

**MINUTES  
ZONING ADVISORY COMMISSION  
REGULAR SESSION**

6:00 p.m.

Wednesday, October 5, 2022

City Council Chambers, Historic Federal Building

**Commissioners Present:** Vice Chairperson Rich Russell; Commission Members Martha Christ, Becky Kemp, Pat Norton, Ryan Sempf (attended virtually) and Teri Zuccaro

**Commissioners Excused:** Matt Mulligan

**Commissioners Unexcused:** None.

**Staff Members Present:** Wally Wernimont, Travis Schrobilgen and Jason Duba

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

**MINUTES:** Motion by Norton, seconded by Kemp, to approve the minutes of the September 7, 2022 meeting. Motion carried by the following vote: Aye – Christ, Kemp, Norton, Sempf, Zuccaro, and Russell; Nay – none.

**PUBLIC HEARING/REZONING:** Application of Tara Duggan to rezone property located at Pennsylvania Avenue, PIN 1019376001 & 1019400009.

Tara Duggan, 11082 English Mill Road, spoke on behalf of the application. She stated that she's with Airborne Investments and McDermott Excavating, and her companies have a long history of development in the area. She said they recently purchased the land from the Bahl family. She explained that they intend to follow the City's comprehensive plan to have a residential development here. She noted that along Pennsylvania near the industrial park would be light office, and behind that would be residential.

Chad Wagener, 2201 Jo Ann Drive, Asbury, stated that he is a near neighbor, and he's not sure if he's in support or opposition. He expressed concern about the two other adjacent parcels to the north, asking if this approval would confer the same zoning to them. He expressed concern about future development of high-density housing, traffic on Pennsylvania Avenue, access to schools in this area with no sidewalks, and whether this area even qualifies for OR zoning. He stated he's not under the impression that the area won't be developed, but he wants to have influence on how it gets developed.

Tara Duggan stated the other two parcels are also under their ownership, but they will stay AG and be farmed for the time being. She explained they are working with City Engineering and utilities regarding changes to Pennsylvania Avenue, such as widening and reducing grades, which will happen eventually, but these improvements are not currently budgeted.

Staff Member Schrobilgen detailed the staff report. He noted the proposed change in zoning, discussed the history of the property, and listed the surrounding land uses. He noted that the proposal is in alignment with the City's comprehensive plan and Future Land Use Map, which shows this area as multi-family residential. He described the subsequent steps in the development process, including extending utilities, site plan review, and platting, which would review many aspects such as access, parking, grading, screening, paving, park land, stormwater management, water connection, sanitary sewer connection, fire safety, and more. He confirmed that the two parcels to the north would continue to be zoned AG and any future development would require a rezoning, platting, and site plan review.

Commissioner Norton asked whether OR was appropriate given the OR preamble stated it was not intended for undeveloped areas of the city and asked whether a PUD would be better for controlling the development.

Schrobilgen responded by reading the remaining parts of the preamble which noted the OR district was intended for transitional zones, lower intensity office and higher density residential uses, and for developments that abut a collector street. He stated that the IDOT classifies Pennsylvania Avenue as a Collector Street.

Vice Chair Russell wondered whether this property could be considered infill because of its proximity to the industrial park.

Planning Services Manager Wernimont reiterated that OR is an appropriate zoning designation for this property as it is an infill development and OR is not out of the ordinary for our community. He explained that the City does not want to use PUD zoning except where necessary, and that development will be managed through the platting and site plan review process. He emphasized the need for additional housing and that future plans show this area as multi-family residential.

Commissioner Sempf pointed out the lack of housing in the community and the importance of building more. He said that he understands the concerns about potential inappropriate developments but noted that this is an experienced developer, so he feels comfortable with the rezoning.

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

**PUBLIC HEARING/REZONING:** Application of Talon LLC, Robert Smith, VP Development to rezone property located at Plaza Drive, PIN 1017200012.

Bob Smith, 1305 Benson Road, Sioux Falls, South Dakota, spoke on behalf of the application. He stated that Talon wants to be good neighbors, and they have built 23 developments in 17 cities, and Eagle Construction has built 25 apartment complexes. He explained that they are under contract for 23 acres, and Fox Hills apartments is planned to have 390 units of market rate workforce housing, composed of 13 buildings and garages. He noted they are currently going through the subdivision, site plan, preliminary plat, and final plat processes. He explained that the existing roads were installed in 2006 for a previous development, and they are planning to keep the existing infrastructure. He noted that the request will combine two adjacent and similar Planned Commercial zones and then carve out the proposed Planned Residential zone from that.

Tom Shinkle, 6625 South Wellington Lane, Pastor of Grandview United Methodist Church, stated they are in favor of this change and enthused about the project because they see the need for workforce housing. He noted they are looking into establishing a nature preserve on their adjacent property to the east.

Planning Services Manager Wernimont detailed the staff report. He noted the history of the land, its existing zoning, conceptual plans for commercial development, and streets and utilities that are in place. He explained how this PUD amendment would combine the two PC districts and create a PR portion. He described the proposed multi-family development of 13 30-unit buildings for a total of 390 units that would have shared amenities. These units would aid the city in its goals to develop additional housing. He noted that Plaza Drive is adequate for the increased traffic and that Plaza Drive is planned to go through to connect to Derby Grange Road. He pointed out that the project has received Iowa housing tax credits and that it will be developed one building at a time. He described the subsequent steps of the development process. He noted that no public input was received following the public notice.

Commissioner Russell asked whether the storage area that was noted on the plan would be paved.

Wernimont stated that travel areas would be paved, and screening would be put in place, and Mr. Smith reiterated that.

Commissioner Sempf expressed the dire need for housing, that this is an exciting development, and that Dubuque doesn't have many apartments with these amenities.

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

**ITEMS FROM PUBLIC:** None.

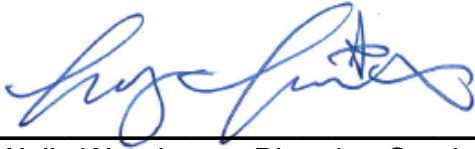
**ITEMS FROM COMMISSION:** None.

**ITEMS FROM STAFF:** None.

**ADJOURNMENT:** Motion by Christ, seconded by Norton to adjourn the October 5, 2022 Commission meeting. Motion carried by the following vote: Aye – Christ, Kemp, Norton, Sempf, Zuccaro, and Russell; Nay – none.

The meeting adjourned at 6:44 p.m.

Respectfully submitted,



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Wally Wernimont, Planning Services Manager

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November 2, 2022

Adopted