



Approved

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

6:00 p.m.

Wednesday October 5, 2016

City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson Tom Henschel; Commission Members Laura Roussell, Steve Baumhover, Martha Christ, Pat Norton, Rich Russell, 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 Henschel 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 September 7, 2016 Zoning Advisory Commission were approved by the following vote: Aye – Baumhover, Norton, Belmont, Russell, and Henschel; Nay – None; Abstain – Roussell and Christ.

PUBLIC HEARINGS

Public Hearing/Amend ID: Application of Dwight Duckstein, Finley Hospital, to amend the Finley Hospital ID sign regulations to permit two (2) additional, 50 sq. ft. wall-mounted signs and one (1), 80 sq. ft., eleven (11) foot high monument style sign to the Kehl Diabetes Center building located at 1550 /1560 University Avenue.

Dwight Duckstein, Facilities Manager for Finley Hospital, reviewed the change in building use for an urgent care facility, and the need to direct people to the facility. Mike Lange, Lange Sign Company, reviewed the request to amend the Finley Hospital ID Institutional District sign regulations. They noted the location and size of the proposed signs. They said that they would like to place two 50 square foot wall-mounted signs on the building and also install an 11-foot high 80 square foot monument style freestanding sign along the University Avenue frontage.

Staff Member Hemenway noted that the request was to increase the two permitted wall-mounted signs from 20 square feet to 50 square feet, and to increase the size of the freestanding monument-style sign from 40 square feet and six feet in height to 80 square feet and 11 feet in height. He discussed the history of the development of the sign regulations for the ID District that he said included Finley Hospital and Hartig Drug Store. He noted that the subject property is part of a campus that includes office, medical, and retail uses, and that it is located across the street from Allison Henderson Park. He said that the proposed monument sign would be reviewed for impact on traffic visibility by the Engineering Department. He said that the sign should have little impact on the residential development across University Avenue.

Commissioner Belmont said it seemed to be a significant increase from 20 to 50 square feet in area and asked if the applicant was willing to possibly reduce the size. Mr. Lange reviewed sign renderings and photos of the building. He said that the photos demonstrate that the proposed signs are not out of scale with the building.

Staff Member Hemenway reviewed C-2 Neighborhood Commercial district sign regulations that he said apply to adjacent properties. He said that C-2 regulations permit a 50 square foot wall-mounted sign for each tenant space and a 200 square foot freestanding center sign for multi-tenant buildings.

Commissioner Russell inquired about the meaning of “urgent care.” Mr. Duckstein explained that urgent care is an interim service that is between emergency room calls. He noted the hours of operation of the facility.

Commissioner Christ said that she was comfortable with the request because of the similar C-2 regulations nearby and because of the separation from adjacent residential properties.

Commissioner Roussell said that she felt it is necessary to provide visible signage for people trying to find the urgent care facility.

Commissioners discussed the proposal and said that they felt that the request for additional sign area was reasonable.

Motion by Christ, seconded by Baumhover, to approve the request as submitted. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Norton, Belmont, Russell, and Henschel; Nay – None.

Public Hearing/Amend PUD: Application of Sara Hutchinson, 2600 Dodge Street, to amend the Plaza 20 PUD sign regulations to permit one (1) 400 sq. ft. and two (2), 250 sq. ft. freestanding signs.

Sarah Hutchinson, 220 Bradley Street, said that she represented Plaza 20. She reviewed the request to amend the sign regulations for the Plaza 20 Planned Unit

Development. She provided sign renderings and an aerial map showing the sign's designs and locations on the site. She said that this is not the first time Plaza 20 has requested an amendment to the freestanding sign regulations. She discussed commercial development within the plaza that she said will result in a new 50,000 square foot multi-tenant building. She said additional sign area is needed to adequately advertise the new tenant space. She said that K-Mart, which utilizes 112,000 square feet of commercial space, is nearing the end of their lease. She said that this may result in additional available commercial tenant space.

Staff Member Hemenway reviewed the request for additional sign area is to increase square footage for two signs, but not to increase the number of signs. He said that Plaza 20 currently is permitted one 300 square foot center sign and three 100 square foot freestanding signs. He said the request is to increase the center sign from 300 to 400 square feet and two of the 100 square foot signs to 250 square feet. He noted that the plaza is approximately 26 acres in area with over 200,000 square feet of retail space. He said that the site is separated by from Dodge Street by a frontage road with several intervening commercial buildings on outlots. He said that there is approximately 300 feet of separation between the proposed signage and the closest residential properties.

Commissioner Roussell said that she was in favor of the request because of the need to adequately advertise the commercial property and because the additional signage should have limited impact on the surrounding properties.

Commissioners discussed the request and felt it was appropriate.

Motion by Belmont, seconded by Norton to approve the request to amend the Plaza 20 sign regulations as submitted. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Norton, Belmont, Russell, and Henschel; Nay – None.

Public Hearing/Text Amendment: Application of Greater Dubuque Development Corporation, to amend the Unified Development Code to establish an administrative waiver process for free-standing solar arrays.

Dave Lyons, representing Greater Dubuque Development Corporation, 900 Jackson Street, stated that they are working with the local solar array installers to develop sustainable measures that encourage the use of solar energy in the city. He said that their intent is to make solar energy more affordable and easier to feed into the current energy grid. He discussed the utility, commercial and residential scales of solar energy. He noted that the City is working with Alliant Energy to create two new solar array utility sites for solar energy production.

Mr. Lyons said that residents can offset their energy costs by installing solar arrays. He said that the proposed text amendment is only applicable to residential property. He said that the intent is to make the process more user-friendly and cost effective for

those who would like to erect a solar array on their property. He discussed measures that he said are already in place that promote the use of solar energy. He discussed existing regulations regarding accessory uses. He noted that solar arrays would often have to be larger in area and greater in height than currently permitted to provide the requisite amount of energy needed to satisfy the demand generated by a residential use. He said that the request would be very similar to the limited setback waiver process already contained in the Unified Development Code. He said the administrative waiver process which would require the acquiescence of all neighboring property owners and would reduce the time and cost associated with installation of a solar array on a residential lot.

Commissioner Baumhover asked if other cities have such a process. Mr. Lyons noted that the State has laws regulating solar power, but he said that he has not been able to find any similar administrative waiver process.

Commissioner Norton asked how many special exceptions for solar arrays have been submitted to the City. Staff Members noted the past history of special exceptions for freestanding solar arrays, noting that there have been very few and that most have been approved.

Mr. Lyons stated that the point of the administrative waiver is to improve the process and to encourage the use of solar arrays.

Bob Renne, 1950 Avalon Street, said that he feels that the administrative waiver request is an effort to circumvent the existing Unified Development Code regulations. He said that there has never been an issue with roof-mounted solar arrays, and that the existing limits on the size and height of solar arrays appears to be working well. He said this is an example of a special interest group that is trying to work around the regulations. He asked that the Commission leave the current regulations as they are.

Mr. Lyons said that his group is not a special interest, but that the request is based on the City's goals to reduce the overall carbon footprint of the community, and to increase the amount of clean energy generated. He said they are not trying to circumvent the rules but they are working within the Code to amend the regulations to permit freestanding solar arrays to be installed with the agreement of the neighbors.

Staff Member Kritz reiterated the request, noting the existing UDC freestanding solar array regulations pertain to residential and office districts. He said that the proposed administrative waiver process is similar to the limited setback waiver process. He said that if one of the adjacent neighbors declined to sign the waiver, the property owner could seek a special exception from the Zoning Board of Adjustment. He discussed the history of the limited setback waiver process noting that there is a 33% reduction limit for setbacks. He said that there is no such limit in the proposed administrative waiver for the height or square footage of solar arrays. He noted that the City has received few

requests for freestanding solar arrays but that could always change; in response to a question from Commissioner Norton.

Commissioner Belmont said that if all of the neighbors agreed, then a large array with no limits on height and square footage could be installed. He asked if staff could require additional review of an array that was excessive in size. Staff Member Kritz said that the staff would have no ability to require any additional review as currently proposed.

Commissioner Christ asked if abutting neighbors are notified for a special exception request. Staff Member Kritz said that the property owners notified for the proposed administrative waiver, limited setback waivers and special exceptions are identical.

Commissioner Norton asked about the timing and cost of the administrative waiver and of the special exception. He said that the existing system appears to be working well without much additional delay or cost. He said that he is concerned that there is no proposed cap on the size or height of the array. He said he may be able to support the request if it included a cap.

Chairperson Henschel said that he felt GDDC should table their request and return with a proposed cap on the size and height of the solar array. Commissioner Roussell agreed.

Motion by Belmont, seconded by Christ, to table the request to amend the Unified Development Code to create an administrative waiver for solar arrays. Motion carried by the following vote: Aye – Baumhover, Roussell, Christ, Norton, Belmont, Russell, and Henschel; Nay – None.

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

Respectfully submitted,

Kyle L. Kritz, Associate Planner

Adopted