



Approved

MINUTES
CITY OF DUBUQUE ZONING ADVISORY COMMISSION
REGULAR SESSION

6:00 p.m.

Wednesday, October 2, 2019

City Council Chamber, Historic Federal Building

Commissioners Present: Chairperson Tom Henschel; Commission Members Rich Russell, Steve Baumhover, Martha Christ, and Michael Belmont; Staff Members Travis Schrobilgen and Wally Wernimont.

Commissioners Excused: Laura Roussell, Pat Norton

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 Baumhover, seconded by Russell, to approve the minutes of the September 4, 2019 Zoning Advisory Commission meeting with the noted spelling correction. Motion carried by the following vote: Aye – Baumhover, Belmont, Christ, Russell, and Henschel; Nay – None.

ACTION ITEM:

Plat of Survey: Application of Daniyal L. Ahmed to submit a plat of survey of Lot 1 & Lot 2 of Ahmed Place.

Daniyal Webber, 1597 Washington Street described the proposal citing the subdivision would provide the flexibility to sell or make future changes to the property.

Staff Member Wally Wernimont detailed the staff report noting the R-2A zoning and that the side by side duplex and garage would be divided, which will permit the sale of one of the parcels. He noted the lot area of each parcel is substandard. He said the request would require a waiver due to the substandard lot area for Lot 1 & Lot 2 of Ahmed Place.

Commissioner Russell asked if there is a width requirement. Mr. Wernimont answered that 25' of street frontage is required in an R-2A zoning district. Chairperson Henschel asked if a garage that did not have a physical partition has been split before? Mr. Wernimont stated that there was not to his knowledge but that it is allowed through current building regulations.

Commissioners discussed the proposal and found it appropriate.

Motion by Russell, seconded by Belmont, to recommend approval of the plat of survey subject to waiving the lot area for Lot 1 & Lot 2 of Ahmed Place. Motion carried by the following vote: Aye – Baumhover, Belmont, Christ, Russell, and Henschel; Nay – None.

Site Plan Waiver: Application of Arbor Oaks Bible Chapel to request waiver of section 10-13-4.6 of the Unified Development Code to allow a 0' buffer yard, where a 10' buffer yard is required.

Dale Twestin, 1335 University Avenue, represented the applicant and discussed the request. He explained that they would like to construct a gym addition to the northside of the building. He showed the proposed gym and limitations it presents for parking and drop-off. He noted the distance from the back of sidewalk to the property line is 4.6 feet.

Commissioner Baumhover asked if the image showed the lot line. The applicant replied that it did. Commissioner Russell asked if the applicant knew the width of the drive isle. Mr. Twestin noted that the drive isle was 20 feet wide.

Staff Member Wally Wernimont detailed the staff report noting the site was developed prior to 2009 adoption of the Unified Development Code. With the construction of the addition, they were now required to bring the property into compliance with the Unified Development Code. He noted the location of the addition will sever the drive aisle around the building. He said the applicant's proposal is to widen the remaining drive aisle, install a loop drive and push the parking lot closer to the front property line. He said the parking lot and loop drive will be approximately one to zero feet from the right of way. He stated that typically the parking lot is screened with vegetation. He said because of the location of the parking lot that a portion of the landscape screening would be located in the right-of-way. He said with approval of the site plan waiver the applicant would not be required to place screening. He said the City of Dubuque does have a landscape policy for planting in the right-of-way. He said that, if approved, the Zoning Advisory Commission could recommend a vegetative screen that would need to meet the City of Dubuque Landscaping in the Right-of-Way. He said that site plan would need to be submitted for the proposed parking lot and building addition.

Commissioner Russell asked if the buffer would be looked at by city staff. Staff Member Wernimont noted that a site plan is required for the parking improvements and the

Planning Services Department reviews the landscaping requirements and the Engineering Department would review the landscaping in the right-of-way. Commissioner Belmont asked how the policy works with regards to who maintains the landscaping. Mr. Wernimont read pertinent portions of the policy and noted that the applicant would maintain the landscaping.

Commissioner Russell asked the applicant how far the curb of the parking lot would be moving. The applicant replied stating that the curb would move about 12 feet toward the front property line.

Motion by Belmont, seconded by Baumhover, to approve the requested waiver of section 10-13-4.6 of the Unified Development Code to allow a 0' buffer yard, where a 10' buffer yard is required with the condition that landscaping be required as per the City of Dubuque Landscaping in the Public Right-of-Way Policy. Motion carried by the following vote: Aye – Baumhover, Belmont, Christ, Russell, and Henschel; Nay – None.

PUBLIC HEARING/REZONING: Application of Steve Knepper to rezone from R-2A Alternate Two-Family Residential zoning district to R-3 Moderate Density Multi-Family Residential zoning district.

Steve Knepper, PO BOX 402, Cascade, IA, discussed his proposal noting the condition of the building when he purchased it and that he is asking for the proper zoning for a four-plex.

Commissioner Russell asked if the building is currently divided as a four-plex. The applicant replied that it was already a four-plex when he purchased it.

Staff Member Wally Wernimont detailed the staff report noting its current configuration as a four-plex and that it was converted illegally some time after 1996. He stated that R-3 zoning allows for up to six units. He also noted that the property is compliant with off-street parking. He explained that all property owners within 200 feet were notified of the rezoning request. He concluded by noting that the request would be an expansion of an existing zone.

Commissioner Belmont asked why the zoning changed in 1985. Mr. Wernimont noted that there was a comprehensive rezoning of the city and the property was downzoned. He noted that adjoining uses are single and multi-family residences.

Motion by Christ, seconded by Belmont, to approve the rezoning request from R-2A Alternate Two-Family Residential zoning district to R-3 Moderate Density Multi-Family Residential zoning district. Motion carried by the following vote: Aye – Baumhover, Belmont, Christ, Russell, and Henschel; Nay – None.

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: Chairperson Henschel addressed the commission and announced it was his last meeting as he was moving out of state and could no longer be a commissioner. He expressed his appreciation for the other commissioners and staff.

Chairperson Henschel then made a pitch to viewers to consider joining the Zoning Advisory Commission.

The commissioner's and staff thanked and congratulated Chairperson Henschel for his service. Commissioner Belmont added that he was currently deciding whether to reapply.

ITEMS FROM STAFF: Staff Member Travis Schrobilgen presented a memo that was handed out regarding the requested Imagine Dubuque Update. He discussed a number of options as discussion topics or work sessions and noted that the timing of a presentation may need consideration as four commissioners were potentially leaving over the next few months. He concluded by requesting further direction as to what they would prefer to hear or discuss and when.

The commissioners discussed the request agreeing that it may be best to wait until spring when there would be new commissioners present. Commissioner Belmont commented that a brief overview of the plan's creation and implementation to date would be helpful and a more focused discussion on the land use chapter and recommendations would be preferred.

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

The meeting adjourned at 6:37 p.m.

Respectfully submitted,



Wally Wernimont, Assistant Planner

11-6-2019
Adopted