

---

1. CALL TO ORDER.

Chairman Kern called the regular monthly meeting to order at 6:00pm.

2. ROLL CALL.

Members Present: Arenholz, Kern, Moomey, Seidl, Proper, Schramm

Members Absent: Budde, Moorman

Staff Present: Treharne, Hockett, Behrens, Billings

3. MINUTES.

a. Planning and Zoning – February 12, 2019

Motion to approve, Moomey, second Arenholz. All eyes motion carried.

4. CITIZEN PRESENTATIONS

None.

5. DIRECTOR'S REPORT

Treharne noted that at the next month's meeting staff anticipates being able to bring forward an Airport Overlay District and Central Corridor Zoning Regulations.

6. NEIGHBORHOOD AT INDIAN CREEK PLAN – CITY OF MARION

a. Public Hearing regarding The Neighborhood at Indian Creek Master Plan for property between 35<sup>th</sup> Avenue & Tower Terrace Road extended and 35<sup>th</sup> Street & 44<sup>th</sup> Street extended.

Treharne provided a recap of the original Neighborhood at Indian Creek Plan, the design intent behind the Plan, and economic factors that have played a role in development or lack of development in the area.

He noted that we have been working with RDG, out of Des Moines, again to provide an update and improved detail regarding the intended development. He noted some of the significant changes and some of the concepts that have remained the same through the update process.

Laura Kessel, with RDG Planning and Design, noted that this update drills down to provide more detail in the proposed update to the Plan. She noted that this update takes the ideas that were started in 2009 and provides more design standards. She noted the updates that have happened since the last time the Update was presented to the Commission in November, noting that the school property has been filled in with more detail and an update to the pedestrian connections to the north side of the school property. She reiterated the intent of the plan and how it would be

used as a guide and foundation for future development. She noted that the community park and square park is still a vital and exciting component of the Plan in that it creates a large gathering place.

She noted that stormwater integration and landscaping are important components of the Plan Update but remain similar to those adopted in 2009. Something new to this Update is the transportation idea of filtered permeability in which vehicular traffic may not always have a connection through the area but making pedestrian access and connections easy for residents and visitors of the Neighborhood.

Charlie Cowell with RDG Planning and Design discussed the lighting plan for the commercial and residential areas, keeping in mind that similarities in design will be carried through the development. He noted that this Plan Update provides for more Architectural Character discussion with more detail on types of materials being used such as percentages of materials used and longevity of materials.

He then discussed the larger land use plan proposed with this Plan Updated that extends beyond the focus area. Also included in the Plan Update are specific zoning districts that are meant to be adopted as a Planned Development and discussed what each of the zoning districts is meant to accomplish. He commented that the Plan lends itself to be open to new ideas since the industry is consistently changing

Moomey asked about the density range of the multi-unit residential. Mr. Cowell replied that there was no limit to the density, but generally they anticipate 15 units per acre to 20/30 units per acre.

Seidl asked how parking was being handled. Cowell responded that ground floor parking in the mixed-use area would not be allowed. He also stated that the plan does not lend itself to the regulating RV or camper parking, as the Plan leaves that to the Marion Code regulations already in place.

Schramm noted her excitement for this plan as a user and a parent. She then asked about specific uses that might go into this area. Cowell replied that those specific uses have not been set at certain locations. Treharne noted that within the Plan Update the Permitted Use List identifies those uses that are permitted by right and those that would require a Conditional Use. He noted the intent of this Plan Update is to provide services that are walkable to the residents of the area. He noted that uses such as a gas station would be allowed by the design standards proposed in the Update would require certain changes to the typical use to lend itself to have a higher architectural and site layout standard.

Moomey asked if Linn-Mar was included in the conversation. Treharne noted that it came to the Commission a little later to ensure that staff was able to incorporate the school plans and integrate some pedestrian connections to the proposed school site.

Kern asked who would own and maintain the large and small park areas, the entrance signage and the lighting that was discussed in the presentation. Treharne reiterated that the Commission knows the City does not have parkland dedication but anticipates it to be a discussion with the developers when a development proposal comes to Staff. Kern then asked about the allowance for a third stall garage. Cowell noted that as it is written today, the limitation is to a two-stall garage facing the street with the option for a detached garage. Kern asked the range of lot sizes. Cowell replied that it ranges between 35 and 85 feet wide. Treharne noted that it has become a regular design in Marion to have a third stall garage with the house, but the allowance for a third stall on a narrow lot is a concern of staff because of the disappearance of the front door to the

house. He noted that can be done in other parts of Marion, but the standard/intent for this area is to be different and special compared to the rest of Marion.

Seidl asked if any aspect of this plan anticipates no car parking/use. Cowell replied that this plan recognizes the potential trend of reduced car use by lessening parking requirements, but it does not go so far as eliminating all on and off-street parking requirements. Kessel noted that in some areas of Des Moines they have looked at vehicleless/free developments, but the development community was hesitant to make that jump yet.

Kern opened the Public Hearing and stated the rules of procedure.

Todd Wood of 2505 Deer Lane Road, Marion, noted that he was not opposed to the Plan, but wanted some clarification. He noted the property that his development company owns and noted the he felt it was important to have more detail on how the City will acquire the parkland that is identified in the Plan. His second comment regarded his desire is to have the parkland shown in the plan to be shifted to the east, of his property. Treharne noted this park was identified in the 2009 Plan with a reason related to block concept and access point spacing. He noted that the City has the ability to enact zoning, and until a development/platting proposal is submitted, the agricultural land use can remain. Wood then asked if there is anything in the Plan the prohibits low income apartments. Treharne noted that staff does not have the ability to restrict a residential use because of income.

With no further comments, the public hearing was closed at 7:03pm.

- b. CPC Resolution No. 19-08 recommending adoption of The Neighborhood at Indian Creek Master Plan for property between 35<sup>th</sup> Avenue & Tower Terrace Road extended and 35<sup>th</sup> Street & 44<sup>th</sup> Street extended. (City of Marion)

Motion by Seidl, seconded by Moomey to approve CPC Resolution No. 19-08 recommending adoption of The Neighborhood at Indian Creek Master Plan for property between 35<sup>th</sup> Avenue & Tower Terrace Road extended and 35<sup>th</sup> Street & 44<sup>th</sup> Street extended.

Roll Call:

Arenholz	Aye
Schramm	Aye
Proper	Aye
Kern	Aye
Moomey	Aye
Seidl	Aye

All Ayes (6-0) Approved.

## 7. COMPREHENSIVE PLAN AMENDMENT AND ZONING - THE NEIGHBORHOOD AT INDIAN CREEK PLAN – CITY OF MARION

- a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan located between 35<sup>th</sup> Avenue & Indian Creek Road/Indian Creek Way and 35<sup>th</sup> Street/Lucore Road & Highway 13 from Single-Family Detached Residential to Single-Family Attached Residential, Parks/Open Space, Business Park/Office, Multi-Family Residential, Neighborhood Commercial and Public/Semi-Public; from Single-Family Attached Residential to Single-Family Detached Residential, Transitional Residential, Corridor Commercial, and Public/Semi-Public; from Multi-Family Residential to Single-Family Detached Residential, Single-

Family Attached Residential, Transitional Residential, Business Park/Office, Corridor Commercial and from Neighborhood Commercial to Single-Family Attached Residential and Business Park/Office and a zoning request from Undesignated to PD-S, Planned Development Special for property between 35<sup>th</sup> Avenue & Tower Terrace Road extended and 35<sup>th</sup> Street & 44<sup>th</sup> Street extended.

Behrens provided the Commission a presentation for a proposed land use amendment for the extended Neighborhood area. She noted the differences in the proposed land uses including the proposed school site and the commercial/business uses more consistent with development along the Highway 13 corridor.

She noted the proposed zoning was the same as what was discussed in the proposed Plan Update, but the zoning is proposed to be Planned Development Special to allow for an array of uses within one designation.

With no comments for or against the proposed Comprehensive Plan amendment or Zoning, Kern closed the public hearing at 7:13pm.

- b. CPC Resolution No. 19-09 recommending approval of an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached to Single-Family Attached, Park/Open Space, Business Park/Office, Multi-Family Residential, Neighborhood Commercial and Public/Semi-Public; from Single-Family Attached to Single-Family Detached, Transitional Residential, Corridor Commercial; and Public/Semi-Public; from Multi-Family Residential to Single-Family Detached, Single-Family Attached, Transitional Residential, Business Park/Office, Corridor Commercial and Neighborhood Commercial to Single Family Attached and Business Park/Office for property between 35<sup>th</sup> Avenue & Indian Creek Road/Indian Creek Way and 35<sup>th</sup> Street/Lucore Road & Highway 13. (City of Marion)

Motion by Arenholz, seconded by Proper to approve CPC Resolution No. 19-09 as printed, *(recommending approval of an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached to Single-Family Attached, Park/Open Space, Business Park/Office, Multi-Family Residential, Neighborhood Commercial and Public/Semi-Public; from Single-Family Attached to Single-Family Detached, Transitional Residential, Corridor Commercial; and Public/Semi-Public; from Multi-Family Residential to Single-Family Detached, Single-Family Attached, Transitional Residential, Business Park/Office, Corridor Commercial and Neighborhood Commercial to Single Family Attached and Business Park/Office for property between 35<sup>th</sup> Avenue & Indian Creek Road/Indian Creek Way and 35<sup>th</sup> Street/Lucore Road & Highway 13).*

Roll Call:

Arenholz	Aye
Schramm	Aye
Proper	Aye
Kern	Aye
Moomey	Aye
Seidl	Aye

All Ayes (6-0) Approved.

- c. CPC Resolution No. 19-10 recommending approval of a zoning from Undesignated to PD-S, Planned Development Special for property between 35<sup>th</sup> Avenue & Tower Terrace Road extended and 35<sup>th</sup> Street & 44<sup>th</sup> Street extended. (City of Marion)

- d. Someone motioned, someone seconded to approve CPC Resolution No. 19-10 as printed, *(recommending approval of a zoning from Undesignated to PD-S, Planned Development Special for property between 35<sup>th</sup> Avenue & Tower Terrace Road extended and 35<sup>th</sup> Street & 44<sup>th</sup> Street extended).*

Roll Call:

Arenholz	Aye
Schramm	Aye
Proper	Aye
Kern	Aye
Moomey	Aye
Seidl	Aye

All Ayes (6-0) Approved.

8. ZONING AND PRELIMINARY PLAT – 35<sup>TH</sup> AVENUE LINN-MAR INTERMEDIATE SCHOOL – LINN-MAR COMMUNITY SCHOOL DISTRICT

- a. Public hearing regarding a zoning request from Undesignated to PI, Public Institutional District located north of 35<sup>th</sup> Avenue, east of 35<sup>th</sup> Street.

Hockett familiarized the Commission with the location of the proposed school and the intent of the Public Institution zoning district. He noted some of the key characteristics of the school site include pedestrian, parent/vehicular drop off, and bus drop off. They noted that there is a concept for future connections to the surrounding neighborhood when it develops, but staff is not recommending installation of those improvements until the surrounding area develops.

He noted the surrounding utilities that are either provided up to the site currently, or how needed utilities will be connected to the site. He added in discussion regarding typical development aspects that the school would be responsible for and clarified which portions the City would pick up the oversized costs for, similar to other developments.

Arenholz asked about proposed traffic flow on Learning Lane. Andresen noted that the school district has submitted a traffic study and signals are not warranted at this location. He noted the it is difficult to get a signal warrant with only 15-30 minute peak traffic times.

Mike Morgan from 5810 Robinwood Lane, Marion addressed the Commission regarding when the pavement would be completed all the way to Highway 13. Andresen responded that the City Council has not yet determined the paving/funding plan for the completion of 35<sup>th</sup> Avenue.

With no further public comments, Kern closed the Public Hearing at 7:29pm.

Seidl asked if there were any concerns with this property flooding or contributing to flooding. Andresen said that there is always a concern for flooding, but the school will be installing stormwater management practices and requirements for their site per Code. Seidl then asked about sanitary sewer capacity in the area. Andresen talked about the sewer capacity study that is being done. He noted that this site has been part of the study but does not impact the capacity as development to the north would.

Proper noted that being a parent with kids that go to Linn-Mar, she had concerns regarding the need for overflow parking during events happening concurrently with two schools in place. Brent Jackman with Hall and Hall Engineers noted that overflow parking would be accommodated

within the parking area at the adjacent school. Proper clarified about what happens when events are happening concurrently. Jackman replied that they will look into that further.

Kern asked about who maintains 35<sup>th</sup> Avenue. Andresen replied that he is not certain who maintains that but believes that County maintains the gravel. Shannon Bisgard addressed the Commission and noted that the school district prefers to avoid gravel roads, but those routes are still being determined. He also noted that they would do their best to not schedule events at both schools simultaneously, but there are times it could happen.

- b. CPC Resolution No. 19-11 recommending approval of a zoning request north of 35<sup>th</sup> Avenue, east of 35<sup>th</sup> Street from Undesignated to PI, Public Institutional District. (Linn-Mar Community School District)

Motion by Seidl, seconded by Arenholz, to approve CPC Resolution No. 19-11 recommending approval of a zoning request north of 35<sup>th</sup> Avenue, east of 35<sup>th</sup> Street from Undesignated to PI, Public Institutional District.

Roll Call:

Arenholz	Aye
Schramm	Aye
Proper	Aye
Kern	Aye
Moomey	Aye
Seidl	Aye

All Ayes (6-0) Approved.

- c. CPC Resolution No. 19-12 recommending approval of a preliminary plat for Linn-Mar 35<sup>th</sup> 1<sup>st</sup> Addition to Marion, Iowa north of 35<sup>th</sup> Avenue, east of 35<sup>th</sup> Street. (Linn-Mar Community School District)

Motion by Arenholz, seconded by Proper, to approve CPC Resolution No. 19-12 recommending approval of a preliminary plat for Linn-Mar 35<sup>th</sup> 1<sup>st</sup> Addition to Marion, Iowa north of 35<sup>th</sup> Avenue, east of 35<sup>th</sup> Street.

All “ayes”, motion passed.

## 9. CONDITIONAL USE – LINN-MAR COMMUNITY SCHOOL DISTRICT

- a. Public hearing regarding Linn-Mar Community School District’s conditional use request pursuant to Section 176.08-3A of the Marion Code of Ordinances to permit for construction of an intermediate school in the A-1, Rural Restricted zoning district located directly east of 400 Echo Hill Road.

Behrens presented the conditional use criteria for a school in the A-1 Zoning District and addressed the five requirements individually. Mention was made that traffic conditions would be impacted during the school’s peak morning arrival and afternoon dismissal times.

Andresen discussed the traffic study that was completed recently and noted that one had been done previously and noted that once the second school is built, the intersection of Alburnett Road and Echo Hill Road will fail. He noted with both studies that were completed, a roundabout was



recommended to be implemented as a long-term solution. Short term solutions such as an all way stop would help in the short term, but in the long term the intersection still needs a more robust improvement.

Moomey stated his concerns with recommending approval of something that we know will cause a breakdown in traffic flow. Treharne stated that staff would be more concerned if the request was for a project that generated high volumes of traffic through-out the day. He also mentioned there will be an east/west connection in the future with development to the north. He pointed out that it is a growth issue for that area.

Seidl asked about adding conditions to the recommendation and if the Commission were allowed to add conditions to just the subject property or development off the property. Treharne stated that the condition could be added, and that the item goes to the Zoning Board of Adjustment for consideration. City Council does not consider the conditional use request.

Brent Jackman noted that the 2040 projection was a failure of the intersection, opening day in 2020 would not be a failure. Andresen noted that with an all way stop and adding turning lane, the opening day function of the intersection would be a Level D.

Dan Pickard of 5405 Smithland Drive noted that he was in favor of the school but provided an image of his residential yard in which has significant ponding during rain events. He noted the significant amount of rainwater that comes out of the detention basins on the school property that acts as a significant point source for water. Andresen replied that approximately 40 acres drains towards the residential area and it is the natural flow. The school is aware of the water situation and the conversation has already been had to build a storm water detention area as large as possible to hold back as much water as possible.

Shannon Bisgard with the Linn-Mar School District addressed the Commission and noted that the two schools will have a staggered start time of 45 minutes to alleviate the high peak traffic conflict.

Hugh Holak from 5733 Smithland Drive noted that he leaves early enough in the morning, so he does not experience the peak traffic. He did note that he was concerned about not having a second egress into the neighborhoods.

Kern closed the public hearing at 8:16pm

- b. CPC Resolution No. 19-13 recommending approval of a conditional use for the Linn-Mar Community School District pursuant to Section 176.08-3A of the Marion Code of Ordinances to permit construction of an intermediate school in the A-1, Rural Restricted zoning district located directly east of 400 Echo Hill Road. (Linn-Mar Community School District)

Motion by Seidl, seconded by Schramm, to approve CPC Resolution No. 19-13 recommending approval of a conditional use for the Linn-Mar Community School District pursuant to Section 176.08-3A of the Marion Code of Ordinances to permit construction of an intermediate school in the A-1, Rural Restricted zoning district located directly east of 400 Echo Hill Road, subject to the requirement that a roundabout be installed at the intersection of Alburnett Road and Echo Hill Road prior to the operation of the second school.

Moomey asked if the traffic study took into consideration the staggered school times. Andresen replied the he did not recall that was included.

Kern commented that he understood peak traffic times during the school day but did not feel that requiring the roundabout to go in with the school is necessary.

Arenholz asked if Seidl would be in favor of an amended condition that the roundabout be required to be in place within a certain time frame. He then asked how far behind the grant funding would be. Andresen replied that if staff applied for funding in August, awards are announced in the fall and funding would be available for spending in the spring of 2020.

Roll Call:

Arenholz	Aye
Schramm	Aye
Proper	Aye
Kern	Nay
Moomey	Aye
Seidl	Aye

All Ayes (5-1) Approved.

10. CONDITIONAL USE – THOMAS SCHMIDT

- a. Public hearing regarding a conditional use requested by Thomas Schmidt pursuant to Section 176.49-9 of the Marion Code of Ordinances to permit accessory keeping of honey bees to be located at 1860 Agate Circle, Marion, Iowa.

Hockett informed the Commission that the applicant withdrew the request.

- b. CPC Resolution No. 19-14 recommending approval of a conditional use for Thomas Schmidt pursuant to Section 176.49-9 of the Marion Code of Ordinances to permit accessory keeping of honey bees to be located at 1860 Agate Circle, Marion, Iowa. (Thomas Schmidt)

11. CENTRAL CORRIDOR INTERIM DEVELOPMENT OVERLAY - FIRST FEDERAL & RETAIL SITE DEVELOPMENT PLAN – GENESIS EQUITIES LLC

- a. CPC Resolution No. 19-15 recommending approval of the Central Corridor Interim Development Overlay review regarding the First Federal & Retail Site Development Plan for property located south of 7<sup>th</sup> Avenue east of 25<sup>th</sup> Street. (Genesis Equities LLC)

Behrens presented the proposal and its compatibility with the intent of the Interim Development Ordinance and the future Central Corridor Zoning Districts. She then provided details about the site, layout, circulation, pedestrian access, stormwater management, parking, and design characteristics.

Kern asked if there was a specific coffee chain to go into that space. Chad Brandel with Genesis Equities informed the Commission that they did not have any specific businesses lined up for that space.

Motion by Schramm, seconded by Arenholz to approve CPC Resolution No. 19-15 recommending approval of the Central Corridor Interim Development Overlay review regarding the First Federal & Retail Site Development Plan for property located south of 7<sup>th</sup> Avenue east of 25<sup>th</sup> Street.

All “Ayes”, motion passed.



12. FINAL PLAT – CARRIAGE SQUARE 1<sup>ST</sup> ADDITION - CARRIAGE SQUARE PARTNERSHIP

- a. CPC Resolution No. 19-16 recommending approval of a final plat for Carriage Square 1<sup>st</sup> Addition to Marion, Iowa located north of Twixt Town Road and west of Southview Drive. (Carriage Square Partnership)

Hockett provided the Commission with a presentation regarding the two-lot final plat. Andresen noted no traffic issues.

Motion by Arenholz, seconded by Moomey to approve CPC Resolution No. 19-15 recommending approval of the Central Corridor Interim Development Overlay review regarding the First Federal & Retail Site Development Plan for property located south of 7<sup>th</sup> Avenue east of 25<sup>th</sup> Street.

All “Ayes”, motion passes.

13. ADJOURN

There being no further business the meeting was adjourned at 8:43pm.

Respectfully Submitted,

Amanda Proper, Secretary