



# Approved

**MINUTES  
ZONING ADVISORY COMMISSION  
REGULAR SESSION**

6:00 p.m.

Wednesday, April 3, 2024  
City Council Chambers, Historic Federal Building

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

**Commissioners Excused:** Martha Christ and Pat Norton

**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 Lohrmann, seconded by Russell, to approve the minutes of the March 6, 2024 meeting as submitted. Motion carried by the following vote: Aye – Lohrmann, Russell, and Mulligan; Nay – none; Abstain – Zuccaro.

Motion by Zuccaro, seconded by Russell, to approve the minutes of the March 13, 2024 meeting with the revision that Zuccaro be shown as present and Christ be shown as absent. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

**ACTION ITEM/SIMPLE SUBDIVISION:** Application of Kallie and Nick Welter to approve the Simple Subdivision of Lost Canyon Rd/Splendid Valley Estates.

Kallie Welter, 16836 Hannan Road, Holy Cross, spoke on behalf of the application. She stated that they are seeking to plat the subject property, parcelling off Lot 1.

Staff Member Schrobilgen detailed the staff report, noting the submitted Plat of Survey of Splendid Valley Estates would create two lots from the existing three lots. The house and garage would be on Lot 1. He noted that there would be an access easement for Lot 1 to the county roadway, Lost Canyon Road. He stated that Lot 1 does not have frontage along a private or public street and therefore, the plat requires a waiver of the street frontage requirement. He noted the property is in the County but is within the City's two-mile Extraterritorial Jurisdiction and therefore requires City review and approval.

The Commissioners had no questions or concerns.

Motion by Lohrmann, seconded by Zuccaro, to approve the Simple Subdivision Lost Canyon Rd/Splendid Valley Estates as submitted, subject to waiving the street frontage requirement for Lot 1. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

**ACTION ITEMS/WAIVER:** Application of Jordan Rettenmaier to waive specific requirements of Chapter 13 for property located at 1100 Lincoln Avenue.

No one was present to speak on behalf of this application, so the Commission moved to table the item to a future meeting.

Motion by Zuccaro, seconded by Russell to table the request to a future meeting. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

**PUBLIC HEARING/REZONING:** Application of Jordan Rettenmaier to rezone property located at 1100 Lincoln Avenue from R-2A Alternate Two-Family Residential and C-1 Neighborhood Shopping Center to R-3 Moderate Density Multi-Family Residential.

No one was present to speak on behalf of this application, so the Commission moved to table the item to a future meeting.

Motion by Russell, seconded by Zuccaro, to table the request to a future meeting. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

**PUBLIC HEARING/REZONING:** Application of The Pregnancy Center dba The Clarity Clinic to rezone property located at 2529 Marywood Drive from R-1 Single-Family Residential to R-2 Two-Family Residential.

Dakota Schilling, 12346 Swiss Valley Road, spoke on behalf of the application, stating that they're looking to rezone the property in order to create two residential rental units on the property.

Chairperson Mulligan asked if Schilling owned the property, and he stated not yet and that that the sale was contingent on approval of the rezoning request.

There was no public input.

Staff Member Schrobilgen detailed the staff report. He noted the property was annexed around 1960 to 1963, that the dwelling was built in 1963 and the church in 1973, and that the property was zoned as R-2 in 1975 and was downzoned to R-1 by 1985. He noted that the existing site contains two structures which share utilities, which make it difficult to reuse the existing structures as anything other than another church or single-family residence. He explained how rezoning to R-2 would allow both buildings to be utilized as residences on a single lot, and that without the rezoning the owner would have to

subdivide and separate utilities in order to create two residential units. He noted that without rezoning it could continue to be used as a church and rectory. He stated that the property would have a parking credit given its former use as a church. He noted that one letter of opposition was submitted, but it appeared the author of that lead may have misunderstood the request as it mentions they are opposed to the use of a property as a medical clinic. He clarified that the proposal is not to establish a clinic, and that a clinic is not a permitted use in the R-2 Zoning district.

Commissioner Lohrmann sought to clarify whether a clinic would be allowed in an R-2 zone. Staff Member Schrobilgen stated that a clinic would not be a permitted use in the R-2 zoning district. Chairperson Mulligan clarified that according to the application, The Clarity Clinic is the current owner and is seeking to sell the property. Staff concurred stating that the concerns outlined in the letter of opposition likely stemmed from the property being owned by The Clarity Clinic currently.

There were no other questions or concerns.

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

**PUBLIC HEARING/TEXT AMENDMENT:** Application of City of Dubuque text amendment to amend the Unified Development Code to remove the off-street parking requirements for properties located within the Jackson Park and Cathedral Historic Districts.

Staff Member Moon discussed the application. She noted that the City of Dubuque is proposing this text amendment to remove off-street parking requirements in these historic districts in order to preserve historic neighborhoods, structures, and sites. She explained that occasionally a property owner's desire to develop is affected by parking requirements, and the proposed text amendment alleviates that potential barrier to redevelopment or adaptive reuse of a property.

Staff Member Moon explained the meaning of off-street parking requirements and that many properties within the Jackson Park and Cathedral Historic Districts are legally non-conforming with respect to parking. She explained that if a property sought to make improvements to their property which would increase their required parking, than this amendment would provide relief from that additional off-street parking requirements. She displayed multiple maps which showed the zoning districts in the downtown area that are already exempt from providing off-street, zoning districts within the subject historic districts, public and private parking areas in the historic districts, and transit routes and stops in the districts. She also explained that over the last 20 years, the Zoning Board of Adjustment has reviewed a total of 18 parking variance requests for properties located in the Jackson Park and Cathedral Historic Districts.

Staff Member Moon noted that staff has received thirteen phone calls inquiring about this amendment, and explained that one caller, Daniel Teply, 1573 Main Street expressed opposition to the text amendment siting concerns with increased density and parking demand in the Jackson Park Historic District. She concluded by noting that generally these districts are walkable and have numerous on-street parking spaces. She explained that this change is in keeping with the goals of the comprehensive plan and City Council goals and priorities.

There was no public input.

Chairperson Mulligan expressed that this would be a good change and noted how the removal of the off-street parking requirements in the Millwork District have allowed his company to redevelop properties there.

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

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:** None.

**ITEMS FROM STAFF:** None.

**ADJOURNMENT:** Motion by Lohrmann, seconded by Zuccaro to adjourn the April 3, 2024 Commission meeting. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

The meeting adjourned at 6:36 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Shena Moon, Associate Planner

**May 1, 2024**  
\_\_\_\_\_  
Adopted