

MINUTES

MASON CITY PLANNING & ZONING COMMISSION
In Person Meeting
Tuesday, January 14, 2025, 7:00 pm

Item 1: Call to Order and Roll Call

Coffey called the meeting to order at 7:01 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

Item 2: Approval of Agenda

As there were no changes, the agenda was adopted as submitted.

Item 3: Approval of Minutes

Minutes of the Tuesday, June 11, 2024 meeting

As there were no changes, the minutes were adopted as submitted.

Item 4: Changes of Zone

4.1 RZ2025-01- City of Mason City: a request for the rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.

Van Steenhuyse gave the staff report.

Request: Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

Background: The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

Neighboring development and zoning: The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's

Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122.

Analysis: The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

Comprehensive Plan: Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed-Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

Spot Zoning: Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning

challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

Public Comment: Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

Requested Action: Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:08 PM. Public hearing closed at 7:09 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

4.2 RZ2025-02- City of Mason City: a request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

Van Steenhuysen informed the Commission that an address of 508 N. Delaware Ave. has been established since this application was initially submitted.

Sandahl gave the staff report.

Request: Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

Background: The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east ¾ of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

Neighboring development and zoning: The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally nonconforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

Analysis: The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. (Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

Comprehensive Plan: Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as

“Commercial Mixed Use with Downtown Policy Area.” Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed-Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily nonresidential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan and reads: “Define strategies to leverage downtown assets for new uses of underused spaces.” The proposed rezoning is in a sub-area identified as a “support district”. The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses. Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: “Target neighborhoods and corridors to pursue infill development and connectivity.” The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

Spot Zoning: Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

Public Comment: Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

the property. To date, staff has not received any comments either for or against the proposed rezoning.

Requested Action: Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:16 PM.

Jeff Bergo-40 River Heights Dr. - stated that he has a three-plex just east of Stebens Children's Theatre and that he thinks the City is maximizing the amount of space by proposing four stories, as opposed to three. He went on to say that, from a parking standpoint, he doesn't feel it's advisable or possible in this area/zoning district. Mr. Bergo stated that he feels from a safety standpoint, access to the property from US 65, especially dealing with the curve, poses concerns as well.

Public hearing closed at 7:19 PM.

Van Steenhuyse clarified that, unlike the downtown Z5 Central Business zoning district that Mr. Bergo referenced in his comment, the proposed Z4 Multi-Use District does have parking requirements that the development will need to meet. He went on to explain that the proposed site plan(s) includes underground as well as surface parking.

Worden moved to recommend approval to the City Council for the Change of Zone. Wessman seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

4.3 RZ2025-03- Gregory Gomery: a request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

Sandahl gave the staff report.

Request: Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5

Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

Background: The property that is the subject of this rezoning request lies on the north side of 2nd St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2nd St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

Neighboring development and zoning: The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

Analysis: The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

Comprehensive Plan: Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goal of the Commercial Mixed-Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

Spot Zoning: Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

Public Comment: Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

the property. To date, staff has not received any comments either for or against the proposed rezoning.

Property Owner Comments: Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

Requested Action: Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:27 PM.

Gregory Gomery-132 2nd St. SE, Mason City, IA 50401- stated that he bought the house as a duplex and then fixed it up and converted it into a single-family home. He went on to explain that he did have an offer from someone to purchase the property and that the appraiser that researched the property discovered the zoning of the property created a conflict when it comes to the sale of the property. Mr. Gomery stated that the offer was pulled due to the zoning concerns. He just got a job in Kansas and needs to move and would like to get the property sold as smoothly and as soon as possible.

David Lee-202 2nd St. SE, Mason City, IA 50401- asked if this rezoning will possibly have a negative effect on what he can do with his property in the future. Sandahl explained that he would have additional options under the Z3 District. Mr. Lee asked for verification regarding whether or not this rezoning will actually improve his ability to possibly sell the property in the future. City Staff stated that rezoning to Z3 General Urban District could help Mr. Lee sell his property in the future.

Jordan Rose-Real Estate Agent- 2227 19th St. SW, Mason City, IA 50401- stated that it's his understanding that the property being zoned as Z5 limits Mr. Gomery. Ragan asked Mr. Gomery if there was a house on the block just to the east that sold recently. Mr. Rose and City Staff clarified that there were different and unique circumstances related to that sale and Mr. Rose explained that the house was a duplex at the time. Mr. Gomery stated that he believes the house that was sold was technically a duplex but that it wasn't lived in as such.

Public hearing closed at 7:33 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

Item 5: Miscellaneous

5.1 25-M-01- Permanent Placement of Public Art: a request for the recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

Request: Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission’s recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

Background: Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled “Harmony in Light.” This installation features 19 large stainless-steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called “Resonance.” The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments.

Staff and Utility Comments: Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

Requested Action: Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculptures will have on the extension of public services and utilities; other potential uses of the public property on which the sculptures will be placed; and the potential limits placement of the sculptures may have on the future development of the Community. Staff does not believe that permanent placement of the sculptures would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculptures are an appropriate scale for their settings.

Staff requested that Commission recommend to the City Council that both permanent sculpture installations be approved.

Coffey asked if members of the public buy sculptures and want to place them in their neighborhood, if review of the placement will need to come to the Planning & Zoning Commission. Sandahl explained that typically, yes, if the sculpture will be on public property. Coffey stated that the reason he's asking is because he and his wife purchased a sculpture that he may not vote on if it requires review and recommendation by the Planning & Zoning Commission as it may be a conflict of interest to do so. He then asked if he could request that the sculpture be placed in a specific location. Sandahl explained that he would be able to request the location for the placement of the sculpture.

Kristy King- Bergland + Cram-115 S Delaware Ave, Mason City, IA 50401- stated that the Riverwalk is a place making development that's meant to organize and improve the pedestrian experience along Willow Creed and through the parking lot of the Mall and that it's also intended to really recognize what's great, unique, and special about Mason City. She went on to say that the overall shape of the Harmony In Light sculpture(s) nods to both a pipe organ & the prairie school design reflecting Mason City's musical and architectural heritage. Coffey asked what the timeline for completion of the installation of the sculptures will be. Ms. King stated that completion of the Riverwalk is slated for late summer and that the sculptures are planned to be installed after construction is completed. Worden asked if the light cast out of the sculpture(s) will overlap. Ms. King stated that that's the intention.

Ryan Hanser-Representative of the Artists- stated that he's delighted that his team out of LA was selected and that he's really happy for Mason City to be activating such a neat piece of public art.

Public hearing opened at 7:45 PM.

Ms. King clarified that the tuning fork placement will be both along the riverwalk and will also extend from the Riverwalk along the planned pedestrian path to the Mall to offer additional lighting.

Public hearing closed at 7:46 PM.

Niedermayer moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

5.2 25-M-02- Permanent Placement of Public Art: a request for recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

Request: Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

Background: Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.

River City Sculptures on Parade is proposing to place a sculpture entitled “Spiral Dance” near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.

Staff and Utility Comments: Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

Requested Action: Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommended that Commission recommend to the City Council that “Spiral Dance” be permanently placed as proposed.

Sandahl clarified some elements of the site plan with the Commissioners. Van Steenhuysen asked for verification of the sculptures color. Sandahl stated it will be coated in white but cast in bronze.

Public hearing opened at 7:50 PM.

Aaron Burnett- stated that the previous sculpture like this one was vandalized and destroyed. He went on to say that the sculpture being cast in bronze will help make this sculpture more durable than the first and that the size of the sculpture will likely help as well.

Public hearing closed at 7:52 PM.

Ragan moved to recommend approval of the text amendment to City Council. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
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Ragain Yes

Worden Yes

Niedermayer Yes

5.3 Discussion: meeting time.

City Staff and the Commission discussed changing the meeting time to 5:00 PM on the second Tuesday of every month. All ayes.

Item 6: Staff Update

None.

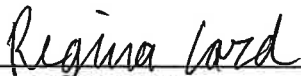
Item 7: Adjourn

The meeting adjourned at **8:01 pm**.



Timothy Coffey, Vice Chair

ATTEST:



Regina Card, Secretary