

Minutes of a regular meeting of the Marion Planning Commission held in the Municipal Building at 5:15 p.m. on October 12, 2009.

INVOCATION: Mr. Hicks rendered the invocation

CALL TO ORDER: Vice-Chairman Wolfe called the meeting to order.

VISITORS: Ralph Price

PRESENT: Vice-Chairman Cameron Wolfe, Mel Leaman, Alice Freeman, Shirley Spencer, James Barker, Bob Ramsey, Town Engineer Cecil Hicks, Town Attorney Mark Fenyk.

DETERMINATION OF A QUORUM: As the meeting was called to order, with five voting members present, the Commission has a quorum.

MINUTES: Upon motion of Mr. Leaman, seconded by Mr. Barker and vote of 5 AYES and 0 NOES, the minutes of the last meeting were approved as written and distributed.

REPORT OF SECRETARY: Mr. Hicks stated that the Town's Ordinance Committee has proposed an ordinance pertaining to Tattoo Parlors. Mr. Fenyk stated that the ordinance would possibly have the same guidelines as the Adult Use Ordinance. Mrs. Freeman asked that the Tattoo Parlors not be allowed in the downtown area. Mr. Fenyk added that if the same guidelines as Adult Use Ordinance are followed, then Tattoo Parlors are not permitted in the downtown area.

It was noted that Dog Kennels are not addressed in the Town's Zoning Ordinance. Council did not approve limiting the amount of dogs that a person can own or have on their property. Mr. Hicks will look in to the dog kennels being added to the ordinance.

REQUEST TO REZONE PROPERTY LOCATED AT 1103 CULBERT DRIVE FROM R-1 TO M-A, OWNERS RALPH & DIANA PRICE: Mr. Price stated that he would like the property rezoned to Medical Arts to accommodate potential buyers. Mr. Price would be required to install a barrier fence between the R-1 and M-A properties and he is willing to proffer a set time limit for a medical use for the property of six months to one year. Mrs. Freeman stated that Planning Commission does not typically rezone property without knowing what type of business will purchase the property. She added that Mr. Price could most likely sell the property without the rezoning.

Mr. Hicks stated that staff recommendation is that R-1 and M-A are both the highest and best use of this property for this area of Town. The area where the property is located is predominately residential, but is adjacent to Medical Arts. If Planning Commission recommendation is to approve the rezoning request, may it be subject to the following conditions:

- 1- That the applicant abide by all Federal and State laws along with all Local Ordinances concerning land use, noise, parking, and storm water management.
- 2- The Town Engineer shall approve the location and design of any new curb cut or modification of existing curb cuts.
- 3- That off-street parking be provided in accordance with 16.3 of the Zoning Ordinance for Medical Arts or Residential District.
- 4- That the owner shall provide for engineered management of storm water on the property if more than 1,000 square feet of existing vegetative area is converted in to impervious surface.

Upon motion of Mrs. Freeman, seconded by Mr. Barker and vote of 5 AYES and 0 NOES, Planning Commission recommends referring the rezoning request to Town Council for a joint public hearing with Planning Commission on Thursday, October 22, 2009 at 7:00 p.m.

SPECIAL USE PERMIT REQUEST FOR PROPERTY LOCATED AT ECONO LODGE, 1420 NORTH MAIN STREET BY SANDIP PATEL: Mr. Hicks stated that Town Council has requested that Planning Commission make a recommendation on this request. Mr. Patel would like to construct a residential structure on to his business to be used by his family so that they may reside there while running his business. The addition will be approximately 30' x 30'. Most special use is permitted in a structure that is already built. Because the addition to the existing structure is for living space there would not be a reversion back to the original use after the property is sold. It would be a living space in the hotel. The special use permit is only granted to the current owner and a new owner would have to re-apply. Upon motion of Mrs. Freeman, seconded by Mr. Ramsey and vote of 5 AYES and 0 NOES, Planning Commission recommends to Council that the requested special use permit for an approximately 30' x 30' residential living space to be constructed to the Econo Lodge located at 1420 N. Main Street and be permitted as long as Sandip Patel is the owner of the property and that a joint public hearing be conducted on Thursday, October 22, 2009 at 7:00 p.m.

Upon motion, duly seconded, and vote of 5 AYES and 0 NOES, the meeting was adjourned.

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Chairman

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Secretary