

**MINUTES
CITY OF DUBUQUE ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, January 7, 2015

City Council Chamber, Historic Federal Building

Board Members Present: Chairperson Pat Norton; Commission Members Stephen Hardie, Steve Baumhover, Martha Christ, Tom Henschel and Michael Belmont; Staff Members Kyle Kritz, Guy Hemenway and Laura Carstens.

Board Members Excused: None.

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by Chairperson Norton.

AFFIDAVIT OF COMPLIANCE: Staff presented an Affidavit of Compliance verifying the meeting was being held in compliance with the Iowa Open Meetings Law.

MINUTES: The minutes of the December 3, 2014 Zoning Advisory Commission meeting were approved unanimously as submitted.

ACTION ITEM/FINAL PLAT: Application of William and Janet Siegert/Dave Schneider, Schneider Land Surveying for approval of the Final Plat Siegert's Place Fifth Addition located on U.S. Highway 20 (next to Menard's).

Dave Schneider, Schneider Land Surveying, spoke on behalf of William and Janet Siegert. He said that he Siegert's are negotiating with Chad Richardson regarding disposition of their property and that they have reserved an access easement. He explained issues with the new highway frontage road and access configurations.

Staff Member Kritz discussed the placement of the access easement. He noted that the property is within the U.S. Highway 20 Corridor Preservation Zone and that the IDOT has decided to not acquire the property at this time. He said changes to the previously approved plat for the access easement require Zoning Advisory Commission and City Council approval again.

The Commission discussed the request and felt it was appropriate.

Motion by Henschel, seconded by Baumhover, to approve the Final Plat of Siegert's Place Fifth Addition. Motion carried by the following vote: Aye – Baumhover, Hardie, Christ, Henschel, Norton, and Belmont; Nay –None.

ACTION ITEM/WAIVER: Application of First Community Trust, NA, 3385 Hillcrest Road, to request waiving Section 13 of the Unified Development Code, Site Design Standards regarding parking lot setbacks.

Chip Murray, President of First Community Trust, noted that the property accommodates his home office and he is in need of additional space. He said if the design guidelines are strictly applied he would lose parking spaces that serve the lower level of the building. He said loss of this parking would make the lower level tenant space untenable.

Staff Member Kritz noted that the UDC affords the Commission the ability to review the design standards and waive them where they felt it is appropriate. He said that a building expansion of this nature triggers the design standards in the UDC for parking lot setback and screening. He said the applicant is asking to waive the required buffer yard along the west side of the paved parking lot. He noted that the abutting neighbor had submitted a letter in support of the request.

In response to a question from Commissioner Belmont, Staff Member Kritz said that the waiver of the required buffer yard applies only to the west side of the parking lot, not the rear yard. Commissioners discussed the request and felt it was appropriate.

Motion by Baumhover, seconded by Belmont, to approve the request to waive Section 13 of the UDC Site Design Standards regarding parking lot setbacks. Motion carried by the following vote: Aye – Baumhover, Hardie, Christ, Henschel, Belmont, and Norton; Nay – None.

PUBLIC HEARING/REZONING: Application of City of Dubuque to rezone property located at 221 & 250 East 8th Street and 300 East 9th Street from HI Heavy Industrial to Planned Unit Development with a PC Planned Commercial designation.

Planning Services Manager Laura Carstens outlined the City's request regarding rezoning the subject property. She discussed ongoing redevelopment of the adjacent area and said this request represented an expansion of the Historic Millwork District (HMD) Planned Commercial District. She discussed past planning efforts for the area that she said culminated in the Historic Millwork District Master Plan. She noted that the Plan's intent was to revitalize the area from what were vacant and underutilized buildings into a vibrant mixed-use commercial and residential area. She said there has been significant development in the district since the 2009 rezoning.

Staff Member Carstens noted that the Commissioners had been provided a list of bulk standards and permitted uses for both the Heavy Industrial and HMD districts in their packet. She outlined the criteria established in the UDC that Commissioners are asked to consider when granting a rezoning. She said that the use of the subject lots has changed, noting that manufacturing had ceased. She noted changes to the surrounding area that she said included infrastructure and streetscape improvements and new commercial and residential development. She said that the manufacturing is no longer occurring in the

Historic Millwork District or on the subject property and that the large multi-story building style is not conducive to modern manufacturing methods.

Commissioner Baumhover asked about parking requirements. He said that he was concerned that patrons of the retail establishments in the area would not have adequate parking. Staff Member Carstens said that in the Historic Millwork District, there is no required parking. She said that the City currently supplies metered surface and ramp parking, and that some property owners have considered placing parking stalls in their buildings. She said there are also some private surface lots in the area.

Staff Member Kritz outlined the staff report, noting the land use surrounding the subject property. He said that the Historic Millwork District, along with the C-4 and C-5 districts do not require provision of off-street parking. He said that parking is not required because of the concern that historic building stock would be razed to provide space for surface parking lots. He said that in the C-5 and Historic Millwork districts, Commission review and Council approval is needed to permit construction of a parking lot. He discussed the list of uses permitted in the HMD PC district and he compared it to the uses that are permitted in the Heavy Industrial district.

Chairperson Norton asked if the property owners have objected to the request. Staff Member Kritz said he has been contacted by a representative of Jeld-Wen, but he was not comfortable as staff speaking on behalf of the property owners.

Commissioner Hardie said he was concerned with the lack of input from the owners.

Staff Member Carstens noted that the rezoning packet had been sent to the subject property owners prior to the meeting. She said that the City had had conversations with the property owners regarding rezoning their property.

Commissioner Hardie said he felt it was imperative that the Commission receive input from the property owners.

Jeff Woolworth, Property Manager for Jeld-Wen, said that he had received a packet right before Christmas, and he said he did not have adequate time to review it. He said he would like time to be able to review the information.

Commissioner Hardie said he would like to afford the property owners time to review the proposal. He said he felt there was no reason to rush.

Motion by Hardie, seconded by Belmont, to table the request to rezone property located at 221 & 250 East 8th Street and 300 East 9th Street from HI Heavy Industrial to Planned Unit Development with a PC Planned Commercial designation to the next regular Zoning Advisory Commission meeting. Motion carried by the following vote: Aye – Baumhover, Hardie, Christ, Henschel, Belmont and Norton; Nay – None.

ITEMS FROM STAFF: Staff Member Kritz introduced the newly appointed Commissioner Laura Roussell.

ADJOURNMENT: The meeting adjourned at 6:30 p.m.

Kyle L. Kritz, Associate Planner

Adopted