



Approved



**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

Wednesday, September 1, 2010

6:00 p.m.

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.

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 August 4, 2010 meeting were approved, unanimously, as submitted.

PUBLIC HEARING\REZONING: Application of Bedrock Development LLC / McFadden Family Partnership to rezone property located at 5304 Pennsylvania Avenue from AG Agricultural District to R-3 Moderate Density Multi-Family Residential District.

Ed Graham, 1960 Firestone Drive, said that he would like to rezone a tract of land to develop a residential subdivision.

Brian Lammers, 12998 English Mill Road, said that he represented L.D. Webber and the Roosevelt Land Corporation which he said has developed the 80-acre Carver Heights Subdivision across Pennsylvania Avenue from the subject property. He expressed concerns with the need for sidewalks to promote safe pedestrian access to the adjacent Roosevelt Middle School and Carver Elementary School. He said he is also concerned with cut-through pedestrian traffic. He said he is also concerned with the possible need for improvements to Heacock Road and Pennsylvania Avenue. He said that the development is high density.

Francis McDonald, 6000 Pennsylvania Avenue, said that his property abuts the proposed subdivision. He said that he agrees with Mr. Lammers that pedestrian access is

Minutes – Zoning Advisory Commission

September 1, 2010

Page 2

problematic. He said he is concerned with the density of development and emergency access to the subdivision.

Dan Lansing, 18151 Country Lane, said that the six-plex units will not be apartments but owner occupied. He said that he would like to create a unique development. He said that the units will be approximately \$140,000.

Mr. Graham said that, although density is a concern, the developers will work through these issues with the City. He said that he feels that this development will provide housing for an underserved market in Dubuque.

Staff Member Kritz outlined the request. He said that many issues that were raised by the neighbors will be addressed at the preliminary plat stage of the process. He discussed the permitted uses in an R-3 District, traffic counts, proposed future land use for the property, surrounding land use, proposed access, and discussed the concept layout and aerial photos distributed to the Commission.

Staff Member Kritz reviewed that the existing design of Pennsylvania Avenue does not allow for construction of sidewalks. The reconstruction of Pennsylvania will be necessary to provide sidewalks and that will be a discussion point as part of reviewing a submitted subdivision plat.

Commissioner Norton asked the applicants about the color-coded concept plan. Mr. Lansing outlined the proposed land use color scheme.

Commissioner Miller asked about the proposed extension of water service to the site.

Commissioner Henschel said that he still has concerns with pedestrian access and the need for sidewalks in the area.

Commissioner Norton said that he felt Pennsylvania Avenue had exceeded its capacity and is in need of work, but is not an issue for tonight's request.

Motion by Miller, seconded by Henschel, to approve the rezoning from AG to R-3. Motion carried by the following vote: Aye – Smith, Hardie, Norton, Miller, Henschel and Stiles; Nay – None.

PUBLIC HEARING\TEXT AMENDMENT: Application of City of Dubuque to amend Article 5 Unified Development Code to delete Personal Services as an allowed use in the C-2A Mixed Use Neighborhood District and C-2 Neighborhood Shopping Center District.

Staff Member Hemenway reviewed the purpose of the text amendment noting that personal services was defined in the old zoning ordinance, but it is not in the definitions of the new Unified Development Code. He said that it is staff's opinion that those uses in personal

Minutes – Zoning Advisory Commission

September 1, 2010

Page 3

services are encompassed by retail sales and service, which is permitted in both C-2 and C-2A Districts. He said, therefore, personal services as a permitted use is no longer needed in the two districts.

Commissioners agreed with the request.

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

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

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—October 6, 2010