

**MINUTES  
ZONING ADVISORY COMMISSION  
REGULAR SESSION**

6:00 p.m.

Tuesday, July 2, 2024

City Council Chambers, Historic Federal Building

**Commissioners Present:** Chairperson Matt Mulligan; Commission Members Martha Christ, Pat Norton, and Teri Zuccaro

**Commissioners Excused:** Carrie Lohrmann and Rich Russell

**Commissioners Unexcused:** None.

**Staff Members Present:** Shena Moon and Travis Schrobilgen

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

**MINUTES:** Motion by Zuccaro, seconded by Norton, to approve the minutes of the June 5, 2024 meeting. Motion carried by the following vote: Aye – Norton, Zuccaro, and Mulligan; Nay – none, Abstain – Christ.

**ACTION ITEM/PLAT OF SURVEY:** Application of John Dewey to approve the Plat of Survey of Arthofer's Skyline Addition 2.

Mark Arthofer, 165 Westside Court, spoke on behalf of the application. He stated that he is seeking approval of the proposed plat in order to adjust the property boundaries so they can sell Lot 1. He stated that they have adjusted the proposed property lines so that both properties comply with the building and fire code requirements.

Staff Member Schrobilgen detailed the staff report, noting the existing property is comprised of two lots and that the proposed plat of survey would reconfigure the existing property line between the two lots. He stated that the proposed Lot 2 would be without frontage on an existing public or private street and therefore a waiver of street frontage is required for that lot. He stated that the lots otherwise meet all code requirements.

Chairperson Mulligan questioned whether Lot 2 would have access across Lot 1 and Staff Member Schrobilgen stated that an access easement is proposed across Lot 1 and also identified the location of other utilities easements on the plat.

Chairperson Mulligan questioned whether all the city code requirements had been addressed and Staff Member Schrobilgen stated that they had been. Staff Member Moon

further explained that the plats are reviewed by the Development Review Team and that as proposed, the plat does comply with all city codes.

There was no public input.

Motion by Norton, seconded by Zuccaro, to approve the Plat of Survey of Arthofer's Skyline Addition 2 subject to waiving the street frontage requirement for Lot 2. Motion carried by the following vote: Aye – Christ, Norton, Zuccaro and Mulligan; Nay – none.

Commissioner Norton recused himself from the next item and left the dais.

**ACTION ITEM/PLAT OF SURVEY:** Application of Mike Kahle to approve the Plat of Survey of Plaza 20 No.9.

Michael Kahle, 2600 Dodge Street, applicant, spoke on behalf of application stating that they are proposing the subdivision plat in order to reconfigure some existing lots and to clean up the smaller lots on the property. He identified the changes to the Dunkin' Donuts property on Lot 1 which would now includes a drive aisle on the lot, explained that Lot 2 would contain the majority of the shopping center, that Lot 3 is proposed for future development, and Lot 4 is the remaining portion of the property.

Staff Member Schrobilgen detailed the staff report, noting the submitted the proposed plat of survey would reconfigure the existing twelve (12) lots on the site into four (4) lots. He stated that all lots would have adequate street frontage along either Dodge Street or Brunskill Road. He noted that the lots would meet all other city code requirements and identified proposed access and utilities easements throughout the plat of survey. He highlighted that the Subway property within Plaza 20 was previously created and is not part of this plat.

There were no questions from the Commission.

Motion by Christ, seconded by Zuccaro, to approve the Plat of Survey of Plaza 20 No. 9 as submitted. Motion carried by the following vote: Aye – Christ, Zuccaro, and Mulligan; Nay – none.

Commissioner Norton returned to the dais.

**PUBLIC HEARING/TEXT AMENDMENT:** Application of Marty Johnson, AIA Straka Johnson Architects to amend the Unified Development Code to include a definition of Off-Premise Parking Lot and to list Off-Premise Parking Lot as an Accessory Use in the C-2 Neighborhood Shopping Center and C-3 General Commercial zoning districts.

Marty Johnson, AIA, 3555 Digital Drive, spoke on behalf of the application. He stated that they are representing Fidelity Bank who purchased a vacant lot on the east side of Meinen Court which is located across from Fidelity Bank's office building located on the west side of Meinen Court. He stated that they desire to construct a parking lot on a

vacant lot in order to serve their expanded banking operations within the existing office building. He explained that it is a campus sort of arrangement for Fidelity Bank on Meinen Court. He stated they are seeking the text amendment in order to allow a parking lot only on the vacant site.

Chairperson Mulligan questioned what properties Fidelity owns on Meinen Court and Mr. Johnson stated they own three lots on Meinen Court, two on the west side and then one on the east side of the street. He explained that Fidelity runs their executive operations out of the existing office building and that they are seeking to expand their trust operations in the building.

There was no public input.

Staff Member Moon discussed the application noting that the Unified Development Code (UDC) does not currently allow a parking lot as a standalone principal use in the C-2 zoning district. She explained that it does currently allow a parking lot as an accessory use to a permitted use located on the same property. She showed an aerial image of the Meinen Court lot configuration highlighting the proposed parking lot property and that it is vacant which therefore doesn't have a principal use. She stated that the proposed text amendment would allow an Off-Premise Parking Lot as an accessory use provided it adheres to the specific standards in the proposed definition of Off-Premise Parking Lot. She outlined the proposed definition and the standards. She stated that the proposed text amendment would allow for an Off-Premise Parking Lot in both the C-2 and C-3 zoning districts and that the goal of the text amendment would not be to allow parking lots to be located anywhere in those zoning districts, but rather, to allow owners flexibility for using their lots when unique circumstances exist, as is the case for Fidelity.

Chairperson Mulligan noted that there may need to be a discussion with staff and/or the city regarding circumstances in which there may be shared parking opportunities between businesses or a desire for parking lots on properties that may not be under common ownership as the principal use(s) it serves. Staff Member Moon noted that the proposed text amendment is applicant driven and so the language has been written to reflect their request and specific circumstances. She stated that the city is in the process of onboarding a consultant for the Unified Development Code update and that parking is anticipated to be a discussion topic during that process.

Motion by Norton, seconded by Christ, to approve a text amendment to the Unified Development Code to include a definition of Off-Premise Parking Lot and to list Off-Premise Parking Lot as an Accessory Use in the C-2 Neighborhood Shopping Center and C-3 General Commercial zoning districts as submitted. Motion carried by the following vote: Aye – Christ, Norton, Zuccaro, and Mulligan; Nay – none.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:** None.

**ITEMS FROM STAFF:**

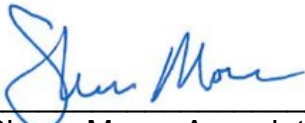
- Election of Officers
- Appointment to Airport Zoning Advisory Commission

The Commission discussed postponing the Election of Officers and the Appointment to the Airport Zoning Advisory Commission noting that not all Commissioners were present. The Commission directed staff to reschedule these items for the August 7, 2024 Zoning Advisory Commission meeting.

**ADJOURNMENT:** Motion by Mulligan, seconded by Norton to adjourn the July 2, 2024 Commission meeting. Motion carried by the following vote: Aye – Christ, Norton, Zuccaro, and Mulligan; Nay – none.

The meeting adjourned at 6:21 p.m.

Respectfully submitted,



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Shena Moon, Associate Planner

**August 8, 2024**

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Adopted