Morgan would like to demolition as existing garage by the alley and turn the existing garage into a bedroom. Once this is complete, he would like to build a garage new garage.

Robert made a motion to a approve ZBAV Case No 51. Larry seconded, motion carried with all ayes.

**Conditional Use Case No. 20 filed by Guadalupe Vazquez and Martiza Martinez to build a drive thru coffee shop with seating to be located at 1400 Park Ave. allowed by Section 10-11-2 (I) of City Code.**

Guadalupe Vazquez was present to discuss the conditional use permit. She is the current owner of the Coffee Belt and would like to build a coffee shop with a drive thru as well as having seating for up to 30 people. The drive thru is the main focus.

Silvia OCampo had concerns with the area due to drainage. At the moment, there is a snow pile and when the snow melts it does run off into the alley and peoples yards.

It was discussed when Vazquez was ready, she would have to submit a site plan for review which would include a drainage plan. Also with the lot being developed, the snow wouldn't be able to be accumulated where it is now.

Larry made a motion to approve Conditional Use Case No. 20. Julie seconded, motion carried with all ayes.

**Conditional Use Case No. 21 filed by Steve and Eileen Ellsworth to use the property at 102 Walnut St as a personal residence and to build a garage in the future allowed by Section 10-12-2 (C) of City Code.**

Steve Ellsworth was present to discuss the conditional use permit. The building is currently used for commercial use and was once a residence. He would like to make it a residence once again. In the future, he would like to build a garage on the property by the alley.

Robert made a move to approve Conditional Use Case No. 21. Julie seconded, motion carried with a 4 to 1 vote.

Meeting adjourned at 7:00 p.m.

ATTEST:

Respectfully Submitted,

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Jodi Hansen, Chairperson  
Zoning Board of Adjustment

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April Limburg, Secretary  
Planner