



Approved

MINUTES  
CITY OF DUBUQUE ZONING ADVISORY COMMISSION  
REGULAR SESSION

6:00 p.m.

Wednesday, April 3, 2019  
City Council Chamber, Historic Federal Building

**Commissioners Present:** Chairperson Tom Henschel; Commissioners Pat Norton, Rich Russell, Laura Roussell, Steve Baumhover, Martha Christ, and Tom Henschel; Staff Members Guy Hemenway and Wally Wernimont.

**Commissioners Excused:** Michael Belmont.

**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 Christ to approve the minutes of the March 6, 2019, Zoning Advisory Commission meeting as submitted. Motion carried by the following vote: Aye – Norton, Russell, Roussell, Baumhover, Christ and Henschel; Nay – None.

**FINAL PLAT:** Application of Daniel Kennedy to approve the Final Plat of Dubuque Sports Complex in Dubuque County.

Daniel Kennedy, 2190 Shiras Avenue, representing Dubuque Sports Enterprises, LLC, said that he would like to split his property to facilitate the sale of the Sports Complex. He said he would also like to retain the wooded area that would not be part of the sale.

Staff Member Wernimont said that the subject property is the Dubuque Sports Complex, which is in the county at the end of Nightengale Lane. He said that the applicant would like to consolidate three lots into two lots. He noted that Lot 1 does not have frontage on a platted or private street and the majority of the lot is located in the floodplain. He said Lot 2 would contain the ball fields, buildings and parking lot. He explained the Commission is reviewing the plat because Lot 1 does not have street frontage.

There were no public comments.

Commissioner Roussell said she felt the replat that will facilitate the sale of the complex while retaining the wooded area made sense.

Commissioner Norton asked if Lot 1 could be built on. Staff Member Wernimont noted that the lot was served by an access easement.

Commissioners discussed the request and felt it was appropriate.

Motion by Christ, seconded by Baumhover, to approve the Final Plat of the Dubuque Sports Complex, subject to waiving the lot frontage requirement for Lot 1. Motion carried by the following vote: Aye – Norton, Russell, Roussell, Baumhover, Christ and Henschel; Nay – None.

**PUBLIC HEARING/REZONING:** Application of Maximo Damaso to rezone property at 1961 Central Avenue from C-4 Downtown Commercial zoning district to OC Office Commercial zoning district.

Staff informed the Commission that Mr. Damaso requested the case be tabled as he would be out of town.

Motion by Christ, seconded by Norton, to table the application to a future meeting. Motion carried by the following vote: Aye -Norton, Russell, Roussell, Baumhover, Christ and Henschel; Nay – None.

**PUBLIC HEARING/REZONING:** Application of Evan Smith to rezone property at the corner of Oneida and Vinton Streets from R-1 Single-Family Residential zoning district to R-2 Two Family Residential zoning district.

Evan Smith, 1320 Forest Lane, introduced his father-in-law Cecil Pfeiffer, 1310 Forest Lane. Mr. Pfeiffer said that he would like to rezone the property to enable him to build a two-unit townhouse so that their family could reside together. He said that he would like the family to be able to be together as he ages.

Kelly Hingtgen, 3416 Foothill Rd., said that she represents her parents that own the property at 4149 Inwood Avenue. She said that she would like clarification as to who owns the property and how many units would be built there. She expressed concerns with storm water runoff and its impact on the neighborhood.

Brandon Merrick, 8110 Southern Hills Circle, said that the applicants had purchased the property from him. He said that storm water does not run toward the adjacent residences, but to the south into an existing drainageway.

Mr. Smith said that Cecil Pfeiffer is the current property owner. He said he plans on building one townhouse and maintaining a large back yard.

Staff Member Hemenway presented the staff report. He noted the size and location of the lot. He explained the adjacent zoning, and said that the property was bordered by one substandard street and a platted, but unimproved right-of-way. He said that any future development of the interior lots would require that the street be extended and built to City standards, which he said would be costly. He noted the previous rezoning for an adjacent property that resulted in the removal of a farm house and the construction of a single-family home and a duplex.

Staff Member Hemenway said that if the rezoning were approved, it would result in the potential for four additional units. He said that 10 units could be built as duplexes and six units could be built as single-family homes under the current zoning. He noted that access currently would have to be taken from the Vinton Street right-of-way. He said there is a 56-foot grade change from Vinton Street to the south end of the property in which direction the storm water would flow.

Commissioner Baumhover asked where the storm water would flow. Staff Member Hemenway said the storm water would flow across the subject property to the south over a large grassy area. He said it would ultimately flow to the platted Toledo Street right-of-way. He noted that the single-family homes and duplexes do not require site plan review or formal storm water management measures.

Commissioners discussed the request.

Motion by Russell, seconded by Roussell, to approve the rezoning from R-1 Single-Family Residential to R-2 Two-Family Residential zoning district for the property at the corner of Oneida and Vinton Streets. Motion carried by the following vote: Aye - Norton, Russell, Roussell, Baumhover, Christ and Henschel; Nay – None.

**PUBLIC HEARING/ID AMENDMENT:** Application of James Steiner, University of Dubuque, to amend the ID Institutional District to develop new south quad and reassemble bell tower along Grace Street.

Keith Wipperfurth, Director of Construction, University of Dubuque, 2000 University Avenue, discussed the proposed south quad project. He said that as the campus is moving to the south, a second commons area was needed. He explained that the south quad area is comprised of landscaping, a retaining wall, signage and handicapped accessible sidewalks. He said these sidewalks would facilitate cross-campus access for those with disabilities.

Staff Member Wernimont noted that the University of Dubuque is asking to amend its Institutional District to accommodate the south quad project. He explained the project location relative to existing city streets. He said that the project would include relocating the clock tower, an outdoor plaza area located immediately southeast of the Heritage

Center, installation of sidewalks and steps connecting the Heritage Center and Myers Buildings to each other as well as to the public sidewalks along Grace & Bennett Streets and an open field for recreational and congregating purposes. He said that as this is a significant change, the Zoning Advisory Commission is required to review the proposed changes. He said that there would be no buildings as part of the project and; therefore, no additional demand on parking. He said the single-family home at the corner of the site will be maintained. He said there had been no input from those neighbors who received written notification.

Commissioners Christ and Roussell said they felt the proposed commons area will be a great addition to the University's campus.

Motion by Roussell, seconded by Christ, to approve the amendment to the Institutional District for the University of Dubuque to develop a new south quad and reassemble the bell tower along Grace Street. Motion carried by the following vote: Aye – Norton, Russell, Roussell, Baumhover, Christ and Henschel; Nay – None.

**ITEMS FROM PUBLIC:** None.

**ITEMS FROM COMMISSION:** Commissioner Russell said that the City's Public Information Network noted that the rezoning the Commission had previously approved resulted in the issuance of a \$80,000 IFA grant that will facilitate the development of senior housing.

**ITEMS FROM STAFF:** None.

**ADJOURNMENT:** Motion by Christ, seconded by Norton, to adjourn the April 3, 2019 Zoning Advisory Commission meeting. Motion carried by the following vote: Aye - Norton, Russell, Roussell, Baumhover, Christ and Henschel; Nay – None

The meeting adjourned at 6:45 p.m.

Respectfully submitted,

  
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Kyle L. Kritz, Associate Planner

  
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Adopted