

**MINUTES  
ZONING ADVISORY COMMISSION  
REGULAR SESSION**

6:00 p.m.

Wednesday, December 6, 2023

City Council Chambers, Historic Federal Building

**Commissioners Present:** Vice Chairperson Rich Russell; Commission Members Martha Christ, Carrie Lohrmann, Pat Norton, and Teri Zuccaro

**Commissioners Excused:** Matt Mulligan

**Commissioners Unexcused:** None.

**Staff Members Present:** Shena Moon and Jason Duba

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

**MINUTES:** Motion by Zuccaro, seconded by Christ, to approve the minutes of the November 1, 2023 meeting. Motion carried by the following vote: Aye – Christ, Norton, Zuccaro, and Russell; Nay – none; Abstain – Lohrmann.

Motion by Christ, seconded by Zuccaro, to approve the minutes of the November 29, 2023 meeting. Motion carried by the following vote: Aye – Christ, Lohrmann, Zuccaro, and Russell; Nay – none; Abstain – Norton.

**ACTION ITEM/FINAL PLAT:** Application of John Tranmer to approve the Final Plat of Links Glen Place No. 2.

Ed Henry, Fuerste, Carew, Juergens & Sudmeier, P.C., 890 Main Street, spoke on behalf of Links Glen, LLC. He referred to the staff report and noted that the plat is not creating two new lots, but rather moving the existing lot lines closer to Wartburg Place.

Staff Member Duba detailed the staff report, noting the submitted Final Plat of Links Glen Place No. 2 will have three lots, and he listed the area of each lot. He noted this property is zoned Planned Residential, and the City's Comprehensive plan identifies housing of various types as beneficial to the community.

Commissioners had no comments or questions.

Motion by Norton, seconded by Zuccaro, to approve the Final Plat of Links Glen Place No. 2 as submitted. Motion carried by the following vote: Aye – Christ, Lohrmann, Norton, Zuccaro, and Russell; Nay – none.

Commissioner Norton recused himself for the following two items.

**ACTION ITEMS/SITE DESIGN WAIVER:** Application of Patrick Norton, Buesing & Associates to waive specific requirements of Chapter 13 of the Unified Development Code for property located at 781 Locust Street.

Pat Norton, Buesing & Associates, 1212 Locust Street, spoke on behalf of the property owner. He explained that they are seeking to build a childcare center on the former site of Joliet Hall. He noted that the requested waivers are for landscape buffers and tree and shrub requirements.

He explained the requested landscape buffer waiver is for the frontages along 8<sup>th</sup> Street and Locust Street. The second floor of the building is above the parking lot, and the building would be built up to the property line. He noted that without the landscape buffer waiver, half of the parking stalls would be lost. He explained that the parking lot is for pick-up and drop-off of children.

Mr. Norton explained that they are seeking to waive landscaping requirements for shrubs and trees but noted the play area will provide pervious area on the site, which previously did not have any pervious area.

Benjamin Beard, Straka Johnson Architects, 3555 Digital Drive, provided additional context for the project. He noted that the Art Museum will be redeveloped, and the block will be like a campus. He referred to the shortage of childcare in Dubuque and the need for this project. He discussed the childcare program for the site and that it will serve infants through pre-K age children. He discussed the project site as being composed of the building, play area, and parking lot. He expressed that in his view the site is being enhanced from its former state.

Commissioner Lohrmann asked if the play area would be turf or grass, and Mr. Beard replied probably turf.

Commissioners discussed whether the parking lot under the building was considered part of the building, in which case perhaps the parking buffer might not be required. Mr. Norton clarified that it is his understanding that the buffer yard waiver is required because of the parking area and the parking is not considered to be part of the building.

Vice Chairperson Russell asked about ADA compliance, and Mr. Beard responded that all the entrances will be ADA accessible, which exceeds the minimum requirement. He also stated that the playground will be ADA compliant as well.

Staff Member Moon detailed the staff report. She outlined the Unified Development Code design standards stating that 3 trees and 6 shrubs are needed for the landscaping requirements, and the applicant is seeking a waiver for this requirement. She explained that the UDC requires 10' landscape buffer yards along parking lots where they meet the street, which is 8<sup>th</sup> Street and Locust Street in this case, but not along what is the current

alley, as that is going to be part of their property in the future. Staff Member Moon also noted the Old Town Neighborhood District Overlay Design Guidelines (OTC), which is designed to preserve character and building stock of downtown and gives some exception to certain site design standards of the UDC. She specifically highlighted the OTC requirements for landscape buffer but clarified that the OTC does not require that it be 10' wide landscape buffer. She noted that the applicant is electing to put in parking on the site, which is not required by the zoning, in order to address drop-off and pick-up traffic. Staff also shared a letter of support from property owner Andy Butler.

Commissioner Lohrmann expressed that placing parking and a drop off area on the property is important for the safety, especially of childing, coming to/from the site, and that in her opinion having the parking trumps the desire for buffer yards in this instance.

Motion by Zuccaro, seconded by Lohrmann, to approve waiving specific requirements of Chapter 13 of the Unified Development Code for property located at 781 Locust Street as submitted. Motion carried by the following vote: Aye – Christ, Lohrmann, Zuccaro, and Russell; Nay – none.

**ACTION ITEMS/SITE DESIGN WAIVER:** Application of Tom Larsen, Buesing & Associates to waive specific requirements of Chapter 13 of the Unified Development Code for property located at 1870 St. Ambrose Street.

Pat Norton, Buesing & Associates, 1212 Locust Street, spoke on behalf of the property owners, noting the intent of the project is to demolish two buildings of former classrooms which need maintenance but are not being used, and put in a parking lot in their place. He explained that this parking lot would provide a safer access to reduce crossing Rosedale, especially during the early morning hours when it is dark out. He noted it would be good for smaller events and services and provide a covered drop off. He explained the width of the lot would allow for angled parking with a 3' buffer along the existing alley, which is a green alley. He expressed that without the waiver the parking lot may not happen, and the area would become greenspace.

Commissioner Christ asked if there would be room for fencing and expressed concern vehicle headlights shining from the parking lot into the neighbors properties across the alley. Mr. Norton noted that car bumpers can overhang into the 3' buffer, but that there would be room for a fence. but the church representative, Mr. Kalb, confirmed he is amenable to installing a fence.

Commissioner Lohrmann questioned why parking is necessary in the proposed location when there is a large existing parking lot across the street. Mr. Norton noted that part of the larger existing parking lot across Rosedale has been divided off and was sold along with the other school building across Rosedale, and that the purchaser intends to convert that school building into apartments. He explained that the new parking lot would be safer and more convenient for parishioners who would no longer need to cross Rosedale, especially during the early morning hours when the traffic from Senior High School is at a peak. Commissioner Lohrmann questioned why that would be a concern when the Church has services on Sunday mornings and Wednesday evenings. Mr. Norton clarified

that the church has daily masses. Commissioner Christ stated that vehicles are coming to the site as early as 5:45am, which is when the school busses being their routes. Commissioner Lohrmann sought to confirm whether there was any redevelopment being considered besides the parking lot. Vice Chair Russell confirmed yes, no other development is being proposed.

Commissioner Zuccaro asked if the lot has 18 parking spaces, and Mr. Norton confirmed. Commissioner Christ stated she would be in support if there was a fence installed. Mr. Norton confirmed with Mr. Kalb, a church representative present in the audience that the church would be amenable to installing a fence.

Staff Member Moon detailed the staff report. She outlined the Unified Development Code design standards explaining the existing structures to be demolished, and the plan to develop a parking lot. She noted that staff has done preliminary conceptual review. She explained the buffer yard is required to be 7', and the applicant is looking to reduce that to 3'.

Commissioner Lohrmann asked whether four affirmative votes were necessary, and Staff Member Moon confirmed that all site design waiver requests require four affirmative votes to be approved. Staff Member Moon noted that a parking lot is a permitted use on the subject site, and the focus of the waiver request, and the associated vote, is on the buffer yard width. Commissioner Lohrmann clarified that the request is to reduce buffer yard from 7' to 3', and staff confirmed that to be correct.

Motion by Christ, seconded by Zuccaro, to approve waiving specific requirements of Chapter 13 of the Unified Development Code for property located at 1870 St. Ambrose Street with the condition that fencing be installed along the east side of the parking lot to shield headlights for neighbors to the east. Motion failed by the following vote: Aye – Christ, Zuccaro, and Russell; Nay – Lohrmann.

Commissioner Norton returned to the meeting.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:** Russell asked if we should publicly state that the commission is looking for another member. Staff Member Moon replied yes and stated that staff will see if there are any additional recruitment efforts that could be made with the City Clerk in order to advertise the open position.

**ITEMS FROM STAFF:** None.

**ADJOURNMENT:** Motion by Norton, seconded by Christ to adjourn the December 6, 2023 Commission meeting. Motion carried by the following vote: Aye – Christ, Lohrmann, Norton, Zuccaro, and Russell; Nay – none.

The meeting adjourned at 6:40 p.m.

Respectfully submitted,



---

Shena Moon, Associate Planner

---

**January 4, 2024**

Adopted