

**MINUTES  
ZONING ADVISORY COMMISSION  
SPECIAL SESSION**

6:00 p.m.

Wednesday, November 29, 2023  
City Council Chambers, Historic Federal Building

**Commissioners Present:** Chairperson Matt Mulligan; Commission Members Martha Christ, Carrie Lohrmann, Rich Russell, and Teri Zuccaro

**Commissioners Excused:** Patrick Norton

**Commissioners Unexcused:** None.

**Staff Members Present:** Wally Wernimont and Shena Moon

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

**PUBLIC HEARING/REZONING:** Application of Chris Staver to rezone property located at 110 E. 30<sup>th</sup> Street, 114 E. 30<sup>th</sup> Street, and 2987 Jackson Street.

Chris Staver, 1027 Barbaralee Drive, spoke on behalf of the application, noting that he desires to construct a surface parking lot for his restaurant. He stated that currently there is only on-street parking.

Katie Determan, 2685 Kaufmann Avenue, expressed concerns regarding the project. She stated that her daughter lives at 2977 White Street and that she has experienced challenges with safely accessing her daughter's driveway due to the volume of traffic in the neighborhood. She stated that street parking is dangerous due to the narrowness of White Street and the speed of traffic on the street. She expressed concerns regarding the Jackson Street closure and the impact that has had on traffic volume on White Street. She questioned how the parking lot would be monitored to ensure it's only used by customers of the restaurant. She questioned whether the parking lot would be illuminated and how long the lights would be on.

Rick Dickinson, 205 Hill Street, President of the Greater Dubuque Development Corporation, spoke in favor of the rezoning request. He expressed gratitude for the Commissioners willingness to hold a special meeting and stated that the parking challenges are a critical issue for Mr. Staver and his business, the Copper Kettle restaurant. He discussed the state of Dubuque Malting & Brewing Company building and the hazard it has presented for people traveling on Jackson Street, which has had a direct and detrimental impact on the Copper Kettle's business. He stated that the rezoning would allow Mr. Staver to construct an off-street parking lot which will help his business.

He stated it is a pressing matter and will help reduce the negative impact on the Copper Kettle and will reduce the impact of on-street parking for the neighborhood.

Emily Determan, 2977 White Street, stated that the impact of on-street parking from the Copper Kettle has directly affected her ability to access her property and driveway in the past. She stated that friends coming to her house often have trouble finding a parking space on the street due to the restaurant parking. She questioned whether the parking lot would increase traffic on White Street, which is a narrow street on which traffic is too fast currently. She stated that she would just like to be able to access her property without these challenges.

Mike Muench, 2943 Elm Street, stated that he previously lived at 2805 Jackson Street and acknowledged that street traffic is very busy and fast along Jackson Street and White Street. He stated that he felt the proposed parking lot would be a step toward helping resolve the parking congestion in the neighborhood. He stated as the owner of Convivium Urban Farmstead, he understands the desire to have off-street parking. He expressed support for the property rezoning and said he felt the project would be done well.

Mr. Staver stated that he would do whatever the City would require for lighting but would desire to have a low-voltage lighting that would not impact the neighborhood. He stated his hope is to improve the parking condition in the neighborhood and alleviate some of those impacts to the neighborhood.

Staff Member Moon detailed the staff report noting the location of the three properties that would be impacted by the proposed rezoning. She discussed the history of the restaurant use being established in the mid-1950s and that the Copper Kettle was established prior to the current zoning regulations and consequently is a legally nonconforming use. She stated that the proposed rezoning would establish the restaurant use a legal use in the C-2 zoning district and would allow the property owner to construct a surface parking lot as an accessory use to the restaurant. She explained that all the properties are under common ownership and that the two residential structures are in the process of being demolished. She stated that the applicant is not seeking to expand the capacity of the restaurant and so the rezoning is not anticipated to increase the number of patrons and vehicles coming to the subject site, but rather would help to better manage the parking for the restaurant. She discussed the city's site plan review process which would require the parking lot to be reviewed by the City's Development Review Team, and that some discussion has already begun with that group. She stated as part of that review the project would be required to meet City codes for access and site lighting. She outlined two letters from neighboring property owners had been submitted for the Commissions consideration.

Chairperson Mulligan acknowledged that parking is a major issue in the neighborhood which has been exacerbated by the current condition of the Malting & Brewing Company building which has resulted in street closures.

Commissioner Lohrmann stated that many of the concerns expressed by the public seemed to be items that would be addressed through the site plan review process and

she sought to understand how community members concerns would be expressed to the Development Review Team.

Staff Member Moon stated that all projects would be required to meet the City's minimum requirements for site development. She stated that the site plan review process is not currently a public process but staff will certainly share the concerns expressed by the public with the review team.

Planning Services Director Wally Wernimont stated that the feedback received at this meeting will be shared with the Development Review Team. He stated that the concerns regarding site lighting, traffic, and parking are common concerns that the team takes into consideration with all site plan reviews. He stated members of the public are always welcome to reach out to the Planning Services Office to share their concerns. He stated that all development must adhere to the city codes and staff is always willing and able to share details regarding code requirements. He also stated that the Engineering Department staff is actively reviewing the flow of traffic to and from the parking lot.

Commissioner Russell stated that the speed of traffic on White Street would not be in the purview of the Commission but that neighbors may wish to direct those concerns to the Police Department. Planning Services Director Wally Wernimont stated that the rezoning request will be reviewed by the City Council on December 4<sup>th</sup> and that those concerns would also be able to be shared during that meeting.

Motion by Christ, seconded by Zuccaro, to recommend rezoning as submitted. Motion carried by the following vote: Aye –Lohrmann, Christ, Russell, Zuccaro, and Mulligan; Nay – none.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:** None.

**ITEMS FROM STAFF:** Planning Services Director Wally Wernimont thanked the Commission for their willingness to schedule a special meeting.

**ADJOURNMENT:** Motion by Christ, seconded by Zuccaro to adjourn the November 29, 2023 Special Commission meeting. Motion carried by the following vote: Aye – Christ, Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

The meeting adjourned at 6.29 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

December 6, 2023

Adopted