



Approved

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

6:00 p.m.

Wednesday January 6, 2016

City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson Pat Norton; Board Members Kristin Dietzel, Laura Roussell, Steve Baumhover, Martha Christ, Tom Henschel and Michael Belmont; Staff Members Kyle Kritz and Guy Hemenway.

Commissioners Excused: None.

Commissioners Unexcused: None.

CALL TO ORDER: The meeting was called to order by Chairperson Norton at 6:10 p.m.

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 2, 2015 meeting were approved unanimously as submitted.

ACTION ITEMS/SURVEY OF PLAT: Application of Brice Lubben / K & L Properties of Iowa, LLC to approve the Plat of Survey of Lubben Place for property located at 620-628 Loras Blvd.

Chairperson Norton and Commissioner Baumhover stepped away from the table due to a conflict. Vice Chairperson Henschel presided.

Brice Lubben, 2669 220th Ave., Delhi, Iowa, said that he owns the property at 620-628 Loras Boulevard. He explained that he had received previous Zoning Board of Adjustment approval to split the lot and was granted a Special Exception regarding setbacks. He said his intent is to split the lot down the center of the existing duplex so that each dwelling unit will be placed on its own lot and can be sold separately. He said the status quo would not change regarding required parking, traffic, and density. He said that selling each lot separately would encourage owner occupancy.

Staff Member Kritz discussed Unified Development Code minimal standards for lot size, noting that each lot for the duplex would have insufficient lot area. He noted that splitting the lot will not change the status of the property, and he recommended approval subject to waiving lot area requirements for Lots 1 and 2.

Commissioners discussed the request and felt it was appropriate.

Motion by Christ, seconded by Roussell, to approve the Plat of Survey of Lubben Place, subject to waiving the lot area requirements for Lots 1 and 2. Motion carried by the following vote: Aye – Roussell, Christ, Belmont, Dietzel and Henschel; Nay – None; Abstain – Norton and Baumhover.

ACTION ITEMS/WAIVER: Application of Craig (Gerb) Smith to waive Chapter 13-4.6 of the Unified Development Code regarding parking lot landscaping for property located at 1701 John F. Kennedy Road.

Craig (Gerb) Smith reviewed his project with the Commission, noting that the addition will facilitate expansion of the interior office space for the business. He said the office space would be expanded but no additional employees would be hired, so there would be no additional traffic or demand on parking.

Staff Member Hemenway reviewed the process outlined in the Unified Development Code for granting a waiver. He discussed the specific section being waived noting that if the parking lot landscaping buffer standard were to be applied the business would lose approximately 12 parking spaces. He discussed site constraints, noting that it was impracticable to create additional parking elsewhere on the site.

Commissioner Roussell said that she felt it was appropriate to grant the waiver because without it, the business would lose a significant number of parking spaces. Chairperson Norton asked for clarification regarding the code section that was being waived. Commissioners discussed the request and felt it was appropriate.

Motion by Belmont, seconded by Baumhover, to approve the waiver of Chapter 13-4.6 of the Unified Development Code regarding parking lot landscaping. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Henschel, Belmont, Dietzel and Norton; Nay – None.

ITEMS FROM COMMISSION: At the request of Chairperson Norton, Staff Member Kritz discussed the creation and evolution of zoning regulations within the community, starting with the 1934 Zoning Ordinance and ending with the 2009 Unified Development Code. He discussed the code section regarding the criteria established for the reclassification of property.

Commissioners discussed broad land use issues regarding rezoning that included traffic generation, demand on parking and compatibility with adjacent land uses. Chairperson Norton said that the City Council often asked him to clarify the Commission's rationale regarding their recommendations. He thanked staff for the information.

ADJOURNMENT: The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted