



Approved

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

6:00 p.m.

Wednesday, January 2, 2019

City Council Chamber, Historic Federal Building

**Commissioners Present:** Chairperson Tom Henschel; Board Members Pat Norton, Rich Russell, Laura Roussell, Steve Baumhover, Martha Christ, Tom Henschel and Michael Belmont; Staff Members Kyle Kritz, Travis Schrobilgen and Wally Wernimont.

**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:** Motion by Norton, seconded by Baumhover, to approve the minutes of the December 4, 2018 meeting. Motion carried by the following vote: Aye – Norton, Russell, Roussell, Baumhover, Christ, Belmont and Henschel; Nay – None.

**PUBLIC HEARING/REZONING:** Application of Kava Real Estate LLC to rezone property located at 690 W. Locust Street from C-1 Neighborhood Commercial District to C-3 General Commercial District.

Ron Klein, 13384 BMR Lane, represented Kava Real Estate, LLC. He explained the proposal to rezone the property from C-1 to C-3 would allow additional uses above and beyond what is currently allowed in the C-1 District. He explained he would like to expand the building and possibly add a self-service car wash.

Lynn Sutton, 859 Air Hill Street, said that she formerly lived at 525 West Locust Street. She indicated that she would like more details on the proposed business. She explained that C-3 would allow bars and she is opposed to the establishment of a bar at this location.

Robert Smith, 1057 Bonnie Court, noted that he submitted a letter to the Zoning Advisory Commission. He thanked Ron Klein for cleaning up the property. He

explained that he owns multi-family housing adjacent to the property, and that he had concerns with the car wash and vacuuming noise.

Ron Klein rebutted the comments. He said that he has no intention of opening a bar at this location, and that in response to noise from the car wash and vacuuming, that technology has changed to help deaden some of the noise.

Commissioner Baumhover asked about details related to the car wash, and if there is any additional traffic that would be generated from it. Mr. Klein said that the car wash would be a one or two stall car wash, and he did not have details on the additional traffic that might be generated.

The Commission asked Mr. Klein about the hours of operation. Mr. Klein said that the car wash can be opened and closed at any time as they have the ability to close the doors and lock it. He said that the service station/convenience store operates from 6:30 a.m. to 10:00 p.m.

Planning Technician Travis Schrobilgen presented the staff report. He described the present size and location of the property, and noted the permitted uses allowed in the C-1 and C-3 Districts. He described the present and previous zoning history of the property, and noted that the service station at this location had been in operation since 1959. He explained that the existing service station is grandfathered, and by rezoning the property to C-3 General Commercial, it will bring the property into compliance with current zoning regulations.

The Commission discussed the present uses of the property in the C-1 District and the surrounding zoning. The Commission discussed striking a bar/tavern from the list of permitted uses in the C-3 District.

Chairperson Henschel asked Mr. Klein if he would be opposed to striking the bar/tavern from the list of permitted uses in the C-3 District. Mr. Klein said he has no objections to striking a bar/tavern from the permitted uses.

Motion by Christ, seconded by Russell, to approve the rezoning request from C-1 Neighborhood Commercial to C-3 General Commercial with the condition that a bar/tavern be struck from the list of permitted uses. Motion carried by the following vote: Aye - Norton, Russell, Roussell, Baumhover, Christ, Belmont and Henschel; Nay – None.

**PUBLIC HEARING/REZONING:** Application of Josh Kuhn to amend the Warren Plaza PUD to permit three freestanding directory signs.

Keith Wolff, Dubuque Signs, represented the Desco Group. He explained that they are proposing to install three directory signs located on the property.

No one spoke in opposition to the request.

Staff Member Wernimont presented the staff report. He discussed the history of the property with respect to zoning and sign regulations. He explained the current sign regulations for the property, and noted that the request is for two 29.3 square foot directory signs and one 61.3 square foot directory sign. He explained the location of these signs would be reviewed by the Engineering Department to make sure they meet visibility requirements. He said the directory signs will help to advertise all the businesses located throughout the property. He said currently the large single freestanding sign advertises the two main anchor stores – Target and Hy-Vee, and that Chick-Fil-A has a small monument-style sign.

The Commission reviewed the renderings of the signs that were included in the packet. The Commission discussed the two renderings labeled 1A and 1B. Staff Member Wernimont clarified that the sign renderings 1A and 1B are at the same location. He explained that the applicant is attempting to show how small the text is on 1A when compared to a larger freestanding directory sign, which would be 1B.

Keith Wolff clarified that the applicant is requesting one 65 square foot directory sign (rendering 1B) and two 30 square foot directory signs (renderings 2 and 3).

The Commission discussed the number and size of the directory signs. They discussed the option of allowing three 30 square foot signs as opposed to two 30 square foot signs and one 65 square foot sign.

Staff Member Wernimont clarified that the sign regulations would be amended to allow two 30 square foot freestanding directory signs and one 65 square foot freestanding directory sign.

Motion by Russell, seconded by Baumhover, to amend the Warren Plaza PUD to permit three freestanding directory signs – two at 30 square feet and one at 65 square feet.

Motion carried by the following vote: Aye -Norton, Roussell, Baumhover, and Belmont; Nay – Christ, Russell and Henschel.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:** None.


**ITEMS FROM STAFF:** None.

**ADJOURNMENT:** Motion by Christ, seconded by Baumhover, to adjourn the January 2, 2019 Zoning Advisory Commission meeting. Motion carried by the following vote: Aye -Norton, Russell, Roussell, Baumhover, Christ, Belmont and Henschel; Nay – None

The meeting adjourned at 6:50 p.m.

Respectfully submitted,

  
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Kyle L. Kritz, Associate Planner

  
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Adopted