

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, April 6, 2022

City Council Chambers, Historic Federal Building

Commissioners Present: Chairperson Matt Mulligan; Commission Members Martha Christ, Becky Kemp, Pat Norton, Rich Russell and Teri Zuccaro

Commissioners Excused: Brittany Loeffelholz

Commissioners Unexcused: None.

Staff Members Present: Shena Moon, Travis Schrobilgen and Jason Duba

CALL TO ORDER: The meeting was called to order by Chairperson Mulligan at 6:00 p.m.

MINUTES: Motion by Zuccaro, seconded by Norton, to approve the minutes of the March 2, 2022 meeting. Motion carried by the following vote: Aye – Christ, Kemp, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

Prior to the agenized items, Chair Mulligan made it known that the application for the rezoning on Wolff Road had been withdrawn from consideration by the applicant due to unforeseen challenges with the site and therefore, the application of Horizon Development to rezone property located at the end of Wolff Road (Northern Portion of Parcel 1020376004) would not be heard at the meeting. Several members of the public in attendance left the meeting upon hearing this announcement.

Commissioner Norton recused himself for the two action items and the first public hearing item on the agenda.

Chair Mulligan requested staff to confirm the votes needed to pass the items on the agenda and Staff Member Moon Staff confirmed that all items on the agenda require four affirmative votes.

ACTION ITEM/SIMPLE SUBDIVISION: Application of Terry Koelker, Buesing & Associates to subdivide property located at 1363 Iowa Street, resulting in a substandard lot with respect to the density, lot coverage, and rear setback bulk standards.

Terry Koelker, Buesing & Associates, 1212 Locust Street, spoke on behalf of the property owner, Fortin Real Estate, LLC. He explained that this is a simple subdivision that would

start with two lots and end with two lots. He stated the reason is to add parking spaces to Lot 1, making it larger, thereby making Lot 2 smaller.

Chair Mulligan asked if the owners were planning to sell property and Mr. Koelker replied yes, and that it had already been sold.

Staff Member Moon detailed the staff report. She explained that while this is a simple subdivision, which would generally be reviewed and approved by staff, this subdivision requires waiving of bulk standards, which requires the Commission's review. Moon explained that this subdivision would reallocate 855 square feet from the Iowa Street property to the Loras Boulevard property for parking. She noted that the Zoning Board of Adjustment recently granted a parking variance for the removal of two parking spaces from the 1363 Iowa Street property. Moon stated that the Commission is being asked to approve the plat and waive three bulk standards: lot area, lot coverage, and rear yard setback. She pointed out the access easement connecting the rear of the subject property to Loras Boulevard.

Commissioners had no questions or concerns.

No public input was provided for this item.

Motion by Russell, seconded by Christ, to approve the simple subdivision as submitted subject to waiving the bulk regulations for lot area, lot coverage, and rear yard setbacks for the property at 1363 Iowa Street. Motion carried by the following vote: Aye – Christ, Kemp, Russell, Zuccaro, and Mulligan; Nay – none; Abstain – none.

ACTION ITEM/MINOR SUBDIVISION: Application of Terry Koelker, Buesing & Associates to subdivide property located at 1659 Iowa Street, resulting in the creation of four substandard townhome lots.

Terry Koelker, Buesing & Associates, 1212 Locust Street, spoke on behalf of the property owner, GT Development, LLC. He explained that they are planning to divide an existing four-unit apartment building into 4 townhouses. He noted there are already common walls between the units along which the property dividing lines will run. He explained that the parcels would be substandard for street frontage, so they are seeking to waive that requirement.

Staff Member Moon detailed the staff report. She noted that this is a minor subdivision of three or more parcels. Moon explained that the applicant is planning to divide the property into four parcels, each of which would have less than the required 16' of street frontage, so the applicant is seeking to waive that bulk standard.

No public input was provided for this item.

Motion by Christ, seconded by Kemp, to approve the minor subdivision as submitted subject to waiving minimum lot frontage. Motion carried by the following vote: Aye – Christ, Kemp, Russell, Zuccaro, and Mulligan; Nay – none; Abstain – none.

PUBLIC HEARING/AMEND PLANNED UNIT DEVELOPMENT (PUD): Application of Patrick Norton, Buesing & Associates to amend the planned unit development for property located at 255 John F. Kennedy Road.

Patrick Norton, Buesing & Associates, spoke on behalf of the property owner, Collins Community Credit Union, and Frew Development. He stated that Collins has purchased the subdivided parcel that formerly had most of the footprint of the Shopko building. Mr. Norton noted that they are planning a three-story building with a smaller footprint than Shopko with on-site parking and a drive-thru. The planned building is taller than the 40' allowed by the current PUD ordinance, so they are seeking an allowance for a maximum 50' height. He provided a plan detailing the height of the proposed structure, highlighting the sloping ground elevation from John F. Kennedy Road toward the south end of the site and the building setback distance from the John F. Kennedy Road frontage. Mr. Norton stated the second revision to the PUD ordinance is for signage, explaining that while Collins will occupy one floor and lease two floors to other tenants, there won't be wall signs on the building for other tenants.

Chair Mulligan noted the height of the building relative to the curb line would be about 40'. Mr. Norton concurred and shared that credit unions desire to have a visible presence to adjacent roadways and they specifically hope to have visibility from US Highway 20.

Staff Member Moon detailed the staff report, noting the two requested amendments dealing with maximum height and signage. She pointed out that this PUD was established in 1989 for a department store, and now the use is changing. Moon noted that the former property has been subdivided into three parcels, and the height revision would apply to all property located within the PUD boundaries. She further noted that the PUD signage regulations would be divided into two zones as identified on the Signage Overlay Map. Property located in Zone A would defer to the C-3 signage regulations and Zone B would follow the modified wall signage regulations intended to accommodate the current development. Staff member Moon noted that Collins is seeking two wall signs of nearly 250 square feet each and do not intend to allow any tenants to install wall signs. Under the current ordinance, each tenant would be allowed one 100-square foot wall sign. Moon noted that this development would be in keeping with the other development in the area.

Chair Mulligan asked to confirm that the request is for the 50' height allowance and to exceed the allowed 100 square feet of wall signage. Staff Member Moon confirmed the 50' height amendment would apply to the full PUD area and explained that Collins is requesting 500 square feet for wall signage and that the freestanding signage is separate from the wall signage.

Commissioner Russell asked about the planned location for the freestanding sign, and Staff Member Moon noted that it would be in a different location than the existing sign

pylon that had been for Shopko. Russell then wondered if that former Shopko sign now advertising Collins would be an off-premise sign. Moon replied yes. Mr. Norton explained that the existing freestanding sign has a temporary sign for Collins that will be removed, and Collins intends to install a new freestanding monument style sign on their site.

Commissioner Christ asked if the other two parcels would also have the 50' height allowance applied to them. Staff Member Moon confirmed the height allowance to 50' would apply to all property within the PUD area.

No public input was provided for this item.

Motion by Russell, seconded by Kemp, to approve the application to amend the planned unit development as submitted. Motion carried by the following vote: Aye – Christ, Kemp, Russell, Zuccaro, and Mulligan; Nay – none; Abstain – none.

Commissioner Norton returned to the meeting.

PUBLIC HEARING/REZONING: Application of Horizon Development to rezone property located at the end of Wolff Road (Northern Portion of Parcel 1020376004).

This item was not heard as the applicant withdrew the application due to unforeseen challenges with the site.

PUBLIC HEARING/TEXT AMENDMENT: Application of the City of Dubuque to amend the Unified Development Code Section 16-15-13 text amendment to allow signs in Historic Districts in residential zones.

Staff Member Duba discussed the application. He explained that it appeared that residential zones were accidentally omitted from the UDC in the list of zones allowed to have signs in local historic districts, and the proposed amendment is intending to correct that. This need arose when a sign contractor sought to install signage for an apartment building at 201 West 17th Street, and Planning staff realized the omission, which had the effect of preventing signage from being installed there. Duba noted that signs in historic districts are required to be smaller and receive historic review to maintain the character of the district. He explained the Planning Service Department's proposal to allow one eight-square foot sign and one six-square foot nameplate in residential zones which is consistent with allowed signage in OR zones.

Commissioners had no questions or concerns.

No public input was provided for this item.

Motion by Norton, seconded by Christ, to approve the text amendment application as submitted. Motion carried by the following vote: Aye – Christ, Kemp, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

ITEMS FROM PUBLIC: None

ITEMS FROM COMMISSION: Commissioner Russell asked whether the City needs to send public notices outside Dubuque city limits, referencing the example of the Wolff Road rezoning request that abuts the City of Asbury. Staff Member Moon responded that notices are sent to all property owners within the 200' notification radius, regardless of which municipality they live in.

ITEMS FROM STAFF: None

ADJOURNMENT: Motion by Christ, seconded by Kemp to adjourn the April 6, 2022 Commission meeting. Motion carried by the following vote: Aye – Christ, Kemp, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

The meeting adjourned at 6:37 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

5-4-2022

Adopted