

City of Decorah
Planning and Zoning Commission
Monday, August 13, 2018 – 7:00pm
Meeting Minutes

Members present included: Llew Jenkins (via FaceTime), Stan Moellers, Barbara Massman, Tony Clarke, Joel Zook, Nathan Thompson, and Brian Cook.

Others present: Zoning Administrator / City Manager Chad Bird, City Attorney John Anderson and City Engineer Lindsay Erdman.

Consider approval of minutes from the June 11, 2018 and the July 18, 2018 meetings
Motion by Massman and seconded by Moellers to approve the June 11, 2018 and the July 18, 2018 minutes as presented.
Roll call vote: Unanimous, motion passed.

Consider setting a public hearing on rezoning of property; Echo Development and Randall Olson, Decorah Business Park, Sweet Parkway property, a parcel from annexation to R-3 Multiple – Family Residential District, and a parcel from C-5 Office Park Commercial to R-3 Multiple – Family Residential District - September 10, 2018 at 7:10pm
Motion by Zook and seconded by Moellers to approve setting the public hearing on rezoning of property; Echo Development and Randall Olson, Decorah Business Park, Sweet Parkway property, a parcel from annexation to R-3 Multiple – Family Residential District, and a parcel from C-5 Office Park Commercial to R-3 Multiple – Family Residential District Monday, September 10, 2018 at 7:10pm.
Roll call vote: Unanimous, motion passed.

Consider C-3 Commercial Design Review re: 205 Court Street, *Saint Benedict's Church Building* – sign

Bird reviewed the application and noted St. Ben's is nearing completion of the addition and improvements to the church building at 205 Court Street. He said a new sign on the East elevation of the building was proposed in the original building plans and site plan approval by P&Z (July 10, 2017) and city council (July 17, 2017). Bird confirmed the sign meets all applicable C-3 Central Commercial Business District regulations.

Motion by Moellers and seconded by Clarke to approve the C-3 Design Review application for 205 Court Street, for Saint Benedict's Church.
Roll call vote: Unanimous, motion passed.

Consider C-3 Commercial Design Review re: Bank of the West, *120 West Water Street and 405 Heivly Street* – signs at both locations

Bird reviewed the Bank of the West application and noted the bank is completing an entire rebranding of their signage on both the drive-thru location at 405 Heivly Street and the main branch on 120 West Water Street.

He stated the freestanding pole sign (at Heivly Street) is the existing sign and is just receiving new "skins". The time and temp will be removed and not replaced. The sign is 33sq ft on each side, maximum is 50sq ft.

Bird confirmed the non-conforming uses include the pole being 11' - 1.5", short of the minimum 12' to the bottom of the sign. Code section 17.96.030 also states no more than two sides may be used for advertising. He stated the pole has been in place many years and is not being disturbed, except for the proposed new skins.

Bird provided a review of the signs on the permit; Heivly Street drive-thru is getting one new sign on the East side of the building. It is 9.9sq ft. The West Water Street signs are less than 20% of the total elevation to which they are attached.

Bird confirmed the signs meet all applicable C-3 Central Commercial Business District regulations.

Motion by Zook and seconded by Thompson to approve the C-3 Design Review application for 120 West Water Street and 405 Heivly Street for signs for Bank of the West.

Roll call vote: Unanimous, motion passed.

Consider C-3 Commercial Design Review re: 300 West Water Street, *Blue Heron Knittery* – sign

Bird noted the *Blue Heron Knittery* is applying for this blade sign at their location in the C-3 district. The blade sign is proposed at 3sq ft. He confirmed the sign must be mounted at least 8 feet from the sidewalk surface.

Motion by Massman and seconded by Clarke to approve the C-3 Design Review application for 300 West Water Street for a blade sign for *Blue Heron Knittery*.

Roll call vote: Unanimous, motion passed.

7:10pm

Public hearing on rezoning of property; Aase Haugen Properties, 4 Ohio Street property at West Highland Drive, a parcel from H-M Hospital Medical District to R-3 Multiple – Family Residential District

Bird noted this approximately one-acre property would be added to the Massmans' proposed preliminary plat just to East and adjacent to this property.

Lori Stanley, 1008 Nordic Drive

Stated she is concerned about the potential increase in traffic and congestion in this area.

Bird stated there is a transportation study being conducted by the city.

Mark Faldet, 407 West Broadway

Stated he owns property on 100 Locust Road and has concerns about zoning and overall planning for this area.

Cook closed the public hearing at this time.

Consider **Resolution No. 2018-07**, a request for rezoning of property; Aase Haugen Properties, 4 Ohio Street property at West Highland Drive, a parcel from H-M Hospital Medical District to R-3 Multiple – Family Residential District

Zook noted that this rezoning and the addition of this parcel to the Massman project may actually help with some of the traffic and storm water concerns mentioned during the preliminary plat review.

**Motion by Clarke and seconded by Moellers to approve the rezoning of property; Aase Haugen Properties, 4 Ohio Street property at West Highland Drive, a parcel from H-M Hospital Medical District to R-3 Multiple – Family Residential District.
Roll call vote: Unanimous, Massman abstained. motion passed.**

Consider **Resolution No. 2018-05**, a request for rezoning of property; David & Julie Olson, 1006 Woodside Court property parcel from C-2 General Retail & Service Commercial Zoning to R-2 Single – Four-Family Residential Zoning

As this item had been previously discussed and Bird noted it was to correct inconsistencies with the legal description and plat, there were no further comments from the commission.

**Motion by Zook and seconded by Thompson to approve the rezoning of property; David & Julie Olson, 1006 Woodside Court property parcel from C-2 General Retail & Service Commercial Zoning to R-2 Single – Four-Family Residential Zoning
Roll call vote: Unanimous, motion passed.**

Consider **Resolution No. 2018-06**, a request for rezoning of property; *Menard, Inc.*, 1780 Old Stage Road / Co Rd A52 parcel(s) from F-1 Floodplain Zoning to C-1 Highway Commercial Zoning or C-4 Shopping Center Commercial Zoning

Cook asked the commission members to comment on their review of the rezoning request.

Moellers opened the conversation by stating that he believed the comp plan is pretty clear on the issue and supports the rezoning application.

Zook noted he believes the comp plan Future Land Use Map to be vague. He stated it seems incomplete, only showing about 500 feet of the proposed site as out of the flood zone on the Future Land Use Map. Zook noted he tried to balance the comp plan chapter six (Hazards) with the chapter nine (Land Use) discussions.

Thompson believes Zook's comments are supported on pages 114 and 115 of the Comp Plan. Thompson spoke about these pages and stated the plan notes "The protection of the floodplains of the Upper Iowa River, Dry Run, Trout Run Creek and other tributary stream channels, and embankments from incompatible development will be given high priority."

Zook noted that in chapter six, map of the flood plain, the site is about one-third outside the comp plan flood plain site.

Clarke and Massman both questioned the traffic congestion issues. Lindsay Erdman, city engineer, noted the traffic is mostly along the Hwy 9 corridor.

Thompson spoke about section 6.3 which covers protection of the floodplains and stated it appears twice in the full comp plan. He says this speaks to him that protection of the floodplain is a broader goal.

In discussion regarding preservation of ag lands, several commissioners noted that this is an important tenant of the comp plan. Zook noted the CSR for this land is over 65, slightly higher than the county average.

Tyler Edwards and Bird read the DNR letter setting the elevation at 847.5'.

Zook noted the site does offer protection from wind and soil erosion. He further stated this application and site seems to offer a mixed bag for urban development and he stated the purported retail synergy makes sense to him.

Zook noted that the business park area further East seemed to make more sense. Cook added that it really doesn't as the area was designed and planned more for commercial and business and not retail uses.

Clarke stated he believes the traffic issues have been resolved in the site plan and the development agreement.

Massman noted that item six (safety from fire and flood) on the zoning worksheet appeared to be covered in the Flood Center Report. Cook concurred.

Clarke stated he didn't believe item eight applies to this application.

Cook made a statement in support of the application noting that the applicant has moved the bike trail at the city's request and is not asking for any incentives or other local financial support or tax dollars for the project.

Zook asked the rest of the commission to consider the last five items on the review worksheet as one set or block of issues to review.

Moellers noted the Smart Planning principles are part of the comp plan.

Thompson asked about the Flood Center Presentation. Bird noted the presenter indicated there was minimal to no impact for a river length of approximately 5,000 feet. This represented about a 1.3-inch rise in the river from the fairgrounds area upstream to about 300 feet downstream of the project development site.

Moellers referred to the Iowa State University Extension class on zoning that noted amendments should be consistent with the plan, in harmony with the land uses, and provide the landowners a notable return. He believed this project meets that criteria.

Zook reiterated about the comp plan and believed that the prevailing issue is to restrict development in the flood plain. He asked about the cumulative effect of this development and others.

Jenkins noted that planning is a key element of this board and should be for the community. She believes the business park was built for planning purposes and feels the Menards project should be directed to the business park area.

Zook reiterated his statement that he is concerned about the cumulative effects of development.

At this point, Cook called for the question.

Motion by Cook and seconded by Clarke to approve the rezoning of property; Menard, Inc., 1780 Old Stage Road / Co Rd A52 parcel(s) from F-1 Floodplain Zoning to C-1 Highway Commercial Zoning or C-4 Shopping Center Commercial Zoning

Roll call vote:

Cook – yes

Clarke – Yes

Zook – No

Jenkins – No

Moellers – Yes

Massman – No

Thompson - No

Motion fails 3 votes to 4.

Consider Preliminary Development Agreement, re: 1780 Old Stage Road / Co Rd A52, Menard, Inc.

Bird noted this development agreement is intended to record the final details of the site plan. It will also record those items that are intended for application and review to the Board of Adjustment.

The agreement is labeled as preliminary because there still may be items amended through the city council approval review.

Motion by Cook and seconded by Zook to approve the preliminary development agreement, re 1780 Old Stage Road / Co Rd A52, Menard, Inc.

Roll call vote: Unanimous, motion passed.

Consider Preliminary Site Plan Review re: 1780 Old Stage Road / Co Rd A52, Menard, Inc.

Bird stated while the preliminary development agreement reviews many of the key points agreed to, approved, or still being negotiated, this is the official site plan approval action item as called for

in city code section 17.36. The commission is to review the plan for conformance to the code and make a recommendation to the city council.

Motion by Moellers and seconded by Cook to approve the preliminary site plan review, re 1780 Old Stage Road / Co Rd A52, Menard, Inc.

Roll call vote: Ayes, Moellers, Cook, Thompson, Massman, Clarke, and Zook. Nays, Jenkins. Motion passed.

At this point in the meeting it was apparent Jenkins had lost phone connection as was no longer in the meeting.

Consider the sale of city or public property re: *2072 State Highway 9 (.27 acres)*
Pursuant to City Code Section 2.26.030; To make recommendation to the city council in every instance where the city of Decorah proposes to sell city-owned real estate. Said recommendation must be made to the city council prior to the sale of any city-owned real estate.

Motion by Clarke and seconded by Moellers to recommend approval of the sale of city or public property re; 2072 State Highway 9.
Roll call vote: Jenkins, absent. Unanimous. Motion passed.

Consider final plat of Scenic View Estates; Thirteenth addition
Bird noted that the lots noted as six and seven should be separated and redefined. Mr. Steve Downing noted that sidewalks are mentioned in the plat covenants and will be constructed.

Motion by Moellers and seconded by Cook to recommend approval of the final plat for Scenic View Estates, Thirteenth Addition.
Roll call vote: Jenkins, absent. Unanimous. Motion passed.

Consider preliminary and final re-plat of Lot 1 and Lot 5 of Scenic View Estates; Ninth addition

Motion by Zook and seconded by Thompson to recommend approval of the preliminary and final plat for a replat of Scenic View Estates, Ninth Addition.
Roll call vote: Jenkins, absent. Unanimous. Motion passed.

Other business

There being no other business, the meeting was adjourned at 8:38pm

Respectfully submitted,



Chad A. Bird
City Manager
Zoning Administrator