

The Muscatine County Zoning Commission met in the Board of Supervisors Office on Friday, December 21, 2021, with Chairperson Tom Harper and board members Carol Schlueter, Martha Peterson, Virginia Cooper, and Brad Akers present. Eric S. Furnas, Planning, Zoning & Environmental Administrator and Dixie Seitz, Office Administrator were also in attendance.

Others present for this hearing: Steve Kundel.

Tom Harper: I will open this Zoning Commission meeting by reading the mission statement. The Muscatine County Zoning Commission is a five-member group of residents of the County who are appointed by the Muscatine County Board of Supervisors. We serve as non-professionals and without compensation. Our purpose is to advise the Muscatine County Board of Supervisors on managing the growth of the County. This involves reviewing subdivisions, rezoning requests, the use of public property, and reports related to land use policy and long range planning. Recognizing that our decisions will not satisfy everyone, we attempt to base our decisions on what is best for the long term interest of the County. We ask for your input, pro or con, on issues before us in order that we may formulate the best decisions possible. Please take this opportunity to share your thoughts and concerns with us. Our recommendations are not taken lightly by the Board of Supervisors, but the Board of Supervisors, your elected representatives, make the final decisions on all issues. We are a full board today, so we can move on. We have all received the minutes from the last month. If there are no changes or corrections, is there a motion to approve them as written?

Virginia Cooper: I will make that motion.

Tom Harper: Is there a second?

Martha Peterson: Second.

Tom Harper: All in favor of approving the minutes as read from the previous meeting, which was on December 3rd, please say Aye (5) Opposed (0). The motion is approved. Eric, can you please read the request?

Eric Furnas: Zoning Agenda Item #01. Cedar Street Investments LLC, Record Owners by Attorney, John R. Eichelberger, requests approval of the combined preliminary and final plat of the proposed two lot industrial subdivision, Muscatine Highway 61 South Subdivision. This property is located in Fruitland Township, West of Hwy. 61, in the NW¹/₄ of Sec. 9-T76N-R2W, containing approximately 28.21 acres and is zoned I-2 Heavy Industrial District.

Tom Harper: Was there any correspondence?

Eric Furnas: No sir.

Tom Harper: And I take it you are pitch-hitting for John?

Steve Kundel: Yes.

Tom Harper: Okay, can you please state your name and tell us about the request?

Steve Kundel: Sure, my name is Steve Kundel. I am an attorney here in town and I actually represent Heuer Construction and I am filling in today for John Eichelberger. He represents Cedar Street Investments for this application. So this is for the subdivision called Muscatine Highway 61 South Subdivision. What we are proposing to do is to create a two-lot subdivision. Do you guys have a copy of the preliminary plat?

Tom Harper: Yes.

Steve Kundel: So there are actually two things going on here. There are two lots, lot one is proposed to be six acres and is located north of the lumber mill on Hwy. 61. Then there is a lot two, which is kind of a small sliver of a lot, and I will explain that here in a minute, but that is just under two acres. So there is really kind of two things going on with this subdivision. What really started this was lot two, the little 1.73 acre lot. The reason for that was... like I said, I've worked with Heuer Construction this summer... Heuer Construction bought their... they were renting from one of Pat Mealy's companies and then they purchased that lot, so they now own that. So they own the field behind... well if you are familiar with the lumber yard, and then you have where Heuer Construction is... they have all of their construction equipment there. There's loaders, dump trucks, a big gravel pile down there. And the lot two, the purpose for that was to kind of square off the lot right north of the parcel that he purchased. It's primarily kind of low-lying area, kind of a ditch. But the point was to kind of square that off essentially and have that go to Heuer Construction. The problem with just squaring that off is, this ground has been split so many times, so legally we are in formal subdivision territory. So that lot two is really kind of what has triggered this. Then Cedar Street Investments decided since they were doing this and having to go through formal subdivision procedures, they wanted to create one additional lot in the process then. So this was just really doing just a two in one, instead of coming back another time. So they created that lot one for future development.

Tom Harper: Okay, does anybody have any questions on this?

Martha Peterson: Well I'm feeling kind of at a loss here. One this picture here, can you kind of go over what you just said?

Steve Kundel: Yes. (he was showing on the aerial what he was talking about)

Carol Schlueter: So is this lot two?

Steve Kundel: Yes, and if I could actually draw on yours?

Carol Schlueter: Sure.

Steve Kundel: So Heuer Construction, while their building is here, they purchased this, plus this field back here. And so that's why I say "trying to square" it off a bit. So that's the idea, it's a drainage ditch really.

Carol Schlueter: So Heuer Construction owns this ground here?

Steve Kundel: Yes.

Carol Schlueter: And are they buying this too?

Steven Kundel: No this is going to stay in ag right now and Cedar Street Investment will continue to own it. I don't think that there are any present plans for anything. So this lumbermill, and you can kind of see that on that aerial, they just sold this this past September. That's what we are doing, just kind of carving up this field.

Carol Schlueter: So this lot one, is that zoned A-1 Agricultural District now?

Eric Furnas: No, it's all zoned heavy industrial. Some of the property, although it's zoned industrial, it is still just being used for agricultural.

Tom Harper: Yeah, the whole area that is down there is zoned industrial.

Eric Furnas: Yes.

Tom Harper: Is there anything else from anybody? Any questions? Since there are no more questions, I will entertain a motion to close the public hearing.

Carol Schlueter: So moved.

Tom Harper: Is there a second?

Virginia Cooper: Second.

Tom Harper: A motion has been made to close the public hearing and it's been seconded. All in favor of closing the public hearing, please say Aye (5) Opposed (0). The motion has passed. Now do the board members have any additional questions or comments?

Carol Schlueter: Well I didn't know if Eric had anything he wanted to add.

Eric Furnas: I don't have any additional comments, other than what is on the development report. This plat has already been approved by the City of Muscatine since it's within two miles of the city limits.

Tom Harper: Okay. All that being said, is there a motion on this subdivision?

Virginia Cooper: I will make a motion to recommend to the Board of Supervisors approval of this combined preliminary and final plat of the proposed two lot industrial subdivision, Muscatine Highway 61 South Subdivision.

Tom Harper: Is there a second?

Brad Akers: I'll second it.

Tom Harper: There has been a motion to recommend to the Board of Supervisors approval of the request as stated, and it has been seconded. If there are no other questions or comments, all in favor of the motion please say Aye (5) and Opposed (0). The motion has passed. This will now go onto the Board of Supervisors. Eric will get with you on the date of their meeting.

Steve Kundel: Thank you.

MUSCATINE COUNTY ZONING COMMISSION

By Eric S. Furnas, Planning, Zoning & Environmental Administrator