



Approved



**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

Wednesday, November 3, 2010

6:00 p.m.

City Council Chamber
350 W. 6th Street, Dubuque, Iowa

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.

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 October 6, 2010 meeting were approved as amended.

PUBLIC HEARING\REZONING: Application of Chuck Goddard, Dubuque Metropolitan Solid Waste Agency (DMSWA), to rezone landfill property located along Highway 20 West, in conjunction with annexation, from County A-1 Agricultural District, County R-1 Rural Residential District and City AG Agricultural District to City HI Heavy Industrial District.

Staff Member Kritz requested that this agenda item be tabled until the December 1, 2010 meeting to allow staff to re-notify property owners within 200 feet with a corrected vicinity map.

Motion by Hardie, seconded by Miller, to table the rezoning request to the December 1, 2010 Zoning Advisory Commission meeting. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Miller, Henschel and Stiles; Nay – None.

PUBLIC HEARING\AMEND ID DISTRICT: Application of Mike McDonough/American Red Cross to amend the Red Cross ID Institutional District located at 2400 Asbury Road, to permit a 44 square foot ,10 foot high free-standing sign, with an 18.6 square foot electronic message component, where 20 square feet and 6 feet in height maximum permitted and electronic message signs are prohibited.

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Mike McDonough, representing the American Red Cross, 2400 Asbury Road, noted that a donation has been received for the construction of a sign for their Asbury Road facility. He said that the American Red Cross operations are principally divided between blood products and disaster services. He said that he distributed information regarding the proposed signage to the neighbors. He said that the new sign will be oriented toward north and southbound traffic and that the sign will not directly face the residential properties across Asbury Road. He said that there are similar signs in the neighborhood including the Pines Dental Office sign. He reviewed the uses proposed for the sign and stressed the need for the Red Cross to advertise their services and evening classes.

Paul Thurlow, 2425 Asbury Road, expressed concerns with the impact that the sign may have on the value of his property. He also said that the sign could impact the safety of pedestrians and vehicular traffic along Asbury Road. He said that there has been a number of accidents on Asbury Road in the direct vicinity of the proposed sign. He said that the proposed sign would cast light directly into his bedroom windows. He submitted a petition in opposition to the requested amendment signed by 8 adjacent property owners.

Victoria Kruser-Allen, 2443 Asbury Road, expressed concerns with the potential for light being cast directly into her front windows, the impact the sign may have on the value of her home, and the potential traffic safety hazard.

Herbert Rech, 2417 Asbury Road, said he is opposed to the new sign because it would increase the light levels into his house. He said that he feels a larger sign is not necessary to the operation of the Red Cross facility.

Rick Drolesky, Lange Sign Company, discussed the signage needs of the Red Cross facility. He noted that the existing sign currently shines light onto the adjacent properties and that the new sign would reduce light levels. He reviewed the City regulations regarding electronic message signs noting that there is a two second maximum for animation and that there is static time required. He said that the sign can be programmed in such a fashion as to not allow flashing and to enable the sign text to fade in and fade out. He said the brightness of the sign can also be adjusted. He discussed an existing electronic sign in front of Wahlert High School that he said is located in a similar neighborhood that has not created any problems for the adjacent residential property owners. He said that, in checking with the City police, there had not been any record of an accident having been caused by an electronic sign.

Commissioner Smith asked about the hours of operation for the facility. Mr. McDonough noted the varied hours of operation and days that the facility is open. He said that, although the hours and days of operation vary, he is open to suggestions from the Commission regarding the time that illumination would be permitted.

Staff Member Hemenway reviewed the staff report noting the ID District regulations for the Red Cross facility. He said that he had research the 1986 rezoning case and could not find

information as to why the original ID District signage had been more limited than what was permitted at that time. He said that previous Planning Staff had noted that the sign size and height had been reduced, and no intermittent lighting was allowed, in an effort to address the concerns of the adjacent residential property owners. He discussed the current Unified Development Code regulations for message center signs.

Commissioners discussed the request noting that restrictions could be placed the sign lighting and its hours of operation. Commissioners discussed various hours of operation and it was decided that the electronic message portion of the sign could be operated adequately from 7:00 a.m. to 7:00 p.m.

Mr. McDonough noted that an existing lighted sign is on all night and that it is brighter than the proposed sign.

Commissioner Hardie proposed that the upper portion of the sign be allowed to be lit as is currently permitted, from dusk until dawn, and that the electronic message portion of the sign be restricted from 7:00 a.m. to 7:00 p.m. Commissioners discussed this proposal and felt that it would help limit the impact the sign may have on the residential neighborhood.

Motion by Miller, seconded by Henschel, to amend the request to allow the top portion of the sign to be illuminated from dusk until dawn and to restrict the operation of the message sign to from 7:00 a.m. to 7:00 p.m. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Miller, Henschel and Stiles; Nay – None.

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

PUBLIC HEARING\TEXT AMENDMENT(tabled from October 6, 2010): Application of City of Dubuque to amend Article 13 of the Unified Development Code to clarify the number of bicycle parking spaces required for parking lots over 50 spaces.

Staff Member Kritz discussed what he said was redundant and contradictory language in the regulations for bicycle parking in the new Unified Development Code. He recommended that the Commission remove the redundant language and modify the maximum distance for which bicycle racks can be placed from the main entry of a store entrance. He said this regulation is often difficult to apply because each store entrance may have a different configuration and things such as the location of street furniture, trash receptacles, etc. could further inhibit the location of a bike rack. He asked that staff be granted some flexibility in determining bike rack locations.

Commissioner Norton said that he feels that bike racks should be required in all parking lots.

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Commissioners discussed the request and felt that it is appropriate.

Commissioners directed staff to review the 50-space threshold for bike racks and asked staff to possibly examine reducing that threshold. Staff Members agreed to research the threshold for bike racks and parking spaces and report back to the Commission.

Motion by Christ, seconded by Hardie, to approve the amendment to Article 13 of the Unified Development Code. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Miller, Henschel and Stiles; Nay – None.

ADJOURNMENT: The meeting adjourned at 7:00 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—December 1, 2010

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