

CITY OF MUSCATINE, IOWA

CONDITIONAL USE

Zoning Board of Adjustment  
Conditional Use Case No.: 260

Filed: August 22, 2012

Board of Adjustment  
City of Muscatine, Iowa

Ladies and Gentlemen,

On August 22, 2012, the undersigned applied for a Conditional Use Permit to operate a facility to receive, unload, segregate and reload dried pork and poultry meal.

Located on lot: 21 Block: \_\_\_\_\_ Addition: Muscatine Industrial Sites No. 1  
Address: 4901 59<sup>th</sup> Avenue West, Muscatine in the M-2 Zoning District.

This constitutes a Conditional Use as a bulk manufacturing processing and/or storage plant under Section 10-15-2 (C) of the City Code.

Very truly yours,

AMPRO Products, Inc.  
E. Scott Duchette  
2305 O'Kelly Road  
Gainesville, GA 30507  
770-535-6646

Fee Paid: \$200.00  
Receipt No.: 83137  
Date of Hearing: 09/04/12  
Notice Sent: 08/27/12  
Approved by Steve Boka: Yes

# EICHELBERGER LAW OFFICE PC

PO BOX 1186  
MUSCATINE, IOWA 52761  
EichelbergerLawOfficePC.com

JOHN R. EICHELBERGER\* - john@jrelaw.com  
ROSY AVALOS EICHELBERGER - rosy@jrelaw.com  
\*Also Licensed in Illinois

TELEPHONE 563 / 263-6900  
FAX 563 / 263-6902  
Physical Address: 2206 Lucas Street

August 22, 2012

Mr. Steve Boka  
City of Muscatine  
City Hall, 215 Sycamore Street  
Muscatine, IA 52761

Re: AMPRO Conditional Use Permit

Dear Steve:

As you know, I am representing AMPRO Products, Inc. ("AMPRO"), which is negotiating to purchase the Doane pet food plant located at 4901 59<sup>th</sup> Avenue, in Muscatine ("Facility"). The purchase obligation is contingent upon AMPRO being able to obtain an appropriate conditional use permit from the City to conduct its transshipment operation at the Facility. AMPRO provides protein products to the pet food industry, and they plan to use the Facility to receive dried protein products, principally by truck, and then load these products onto railcars for shipment to AMPRO's manufacturing facilities.

The protein products will be delivered in either hopper bottom semi-trailers or in railcars. The products are then going to be unloaded inside the building, graded into appropriate piles, and then loaded onto railcars for shipment to their ultimate destinations. AMPRO needs a large enclosed structure that is capable of receiving trucks and railcars, and to sort the dry protein products.

Enclosed is AMPRO's Application for a Conditional Use Permit for the operation of the Facility, and a check for \$200 made payable to the City. We are also enclosing a list of the property owners within 200 feet of the Facility. As we discussed, we will provide additional information in support of this Application before August 29.

If you have any questions, please call.

Very truly yours,

EICHELBERGER LAW OFFICE PC

By   
John R. Eichelberger

JRE/vlb

Enclosures

cc: Scott DuChette (w/encs.)  
13623

## DESCRIPTION OF ACTIVITY

A. Principal Activities. The following is a description of the principal activities that will be conducted on the property.

1. AMPRO Products, Inc., is a division of American Proteins, Inc., which is in the business of producing and selling specially blended protein products for the pet and animal food industry. One source of protein products is dried porcine and poultry meat and bone meal ("Meal"). AMPRO intends to use this property as a "transshipment" facility for such Meal. AMPRO will receive Meal from meat processing facilities located within approximately 200 miles of Muscatine. AMPRO will then sort the Meal, load it onto railcars or trailers, and ship the Meal to other facilities where the Meal is used in the creation of dry pet and animal food products.

2. The Meal has approximately the same consistency as soybean meal or dried distillers grain ("DDG") like that produced locally at Grain Processing Corporation.

3. As shown on attached Exhibits A and B, the typical Meal product has a moisture content of between 3.0 and 6.0%.

4. The Meal will be brought to the facility in covered, hopper bottom semi-trailers, or in covered, hopper bottom railcars. Normal truck deliveries should range between one and 20 trucks per day.

5. The trailers and railcars will be pulled into the "unload" building marked on attached Exhibit C, and the contents of the trailers and railcars will be unloaded and piled inside the other warehouse buildings located on the property. AMPRO intends to construct four-foot tall concrete walls around the interior perimeter of the warehouse buildings where necessary to serve as a barrier to hold the Meal that is piled on the floors.

6. Most of the Meal will be reloaded onto railcars for shipment, which is more economical for long haul delivery.

7. The Meal will be moved around the facility using conveyors and skid steer loaders. It is important that the Meal maintain low moisture content, so all movement and cleanup of Meal is done mechanically, without any water. The floors will be scraped and swept, not flushed.

8. The facility will be operated without any forced air ventilation to exhaust anything from the building. The Meal does not create any significant dust and employees are not required to wear safety masks or respirators to work in the facility.

9. While in the facility, the Meal will not be heated, compressed, diluted or otherwise processed. No additives are added to the Meal, nor is any mixing initially planned. The Meal will not be bagged.

10. The Meal is not a fire hazard and is not prone to spontaneous combustion.

11. The facility will not be operated on a continuous 24 hour/7 days a week basis. It is anticipated that normal operation hours will be from 7:00 a.m. to 5:00 p.m. Some limited activity could occur during other times, depending on truck and train delivery schedules.

12. The facility will not use any form of exterior loud speakers or broadcasts systems so there will be no excess noise pollution.

13. Except for normal nighttime security lighting, the facility will not require any different exterior lighting than is currently in place.

14. All truck traffic and employee vehicles will arrive to the facility and be parked on hard surface parking lots. No additional hard surfacing will be required.

B. Possible Activities. The following is a description of the other activities that could be conducted on the property, given appropriate market conditions.

1. The facility already contains an in-floor mixing unit near the “unload” building. If market conditions warrant, it is possible that Meal could be mixed in that unit to create specialty protein blends for shipment by railcar.

2. The Meal is finely ground, but there are different particles sizes in the Meal that represent different nutrient values. If market conditions make it economically feasible, the Meal could be run through fine screens to separate the different particle sizes for further grading and sorting. The different particle sizes represent specific nutrients that may have different market values if separated, as compared to being mixed.

3. While the principal source of protein product to be unloaded and loaded at this transshipment facility will come from meat processing facilities in the area, it is possible that other types of dried protein products could be transshipped at this facility. For example, dried dog food that does not meet retail user specifications, is a common source of protein for certain end users, such as hog or chicken growers. Such products could also be transshipped through this facility.

4. The facility may also be used for limited general warehouse purposes to store bagged or palletized dried protein products that are to be shipped to end users or processing facilities.

*Exhibit A*

Ampro Products, Inc.

Phone (770)535-6646

Fax (770)535-7207

53 Porcine Meat and Bone Meal

Typical Analysis

Crude Protein.....	53%
Crude Fat, Minimum.....	8%
Crude Fiber, .....	2%
Calcium, Maximum.....	9.9%
Phosphorous, Minimum.....	4.25%
Moisture.....	3.68%

Exhibit B

**Ampro Products, Inc.**

Phone (770)535-6646

Fax (770)535-7207

66 PET FOOD POULTRY MEAL

**GUARANTEED ANALYSIS**

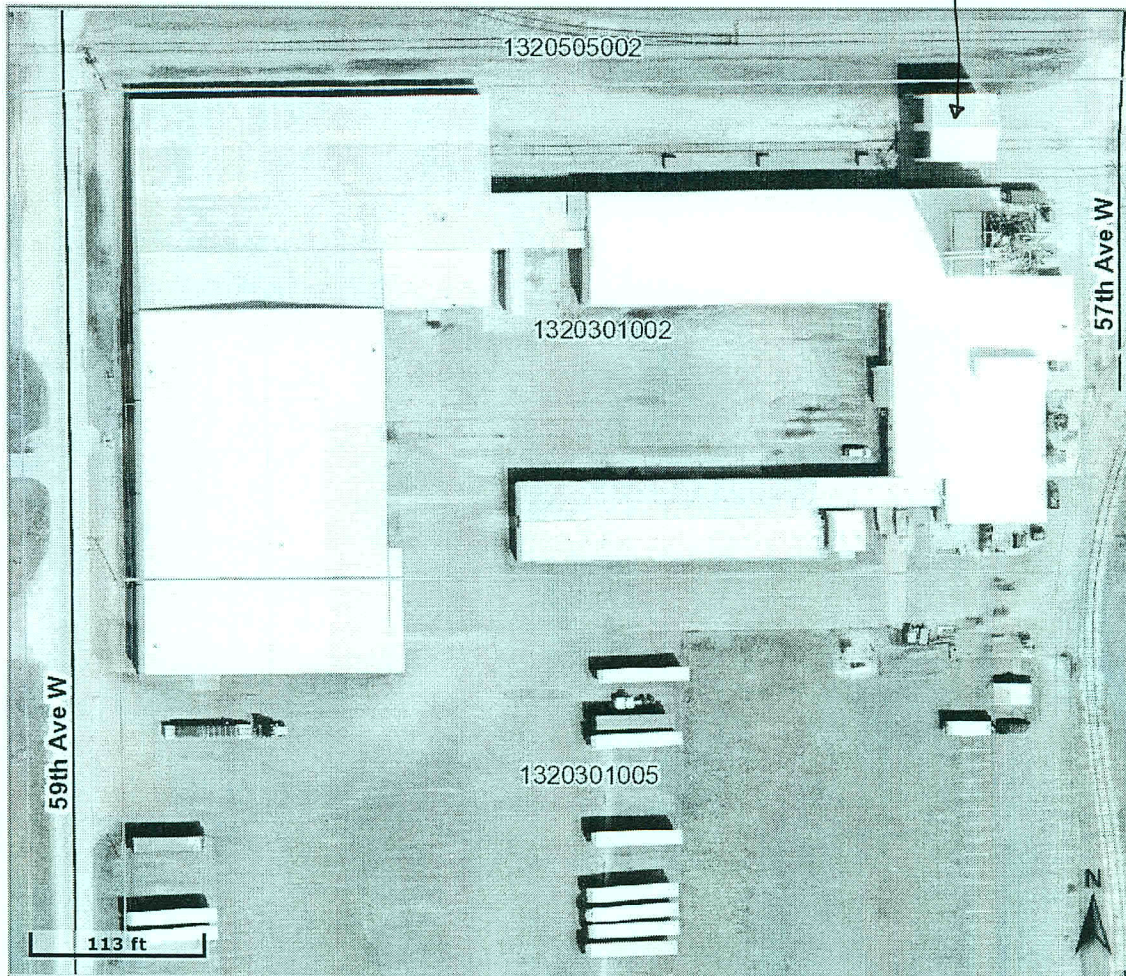
Protein, not less than.....	65.5%
Moisture, not more than.....	6.0%
Fat, not more than.....	14%
Fiber, not more than.....	3.0%
Phosphorous, not less than.....	2.0%
Calcium, not less than.....	5.0%
Calcium, not more than.....	8.0%

# Muscatine Area Geographic Information Consortium (MAGIC)



Unload Building

Date Created: 8/28/2012



Overview

Legend

- ☐ Corporate Limits
- ☐ Political Townships
- ☐ Parcels

Roads

- Not Classified
- Airport Runway
- County Road
- City Street
- Neighbor County
- Private Dr
- State Highway
- US Highway
- US Hwy - Divided
- Major Roads

<b>Parcel ID</b>	1320301006	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	DALLAS GROUP OF AMERICA INC
<b>Sec/Twp/Rng</b>	20-76-2	<b>Class</b>	I - INDUSTRIAL		
<b>Property Address</b>	5000 55TH AVE W MUSCATINE	<b>Acreage</b>	n/a		

**District** MCLMU - MUSCATINE CITY/LOUISA-MUSCATINE SCH/MUSCATINE FIRE

**Brief Tax Description** LOT 22 MUSCATINE INDUSTRIAL SITES #1  
(Note: Not to be used on legal documents)

Last Data Upload: 8/28/2012 2:43:00 AM



developed by  
The Schneider Corporation  
[www.schneidercorp.com](http://www.schneidercorp.com)