

**MINUTES**  
**Planning and Zoning Commission**  
**September 10, 2013**

1. CALL TO ORDER.

The regular monthly meeting of the Marion Planning and Zoning Commission was called to order at 6:00 p.m. by Vice Chair Neighbor.

2. ROLL CALL.

Members Present: Pelley, Mooney, Neighbor, Bell, Gadelha  
Members Absent: Golden, Seidl, Besler  
Staff Present: Treharne, Hockett, Billings, Andresen

3. MINUTES

- a. Planning and Zoning – August 13, 2013
- b. Zoning Board of Adjustment – no meeting
- c. City Council August 8, 2013 and August 22, 2013

Motion by Mooney, seconded by Bell, to approve minutes of the August 13, 2013 Planning and Zoning Commission meeting.

All 'Ayes', motion passed.

Seidl joined the meeting at 6:02 p.m.

4. CITIZEN PRESENTATIONS – No presentations.

5. DIRECTOR'S REPORT.

Treharne gave a report on the City Council's Local Option Sales Tax Plan for the upcoming vote in November. He then provided the Commission with a summary of the City Council's Planning related approvals in August.

6. REZONING REQUESTS.

7. PRELIMINARY PLATS.

- a. CPC Resolution No. 13-26 recommending approval of Squaw Creek Meadows Revised Preliminary Plat located south of Grand Avenue and east of South 26<sup>th</sup> Street (OPM Properties, L.C.). Case #13-19.

Billings presented the staff report and gave a brief explanation of the changes from the approved preliminary plat.

Mooney recommended that Staff incorporate limitations on accessory building size for Lot 6 since it would be easy for the homeowner to fit a rather large building on the lot. Treharne noted that the rezoning for this property is still under consideration by the City Council and that item could be included as a condition of the rezoning to limit the size of an accessory structure on Lot 6.

Dan Schmidt, with Brain Engineering, representing the applicant, addressed the Commission and offered to answer any questions.

Motion by Mooney, seconded by Seidl, to recommend approval of CPC Resolution No. 13-26 recommending approval of Squaw Creek Meadows Revised Preliminary Plat located south of Grand Avenue and east of South 26<sup>th</sup> Street.

All "Ayes", motion passed.

- b. CPC Resolution No. 13-27 recommending approval of Hunters Field Revised Preliminary Plat located north of Connection Avenue between N. 10<sup>th</sup> Street and Winslow Road (Fritz Development, LLC). Case #13-23.

Hockett presented the staff report and provided the Commission with updated exhibits that had more recently been provided to Staff.

Gadelha asked about the future plans for development south of Connection Avenue. Hockett replied that the property south of Connection Avenue is still in the County, but is shown as Single Family Detached Residential on the Future Land Use Map.

Gadelha then asked where the storm water was proposed to go. Andresen replied that there is a large drainage way and storm sewer that is being proposed between the single family homes to the north and the proposed duplexes to the south. The water will then flow to an adequately sized detention basin to the north east of the proposed plat.

Gadelha asked if the developer had provided any renderings of what the duplexes will look like, and how the full build-out of the plat will look with the frontage road. She asked if the Council's opinions on the rear load garage option has changed since the original plat was approved. Hockett replied that the Council's opinions have shifted so that shared driveways on 3 and 4 unit buildings have been allowed to be front loaded, paying special attention to the façade detail of the buildings as well.

Mooney asked for clarification that the City Council was requiring the separation of driveways on adjacent units. Hockett replied that they had made requirement on some, but not all subdivisions.

Pelley asked how wide the proposed access drive was. Andresen replied that it was shown as 12-feet wide.

Seidl asked what the roadway classification was for Connection Avenue. Andresen replied that it is a Collector.

Gadelha asked where visitors will be expected to park. Hockett replied that there is space shown in front of the garage doors to accommodate the additional parking.

Neighbor asked if there would be garbage pick up available from the frontage road. Hockett replied that the public service trucks would most likely pick up garbage from the public road.

Ghassan Halloush, with Alltrans Inc, representing the applicant, addressed the Commission and explained that when the plat was first approved, the Council did not allow multi-family units to have frontage onto public roads and now they do. He added that the adjacent neighborhood has also signed a petition to not have the garages access from the rear of the property.

Mr. Halloush noted that the site plan as submitted is just an example of what may be built. The ultimate layout will be decided by the builder when they purchase the lots.

Mooney asked how long the driveway length is in front of the garage doors. Mr. Halloush responded that it is a minimum of 20 feet.

Seidl asked for confirmation that the developer had revised the preliminary plat upon the request of the neighborhood. Mr. Halloush responded that it was partly because of the neighbors, but also a request of the builders.

David Schill of 1537 Hunters Field Lane, addressed the Commission in support of the proposed preliminary plat because of the shift in garage access to the units. He asked how storm water would be handled on the property. Andresen replied that there would be a 15-inch storm sewer buried in the back yard of this development with intakes along it to capture the water. He went on to explain that in addition to the storm sewer, there would be a swale created along the back yards to carry any excess water to the designated detention area.

Mr. Schill asked if a buffer would be required between the single family to the north and the proposed duplexes to the south. Hockett replied that a landscaping buffer is not required between single family homes and duplexes. He noted that buffers are required between single family and more intense residential uses such as three-plexes and greater.

Karl Rosenberg, of 3450 Cottage Grove Avenue SE Cedar Rapids, the developer, addressed the Commission and offered to answer any questions.

Gadelha asked for a percentage of neighbors that signed the petition to have the garage access moved to the Connection Avenue side. Mr. Rosenberg estimated 90% of the adjacent property owners signed the petition.

Gadelha asked for renderings of the proposed units. Mr. Rosenberg replied that since he would not be the builder for these lots, he did not have a rendering to provide as part of the approval.

Bryon Wiscons, of 1457 Hunters Field Lane, addressed the Commission with a question of stormwater flow west of Lucy Lane. Andresen replied that in the worst case scenario the water will flow over the sidewalk and into the street. He went on to explain that the storm sewers are designed to handle the 5-year storm event and additional overland drainage is designed to accommodate the 100-year storm.

Pelley commented that he felt it was unfortunate that the adjacent owners are against the rear loaded garages and that the plat presented is the best compromise that can be made. He added that the driveways fronting on to Connection Avenue was never the intent of the originally approved preliminary plat.

Mooney concurred with Pelley and added that he felt it was a significant change from the originally approved preliminary plat.

Treharne noted that the Commission had the option to make recommendations that can be passed on to the City Council for consideration.

Mooney expressed his disappointment with the City's ability to require accurate detailed renderings of a property during the approval process.

Treharne explained the position of the Council during a recent plat approval that they had concerns with the lack of detail on the building rendering, and he explained that this subdivision has no building renderings. He noted that he felt the Council would have concerns with the lack of building renderings.

Mr. Halloush explained that the neighbors wanted the access off of Connection Avenue, the builders want access off of Connection Avenue and the City wants limited driveway access to Connection Avenue. He explained that this was the best option to meet all of those wishes.

Gadelha asked how wide the landscaping area would be between the trail and the private driveway. Pelley estimated 10 feet.

Gadelha noted that the Commission should not just consider the desires of the neighborhood, but also everyone that will use Connection Avenue in the future and the owners of the future development on the south side of Connection Avenue.

Mooney noted that he would like to see less driveway access' onto Connection Avenue. Mr. Rosenberg asked if that meant 3 or 4 access points. Mooney confirmed that either of those options would suffice.

Pelley asked if the buildings shown are all on individual lots. Hockett confirmed that they were, but they could be final platted as a larger lot to

accommodate the maximum residential density allowed which would be a 4-plex. Mooney responded that he felt the Commission should be able to require a building rendering since the zoning district allows higher residential densities.

Mr. Halloush responded that he has a builder ready to start on one of the lots and he did not want to hold up the development. He noted that they are marketing the lots for duplexes.

Treharne suggested that the Commission could either incorporate a condition of limitation to duplexes only on the preliminary plat, or the applicant could request to rezone the property to R-3, Two-Family Residential. Treharne explained that a rezoning would not hold up the current builder since they could construct a duplex on the existing R-4 property, and still pursue the R-3 zoning designation.

Bell asked for clarification on what the Commission was considering for approval. She asked if the approval included the lots, curb cuts, access drives, and building locations. Treharne replied that approval of the preliminary plat was only approving the lots as shown. Hockett added that the site plan and building renderings are not required as part of the approval, but it is in the best interest of the applicant to clearly identify to the Council what they have in mind for the property.

Motion by Mooney, seconded by Neighbor, to approve CPC Resolution No. 13-27 recommending approval of Hunters Field Revised Preliminary Plat located north of Connection Avenue between N. 10<sup>th</sup> Street and Winslow Road, subject to the following conditions:

- 1) Seven additional feet of green space shall be incorporated between the existing trail and the proposed shared access drive.
- 2) The developer agrees to restrict the sale of any of the lots identified in the preliminary plat to a developer that intends to construct a 4-plex residential building.
- 3) A minimum of 2 access points to Connection Avenue be removed from properties east of Lucy Lane.
- 4) A minimum of 1 access point to Connection Avenue be removed from properties west of Lucy Lane.
- 5) Renderings shall be submitted to and reviewed by the Planning and Zoning Commission prior to construction of any buildings in the preliminary platted area.

“Ayes”: Gadelha, Mooney, Neighbor, Pelley, Seidl

“Nays”: Bell

Motion passed.

## 8. FINAL PLATS.

- a. CPC Resolution No. 13-28 Recommending approval of Marion Enterprise Center Second Addition Final Plat located south of Highway 151 and east of 62<sup>nd</sup> Street (MEDCO Holdings Company, LLC). Case #13-22

Hockett asked to combine the presentation of CPC Resolutions 13-28, 13-29, and 13-30. The Commission agreed.

Hockett presented the staff report and gave a brief history of the area being developed.

Dustin Kern, of 1077 7<sup>th</sup> Street, addressed the Commission as the Project Manager for the Marion Enterprise Center and offered to answer any questions.

Bart Woods, with Primus Construction of 401 8<sup>th</sup> Avenue SE Cedar Rapids, addressed the Commission and explained two rendering options that the company is considering and explained all of the proposed building façades.

Neighbor asked if the proposed plan meets any requirements of the adjacent airport. Mr. Woods replied that the site plan and building heights do meet the clear zone requirements of the airport.

George Lake, with Marion Economic Development Company, addressed the Commission and explained that one of the reasons the business is locating in the MEC is because of the design standards.

Motion by Mooney, seconded by Pelley, to approve CPC Resolution No. 13-28 Recommending approval of Marion Enterprise Center Second Addition Final Plat located south of Highway 151 and east of 62<sup>nd</sup> Street.

All "Ayes", motion passed.

## 9. SITE DEVELOPMENT PLAN.

- a. CPC Resolution No.13-29 recommending approval of Marion Enterprise Center Second Addition Preliminary Site Development Plan located south of Highway 151 and east of 62<sup>nd</sup> Street (MEDCO Holdings Company, LLC). Case #13-24.

Motion by Mooney, seconded by Neighbor, to approve CPC Resolution No.13-29 recommending approval of Marion Enterprise Center Second Addition Preliminary Site Development Plan located south of Highway 151 and east of 62<sup>nd</sup> Street.

All "Ayes", motion passed.

- b. CPC Resolution No. 13-30 recommending approval of Marion Enterprise Center Second Addition Final Site Development Plan located south of Highway 151 and east of 62<sup>nd</sup> Street (MEDCO Holdings Company, LLC). Case #13-25.

Motion by Pelley, seconded by Mooney, to approve CPC Resolution No. 13-30 recommending approval of Marion Enterprise Center Second Addition Final Site Development Plan located south of Highway 151 and east of 62<sup>nd</sup> Street.

All "Ayes", motion passed.

10. ZONING CODE UPDATE.

- a. Public hearing regarding request to amend the street classification of Irish Drive between Tower Terrace Road and Williams Drive from a classification of Local to Collector.
- b. CPC Resolution No. 13-31 recommending approval of a request to amend the street classification of Irish Drive between Tower Terrace Road and Williams Drive from a classification of Local to Collector.

Neighbor opened the public hearing at 8:06pm.

Hockett presented the staff report and explained the reason for the proposed reclassification of the road.

Gadelha asked why there was a difference in the right-of-way width for collectors. Hockett explained that the right-of-way widths were dedicated at different times with different requirements.

With no other comments, the public hearing was closed at 8:08pm.

Motion by Mooney, seconded by Gadelha, to approve CPC Resolution No. 13-31 recommending approval of a request to amend the street classification of Irish Drive between Tower Terrace Road and Williams Drive from a classification of Local to Collector.

Roll Call:

Bell:	Aye
Gadelha:	Aye
Mooney:	Aye
Neighbor:	Aye
Pelley:	Aye
Seidl:	Aye

- c. General discussion regarding Cash Advance Services, Signs, Landscaping, and Supplemental Requirements.

Hockett suggested setting a separate special Planning and Zoning Commission meeting to specifically discuss the proposed Zoning Code updates.

The Commission agreed to hold a special meeting on Tuesday, September 24<sup>th</sup> at 6pm in the Council Chambers.

- d. General discussion regarding Tower Terrace Road Commercial.

11. OTHER BUSINESS.

- a. Discussion regarding allowable permitted and conditional uses in the Planned Development Ordinance and design guidelines of Marion Enterprise Center.

12. ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Laura Geary Bell, Secretary