

1. CALL TO ORDER

Moorman called the Planning & Zoning Commission meeting to order at 6:01 p.m.

2. ROLL CALL

Members Present: Budde, Harper, Moorman, Arenholz, Seidl, Monroe, Callahan,
Moomey

Members Absent: Schramm

Staff Present: Behrens, Hockett

3. MINUTES

a. Planning and Zoning – February 11, 2020

Motion by Seidl seconded by Moorman to approve the February 11, 2020 meeting minutes as submitted.

All “ayes”, motion carried (8-0).

4. CITIZEN PRESENTATIONS

None.

5. DIRECTOR'S REPORT

Treharne reminded everyone that spring is here and as such we have a larger agenda.

6. REZONING

a. Public hearing regarding a request to rezone Briargate 6th Addition from R-2 Medium Density Single-Family Residential to PD-R Planned Development Residential.

Hockett briefed the Commission on the request and the history of what has been approved to date. He went over the width of the lots as shown on the current approved plat and described why the applicant is making the request for reduced setbacks. Hockett explained why PD-R is the only zoning option for this type of request and provided the Commission with other locations where PD-R has been used with reduced setbacks to date.

Seidl asked if staff had received any comments from neighbors. Hockett stated that he had not heard from any neighbors.

Budde asked about some of the setbacks encroaching into the easements. Hockett stated that the easements will stand, and the setbacks will need to be adjusted prior to Council.

Public hearing open at 6:15p.m.

Chad Brandel, 4017 Quail Trail, (representing Abode Construction), stated that they are not trying to change the number of lots from what is currently approved, but are wanting to make a change based on current market demand.

Callahan asked how these would not be a snout house. Brandel stated that it provides an extra 4' of house.

Moorman asked about the price difference on these lots versus the pervious lots. Brandel stated that they are picking up a 3-car garage versus a 2-car garage which adds value to the consumer, but the price point would change that much.

Seidl asked about elevations showing what would be developed. Brandel stated that the homes would be custom built with the design as requested by the buyer.

George Kinnaird, 4423 Hastings Drive, asked what PD-R means and how the development would compare to the condos to the east; if the homes on Calder Drive would be looking at the back of those along Hastings Drive; he also had traffic concerns regarding the improvements to 35th Avenue to Hwy 13. Hockett explained what PD-R zoning is and why it is used. He also explained how the homes on Calder Drive would be oriented and confirmed that improvements to 35th Avenue is developer driven. Kinnaird stated he has concerns with the truck traffic on 35th Avenue and the density of the homes along Calder Drive as it seems similar to the density of the condos. Hockett stated that the homes along Calder Drive will still be single-family homes and the density is comparable to those homes to the south.

The public hearing was closed at 6:24p.m.

Callahan made comments regarding the width of the house frontage and how the request would allow only 6 feet between rooftops.

Seidl stated that he would really like to see the elevations.

- b. CPC Resolution No. 20-04 recommending approval to rezone Briargate 6th Addition from R-2 Medium Density Single-Family Residential to PD-R Planned Development Residential. (Abode Construction, Inc.)

Motion by Arenholz, seconded by Monroe to recommend approval of CPC Resolution No. 20-04 recommending approval to rezone Briargate 6th Addition from R-2 Medium Density Single-Family Residential to PD-R Planned Development Residential.

Seidl restated that he would like to see the elevations. He also wanted verification that the fire department does not have any issues. Hockett stated that the request is allowed by code.

Monroe asked for verification on the number of houses proposed versus currently approved. Brandel confirmed that it is the same number of lots as currently approved. Hockett stated that in 2016 the plat approved changed the number of lots from seven to eight on each side.

Harper asked about the fire protection. Hockett stated the it can be as simple as adding a second layer of drywall. Brandel spoke in more detail about the fire separation required.

Moomey mentioned that he did not think it was necessary to discuss fire codes as it would meet code. Hockett concurred that the request meets fire and building code.

Seidl talked again about the elevations and asked about staff's position on the topic. Hockett stated that the other times this type of request has occurred the requests were with new subdivisions or the entire area was being replatted. He stated he has concerns about setting a precedent. Seidl clarified what the precedent is exactly. Hockett stated the precedent for changing setbacks related to the market changes. Seidl asked about the existing adjacent developments. Hockett stated that there is existing development to the south; to the east there are condos. Seidl asked about the easements; Hockett stated that building will not be allowed within the drainage easement. Seidl asked if the developer was aware of staff's concerns. Hockett stated that during the previous request staff's concerns were made known. Seidl asked if there are other developments out there that could ask for this request too. Hockett said that any of them could ask.

Moomey made a comment about the possible exception of the rule as it is against 35th Avenue as he does not feel it will hurt the aesthetic of the neighborhood.

Budde asked if in the future the Commission could deny a similar request. Hockett stated that the Commission would have that ability.

Callahan stated that she does not see a reason for this request due to her experience. She asked if there was any market data. Brandel stated that most of their clients ask for 3-car garages while still maximizing the house.

Moorman asked about a tandem garage. Brandel stated that it would be an option, but their clients are asking for the 3-car garage.

Callahan stated that there is demand for 2-car garages in Marion. Brandel stated that it does give more value to the customer.

Seidl asked about the other development the applicant is building to the south. Brandel stated how many lots they have left on the adjacent streets. Seidl asked if these (Calder Drive) lots have been marketed. Brandel stated that these lots have been on the market from about 2015.

Callahan asked about curb cuts and the price points of the lots. Brandel stated that the price point will be similar to those on Hastings Drive and will also vary depending on the finished the customer picks. Callahan asked about houses being sold in Cedar Rapids and how these lots

compare. Brandel stated that the differences in the Cedar Rapids lots versus these lots.

Roll Call:

Callahan	Nay
Budde	Nay
Harper	Nay
Moorman	Nay
Seidl	Nay
Arenholz	Nay
Monroe	Aye
Moomey	Aye

Motion failed (6-2).

7. ALLEY VACATIONS

- a. Public Hearing regarding an alley vacation for the east half of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets.

Hockett briefly went over the staff report and the reason for the vacation request and desire to purchase a portion. He stated that the adjacent neighbors are both supportive of the request for vacation.

The public hearing was opened at 6:54p.m.

Brandon Scherbaum, 176 10th Street, stated why he is making the request for the vacation and purchasing of the alley.

Moomey asked who is taking care of the grass currently. Scherbaum stated that he has since he purchased the home.

The public hearing was closed at 6:55p.m.

- b. CPC Resolution No. 20-05 recommending approval of the alley vacation for the east half of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets. (Brandon Scherbaum)

Motion by Monroe, seconded by Budde to recommend approval of CPC Resolution No. 20-05 recommending approval of the alley vacation for the east half of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets.

Roll Call:

Seidl	Aye
Harper	Aye
Moorman	Aye
Callahan	Aye
Arenholz	Aye
Moomey	Aye
Monroe	Aye

Budde Aye

All “ayes”, motion carried (8-0).

- c. Public Hearing regarding an alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets.

Hockett went over the staff report and mentioned that it is an unimproved alley that does not appear to have regular use. He stated that a utility easement will be kept over the alley, fences would be allowed but no sheds.

Callahan asked what happens if both sides want the alley. Hockett explained how alleys are split.

The public hearing was opened at 7:00p.m.

Mitch Sutton, 1060 27th Street, stated his reason for the request and that he has been maintaining the alley.

Mike Schafer, 1070 27th Street, stated he is favor and that he wants to know where he can install a fence.

The public hearing was closed at 7:02p.m.

- d. CPC Resolution No. 20-06 recommending approval of an alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets.

Motion by Budde, seconded by Callahan, to recommend approval of CPC Resolution No. 20-06 recommending approval of an alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets. (Mitchell Sutton)

Roll Call:

Harper	Aye
Monroe	Aye
Moorman	Aye
Seidl	Aye
Arenholz	Aye
Moomey	Aye
Budde	Aye
Callahan	Aye

All “ayes”, motion carried (8-0).

8. CENTRAL CORRIDOR REVIEW

- a. CPC Resolution No. 20-07 recommending approval of the West End - Central Corridor Review for property located at 809 6th Avenue, Marion, Iowa. (Annette Perry)

Hockett presented the staff report and gave the history of how the request has evolved. He talked about how the vision of the site has stayed the same throughout the various requests that have been brought forward. The difference in requests is the type of structure now proposed. He stated that the Main Street Committee recommended approval of the request. Perry mentioned the materials being used.

Monroe asked if water would be provided in each unit. Perry stated that it is available. Monroe asked if they would be removed every year. Perry stated that the idea is to have them up for 3-5 years pending the market. Monroe asked about the other materials being used.

Callahan asked about the roof material. Perry stated that they would have metal roofs.

Seidl asked about security. Perry stated that there will be cameras and tenants can pull down shades at night.

The Commission members shared comments of a similar thought regarding how much they like the idea.

Motion by Monroe, seconded by Harper to recommend approval of CPC Resolution No. 20-07 recommending approval of the West End - Central Corridor Review for property located at 809 6th Avenue, Marion, Iowa.

All "ayes", motion carried (8-0).

9. OTHER BUSINESS

- a. Hockett stated that in the future we need to make sure that when a motion fails a motion should be made in the affirmative for the denial.

10. ADJOURNMENT

Adjourned at 7:13p.m.

Respectfully Submitted,

Grant Harper, Secretary