

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

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

**Excused:** Julie Wolf

**Staff:** April Limburg, Planner, Community Development

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

**Minutes:**

Robert motion to approve the March 1<sup>st</sup>, 2022 minutes as correct. Jodi Hansen's name was misspelled. Larry seconded, motion carried.

**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 addressed the concerns of the number of parking spots as well as the height of the proposed building. There will be a total of 22 parking spots, with 5 being residential along with 5 spots in the garages and the other 17 spots will be for commercial. The height of the building is based on the first floor elevation of 561.5' MSL with the max height of the building at 601.5' MSL.

Keith Nichols was present on behalf of Scott Lehner with concerns setting a precedence for the downtown area with having store fronts and residential area combined. He also had concerns with parking for the businesses in the area along with the older buildings in the area being demolished. The view is a key to being in the downtown area.

Tom Meeker discussed the light pole that was put up on the property and the light is adjustable. This is the only light pole that will be on the light pole on the property as this was a concern from residents.

Jodi wanted to discuss concerns from a letter submitted by Keith Barrett with the trash cans, delivery concerns, sidewalks and the patio at the brewery.

Tom advised the trash cans will either be in the garages or outside of them. For the commercial, there will be a trash bin behind the brewery. The goal is to keep the patio and work around it. Delivery shouldn't be an issue as deliveries are during the day. Deliveries would also be off Linn St or in front of the property. There isn't a sidewalk on Linn St and having a staircase down both sides of the property was being looked into.

George Granberg had concerns with height, the setback, concerns with other areas on 2<sup>nd</sup> St regarding old buildings, and if the resident areas were going to be rentals or condo's.

Keith Barrett had concerns with the height and blocking his views.

Tom advised with the height of the building, river views will still be there. He is open to the option of condos but the rentals will be on the more expensive end and as the building will be nice with windows along the front.

Sean Olson was concerned with residents having roof access.

Tom advised there will be no roof access for residents.

Robert made a motion to approve ZBAV Case No. 53 with the condition the building does not exceed 40 ft tall. Larry seconded, motion carried with all ayes.

Meeting adjourned at 6:20 p.m.

ATTEST:

Respectfully Submitted,

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Jodi Hansen, Chairperson  
Zoning Board of Adjustment

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April Limburg, Secretary  
Planner