

**MINUTES**  
**ZONING ADVISORY COMMISSION**  
**REGULAR SESSION**

6:00 p.m.  
Wednesday, January 5, 2011  
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 and Tom Henschel; Staff Members Kyle Kritz and Guy Hemenway.

**ABSENT:** Commissioner Charles Miller.

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**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 December 1, 2011 meeting were approved unanimously, as submitted.

**ACTION ITEM\PLAT OF SURVEY:** Application of Steven Schmidt, MSA / Mark Arthofer for approval of the Plat of Survey – Lot 1 of Lot 1 and Lot 2 of Lot 1 of Arthofer's Skyline Addition located on Westside Court.

Steven Schmidt, MSA, 9567 US 20 W, Galena, IL, said that he represents the property owner, Mark Arthofer. He said Mr. Arthofer's intent is to return the property to the former plat configuration to satisfy a money lender's requirement.

Staff Member Kritz outlined the request, noting that Lot 2 of 1 will not have frontage on an approved public or private street. He discussed an aerial photo of the property with the subject parcels highlighted. He said that staff does not object to the request because of the proposed access to Lot 2 of 1 will be through Lot 1 of 1, which is under common ownership.

He noted that a site plan review would be required before the property could be further developed. He said that at that time access and public safety issues will be discussed.

Commissioner Norton questioned the topography of the site and its ability for future development of the property.

Staff Member Kritz reiterated the site plan review oversight requirements. The Commission discussed the request and felt that it is appropriate.

Motion by Hardie, seconded by Christ, to approve the Plat of Survey – Lot 1 of Lot 1 and Lot 2 of Lot 1 of Arthofer's Skyline Addition subject to waiving the lot frontage requirements for Lot 2 of 1. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Henschel and Stiles; Nay – None.

**PUBLIC HEARING\REZONING:** Application of Adam Johnson / Pegasus Properties for approval to rezone property located at 2981 Central Avenue from R-1 Single-Family Residential District to OR Office Residential District.

Adam Johnson stated that he is the architect for the proposed project, noting that the project will be eligible for historic tax credits if renovated according to State regulations. He said that the building will have a common community room and a fitness center in the rear portion of the building to provide adequate recreation space for the tenants. He also reviewed available off-street parking.

Pastor Tom, pastor of Holy Ghost Parish, spoke in favor of the request, noting that the project will add sorely needed housing and would be a productive reuse of a beautiful old historic structure.

Staff Member Hemenway reviewed the project, noting that the applicant's intent is to convert the former school building into 15 dwelling units. He discussed parking requirements, stating that there will be 23 spaces associated with the building. He said that the rezoning request represents an expansion of an existing OR District to the south that accommodates the former Holy Ghost Convent. He said that the applicant intends to convert the convent to 10 additional dwelling units. He reviewed the surrounding zoning and land use. He said that when historically significant structures are reused for residential purposes it benefits the neighborhood because when they lie vacant they tend to deteriorate and become blighted.

He reviewed the traffic impacts noting potential traffic counts and vehicular access onto Central Avenue. Commissioner Stiles said that he is in favor of creating additional residential units in this historic building and in this neighborhood.

The Commission discussed the request and felt it is appropriate and will not adversely impact adjacent property.

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

**PUBLIC HEARING\AMEND ID DISTRICT:** Application of the University of Dubuque to amend the University of Dubuque ID District to allow construction of three (3) residence halls located at 75 & 105 McCormick Extension.

James Steiner, Vice President of Finance for the University of Dubuque, 2000 University Avenue, discussed the project and highlighted the site diagram and elevations of the buildings. He discussed the building size, number of units and the campus-wide student demographics. He discussed the existing and proposed parking lot locations, and proposed storm water detention and landscaping and vegetative screening. He said that the University mailed letters to 200 surrounding property owners and invited them to attend a meeting of which 15 neighbors participated. He said that the proposed development will comply with all City standards and regulations.

Mike Larkin, 224 Princeton Place, said that he lives behind and below the existing detention basin. He said that he is concerned with storm water management, parking lot lighting, the impact of the project on property value, traffic circulation and the parking lot location. He distributed historic photos of flooding in his yard. His written objection was received and filed by the Commission.

Dan McDonald, Greater Dubuque Development Corporation, spoke in favor of the request noting that the project represents a significant investment in the community. He said that the University of Dubuque has done a good job with the overall campus design and landscaping noting that it is consistent with the comprehensive land use plan and the recommended design guidelines. He said that he feels that the UD has always lived up to its responsibilities and he asked that the Zoning Advisory Commission approve the request.

Mr. Steiner said that the storm water retention facility will insure effective storm water management. He said that the parking lot lighting will utilize cut-off fixtures that will be compliant with City requirements.

Staff Member Kritz discussed the ID amendment process. He reiterated the request, reviewing the building and parking lot size and location and proposed access. He noted that there is a secondary emergency access for the site. He discussed pedestrian access to the site. He discussed parking lot requirements and the location and use of existing parking lots on the campus. He discussed the UDC requirement for landscaping islands and noted the potential loss of spaces if islands were to be installed. He discussed storm water sequestration and infiltration techniques used by the University of Dubuque for storm water management. He said that the Engineering Department will review the design proposed for the detention chambers.

Commissioner Hardie asked for clarification regarding the landscape islands. He said that he feels the landscape islands are an important component of the overall parking lot for aesthetics and sustainability. Commissioner Henschel questioned the fence location and favored restricting access to the site. He expressed concern with the functionality of the proposed detention facility. Staff Member Kritz noted that the proposed storm chambers will not only detain, but will infiltrate storm water.

Commissioner Norton noted that the proposed storm water management technology is not new. He said that the technology is proven and will be reviewed and approved by City staff. He also noted that the parking lot will be residential in nature and not nearly as busy as a comparable commercial lot. He discussed the issue of light trespass and cut-off fixtures. He said that he favors the UD's intent to consolidate the student population onto the campus.

Commissioner Christ questioned the lighting methods, noting concerns with harsh lighting and its affect on the adjacent residential properties.

Staff Member Kritz discussed lighting issues throughout the community, noting that while overall ambient light may be increased, the lighting fixtures are designed to not shine light directly onto the adjacent residential properties.

Commissioner Christ asked about security fencing needed to keep students from cutting through to the Princeton Place properties. James Steiner said that the retaining wall will serve as a partial barrier and that the UD would look to extend a fence to secure the remainder of the site. Commissioner Christ said that she would like to require fencing as part of any approval for the amended district.

Commissioner Stiles congratulated the University of Dubuque on what he feels is a quality development. He discussed the proposed parking lot lighting and storm water management and said that he is in favor of landscape islands and security fencing.

Commissioner Smith applauded the University of Dubuque for providing the additional parking.

Motion by Henschel, seconded by Smith, to require a six-foot high chain link fence from the south end of the retaining wall to the south end of the parking lot and to require landscape islands in the parking lot as per the UDC standards. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Henschel and Stiles; Nay – None.

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

**PUBLIC HEARING\AMEND ID DISTRICT:** Application of University of Dubuque to amend the University of Dubuque ID District to allow construction of a Performing Arts Center located at the corner of Bennett, McCormick and Grace Streets.

James Steiner, representing the University of Dubuque, reviewed the proposed performing arts center project noting the location of the facility and associated off-street parking. He said that he feels that the surrounding parking would be sufficient to serve the facility. He discussed storm water management measures, noting that the University will be willing to

install the required interior parking lot landscape islands. He said that the facility and the site will meet all other City requirements.

Staff Member Kritz discussed the request noting the location and configuration of the facility and the number and location of parking spaces. He discussed campus-wide parking issues. Commissioner Hardie said that he is in favor of the project, but he would ask that islands be placed in the parking lot south of Bennett Street.

Commissioner Smith agrees stating that he is in support of the project.

Commissioner Henschel noted that he feels the project is worthy.

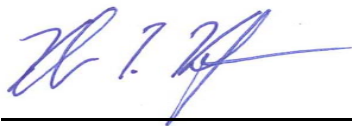
Commissioner Christ asked about on-street parking located on both sides of Bennett and Grace Streets. Staff and the Commission discussed on-street and off-street parking as it affects traffic circulation in the neighborhood and the timing of events at the new center.

Motion Norton, seconded by Henschel, to require that landscape islands be placed in the parking lot as per UDC requirements. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Norton, Henschel and Stiles; Nay – None.

Motion by Norton, seconded by Henschel, to approve the amendment to the ID District to allow the performing arts center in the University of Dubuque ID District, as amended. Motion carried by the following vote: Aye - Aye – Smith, Hardie, Christ, Norton, Henschel and Stiles; Nay – None.

**ADJOURNMENT:** The meeting adjourned at 7:05 p.m.

Respectfully submitted,



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Kyle L. Kritz, Associate Planner

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Adopted—February 2, 2011