1. CALL TO ORDER.

Chairperson Budde called the regular monthly meeting of the Marion Planning and Zoning Commission to order at 6:00PM

1. ROLL CALL.

Members Present: Budde, Granger, Proper, Arenholz, Schramm, Seidl

Members Absent Kern, Moorman

Staff Present: Treharne, Hockett, Burlage

1. MINUTES.  
   1. Planning and Zoning – June 12, 2018

Motion by Seidl, seconded by Arenholz to recommend approval of the June 12, 2018 meeting minutes as submitted.

All “ayes” motion carried

1. CITIZEN PRESENTATIONS.

None

1. DIRECTOR’S REPORT.

Treharne gave an update on the zoning code, neighborhood plan and City Council directed amendments regarding street trees, accessory structures, fireworks and medical cannabidiol.

1. Vadim & Rebecca Vorobtsov – Alley Vacation

Burlage presented the staff report regarding the proposed alley vacation recommending approval of the vacation as it appeared no longer serve a public use.

* 1. Public hearing regarding a request to vacate the southern 120 feet of the north-south alley lying adjacent to lots 5, 6, 7 and 8, Block 44 Original Town, Now City of Marion, Linn County, Iowa (Vadim & Rebecca Vorobtsov).

Rebecca Vorobstov, 321 10th Street, stated that they are the applicants and that the alley can’t be used and people are using their driveway and property to go north south through the block and they would like to vacate and purchase the alley to prevent the trespass of vehicles through their property.

Patty Jo Turner, 2112 S 31st Street, indicated that she owns a house to the north and has recently sold the house, but it has not closed and she would like time for property to close so that the new buyer would have an opportunity to comment on the proposed vacation and future sale of the alley.

Vadim Vorobstov, 321 10th Street, stated he was in favor of the alley vacation because the alley has utility poles that prevent the use of the alley and causes people to drive using his personal driveway to go north south through the alley.

* 1. CPC Resolution No. 18-33 recommending approval of a request to vacate the southern 120 feet of the north-south alley lying adjacent to lots 5, 6, 7 and 8, Block 44 Original Town, Now City of Marion, Linn County, Iowa (Vadim & Rebecca Vorobtsov).

Seidl, stated that the new owners of the property would have a chance to express their concerns if they have any at the City Council as that meeting would occur after the closing that Mrs. Turner stated would be occurring next week.

Motion by Seidl, seconded by Arenholz to recommended approval of CPC Resolution No. 18-33 regarding a request to vacate the southern 120 feet of the north-south alley lying adjacent to lots 5, 6, 7 and 8, Block 44 Original Town, Now City of Marion, Linn County, Iowa as it is no longer needed for public purposes.

Roll Call:

Arenholz Aye

Seidl Aye

Budde Aye

Proper Aye

Schramm Aye

Granger Aye

Motion Approved 6-0

1. PETE SCHAUL – ALLEY VACATION

Hockett presented the staff report regarding the proposed alley vacation recommending approval of the vacation as it appeared no longer serve a public use.

* 1. Public hearing regarding a request to vacate the north 120 feet of the north-south alley lying adjacent to lots 3, 4 and 5 of Sutzins Addition, City of Marion, Linn County, Iowa (Pete Schaul).

No comments

* 1. CPC Resolution No. 18-34 recommending approval of a request to vacate the north 120 feet of the north-south alley lying adjacent to lots 3, 4 and 5 of Sutzins Addition, City of Marion, Linn County, Iowa (Pete Schaul).

Motion by Seidl, seconded by Granger to recommend approval of CPC Resolution No. 18-34 regarding a request to vacate the north 120 feet of the north-south alley lying adjacent to lots 3, 4 and 5 of Sutzins Addition, City of Marion, Linn County, Iowa as it is no longer needed for public purposes.

Roll Call:

Arenholz Aye

Seidl Aye

Budde Aye

Proper Aye

Schramm Aye

Granger Aye

Motion Approved 6-0

1. LANDHERR ADDITION – PRELIMINARY PLAT

Hockett presented the staff report regarding the proposed preliminary. Staff stated that the proposed plat meets Section 175 and 176 of the Marion Code of Ordinances, but expressed concern regarding the layout of the proposed plat that puts any future connection fee for the reconstruction of Alburnett on too few lots and that the cost on those lots would make it unlikely to ever develop and the city would carry those costs for public improvements with no payback in the near future.

* 1. CPC Resolution No. 18-35 recommending approval of the Preliminary Plat for property located at 180 Boyson Road. (Christopher Landherr)

Motion by Arenholz, seconded by property to recommend approval of CPC Resolution No. 18-35 regarding the Landherr Addition Preliminary Plat for property located at 180 Boyson Road. All “ayes” motion carried.

1. CHAPTER 176 MARION ZONING ORDINANCE

Treharne presented a staff report regarding the proposed amendments to the Marion Zoning Code. He stated that this is the first process in the zoning code update.

* 1. Public Hearing regarding revisions to Chapter 176 Marion Zoning Ordinance by removing and replacing current Chapter 176.06 Rules and Definitions to include new and updated definitions.

Terry Bjornsen, 1001 Tama Street, stated this is a very important issues and he is concerned that no one knows about these proposed changes. Every zoning ordinance updates usually have numerous open houses and that these changes have had none, this seems very piecemeal and not how it should be.

* 1. CPC Resolution No. 18-36 recommending approval of the revised Chapter 176.06 Rules and Definitions of the Marion Code of Ordinances.

Mr. Bjornsen also stated concerns regarding a handful of definitions related to basements and story (building height)

Treharne addressed those comments indicating they are similar to existing definitions.

Motion by Granger, seconded by Arenholz to recommended approval of CPC Resolution No. 18-36 regarding revised Chapter 176.06 Rules and Definitions of the Marion Code of Ordinances.

Roll Call:

Arenholz Aye

Seidl Aye

Budde Aye

Proper Aye

Schramm Aye

Granger Aye

Motion Approved 6-0

* 1. Public Hearing regarding revisions to Chapter 176 Marion Zoning Ordinance by removing and replacing chapter 176.33 Nonconforming Uses, Buildings and Structures with updated provisions and language.
  2. Resolution No. 18-37 recommending approval of revised Chapter 176.33 Nonconforming uses, buildings and structures of the Marion Code of Ordinances.

Motion by Seidl, seconded by Granger to recommend approval of Resolution No. 18-37 regarding revised Chapter 176.33 Nonconforming uses, buildings and structures of the Marion Code of Ordinances.

Roll Call:

Arenholz Aye

Seidl Aye

Budde Aye

Proper Aye

Schramm Aye

Granger Aye

Motion Approved 6-0

* 1. Public Hearing regarding amendment to Chapter 176 Marion Zoning Ordinance, updating Chapter 176.04, Establishment of Districts and Map, to include new Zoning District Classifications and establishing chapter 176.51, New Zoning District Classifications.
  2. Resolution No. 18-38 recommending approval of the revised Chapter 176.04, Establishment of Districts and Map, and the creation of Chapter 176.51, New Zoning District Classifications.

Motion by Proper, seconded by Granger to recommend approval of Resolution No. 18-38 regarding revised Chapter 176.04, Establishment of Districts and Map, and the creation of Chapter 176.51, New Zoning District Classifications.

Roll Call:

Arenholz Aye

Seidl Aye

Budde Aye

Proper Aye

Schramm Aye

Granger Aye

Motion Approved 6-0

1. aDJOURN.

There being no further business the regular meeting of the Marion Planning and Zoning Commission was adjourned at 8:23PM.

Respectfully Submitted,

Jillissa Moorman, Secretary