



# Approved

**MINUTES  
ZONING ADVISORY COMMISSION  
REGULAR SESSION**

6:00 p.m.

Wednesday, June 3, 2020  
City Council Chambers, Historic Federal Building

**Commissioners Present:** Vice Chairperson Martha Christ; Commission Members Rich Russell, Steve Baumhover, Matthew Mulligan, Rebecca Kemp and Brittany Loeffelholz, and Pat Norton

**Commissioners Excused:** None

**Commissioners Unexcused:** None.

**Staff Members Present:** Wally Wernimont, Guy Hemenway and Travis Schrobilgen

**CALL TO ORDER:** The meeting was called to order by Vice Chairperson Christ at 6:00 p.m.

**MINUTES:** Motion by Kemp, seconded by Mulligan, to approve the minutes of the May 6, 2020 meeting. Motion carried by the following vote: Aye – Baumhover, Mulligan, Russell, Kemp, Loeffelholz and Christ; Nay – none.

**ACTION ITEMS/FINAL PLAT:** Application of Donald and Angela Heim; Buesing and Associates, Inc. to approve Final Plat of Heim's Place.

Terry Koelker, Buesing & Associates, 1221 Locust Street spoke on behalf of the applicants. He spoke in favor of the request, noting the project involved shifting a lot line to the east so a driveway can be located solely on one lot.

Planning staff said that the request is to subdivide two lots under common ownership by shifting the common lot line between the two properties approximately 8 feet to the east. Staff said that by shifting the lot line the lot frontage for Lot 2 would be reduced to 39.98 feet, below the 50 feet minimum required in the R-3 Moderate Density Multi-Family Residential district.

Staff said that the lot reconfiguration would also reduce the lot area from 3,000 square feet to 2,681 square feet when a minimum of 5,000 square feet is required. Staff noted that on May 28, 2020 the Zoning Board of Adjustment approved a Special Exception for the reduced lot area.

Staff noted that the applicant's intent is to shift the lot line so that the driveway between the two residences would lie solely on Lot 1 thus eliminating the encroachment and

facilitating sale of both properties. Staff recommended approval of the Final Plat of Lot 1 and Lot 2 of Heim's place subject to waiving the required lot frontage for Lot 2.

NOTE: Commissioner Norton arrived for the meeting at 6:11 PM.

Commissioners discussed the request and agreed that the replat would have little impact on the adjacent properties.

Motion by Baumhover, seconded by Mulligan, to approve the Final Plat of Lot 1 and Lot 2 of Heim's place subject to waiving the required lot frontage for Lot 2 as submitted. Motion carried by the following vote: Aye – Baumhover, Mulligan, Russell, Kemp, Loeffelholz and Christ; Nay – none; Abstain - Norton

**ACTION ITEMS/FINAL PLAT:** Application of Thomas Riniker to approve Final Plat of Stoney Knob Subdivision.

Dave Schneider, 906 First Street North, Epworth, IA spoke on behalf of the applicant. He stated that the owners of the property are correcting internal property line issues. He specifically noted a well and some crop ground that were being integrated into the appropriate lots.

Staff Member Hemenway detailed the staff report. He said that the request is to subdivide two lots that total 35.5 acres located along Clay Hill Road in Dubuque County that are within the City's 2-mile extra-territorial jurisdiction. He noted that the subdivision will create three lots one of which, Lot 3, will have no street frontage but will be accessed from a 24-foot-wide easement across Lot 2 to Clay Hill Road. He said that the subdivision would create an additional building lot noting that County standards allow up to two lots to be accessed from an easement. He said that the Lots 1 and 2 will have the required street frontage and all three will have the minimum required square footage. He said that the subdivision will meet all other provisions of the Unified Development Code.

Commissioner Mulligan asked for clarification regarding Lot 1 access and whether Lot 2 included a residence. Mr. Hemenway noted that Lot 1 had access and frontage along Clay Hill Road and that there was a residence on Lot 2 and wooded area occupying Lot 3.

Motion by Norton, seconded by Kemp, to approve the Final Plat of Stoney Knob Subdivision as submitted. Motion carried by the following vote: Aye – Norton, Baumhover, Mulligan, Russell, Kemp, Loeffelholz and Christ; Nay – none.

**PUBLIC HEARING/REZONING - TRADITIONAL:** Application of Jordan DeGree to rezone property located at 210 Jones St. from C-3 General Commercial zoning district to C-4 Downtown Commercial zoning district.

Jordan Degree, 210 Jones Street, spoke in favor of the request. He noted that the property was zoned as C-4 about four years ago and that it was rezoned to C-3 to accommodate a significant portion of the building as indoor storage. He said that the uses have changed and that C-4 makes sense going forward.

Staff member Schrobilgen detailed the staff report. He reiterated the recent history regarding the property being rezoned. He noted that rezoning of the subject property would reflect an expansion of the existing C-4 district that lies to the northwest and to some degree the C-4 district across the Locust Street connector to the north. He also noted that area is currently a mixture of C-3, C-4, and LI zoned properties. He mentioned that Bimbo Bakery Company uses Jones Street and Harrison Street to access their loading facilities and that some no-parking signs were posted to allow for truck traffic, but that on-street parking was available in the surrounding area. To conclude, he noted that the C-4 district has no requirements regarding on-site parking.

Motion by Mulligan, seconded by Loeffelholz, to approve the request to rezone property located at 210 Jones St. from C-3 General Commercial zoning district to C-4 Downtown Commercial zoning district as submitted. Motion carried by the following vote: Aye – Norton, Baumhover, Mulligan, Russell, Kemp, Loeffelholz and Christ; Nay – none.

**PUBLIC HEARING/TEXT AMENDMENT:** Application of the City of Dubuque text amendment to Articles 16-6-4.11 FF Floodway Fringe Overlay District and 16-6-4.15 Definitions of the Unified Development Code to accommodate required ordinance revisions from the Iowa Department of Natural Resources.

Planning Services Manager Wally Wernimont discussed the application. He noted that the City of Dubuque participates in the National Flood Insurance Program (NFIP). He said the NFIP is managed by the Federal Emergency Management Agency (FEMA) and that the Iowa Department of Natural Resources (DNR) prepared a model ordinance which the city adopted in 1990. He stated that the DNR is requesting revisions of the city's ordinance to match the recent revisions in the model ordinance. He said that by doing so, the City of Dubuque would be in compliance with the National Flood Insurance Program regulations.

Motion by Norton, seconded by Baumhover, to approve the text amendment as submitted. Motion carried by the following vote: Aye – Norton, Baumhover, Mulligan, Russell, Kemp, Loeffelholz and Christ; Nay – none.

**ITEMS FROM PUBLIC:** None

**ITEMS FROM COMMISSION:** None

**ITEMS FROM STAFF:** None

**ADJOURNMENT:** Motion by Norton, seconded by Loeffelholz to adjourn the June 3, 2020 Commission meeting. Motion carried by the following vote: Aye – Norton, Baumhover, Mulligan, Russell, Kemp, Loeffelholz and Christ; Nay – none.

The meeting adjourned at 6:30 p.m.

Respectfully submitted,



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Wally Wernimont, Planning Services Manager

July 1, 2020

Adopted