

MINUTES
October 8, 2019 – 5:30 p.m.
Planning and Zoning Commission
Muscatine City Hall
City Council Chambers

Present: Andrew Anderson, Rochelle Conway, Wendi Ingram, Robert McFadden, and Steve Nienhaus

Excused: Jodi Hansen and Kayla Bendorf

Staff: Andrew Fangman, Assistant Community Development Director, Community Development
Lindsay Whitson, Planner, Community Development

Acting Chairperson Steve Nienhaus opened the meeting and read the mission statement.

Minutes:

Ms. Conway motioned to approve the minutes, and Mr. McFadden seconded the motion. All ayes, motion carried.

Subdivision:

PZS #17 – Wilson Subdivision, Diana and David Wilson – 2 Lots – 1403 & 1405 Hershey Avenue – 12,461 Square Feet

Diana and David Wilson, 1403 and 1405 Hershey Avenue, were present to discuss the case. As owners of both properties, they shared that the purpose of the proposed subdivision is to create two individual lots. Staff recommends approval as it will move the properties closer to conformity. Mr. McFadden motioned to approve the two lot subdivision; seconded by Ms. Conway. All ayes, motion carried.

Rezoning Case #PZZ-8 – Love’s Travel Stops & Country Stores – 32.78 Acres at the southeast corner of the U.S. 61 Bypass & Mittman Road Intersection – AG Agriculture Development to M-1 Light Industrial

Alex Fuller, Real Estate Project Manager for Love’s Travel Stops & Country Store, spoke on behalf of the proposed site for a new Love’s Travel Stops & Country Store. The proposed project will be 8,000 square feet and will have a restaurant and Love’s store. Approximately 40 full time employees and 20 part time employees will be housed at the location. Mr. Fuller emphasized that typically local contractors are used to complete construction of the project. Love’s will fund improvements to Mittman Road and Highway 61, as required by the Iowa Department of Transportation (Iowa DOT). Mr. Fuller also shared that lighting will only expand within the property’s boundaries and will be semi-enclosed. Therefore, the property’s lighting will not be a nuisance to the adjacent properties.

Attendees in the audience were welcome to speak on behalf of the proposed rezoning and site development. Bob Phillip’s, 2620 Mittman Road, stated that the Mittman Road and U.S. 61 intersection is already extremely dangerous. He believes that adding in more semi-truck traffic will only result in more congestion concerns for safety. Mr. Fuller shared that a traffic study with the Iowa DOT would be conducted and based off of their recommendations, the necessary improvements to the intersection and roadways will be implemented.

Lois Pace, 2608 Mittman Road, stated there is an 800 ton load limit on Mittman Road and believes that the maximum will be reached with more semi-truck traffic. Mr. Fangman reiterated that improvements per the Iowa DOT’s request will be made to accommodate the increased truck traffic and weight.

Janet Lohs, 3315 Mittman Road, asked how true the concept plan is and if the final construction of Love’s Travel Stops & Country Store may get larger. Mr. Fuller stated that the current project is slated to be approximately eight acres and that it cannot be any larger than ten acres. Mr. Fangman clarified that the site plan process takes place after the rezoning request is approved, and that the appropriate staff from the City will require the necessary changes be made prior to authorizing the final site plan. Ms. Lohs also inquired about drainage issues that may be prevalent with the installation of asphalt. Mr. Fangman shared that there is a detention basin on the south side and the runoff will have to remain the same

after construction as before. She also asked Mr. Fuller if a feasibility study had been conducted, in which Mr. Fuller replied that the site was selected partially due to its successful projections.

Lyle of 2391 Mittman Road asked who is going to conduct the traffic study and who will sign off on the final report. Mr. Fuller stated that the Iowa DOT conducts, reviews, and approves the traffic study. Mr. Fangman ensured that the City of Muscatine will not issue a building permit unless all codes and standards are met, including studies conducted by the Iowa DOT.

Bridget Mills, 2445 Mittman Road, owns a truck shop within close proximity and believes that the increased truck traffic will lead to more safety issues. Mr. Fuller stated that the appropriate traffic studies will be conducted and the correct improvement will be made to accommodate increased truck traffic.

Brenda Morgan, 2345 Mittman Road, questioned how she will have access to her home while the project is under construction. She stated that getting farming equipment across the road is already extremely challenging. She also stated that she has concerns that other trucking businesses in the city may be forced to close due to competition. Mr. Fangman assured her that contractors are required to submit an approved plan that will allow access to all properties affected by construction during and after the project's completion. Ms. Morgan also questioned why Love's is selecting that location and not the location on the east side of U.S. 61. Mr. Fuller stated that the selected site already has the necessary hook-ups to the appropriate utilities. Boring the utilities underground would cost Love's an estimated \$400,000 to \$500,000.

Ms. Ingram from the Planning and Zoning Commission shared that with the roadway improvements and conditions in that area should become safer and easier to use. She also said that some of the comments mentioned lead to a commonality that police enforcement in the area may need to be increased. She assured members of the public that their voices have been heard. Mr. McFadden also shared that he simply believes the business is not there for another truck stop.

Ms. Lohs asked if a Love's has ever closed due to no traffic and/or business. Mr. Fuller replied that no Love's Store has closed due to a lack of business, rather only due to a natural disaster.

Mr. Fangman stated that staff recommends approval of the rezoning request.

Mr. Nienhaus motioned to approve the rezoning of the southeast corner of the U.S. 61 Bypass and Mittman Road intersection from AG Agriculture Development to M-1 Light Industrial. Ms. Conway seconded the amendment. All ayes with the exception of opposition from one member; motion carried.

Zoning Ordinance:

An Ordinance Amending Title 10, Chapter 24, Nonconforming Regulations (Continuation from July 9th Meeting)

Mr. Fangman suggested that due to a time constraint, this agenda item be shifted to the next Planning and Zoning Commission meeting. Mr. Anderson motioned to approve the request; Ms. Ingram seconded. All ayes, motion carried.

Meeting adjourned.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Planning & Zoning Commission

Andrew Fangman, Secretary
Assistant Community Development Director