

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, July 6, 2022

City Council Chambers, Historic Federal Building

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

Commissioners Excused: Becky Kemp

Commissioners Unexcused: None.

Staff Members Present: Wally Wernimont, Shena Moon and Travis Schrobilgen

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 June 1, 2022 meeting. Motion carried by the following vote: Aye – Christ, Norton, Russell, and Zuccaro; Nay – none; Abstain – Mulligan

Pat Norton recused himself from the next three items.

ACTION ITEM/PLAT OF SURVEY: Application of Kristin and Steve Vaassen to approve the Plat of Survey of Annabel Lee Barn Lot.

Kristin and Steve Vaassen, 2319 Manson Road, spoke in favor of the request. Steve and Kristin went through a PowerPoint “picture walk” which showed the barn layout and discussed its layout and the property’s history. They noted they would like the barn on its own lot for utility billing, estate planning, and safety purposes as first responders do not know whether to arrive at the barn or the house further down the lane.

Rob Koelker, Buesing Associates, 1212 Locust Street, spoke in favor of the request noting that Lot 1 would contain the barn structure and Lot 2 would contain everything else on the property including existing house.

There was no public input for this item.

Staff Member Moon detailed the staff report, providing a history of the subject property as a mobile home park and outlining the timeline of when the existing single-family residence, pump house and barn-style accessory structure were developed on the site. She outlined the previous Zoning Board of Adjustment approvals that allowed for the

barn-style accessory structure construction. She further explained that the barn-style accessory structure is currently considered an accessory structure per the code, but the proposed plat would allow the structure, which was built to residential code standards, to function as a single-family residence. She further detailed the existing property layout and the surrounding zoning and development. Staff Member Moon provided an overview of the submitted Plat of Survey of Annabel Lee Barn Lot, noting the plat meets all other bulk regulations aside from the requested waiver of the required 50 feet of frontage along a public or private street. She noted that access to the lot would be via an existing easement and private lane that is shared with their nearest neighbor. She further noted that the proposed lot would be allowed to be used for short-term rentals per the Iowa Code 414.1.

Commissioner Christ asked if public events could be held at the property. Staff Member Moon noted that pursuant to Iowa Code for short-term rentals, no retail, restaurant, banquet space, event center or other similar use would be permitted, and that the property would be regulated as a single-family residential use.

Motion by Christ, seconded by Zuccaro, to recommend approval of the Plat of Survey of Annabel Lee Barn Lot as submitted waiving the street frontage requirement for Lot 1. Motion carried by the following vote: Aye – Christ, Russell, Zuccaro, and Mulligan; Nay – none.

ACTION ITEM/PLAT OF SURVEY: Application of Buesing & Associates to approve the Plat of Survey of Y-Camp Place No. 2, PIN 1010327021.

Staff Member Moon noted that the applicant is actively working with the City regarding access easements to this property and as such is requesting the item be tabled to the August 3, 2022 meeting.

Motion by Russell, seconded by Zuccaro, to table the application to the next regularly scheduled meeting. Motion carried by the following vote: Aye – Christ, Russell, Zuccaro, and Mulligan; Nay – none.

PUBLIC HEARING/REZONING: Application of Kayla Hopson, Grand River Medical Group to amend the Westmark Planned Unit Development to allow internally illuminated secondary signs for property located at the Westmark Corporate Center.

Pat Norton, Buesing and Associates, 1212 Locust Street, spoke on behalf of the applicant. He said that the primary reason for the request was to be able to provide highly visible wayfinding for patrons, primarily during the winter months when it gets darker earlier. He stated that he did not know why the Planned Unit Development (PUD) restricted illumination for Secondary Signs. He further stated that the applicant is seeking to modify the PUD to allow for internally illuminated signage.

There was no public input for this item.

Staff Member Moon detailed the staff report noting that the proposed amendment would allow illuminated signage throughout the PUD and that the request was coming

specifically from the developers for the Grand River Medical Group. She provided an overview of the PUD area and noted there are multiple tenants within the area. She outlined that secondary signs are intended to provide directional signage for safe and efficient flow of traffic, identification of entrances and identification of parking and handicapped spaces. She outlined the proposed secondary signage specifically for the Grand River Medical Group and noted they desire to have the signage lit during the evening hours especially in the shorter winter months.

Chair Mulligan referred to a memo included in the packet. Staff Member Moon clarified the memo summarizes a phone call from a neighboring resident who stated they were generally in opposition to the project along with the construction along the Northwest Arterial.

Commissioner Russell questioned how many signs would be impacted. Staff Member Moon clarified that it would be two signs for the Grand River Medical Group property however the PUD does not limit the number of Secondary Signs and other properties within the PUD area could choose to install illuminated signs in the future.

Commissioner Zuccaro asked for clarification on the difference between primary signs and secondary signs and asked about hours of operation to understand why they would need to be lit at night. Mr. Norton clarified he wasn't sure on the hours of operation but the intent was more for the winter when it gets dark around 4:30/5pm. He didn't believe the offices or pharmacy would be open beyond 6pm generally and the signs aren't intended to be lit 24 hours. Staff Member Moon clarified that primary signs are generally wall mounted or building mounted and that secondary signs are usually more for wayfinding. She also clarified that Secondary Signs have the same intent as Directional Signs allowed within the Unified Development Code and that the Directional Signs are allowed to be illuminated in our code.

Chairperson Mulligan noted that internally illuminated signs are a good solution and that externally illuminated signage may cause more issues or concerns for neighbors.

Motion by Christ, seconded by Zuccaro, to approve the PUD amendment as submitted to allow internally illuminated Secondary Signs. Motion carried by the following vote: Aye – Christ, Russell, Zuccaro, and Mulligan; Nay – none.

Commissioner Norton returned to the meeting.

ITEMS FROM PUBLIC: None

ITEMS FROM COMMISSION: None

ITEMS FROM STAFF:
ELECTION OF OFFICERS

Planning Services Manager Wally Wernimont stated that the election positions include the Chairperson, Vice Chairperson and Secretary.

Chairperson Mulligan brought up a situation in which his role as Chair prompted excess scrutiny of the Commission and their duties. Commissioner Norton disagreed and noted that he felt offended by the comment as it brought into question the integrity of the entire Commission. He mentioned that he has heard similar scrutiny as he is often required to recuse himself due to potential conflicts of interest.

The Commission discussed election of officers.

Motion by Zuccaro, seconded by Christ, to elect Commissioner Mulligan as Chairperson. Motion carried by the following vote: Aye – Christ, Norton, Russell, and Zuccaro; Nay – none; Abstain – Mulligan.

Motion by Mulligan, seconded by Christ, to elect Commissioner Russell as Vice Chairperson. Motion carried by the following vote: Aye – Christ, Norton, Zuccaro and Mulligan; Nay – none; Abstain – Russell.

Motion by Zuccaro, seconded by Christ, to elect Commissioner Norton as Secretary. Motion carried by the following vote: Aye – Christ, Russell, Zuccaro and Mulligan; Nay – none; Abstain – Norton.

Planning Services Manager Wally Wernimont discussed conflict of interest making note that there are instances in which Commission members may need to step away to be on the applicant side and that this is not uncommon. We would not deem this a conflict of interest. If a Commission Member were to stay in their seat and vote on their own items or items in which they or their company are actively involved, this would be a conflict of interest. Mr. Wernimont stated that Planning Services Staff and the City's Legal Staff are always available to provide clarification or direction should a Commissioner have any questions regarding conflicts of interest.

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

The meeting adjourned at 6:42 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

August 3, 2022
Adopted