



Approved

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

6:00 p.m.

Wednesday August 3, 2016

City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson Tom Henschel, Commissioners Pat Norton, Laura Roussell, Steve Baumhover, Martha Christ, 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 at 6:00 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 July 6, 2016 meeting were approved unanimously as submitted.

ACTION ITEMS: Application of Dubuque Retail, LLC. 2599 Northwest Arterial (Asbury Plaza), for review of a site plan for a new Verizon retail building for compliance with the Asbury Plaza PC Planned Commercial District.

The applicant was not in attendance.

Staff Member Kritz said that the Asbury Plaza PUD ordinance requires that new commercial site plans be reviewed by the Zoning Advisory Commission to insure that they are compliant with the adopted concept plan for the development. He noted the building size and location and said that the proposed business can be served by City water and sewer. He discussed Asbury Plaza's development history and stated that Verizon's proposed commercial building is consistent with the concept plan. He said that the City's Engineering Department had reviewed the site plan.

Commissioners agreed that Verizon's proposed development was consistent with the adopted conceptual plan for Asbury Plaza.

Motion by Norton, seconded by Belmont, to approve the site plan for a new Verizon retail building in Asbury Plaza. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Henschel, Belmont, and Norton; Nay – None.

PUBLIC HEARINGS

REZONING (Referred back per applicant request): Application of Dubuque PONY League / Greg Yoko, to rezone property located along West 32nd Street (Parcel # 10-15-276-004) from AG Agricultural District to CR Commercial Recreation District.

Greg Yoko, 3660 Seville Drive, said that the PONY League was considering an alternate location and asked that the Commission table the request to rezone the property located along W. 32nd Street.

Motion by Christ, seconded by Roussell, to table Dubuque PONY League / Greg Yoko's request to rezone property located along West 32nd Street (Parcel # 10-15-276-004) from AG Agricultural District to CR Commercial Recreation District. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Henschel, Belmont, and Norton; Nay – None.

REZONING: Application of Dubuque PONY League / Greg Yoko to rezone approximately thirty (30) acres of property located along Derby Grange Road (Parcel #s 10-08-451-003 & 10-08-451-005) from R-2 Two-Family Residential and C-3 General Commercial Districts to CR Commercial Recreation District.

Greg Yoko, 3660 Seville Drive, said that the PONY League is asking to rezone approximately 35 acres of property located along Derby Grange Road from R-2 Two-Family Residential and C-3 General Commercial Districts to CR Commercial Recreation District. He discussed the PONY League's history and noted that they were leasing three fields in the recreational facility across from the subject property and two additional fields at Veteran's Memorial Park. He said that the lease will not be renewed and that the PONY League would like to consolidate all five fields in one location. He discussed the surrounding land use and zoning noting that the current residential and commercial zoning could generate considerable traffic.

Mr. Yoko discussed the number of ball players and spectators that were anticipated and detailed the amount of traffic that would likely be generated. He noted that they intend to provide parking in excess of what is required and to use supported turf that infiltrates rain water.

He discussed access from Derby Grange Road to the site noting that the development would have to meet the City's requirements for sight distance. He said that they are intent on creating a sustainable development with a park like atmosphere.

Dean Butler, 13362 Derby Grange Road, said that he was in favor of the baseball complex but that he had concerns with access to his property and with the potential for storm water and resultant erosion to flow in to his pond. He said that he is also concerned that the CR district allows RV parks and he would not want one next to his property.

John Herrig, 13750 Surrey Lane, discussed the history of the subject property noting that the former development plan included single- and two-family houses and approximately 10 acres of commercially zoned property. He discussed the speed and sight distance study undertaken for the former development noting the access issues that were raised. He discussed his motivation for considering leasing or selling the property to the PONY League.

Mr. Yoko noted that they would maintain access to Mr. Butler's property and that storm water would be directed away from adjacent properties.

Staff Member Hemenway reviewed the request noting that, if approved, the subject property could be developed for any of the uses permitted in the CR Commercial Recreation district and that the applicant would not be bound by the concept plan for the baseball complex he submitted. He said that any development of the subject property would have to comply with the Unified Development Code's site design standards for street intersections as well as regulations for grading, erosion control, storm water management, required parking and landscaping and green space. He discussed the subject property's proximity to the nearest City utilities and the proposed access to Derby Grange Road.

Staff Member Kritz discussed possible extension of Plaza Drive through the subject property to Derby Grange Road that he said the City would encourage in an effort to facilitate additional development of the area.

Commissioner Belmont discussed potential extension of Plaza Drive and complimented the applicant on his persistence in finding a suitable site for the baseball complex that he said will serve the community well.

Commissioner Norton discussed the uses permitted in the CR district. In response, Commissioner Christ noted that the C-3 General Commercial district allows many very intense commercial uses. Commissioner Belmont concurred noting that he did not feel any of the uses permitted in the CR district were objectionable.

Commissioners discussed the request and felt that it was appropriate.

Motion by Christ, seconded by Norton, to approve the request of Dubuque PONY League / Greg Yoko to rezone approximately thirty (30) acres of property located along Derby Grange Road (Parcel #s 10-08-451-003 & 10-08-451-005) from R-2 Two-Family Residential and C-3 General Commercial Districts to CR Commercial Recreation District. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Henschel, Belmont, and Norton; Nay – None.

TEXT AMENDMENT: Application of the City of Dubuque to amend the C-4 Downtown Commercial and C-5 Central Business districts to allow public and private parks as a permitted use.

Staff Member Kritz outlined the request noting that it arose in response to a private party's request to develop a pocket park in the downtown area. He said that Planning Staff discovered that parks are not listed as a permitted use in either the C-4 or C-5 districts. He noted that Washington Park is located in a C-4 district and that the City is exempt from zoning regulations regarding development of parks. He said that the rationale may have been to prevent demolition or redevelopment of valuable downtown commercial properties for non-commercial purposes.

He said that the current trend in many cities is to create pocket parks in downtown areas to provide an amenity for employees, shoppers and residents.

Commissioner Roussell said that she felt that a pocket park offers a great amenity in the downtown area.

Commissioners discussed the request and felt that it was appropriate.

Motion by Christ, seconded by Belmont, to approve an amendment to the C-4 Downtown Commercial and C-5 Central Business districts to allow public and private parks as a permitted use. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Henschel, Belmont, and Norton; Nay – None.

ITEMS FROM STAFF: Staff Member Kritz noted that Rich Russell had been appointed to the Commission by the City Council and would attend next month's meeting.

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

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted