

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, June 2, 2021

Virtual Meeting

Due to the COVID-19 pandemic and mandates for social distancing, this meeting was conducted virtually.

Commissioners Present: Vice Chairperson Rebecca Kemp; Commission Members Brittany Loeffelholz, Matthew Mulligan, Pat Norton, Rich Russell, and Teri Zuccaro

Commissioners Excused: Chairperson Martha Christ

Commissioners Unexcused: None.

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

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

MINUTES: Motion by Mulligan, seconded by Norton, to approve the minutes of the May 5, 2021 meeting. Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Russell, and Kemp; Abstain – Zuccaro; Nay – none.

ACTION ITEM/PRELIMINARY PLAT: Application of Mark McClain to approve the Preliminary Plat of Ridge View Acres at the intersection of Derby Grange Rd. and Hales Mill Rd., parcels 1007300011 and 1007400006.

Dave Schneider, Schneider Land Surveying, 906 1st Street North, Farley, spoke on behalf of the applicant. He explained that he is working with the property owner, Mark McClain to develop a typical rural subdivision that falls within the two-mile Extraterritorial Jurisdiction of the City of Dubuque. He described the characteristics of the lots, streets, and utilities within the proposed subdivision

Staff Member Hemenway detailed the staff report, noting the submitted Plat of Survey of Ridge View Acres includes 12 residential lots. He noted the proposed streets and utilities. He gave an overview of the steep topography and conservancy district status of a portion of the area. He also described the solar orientation and sustainability points earned by the subdivision.

Commissioners discussed with Mr. Hemenway and Mr. Schneider the idea that the plat should show the conservancy area or that potential home buyers there should be made aware of it. It was agreed that the final plat of the subdivision would be the logical place to note the location of the conservancy.

Motion by Mulligan, seconded by Loeffelholz, to approve the Preliminary Plat of Ridge View Acres as submitted. Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Russell, Zuccaro, and Kemp; Nay – none.

ACTION ITEM/FINAL PLAT: Application of Dennis and Carol Schmitt to approve the Final Plat of Schmitt Estates at the east end of Robin Hood Dr. and south of Kennedy Rd., parcels 10-10-276-002 and 10-10-276-003.

Dave Schneider, Schneider Land Surveying, 906 1st Street North, Farley, spoke on behalf of the applicants. He explained that the plat would establish two lots on the south end of property for building new family homes for the Schmitts' adult children. He said this would also entail extending Robin Hood Drive onto their property, which he said is partially county and partially private. At this point, Mr. Schneider's connection cut out and Mr. Wernimont gave his staff report.

Staff Member Wernimont detailed the staff report for the submitted Plat of Survey of Schmitt Estates, noting the lots to be created and explaining the issue of ownership status for Robin Hood Drive. He explained that County officials have stated that the County Engineer is petitioning the property owners to verify if the private street would be dedicated to the county as a public street.

Dennis Schmitt of 11092 Kennedy Rd., endeavored to explain the status of Robin Hood Drive.

Commissioners did not have questions or concerns.

Motion by Russell, seconded by Norton, to approve the Final Plat of Schmitt Estates as submitted with the following conditions:

- 1) Waiving the lot frontage requirement for Lots 3 & 4 of Schmitt Estates; and
- 2) Requiring that if the private portion of Robin Hood Drive is not accepted as a public street, the property owner obtain an access easement along Block 5 & Block 6 Sherwood Park to provide access from the publicly dedicated Robin Hood Drive to the subject property.

Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Russell, Zuccaro, and Kemp; Nay – none.

ACTION ITEM/SITE PLAN WAIVER: Application of Matt Anderson, Gronen, to approve the Site Plan Waiver to waive requirement of buffer yard along Emmett Street and parking lot landscaping islands of Cathedral of St. Raphael at 231 Bluff St.

Commissioner Norton recused himself from this item.

Pat Norton, Buesing & Associates, 1212 Locust Street, spoke on behalf of the applicant. He explained that they propose to reconfigure the lot to gain 20 new spaces, going from 129 to 149, which is still short of the 165 that would be ideal. He said they would not be able to gain that many spaces, though, if they were held to the site design standards, so they are seeking a waiver of the landscaping islands and buffer along Emmett Street

Staff Member Hemenway detailed the staff report for the submitted Site Plan Waiver of Survey of Cathedral of St. Raphael, noting the Site Design Standards in Chapters 13-4.6(B) and 13-3.5(D) of the Unified Development Code Regarding Parking Lot Landscaping Buffer and Parking Lot Landscaping. He briefly reviewed the history of the church property and the recent changes to the use of the former school and convent buildings. He discussed the constraints of the lot and the current parking lot configuration. He noted the requirements the applicant is seeking to waive while noting the benefits of the proposed arrangement.

Commissioners asked about why the parking bays could not be landscaped, and Mr. Norton explained that landscaping islands would be a challenge to plow and maintain and the previous islands were striped.

Motion by Mulligan, seconded by Zuccaro, to approve the waiver of the Site Design Standards in Chapters 13-4.6(B) and 13-3.5(D) of the Unified Development Code regarding parking lot landscaping buffer and parking lot landscaping for the Cathedral of St. Raphael parking lot. Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Zuccaro, and Kemp; Nay – Russell; Abstain – Norton.

ACTION ITEM/PRELIMINARY PLAT: Application of Royal Oaks Development Corp. to approve the Preliminary Plat of Silver Oaks Estates No. 3, east of Highway 61/end of Elmwood Drive.

Cody Austin, Origin Design, 4155 Pennsylvania Avenue, spoke on behalf of the Royal Oaks Development. He noted the plat is for a 140-lot subdivision with detention and park space, and he explained the street access and utility extensions.

Staff Member Wernimont detailed the staff report for the submitted Plat of Survey of Silver Oaks Estates No. 3, noting the property has been annexed and is zoned appropriately for single-family homes. He also noted there will be substantial grading required and that the subdivision review process will involve other City departments as this single-phase development proceeds. He described the sustainability points awarded, the street and utility dedication to the City, and emergency access from Cycle Club Lane.

Commissioners had no comments or questions.

Motion by Zuccaro, seconded by Loeffelholz, to approve the Preliminary Plat of Silver Oaks Estates No. 3 as submitted. Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Russell, Zuccaro, and Kemp; Nay – none.

PUBLIC HEARING/AMENDED PLANNED UNIT DEVELOPMENT (PUD): Application of Straka Johnson Architects PC to amend the Planned Unit Development (PR) zoning district to facilitate construction of an administration and outreach addition for property located at 3485 Windsor Ave.

Commissioner Loeffelholz recused herself from this item.

Jerry Burnes, Straka Johnson Architects, 3555 Digital Drive, spoke on behalf of Stonehill Franciscan Services. He said they are planning to build a two-story addition with an outpatient therapy section on the first floor and an administration section on the second. He explained the demolition of the old building will provide green space and a detention area so there should not be much reduction in impervious area. He said that the project should help alleviate traffic bottlenecks.

Staff Member Schrobilgen detailed the staff report for the PUD amendment, noting the characteristics of the site and adjacent properties and discussed the property history, traffic patterns and environment. He noted this proposal concurs with the future land use plans. He explained that the project would provide an additional access point to Windsor Avenue. He noted that staff does not anticipate any additional negative effects to neighboring properties or any adverse impact to the environment.

Commissioner Mulligan asked whether he should recuse himself since his company has been hired to build the addition, and it was determined he should. Commissioner Mulligan recused himself.

Motion by Norton, seconded by Russell, to approve the Planned Residential (PR) zoning district to facilitate the construction of an administration and outreach addition at 3485 Windsor Ave. as submitted. Motion carried by the following vote: Aye – Norton, Russell, Zuccaro, and Kemp; Abstain – Loeffelholz, Mulligan; Nay – none.

PUBLIC HEARING/TEXT AMENDMENT: Application of the City of Dubuque text amendment to amend Section 16-6-4 Flood Hazard Overlay District of the Unified Development Code.

Staff Member Wernimont noted that the City of Dubuque has new flood plain maps from FEMA that are more accurate. He explained the new maps noting that they were developed using LiDAR and that they remove 49 structures from the floodplain while adding five others. He said the new floodplain maps will be adopted by ordinance on August 10, 2021, and that the City is working with FEMA and IDNR to make necessary

revisions to the City's floodplain development regulations. He said that the new ordinance repeals the former regulations and replaces them with an updated model ordinance.

Commissioners had no questions or comments.

Motion by Norton, seconded by Zuccaro, to approve the text amendment to amend Section 16-6-4 Flood Hazard Overlay District of the Unified Development Code as submitted. Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Russell, Zuccaro, and Kemp; Nay – none.

ITEMS FROM PUBLIC: None

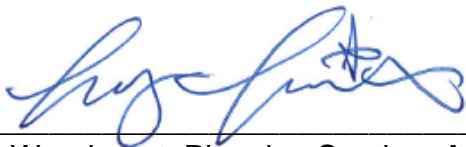
ITEMS FROM COMMISSION: Commissioners welcomed new member Teri Zuccaro.

ITEMS FROM STAFF: Planning Services Manager Wernimont welcomed Ms. Zuccaro, who he noted has replaced Steve Baumhover after his years of service. He also expressed gratitude to Ms. Loeffelholz whose term will be up at the end of June. Ms. Loeffelholz expressed her appreciation to the Commission and staff for the experience.

ADJOURNMENT: Motion by Russell, seconded by Norton to adjourn the June 2, 2021 Commission meeting. Motion carried by the following vote: Aye – Loeffelholz, Mulligan, Norton, Russell, Zuccaro, and Kemp; Nay – none.

The meeting adjourned at 7:12 p.m.

Respectfully submitted,



Wally Wernimont, Planning Services Manager

July 7, 2021

Adopted