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ORDINANCE NO. _____ - 23

AN ORDINANCE AMENDING TITLE 16 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF DUBUQUE CODE OF ORDINANCES BY RECINDING ORDINANCE 10-96 AND ORDINANCE 45-93 AND ADOPTING A PUD PLANNED UNIT DEVELOPMENT WITH A PR PLANNED RESIDENTIAL DISTRICT DESIGNATION AND CONCEPTUAL DEVELOPMENT PLAN FOR ONE 16-UNIT AND ONE 24-UNIT MULTI-FAMILY RESIDENTIAL BUILDING WITH A DETACHED GARAGE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUBUQUE, IOWA:

Section 1. That Title 16 of the Unified Development Code of the City of Dubuque Code of Ordinances is hereby amended by reclassifying the hereinafter-described property from PUD with a PR Planned Residential District designation to PUD Planned Unit Development District with a PR Planned Residential District designation, and adopting a conceptual development plan, a copy of which is attached to and made a part hereof, is hereby adopted and approved for the following described property, to wit:

Lot 2 St. Mary's Place No. 4 and to the centerline of the adjoining public right-of-way, all in the City of Dubuque, Iowa.

A. Use Regulations.

The following regulations shall apply to all uses made of land in the above-described PR Planned Residential District:

1. Principal permitted uses shall be limited to one 16-unit multi-family residential building, one 24-unit multi-family residential buildings, and a detached parking garage.
2. Accessory uses shall include any use customarily incidental and subordinate to the principal use it serves.

B. Lot and Bulk Regulations.

Development of land in the PR Planned Residential District shall be regulated as follows:

1. Buildings setbacks shall be located in substantial conformance with the approved conceptual development plan.
2. Maximum building height of 40 feet shall be allowed in this Planned Residential District.
1. Unless otherwise indicated, the development of the property in this Planned Residential District shall be regulated by Section 16-5-5 of the Unified Development Code, R-4 Multi-Family Residential District.

C. Performance Standards

The development and maintenance of uses in this PR Planned Residential District shall be regulated as follows:

1. Parking Regulations

- a. All vehicle-related features shall be surfaced with either asphalt or concrete.
- b. Curbing and proper surface drainage of storm water shall be provided.
- c. All parking and loading spaces shall be delineated on the surfacing material by painted stripes or other permanent means.
- d. Off-street parking shall be provided based on the approved conceptual plan.
- e. The number, size, and design of parking spaces shall be governed by applicable provisions of the Unified Development Code Section 13-3 Site Development Regulations.
- f. The number, size, design, and location of parking spaces designated for persons with disabilities shall be according to the local, state, or federal requirements in effect at the time of development.

2. Site Lighting

a. Exterior illumination of site features shall be limited to the illumination of the following:

i. Parking areas, driveways, and loading facilities.

ii. Pedestrian walkway surfaces and entrances to building.

iii. Building exterior.

b. Location and Design

i. No light source shall provide illumination onto adjacent lots, buildings, or streets in excess of 1.0-foot candle.

ii. All exterior lighting luminaries shall be designed and installed to shield light from the luminaries at angles above 72-degrees from vertical.

iii. Fixtures mounted on a building shall not be positioned higher than the roofline of the building.

iv. All electrical service lines to posts and fixtures shall be underground and concealed inside the posts.

3. Landscaping

Landscaping shall be provided in compliance with Section 13-4 Landscaping and Screening Requirements of the Unified Development Code.

4. Storm Water Management

The developer shall be responsible for providing surface or subsurface conveyance(s) of storm water from the lot to existing storm sewers or to flow line of open drainageways outside the lot in a means that is satisfactory to the Engineering Department of the City of Dubuque. Other applicable regulations enforced by the City of Dubuque relative to storm water management and drainage shall apply.

5. Exterior Trash Collection Areas

a. The storage of trash and debris shall be limited to that produced by the principal permitted use and accessory uses on the lot.

- b. All exterior trash collection areas and the material contained therein shall be visually screened from view. The screening shall be completely opaque fence, wall, or other feature not exceeding a height of 10 feet measured from the ground level outside the line of the screen. Screens built on sloping grades shall be stepped so that their top line shall be horizontal. Exposed materials used to construct the opaque screen shall be similar in appearance to materials used for exterior building walls. All exterior entrances to a screened trash area shall be provided with a gate or door of similar design to that of the screen. If a 10-foot height screen fails to shield the exterior trash collection area from view from the adjacent public right-of-way and neighboring properties, evergreen plantings may be required in addition to the screening. Evergreen plant material shall be selected and designed so that they screen the area from all off-site visibility within five (5) years.

6. Open Space

Open space and landscaping in the PR Planned Residential District shall be regulated as follows. Those areas not designated on the conceptual development plan shall be maintained as open space, as defined Article 13 of the Unified Development Code of the City of Dubuque, Iowa, by the property owner and/or association.

7. Platting

Subdivision plats and improvement plans shall be submitted in accordance with Article 11 Land Subdivision, of the City of Dubuque Unified Development Code.

8. Site Plans

Final site development plans shall be submitted in accordance with Article 12 Site Plans and Article 13 Site Design Standards prior to construction of each building and vehicle-related feature unless otherwise exempted by Article 12.

D. Sign Regulations

1. Signs in the Planned Residential District shall be regulated in accordance with the R-4 Multi-Family Residential Zoning District sign regulations, Section 16-15-11.1 of the Unified Development Code.
2. Variance requests from sign requirements for size, number, and height shall be reviewed by the Zoning Board of Adjustment in accordance with Section 16-8-6 of the Unified Development Code.

E. Other Codes and Regulations

1. Service Lines. All electric, telephone, cable, or other similar utility lines serving the building and other site features shall be located underground.
2. The use of semi-trailers and shipping containers for storage is prohibited.
3. These regulations do not relieve the owner from other applicable city, county, state, or federal codes, regulations, laws, and other controls relative to the planning, construction, operation and management of property within the City of Dubuque.

F. Ordinance History

1. Ord. 45-93: Establishment of a Planned Unit Development for a 16-unit condominium development.
2. Ord. 10-96: Establishment of a Planned Unit Development for a 64-unit senior housing development.

G. Transfer of Ownership

Transfer of ownership or lease of property in this PR Planned Residential District shall include the transfer or lease agreement a provision that the purchaser or lessee acknowledges awareness of the conditions authorizing the establishment of the district.

H. Modifications

Any modifications of this Ordinance must be approved by the City Council in accordance with zoning reclassification proceedings of Article 9-5 of the Unified Development Code.

I. Occupancy Permits

No occupancy permit shall be issued by the City of Dubuque for property included in the subject planned unit development district until full compliance with this ordinance has been achieved.

J. Recording

A copy of this ordinance shall be recorded at the expense of the property owner(s) with the Dubuque County Recorder a permanent record of the conditions accepted as part of this reclassification approval within thirty (30) days after the adoption of this ordinance. This ordinance shall be binding upon the undersigned and his/her heirs, successors, and assigns.

Section 2. The foregoing amendment has heretofore been reviewed by the Zoning Advisory Commission of the City of Dubuque, Iowa.

Section 3. The foregoing amendment shall take effect upon publication, as provided by law.

Passed, approved, and adopted this _____ day of _____ 2023.

Brad M. Cavanagh, Mayor

Attest:

Adrienne Breitfelder, City Clerk



Conceptual Plan

PRELIMINARY
NOT FOR CONSTRUCTION

EX1	SHEET TITLE	PROJECT	NO. 23026	<div>BUESING & ASSOCIATES INC. <i>ENGINEERS AND SURVEYORS</i> 1212 LOCUST ST, DUBUQUE, IA (563) 556-4389</div>		
LOT 2 ST. MARY'S PLACE #4 DUBUQUE, IOWA		PREPARED FOR: KEVIN OBERBROCKLING CK CONSTRUCTION 7869 COMMERCE PARK DUBUQUE, IOWA 52002		DATE	REVISIONS	DRAWN BY:
				2/10/23	2/21/23	TPL
				SCALE:	2/22/23	CHECKED BY:
				SEE BAR SCALE	2/23/23	