

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, June 5, 2024

City Council Chambers, Historic Federal Building

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

Commissioners Excused: Martha Christ

Commissioners Unexcused: None.

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

CALL TO ORDER: The meeting was called to order by Chairperson Mulligan at 6:03 p.m.

MINUTES: Motion by Lohrmann, seconded by Zuccaro, to approve the minutes of the May 1, 2024 meeting. Motion carried by the following vote: Aye – Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

ACTION ITEM/SIMPLE SUBDIVISION: Application of the City of Dubuque to approve the Simple Subdivision Plat of Survey of Oberbroeckling Subdivision No. 3.

Bob Schiesl, Assistant City Engineer spoke on behalf of the City of Dubuque. He noted that since the Southwest Arterial is now complete the city, county, and state are cleaning up the fragment parcels and designating right-of-way to each entity. He said this request is for the North Cascade Road interchange along the Southwest Arterial. He said that the City is now replatting the area with Lot A as the footprint of the interchange, which will be conveyed to Iowa DOT, that Lots B and C will be conveyed to the Dubuque County as part of the road system, and Lots 1-4 will remain with the City of Dubuque.

Planning Services Director Wernimont detailed the staff report. He said the replatting will subdivide a 193.3-acre property and will establish rights-of-way for the Southwest Arterial and county roads, and that four lots would be owned by the City as developable lots. He noted that this property is in the County but is within 2 miles of the City of Dubuque and therefore requires city review.

There were no questions from Commissioners.

Motion by Norton, seconded by Lohrmann, to approve the Simple Subdivision Plat of Survey of Oberbroeckling Subdivision No. 3 as submitted. Motion carried by the following vote: Aye – Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

ACTION ITEMS/SITE DESIGN WAIVER: Application of Joe Delaney to waive Site Design Standards within Chapter 13 of the Unified Development Code for property located at 900 Seippel Road.

Joe Delaney, 900 Seippel Road, spoke in favor of the request. He noted that he is requesting more time to complete the rest of the storage buildings. He pointed out that the drive aisles are complete where the buildings have been constructed.

Mr. Delaney said that he thought the current buildout meets the spirit of the code because screening is intended to keep eyesores out of view, and he doesn't think his qualifies as eyesore because the campers are new and expensive. He said it's similar to a car sales lot. He said he planted trees and kept the landscaping nice, and that customers and neighbors want it to stay as it is with no additional screening. He said the site lighting are on wooden light poles and that the electrician didn't know they were supposed to be steel. He said maybe changing just the poles near the street would be sufficient. He also stated that he understands asphaltting driveways to keep down dust, but said that his clients don't kick up dust driving only 5 mph. He said that asphalt would add 40,000 square feet of non-permeable area.

The Commissioners asked the applicant if he intended to continue building the mini warehouse buildings per the approved site plan and asked when the last building completed was constructed. Mr. Delaney noted that he intends to build them per the site plan but did not have an end date. He said he would do them one at a time and he noted that the last building was constructed in November of 2022.

Staff Member Schrobilgen detailed the staff report. He outlined the Unified Development Code (UDC) design standards and detailed the request. He noted that this site is under zoning enforcement for the items under review. He said that the property has an approved site plan with nine buildings, paved drives, screening of the property at the property boundary, and a screened storage area. He noted that the applicant began storing vehicles in the unpaved areas of the site which kicked in exterior storage screening, hard surface driveways, and compliant lighting. He explained that the Commission reviewed a waiver in 2021 for some of those items. At that time, the Commission allowed the applicant to phase the completion of the site plan and would allow the exterior storage to continue until 2022. The applicant has fallen behind on the 2022 deadline and now, not being in compliance, the applicant is asking to waive the same and additional requirements, including commercial property screening, exterior storage screening, site lighting requirements, and hard surface requirements.

Staff Member Schrobilgen showed a chart of the five items requested to be waived and shared an image with similar information. Planning Services Director Wernimont noted that waivers from site design standards were originally intended to allow flexibility for properties that have a specific undue hardship or are impractical. He provided a hypothetical example of a parking lot downtown where, if standards were not waived, the site would lose valuable parking spaces or function which would compromise not just the

owner but also surrounding properties. He concluded that the applicant would have the option to remove any outdoor vehicle storage until requirements are met and the site was built out per the approved site plan.

The Commission discussed the proposal asking for clarification on timing of site requirements, whether paving is required as buildings are constructed, and whether a financial hardship should or could be considered as a hardship.

Director Wernimont stated that if the site is not used as an exterior storage yard, hard surface is required as the buildings are completed. He noted that financial hardship is not considered as a site constraint or site limitation.

The Commission discussed the proposal noting that the previous waiver provided adequate time to delay the project, that they agreed that waiving any of the requirements was not appropriate, and that the applicant should work with the city on a timeframe to come into compliance. They noted that while the current neighbors don't mind the lack of screening, the owners after them may. The Commissioners noted that permeable gravel surface is not necessarily better than asphalt with regard to stormwater.

Motion by Russell, seconded by Norton, to table the request to the August 7th meeting. Motion carried by the following vote: Aye – Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

PUBLIC HEARING/PUD AMENDMENT-QUASI JUDICIAL: Application of Kennedy Mall, Ltd to amend the Kennedy Mall Planned Unit Development for property located at 555 John F. Kennedy Road to modify parking, building, and sign regulations.

Justin Somerville, Development Engineer, and Bill McKandrick, Senior VP, Cafaro Company, 5577 Warren Rd, Niles, OH, spoke in favor of the request. Mr. Somerville noted that the PUD was last amended in 2003. He said there have been many business changes since then and the PUD is too restrictive. He said that malls are dying and said Kennedy Mall was the first in Iowa and thought it should be preserved to some degree. Malls change hands, but Kennedy has remained with Cafaro for 50 years despite some difficulties. He stated that signage can be a determining factor for tenants, who are looking for adequate visibility to the public and used the Home Goods sign as an example of an undersized sign. He stated that they have mimicked the Asbury Plaza PUD sign regulations which offer interior tenants the ability to display signage based on 3% of floor area. He said this is the only difference from Asbury Plaza since Asbury Plaza does not have internal tenants. He noted that the amendment would allow Home Goods their desired 195 square foot sign.

Mr. Somerville then discussed the construction limitations and parking requirements. He said there is currently a stated limit to overall building expansion and a stated minimum to required parking. He said they would remove both stated limitations and instead regulate those utilizing the parking ratio of one space per 300 square feet of gross floor area (GFLA). He noted all the available development areas and available parking on the

property.

Mr. Somerville said these changes would help attract national tenants, provide room for future development, allow current occupants and potential developers to reinvest in the mall. He concluded that they would follow all development regulations including stie plan approval.

Mr. McKandrick noted that the Kennedy Mall was his first property, that Malls across the country are failing and that Kennedy Mall is a fragment of its former glory. He said they need to reimagine and reinvent to promote investment in the Mall. He said Kennedy Mall will change moving forward, that they are competing against other sites in Dubuque and in the region. He said the empty parking areas could be developed and that they are not looking to develop willy-nilly. He concluded that they would go through proper approvals, and they just need flexibility built in instead of requiring variance for any changes to the PUD.

The Commission asked for clarification on what would be allowed and what the changes were.

Staff Member Duba detailed the staff report. He stated the current Kennedy Mall PUD requirements and that the applicants were looking to reduce the requirement to one space per 300 square feet of GFLA. He noted the history of the PUD and provided examples of signage based on current businesses in the mall. Staff Member Duba noted the proposed change equates to a 17% reduction in the parking requirement and that the applicant has indicated that there is an oversupply of parking at Kennedy Mall, and they would like to reallocate some of the underutilized parking spaces for additional development. He also noted that recent trends in zoning reform recognize that minimum parking requirements have led to the construction of an oversupply of parking, and this inefficient use of land raises costs and contributes to sprawling, auto-oriented development. This has led over 2,700 municipalities around the country, including Dubuque, to reduce or eliminate minimum parking requirements in some form and even establish maximum parking allowances.

Staff Member Duba said that patterns at malls have changed as more shopping is conducted online and malls have shifted to include less retail space and more recreation, entertainment, and service uses, and that the updated requirements would better suit the owner's desire to allow for future outlot development and the need to best utilize their property. He said the current PUD requires a minimum of 2,675 parking spaces, but the proposed amendment removes that minimum total and simply applies the ratio of one parking space per 300 square feet of GFLA.

Staff Member Duba also noted that the current Kennedy Mall PUD sets a limit of 668,570 square feet of GFLA, which is based on the parking requirement of one space per 250 square feet of GFLA. The applicant seeks to remove that limit. Instead, Kennedy Mall would be able to construct additional developments so long as it complies with the parking ratio of one space per 300 square feet of GFLA. With the removal of this limit on GFLA

and the reduction of the parking requirement, the applicant seeks the opportunity to further develop the 52.6-acre Kennedy Mall property. This is supported by the Imagine Dubuque Comprehensive Plan, which has the recommendation, “Collaborate with Kennedy Mall ownership and surrounding major centers to support regional retail.”

Staff Member Duba concluded the staff report noting that all developments within the PUD require building permits through Inspection and Construction Services and that significant modification or any new construction would require a full site plan with review and approval through the City’s Development Review Team (DRT).

No public input was provided.

Commissioners noted that they are in support of the changes being proposed because it would level the playing field with other commercial properties, that the Home Goods sign is quite small, and that times have changed from when malls were in direct competition with the downtown.

Motion by Norton, seconded by Lohrmann, to approve the request to amend the Kennedy Mall Planned Unit Development to modify parking, building, and sign regulations as submitted. Motion carried by the following vote: Aye - Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

PUBLIC HEARING/REZONING: Application of Pat Ready, Origin Design, to rezone property located on Millstone Drive from R-1 Single-Family Residential to R-3 Moderate Density Multi-Family Residential.

Pat Ready, Origin Design, 137 Main Street, spoke on behalf of the property owners. He stated that the request is to rezone to R-3 and noted that the north 65 feet of the property is zoned as R-3 with the remainder being R-1. He clarified that he is seeking to rezone all 1.6 acres to R-3. He stated that the owner’s desire to build three buildings with two units each similar to the existing townhomes to the north. He said the goal is to have condos with a homeowner’s association (HOA) where the owners can pool their money to maintain the property. He stated that the R-3 district is in concurrence with the city’s Future Land Use Map which shows multi-family. He also noted that utilities are adequate to serve the site and that the request will still need to go through development review. He said that he realizes that not everyone’s in favor of this development because it is tough to get onto Asbury Road, but added these units would be a small increase in traffic. He said that a single driveway will serve several dwellings and that it would be similar to six single-family residences and that an evaluation of potential traffic impacts is part of the development process.

Chairperson Mulligan asked for clarification on the total number of units. Mr. Ready noted that the lot is a difficult shape with some topography limitations. He stated that they could probably build three buildings with two units each as any more would be a surveying challenge. He said he would likely construct condos with an HOA.

Wayne Derby, 2600 Millstone, spoke in opposition to the request. He noted that he has concerns regarding potential water issues and that changes could flood neighboring properties. He suggested that they grade away from houses toward the retirement home. He stated that there was no way for construction equipment to come in and that parking for semis has to be done down the road, tying up the roadway. He said that six units would add to the issues at the Asbury Road intersection and that previous rezoning requests for the property were denied.

Mike Fitzpatrick, 2585 Wheatland Dr, spoke in opposition to the request. He noted that the property was proposed to be rezoned several times, that developers say they're going to do one thing and end up doing something else. He said he does not trust their word to do three duplexes. He said this many units would not make a difference for Dubuque's housing issues and that after apartments are built in the city, there's going to be a need for single-family dwellings. He said the property will be challenging for fire access, that it is not our responsibility to make this change, that the additional traffic will be detrimental, and that all previous proposals had neighborhood opposition. He concluded that the neighborhood wants to see it developed with something good for the neighborhood.

Patricia Judge, 2364 Harvest View, spoke in opposition to the request. She stated that there should be other ways to get out of the neighborhood and that there are ninety homes with two cars each and two trips a day. She concluded that they don't need any more traffic.

Donna Dillon, 2316 Harvest View, spoke in opposition to the request. She noted that she has already brought concerns to police about speeding. She said this development will cause more backup near the Asbury Road intersection and people won't be able to get out of their driveway.

Diane Burquist, 2695 Millstone Dr, spoke in opposition to the request. She said that snow is pushed up by her driveway and into her yard. She said this would make it worse and that she is against multi-family housing.

Mark Elenz, 2505 Wheatland Dr, spoke in opposition to the request. He said the neighborhood has fought this same issue before. He stated concern about the access width of 40 feet not being wide enough for fire trucks and garbage trucks. He said they should keep it how it was designed when they bought the property as R-1 zoning. He said that they don't want multi-family zoning, citing cars and kids in the street in the existing R-3 area and that this rezoning will make it worse. He asked how much public opposition was submitted. Staff noted that six letters of opposition and one inquiry were submitted, and that all neighborhood opposition goes into the minutes to City Council. Mr. Elenz said they should keep it the way it was and that it had been discussed to be used as a park.

Bill Runde, 2302 Harvest View Dr, spoke in opposition to the request. He stated that traffic is already bad, that the development is too dense and overpopulated.

Don Foley, 2489 Wheatland, spoke in opposition to the request. He noted that the streets

are narrow, that police presence is lacking, and that more homes will take away from security. He said he is against any building at the property except a park and that there are one hundred twenty-five homes in the neighborhood already.

Terry Balk, 2498 Millstone Drive, spoke in opposition to the request. He said that increased traffic is a concern, that a previous developer followed R-1 and promised a park. He concluded, stating that a couple houses on the property would be great.

Mr. Ready stated that he appreciates all of the comments and that he doesn't love the rebuttal process since he wants to work with the neighbors and not be argumentative. He noted that most developments street widths are 31 feet from back of curb to back of curb. He said this would be a driveway without sidewalks on either side but will be adequate for fire truck access. He said that they could probably fit six single-family homes but want to do condos as some people prefer the HOA and not needing to do property maintenance.

Staff Member Schrobilgen detailed the staff report. He noted that the districts are similar with the main difference being the side yard setback with R-3 being 4 feet and R-1 being 6 feet. He also noted that R-3 allows for town homes, a multi-family structure with a maximum of six units, and duplexes. He said that any subdivision of more than two lots would require Commission and City Council approval. He stated that site development would require site plan review and approval. He said the site would be restricted by the design review requirements. He stated that the fire department requires a minimum of a 20-foot-wide driveway, possibly a fire hydrant, and an adequate turn-around. He also noted that traffic and all other site design standards would be reviewed as part of the development review.

Staff Member Schrobilgen described the history of the parcel, the surrounding zoning and development, and property topography. He noted that the rezoning would be an expansion of the existing R-3 zone to the north. He then shared a Google Street View of potential dwelling types that would be permitted in the R-3 district. He said that the rezoning is supported by the Comprehensive Plan and that the area is shown as Multi-Family in the Future Land Use Map. He concluded that there were six letters of opposition and one general inquiry, and that the Commission is making a recommendation that goes to Council as a public hearing for final consideration.

Commissioner Russell noted there are already duplexes in the neighborhood near Asbury Road and asked for clarification on the difference between a duplex close to Asbury Road and at the subject site. Staff noted that the developments are not different. The Commission also asked for clarification on the park comments. Staff noted that there is a park in the neighborhood already and that they reached out to former planners who would have worked with previous developers. Staff found that no previous documentation exists of a park being proposed at the site and further noted that none of the plats that created the lot showed a park on the property. Commissioners then asked if covenants would restrict development and staff noted that covenants are private agreements between the developer and the property owner, and that the City does not enforce them.

The Commission then discussed the proposal noting that traffic does not appear to be an issue since the lot size would allow for a number of houses at the property already. Commissioners Lohrmann and Zuccaro noted that they did not feel that rezoning to R-3 was appropriate. Commissioners Mulligan, Norton, and Russell noted they would be supportive of the request if the number of units were capped.

Motion by Norton, seconded by Russell, to approve rezoning with the following condition:

1. That the property is limited to six (6) total dwelling units regardless of future subdivision(s).

Motion carried by the following vote: Aye – Norton, Russell, and Mulligan; Nay – Lohrmann and Zuccaro.

Commissioner Norton recused himself and left the meeting.

PUBLIC HEARING/REZONING QUASI-JUDICIAL: Application of Eric Dregne, Next Level, LLC to rezone property located on Wood Street from R-1 Single-Family Residential and R-3 Moderate Density Multi-Family Residential to Planned Unit Development with a PR-Planned Residential designation.

Eric Dregne, 408 Park Avenue, Galena, IL, representing Habitat for Humanity (Habitat), spoke in favor of the request. He briefly described the project noting the proposal is to create sixteen single-family residences just north of Mt. Pleasant Home. He said they would be affordable 3-bedroom homes of approximately 1,200 square feet. He said the houses would meet all Habitat for Humanity standards and concluded that the property density is in line with comprehensive plan and City's goals of creating additional housing.

Brandon Oller, 1893 Wood Street, spoke in opposition to the request. He said the decision was difficult as he supports Habitat, but said the proposal is too dense. He said there's character in this neighborhood and that the houses would all be identical. He said that there has been no communication from Habitat, that they weren't aware of the project. He said Habitat does not have the capacity to complete the homes and that they have built only twenty-three homes since 1991 and this project is looking to do sixteen. He said the project would have a substantial impact on neighbors, that there would be a 34% increase in homes, and additional traffic. He said Wood Street is not safe since it is a blind hill with no room for cars and no sidewalk. He said that Habitat needs to talk with the residents and scale back the project. He said they like the wildlife that they have and that the driveway to the project should go through Mt. Pleasant Home or Glen Oak Street.

Mike Nichols, 1840 Wood Street, spoke in opposition to the request. He said he bought his house because he didn't want neighbors and that he would be surrounded by this development.

Allan Kootsvayouma, 1845 Wood Street, spoke in opposition to the request. He said the neighborhood has a lot to lose and that he is a security officer, and that he is concerned about privacy.

Peggy Behrens, 1845 Wood Street, spoke in opposition to the request. She said they will lose the nature that they enjoy on the open property, that traffic will increase, and that Wood Street is a blind hill and narrow. She stated that people turn around in their driveway when it's snowy. She concluded that the area is quiet, and construction will be disruptive.

Donald Koepke, 1893 Wood Street, spoke in opposition to the request. He said he is in support of Habitat for Humanity's mission, just not sixteen units at this location.

Stephanie Link, 1294 Rosedale Street, spoke in opposition to the request. She noted that Wood Street is a dangerous hill, that she supports Habitat, but the kids need a place to play.

John Miller, 1890 Wood Street, spoke in opposition to the request. He said that Habitat scheduled a community meeting but was cancelled for rain even though it was only sprinkling. He said traffic is a concern, that they would need to widen Wood Street and noted that its one-side parking only. He stated that the hill is steep, that the Habitat projects lack garages and sheds. He said there isn't a sidewalk and there appears to be a trail too near to his property. He said the drawings and survey markers don't match his records and asked the Commission not to approve or at least table until Habitat talks to the neighborhood.

Tony Moline, 1756 Wood Street, spoke in opposition to the request. He stated that he is opposed for the same reasons mentioned. He said traffic will be worse, no driveways are provided, that there is a parking problem with rentals with multiple college students, that stormwater runoff is an issue, and that the area is quiet, and quality of life will be reduced during construction.

Stormy Mochal, 1756 Wood Street, spoke in opposition to the request. She stated that she agrees with the neighbors and asked how notification works since many neighbors were not aware.

Mary Beth Van Steenberg, 1881 Glen Oak, spoke in opposition to the request. She said she has a 1.3-acre lot which contains an abandoned quarry. She said she is afraid for the children who would live here. She said the Council needs to see where this property is located and that sixteen units is too many. She stated concerns regarding stormwater management.

Brandon Oller, 1893 Wood Street, again spoke in opposition to the request. He questions what Habitat is going to do in the community, and if Habitat will compensate them for loss of use of the land. He said that the snowplow can only do one pass and they would need to support existing infrastructure. He said the neighborhood needed to retain the woods.

John Miller, 1890 Wood Street, again spoke in opposition to the request. He said there is a sinkhole that he filled in and what would happen if another sinkhole or a mine were exposed. He said more discussion is needed.

Pat Judge, 2364 Harvest View, spoke in support of the request. She stated that she lives near the previously discussed Millstone property but is on the Board of Mt. Pleasant Home. She said she was pleased that Habitat bought this property, and that Mt. Pleasant Home has a shared mission. She said she sympathizes with the neighbor's concerns.

Mr. Dregne responded to comments made by the neighborhood. He said he appreciates the feedback and that he will be at the neighborhood meeting on Tuesday night. He clarified that they are planning to add sidewalks and greenspace. He said the project is developed as a pocket neighborhood that would provide two to three parking spaces per unit, that the buildings will have varying design, that they seek to retain as many trees as possible, and that they will have a water retention strategy. He said they will start with six dwellings initially. He said the property could be developed already as it is zoned R-3. He said the driveway location was chosen for safety and in consultation with the City. He stated they are looking to reduce the potential impacts but acknowledge there will be changes as the site is currently vacant.

The Commission requested a few clarifications regarding the size of each structure, the layout of the site, how many garages were proposed, and parking in general. Mr. Dregne noted that each dwelling will be 1,200 square feet, that there is a greenspace that the residents of the site will be able to do whatever they want such as a community garden, play equipment, or remain open. He noted that Habitat's national strategy of pocket neighborhoods is to build community and have efficiency in design to save money so the houses are cheaper for the residents. He said there is one garage stall per house, one to two driveway stalls adjacent to each home and that the proposal exceeds the parking requirements for standard single-family homes.

Staff Member Schrobilgen discussed the application noting that the applicant is seeking a Planned Unit Development (PUD), which is preferred by the applicants because it allows them more flexibility with the site layout. He said the property is currently zoned as R-3 and as such development could have a higher development density than what is proposed in the PUD. He explained that the concept plan is a similar density to the surrounding neighborhood and akin to R-1 zoning district. He stated that public notices were mailed to all property owners within 200 feet of the rezoning boundary. He stated that development of the site will require sidewalks and that everything in the city right-of-way will require city review. He noted that a PUD requires a conceptual development plan, and that the developer can't stray significantly from the plan without a new review from the Zoning Advisory Commission and City Council. He noted the conceptual development plan has been reviewed at a surface level, but each structure will require building permits and the site will be required to undergo a site plan review which will review the details such as stormwater management, utility connections, and fire access. Staff Member Schrobilgen stated that the city's comprehensive plan promotes infill development and encourages a mix of housing affordable for all segments of Dubuque's populations throughout the community, including options for those who might be saving for their first home. He also noted that staff received some general inquiries about the project from the public prior to the meeting.

Planning Services Director Wernimont noted that PUDs require conceptual plan review and that the proposed conceptual plan has been reviewed by the Development Review Team three times to date. He explained that this review is part of the process to ensure that a conceptual plan meets the minimum city requirements for site design and safety before being reviewed by the Commission and City Council. This ensures that a Commission and Council are not approving a plan that would meet the minimum requirements for life safety. He explained that the plan has evolved over those three reviews. He shared that the City has conducted speed and sight visibility studies on Wood Street, and the City Engineering and Traffic Engineer have conducted site visits to evaluate the most appropriate and safe site access location for the project. Also discussed were the off-street parking locations and quantity of spaces. Director Wernimont stated that Habitat is particular with wanting to provide adequate parking on their site and that each home has two off-street parking spaces. He explained that the proposed homes would be owned by the occupants and not rental units. He discussed how the existing zoning is R-3 and that the current zoning would allow for a much higher density of residential development than is being proposed in the PUD. He shared that stormwater management was discussed with the Development Review Team and that the stormwater would be required to be managed. Also discussed was the option of having curb cuts for the homes that are facing Wood Street, and that if curb cuts were provided that it would eliminate the on-street parking spaces. The proposed plan has only one curb cut for the access drive off Wood Street and thus the existing on-street parking spaces would be maintained. Director Wernimont shared the public notification map and clarified that the City's ordinance requires public notice be mailed to all property owners within 200 feet of the area to be rezoned. He explained that the City cannot be arbitrary when determining who receives notifications and that staff must adhere to the code requirements.

Commissioner Lohrmann sought clarification as to why this project is proposed to be a PUD and not maintain the R-3 zoning. Planning Services Director Wernimont explained that the PUD allows for more flexibility in the layout/design of the property and that it would allow development on a private street. The added benefit to a PUD is that it has a conceptual development plan which lays out the project and the developer would be limited to that plan. Any significant changes to that plan would require review and approval by the Commission and Council. A traditional R-3 zoning would not have that same level of control over the development as a conceptual development plan is not required in that instance.

Commissioner Lohrmann questioned whether the buffering could be required for the proposed project, noting that the development has a unique configuration around other existing homes. Director Wernimont explained that the Commission could make this a requirement of the project if they wished to do so.

Commissioner Lohrmann requested clarification on the difference between buffering and screening. Director Wernimont stated that the terms buffering and screening are interchangeable terms and can include berms, fences, and sometimes distance.

Commissioner Lohrmann stated that currently in R-3 zoning that a development could propose multi-family residential. Director Wernimont agreed and noted that this could be a density of up to six units per lot. He also noted that the off-street parking would be 1.5 spaces per unit and that the applicant is providing 2 spaces per unit and is exceeding the parking requirements with the proposed conceptual plan.

The Commission discussed the density permitted in the R-3 noting the property is 3.5 acres and that code would allow one unit per 1,200 square feet of site area. Director Wernimont noted that Mt. Pleasant Street terminates at Mt. Pleasant Home and is not a through street which might have otherwise allowed for single-family residential development on the subject property.

Commissioner Russell stated that he is in favor of the development as shown. He noted he has past experience volunteering for Habitat in Coralville in which he participated on the site plan selection committee. He stated that it can be challenging to find a location for Habitat to find sites to develop.

Chairperson Mulligan stated he has strong feelings when it comes to the 'not in my backyard' notions, and that he is however, concerned for the one home located in the center of the proposed project. He noted the property owners stated concerns about losing green space around his property, and while he does not disagree with that concern, the property has been sold to the developer who is now proposing to develop the land and that is within their right to do so. He noted that there are multiple lots that make up the subject property and that the proposed density is in keeping with what could be developed on those lots. He stated that he is in support of the PUD but is concerned about the parking areas along the north side of 1840 Wood Street property. He suggested the parking be relocated so that the vehicles do not shine their lights directly into the property owner's home. He also mentioned that the developer will have the obligation to analyze and address the sink hole situation that was mentioned.

Commissioner Lohrmann noted that the current zoning would allow higher density today than is being proposed and that the proposed development appears to be a better fit for the neighborhood. She expressed support for the project generally but that the home in the middle is a little strange and proposed that buffering be provided between the parking areas and the neighbors. Chairperson Mulligan noted that the elevation of the site would aid in screening some homes from others. Commissioner Russell stated that he thought some screening between the parking spaces and the existing residence at 1840 Wood Street would be beneficial. The Commissioners agreed that screening around the parking stalls should be provided.

Motion by Russell, seconded by Zuccaro, to approve the rezoning to Planned Unit Development with PR–Planned Residential designation and the Conceptual Development Plan with the following condition:

1. The parking stalls located adjacent (north) to the property at 1840 Wood Street be screened.

Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan;
Nay – none.

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: The Commission noted that notification is a common concern from the public. Commissioners asked if staff could include a notification map for each case in the packet.

ITEMS FROM STAFF:

- City of Dubuque Goal Setting for Fiscal Year 2025

Planning Services Director Wernimont discussed the goal setting process noting that the City of Dubuque's twenty-nine Boards and Commissions are being asked to complete a set of worksheets to identify successes from last year and initiatives for the upcoming fiscal year. He shared the worksheets that staff have created and requested input from the Commission.

Commissioners discussed whether their process of listening to residents should be considered success and the public input process during meetings. The Commission noted that including the notification map in the packet may be helpful. The Commission did not suggest any new initiatives.

ADJOURNMENT: Motion by Russell, seconded by Mulligan to adjourn the June 5, 2024 Commission meeting. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, and Mulligan; Nay – none.

The meeting adjourned at 9:26 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

July 2, 2024

Adopted