

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, September 3, 2025

City Council Chambers, Historic Federal Building

Commissioners Present: Chairperson Matt Mulligan; Commission Members Troy Froistad, Carrie Lohrmann, Pat Norton, Rich Russell, and Teri Zuccaro

Commissioners Excused: Martha Christ

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 Lohrmann, to approve the minutes of the August 6, 2025 meeting. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, and Mulligan; Nay – none; Abstain – Zuccaro.

PUBLIC HEARING/REZONING: Application of Sherry Ehrlich to rezone property located at West 32nd Street from R-1 Single-Family Residential to ORc Office Residential with conditions.

Commissioner Norton recused himself.

Pat Norton, Buesing & Associates, 1212 Locust Street, spoke on behalf of the applicant, Sherry and Rick Ehrlich. He briefly recapped the rezoning request review history from the last month. He said the applicant is now seeking to rezone the property to ORc Office Residential with conditions which they believe would be more appropriate for the property. He noted the lot size is .53 acres and stated that size limits what can be developed on the property, such as building size. He described the surrounding zoning districts and said that zoning changes in gradations in that they transition from high intensity uses to lower intensity uses, and they believe the ORc is a good buffer from more intense uses to the north. He listed the allowed uses in the R-1 district. He explained that the proposed ORc district would strike all uses except general office and single-family dwelling within an existing structure only. He said the owners would like to build an office building, and in the future, it could continue to be an office use, or it could become a single-family dwelling.

Mr. Norton explained under the current R-1 zoning district, the lot could be split into two lots, and each lot could contain a single-family residence and an accessory dwelling unit, which was made possible by recently passed state legislation that permits accessory dwelling units. He explained that this would allow four (4) residential units on the property. He said that this would be a secondary development option for the site, but that the applicant's really desires a real estate office. He said the traffic generated by a realtor's office would be about fourteen (14) trips per day, which is half of what two single-family homes would generate. He noted that the applicant spoke with neighbors to explain their desired plans for the site, and it seems that the neighbors are generally supportive of the general office site plan. He said that he believes that the outreach helped to clear up confusion.

Commissioner Lohrmann asked about the difference between the three site plan layouts provided in the packet. Mr. Norton explained that two of the proposals show possible development under the current R-1 zoning district, which would allow for the subdivision of the existing lot into two lots, and then would allow for development of a single-family dwelling and accessory dwelling unit on each lot. The third site plan shows the applicant's desired site layout under the ORc zoning district, which includes the construction of a 2,000-2,500 square foot realtor's office that looks residential on the south elevation and has parking and signage on the north. He explained that this site design was intended to preserve the residential nature of the neighborhood from the 32nd Street side while also allowing for a general office use.

Ron and Joan Heitzman, 3152 West 32nd Street, spoke regarding the proposed rezoning. She stated that Mr. Ehrlich has reached out to members of the neighborhood and she had a chance to speak with him regarding their development goals for the property. She stated that she had hoped to see a single-family residence on the lot with family activities. She said she's alarmed by the new state law on accessory dwelling units and the possibilities it creates for future development. She said of the three options presented by the applicant, she prefers the office site development because it can't be subdivided or have accessory dwellings, and there would be just one driveway. She wondered if the building could be set back to align with neighboring house. She expressed that this request still leans to spot zoning with the Northwest Arterial as a natural divider, so she expressed concern that approval of the conditional rezoning could be the beginning of erosion into the R-1 zoning district. Despite this, she stated that the office site plan remained the most palatable option. She appreciated that there are verbal agreements from the applicants limiting signage and lighting, and for the planting of greenery between the adjacent house. She said she wants to be good neighbors and have a good relationship with the new neighbors. She stated they were in support of the conditional rezoning as presented.

Willie Kraus, 3155 West 32nd Street, said he is the next-door neighbor, and said that he is going along with the rezoning because it's better to have one building than two on the property.

Vernon Klein, 3063 West 32nd Street, agreed with the comments provided by Mrs. Heitzman.

Staff Member Moon detailed the staff report explaining the history of the request and the remanded direction from the City Council. She explained that the applicant has provided additional information for the Commissions consideration including site exhibits and written correspondence, and that the applicant has made an effort to connect with neighbors regarding the rezoning. She described the project site characteristics noting the lot size of approximately 23,000 acres. She noted the property could be split into two lots based on bulk regulations, which would be a staff level review. She talked about access to the site and the need to work with Engineering. She explained the proposed ORc district would permit only two principal uses on the property including general office and a single-family dwelling within an existing structure only. She explained that this rezoning request did include a revised public notification and that two letters of public input which both appear to support the option with the office to be preferable. She displayed the setbacks on the site shown in the proposals and that the neighboring house is set back further than required.

Commissioner Russell asked if residents of accessory dwelling units have to be related. Staff Member Moon stated that the state code preempts the city code, and it has no owner occupancy or family requirement, and it increases the size allowance for accessory dwelling units.

Commissioner Lohrmann asked about when the new law went into effect and if it essentially permits duplexes in single-family districts. Staff Member Moon replied that it became effective on July 1, 2025 and that the state law does effectively up-zone the R-1 zoning district by allowing more than one residential unit in a single-family residential zoning district. Commissioner Lohrmann asked if a lawsuit had challenged the law yet, and Staff Member Moon stated she was not aware of any at this time. Commissioner Lohrmann asked how ADUs were regulated in Dubuque before, and Staff Member Moon replied that they were allowed with a Conditional Use Permit and had stricter requirements. Staff Member Moon also noted that accessory dwelling units are still required to meet the building code requirements.

Commissioner Lohrmann asked about the concept plan requirements for PUDs. Staff Member Moon replied that PUDs are unique as a concept plan must be provided/approved and that a traditional rezoning, including a conditional rezoning, do not require a concept plan. She noted that a single-family residence and duplex or two-unit townhome would not require does not require site plan review, unlike commercial or multi-family residential development containing three or more units. She also noted a site plan review would be required for the proposed office building. Commissioner Lohrmann expressed mixed feelings about this rezoning request.

Chairperson Mulligan acknowledged the dialogue and the support from neighbors' for the office site layout. He said the site plan provided helps to give a picture of the development and the onsite parking. He expressed that it's similar to Exit Realty's location on Cedar

Cross which abuts residential uses as well. He said he's seen the traffic studies for 32nd Street, which show significant speeding especially at this location. He stated he would support the rezoning.

Motion by Russell, seconded by Zuccaro, to recommend approval of the conditional rezoning as submitted. Motion carried by the following vote: Aye – Froistad, Russell, Zuccaro, and Mulligan; Nay – none; Abstain – Lohrmann.

Commissioner Norton returned to the dais.

PUBLIC HEARING/REZONING: Application of Zoe Zeien to rezone property located at 705 Caledonia Place from R-2A Alternate Two-Family Residential to R-3 Moderate Density Multi-Family Residential zoning district.

Chairperson Mulligan read the memo stating the applicants had withdrawn their application.

PUBLIC HEARING/REZONING: Application of Gregory Williams to rezone property located at the Northwest Corner of Key Way and Keystone Drive from R-2 Two-Family Residential to R-3 Moderate Density Multi-Family Residential zoning district.

Gregory Williams, 1650 Drexel Avenue, spoke on behalf of his request. He stated that he's looking to move into a new house or townhouse on one level. He said he's been looking at vacant lots for sale, and he liked this one, in part because he grew up in this area. He said he's looking to put in a four-unit apartment similar to the others on Key Way, and he intends to be one of the tenants. He described the plans, including the parking lot for the tenants, a garage for him, and that the building would be built on slab construction. He said he's seeking to have apartments rented to help pay the mortgage and provide income. He noted that setbacks use up significant site area. He noted the property is close to utilities, and he may keep the trees. He said he spoke to his neighbor at 1899 Key Way about the project. He discussed the concerns expressed in the letter from the neighbor Randy Williams, owner of apartment building to the north who is concerned about the parking arrangement and headlights directed at his property. Mr. Gregory Williams said he could put shrubs or a fence up to deflect headlights. He stated he also hopes to install solar panels over parking areas. He spoke to the opposition letter that said such a development would be out of place and said there are similar apartments just to the north, so this is not a big jump in density. He said the lot has been empty for a while, and this could increase the value and add affordable units. He acknowledged the traffic early in the morning and after school with Hempstead, so he may consider removing or trimming the tree to improve visibility, and he may remove the fence around the property.

Commissioner Lohrman sought clarification as to why the lot has been assigned an address on the city maps. Staff Member Schrobilgen clarified that the subject lot and the adjacent lot to the west previously operated at on property for Pooh's Corner Day Care. The adjacent lot has since been converted to residential units, and the subject lot has

remained vacant. He stated that the subject lot would be assigned a new address if it is redeveloped.

Raechel Cole, 1896 Key Way Drive, opposed the request stating she is concerned about the aesthetics of the neighborhood with a big four-plex. She said the apartments up the street have a history of police calls and not being maintained, and that she is concerned this would be the case with the proposed four-plex. She said she was concerned about parking and traffic safety. She worried that this would diminish property values.

Mark Hoppmann, 1899 Key Way Drive, acknowledged that Mr. Williams did speak with him. He opposed the request, saying the building would be an eye sore where there has been a nice open vacant lot. He expressed concern about traffic and additional curb cuts. He said he was glad that the other apartments are confined elsewhere.

Mr. Williams responded by saying that he plans to live in the building, so he will have good tenants and manage it well. He responded that the parking and traffic generated by the development shouldn't be significant. He described how far the building would be from the street due to the property line and setbacks. He said he's open to a "no parking" section along the street.

Staff Member Duba detailed the staff report. He described the property use and subdivision history and characteristics, and the surrounding neighborhood. He described traffic, utilities, and stated that a site plan review with the City's Development Review Team would be required for a four-plex. He described the proposed four-plex the applicant intends to construct. He reviewed the permitted uses in the R-2 and R-3 zoning districts and identified the comprehensive plan goals related to this type of development.

Commissioner Lohrmann inquired about the neighboring property uses, and Staff Member Duba replied there's a duplex to the west and the Dubuque Community Church to the east. Commissioner Lohrmann asked how many stories the building would be, and Mr. Williams replied that it would be a two-story building with two units on each floor. Staff Member Schrobilgen said the applicant has gone through a conceptual review with the Development Review Team and identified various site design requirements that would need to be met including landscaping requirements and site access locations.

Commissioner Russell noted that this is a three-way stop intersection, so visibility shouldn't be an issue.

Commissioner Lohrmann stated that it looks like it fits in generally, and the creek provides a buffer, but she's on the fence about her decision. She said it reminds her of the Cedar Cross Road rezoning previously considered by the Commission.

Chairperson Mulligan referred to the paragraph about the comprehensive plan goals, which promote infill such as this. He said there is a lot of multi-family in the area. He said with the two accesses, no one will be backing out of the driveway onto the street. He stated that he's in support of the request.

Commissioner Russell asked if the parcel could be divided into two R-2 lots, and Staff Member Schrobilgen replied yes but some special approvals may be necessary to construct duplexes on one of the lots if subdivided.

Motion by Norton, seconded by Zuccaro, to recommend approval of the rezoning as submitted. Motion carried by the following vote: Aye – Froistad, Norton, Russell, Zuccaro, and Mulligan; Nay – Lohrmann.

PUBLIC HEARING/REZONING: Application of Frank Washington to rezone property located at 2306 Central Avenue from C-2 Neighborhood Shopping Center to C-1 Neighborhood Commercial Zoning district.

Chairperson Mulligan reviewed the memo about this request and questioned what action is required from the Commission. Staff responded that they understood the applicant wanted to pursue the rezoning, however, between the agenda creation and Commission meeting, the applicant did not follow through with submitting the application and materials. Staff clarified that no action is required from the Commission.

PUBLIC HEARING/REZONING: Application of the City of Dubuque to rezone property located at 1550 Elm Street from HI Heavy Industrial to C-4 Downtown Commercial zoning district.

Staff Member Moon, spoke on behalf of the City's application. She displayed a map of the property. She noted the rezoning request is perhaps for a community health center. She noted the HI district allows more intense uses and is generally not an ideal zoning district for downtown. She said the rezoning would be a continuation of the C-4 district to the north and that the C-4 district would allow for commercial and residential uses better suited for downtown area. She noted there has not been any conceptual review for development on the site to-date.

There was no public input.

Commissioner Russell asked if both buildings on the site would be used for the health center. Staff Member Moon stated she was not sure of the specific development plans or the state of the buildings with respect to revitalization of the buildings.

Commission Lohrmann questioned whether it was two lots being rezoned. Staff Member Moon stated that yes, it is two lots.

Motion by Mulligan, seconded by Zuccaro, to recommend approval of the rezoning as submitted. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: None.

ITEMS FROM STAFF:

Election of officers

Motion by Russell, seconded by Norton, to elect Commissioner Mulligan as Chairperson of the Zoning Advisory Commission. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, and Zuccaro; Nay – none; Abstain – Mulligan.

Motion by Mulligan, seconded by Zuccaro, to elect Commissioner Russell as Vice Chairperson of the Zoning Advisory Commission. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

Motion by Zuccaro, seconded by Mulligan, to elect Commissioner Norton as Secretary of the Zoning Advisory Commission. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none; Abstain – Norton.

Amend Bylaws

Motion by Lohrmann, seconded by Russell, to amend the Zoning Advisory Commission bylaws to hold election of officers in September, rather than July. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

Staff Member Moon reminded commissioners of the upcoming Board and Commission Picnic and the ongoing Unified Development Code update.

ADJOURNMENT: Motion by Russell, seconded by Mulligan to adjourn the September 3, 2025 Commission meeting. Motion carried by the following vote: Aye – Froistad, Lohrmann, Norton, Russell, Zuccaro, and Mulligan; Nay – none.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

October 1, 2025

Adopted