

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, March 5, 2025

City Council Chambers, Historic Federal Building

Commissioners Present: Chairperson Matt Mulliganm; Commission Members Martha Christ, Troy Froistad, Carrie Lohrmann, and Rich Russell

Commissioners Excused: Pat Norton and Teri Zuccaro

Commissioners Unexcused: None

Staff Members Present: Shena Moon, Travis Schrobilgen, and Jason Duba

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

MINUTES: Motion by Russell, seconded by Mulligan, to approve the minutes of the February 5, 2025 meeting. Motion carried by the following vote: Aye – Froistad, Lohrmann, Russell, and Mulligan; Nay – none; Abstain – Christ.

ACTION ITEM/SITE DESIGN WAIVER: Application of Wesley Wedewer to waive Site Design Standards within Chapter 13 of the Unified Development Code for property located on Harrison Street.

Wes Wedewer, 406 Wyatt Drive, Peosta, spoke on behalf of the application. He explained that he's requesting to waive the landscape buffer yard requirements by reducing the 10' buffer along Camp Street to 5' in order to make it easier to park for physical therapy patients while maintaining the required number of spaces. He also requested waiving the 7' buffer yard requirement on the north side to maintain a parking space there.

Staff Member Schrobilgen detailed the staff report. He outlined the Unified Development Code design standards regarding the two landscape buffer yards under review and detailed the requested waivers.

Chairperson Mulligan noted that the neighborhood around the subject property doesn't have a lot of landscaping in the parking lot buffers.

Motion by Christ, seconded by Lohrmann, to approve waiving specific requirements of Chapter 13 as submitted. Motion carried by the following vote: Aye – Christ, Froistad, Lohrmann, Russell, and Mulligan; Nay – none.

ACTION ITEM/FINAL PLAT: Application of Joel Callahan to approve the Final Plat of Cedar Ridge Commercial Park.

Joey Callahan, Callahan Construction 7629 Commerce Park, spoke on behalf of the application, stating their request to subdivide the current property into three separate lots.

Staff Member Duba detailed the staff report, noting the submitted Final Plat divides the subject property into three lots in order to develop the apartment complex in three phases with each containing two of the 30-unit buildings, for a total of 180-units. Mr. Duba explained that the Final Plat includes access easements for Lots 2 and 3 since they do not have street frontage on Cedar Cross Road and identified that the Commission will need to waive the street frontage requirement for Lots 2 and 3.

The Commissioners did not have any questions or concerns.

Motion by Lohrmann, seconded by Froistad, to approve the Final Plat of Cedar Ridge Commercial Park subject to waiving the street frontage requirements for Lot 2 and Lot 3. Motion carried by the following vote: Aye – Christ, Froistad, Lohrmann, Russell, and Mulligan; Nay – none.

PUBLIC HEARING/REZONING: Application of Luke and Julie Merfeld to rezone property from R-1 Single-Family Residential to R-4 Multi-Family Residential zoning district.

Julie Merfeld, 10713 Cottingham Road, Merfeld Properties, spoke on behalf of the application. She stated they're seeking to rezone the property to R-4 because they've been trying unsuccessfully to sell the property for over two years. She noted they have heard neighbors' opposition to a previous rezoning request to allow commercial development and higher density residential and so this rezoning is to allow for lower density residential. She stated the R-4 would not allow for a large development such as the 180-unit development at 380 Cedar Cross Road.

Commissioner Russell asked what they had done to market the property for sale. Ms. Merfeld explained that it has been listed as for sale by owner, and they have worked with two realtors. Commissioner Russell asked if there were real estate signs posted, and Ms. Merfeld said there were signs, and the listing is online.

Jessica and Jesse Kemp, 3400 Nightengale Lane, expressed opposition to the request noting that this is the third time the owners have attempted to rezone this property. They stated that the neighbors' concerns regarding traffic, stormwater, noise, and safety previously discussed during the prior rezoning requests have not been addressed for this rezoning request either. They expressed appreciation for their quiet neighborhood that is safe for kids. They expressed concern that R-4 zoning could allow for a major apartment complex, whereas they would welcome single-family development. They said that the area has inadequate infrastructure for apartments with respect to flooding, traffic, vehicles, parking, noise, lights, and foot traffic.

Ellen Dillon, 505 Woodland Ridge, opposed the request, expressing frustration that nothing has been done about traffic problems on Cedar Cross Road, which she feels will get worse with the new 180-unit apartment complex proposed. She stated she believes a traffic study should be conducted for Cedar Cross Road and the subject property and that there are no streetlights along this portion of Cedar Cross Road to control traffic.

Adam and Caitlin Kaiser, 3155 Nightengale Lane, expressed opposition to the request because they don't know what will be developed on the property. They asked the Commission to regulate the impact of potential development on their neighborhood. They felt that multi-family development here wouldn't work, in part because there are no sidewalks and that there won't be enough parking. They expressed concern about the proposed 180-unit development nearby, saying there should be single-family residences here. They expressed appreciation for their neighborhood's blend of country living and access to the city. They stated that noise would be a problem, and the sports complex nearby already creates traffic congestion.

Jerry Jorgensen, 480 Woodland Ridge, opposed the request stating he was in agreement with other comments, and he had concerns about increased traffic and a lack of sidewalks in the area.

Virginia Till, 580 Woodland Ridge, expressed concerns about traffic and the validity of a previous traffic study conducted for the 180-unit development. She asked about the number of businesses on Cedar Cross Road and speculated that truck traffic has increased. She said that there needs to be a traffic signal at the intersection of Cedar Cross Road and Nightengale Lane like the new one at 32nd Street and John F Kennedy Road. She also said that the intersection of Cedar Cross Road, Dodge Street, and John F. Kennedy Road needs improvement.

Luke Merfeld, 10713 Cottingham Road, Merfeld Properties, responded that he appreciates the neighbors' concerns. He said he grew up on the property that is now proposed to be developed for 180 apartment units, and said that there was much less development then, and he wished the area would have remained rural, but Dubuque has grown, and the area is ready for development.

Staff Member Moon provided a report and began by discussing the previously conducted traffic study for the proposed 180-unit apartment complex and its recommendation for widening Cedar Cross and installing a turn lane

She summarized the previous requests to rezone the property. The first was a Planned Unit Development request to allow a 30+ apartment unit development and the second was to rezone to CS Commercial Service and Wholesale. Ultimately, only 595 Cedar Cross Road has been rezoned to CS.

She described the current request to rezone to R-4 Multi-Family Residential. She displayed a table of uses in R-1 and R-4, noting the differences. She acknowledged that one of the previous concerns has been density, and said this zoning would restrict the

maximum number of units per lot to 12. She noted the bulk regulations, including lot area per unit, that come into play. She said there could be various scenarios for reconfiguring the property to develop residential units. She stated that any development would need to meet site plan review requirements, during which the Development Review Team would look at all requirements, such as those related to traffic, sidewalks, and stormwater. The applicant would be required to improve conditions and mitigate impacts.

Staff Member Moon mentioned two letters of opposition that have been received and a letter from adjacent property owner Carol Maas, 3095 Nightengale Lane, asking that her property be taken into consideration.

Commissioner Lohrmann asked about the differences between R-2, R-3, and R-4 districts, including how many units they allow and what building height is allowed. Staff Member Moon explained the allowances in each of those zones, also noting the required lot area per unit. Commissioner Lohrmann asked how multi-family is defined, and Staff Member Moon replied that it's three or more units in one building.

Chairperson Mulligan said that he did not like tying the subject property to the one down the street proposed to have 180-units. He noted that the new traffic signal at 32nd Street and John F Kennedy Road was paid for by the developer. He noted there has been lots of conversation about traffic, and the developer of the property will have to address questions about these impacts and others such as parking, runoff, and sidewalks. He reiterated that construction will not happen immediately, and that rezoning is not a green light to start building. He stated that he thinks this rezoning makes more sense than previous requests.

Commissioner Christ agreed, and said that she understands the neighbors' perspectives, noting that her home had development behind it after they had lived there for many years. She said that the proposed rezoning is a good buffer for the R-1 district.

Commissioner Lohrmann agreed that the subject property needs to be rezoned, though she's not sure whether R-2, R-3, or R-4 would be best.

Commissioner Froistad said that it would be more realistic to have a couple duplexes here or a park but doesn't anticipate the site or the rezoning would allow for giant multi-family apartment complex.

Commissioner Russell stated he believed a 12-plex would fit on 575 Cedar Cross Road and questioned whether this rezoning would allow for a request to rezone to Planned Unit Development in the future. The Commission discussed how that request would need to come before them.

Motion by Christ, seconded by Russell, to approve the rezoning as submitted. Motion carried by the following vote: Aye – Christ, Froistad, Russell, and Mulligan; Nay – Lohrmann.

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: None.

ITEMS FROM STAFF: Planning Services Director Wernimont invited the Commissioners to a planning and zoning workshop held by Iowa State University in April. He also provided an update regarding the update to the Unified Development Code.

ADJOURNMENT: Motion by Russell, seconded by Mulligan to adjourn the March 5, 2025 Commission meeting. Motion carried by the following vote: Aye – Christ, Froistad, Lohrmann, Russell, and Mulligan; Nay – none.

The meeting adjourned at 7:03 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

April 2, 2025

Adopted