

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

7/22/2014 6:00 P.M.

Present: Ron Welder, Larry Wright, Ed Delaney, Neal Boeding, Joel Amandus, Lyle Brown
Absent: Brenda Parker
Staff: Doug Krogmeier, Emily Britton, Council Liaison Kevin Rink
Visitors: Mayor Bradley Randolph, Councilman Rusty Andrews, Councilman Brian Wright, Andy Andrews, Dave Moehn, Paul Hedgepeth, Donna Hedgepeth, Duane Sherwood, Dave Bartlett, Marie Brady-Whitcanack, Lex Whitcanack, Libby Burdette, Steven Burdette, Cindy Steflik, Joanne Ried, Nick Colbert, Carol Foss, Eugene Watkins, Mike Amery, Michele Young, Carrie Fraise, Corey Fraise, Charles Block, Glen Meisner, Tim Gobble, Gary Pilkington, Bernie Hesse

Chairman Ron Welder called the meeting to order at 6:00 P.M. with six members present.

ACTION ON MINUTES

The minutes from June 24, 2014 were approved on a motion by Wright, seconded by Brown.

NON AGENDA ITEMS

Welder informed visitors that comments must be limited to 5 minutes, and requested only one representative from any organizations speak on behalf of that group.

Final Plat Review for RSBR Dollar General Subdivision.

Staff reviewed the report using a PowerPoint presentation as a visual aid which showed the proposed building site to be west of the areas the State Historical Society considers historically significant. Staff believes the proposed building and site plans are in compliance with zoning and building codes, therefore sees no problems.

Wright questioned some of the labeling on the final plat, which Krogmeier explained that the entire surrounding area is considered the original town subdivision but should be labelled. Wright also questioned possible easements not shown on this final plat, and Krogmeier stated there had been some on 4th St however that area had been deeded back to the city since then. He also mentioned there is an electrical line owned by Alliant Energy that runs through the property, but they are already working on re-routing this line so it will not affect construction, but it will need to be added to the final plat.

Welder first called on Glen Meisner, MMS Consultants, Inc., a representative of Dollar General, to speak. Meisner mentioned he is the engineer/surveyor hired for the purpose of dividing the lot and was in attendance as a representative of Dollar General, but mostly to listen and relay any concerns or messages back to them regarding the subdivision specifically, as he is not involved in their final building plans. He explained they plan to use the west lot as the building site for their new store, however have not shared with him any plans, if they have any at this time, for the east lot. Meisner then addressed Wright's question about easements by stating he has yet to find any existing on this site, and Krogmeier elaborated there may or may not be an existing easement because there was an alleyway. Meisner then suggested that an easement may need to be created and Krogmeier agreed that was a possibility.

Wright then asked if there are plans for the area north of the building site to Ave G and west to 5th St. as this is a large area to leave vacant, while specifically asking if there are any plans to increase curb appeal for surrounding neighbors who were concerned about this. Krogmeier explained that after concern about the location of their loading dock causing trucks to block parking, there will be an area behind the store specifically for truck parking while loading/unloading. Wright expressed concern for neighbors, specifically on Ave G, who will have to look at the back of the building which may not be appealing to them. Meisner asked if this is an issue that must be addressed now or at a later time, and Krogmeier clarified the commission is to determine if this subdivision is compliant with code. He went on to explain that beautification of the rest of the lot is not specifically required but is something for Dollar General to consider. Meisner agreed to pass this idea on as Dollar General would like to be a good neighbor and were interested in hearing any ideas.

Welder opened the public hearing at 6:20.

Welder invited anyone in opposition to speak.

Duane Sherwood began by stating he was a participant in the 2012 archeological dig, and objected to losing the battlefield site. He referenced the State Historical Society, saying there was a possibility of outbuildings and houses to the west of the fort and battlefield. He explained that this area should be maintained as a part of the original Fort Madison. He suggested if it is not important the fort should be taken off city letterhead.

David Moehn, president of the Old Fort Commission, suggested that although they plan to develop only the west lot, there is no way of knowing what may be under that portion of the parking lot. Even though the state says it may not have historical significance, we don't know that for sure and neither do they. After looking at original documents from the fort, it appears there were warehouses, houses and outbuildings to the west of the fort, and without knowing their exact locations, they are believed to have been in that general area. There also may have been bodies buried in that area that would be covered up by this construction. He finished stating that Old Fort Commission does not want this location commercially developed because there are other places for a store, but not other places this important to our history.

Dr. Marie Brady of 422 Ave F, a neighbor overlooking this property, pointed out this location is close to both the historic downtown and historic park to park districts. She claimed it is culturally insensitive to build a commercial building on this site when there are plenty of other locations available.

Andy Andrews, of the Historic Preservation Commission (HPC), began by stating that HPC is against construction on this site. He explained that when digging the foundation for a building to the west of this site, there were artifacts found that were possibly from the fort. He also pointed out that the State Archeological Foundation had given a letter to Holy Trinity Catholic School as well as the realtor dealing with the sale which stated the property should not be commercially developed. He continued to say it is possible there were soldiers and family members of soldiers buried in the area of the proposed building site. Although there has been construction in this area in the past, it is important now to preserve this historical site. He insisted the fort played an important role in the war of 1812 and there should be a museum or something built in this location to tell that story.

Shelly Dowling agreed with the previous statements, and added there is educational value in preserving this site because it played such a role in the war of 1812.

Steve Burdette of 427 Ave G, a neighbor of the proposed subdivision, agreed with previous comments and continued with his opinion that it is not practical or necessary to add another Dollar General since there is already one located on the west side of town. He said it is more important to preserve this site for future generations and/or allow a more educational development of the property such as a museum to teach about the fort.

Carol Foss of 412 Ave F pointed out the importance of the fort and preserving it as our city is named after it. She agreed it should be preserved for future generations, and said there are plenty of places along Ave G and H that are vacant and could be utilized by Dollar General. She admitted these locations may lack parking, but believed people wouldn't mind walking further, and it would be a great alternative allowing the preservation of this historical site.

Welder then asked for comments in support of the subdivision.

Nick Colbert of 1329 Ave C, a member of the Old Fort Commission as well as other boards and commissions over the years, started by explaining he worked on the reconstruction of the fort and has given hundreds of tours there. He explained that in the beginning of tours he would point out the fort's actual location had been where the parking lot is now, however the reconstruction was built in reference to the location of the river because the river was so important to the fort. He told the Commission that he has sat in their seats (having been chairperson on Planning and Zoning Commission), and he also stated he has a great appreciation for history. He pointed out the "significant battle" everyone referenced was really not that significant, and the best way to preserve the history is to use the reconstruction of the fort and other things we do have to convey that story to future generations. Colbert went on to say he is in favor of developing the city and adding things necessary for growth, and if anything, we need to "get off our duffs" and maintain the things we do have including the fort we have to share that story.

Tim Gobble spoke on behalf of the Fort Madison Partners, and said although they welcome the opportunity for commercial expansion, they believe every alternative site should be reviewed and/or considered. Based on the State Archeologist, the area does not fall into the areas of historical significance, but they would like to see the developers follow an archeological dig procedure and halt construction in the event of a significant finding.

Bernie Hesse began by mentioning that he was involved with the first dig 49 years ago when the first archeologists were brought here and discovered where the original fort was located. He explained that an Indian bow used at that time would not travel farther than where they were taking cover in the ravine, and because the west side of the fort was Indian territory it is likely any out buildings were located to the east of the fort. Therefore he believes there is little chance of finding anything significant that far west. He continued to say he believes Fort Madison needs commercial development.

Carrie Fraise of 434 Ave F and from Fraise Auction and Real Estate, the representative of the buyer and seller of the property, ensured the commission that Dollar General had looked at every possible location in town, but this was the only one that met their needs. She said this was the only location that met their budget and site plan needs without being too close to their other location in town. She continued saying they had discussed the significance of the site, and that is why they were requesting the subdivision so their building site would not be on the same parcel as the fort or battlefield. She also mentioned they had discussed the possibility of donating the second lot to an organization that holds property for historic and/or archeological reasons, or possibly donating it to the city. The property has been on the market for 7 years and is an eye sore, plus this development would give the opportunity of sales tax revenue for the city. She said they

believe this would be the best of both worlds and Dollar General is interested in taking the historic significance into consideration. She also indicated another Dollar General would be good to bring future retailers to the area as they often look at what the city currently supports when deciding to locate in a particular city or area. She insisted people should ask questions about the plans and intentions before simply speaking out against this development.

Gary Pilkington, as owner of two buildings in the downtown historic district as well as his home in a historic district, said he believes the historic districts are wonderful, however this location is currently an eye sore and it is time for Fort Madison to grow.

Welder closed the public hearing at 6:50.

Krogmeier requested verification from the Commission that they received the emails he sent containing further comments from the public. Welder said they did receive his emails as well as the comments from the Old Fort Commission. Amandus then stated he believes it is a good opportunity for a location that is an eye sore and has been sitting unmaintained for years. He continued to say he did not see a problem with the historic relevance as long as Dollar General keeps their eyes open and are honest about anything found while digging during construction. Brown then questioned Dollar General's intentions of doing something beneficial with the other lot, and Fraise answered saying it has been discussed from the beginning, especially after they knew Dollar General only needed 200 feet. The discussion included the possibility of donating the other half, however she explained that her last conversation with the Historic Society indicated there was no funding for an archeological dig now or in the near future. She explained this was a sort of deterrent for Dollar General because they do not want to donate the property and see it go to waste for 10 or 15 years. Similarly, by donating to the City of Fort Madison there would not be money budgeted to finance a dig and it would cost money to keep maintained. However, they have not made a decision on the matter yet. It was then asked if there would be a review if/when the other lot faces development, and Krogmeier explained that as long as they are following zoning and building codes there is nothing requiring review, however he believes the city would want to take that extra step if someone decides to develop the other lot. Wright then explained that although he moved here in 1976, it was only two weeks ago that he realized there was such a significant part of history located here. He commended everyone who came to speak their mind on the subject and encouraged people to keep up that momentum and get the word out to people like him who may live here and have no idea the significance of that lot. He suggested there are things that can be done to tell the story that may not cost money, but it is important to get the word out there and let people know about it. Welder then thanked everyone in attendance, and mentioned it was the most attended Planning and Zoning Commission meeting in some time. He followed up by stating his appreciation for the thought and concern put into the comments people shared, particularly Mr. Hesse and Mr. Colbert and their stand considering their appreciation for Fort Madison's history.

Linda Baxter of 1727 Ave F then asked if only half the lot could be zoned. Welder answered, in short yes, however that is an entirely different subject as this is a subdivision not a rezoning and both lots are already zoned.

Brown then requested clarification on exactly what was to be voted on, and Krogmeier explained the Commission is to decide if dividing the lot in two complies with zoning codes. Wright asked if there were grounds to deny the request or if denial would simply be based on noncompliance with the zoning code, and Krogmeier said denial would need to be based on noncompliance. Wright then asked if the Commission can approve with certain considerations, and Krogmeier said they can put considerations in if they wish to. Brown asked if the Comprehensive Plan is the only thing addressing the historic site, and Fraise Pointed out the Comp Plan shows that particular site as commercial development whereas the other lot is shown as a historical preservation area.

Brown questioned if it would be feasible for Dollar General to tear up the parking lot and plant grass or something to make it more appealing. Fraise stated she didn't believe they would be interested in doing anything like that because they do not want to be responsible to maintain it, which is why they were considering donating that other lot. She also mentioned the risk in damaging any artifacts by simply tearing up the parking lot. Brown said it was merely a suggestion since Dollar General indicated their intent of being a "good neighbor" and it would be an idea to make the area more appealing. Corey Fraise then mentioned he doesn't believe Dollar General will want to leave their property as an eye sore. Boeding admitted there is a problem with the City and the historic commissions not having the funding for a dig and that problem is not likely to get better any time soon. He stated it is important for economic growth, as well as extra revenue from sales tax, on the east end of town and because the historic site is to the east of this site sees no reason not to move forward with the subdivision.

Boeding motioned, seconded by Wright, to approve the Final Plat Review for RSBR Dollar General Subdivision.

Vote: Yes-6, No-0; Motion Passed

OLD BUSINESS

None

OTHER/NEW BUSINESS

None

Amandus motioned, seconded by Brown, to adjourn.

Motion was passed unanimously. The meeting adjourned at 7:10.

Ron Welder, Chairman of Planning and Zoning Commission