

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, September 7, 2022

City Council Chambers, Historic Federal Building

Commissioners Present: Chairperson Matt Mulligan; Commission Members Becky Kemp, Pat Norton, Rich Russell and Ryan Sempf

Commissioners Excused: Martha Christ and Teri Zuccaro

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 Kemp, seconded by Russell, to approve the minutes of the August 3, 2022 meeting. Motion carried by the following vote: Aye – Kemp, Russell, Sempf, and Mulligan; Nay – none; Abstain – Norton.

Commissioner Norton recused himself for the first action item.

ACTION ITEM/PLAT OF SURVEY: Application of Buesing & Associates to approve the Plat of Survey of Plaza 20 No. 7 located at 2600 Dodge Street, PIN 1027476023.

Pat Norton, Buesing & Associates, spoke on behalf of Plaza 20, Inc. He stated that the plat is creating a lot with no street frontage. He noted that Lot 1 is the new lot, and Lot 2 is the remainder. He explained that they are seeking a waiver to the street frontage requirement for Lot 1, and they are separately working with the property owner for additional access easements for the proposed Lot 1.

Staff Member Moon detailed the staff report, noting the submitted Plat of Survey of Plaza 20 No. 7 located at 2600 Dodge Street. She explained that this is a simple subdivision to carve out Lot 1, which is approximately 0.3 acres. The lot has no street frontage, so it requires a waiver of bulk standards. She noted it does include an access easement, which satisfies the City's requirement, and the property owner is separately working to establish additional access easements with the future tenant. She noted the existing building located on a portion of the proposed Lot 1 would be demolished. She mentioned that during the review of the proposed plat it came to light that there was an unresolved access easement requirement for Lot 1 of Plaza 20 No. 6 and staff has included a recommended condition of approval to address this. Staff recommended approval of the

plat as submitted subject to waiving the street frontage requirement for Lot 1 upon receipt of an approved and finalized access easement for the lot legally described as Lot 1 of Plaza 20 No. 6 through the Plaza 20 Inc. property.

Commissioners had no comments or questions.

Motion by Russell, seconded by Kemp, to approve the Plat of Survey of Plaza 20 No.7 as submitted subject to waiving the street frontage requirement for Lot 1 upon receipt of approved and finalized access easement(s) for the lot legally described as Lot 1 of Plaza 20 No. 6 in the City of Dubuque, Iowa through the Plaza 20 Inc. property. Motion carried by the following vote: Aye – Kemp, Russell, Sempf and Mulligan; Nay – none.

Commissioner Norton returned to the meeting.

PUBLIC HEARING/REZONING: Application of Interstate Power and Light Company, Mary Montgomery to rezone property located at 4400 Asbury Road.

Dan Vander Vort, Alliant Energy Project Manager, spoke on behalf of the applicant. He stated that they hope to purchase this small parcel of land for expansion of their existing substation to upgrade and modernize equipment and provide redundancy.

Staff Member Duba detailed the staff report. He noted the current land uses and properties of the Sam's Club parcel and the Alliant Energy substation parcel. He reviewed the zoning history of the area. He explained that even with the loss of the 20 parking stalls on the lot to be subdivided, Sam's Club would have an excess of parking stalls according to Unified Development Code requirements. He noted the principal permitted uses in the AG Agriculture zoning district, which include utility substations.

Commissioners had no comments or questions.

There was no public input.

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

PUBLIC HEARING/TEXT AMENDMENT: Application of the City of Dubuque Text Amendment to the Unified Development Code Section 16-11-7(E) Fringe Area Development Standards regarding pre-annexation agreement requirements.

Staff Member Schrobilgen discussed the application. He said the UDC currently requires a pre-annexation agreement be signed as part of a subdivision review and approval. He noted that the City of Dubuque is proposing this text amendment in order to comply with the new state law that preempts cities from requiring pre-annexation agreements for any subdivision of land. He said the City may still require pre-annexation agreements when projects or properties sign development agreements or receive City services.

Commissioners had no comments or questions.

There was no public input.

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

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: Chairperson Mulligan welcomed new Commissioner Ryan Sempf.

ITEMS FROM STAFF: Staff Member Moon reminded the Commission of the upcoming Board and Commission Picnic at Eagle Point Park on September 14.

ADJOURNMENT: Motion by Norton, seconded by Kemp to adjourn the September 7, 2022 Commission meeting. Motion carried by the following vote: Aye – Kemp, Norton, Russell, Sempf and Mulligan; Nay – none.

The meeting adjourned at 6:16 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

October 5, 2022
Adopted