

MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION
6:00 p.m.
Wednesday, June 5, 2013
City Council Chamber
350 W. 6th Street, Dubuque, Iowa

PRESENT: Chairperson Charles Miller; Commissioners Ron Smith, Patrick Norton, Martha Christ and Tom Henschel; Staff Members Guy Hemenway, Kyle Kritz, and Denise Ihrig.

ABSENT: Commissioner Stephen Hardie.

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 May 1, 2013 meeting were approved unanimously as submitted.

ACTION ITEM/PRELIMINARY PLAT: Application of North Cascade Development LLC/ Marty McNamer for approval of a preliminary plat for property located at the west end of Creekwood Drive.

Commissioner Norton stepped away from the table due to a conflict of interest.

Marty McNamer, 1800 Manson Road, said that he represents North Cascade Development. He said that the preliminary plat represents an extension of Creekwood Estates from both the terminus of Creekwood Drive and from a new road that will extend from North Cascade Road inward. He said that the two halves of the subdivision will be temporarily joined with a gravel access road and ultimately be connected with a hard surface through road.

Staff Member Kritz outlined the history of the Timber-Hyrst Estates Subdivision. He noted that the current proposed phase is approximately 126 acres in size and would add 111 single-family lots. He said that sanitary sewer would be extended through the site and he discussed specifications for the street and right-of-way widths. He said that street trees would be placed throughout the subdivision. He said that Mr. McNamer is working with the City Engineering Department on storm water management measures for the subdivision.

Denise Ihrig, Environmental Engineer for the City of Dubuque, said that she had reviewed the preliminary plat for the subdivision, and will be working with Mr. McNamer's engineers to develop storm water management measures. She said the original Timber-Hyrst subdivision plat offered plenty of green space and wooded area for storm water to infiltrate. She said, however, that the new subdivision must incorporate storm water management techniques to be compliant with current regulations.

Staff Member Kritz noted that the proposed subdivision will meet all City standards and has achieved the 40 points necessary to comply with the sustainability requirements outlined in the Unified Development Code. He discussed phasing of the subdivision and the temporary graveled secondary access through the site. He noted that parkland was dedicated as part of a previous plat of the subdivision. He discussed the potential for dedication of additional park area, noting that given the substantial amount of open space and large lots in the subdivision it was not necessary to have a second park in this neighborhood.

Chairperson Miller asked if the secondary emergency access will be gated. Mr. McNamer detailed the evolution of the street design, noting that it will be a fully accessible public street eventually, but will be gated in the short-term.

Commissioners discussed the request and felt it was appropriate.

Motion by Christ, seconded by Henschel, to approve the preliminary plat of Timber-Hyrst Estates. Motion was approved by the following vote: Aye – Smith, Christ, Henschel and Miller; Nay – None; Abstain – Norton.

ACTION ITEM/WAIVER: Application of Conlon Construction for property located at 450 Huff Street / 240 Railroad Avenue to waive Section 13 of the Unified Development Code Site Design Standards regarding storm water management, permeable area and landscaping.

Steve Conlon and Michael Hunt, representing Conlon Construction Company, introduced themselves and discussed their project. Mr. Hunt noted that Conlon Construction is asking to waive storm water management measures and permeable area, parking lot landscaping and setbacks. He said that it is necessary to waive these regulations because of the small size of the site and the inability to expand.

Commissioner Smith asked if there was room for Conlon to utilize their storage yard across the street for parking. Mr. Conlon said that they could, however, that area is generally filled with equipment.

Commissioner Norton asked if the applicants had explored the potential for a green roof on the new buildings. Mr. Hunt said that the green roof would require costly structural modifications to the building structure, which he said would not make the project feasible.

Mr. Conlon noted that the building will utilize tilt-up concrete and be tastefully done. He said that Conlon has screened their adjacent storage yard using arborvitae.

Staff Member Kritz outlined the staff report, noting the former use on the site. He said that the old site did not meet current specifications as it was fully impermeable. He discussed the memo provided by the Engineering Department, recommending that Conlon consider providing storm water management measures on the site.

Commissioner Norton asked if it would be advisable to break the request into three motions – one for each item asking to be waived.

Chairperson Miller asked Staff Member Ihrig if the Engineering Department supported Conlon's request. She said she felt that redevelopment of this site presented an opportunity to implement storm water management measures that will help improve localized flooding in the area. She said that she is in the process of reviewing the flooding problems in this area and has been exploring measures, including alley improvements such as permeable pavement, that she said may help resolve some of the issues.

Commissioner Christ asked if the representatives of the two sides have met. She suggested that the Commission table Conlon's request and afford the applicant time to meet with the Engineering Department in an effort to resolve some of the outstanding storm water management issues. Mr. Conlon said that he would be amenable to tabling his request and meeting with City Engineering in the interim to resolve the storm water management issues.

Motion by Christ, seconded by Smith, to table the request to Waive Section 13 of the Unified Development Code. Motion was approved by the following vote: Aye – Smith, Christ, Norton, Henschel and Miller; Nay – None.

PUBLIC HEARINGS/REZONING:: Application of the Hillcrest Family Services for to rezone property located at 13034 Seippel Road from County A-1 Agricultural and C-1 Conservancy to City OR Office Residential concurrent with annexation.

Michael Luedke, 1205 Cerro Drive, noted that Hillcrest Family Services had bought the former Julien Care Facility, and would like a second City main to be extended to the site to serve their demand for water. He said that the facility would have to be annexed to be eligible to receive additional City water service.

Staff Member Kritz outlined the request, stating that the rezoning was being done in conjunction with annexation. He said that the Commission's recommendation would be forwarded to the City Council for the joint annexation and rezoning request. He said that after discussion with Hillcrest Family Services, staff had recommended the OR District, as it permitted all or the services Hillcrest currently provides.

Commissioners discussed the request and felt that it was appropriate.

Motion by Henschel, seconded by Christ, to approve the rezoning from County A-1 Agricultural and C-1 Conservancy to City OR Office Residential zoning district concurrent with annexation. Motion carried by the following vote: Aye – Smith, Christ, Norton, Henschel and Miller; Nay – None.

ITEMS FROM STAFF: Staff Member Kritz reminded the Commission that at next month's meeting election of officers had to be undertaken. He also reminded Commissioners that the meeting would be held on Tuesday, July 2nd, in an effort to avoid conflict with the annual fireworks display.

ADJOURNMENT: The meeting adjourned at 6:42 p.m.

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted