

MINUTES  
**ZONING ADVISORY COMMISSION**

**REGULAR SESSION**

Wednesday, July 7, 2010

6:00 p.m.

City Council Chamber  
350 W. 6<sup>th</sup> Street, Dubuque, Iowa

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

**ABSENT:** None.

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

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

**MINUTES:** The minutes of the June 2, 2010 meeting were approved unanimously as submitted.

**ELECTION OF OFFICERS:** Motion by Miller, seconded by Henschel, to appoint Jeff Stiles as Chairperson. Motion was approved unanimously.

Motion by Stiles, seconded by Smith, to appoint Charlie Miller as Vice Chairperson. Motion was approved unanimously.

Motion by Christ, seconded by Stiles, to appoint Tom Henschel as Secretary. Motion was approved unanimously.

**ACTION ITEM\FINAL PLAT:** Application of Buesing & Associates for approval of the Final Plat of Emerald Acres No. 6 located in the 500 Block of Tanzanite Drive.

Staff Member Kritz noted that the request was to subdivide a property into four lots to accommodate four two-unit townhomes. He discussed the previous conceptual plan and said that the internal lots would be accessed from an easement. Staff Member Kritz noted that a site plan has been reviewed and approved by City staff. He recommended approval as the plat is in substantial compliance with City regulations, subject to waiving lot frontage for Lots 1 and 2.

Commissioner Smith questioned the building process and the required setbacks.

Ron Klein, 13105 Holstein Road, Sherrill, IA said that he is the developer of the property and explained the building orientation, lot configuration and setback distances from Tanzanite and the rear property line.

Motion by Hardie, seconded by Miller, to approve the Final Plat of Emerald Acres No. 6 subject to waiving lot frontage requirements for Lots 1 and 2. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Miller, Henschel and Stiles; Nay – None.

**PUBLIC HEARING\REZONING:** Application of Key City Investment Co. to rezone property located at 75 Kennedy Road from PUD Planned Unit Development with a PC Planned Commercial designation to C-3 General Commercial District.

Staff Member Kritz outlined the request stating that the applicant would like to locate a restaurant on the subject property. He said that the property was zoned to PC Planned Commercial in 1981 to accommodate a cinema center. He said that the PC designation was specific to the theater use and, therefore, limited the property to a single use and the approved conceptual development plan. He said any redevelopment of the property requires a rezoning. He discussed the adjacent zoning and surrounding land use noting the commercial nature of the surrounding properties.

Commissioner Smith questioned the lot line location of the subject property. Staff Member Kritz clarified the lot line location as it related to an adjacent commercial building.

Commission Hardie asked if the property could be rezoned to PC. Staff Member Kritz said that it could, and he outlined the Unified Development Code requirements for new development.

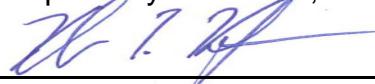
Nick Yiannias entered the meeting at 6:15 p.m. He said that he represents Key City Investment Co. and he discussed the existing Planned Commercial development and asked the Commission to approve his request for C-3 General Commercial zoning. He said that the C-3 zoning designation gives him more latitude regarding redevelopment of the property.

The Commission discussed the request and felt it was appropriate.

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

**ADJOURNMENT:** The meeting adjourned at 6:30 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—August 4, 2010