

MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION

Approved

6:00 p.m.
Wednesday, December 7, 2011
City Council Chamber
350 W. 6th Street, Dubuque, Iowa

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

ABSENT: None.

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 November 2, 2011 meeting were approved, unanimously, as submitted.

ACTION ITEM PLAT OF SURVEY: Application of Eric Schmechel for approval of the Plat of Survey of Lot 1 of Schmechel Place located in the 9000 Block of Old Military Road (located in Dubuque County)

Eric Schmechel, 11837 Lora Lei Lane, said that he has split a lot that is located within two miles of the City of Dubuque and it has no frontage on a platted street or right-of-way easement. He said that the County has required that he use an existing lane to access the property which required that he obtain an access easement across an intervening lot.

Staff Member Kritz outlined the request noting the two-mile jurisdiction joint review requirement. He said that the newly created lot has no frontage. He discussed access to the site as it pertains to County regulations, noting that if an additional building lot is proposed, County regulations will require the platting of a 66-foot access right-of-way easement for a private street. He noted that City staff does not have any concerns with the proposal.

Commissioner Henschel said that he is comfortable with the request because to require an access further to the south would impact site visibility and traffic safety.

The Commission discussed the request and felt it is appropriate:

Motion by Hardie, seconded by Christ, to approve the request subject to waiving the lot frontage requirement for Lot 1. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Henschel, Bird, Norton and Miller; Nay – None.

PUBLIC HEARING/AMEND PUD: Application of Julie Hammel / Tom & Dave Kluck to amend the Planned Residential District to permit a 72 foot wide common building, 60 foot maximum width approved on the existing conceptual plan, for property located at 2763 University Avenue.

Mike Ruden, architect for IIW, P.C., said that he represents Tom Kluck. He reviewed the evolution of the building design and explained why the request includes decks on three sides. He said the addition of the decks will increase the width of the building from 60 to 72 feet and the depth of the building from 30 to 36 feet. He submitted elevations and renderings of the buildings, noting that the changes to the buildings have dramatically improved the appearance of the proposed buildings.

Bruce Schall, 2765 Beverly Avenue, said that he is concerned about the loss of privacy for his property. He said that the deck on the west side of the building would look directly across the street and into the front of his house. He said that he will also lose privacy on the other side of his house when the second 24-unit apartment building is constructed.

Mr. Ruden reviewed the location of the neighbor's house in relation to the proposed structure, noting that there is significant distance between the two properties as they are separated by a street right-of-way. In response to a question by Chairperson Miller, Mr. Ruden noted that the building will not be built any closer to either the north or west property lines.

Staff Member Hemenway reviewed the request, noting the proposed amendment represents a significant change because of the substantial discussion devoted to the building location and setbacks at the last meeting. He discussed building elevations, stating that a portion of the building will be built below grade and will have less impact on the adjacent property to the north. He also noted that landscaping will be required on the north and west sides of the building as stipulated when the PUD was last amended.

The Commission discussed the request and felt it is appropriate.

Motion by Hardie, seconded by Christ, to approve the request to increase the common building from 60 to 72 feet in width and 30 to 36 feet in depth by adding 3 decks. Motion carried by the following vote: Aye – Smith, Hardie, Christ, Henschel, Bird and Miller; Nay – Norton.

PUBLIC HEARING/AMEND PUD: Application of Green Acres Storage LLC to amend the existing PC Planned Commercial District to allow mini-storage as a permitted use and increase building height to 45 feet.

Seth Green, representing Green Acres Storage, LLC, 5315 J. Street SW, Cedar Rapids, IA, reviewed his proposal, noting that he would like to construct a four-story climate controlled self-storage facility. He said that the facility would be located behind the existing building. He said that the building will be partially buffered from the adjacent properties by a 30 foot embankment on the north and west sides of the property.

Davin Curtis, 700 Locust Street, said he is the attorney representing G. B. Holdings and Rockford Industrial Welding Supply. He noted the location of Rockford Industrial's facility, stating that they are opposed to the request because of the incompatibility of land use. He said that the possibility that there would be 24-hour access to the property would impact the security of Rockford's facility. He said that the applicant had not demonstrated a material change that would warrant reclassification of the property as required by the Unified Development Code. He said that a 100,000 square foot four-story building would be out of scale with the existing businesses in the area. He said that his client is concerned with the building material and design.

Mr. Green discussed the existing businesses he has in the Cedar Rapids area and noted the building's design. He said that there is an existing 8 foot high security fence surrounding the subject lot and that the property would be monitored by video surveillance. He said that self-storage facilities generate little traffic and are located near shopping malls and other neighborhoods in many cities, including Des Moines.

Commissioner Bird asked if there would be any additional outdoor storage. Mr. Green said there would be no outdoor storage. Commissioner Bird inquired about the building design, asking whether the building would be constructed of tilt-up concrete panels. Mr. Green said that the building would be constructed using tilt-up concrete panels. He stated that it is difficult to find an appropriate location at a reasonable price in the Dubuque area.

Commissioner Bird asked if there would be 24-hour access to the property. Mr. Green said that some businesses required 24-hour access, such as pharmaceutical companies or NCR. He noted that background checks are conducted for those people wanting to rent storage space, which require copies of their driver's licenses and license plates to be obtained.

Commissioner Smith asked for clarification regarding security. Mr. Green noted that security would be electronically monitored and that there will not be a security guard present.

Chairperson Miller asked what the existing building would be used for. Mr. Green said that a portion of the building will be used for storage and the front portion will be used for office. He said that the office will be staffed with two people during normal business hours and that their function is to regulate the facility, accept deliveries and place items into the storage units.

Chairperson Miller asked why the additional 5 feet of building height is necessary. Mr. Green said that he wanted a margin of safety for construction of the building. He said that each story is 10 feet high, but he was fearful that the building may exceed the 40 foot maximum.

Staff Member Hemenway reviewed the staff report, noting the surrounding zoning, land use and topography. He stated that mini-warehousing generates very little traffic or demand on parking.

Commissioner Norton asked how the list of uses for the original PUD was developed. Staff Member Hemenway noted that the developer of the property generated the list of permitted uses, and then they were reviewed and approved by the Zoning Advisory Commission and City Council.

Commissioner Bird asked for clarification regarding the boundaries of the PUD. Commissioners discussed the boundaries of the PUD and those businesses and properties within said boundaries.

Commissioner Henschel said he is not concerned about the specific request from Mr. Green, but is concerned about the potential for expanding mini-warehousing as an allowed use throughout the entire PUD.

Commissioner Hardie also expressed concern about the balance of the PUD. He stated that he is not comfortable with increasing the building height to 45 feet. He said that he is not aware that there had been any error when creating the original PUD and that the conditions warranting a reclassification of the property had not been met.

Commissioner Norton said that he feels that mini-warehousing was not purposely excluded from the original list of permitted uses.

Chairperson Miller asked if additional standards can be placed on the PUD. Staff Member Kritz said that the Commission can impose any standards or conditions that they feel are appropriate for a Planned Unit Development.

The Commission discussed the potential for placing conditions on the amendment such as building design, building height and limiting the proposed use to the subject lot. The Commission said that they are comfortable with the use, if limited to the subject property.

Commissioner Christ noted that the surrounding businesses are compatible with the proposed use. She said that she did not feel the request is out of line with the character of the commercial neighborhood.

Motion by Henschel, seconded by Bird, to approve the amendment to the Planned Commercial District to allow mini-warehousing as a permitted use and increase the building

height to 45 feet on Lot 1 of Holliday 2nd Addition only. Motion carried by the following vote:
Aye – Smith, Christ, Norton, Henschel, Bird and Miller; Nay – Hardie.

ITEMS FROM COMMISSION:

Chairperson Miller welcomed the new Commissioner, Eugene Bird Jr. to the Commission.

ADJOURNMENT: The meeting adjourned at 7:30 p.m.

Respectfully submitted,



Kyle L. Kritz, Associate Planner

Adopted—January 4, 2012