

1. CALL TO ORDER.

Budde called the Planning & Zoning Commission meeting to order at 6:00 p.m.

2. ROLL CALL.

Members Present: Arenholz, Budde, Seidl, Moorman, Proper, Moomey
Members Absent: Kern, Schramm

Staff Present: Behrens, Hockett

3. ELECTION OF OFFICERS.

Motion by Moorman, seconded by Budde to nominate Kern as Chairperson, all "ayes", motion carried.

Motion by Arenholz, seconded by Budde to nominate Moorman as Vice Chairperson, all "ayes", motion carried.

Motion by Proper, seconded by Moomey to nominate Proper as Secretary, all "ayes", motion carried.

Budde relinquished the meeting to the newly elected Vice Chairperson, Moorman.

4. MINUTES.

a. Planning and Zoning – December 11, 2018

Motion by Budde seconded by Moomey to approve the December 11, 2018 meeting minutes as submitted.

All "ayes" motion carried (6-0).

5. CITIZEN PRESENTATIONS.

None.

6. DIRECTOR'S REPORT.

None.

7. 16TH STREET RIGHT-OF-WAY VACATION – GENESIS EQUITIES, LLCa. Public hearing regarding a request of a street right-of-way vacation of the north 125 feet of 16th Street between 5th and 6th Avenue, Marion, Iowa.

Hockett presented the staff report regarding the street vacation and stated that staff is recommending approval.

Hannah Kustes – Genesis Equities, LLC, 3405 7th Avenue, discussed the intent of vacating portions of both 16th Street and 17th Street to create a larger parcel for the project that meets the intent of the corridor redevelopment.

Eugene Curtis, 1616 5th Avenue, asked how it will affect his property value by having the street closed.

Hockett explained that the street will close due to the corridor project and that property values are determined more on what a property can be used for and the property values of those adjacent.

Curtis, he also wanted to know what was going to happen with the concrete.

Hockett stated that it would be removed or incorporated with the project.

Curtis asked what type of barricade would be at the halfway part on 16th Street.

Hockett responded that some type of curbing or 'No Outlet' signage notifying people that the street terminates.

Curtis asked who would take care of the street.

Hockett stated that Public Service would take care of the street and plowing it up to the vacated portion.

Curtis also asked about garbage collection.

Hockett explained that it would most likely occur on the 5th Avenue.

Curtis asked if a dead-end sign would be posted on 5th Avenue.

Hockett stated there would be some type of signage.

Schramm joined the meeting at 6:09 p.m.

- b. CPC Resolution No. 19-01 recommending approval of a street right-of-way vacation of the north 125 feet of 16th Street between 5th and 6th Avenue, Marion, Iowa.

Motion by Seidl, seconded by Proper to recommend approval of CPC Resolution No. 19-01 regarding a street right-of-way vacation of the north 125 feet of 16th Street between 5th and 6th Avenue, Marion, Iowa.

Arenholz	Aye
Budde	Aye
Moorman	Aye
Proper	Aye

Seidl	Aye
Schramm	Aye
Moomey	Aye

All “ayes”, motion carried (7-0)

8. 17TH STREET RIGHT-OF-WAY VACATION – GENESIS EQUITIES, LLC

- a. Public hearing regarding a request of a street right-of-way vacation of the north 160 feet of 17th Street between 5th and 6th Avenue, Marion, Iowa.

Hockett presented the staff report regarding the street vacation and stated that staff is recommending approval.

Don Carsner, 515 17th Street, mentioned that Public Service has not maintained the street for 20 years, no snow plowing or grading. He expressed concerns regarding the storm sewer and sanitary sewer under the street and how they cannot build on top of them without costs to the taxpayers in the future.

Hockett explained that Engineering is fine with the conceptual plans. They do not plan to build over the utilities but will use the extra land for parking or setback purposes. The developer would pay for any changes to the manholes.

- b. CPC Resolution No. 19-02 recommending approval of a street right-of-way vacation of the north 160 feet of 17th Street between 5th and 6th Avenue, Marion, Iowa.

Motion by Seidl, seconded by Proper to recommend approval of CPC Resolution No. 19-02 regarding a street right-of-way vacation of the north 160 feet of 17th Street between 5th and 6th Avenue, Marion, Iowa.

Budde asked at who’s cost would it be if they wanted to move the infrastructure underneath the project.

Hockett responded that it would be at the developer’s cost and they would have to go through Council to remove the easement.

Arenholz	Aye
Budde	Aye
Moorman	Aye
Proper	Aye
Seidl	Aye
Schramm	Aye
Moomey	Aye

All “ayes”, motion carried (7-0)

9. FINAL PLAT – GLM ADDITION TO LINN COUNTY – GERALD MUNIER

- a. CPC Resolution No. 19-03 recommending approval of the Final Plat for GLM Addition to Linn County located at 1777 Martin Creek Road, Marion, Linn County, Iowa.

Behrens presented the staff report regarding the Final Plat to Linn County. Staff recommends approval of the final plat.

Motion by Arenholz, seconded by Budde to recommend approval of CPC Resolution No. 19-03 regarding a final plat for GLM Addition to Linn County located at 1777 Martin Creek Road in Marion, Linn County, Iowa.

All “ayes” motion carried (7-0)

10. FINAL PLAT – WITTER 1ST ADDITION TO LINN COUNTY – ZACHARY T & SARA L WITTER

- a. CPC Resolution No. 19-04 recommending approval of the Final Plat for Witter 1st Addition to Linn County located at 2651 Jordans Grove Road, Marion, Linn County, Iowa.

Behrens presented the staff report regarding the Final Plat to Linn County. Staff recommends approval of the final plat.

Seidl asked about the Tertiary Growth area.

Behrens explained the three different growth areas within the Comprehensive Plan and where they are located on the map. She also mentioned that we do not want annexations occurring within the Tertiary area, whereas we would consider annexation requests within the Secondary area.

Seidl asked about if the applicant was required to sign a MOA like the applicant of the previous final plat.

Behrens stated that these applicants did not need to sign a MOA regarding annexation as they are not adjacent or near adjacent to the city limits.

Seidl wanted clarification on the preservation lot and what that meant.

Behrens responded that it is a County requirement when the parent parcel is less than 35 acres. Outlot A becomes an unbuildable lot and any subdividing of the preserved lot is required to go through the County.

Motion by Arenholz, seconded by Budde to recommend approval of CPC Resolution No. 19-04 regarding a final plat for Witter 1st Addition to Linn County located at 2651 Jordans Grove Road, Marion, Linn County, Iowa.

All “ayes” motion carried (7-0)

11. REZONE – CITY OF MARION

- a. Public hearing regarding the property at 2274 5th Avenue to rezone from C-4, Warehouse Commercial to PDR, Planned Development Residential.

Hockett presented the staff report regarding the rezoning and stated that staff is recommending approval.

Seidl asked for clarification regarding PDS and PDR rezoning as both were mentioned within the staff report.

Hockett stated that PDS allows for mixed-use on the 1st floor and at the time of writing the report, it was up in the air. At this time the mixed-use component is not being considered as a component of the proposed project.

Proper asked if the project does not proceed does the rezoning still proceed.

Hockett stated that the rezoning process would still proceed as it sets up the property to be more marketable in the future. He mentioned that there are things to work through with the site plan.

Seidl verified that the properties to the east and west are zoned C-4.

Hockett responded that they are C-4 and that C-4 does go away with the new zoning districts. The current properties would be allowed to remain as is with the new zoning district.

Schramm asked if the property was within the Marion Independent School district what the walkability would be.

Hockett stated that the property is within the district and that there are sidewalks on 22nd Street and on the south side of 5th Avenue. There will be a trail on 6th Avenue one day.

Jeff Koffron, 1830 Indian Creek Road, asked if the property had been sold.

Hockett responded that it is under contract.

Koffron has concerns regarding how much the City has paid for the properties and that the City is selling the property for much less. He also asked how much of 2254 (5th Avenue) is included with the project.

Hockett stated that everything from 22nd Street to the east is included.

Koffron also asked if the project would be income-based housing as we do not need more income-based housing. He stated that Azure has caused nightmares since it opened and that we do not need income-based housing in the center of town. He also asked if they would have access onto 6th Avenue or 5th Avenue.

Hockett responded that access would be on 5th and 22nd.

Koffron also wanted the Commission to think about why the project is being done and for who. He wants to make sure that our tax dollars are being spent well. to know if the applicant was a local group or associated with a group from Georgia.

Seidl stated that the Commission does not make any decision based on economic factors, but on if the zoning should be allowed and not based on income-based factors.

Koffron wanted to make sure that Commission knew what the property was going to be used for when deciding.

Moomey responded that they did not know what the property was going to be used for as it was a conceptual drawing.

Mike Balfe – B & B Investment, 597 21st Street, stated that he has a reversion on 6th Avenue and had been awarded the property. He stated that he is against spot zoning as there is C-4 on both sides.

Tom Spratt, 2261 5th Avenue, stated that the police are called out to the area along 5th Avenue and how low income housing uses police resources. He also commented that with 52 units, the ratio of parks needs to be considered when looking at adding that much residential.

Seidl commented on the spot zoning and his concerns.

Hockett responded that across the street the zoning is multi-family and that it is not spot zoning in that respect. He mentioned that it matches with the adopted plans.

Seidl asked if it was looking forward than.

Hockett stated that yes, it aligns with the future plans.

Budde asked if the properties on the south side could be multi-family.

Hockett stated that the smaller lots would make it hard, but there are a lot of 4-plexes on the south side.

Proper asked why the entire area is not being rezoned.

Hockett clarified that the EIC property was rezoned a few years ago to Planned Development.

Moomey asked about the parks in the area.

Hockett stated that with the funds the applicant is looking at they are required to provide park space on site. With the funding there are a lot more requirements then what Azure had to do.

Proper asked if Workforce Housing Tax Credits.

Treharne joined the meeting at 6:53 p.m.

Treharne stated that they are using tax credit program through the State.

Seidl asked what segment of the population this low-income housing would include, elderly...

Treharne responded family, as it is not age restricted. He stated that they would need to meet a certain level of income. There is a percentage of breakdown for the units.

Moorman stated that low-income can mean that they are college students that want a safer place to live or others that do not make \$50,000/year that do not want to move to Azure, but still want to live in Marion.

Treharne stated that the standards of construction exceed our standards of construction in zoning and that will meet the same standards as the building behind Casey's on Blairs Ferry Road. He also mentioned that there are requirements for hardy-board and stone. They are professionally managed, where units that are rented at a lower rate do not have managers on site. He stated that it is similar to Chapel Ridge, as tax credits were used and that they have low income units. Larger projects use tax credits, whereas 8-plexes or 12-plexes do not.

Seidl asked if Treharne could put numbers to the different levels.

Treharne responded that he did not have them at this time.

Moorman stated that we need to be careful about who we say can and cannot live in Marion. It is not the Commission's job to say who cannot live here.

Hockett asked Treharne to clarify if the property was under contract.

Treharne stated that the property will be under contract until the tax credits are awarded. Once tax credits are awarded, then the project would move forward with a site plan for review. There will be more to come on this project. He stated that we want to make sure people are aware of what the project is ahead of time.

Seidl stated that the use of the land is a good fit. The corridor has been looked at for a while and that encouraging continued development along it is good for the community.

- a. CPC Resolution No. 19-05 recommending approval to rezone from C-4, Warehouse Commercial to PDR, Planned Development Residential for property at 2274 5th Avenue.

Motion by Seidl, seconded by Schramm to recommend approval of CPC Resolution No. 19-05 regarding a rezone from C-4, Warehouse Commercial to PDR, Planned Development Residential for property at 2274 5th Avenue.

Moomey	Aye
Seidl	Aye
Schramm	Aye
Proper	Aye
Budde	Aye
Arenholz	Aye
Moorman	Aye

All “ayes” motion carried (7-0)

12. ADJOURNMENT

Adjourned at 7:06 p.m.

Respectfully Submitted,

Amanda Proper, Secretary