

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, June 1, 2022

City Council Chambers, Historic Federal Building

Commissioners Present: Vice Chairperson Becky Kemp; Commission Members Pat Norton, Rich Russell, Teri Zuccaro and Ike Sweet

Commissioners Excused: Martha Christ and Matt Mulligan

Commissioners Unexcused: None.

Staff Members Present: Wally Wernimont, Shena Moon, and Jason Duba

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

MINUTES: Motion by Zuccaro, seconded by Norton, to approve the minutes of the May 4, 2022 meeting. Motion carried by the following vote: Aye – Norton, Russell, Zuccaro, and Kemp; Nay – none.

ACTION ITEM/MINOR FINAL PLAT: Application of Greg Adams to approve the Minor Final Plat 3 of Country View Estates Subdivision (Northeast Corner of Hales Mill Road and Keegan Court).

Dave Schneider, Schneider Land Surveying, 906 1st Street North, Farley, Iowa, spoke on behalf of the applicant. He explained the plat is reconfiguring six lots that were recently platted in order to accommodate an old, abandoned county road right-of-way that became an ownership issue with the neighboring property owner. He noted that there is enough area to reconfigure and replat the lots and still meet all the requirements. He explained this would create a sliver lot to transfer to the adjacent property owner in order to avoid a legal dispute.

Staff Member Moon detailed the staff report, noting the submitted Plat of Survey of Country View Estates Subdivision follows recent platting of this land. She pointed out the area that the plat is adjusting in order to remedy a land dispute with the neighbor. She explained that the new lot being created, Lot A, is non-buildable and the Commission would need to waive the lot frontage requirement for this lot. She noted this change to the lots does not affect the subdivision's sustainability points.

Commissioner Norton asked what will happen with Lot A. Mr. Schneider explained that Lot A will be transferred to the adjacent agricultural property to the north and that property may replat Lot A in the future.

Motion by Norton, seconded by Zuccaro, to approve the Minor Final Plat as submitted. Motion carried by the following vote: Aye – Norton, Russell, Sweet, Zuccaro, and Kemp; Nay – none.

PUBLIC HEARING/REZONING: Application of Roux Conlon Loar and Tim Conlon to rezone property located at 620 South Grandview Avenue and 333 Bryant Street.

Roux Conlon Loar and Tim Conlon, spoke on behalf of their application, noting that they are seeking to create a PUD in order to have both properties in one cohesive campus. They plan to have the customer facing business in the building at 620 S. Grandview Ave. and a bakery in the building at 333 Bryant Street. The bakery will provide baked goods for the business and allow them to have more customer space in the Grandview building. The applicants displayed some designs for the business and stated they intend to rehabilitate the 620 S. Grandview Ave building so as to return it to the original architectural appearance. They hope to bring the building back to life with a business that will sustain itself, noting that they plan to invest enough to do it right and make it a neighborhood amenity.

Helene Magee, 611 South Grandview Avenue, stated that she has no problem with what the applicants want to do, but she wants to assure that future businesses couldn't start a bar. She expressed a desire that the business not operate late into the night. She expressed concern about parking and noted the school district did not grant permission for previous businesses there to use the school parking lot. She did believe that neighbors will like this business.

The applicants responded that they have talked with neighbors about parking and noted that a neighbor offered his driveway for employee parking. They noted that they're putting in money, time, and effort into this long-term passion project. They noted they live near the subject property and want to be able to enjoy this and have neighbors be happy. They acknowledged that Grandview is busy, and they're taking that into account. They noted that don't they plan on being open late and that the proposed ordinance prohibits bars.

Staff Member Moon detailed the staff report, noting the site characteristics, zoning, and history of uses. She explained this PUD with PC-Planned Commercial designation is to allow a commercial business with a residence above and would allow the applicant to utilize the two properties together as a campus. She noted that the Zoning Board of Adjustment approved the variance allowing a PUD smaller than two acres. She explained that the site plan review process will apply to this project.

Moon noted the traffic counts on Grandview and Bryant and that the additional trips generated by the proposed business are anticipated to be a negligible increase in traffic, relative to what the businesses currently allowed in the C-1 and R-3 districts would create.

She explained an analysis of parking, what would be required, what is proposed onsite, what is available on adjacent streets, and what homeowners in the area have available for themselves. She acknowledged the pre-existing congestion caused during school drop-off and pick-up times. She pointed out that this is a walkable neighborhood, and it is conceivable that some patrons would walk or bike to the business.

Moon detailed the PUD ordinance, explaining that the majority of the principal permitted uses are consistent with those allowed in C-1 zoning districts, with the addition of indoor restaurant and carryout restaurant. She outlined the prohibited uses, specifically noting that a bar or tavern would not be permitting. She explained that the development is bound by the conceptual plan that the applicants submitted and that a lot consolidation would be required in the event a new bakery building is constructed as shown on the conceptual plan.

Moon explained the alignment of this project with the City's Comprehensive Plan, including the future land use map that shows both these properties as commercial and other specific recommendations from the plan that this project furthers.

Moon noted public outreach and input, including a public meeting held by the applicants on May 10 and public notices sent out to property owners within 200' before both zoning meetings. She explained that several inquiries were received about the property and one letter of support was submitted.

Commissioner Norton expressed that while parking may seem to be an issue, if there is not enough parking, potential patrons will go somewhere else, so parking is not a reason not to approve it. He felt that this would be a great reuse of the buildings and a nice new use for the neighborhood, so he's in support of the project.

Commissioner Russell expressed that this is a great location on a walkable street, and that it's a perfect use.

Vice Chair Kemp expressed that it's a beautiful building.

Motion by Norton, seconded by Zuccaro, to approve the rezoning as submitted. Motion carried by the following vote: Aye – Norton, Russell, Sweet, Zuccaro, and Kemp; Nay – none.

ITEMS FROM PUBLIC: None

ITEMS FROM COMMISSION: Vice Chair Kemp expressed welcome and thanks to Commissioner Sweet for joining the commission.

ITEMS FROM STAFF: Staff Member Moon noted that the terms of Commissioners Norton and Mulligan were set to expire in July, so they need to reapply in order to remain on the Commission.

ADJOURNMENT: Motion by Russell, seconded by Zuccaro to adjourn the June 1, 2022 Commission meeting. Motion carried by the following vote: Aye – Norton, Russell, Sweet, Zuccaro, and Kemp; Nay – none.

The meeting adjourned at 6:33 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

July 6, 2022

Adopted