

MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION

6:00 p.m.
Wednesday, May 5, 2010
City Council Chamber
350 W. 6th Street, Dubuque, Iowa

PRESENT: Chairperson Jeff Stiles; Commissioners Ron Smith, Stephen Hardie, Patrick Norton, Charles Miller and Tom Henschel; Staff Members Kyle Kritz and Guy Hemenway.

ABSENT: Commissioner Martha Christ.

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

AFFIDAVIT OF COMPLIANCE: Staff presented an Affidavit of Compliance verifying that the meeting was being held in compliance with the Iowa Open Meetings Law.

MINUTES: The minutes of the April 7, 2010 meeting were approved unanimously, as submitted.

Chairperson Stiles announced that the rezoning request of Duane Thoman/Nativity Parish for a portion of the property at 1225 Alta Vista Street has been withdrawn by the applicant.

ACTION ITEM PRELIMINARY PLAT: Application of Ken Kress / WMK Investment Properties for approval of the Preliminary Plat of Wild Rose Estates located on Wild Rose Lane south of Middle Road in Dubuque County.

Ken Kress, representing WMK Investment Properties, introduced Steve Wheland and Larry McDermott, partners in the subdivision. He said the subdivision consists of 109 acres with 61 building lots. He said the subdivision will have a communal well and separate septic systems and will be accessed from Middle Road.

Staff Member Kritz outlined the request, referring to aerial photos. He discussed the location and access to the proposed subdivision. He said the Plat requires both City and county review. He said that the streets will be private. He said that the City's development review team has reviewed the subdivision. He noted the cul-de-sac length, stating it does not meet City standards. He discussed long-term maintenance of the street system. He noted that there are a number of flag lots within the subdivision that have 25 feet of frontage which does not meet the City's minimum 50 foot requirement. He discussed Lots

1 – 4, which he said are partially in the flood plain. He discussed the City Engineering Department's concerns with the roadway grade, sight visibility, traffic safety, and street composition. He said the City standard for private streets is a minimum of 26 feet of paving width and he said that the applicant is proposing 22 foot wide streets. He said that the City Fire Marshal is satisfied with the street width if the streets are posted "no parking" on either side. He said that the applicants were award 5 points for sustainability for the reduced street widths. He discussed sustainability measures within the subdivision including limited grading, additional landscaping and park land dedication. He said that, although the subdivision is in a secondary growth area, it may be primary because it is directly across Middle Road from the property the City has recently annexed.

He discussed the potential for provision of City water and sewer. He recommended approval of the plat subject to waiving the street width standards for Wild Rose Lane, White Clover Court, Hollyhock Drive, Poppy Court and Crimson Court; posting "No Parking" signs within the subdivision; waiving lot frontage for Lots 33 and 49; waiving maximum cul-de-sac length; and with the submittal of a document signed by a licensed professional engineer stating that there is adequate sight distance for the 85th percentile traffic volume at the improved intersection of Wild Rose Land and Middle Road.

Commissioner Hardie said that he will vote in favor of the request, but he is uncomfortable with the lack of curb and gutter and sidewalks, etc. throughout the subdivision. He recommended that the City and County develop comprehensive standards that will address these issues. He said he is also concerned with the cul-de-sac length. He said that it may be beneficial for both the City and County Zoning Commissions to meet and discuss these issues. Commissioner Henschel expressed concerns with the road width and cul-de-sac length. Commissioner Smith said that he is pleased with the developer's track record. Chairperson Stiles said he agrees with the concerns raised by the Commission but is in favor of the overall project.

Commissioner Norton asked about the placement of the detention area in the flood plain. Staff Member Kritz said that this is not unprecedented.

The Commission discussed the request, noting that the proposed subdivision, like most County subdivisions, must have City requirements waived to be approved. They noted the private streets remain private if annexed, unless rebuilt to City standards.

Motion Hardie, seconded by Smith, to approve the Preliminary Plat of Wild Rose Estates subject to the following:

- 1) Waiving the streets width standards for Wild Rose Lane, White Clover Court, Hollyhock Drive, Poppy Court and Crimson Court;
- 2) Posting "No Parking" signs within the subdivision,
- 3) Waiving lot frontage for Lots 33 and 49;

- 4) Waiving maximum cul-de-sac length, and
- 5) Requiring the submittal of a document signed by a licensed professional engineer stating that there is adequate sight distance for the 85th percentile traffic volume at the improved intersection of Wild Rose Lane and Middle Road.

Motion carried by the following vote: Aye – Smith, Hardie, Norton, Miller, Henschel and Stiles; Nay – None.

PUBLIC HEARING\REZONING: Application of Wilfred R. Bahl, Charlie Miller and Gene Potts to rezone property located at 6900/7005/7010 Asbury Road from AG Agricultural District to R-1 Single-Family Residential District.

Commissioner Miller stepped down from the table due to a conflict of interest.

Bill Bahl, 7005 Asbury Road, reviewed the rezoning application. He noted the location of the property to be rezoned and said that there are 3 existing single-family homes and a vacant lot.

Staff Member Hemenway reviewed the staff report, noting the surrounding zoning in both Dubuque and Asbury. He noted that the rezoning is consistent with Asbury's R-2 district, which he said allows single-family homes.

The Commission discussed the request and felt it was appropriate.

Motion by Henschel, seconded by Norton, to approve the rezoning request, as submitted. Motion carried by the following vote: Aye – Smith, Hardie, Norton, Henschel and Stiles; Nay – None; Abstain – Miller.

PUBLIC HEARING\REZONING: Application of Dwayne Thoman / Nativity Parish to rezone property from R-2 Two-Family Residential District to R-4 Multi-Family Residential District.

Application withdrawn by the applicant.

ADJOURNMENT: The meeting adjourned at 6:45 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—May 5, 2010