

City of Decorah  
Planning and Zoning Commission  
December 14, 2020 – 7:00pm  
Meeting Minutes

Electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where such a meeting is impossible or impractical due to concerns about COVID-19 and social distancing for the safety of commission members and the public.

In support of Iowa Governor Kim Reynolds' proclamation declaring a State of Public Health Disaster Emergency in Iowa, the current COVID-19 situation makes it "impossible and impractical" to meet in one location. Due to this the Decorah City Hall was partially closed to the public for the December 14, 2020 Planning & Zoning Commission meeting. Seating was limited to ensure distancing. The public was invited to participate via electronic means.

Members present included: Jared Essa, Nathan Thompson, Ryan Delaney, Terri Byrnes, Tony Clarke, Marla Klocke, and Joel Zook, *via Zoom*.

Others present: City Attorney John Anderson and various citizens logged into the Zoom platform (~10).

*The Zoom link connection video was intermittent. Audio was connected consistently throughout the meeting.*

Consider approval of minutes from the November 9, 2020 regular meeting and December 1, 2020 work session meeting.

**Motion by Zook and second by Klocke to approve the minutes from the November 9, 2020 regular meeting and the December 1, 2020 work session meeting.**

**Roll call vote: Ayes, unanimous.**

**Motion passed.**

#### 7:00pm – public hearing

Public hearing on zoning code amendments, Chapter 17.52 – Zoning; parking spaces in the City of Decorah

*Bird reviewed the discussions behind the proposed code amendments. He noted staff is recommending updated language to better reflect current practice, to align some of the sub-sections and language with Statewide Urban Design and Specifications (SUDAS), and to modernize some of the design standards. He noted the last revision, generally, was in 1993.*

*Clarke opened the public hearing portion of the meeting. There were no public comments in person or in writing received.*

*There was some general commission discussion, Bird also noted comments from the city engineer in regard to presenting clearer language for SUDAS reference.*

*Clarke closed the public hearing portion of the meeting.*

Consider **Resolution No. 2020-10**, on zoning code amendments, Chapter 17.52 – Zoning; parking spaces in the City of Decorah

*Zook asked about church parking spaces and asked if the commission would consider lifting any requirements for off-street parking for churches.*

*Bird noted there have not been many site plan reviews or submittals for churches and wondered if the Board of Adjustment would be the best place for such requests if a church facility could not meet code.*

*Delaney lobbied to keep the church requirements as they are listed and cautioned that there could be a church facility that comes along with more frequent meeting schedules than traditional Sunday churches and that situation could cause undue hardship on neighborhood streets.*

*Zook questioned section 020 E and asked for clarification of the residential driveway parking. Through discussion, the commission agreed to add "per dwelling unit" to the last sentence in the sub-section.*

**Motion by Zook and second by Essa to recommend approval of Resolution No. 2020-10, zoning code amendments, Chapter 17.52 – Zoning; parking spaces in the City of Decorah**  
**Roll call vote: Ayes, unanimous.**  
**Motion passed.**

**public hearing**

Discussion on a Right-of-First Refusal document for land along Old Stage Road and in Section 14 and Section 23, Township 98 North, Range 8 West of the Fifth P.M., all within the City of Decorah, Winneshiek County, Iowa

*Clarke opened the public hearing portion of the meeting. There were no public comments received in writing.*

*Bird and Anderson reviewed the right-of-first refusal (RoR) and outlined the provisions in the agreement for the public. They noted the agreement puts the City in first position to be eligible to purchase the land. Bird noted the city is interested in the land as possible flood mitigation and wetland protection to off-set potential, real or perceived, influences of development of the other land owned by the land owners. Bird noted the city is interested in approximately 135 acres of floodway and floodplain lands for these flood mitigation purposes.*

*Anderson added the city is not interested in nor would they pursue the land designated for commercial development. Anderson also clarified the RoR is for any amount of land, in large or small increments until all the land has been purchased or refused by the city.*

*Ardith Anderson, 706 East Water Street commented that she doesn't see the value in the city pursuing this agreement or project. She asked why this is coming up again.*

*Linda Peterson, 1752 252<sup>nd</sup> Street, Decorah asked for clarification about what this project is about and also asked why again and why now? She said nothing has changed and flooding will most certainly continue.*

*Tade Kerndt, representing the Dahlen Family stated this agreement allows the city to consider purchase of the land around the commercial property for mitigation efforts. He reviewed some of the sections of the agreement and clarified the appraisal language.*

*Clarke closed the public hearing portion of the meeting.*

*In commission discussion, Thompson asked about the City's capacity to actually purchase the land should it become available. He noted he struggles with the City's ability to fund this proposal.*

*Bird replied he would envision grants, foundations, and investors / benefactors all contributing in partnership to the plan. He also noted the land didn't need to be all purchased at one time.*

*Zook asked Kerndt if there could be a number of acres to set aside now for development as a test / pilot or show of good faith from the family.*

*There was brief conversation about the length of time the RoR is valid and Kerndt noted ten years.*

Discussion on a conditional rezoning agreement for land along Old Stage Road and in Section 14 and Section 23, Township 98 North, Range 8 West of the Fifth P.M., all within the City of Decorah, Winneshiek County, Iowa

*Clarke opened the public hearing portion of the meeting for this specific agreement. There were no new comments.*

*The conversation continued from the agenda item above.*

Steve Zittergruen, 501 Leif Erickson Drive, asked about the site plan development agreement process and what items might be negotiated in such an agreement. Could flood mitigation land be negotiated in such an agreement?

Anderson stated site amenities and associated infrastructure could be negotiated into a site development agreement but such items must be affiliated with the site plan.

Clarke closed the public hearing and discussion and urged commission members to pass along any further questions to Bird before the January 11, 2021 agenda and action.

Consider a request for rezoning of property; Allan J Dahlen and Patricia J Dahlen, for land along Old Stage Road and in Section 14 and Section 23, Township 98 North, Range 8 West of the Fifth P.M., all within the City of Decorah, Winneshiek County, Iowa parcels from F-1 Floodplain to C-4 Shopping Center Commercial and setting a date for a public hearing January 11, 2021 at 7:00pm

**Motion by Zook and second by Klocke to set a public hearing on a request for rezoning of property; Allan J Dahlen and Patricia J Dahlen, for land along Old Stage Road and in Section 14 and Section 23, Township 98 North, Range 8 West of the Fifth P.M., all within the City of Decorah, Winneshiek County, Iowa parcels from F-1 Floodplain to C-4 Shopping Center Commercial for Monday, January 11, 2021 at 7:00pm.**

**Roll call vote: Ayes, unanimous.**

**Motion passed.**

Consider purchase of property at 701 Maple Avenue

*Bird provided an overview of the plan to purchase property at this address. He noted the proposal is to have the city consider buying the house and demolish it in favor of cleaning up the lot and making it available for resale for redevelopment into affordable housing.*

*Bird said in the worse case scenario the lot would be cleaned up and rid of a nuisance property and in the best-case scenario, the lot would be redeveloped into an affordable home.*

*The commission held conversation and generally agreed with the plan.*

**Motion by Clarke and second by Delaney to endorse the zoning administrator's proposed plan to purchase 701 Maple Avenue to abate a nuisance property and explore redevelopment into affordable housing.**

**Roll call vote: Ayes, unanimous.**

**Motion passed.**

Other business

- a. *Mural discussion committee*  
*Bird noted the Historic Preservation Commission is interested in meeting with P&Z about possible community regulations and standards.*
- b. *Board of Adjustment year in review*  
*Bird provide an overview of the Board's action over the year – 2020.*
- c. *Update on C-3 enforcement issues*  
*Bird provided an update on an enforcement letter he sent re; 421 West Water Street*

Other business

There being no other business, the meeting was adjourned at 8:30pm

Respectfully submitted,



Chad A. Bird  
City Manager  
Zoning Administrator