

Minutes of Meeting Zoning Board of Adjustment Regular Meeting

October 30, 2024

ROLL CALL: Board members present: Billingsley, Birkenholz, Otto, Trotter (4:45)

Board members absent: Rossow

STAFF PRESENT: Brian Dunkelberger, Sr. City Planner

A quorum being present, Vice Chair Otto called the meeting to order at 4:32 PM

Minutes

The Board reviewed the minutes of the previous meeting from August 14, 2024. **Motion** by Billingsley, **seconded** by Birkenholz to approve the minutes as written. **Voice vote**: approved, 3-0.

Public Hearing

- A. CU24-3: Conditional Use Permit to allow an accessory building with a footprint exceeding 1,000 sq. ft. at 1101 1st St. N. Galyn Nook, applicant.

Dunkelberger reviewed the prepared staff report and shared maps and a street view of the subject property. Dunkelberger shared that no concerns were submitted by neighbors or residents in advance of the meeting. Billingsley requested a summary of the request from staff and asked if this was connected to the next item on the agenda. Dunkelberger confirmed. Otto invited the applicant to speak.

Galyn Nook, applicant, described the project and provided additional information about the proposed location and scope of work. Otto commented on the substantial size of the structure and stated how the Board aimed to be consistent in their reviews of these types of requested. She requested further explanation about the intended use of the building and the thinking behind the total size. Nook shared how a tall but skinny outbuilding would look misplaced and how he was especially conscious of aesthetics of the building. He intends to use it for personal storage of an RV, vehicles, a mower, etc. Billingsley thanked Nook for pointing out how looks were an important element of his project.

Hearing no additional questions or comments, Vice Chair Otto called for a motion to close the public hearing. **Motion** by Birkenholz, **seconded** by Billingsley. **Voice vote**: Approved 3-0.

Otto shared how she already voiced her initial concerns, but that she felt the applicant addressed those concerns with his answers. Birkenholz inquired further about the precise location of the proposed building, and commented on the topography of the property. Billingsley said that he believed the application was submitted with the four conditional use permit criteria in mind.

Motion by Birkenholz to approve CU24-3: A Conditional Use Permit to allow a 36' x 48' detached accessory building at 1101 1st Street North, **seconded** by Billingsley. **Roll call vote**: Approved 3-0.

- B. V24-2: Variance to allow the height of the proposed accessory building at 1101 1st St. N. to exceed 15 feet. Galyn Nook, applicant.

Dunkelberger reviewed the prepared staff report and shared the submitted concept plans for the detached accessory structure. Billingsley asked if, theoretically speaking, could the Board approve the Conditional Use Permit but deny the variance? Dunkelberger confirmed. Otto reminded Board members that their objective is to remain objective and consistent in their approach. She requested the applicant to provide specific information pertaining to this variance request and why the building needed to exceed the maximum allowable 15 feet.

Nook described his standard 2001 RV and how he needed at least a 14-foot door. He shared a story about seeing another RV scrape its top when entering a garage, so he hoped to create enough clearance space to never have that worry. He requested the conditional use permit and the variance together because of his needs for personal storage and specifically the minimum dimensions required for storing his RV inside the building.

Hearing no additional questions or comments, Vice Chair Otto called for a motion to close the public hearing. **Motion** by Birkenholz, **seconded** by Billingsley. **Voice vote:** Approved 4-0.

Billingsley and other members discussed the request and shared their appreciation for the applicant being proactive in acquiring these authorizations prior to construction of the building.

Motion by Birkenholz to approve V24-2: A Variance to allow the height of the proposed 36' x 48' detached accessory building at 1101 1st St. N. to exceed 15 feet, **seconded** by Billingsley. **Roll call vote:** Approved 4-0.

- C. CU24-4: Conditional Use Permit for a proposed rebuild and expansion of the existing Alliant Energy substation at 2600 N. 4th Ave. E. Emily Digman, Ulteig, applicant.

Dunkelberger shared the prepared staff report and presented images and maps of the subject property. He summarized the request and defined how this Conditional Use Permit application was strictly in consideration of the proposed expansion and rebuild, and not for the pre-existing or current use and/or facilities. He also suggested that a condition be placed on the permit, if approved, to require the construction of a drainage swale that was evidently supposed to be installed at a previous point in time. Otto asked if the application was denied, then would the status quo be preserved. Dunkelberger confirmed. Otto invited the representative from Alliant to offer a brief overview of the project.

Mike Edelen, Alliant Energy Substation Manager, approached the Board and apologized for the fact that this application was submitted after work had already started. However, he communicated that most of the noisy work was already completed, so he understood why that was a concern the past few weeks prior to the hearing. The remaining construction involved final below-grade construction and then installation of the above-grade facilities. He estimated that all work would be completed by March 2025. Otto asked about the height of the new above-grade structures. Edelen confirmed that nothing would be taller than the existing structures at the site.

Dunkelberger asked Edelen to share more details about the motivation behind this project and recalled a past fire at the substation. Edelen shared three fires had occurred at this substation, and all three were caused by squirrels. Considering high profile customers that utilize this substation such as area schools, government facilities, etc., Alliant aimed to remove that bizarre security risk and operational hazard with these upgrades. He described how he believed the substation was originally constructed in the late 1960s, so much of the equipment and infrastructure was outdated and due for upgrades.

Billingsley questioned if the Board had jurisdiction on this request and challenged the fact that Alliant had requested the permit after the project was halfway complete already. Otto agreed and emphasized how it's important to consider the neighborhood with these types of projects, and asked Edelen to keep that in mind in the future to avoid this scenario. Edelen pointed out how the new infrastructure would actually be quieter than the old equipment, and that they recognized the need to be a considerate neighbor. Billingsley inquired further about the need for a Conditional Use Permit and why the request was submitted after work had begun. Dunkelberger clarified how general maintenance work at the substation would not require a Conditional Use Permit, but that the expanded impervious surface and scale of the project justified the need for this neighborhood review.

Hearing no additional questions or comments, Vice Chair Otto called for a motion to close the public hearing.

Motion by Birkenholz, **seconded** by Billingsley. **Voice vote:** Approved 4-0.

Otto expressed her appreciation for Billingsley's thorough review and her appreciation for Edelen's candid approach during the hearing and Alliant's willingness to construct the drainage swale. Trotter stated that he felt the application was approvable and the project could move forward. Otto pointed out how the upgrades to the substation will actually improve compatibility with the neighborhood by reducing the noise, installing more secure and safe infrastructure, etc. Birkenholz agreed and articulated how the upgrades will actually benefit the neighborhood and the community.

Motion by Birkenholz to approve CU24-4: A Conditional Use Permit to allow the proposed rebuild and expansion of the Alliant Energy substation at 2600 N. 4th Ave. E. with a condition to construct a drainage swale on the south side of the property before April 1, 2025, **seconded** by Billingsley. **Roll call vote:** Approved 4-0.

Old/Other Business

None.

Motion by Billingsley to adjourn the meeting, **seconded** by Birkenholz. **Voice Vote:** approved, 4-0. The meeting was adjourned at 5:28 PM.