
1. CALL TO ORDER

Moomey called the Planning & Zoning Commission meeting (held via Zoom) to order at 6:00p.m.

2. ROLL CALL

Members Present: Moomey, Callahan, Wiley, Hastings, and Seidl, (Monroe was present, but was not called during the roll call)

Members Absent: Budde, Moorman, and Arenholz

Staff Present: Behrens, Hockett, and Treharne

3. RECEIVE AND FILE RESIGNATION – SCHRAMM

Motion by Monroe, seconded by Callahan to receive and file Rachel Schramm's resignation from the Planning and Zoning Commission.

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

4. MINUTES

a. Planning and Zoning – June 9, 2020

Motion by Seidl, seconded by Monroe to approve the June 9, 2020 meeting minutes as submitted.

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

5. CITIZEN PRESENTATIONS

None.

6. DIRECTOR'S REPORT

None.

7. REED – CONDITIONAL USE (BEES)

a. Public hearing regarding a conditional use requested by Andrea Reed pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 1295 Parkview Drive, Marion, Iowa.

Hockett briefed the Commission on the request to keep two honeybee hives on the property. He covered the requirements of the honeybee conditional use and the requirements that all conditional uses shall be reviewed by.

The public hearing opened at 6:15p.m.

With no comments, the public hearing closed at 6:19p.m.

Seidl asked if staff had received any comments from the public. Hockett stated that he had not received any comments.

Behrens read via the Zoom Q&A from Andrea Reed (applicant) that she did not have anything to add to the report.

Monroe inquired if the applicant had any training. Hockett stated that he was not sure if the applicant had any bee training. Moomey stated that he did not believe any training was required. Hockett stated that is correct. Behrens read via the Zoom Q&A from Reed that she had taken the course at Indian Creek in 2015 and has kept bees on her parent's farm since.

- b. CPC Resolution No. 20-24 recommending approval of a conditional use pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 1295 Parkview Drive, Marion, Iowa. (Andrea Reed)

Motion by Seidl, seconded by Monroe to recommend approval of CPC Resolution No. 20-24 recommending approval of a conditional use pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 1295 Parkview Drive, Marion, Iowa.

Moomey stated that he has participated within the Indian Creek program and believes anyone that has gone through the course has the training to keep bees.

Seidl stated bees are a good thing.

Roll Call:

Monroe	Aye
Callahan	Aye
Wiley	Aye
Hastings	Aye
Seidl	Aye
Moomey	Aye

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

8. BANKIOWA – CONDITIONAL USE (ATM)

- a. Public hearing regarding a conditional use requested by Banklowa pursuant to Ordinance No. 13-14, Section 1(2) to permit an ATM drive-thru located at 901 Tower Terrace Road, Marion, Iowa.

Behrens presented the staff report and briefed the Commission on the proposed drive-thru ATM location.

Moomey asked if the separate parking lot needs to go through its own approval process. Behrens stated that the separate parking lot is a permitted use within the zoning district and does not need any additional approvals. Moomey asked if the parking lot would be the only thing on the adjacent lot. Behrens stated at this time, the parking lot would be the only thing on the lot.

The public hearing opened at 6:37p.m.

Alex Urbina, Banklowa representative, spoke in favor of the request and stated that Banklowa owns the lot across the street and plans to build a bank on that site in the future. He also mentioned that their intent was to place the ATM on the lot they own, but that option is not allowed per Code.

Moomey asked if there were any comments opposed to the request. Hockett and Behrens both stated they had not received any comment from the public in opposition to the request.

Seidl mentioned the decibels and that there may be complaints down the road from residents. He asked Urbina what they have done in other locations. Urbina stated they have not had any problems in their other locations, but would do anything the needed to, to comply. Urbina also mentioned that they want to serve the community and plan to be in the location permanently.

The public hearing closed at 6:45p.m.

- a. CPC Resolution No. 20-25 recommending approval of a conditional use pursuant to Ordinance No. 13-14, Section 1(2) to permit an ATM drive-thru located at 901 Tower Terrace Road, Marion, Iowa. (Banklowa)

Motion by Seidl, seconded by Callahan to recommend approval of CPC Resolution No. 20-25 recommending approval of a conditional use pursuant to Ordinance No. 13-14, Section 1(2) to permit an ATM drive-thru located at 901 Tower Terrace Road, Marion, Iowa.

Seidl stated that it is a good thing for the community.

Moomey added that development along Tower Terrace Road is also good.

Callahan stated she that it was silly to have the applicant put the ATM in to move it across the street in the future. Behrens stated that ATMs are considered accessory uses and that it is not allowed without a primary structure/use in place.

Callahan asked what Banklowa's timeframe for having a bank on the site. Urbina stated they are leasing a spot for 3 years and plan to start the bank construction in approximately 2 years.

Hockett stated that Treharne and himself have seen in other communities where ATMs have been installed and a bank has never been built on site.

Urbina mentioned that if it (code) could be revisited, that Banklowa would rather install it on their property. He stated that if they could install the ATM on the vacant lot, they would install the entire parking lot and not just the 12 stalls.

Seidl asked about what requirements could be put in place to allow an ATM to be installed with securities in place to protect the community. Hockett stated he would need to look into it further before answering.

Callahan stated that it is not welcoming to a business to ask them to invest money in something that they plan to rip out and move in a few years. Hockett stated that the Code is very clear on accessory uses. The process would be a code amendment approved by Council.

Moomey stated that they are not here to discuss city code at this time.

Roll Call:

Monroe	Aye
Callahan	Aye
Wiley	Aye
Hastings	Aye
Seidl	Aye
Moomey	Aye

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

Seidl mentioned that he forgot to add staff's conditions to his approval of CPC Res. No. 20-25.

Motion by Seidl, seconded by Monroe to amend the approval of CPC Res. No. 20-25 to include staff's conditions.

Behrens read staff's conditions again for the Commission.

Roll Call:

Monroe	Aye
Callahan	Aye
Wiley	Aye
Hastings	Aye
Seidl	Aye
Moomey	Aye

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

- b. Public hearing regarding a conditional use requested by Banklowa pursuant to Ordinance No. 13-14, Section 1(4)K to permit an ATM to operate between the hours of 11:00p.m. and 6:00a.m. located at 901 Tower Terrace Road, Marion, Iowa.

Behrens provided the Commission with the staff report and touched on the conditional use requirements that are required for review.

(Seidl realized his motion for approval regarding CPC Res. No. 20-25 did not include staff's conditions as he intended for, see above for amended motion.)

The public hearing opened at 7:04p.m.

Urbina stated that Banklowa would like to have the extension has it is good for the community to have access to cash.

The public hearing closed at 7:06p.m.

CPC Resolution No. 20-26 recommending approval of a conditional use pursuant to Ordinance No. 13-14, Section 1(4)K to permit an ATM to operate between the hours of 11:00p.m. and 6:00a.m. located at 901 Tower Terrace Road, Marion, Iowa. (Banklowa)

Motion by Monroe, seconded by Wiley to recommend approval of CPC Resolution No. 20-26 recommending approval of a conditional use pursuant to Ordinance No. 13-14, Section 1(4)K to permit an ATM to operate between the hours of 11:00p.m. and 6:00a.m. located at 901 Tower Terrace Road, Marion, Iowa.

Moomey stated that all of his questions he had were covered under the previous conditional use.

Roll Call:

Seidl	Aye
Callahan	Aye
Hastings	Aye
Wiley	Aye
Monroe	Aye
Moomey	Aye

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

9. OTHER BUSINESS

- a. Seidl mentioned that they should welcome the two new members Wiley and Hastings.
- b. Hockett mentioned that there will be a meeting next month and that the Library project is the big item on the agenda. Moomey asked if he should recuse himself as he is on the Library Board. Seidl mentioned that he should.

10. ADJOURNMENT

Adjourned at 7:10p.m.

Respectfully Submitted,

Dale Monroe, Secretary