

Approved

**MINUTES**

**ZONING ADVISORY COMMISSION**

**REGULAR SESSION**

6:00 p.m.

Wednesday, March 7, 2012

Aigler Auditorium

Carnegie Stout Public Library

360 W. 11<sup>th</sup> Street, Dubuque, Iowa

---

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

**ABSENT:** Commissioner Patrick Norton.

---

**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 February 1, 2012 meeting were approved, unanimously, as submitted.

**ACTION ITEM PRELIMINARY PLAT:** Application of Joel Callahan, Callahan Construction Inc., for approval of the Preliminary Plat of Brickyard Estates, located at the southwest corner of Middle Road and Seippel Road.

Joel Callahan, 7629 Commerce Park, said that the subdivision represents an extension of a residential development he has undertaken in Westbrook Estates, located across Seippel Road to the east of the subject property. He said that the property will be developed for a mix of single-family homes, two-unit townhouses, and multi-family buildings up to 6 units. He said he would like to keep the cost of the units down to approximately \$190,000.

Commissioner Bird asked about the size of the lots. Mr. Callahan said that they will be comparable to those in Westbrook Subdivision.

Staff Member Kritz discussed the subdivision layout, street configuration, and noted that the Fire Department has reviewed access to the property. He discussed street access and storm water management for the proposed subdivision. He said that the proposed accesses will be scrutinized in more detail during the final plat review process. He noted the utility locations and proposed extensions. He said that the subdivision has been configured so as to keep any of the residential lots from being located in the flood plain. He

discussed parkland, bike/hike and pedestrian access issues. He discussed the sustainability measures Mr. Callahan is undertaking which, he said, includes solar orientation for the lots, reduced street size, and use of the Green Building Code.

PLEASE NOTE: Commissioner Ron Smith entered the meeting at 6:15 p.m.

Staff Member Kritz noted that, because of their reduced size, the width of pavement and right-of-way have been asked to be waived.

Commissioner Henschel asked if a smaller parkway is unprecedented. Commissioner Hardie asked staff to clarify why the street standards have to be waived. He said that he thought that the standard would have been changed to reflect the UDC provisions for reduced street and right-of-way with widths. Staff Member Kritz said that the pavement and right-of-way standards are being reviewed and that the pavement standard may be modified. Commissioner Hardie said that he is not necessarily in favor of the reduced right-of-way or street widths.

Mr. Callahan said that he has worked with both the City Engineering and Fire Departments to design the streets to be functional and to meet their needs. He said that he has agreed to increase the cul-de-sac diameter to facilitate movement of City maintenance and fire trucks. He said that the required street trees will be planted in the front yards of the existing lots because of the reduced parkway area.

Commissioner Hardie said that covenants are difficult to enforce as they regard street trees and required landscaping. Staff Member Kritz clarified the recommended recreational area requirements.

Commissioners and staff discussed the potential improvements to Seippel Road and Pennsylvania Avenue, which they said will include changing the road grade, driveway accesses and the addition of shoulders and bike/hike paths.

Motion by Bird, seconded by Christ, to approve the Preliminary Plat of Brickyard Estates. Motion carried by the following vote: Aye – Smith, Christ, Henschel, Bird and Miller; Nay – Hardie.

**PUBLIC HEARING\REZONING:** Application of Joel Callahan, Callahan Construction, Inc. to rezone property located at the southwest corner of Middle Road and Seippel Road from CS Commercial Service & Wholesale District to R-1 Single-Family Residential District, R-2 Two-Family Residential District, and R-3 Moderate Density Multi-Family Residential District.

Joel Callahan, 7639 Commerce Park, said that his request represents a down zoning from the existing CS district to accommodate single-family residences, side-by-side townhouses, and condos. He said that the units will sell in the \$200,000 range.

Staff Member Kritz outlined the request. He discussed the residential mix proposed for the site, noting the bulk standards and uses proposed for each district. He said that the Comprehensive Plan recommended mixed use residential for this area.

Commissioner Miller asked for clarification regarding utility extensions for the area. Staff Member Kritz noted that utilities will be sized so that subsequent development can be accommodated.

Commissioners said that the proposal was well thought out and commended Mr. Callahan.

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

**PUBLIC HEARING\REZONING:** Application of Par 5, LLP / Peg Hingtgen to rezone property located at 1095 Cedar Cross Road from C-3c General Commercial District, with conditions, to CS Commercial Service & Wholesale District.

Staff Member Hemenway noted that the applicant submitted a letter asking that the request be tabled.

Motion by Christ, seconded by Henschel, to approve tabling the request to rezone. Motion carried by the following vote: Aye – Hardie, Christ, Miller, Henschel and Bird; Nay – None; Abstain – Smith.

**PUBLIC HEARING\AMEND ID INSTITUTIONAL DISTRICT:** Application of DeAnna McCormick, Clarke University to amend the Clarke University ID Institutional District to allow a science addition and new surface parking lot.

Brian Schultes stated that he is a facility manager for Clarke University. He noted that the proposal is for a 40,000 square foot addition to the science building with laboratory space, classrooms, and a new parking lot located across the street. He said that the existing pine trees in close proximity to the parking lot will remain; however, the damaged locust trees will be removed.

Steve Moismann, 1000 Clarke Drive, asked for clarification regarding the vicinity map noting that it appeared as if there are a number of areas being rezoned. Staff Member Kritz clarified that the areas indicated were included in the rezoning request, but just simply delineated single-and multi-family districts adjacent to the campus. Mr. Moismann asked how large the parking lot will be relative to the expansion. He said that he felt the fee structure should be changed to encourage student parking.

Dan McDonald, Greater Dubuque Development Department, said he is in favor of the proposed expansion. He said that Clarke University has been a wonderful neighbor and

have created quality development throughout the years. He said he feels that the proposed addition and parking lot plans are well thought out.

Brian Schultes said that the school is reviewing permit fee structures in an effort to resolve the issue of on-street parking so as to encourage students to utilize the campus lots.

Commissioners discussed the parking lot size, configuration and landscaping.

Staff Member Kritz detailed the proposed amendment, which he said included the building addition and parking lot. He discussed the comprehensive parking lot survey that he undertook over a three-week period noting the number and location of vehicles parked on the street. He said that the access for the parking lot shifted per the recommendation of the City Engineering Department.

The Commission commended Clarke University for its development and the stewardship of their property.

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

**ITEMS FROM COMMISSION:**

Mr. Hardie asked that staff consider trying to avoid conflicts with the City Council meetings in the future. Staff Member Kritz said that he will take that under advisement.

Commissioners Bird and Hardie recommended that applicants for significant projects, such as Clarke University, provide more visual materials and more robust presentations for both the Commission and public. They said that renderings, elevations and site plans, and a detailed summary of the proposed development would help both the Commission and members of the audience to better understand and visualize the proposed development. Staff Member Kritz said that it may be possible to alter the application to encourage applicants to provide more materials and a formal presentation.

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

Respectfully submitted,



---

Kyle L. Kritz, Associate Planner

---

Adopted—April 4, 2012