



Approved

**MINUTES
CITY OF DUBUQUE ZONING BOARD OF ADJUSTMENT
REGULAR SESSION**

5:00 p.m.

Thursday, March 24, 2016

City Council Chamber, Historic Federal Building

Board Members Present: Chairperson Jonathan McCoy; Board Members Keith Ahlvin, Jeff Cremer and Bethany Golombeski; Staff Members Guy Hemenway, Kyle Kritz, and Wally Wernimont.

Board Members Excused: Board Member Joyce Pope.

Board Members Unexcused: None.

CALL TO ORDER: The meeting was called to order by Chairperson McCoy at 5:00 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 25, 2016 Zoning Board of Adjustment meeting were approved unanimously as submitted.

Docket 06-16/Special Exception: Application of Austin & Elizabeth Reed, 150 Bradley Street, to construct a 2,500 Sq. Ft. detached accessory structure, 1,000 Sq. Ft. maximum permitted, in an R-1 District.

Chairperson McCoy announced that Docket 06-16 Special Exception for 150 Bradley Street had been withdrawn by the applicants, Austin and Elizabeth Reed.

Docket 03-16/Variance (Tabled from February 25, 2016): Application of Doug Mills, 331 W. 4th Street, to install one, 38.9 sq. ft. wall-mounted sign, 8 sq. ft. maximum permitted, in an OC Office Commercial & Historic District.

Keith Wolff, Dubuque Sign Company, discussed his request with the Board. Mel Zabel, part owner of the Center of I Am, said that he had installed a temporary gift shop sign and that it had significantly increased the amount of customers frequenting the business. Mr. Wolff noted that the business and building suffered a hardship because the view for one-way southbound traffic along Bluff Street is blocked by the neighboring building, and because the building sits back at least 60 feet from the street. He said that the building is very difficult to see for both vehicular and pedestrian traffic. Mr. Wolff read the criteria for granting a variance, noting that the business suffers a

disadvantage because of the one-way street and because of its setback from the roadway. Mr. Wolff noted that the variance would not transfer to potential new owners that may put a different style sign on the building.

Board Member Golombeski noted that she was not at the previous meeting where the issues were discussed. She asked if the text stating gifts and sanctuary could be put in the interior of the windows, the Center of I Am could be made a bit larger, resulting in an overall reduction of the sign area.

Chairperson McCoy asked Mr. Wolff what the industry standard was for the size of the sign. Mr. Wolff stated that he did not have the industry standards immediately available. Mr. Zabel said that he witnessed people walk by the property without seeing the entry for the business.

No one spoke in opposition to the request.

Board Member Ahlvin asked if the variance would remain with the property. Staff Member Hemenway noted that a sign of similar materials and size at the exact location would be grandfathered but that any other changes would have to conform to the existing Unified Development Code sign regulations or be granted a new variance.

Chairperson McCoy said that the term, Center of I Am, is okay, but he said the sign could be redesigned in a fashion to reduce its square footage. He said he has issues with the size of the sign.

Mr. Wolff noted that the square footage of the sign is less than 10% of the building wall area.

Board Member Cremer noted that the Board is not being asked to approve a 39 square foot internally illuminated cabinet sign, but one that is somewhat tastefully done with a brick background between the letters.

Chairperson McCoy asked if the sign could be reduced to two lines.

Board Members discussed the size of the sign with Mr. Zabel. Board Members discussed the sign design and agreed that it could be redesigned and reduced to 20" by 140" or approximately 20 square feet in area. Board Members Ahlvin, Cremer, and Golombeski noted that they would be amenable to a 20 square foot sign.

Motion by Golombeski, seconded by Cremer, to approve the sign variance with the condition that that the sign be 20" high and 140" wide, not exceed 20 square feet in area and have two lines of text. Motion carried by the following vote: Aye – Cremer, Ahlvin, Golombeski; Nay - McCoy.

Docket 07-16/Special Exception: Application of Jason & Toni Eckstein, 1673 Alta Place, to construct an open porch/ deck four (4) feet from the front property line, twenty (20) feet minimum required, in an R-1 Single-Family Residential District.

Jason Eckstein, 1673 Alta Place, said he would like remove a deteriorated stoop and replace it with a new deck that he said would be covered in the future.

No one spoke in opposition to the request.

Staff Member Wernimont noted that the deck would be of an open design with a porch cover. He referenced aerial photography and photos of the site. He discussed the deck's design, including the roof cover. He discussed the historic architecture and character of the neighborhood. He recommended that the Board review the criteria established for granting a special exception.

Board Members asked how far from the house the deck would be located. Mr. Eckstein said that the posts for the deck would be built up to the first retaining wall. Board Members discussed the deck design and its location on the lot.

Staff Member Wernimont noted that the neighbors were contacted and that none expressed concerns with the proposal.

Board Members discussed the request and felt it was appropriate.

Motion by Ahlvin, seconded by Cremer, to approve the special exception request to construct an open porch deck with cover 4 feet from the front property line. Motion carried by the following vote: Aye – Cremer, Ahlvin, Golombeski and McCoy; Nay – None.

Docket 08-16/Variance: Application of Unity Point Health Finley Hospital for property located at 2255 John F. Kennedy Road, Suites 10 & 21, to install three (3) wall-mounted signs on a multi-tenant building, one (1) sign maximum permitted in a C-2 Neighborhood Shopping Center District

Mike Lange, Lange Sign, 1780 IL. Rte. 35, East Dubuque, IL, asked for a variance to allow three signs, where two would be permitted. He noted that the two Unity Point clinics had separate entries. He said that there would be a Unity Point logo sign located between the two halves of the facility. He said that the three signs are necessary to brand the entry and to identify each of the separate facilities.

No one spoke in opposition to the request.

Staff Member Hemenway explained the C-2 sign regulations for a multi-tenant building. He said that currently Unity Point has a legally conforming sign above the main entry, and that each tenant space would be allowed up to 50 square feet of sign area. He

explained two scenarios for the signage, and said that unless the clinics are fully separate, Unity Point would only be allowed one wall-mounted sign.

Board Member Golombeski asked about current signage regulations and Staff Member Hemenway responded that a single tenant would be allowed one sign unless the businesses were fully separated with separate entrances. He noted there are two separate entrances to Unity Point's clinic.

Brandon Robertson, 2006 6th Street, NE, Minneapolis, MN, said that they Urgent Care and Therapy Services had separate entries and operated during separate hours. He said that they are completely separate entities.

Board Member Golombeski asked what the hours were for the Urgent Care facility. Mr. Robertson said that they are 8 a.m. to 8 p.m. seven days a week. She asked if the sign is necessary to direct people to Urgent Care. Mr. Robertson said yes.

Board Members discussed the size of the Urgent Care sign. Chairperson McCoy said that he felt that the sign could be reduced in size.

Dwight Duckstein, representing Unity Point, said that people on the therapy side are repeat customers and know where they are going, whereas people on the urgent care side may be there for a minor emergency and may need direction since this is not a standard stop for them. He said there are no appointments needed on the Urgent Care side. He said that the two clinics must be kept separate due to federal law.

Chairperson McCoy referred to the criteria necessary for granting a variance. Staff Member Hemenway said that after clarification of the two clinics operations, two signs of up to 50 square feet each would be permitted. He said that the request is; therefore, for one additional sign. Chairperson McCoy noted that the variance was still needed. Mr. Robertson said that they wanted to be able to clearly brand the Unity Point clinic and then clearly indicate the two halves of the facility.

Board Members discussed limiting the two additional signs to a total square footage of 50 square feet. Mr. Duckstein and Board Members discussed the request and agreed to allow the Therapy Services sign to be 10 square feet in area and the Urgent Care sign to be 40 square feet in area.

Motion by Cremer, seconded by Ahlvin, to allow one 40 square foot Urgent Care sign and one 10 square foot Therapy Services sign in addition to the existing Unit Point Health Sign with the condition that the signs be made of the same design and materials. Motion carried by the following vote: Aye – Cremer, Ahlvin, Golombeski and McCoy; Nay – None.

ITEMS FROM PUBLIC: Keith Wolff, Dubuque Sign Company, requested clarification from Board Members about previous Board approvals and what the demonstrable hardship was for said approvals. Chairperson McCoy said that the Board was at liberty to provide that information to Mr. Wolff. Board Member Cremer said that the Board could review the information provided and give input to Mr. Wolff if they chose.

ADJOURNMENT: The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted