



# MINUTES

## Planning & Zoning Commission

6:00 PM - Tuesday, February 9, 2021  
City Hall, 1225 6th Avenue

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*\*Minutes are in draft format until approved at the next meeting\**

The Planning & Zoning Commission of the City of Marion, Linn County, Iowa met on Tuesday, February 9, 2021, at 6:00 PM, at City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Dale Monroe, Destiny Hastings, Seth Moomey, Jody Budde, Phil Seidl, and Matt Arenholz

ABSENT: Jillissa Moorman and Landis Wiley

STAFF PRESENT: Dave Hockett, Nicole Behrens, and Tom Treharne

### **CITIZEN PRESENTATIONS**

None.

### **DIRECTORS REPORT**

Treharne provided an update on projects from the last meeting that went to City Council.

### **REGULAR AGENDA**

#### Minutes

Motion to approve January 12, 2021 minutes.

Moved by Arenholz, seconded by Hastings, to approve January 21, 2021 minutes.

Approved unanimously

#### Central Corridor Review – Hy-Vee Fast & Fresh

CPC Resolution No. 21-08 recommending approval of Hy-Vee Fast and Fresh Marketplace – Central Corridor Review for property located at 2790 7th Avenue, Marion, Iowa. (Hy-Vee, Inc)

Hockett presented staff report. He reviewed the applicant's site plan, mentioning the layout of drive thru traffic. Staff recommended approval as the project met all

design standards.

Moved by Arenholz, seconded by Monroe, to approve CPC Resolution No. 21-08. Commission members asked questions of staff including signage, concerns about traffic cutting through between 7th Avenue and 8th Avenue and the exit near roundabout. John Brehm with Hy-Vee, Inc. answered questions about deliveries to the facility, options that the store will provide and store hours.

Approved unanimously

#### Conditional Use – Hy-Vee, Inc

CPC Resolution No. 21-09 recommending approval of a conditional use request to permit a gas station within the UC-1, Urban Commercial zoning district for property located at 2790 7th Avenue, Marion, Iowa (Hy-Vee, Inc)

Hockett included staff report for Conditional Use with previous agenda item.

Moved by Monroe, seconded by Seidl, to approve CPC Resolution No. 21-09. Wiley asked about environmental concerns with the buried tanks. Staff responded they are heavily regulated.

Approved unanimously

#### Central Corridor Review – Cedar Rapids Bank & Trust

CPC Resolution No. 21-10 recommending approval of the Cedar Rapids Bank & Trust – Central Corridor Review for property located at 700 25th Street, Marion, Iowa. (Cedar Rapids Bank & Trust)

Behrens provided staff report. A courtesy notice was sent out to landowners within 300' of the property, and no responses had been received. Staff recommended approval of site plan and elevations with conditions subject to approval of variance request and appeal.

Moved by Monroe, seconded by Arenholz, to approve CPC Resolution No. 21-10. No discussion.

Approved unanimously

#### Final Plat – Broad & Main

CPC Resolution No. 21-11 recommending approval of Broad & Main 1st Addition Final Plat for property located 1107 7th Avenue, Marion, Iowa. (Uptown Holdings, LLC)

Behrens provided staff report. Staff recommended approval.

Moved by Monroe, seconded by Seidl, to approve CPC Resolution No. 21-11. No discussion.

Approved unanimously

## **OTHER BUSINESS**

### **Section 176.33 Nonconforming uses, buildings and structures.**

Treharne reviewed the current ordinance covering non-conforming uses, buildings and structures and how staff evaluates these cases. He stated that if a non-conforming building is destroyed, it can only be rebuilt with a special exception from the Zoning Board of Adjustments that allows re-establishment of the non-conforming state. Monroe asked who decides the percentage of damage to a building. Treharne stated damage assessment is compared to the valuation stated by the Linn County Assessor.

**Future amendments to Section 176.50, Central Corridor Zoning Districts.**

Behrens shared that since adopting the Central Corridor Zoning Districts about a year and a half ago, some projects have come through that have created a need for staff to review some of the district requirements. She stated the recommended amendments will be brought to the Commission in an upcoming meeting.

**Future opportunity for planning commissioner training.**

Treharne shared an opportunity for training coming up on March 29th.

**ADJOURN**

Moved by Monroe, seconded by Hastings, to adjourn meeting at 7:30 p.m.

Approved unanimously

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Dale Monroe, Secretary