

City of Decorah
Planning and Zoning Commission
November 9, 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 November 9, 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, Ryan Delaney, Terri Byrnes, Tony Clarke, Marla Klocke, and Joel Zook.

Absent: Nathan Thompson

Others present: Various citizens logged into the Zoom platform.

Consider approval of minutes from the October 12, 2020 regular meeting

Motion by Zook and second by Klocke to approve the minutes from the October 12, 2020 regular meeting.

Roll call vote: Ayes, unanimous.

Thompson absent.

Motion passed.

Consider C-3 Commercial Design Review re: 228 East Water Street, *Beautistry by Eileen, LLC; sign, façade paint and awnings*

Bird noted the applicant is proposing to add small awnings over the small windows, paint the entire building, and install a monument sign in the front corner of the lot (corner of Riverside and Water Street). He noted the proposed improvements, especially the sign, appear to meet code requirements for the C-3 District. 50sq feet, each side.

Bird also noted the Historic preservation Commission reviewed the application and is recommending approval.

Clarke noted the proposed improvements would make a marked difference in the appearance of the building.

There were no other commission comments.

Motion by Klocke and second by Essa to recommend approval of the C-3 Commercial Design Review re: 228 East Water Street, *Beautistry by Eileen, LLC; sign, façade paint, and awnings.*

Roll call vote: Ayes, unanimous.

Thompson absent.

Motion passed.

Consider C-3 Commercial Design Review re: 101 East Water Street, *Broker Leather, sign relocation*

Bird noted the applicant is relocating the business to this new location at 101 East Water Street. He explained the owner is moving the existing sign from the previous location to this new location and mounting the sign on the West side (Washington Street side) of the building. The method of hanging the sign is the same as the Water Street sign for Gracie's, currently at this location on the North side.

Bird also noted the Historic preservation Commission reviewed the application and is recommending approval.

There were no other commission comments.

Motion by Delaney and second by Klocke to recommend approval of the C-3 Commercial Design Review re: 101 East Water Street, Broker Leather, sign relocation
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.

Consider C-3 Commercial Design Review re: 110 Washington Street, *Unique Precision Brow Studio, new / replacement sign*

Bird noted this application is for one new blade sign for this business. He stated the sign will be the same size and shape as others on this building – per the illustrations on the bottom of the graphic in the application.

Bird also noted the Historic preservation Commission reviewed the application and is recommending approval.

There were no other commission comments.

Motion by Zook and second by Byrnes to recommend approval of the C-3 Commercial Design Review re: 110 Washington Street, Unique Precision Brow Studio, new / replacement sign
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.

Consider C-3 Commercial Design Review re: 104 West Water Street, *Silver Birch, new sign*

Bird state this application if for a new / replacement sign above doorway (facia sign). He said the new sign is essentially the same as the old business sign and it appears to meet the C-3 code and is similar to the sign from previous business.

Bird also noted the Historic preservation Commission reviewed the application and is recommending approval.

There were no other commission comments.

Motion by Essa and second by Delaney to recommend approval of the C-3 Commercial Design Review re: 104 West Water Street, *Silver Birch, new sign*
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.

Consider a site plan re: 1600 Prosperity Road, *Rush Holdings, LLC, accessory structure to a commercial building*

Bird presented the application for Rush Holdings / Toppling Goliath as they propose construction of a warehouse facility just East of the existing, main facility. Bird said he and City Engineer Bril have reviewed the site checklist and had few comments and no significant site layout changes because of the proposed addition of the new warehouse facility.

Bird said the application packet shows the details and the site plan has been reviewed and approved by the Decorah Jobs, Inc. site review committee and a letter is attached.

There were no other commission comments.

**Motion by Zook and second by Klocke to recommend approval of a site plan re: 1600 Prosperity Road, Rush Holdings, LLC, accessory structure to a commercial building.
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.**

Consider a site plan re: 308 Sumner Street, *Winneshiek County Agricultural Association, new commercial building*

Bird noted the Winneshiek County Ag Association / Fair Board is proposing to demolish and remove six existing structures from the Fairgrounds in favor of construction of a new community building with concessions and restroom facilities.

He reviewed some of the site plan notes but indicated the Fair Board wished the item tabled for the time being.

There were no other commission comments.

**Motion by Clarke and second by Delaney to recommend tabling a site plan application re: 308 Sumner Street, Winneshiek County Agricultural Association, new commercial building.
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.**

7:00pm – public hearings

Public hearing on zoning code amendments, Chapter 17 – Zoning; related to storage containers in the City of Decorah

Bird reviewed some of the history on this proposed code amendment. He noted other boards and commissions had recently engaged in conversation about these structures in the community and asked Bird to review possible code language to govern and regulate their use.

Bird reviewed changes previously discussed by the commission; grandfathering and permitting processes and timelines being the most pressing matters.

He asked Chair Clarke to ask for public input.

There were no public comments.

Consider **Resolution No. 2020-09**, on zoning code amendments, Chapter 17 – Zoning; related to storage containers in the City of Decorah

In Commission discussion it was noted the Commission wanted to allow grandfathering and to be sure to amend the language.

**Motion by Zook and second by Essa to approve Resolution No. 2020-09, on zoning code amendments, Chapter 17 – Zoning; related to storage containers in the City of Decorah.
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.**

Public hearing on zoning code amendments, Chapter 17.68; 17.72; 17.76 – Zoning code; residential definitions, dwellings, room houses, boarding houses in the City of Decorah

Bird reviewed this section and noted it is an effort to update the section to be in line with the new rental licensing codes recently adopted. He noted that, while his proposed amendments are minor, he wanted the commission to have the opportunity to consider the entire "R" sections during this review.

There was general discussion about removing subsection "K" in relation to agricultural practices and the commission wondered why Ag practices should be allowed to continue in residential districts. Initial recommendation of the commission is to repeal subsection "K".

There were no other public or commission comments.

Consider **Resolution No. 2020-11**, on zoning code amendments, Chapter 17.68; 17.72; 17.76 – Zoning code; residential definitions, dwellings, room houses, boarding houses in the City of Decorah

Motion by Delaney and second by Byrnes to approve Resolution No. 2020-11, on zoning code amendments, Chapter 17.68; 17.72; 17.76 – Zoning code; residential definitions, dwellings, room houses, boarding houses in the City of Decorah.

Roll call vote: Ayes, unanimous.

Thompson absent.

Motion passed.

Public hearing on zoning code amendments, Chapter 17.140 – Floodplain Management Ordinance 17.120 – F-1 Floodplain District in the City of Decorah

Bird noted the recommendations highlighted for this section come from FEMA, through the DNR representatives. He noted the proposed sections are amended to bring the older code sections in to alignment with the pending Flood Insurance Rating Map (FIRM) adoption which is expected late in 2020.

There were no comments from the public or the Commission.

Consider **Resolution No. 2020-12**, on zoning code amendments, Chapter 17.140 – Floodplain Management Ordinance 17.120 – F-1 Floodplain District in the City of Decorah

Motion by Clarke and second by Klocke to approve Resolution No. 2020-12, on zoning code amendments, Chapter 17.140 – Floodplain Management Ordinance 17.120 – F-1 Floodplain District in the City of Decorah.

Roll call vote: Ayes, unanimous.

Thompson absent.

Motion passed.

Consider *re-setting* a public hearing on zoning code amendments, Chapter 17.52 – Zoning; parking spaces in the City of Decorah; *December 14, 2020 at 7:00pm*

Bird explained that he had not had a chance to publish notice of the hearing and revisions to the ordinance. He asked the Commission to consider resetting the hearing.

Motion by Essa and second by Klocke to approve re-setting a public hearing on zoning code amendments, Chapter 17.52 – Zoning; parking spaces in the City of Decorah; December 14, 2020 at 7:00pm.

Roll call vote: Ayes, unanimous.

Thompson absent.

Motion passed.

Discussion and possible action 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, Iowa

Bird reviewed the documents with the Commission and noted the City has been in negotiations with the landowner and their representative about a first-right of refusal to purchase land and a conditional rezoning agreement, both attached for review, discussion, and action.

Bird explained the right of refusal would propose the City is in the first position to consider purchase of up to, or all of approximately 149 acres of low-land farm or floodplain grounds. No obligations.

One aspect of the right of refusal would be to position the City such that the land might be better controlled, long-term, for wetland mitigation or floodplain preservation and set aside (consider long term planning in this deliberation).

Bird explained the second document is a conditional rezoning agreement that:

The Applicant will agree to the condition on rezoning of the Development Property that if the City of Decorah approves of rezoning of the Development Property, that the City Council approval is subject to, and conditioned on, approval by the City of Decorah Board of Adjustment granting a special exception for the placement of fill for the Development Property within 2 years of the final reading of the ordinance approving rezoning of the Development Property to C-4 Shopping Center. If the Board of Adjustment does not approve a fill permit for the Development Property within said time period, any conditional rezoning of the Development Property shall lapse and the Development Property will remain zoned F-1. During the pendency of the Board of Adjustment fill permit process, the property shall remain zoned F-1.

Bird recommend the Commission should consider each action as a separate item, and in the case of the conditional rezoning application, if so appropriate and agreeable, set a date for a public hearing on the matter – December 14.

The Commission had many questions about the documents and proposal and asked Bird to schedule a work session with the City Attorney to review the information in more detail.

Clarke and Delaney moved for action on the right-of-first refusal but the Commission defeated the motion by asking for more time to review and pending the work session to be held prior to the next Commission meeting.

Discussion and possible action 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, Iowa and setting a public hearing on zoning code amendments, for rezoning for the Development Property from F-1 Floodplain to C-4 Shopping Center Commercial in the City of Decorah; *December 14, 2020 at 7:00pm*

Motion by Clarke and second by Delaney to approve setting a public hearing on zoning code amendments, for rezoning for the Development Property from F-1 Floodplain to C-4 Shopping Center Commercial in the City of Decorah; December 14, 2020 at 7:00pm
Roll call vote: Ayes, unanimous.
Thompson absent.
Motion passed.

Other business

There being no other business, the meeting was adjourned at 8:10pm

Respectfully submitted,



Chad A. Bird
City Manager
Zoning Administrator