

**MINUTES**  
**Planning and Zoning Commission**  
**September 9, 2014**

1. CALL TO ORDER.

The regular monthly meeting was called to order by Chair Bell at 6:00pm.

2. ROLL CALL.

Members Present:	Budde, Mooney, Bell, Golden, Pelley, Murphy, Moorman
Members Absent:	Seidl, Gadelha
Staff Present:	Treharne, Hockett, Billings, Andresen, Miller

3. MINUTES.

- a. Planning and Zoning - August 12, 2014
- b. Zoning Board of Adjustment – August 19, 2014
- c. City Council – August 7 & 21, 2014

Motion by Mooney, seconded by Pelley to approve the minutes of the August 12, 2014 Planning and Zoning Commission meeting.

All “Ayes”, motion passed.

4. CITIZEN PRESENTATIONS.

None.

5. DIRECTOR’S REPORT.

Treharne noted that the Planning and Zoning Commission's recommendation to update the Central Corridor Plan was taken to the City Council and staff is currently creating a scope of work to be included in a request for proposals. Treharne noted that he would be bringing back the proposed scope of work at the next Planning and Zoning Commission meeting.

6. ECO-INDUSTRIAL PARK.

- a. CPC Resolution No. 14-19 recommending approval of Eco-Industrial Park Preliminary Plat located south of 3<sup>rd</sup> Avenue and west of 44<sup>th</sup> Street (City of Marion). Case # 14-18

Hockett presented the staff report and familiarized the Commission with the nature of the request.

Mooney stated his concern with the potential precedent that would be set by allowing a flag lot to be created with this plat. Hockett replied that they

were trying to avoid taking away viable commercial/industrial frontage for a use that does not need the frontage. Generally, flag lots are more of a residential concern.

Mooney then asked if there were any type of guarantee the adjacent property owners could have that the tree buffer would remain. Ryan Miller with the Marion Public Service Department addressed the Commission and noted that when the land was given to the City by the Riley family, there was a stipulation that the tree masses would be preserved when the property was developed. He noted that as part of the overall project, they were planning to incorporate retention ponds that will be stocked for public fishing and a community garden. Andresen added that the preservation area may need to be altered slightly because a storm sewer will be constructed underground to accommodate storm water that currently erodes through the hill causing a significant gully.

Golden asked if the public would have access to the park-like area. Miller stated that although the plan does not show it, they plan to incorporate walking paths through the natural areas while still respecting the adjacent neighbors' privacy.

Bell noted the proposed water tower and asked about the need for one. Miller responded and said he is working with the Marion Water Department to get approvals to construct a non-potable well to accommodate the compost facility. He informed the Commission that the chlorine added to the municipal water supply would kill the bacteria needed for a successful compost operation. Having a non-chlorine water source is vital to the compost operation.

Mooney asked what would happen with the existing facility. Miller responded that the current fabric tension structure is failing and will need to be taken down. He noted that the City is trying to emphasize the eco-industrial theme so a company that would lease the property would fit into that theme.

Ronda Moody, of 4100 Deer Valley Drive, addressed the Commission and noted that a gully has been slowly growing over the year due to storm water eroding away the soil. She asked if the City was going to do something more to alleviate the problem. Miller responded that they planned to bury a storm sewer pipe through the gully to stop the erosion and outlet the storm water to ponds.

Ms. Moody then asked if the ponds will be retention ponds that support wildlife. Miller responded that the storm water will be filtered through a series of bioswales before it reaches the ponds, allowing the ponds to support wildlife. The goal is to create a model storm water management project.

Larry Block, of 3835 Deer Valley Drive, addressed the Commission and asked what types of land uses would be allowed with the current zoning. Hockett indicated the property is currently zoned I-2, General Industrial which allows more intense commercial and industrial uses.

Motion by Pelley, seconded by Golden, to approve CPC Resolution No. 14-19 recommending approval of Eco-Industrial Park Preliminary Plat located south of 3<sup>rd</sup> Avenue and west of 44<sup>th</sup> Street.

Roll call:

Pelley	Yes
Murphy	Yes
Moorman	Yes
Mooney	Yes
Golden	Yes
Budde	Yes
Bell	Yes

Motion passed

## 7. LEGACY MANUFACTURING.

- a. CPC Resolution No. 14-20 recommending approval of Legacy Manufacturing Preliminary Site Development Plan located at the southeast intersection of Medco Drive and Partners Avenue (Unzeitig Construction Co.). Case # 14-19

Billings presented the staff report for the preliminary and final site development plans.

Bell asked what type of manufacturing Legacy does. Treharne clarified that Legacy manufactures hoses and hydraulic hose components.

Scott Olson, realtor for Legacy Manufacturing, addressed the Commission and explained the reasoning for relocating the business to this site.

Motion by Pelley, seconded by Mooney, to approve CPC Resolution No. 14-20 recommending approval of Legacy Manufacturing Preliminary Site Development Plan located at the southeast intersection of Medco Drive and Partners Avenue.

Roll call:

Pelley	Yes
Murphy	Yes
Moorman	Yes
Mooney	Yes
Golden	Yes
Budde	Yes
Bell	Yes

Motion passed

- b. CPC Resolution No. 14-21 recommending approval of Legacy Manufacturing Final Site Development Plan located at the southeast intersection of Medco Drive and Partners Avenue (Unzeitig Construction Co.). Case # 14-20

Motion by Mooney, seconded by Pelley, to approve CPC Resolution No. 14-21 recommending approval of Legacy Manufacturing Final Site Development Plan located at the southeast intersection of Medco Drive and Partners Avenue.

Roll call:

Budde	Yes
Golden	Yes
Mooney	Yes
Moorman	Yes
Murphy	Yes
Pelley	Yes
Bell	Yes

Motion passed

## 8. ZONING CODE.

- a. Public hearing amending Chapter 176.22, General Commercial of the Marion Code of Ordinances to remove the 100 foot setback requirement for veterinary clinics to any lot that is residentially zoned.

Treharne presented the staff report and provided the Commission with an explanation for the requested amendment.

Bell opened the Public Hearing at 6:52pm.

Scott Olson, realtor for the property, addressed the Commission to explain the difficulties that the property presents. He went on to explain the additional precautions the applicant has taken to ensure the proposed building will be constructed above the floodplain.

Nathan Hein, the applicant, addressed the Commission to explain the reasons for his desire to relocate his business to this site. He added that he had a letter from the owner of the adjacent manufactured home community that did not have a problem with the request.

Gadelha asked what his current building space was and what his proposed building space would be. Mr. Hein replied that he currently utilizes 1,700 square feet and the new space would allow for 3,200 square feet of usable space for his business.

Mr. Hein noted that he had his engineer and his building contractor in attendance at the meeting in case the Commission had any additional questions.

With no further public comment, the public hearing was closed at 7:04pm.

- b. CPC Resolution No. 14-22 amending Chapter 176.22, General Commercial of the Marion Code of Ordinances to remove the 100 foot setback

requirement for veterinary clinics to any lot that is residentially zoned.  
(Nathan Hein).

Motion by Golden, seconded by Pelley, to approve CPC Resolution No. 14-22 amending Chapter 176.22, General Commercial of the Marion Code of Ordinances to remove the 100 foot setback requirement for veterinary clinics to any lot that is residentially zoned.

Roll call:

Mooney	Yes
Golden	Yes
Moorman	Yes
Murphy	Yes
Pelley	Yes
Budde	Yes
Bell	Yes

Motion passed.

9. ZONING CODE UPDATE.

No update.

10. OTHER BUSINESS.

None.

11. ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:06 p.m.

Respectfully submitted,

Tim Mooney, Secretary