



The Planning and Zoning Commission of the City of Marion, Iowa, will meet **Tuesday, May 12, 2020 at 6:00 p.m.** for their regular monthly meeting. The agenda is as follows:

NOTE: Based on COVID-19 guidance from Linn County Public Health and the State of Iowa to limit the size of groups gathering, this meeting is able to be viewed online. To watch, go to Zoom.com, select Join a Meeting, and enter the Meeting ID #843-7375-6240. A link is also provided at www.cityofmarion.org. Audio only can be heard by calling 1-646-558-8656 and enter the same Meeting ID listed above.

Anyone who wishes to comment on an agenda item, including public hearings, may submit the question or comment to the Planning Division by 4:00 p.m. on Tuesday, May 12 via phone at 319-743-6320 or email abartlett@cityofmarion.org. Comments can also be provided during the Zoom meeting by clicking the Q&A option and entering your comment. All comments will be acknowledged during the meeting.

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a. Planning and Zoning – March 10, 2020
4. CITIZEN PRESENTATIONS
5. DIRECTOR'S REPORT
6. BESLER – CONDITIONAL USE (GARAGE)
 - a. Public hearing regarding a conditional use requested by David Besler pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located 1627 11th Street, Marion, Iowa.
 - b. CPC Resolution No. 20-08 recommending approval of a conditional use pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located at 1627 11th Street, Marion, Iowa. (David Besler)
7. FITCH – CONDITIONAL USE (GARAGE)
 - a. Public hearing regarding a conditional use requested by Jon Fitch pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located 1175 Valley Park Street, Marion, Iowa.

- b. CPC Resolution No. 20-09 recommending approval of a conditional use pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located at 1175 Valley Park Street, Marion, Iowa. (Jon Fitch)

8. CASE - CONDITIONAL USE (BEES)

- a. Public hearing regarding a conditional use requested by Cara Case pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 969 14th Street, Marion, Iowa.
- b. CPC Resolution No. 20-10 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 969 14th Street, Marion, Iowa. (Cara Case)

9. BOWMAN MEADOWS 7TH ADDITION – COMPREHENSIVE PLAN AMENDMENT, PRELIMINARY PLAT, PRELIMINARY SITE DEVELOPMENT PLAN

- a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family Residential for Bowman Meadows 7th Addition, Marion, Iowa.
- b. CPC Resolution No. 20-11 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)
- c. CPC Resolution No. 20-12 recommending approval of a preliminary plat for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)
- d. CPC Resolution No. 20-13 recommending approval of a preliminary site development plan for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)

10. MARION ENTERPRISE CENTER – AMENDMENT

- a. CPC Resolution No. 20-14 recommending approval of an amendment to the Marion Enterprise Center Design Guidelines. (MEDCO Holding Company, LLC)

11. URBAN RENEWAL PLAN AMENDMENTS

- a. CPC resolution No. 20-15 recommending approval of the designation of the Echo Hill Road Urban Renewal Area and finding that said amendment is consistent with the Marion Comprehensive Plan.

12. OTHER BUSINESS

- a.

13. ADJOURN

1. CALL TO ORDER

Moorman called the Planning & Zoning Commission meeting to order at 6:01 p.m.

2. ROLL CALL

Members Present: Budde, Harper, Moorman, Arenholz, Seidl, Monroe, Callahan,
Moomey

Members Absent: Schramm

Staff Present: Behrens, Hockett

3. MINUTES

a. Planning and Zoning – February 11, 2020

Motion by Seidl seconded by Moorman to approve the February 11, 2020 meeting minutes as submitted.

All “ayes”, motion carried (8-0).

4. CITIZEN PRESENTATIONS

None.

5. DIRECTOR'S REPORT

Treharne reminded everyone that spring is here and as such we have a larger agenda.

6. REZONING

a. Public hearing regarding a request to rezone Briargate 6th Addition from R-2 Medium Density Single-Family Residential to PD-R Planned Development Residential.

Hockett briefed the Commission on the request and the history of what has been approved to date. He went over the width of the lots as shown on the current approved plat and described why the applicant is making the request for reduced setbacks. Hockett explained why PD-R is the only zoning option for this type of request and provided the Commission with other locations where PD-R has been used with reduced setbacks to date.

Seidl asked if staff had received any comments from neighbors. Hockett stated that he had not heard from any neighbors.

Budde asked about some of the setbacks encroaching into the easements. Hockett stated that the easements will stand, and the setbacks will need to be adjusted prior to Council.

Public hearing open at 6:15p.m.

Chad Brandel, 4017 Quail Trail, (representing Abode Construction), stated that they are not trying to change the number of lots from what is currently approved, but are wanting to make a change based on current market demand.

Callahan asked how these would not be a snout house. Brandel stated that it provides an extra 4' of house.

Moorman asked about the price difference on these lots versus the pervious lots. Brandel stated that they are picking up a 3-car garage versus a 2-car garage which adds value to the consumer, but the price point would change that much.

Seidl asked about elevations showing what would be developed. Brandel stated that the homes would be custom built with the design as requested by the buyer.

George Kinnaird, 4423 Hastings Drive, asked what PD-R means and how the development would compare to the condos to the east; if the homes on Calder Drive would be looking at the back of those along Hastings Drive; he also had traffic concerns regarding the improvements to 35th Avenue to Hwy 13. Hockett explained what PD-R zoning is and why it is used. He also explained how the homes on Calder Drive would be oriented and confirmed that improvements to 35th Avenue is developer driven. Kinnaird stated he has concerns with the truck traffic on 35th Avenue and the density of the homes along Calder Drive as it seems similar to the density of the condos. Hockett stated that the homes along Calder Drive will still be single-family homes and the density is comparable to those homes to the south.

The public hearing was closed at 6:24p.m.

Callahan made comments regarding the width of the house frontage and how the request would allow only 6 feet between rooftops.

Seidl stated that he would really like to see the elevations.

- b. CPC Resolution No. 20-04 recommending approval to rezone Briargate 6th Addition from R-2 Medium Density Single-Family Residential to PD-R Planned Development Residential. (Abode Construction, Inc.)

Motion by Arenholz, seconded by Monroe to recommend approval of CPC Resolution No. 20-04 recommending approval to rezone Briargate 6th Addition from R-2 Medium Density Single-Family Residential to PD-R Planned Development Residential.

Seidl restated that he would like to see the elevations. He also wanted verification that the fire department does not have any issues. Hockett stated that the request is allowed by code.

Monroe asked for verification on the number of houses proposed versus currently approved. Brandel confirmed that it is the same number of lots as currently approved. Hockett stated that in 2016 the plat approved changed the number of lots from seven to eight on each side.

Harper asked about the fire protection. Hockett stated the it can be as simple as adding a second layer of drywall. Brandel spoke in more detail about the fire separation required.

Moomey mentioned that he did not think it was necessary to discuss fire codes as it would meet code. Hockett concurred that the request meets fire and building code.

Seidl talked again about the elevations and asked about staff's position on the topic. Hockett stated that the other times this type of request has occurred the requests were with new subdivisions or the entire area was being replatted. He stated he has concerns about setting a precedent. Seidl clarified what the precedent is exactly. Hockett stated the precedent for changing setbacks related to the market changes. Seidl asked about the existing adjacent developments. Hockett stated that there is existing development to the south; to the east there are condos. Seidl asked about the easements; Hockett stated that building will not be allowed within the drainage easement. Seidl asked if the developer was aware of staff's concerns. Hockett stated that during the previous request staff's concerns were made known. Seidl asked if there are other developments out there that could ask for this request too. Hockett said that any of them could ask.

Moomey made a comment about the possible exception of the rule as it is against 35th Avenue as he does not feel it will hurt the aesthetic of the neighborhood.

Budde asked if in the future the Commission could deny a similar request. Hockett stated that the Commission would have that ability.

Callahan stated that she does not see a reason for this request due to her experience. She asked if there was any market data. Brandel stated that most of their clients ask for 3-car garages while still maximizing the house.

Moorman asked about a tandem garage. Brandel stated that it would be an option, but their clients are asking for the 3-car garage.

Callahan stated that there is demand for 2-car garages in Marion. Brandel stated that it does give more value to the customer.

Seidl asked about the other development the applicant is building to the south. Brandel stated how many lots they have left on the adjacent streets. Seidl asked if these (Calder Drive) lots have been marketed. Brandel stated that these lots have been on the market from about 2015.

Callahan asked about curb cuts and the price points of the lots. Brandel stated that the price point will be similar to those on Hastings Drive and will also vary depending on the finished the customer picks. Callahan asked about houses being sold in Cedar Rapids and how these lots

compare. Brandel stated that the differences in the Cedar Rapids lots versus these lots.

Roll Call:

Callahan	Nay
Budde	Nay
Harper	Nay
Moorman	Nay
Seidl	Nay
Arenholz	Nay
Monroe	Aye
Moomey	Aye

Motion failed (6-2).

7. ALLEY VACATIONS

- a. Public Hearing regarding an alley vacation for the east half of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets.

Hockett briefly went over the staff report and the reason for the vacation request and desire to purchase a portion. He stated that the adjacent neighbors are both supportive of the request for vacation.

The public hearing was opened at 6:54p.m.

Brandon Scherbaum, 176 10th Street, stated why he is making the request for the vacation and purchasing of the alley.

Moomey asked who is taking care of the grass currently. Scherbaum stated that he has since he purchased the home.

The public hearing was closed at 6:55p.m.

- b. CPC Resolution No. 20-05 recommending approval of the alley vacation for the east half of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets. (Brandon Scherbaum)

Motion by Monroe, seconded by Budde to recommend approval of CPC Resolution No. 20-05 recommending approval of the alley vacation for the east half of the east west alley located between 1st and 2nd Avenues and 9th and 10th Streets.

Roll Call:

Seidl	Aye
Harper	Aye
Moorman	Aye
Callahan	Aye
Arenholz	Aye
Moomey	Aye
Monroe	Aye

Budde Aye

All “ayes”, motion carried (8-0).

- c. Public Hearing regarding an alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets.

Hockett went over the staff report and mentioned that it is an unimproved alley that does not appear to have regular use. He stated that a utility easement will be kept over the alley, fences would be allowed but no sheds.

Callahan asked what happens if both sides want the alley. Hockett explained how alleys are split.

The public hearing was opened at 7:00p.m.

Mitch Sutton, 1060 27th Street, stated his reason for the request and that he has been maintaining the alley.

Mike Schafer, 1070 27th Street, stated he is favor and that he wants to know where he can install a fence.

The public hearing was closed at 7:02p.m.

- d. CPC Resolution No. 20-06 recommending approval of an alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets.

Motion by Budde, seconded by Callahan, to recommend approval of CPC Resolution No. 20-06 recommending approval of an alley vacation for the north south alley located between 10th and 11th Avenues and 26th and 27th Streets. (Mitchell Sutton)

Roll Call:

Harper	Aye
Monroe	Aye
Moorman	Aye
Seidl	Aye
Arenholz	Aye
Moomey	Aye
Budde	Aye
Callahan	Aye

All “ayes”, motion carried (8-0).

8. CENTRAL CORRIDOR REVIEW

- a. CPC Resolution No. 20-07 recommending approval of the West End - Central Corridor Review for property located at 809 6th Avenue, Marion, Iowa. (Annette Perry)

Hockett presented the staff report and gave the history of how the request has evolved. He talked about how the vision of the site has stayed the same throughout the various requests that have been brought forward. The difference in requests is the type of structure now proposed. He stated that the Main Street Committee recommended approval of the request. Perry mentioned the materials being used.

Monroe asked if water would be provided in each unit. Perry stated that it is available. Monroe asked if they would be removed every year. Perry stated that the idea is to have them up for 3-5 years pending the market. Monroe asked about the other materials being used.

Callahan asked about the roof material. Perry stated that they would have metal roofs.

Seidl asked about security. Perry stated that there will be cameras and tenants can pull down shades at night.

The Commission members shared comments of a similar thought regarding how much they like the idea.

Motion by Monroe, seconded by Harper to recommend approval of CPC Resolution No. 20-07 recommending approval of the West End - Central Corridor Review for property located at 809 6th Avenue, Marion, Iowa.

All "ayes", motion carried (8-0).

9. OTHER BUSINESS

- a. Hockett stated that in the future we need to make sure that when a motion fails a motion should be made in the affirmative for the denial.

10. ADJOURNMENT

Adjourned at 7:13p.m.

Respectfully Submitted,

Grant Harper, Secretary

commission memo

DATE: Thursday, May 23, 2020

TO: Planning and Zoning Commission

FROM: David N. Hockett, AICP
Principal Planner

RE: 6. BESLER – CONDITIONAL USE (GARAGE)

- a. Public hearing regarding a conditional use requested by David Besler pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located 1627 11th Street, Marion, Iowa.
- b. CPC Resolution No. 20-08 recommending approval of a conditional use pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located at 1627 11th Street, Marion, Iowa. (David Besler)

Per Section 176.36, the Marion Planning and Zoning Commission and Zoning Board of Adjustment of the Marion Code of Ordinances, the Zoning Board of Adjustment is the deciding body to authorize the granting of a conditional use. “Conditional uses are those uses having certain special or unique characteristics which require a careful review of their location, design, configuration, and impacts to determine the desirability of permitting their establishment on any given site. They are uses which may or may not be appropriate in a particular location depending upon the consideration in each case of the public need, public benefit, local impact, and specific site plan of the proposed conditional use, all within the context of the intent and purpose of this ordinance and the Comprehensive Community Plan”.

The Planning and Zoning Commission and Zoning Board of Adjustment may impose such conditions, including restrictions and safeguards, upon the property benefited by the conditional use as a considered necessary to prevent or minimize adverse effects upon other property in the vicinity or upon public facilities and services. Such conditions shall include a requirement that development be in accord with a site development plan approved by the Zoning Board of Adjustment. Such conditions shall be expressly set forth in the approval of the conditional use. Violations of such conditions shall be a violation of the ordinance.

Petitioner’s Request:

The applicant, David Besler owner of property located at 1627 11th Street is seeking approval of a conditional use per Section 176.32 that provides approval of an accessory structure (garage) over 900 square feet. The City Council recently amended the City Code to regular accessory structure sizes after numerous concerns were presented regarding large garages being constructed in residential

neighborhoods. The amendment provides for larger garages through the conditional use process and design standards that require the garage to be constructed of similar materials and heights of the principal structure on the property.

Analysis:

The Planning and Zoning Commission and the Zoning Board of Adjustment shall render their decision of approval or denial based on the following review criteria (Section 176.36-6E) as established in the Zoning Regulations:

(1) That the conditional use applied for is provided in the zoning district within which the property is located:

The property is currently zoned R-2, Medium Density Single Family and was annexed to the City of Marion as a fully developed county subdivision. Construction of a garage over 900 square feet is permitted as a conditional use within the zoning district per the conditions established in Section 176.32. The proposed garage is a total of 3120 square feet, which is 2220 sq ft over over the permitted 900 sq ft without the need for conditional use.

(2) That the proposed use and development will be in accord with the intent and purpose of the Zoning Ordinance and the Comprehensive Community Plan:

The intent of Section 176.32 requires that any accessory structure proposed to over 900 square feet shall be designed in a manner that compliments the principal building including the use of similar material and color palate of the principal building and have a height that does not exceed the principal building on the lot.

The attached elevations show a large multi-stall garage which includes what the applicant indicates are 6 stalls that are 10' x 24' which will be used for two residential homes on the property and an additional oversized doors and general storage space to support the maintenance of property.

(3) That the proposed use and development will not have a substantial adverse effect upon adjacent property; the character of the neighborhood; traffic conditions; parking; utility and service facilities; and other factors affecting the public health, safety, and welfare:

The garage is proposed to be placed in the southeast corner of the property and meets or exceeds all required setbacks for an accessory structure in the R-2, Medium Density Residential zoning. It will have no impact on traffic, parking, utility and service facilities. The applicant is using an existing driveway, which will have to be improved with a hard surface (asphalt or concrete).

The Garage is large when compared to all other residential garages in the vicinity. The multiple small individual doors give the proposed garages a self-storage garage appearance that you would not typically find in a residential area. The applicant has indicated that the garage will

have vinyl siding to color match the rear home which is a dark brown. Construction of the garage and will require inspections to ensure that the garage meets minimum building code standards.

- (4) That the proposed development or use will be located, designed, constructed, and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property:**

Staff is concerned about the self-storage rental potential of a garage constructed in this manner. It may not be the intent of the current owner, but garages constructed in this manner may be used as rental units by future owners. The City has had enforcement action against other property owners of garages of this style associated with multi-family units, that realize a greater return on rental garages than tenant garages. Most rental homes of this size do not typically have three stalls dedicated per unit. Self-storage rental is not a residentially permitted use as it creates traffic as well as potential noise. In addition, the garages appear to be separated by internal walls rather than an open garage plan that you would expect with a garage that is used by single tenant. This design as well encourages future self-storage rentals.

- (5) That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities:**

The placement of the garage exceeds all setback requirements for an accessory structure in the R-2, zoning district and is not located within any utility or drainage easements.

Recommendation:

Based on the submitted application, site plan and building elevations staff feels that the proposed garage while not the intent of the current owner is being designed in a manner, with the individual doors and internal walls, that may create a situation that self-storage rental may occur and that the size is well in excess of other detached residential structures in the neighborhood. Staff can't recommend approval of the proposed garage, based on design of the proposed structure, not the proposed size.



MARION

Community Development

Planning Division

1225 6th Avenue, Suite 210

Marion, Iowa 52302

www.cityofmarion.org

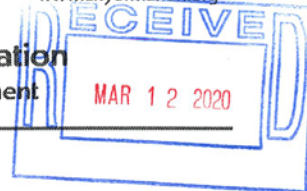


1225 6th Avenue, Suite 210, Marion, Iowa 52302

Phone: (319) 743-6320 Fax: (319) 373-4260

www.cityofmarion.org

Conditional Use Instructions and Application Notice of Appeal to the Zoning Board of Adjustment



CONTACT INFORMATION:

Owner: David Besler
Company Name if Applicable: Besler Renovations LLC
Address: 990 Alexis LN City, State, Zip: Marion, IA 52302
Phone: 563-543-8327 Fax: _____ Email: davebesler@hotmail.com

Applicant or Agent (if different from Owner): _____
Company Name if Applicable: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Applicant or Agent (if different from Owner): _____
Company Name if Applicable: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

PRE-APPLICATION INFORMATION:

Have you attended a pre-application conference with Staff? Yes: ☐ No: ☒

If yes, date of pre-application conference: _____

If no, contact the Planning and Development Department at 319-743-6320 or email Ama Bartlett at abartlett@cityofmarion.org to schedule a pre-application conference prior to submittal of the application. Failure to conduct a pre-application conference may result in processing delays of your request.

PROPERTY INFORMATION:

Property Address (if different from Owner Information): 1627 11th St
Legal Description: A P 324 LOT 1 & E1/2
Lot Size: 250 x 176 = _____ Square Feet (or attach a copy of Plat)
Zoning District: RESIDENTIAL Present Use of Property: Two single Family Rentals
City Code Section regarding Conditional Use: _____



Conditional Use Instructions and Application

Notice of Appeal to the Zoning Board of Adjustment

GENERAL DESCRIPTION OF REQUEST:

Please provide a general description of the request. (Use additional sheets of paper if necessary)

The building will be used for property maintenance and for residence to use for storage. There are two single family homes on the property so each would receive 3 stalls and the others would be use for storage of items to maintain the property (lawn tractor, ect). There will be electric but no heat and no plumbing. Will be poured foundation walls with stick framing, shingles, and siding. There will be poured concrete from the street to building with drive to each of the doors.

SITE PLAN:

Have you attached a site plan? Yes: ☒ No: ☐

Please remember a site plan must be submitted and be to a reasonable scale. If you should require assistance please contact the Planning and Development Department.

IMPORTANT DATES AND TIMES:

- Zoning Board of Adjustment Deadline – Last weekday of the Month – 4:00 p.m.
- Zoning Board of Adjustment Regular Meeting – 3rd Tuesday of Every Month – 7:00 p.m.

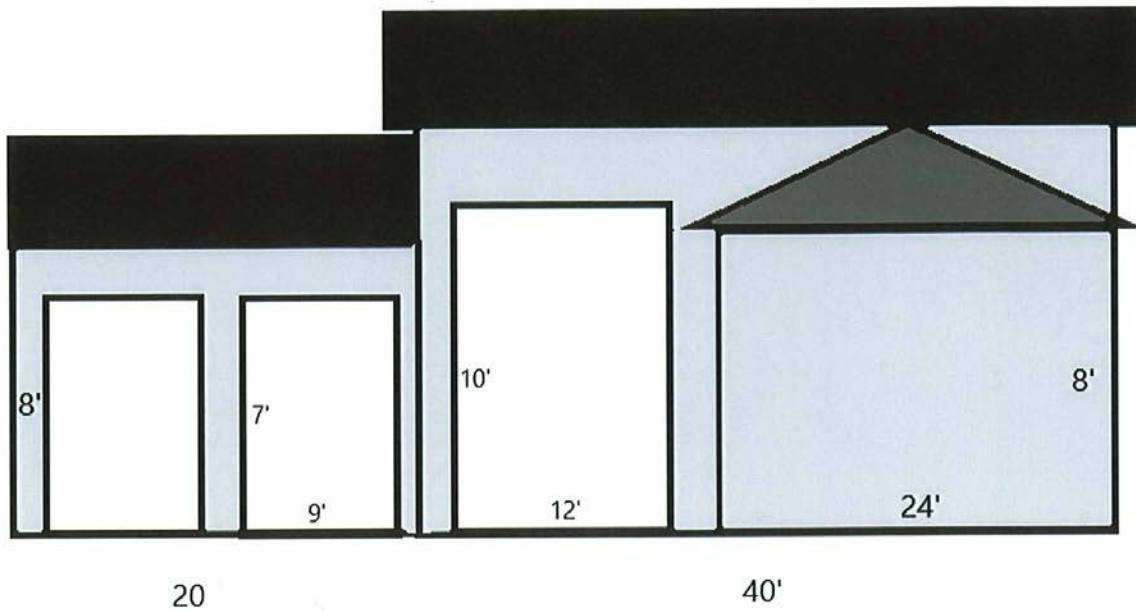
It is requested that the appeal be set for hearing by the Chairperson of the Zoning Board of Adjustment in strict accordance with the provisions of the Code of Ordinances of the City of Marion. Property owner signature is required.

Name: 
(Signature)

Date: 3-13-20

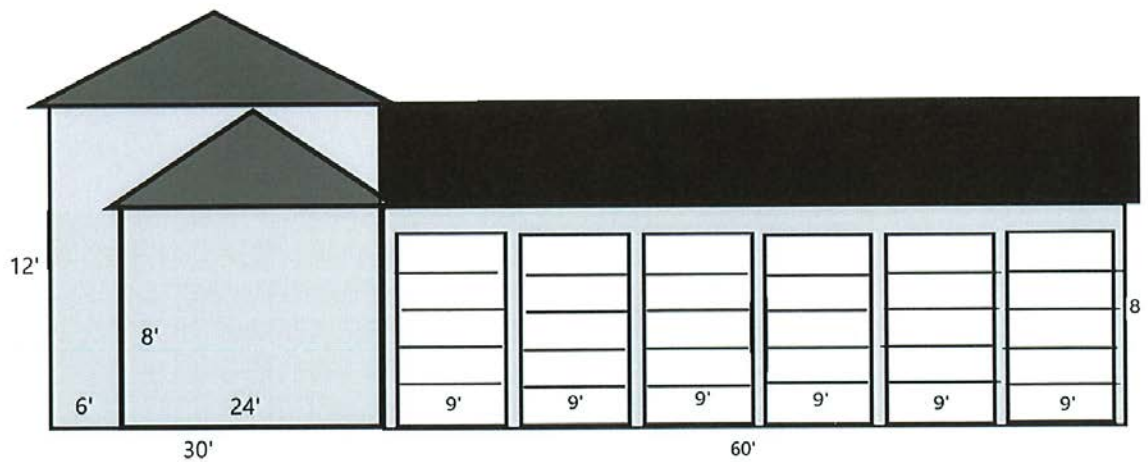
← NORTH

Westview Of Building

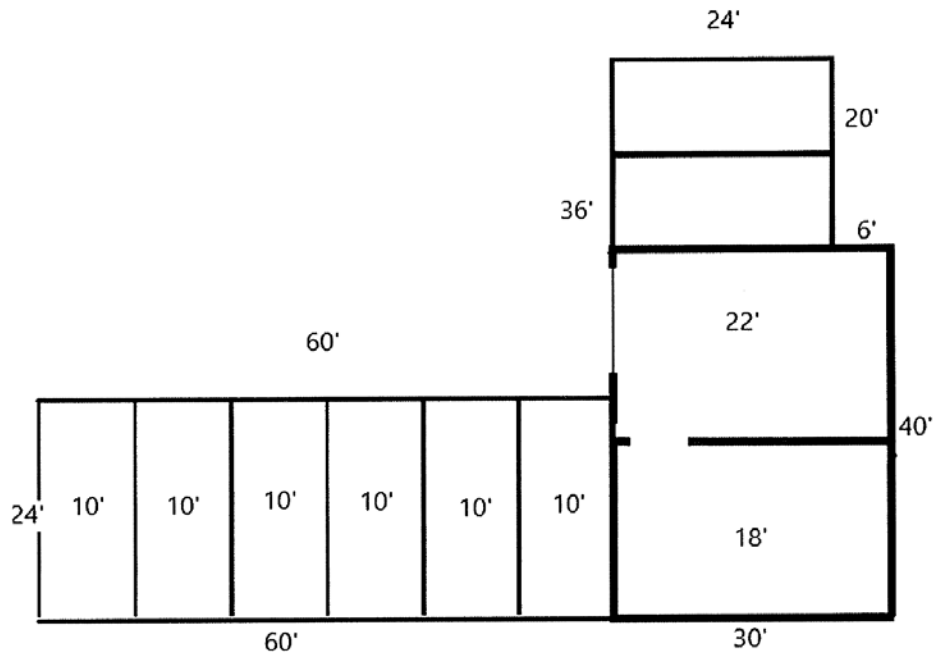


← EAST

Northview of Property



Birds Eye View





www.cityofmarion.org



commission memo

DATE: Thursday, May 23, 2020

TO: Planning and Zoning Commission

FROM: David N. Hockett, AICP
Principal Planner

RE: 7. JON FITCH – CONDITIONAL USE (GARAGE)

- a. Public hearing regarding a conditional use requested by Jon Fitch pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located 1175 Valley Park Street, Marion, Iowa.
- b. CPC Resolution No. 20-09 recommending approval of a conditional use pursuant to Section 176.32-2B of the Marion Code of Ordinances to permit a detached structure to exceed 900 square feet located at 1175 Valley Park Street, Marion, Iowa. (Jon Fitch)

Per Section 176.36, the Marion Planning and Zoning Commission and Zoning Board of Adjustment of the Marion Code of Ordinances, the Zoning Board of Adjustment is the deciding body to authorize the granting of a conditional use. “Conditional uses are those uses having certain special or unique characteristics which require a careful review of their location, design, configuration, and impacts to determine the desirability of permitting their establishment on any given site. They are uses which may or may not be appropriate in a particular location depending upon the consideration in each case of the public need, public benefit, local impact, and specific site plan of the proposed conditional use, all within the context of the intent and purpose of this ordinance and the Comprehensive Community Plan”.

The Planning and Zoning Commission and Zoning Board of Adjustment may impose such conditions, including restrictions and safeguards, upon the property benefited by the conditional use as a considered necessary to prevent or minimize adverse effects upon other property in the vicinity or upon public facilities and services. Such conditions shall include a requirement that development be in accord with a site development plan approved by the Zoning Board of Adjustment. Such conditions shall be expressly set forth in the approval of the conditional use. Violations of such conditions shall be a violation of the ordinance.

Petitioner’s Request:

The applicant, Jon Fitch (1175 Valley Park Circle) is seeking approval of a conditional use per Section 176.32 that provides approval of an accessory structure (garage) over 900 square feet. The City Council recently amended the City Code to regular accessory structure sizes after numerous concerns were presented regarding large garages being constructed in residential neighborhoods. The amendment

provides for larger garages through the conditional use process and design standards that require the garage to be constructed of similar materials and heights of the principal structure on the property.

Analysis:

The Planning and Zoning Commission and the Zoning Board of Adjustment shall render their decision of approval or denial based on the following review criteria (Section 176.36-6E) as established in the Zoning Regulations:

(1) That the conditional use applied for is provided in the zoning district within which the property is located:

The property is currently zoned R-2, Medium Density Single Family and was annexed to the City of Marion as a fully developed county subdivision. Construction of a garage over 900 square feet is permitted as a conditional use within the zoning district per the conditions established in Section 176.32. The proposed garage is 912 sq.ft. which is 12 sq ft over the permitted amount without the need for approval of a conditional use.

(2) That the proposed use and development will be in accord with the intent and purpose of the Zoning Ordinance and the Comprehensive Community Plan:

The intent of Section 176.32 requires that any accessory structure proposed to over 900 square feet shall be designed in a manner that compliments the principal building including the use of similar material and color palate of the principal building and have a height that does not exceed the principal building on the lot.

The attached elevations show a two stall garage door (16' x 8') with additional storage space. A horizontal siding color matched to the house is proposed.

(3) That the proposed use and development will not have a substantial adverse effect upon adjacent property; the character of the neighborhood; traffic conditions; parking; utility and service facilities; and other factors affecting the public health, safety, and welfare:

The garage is proposed to be placed in the southeast corner of the property and meets or exceeds all required setbacks for an accessory structure in the R-2, Medium Density Residential zoning. It will have no impact on traffic, parking, utility and service facilities. The applicant is using an existing driveway and will not require any additional curb cut for a driveway to the street.

Staff further believes that the project will not have a substantial adverse effect on the public health, safety, or welfare. A building permit will be required for the construction of the garage and will require inspections to ensure that the garage meets minimum building code standards.

(4) That the proposed development or use will be located, designed, constructed, and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property:

Orderly use, development, and improvement of surrounding property is not anticipated to be impacted by the construction of the proposed garage. The property is one (1) acre in size and is comparable to adjacent properties. The development has several larger detached structures in the immediate vicinity.

The additional 12 square foot of garage will obstruct no more view than the 900 square foot that would be permitted. The placement of the garage in this vicinity will not affect adjacent property owners from the use of their own properties.

- (5) That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities:**

The placement of the garage exceeds all setback requirements for an accessory structure in the R-2, zoning district and is not located within any utility or drainage easements. The

Recommendation:

Based on the submitted application, site plan and building elevations staff feels that the proposed conditional use to construct an accessory structure over 900 square feet meets / exceeds the requirements established by Section 176.32 and 176.36 of the Marion Code of Ordinances and recommends approval of the Conditional Use subject to the following:

Conditional Use Instructions and Application

Notice of Appeal to the Zoning Board of Adjustment

CONTACT INFORMATION:

Owner: Jon Fitch
Company Name if Applicable: _____
Address: 1175 Valley Park St City, State, Zip: Marion, IA 52302
Phone: 319-440-4676 Fax: _____ Email: jpfitch23@gmail.com

Applicant or Agent (if different from Owner): _____
Company Name if Applicable: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

Applicant or Agent (if different from Owner): _____
Company Name if Applicable: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

PRE-APPLICATION INFORMATION:

Have you attended a pre-application conference with Staff? Yes: ☒ No: ☐
If yes, date of pre-application conference: _____

If no, contact the Planning and Development Department at 319-743-6320 or email Ama Bartlett at abartlett@cityofmarion.org to schedule a pre-application conference prior to submittal of the application. Failure to conduct a pre-application conference may result in processing delays of your request.

PROPERTY INFORMATION:

Property Address (if different from Owner Information): _____
Legal Description: Valley Park 1st Lot 13
Lot Size: 60 x 121.3 = 7,728 Square Feet (or attach a copy of Plat)
Zoning District: R-2 Present Use of Property: Residential
City Code Section regarding Conditional Use: 176.32

Conditional Use Instructions and Application

Notice of Appeal to the Zoning Board of Adjustment

GENERAL DESCRIPTION OF REQUEST:

Please provide a general description of the request. (Use additional sheets of paper if necessary)

We currently have a 24'x24' garage in addition to a 10x10 storage shed. The garage is in need of some internal repairs with a portion of the front slab settling upwards of 1". We would like to expand on the garage to allow off street parking for one additional car in the winter in addition to having a clean woodworking shop area in the rear of the garage. We would like to maximize the length for two cars to fit. There is an existing 8' utility easement that we will stay off 1' to allow for the 1' overhang. The south face of the current and reconstructed garage is 3' off the property line. We intend to install 1/2" OSB fire-rated sheathing on the entire face. There will be no windows.

SITE PLAN:

Have you attached a site plan? Yes: ☒ No: ☐

Please remember a site plan must be submitted and be to a reasonable scale. If you should require assistance please contact the Planning and Development Department.

IMPORTANT DATES AND TIMES:

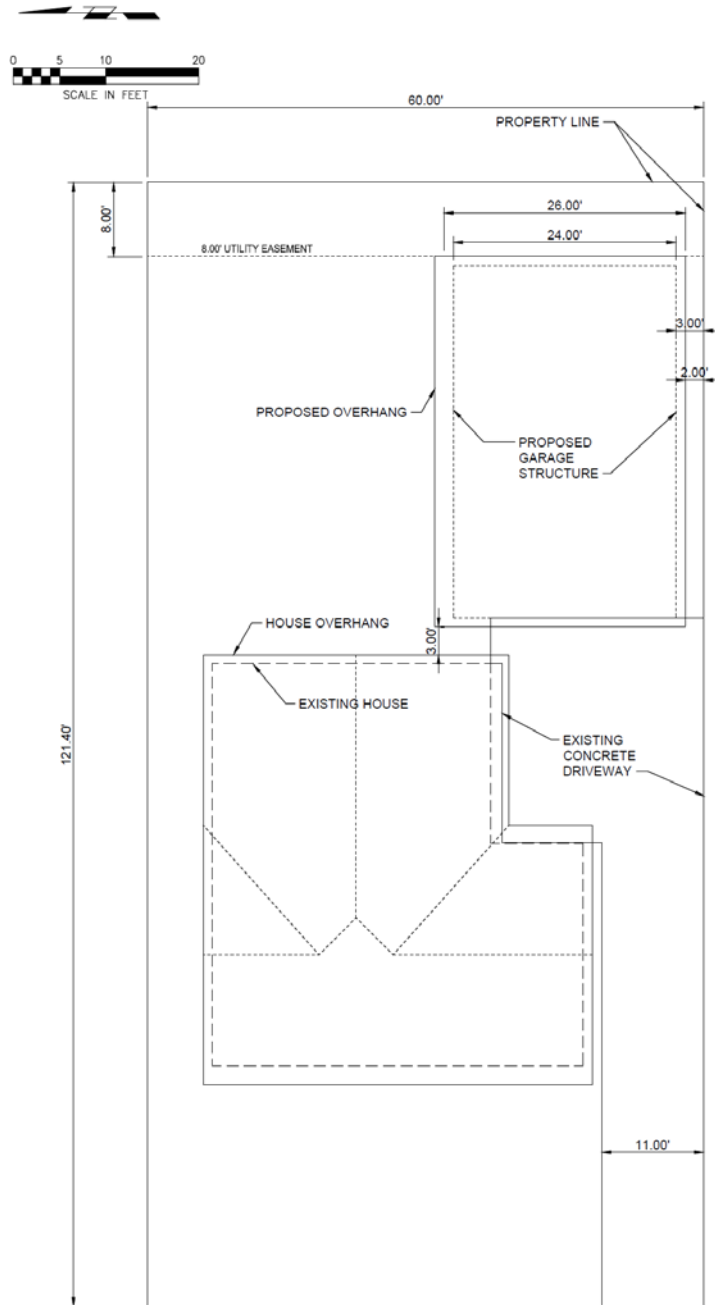
- Zoning Board of Adjustment Deadline – Last weekday of the Month – 4:00 p.m.
- Zoning Board of Adjustment Regular Meeting – 3rd Tuesday of Every Month – 7:00 p.m.

It is requested that the appeal be set for hearing by the Chairperson of the Zoning Board of Adjustment in strict accordance with the provisions of the Code of Ordinances of the City of Marion. Property owner signature is required.

Name: 
(Signature)

Date: 4.6.2020





Plan View



Planning Division
 1225 6th Avenue, Suite 210
 Marion, Iowa 52302
www.cityofmarion.org

commission memo

DATE: Tuesday, May 12, 2020

TO: Planning & Zoning Commission

FROM: Nicole Behrens, AICP Candidate
 Planner I

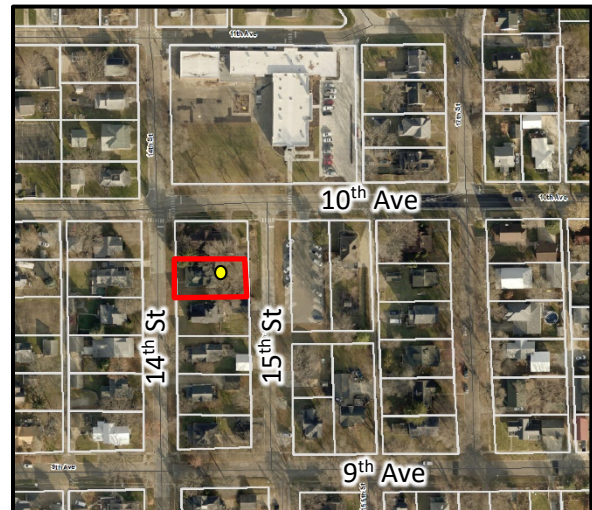
- RE:** 8. CARA CASE - CONDITIONAL USE (BEES)
- a. Public hearing regarding a conditional use requested by Cara Case pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 969 14th Street, Marion, Iowa.
 - b. CPC Resolution 20-10 recommending approval of a conditional use pursuant to Section 176.49-9 of the Marion Code of Ordinances to allow honeybee hives to be located at 969 14th Street, Marion, Iowa. (Cara Case)

Exhibit(s): Conditional Use application / site plan

The applicant, Cara Case (tenant) of 969 14th Street is seeking approval of a conditional use request to allow one honeybee hive to be located on the property per the Marion Code of Ordinances, Zoning Regulations: Urban Agriculture (Chapter 176.49).

According to the applicant, she has educated herself on the raising of bees through a beekeeping class, reading books, and attending beekeeping meetings for four years. The applicant also cared for two hives while she lived in Texas.

Approval for the keeping of honeybees shall not be granted unless the conditions of the section are met:



- A. Maximum Number of Hives:** The maximum number of hives on any given lot or roof for personal consumption of honeybee products shall be two (2) (Section 176.49-9B):
 The applicant is proposing to keep one ground level hive, which meets the maximum permitted amount hives on a lot.

B. Maximum Height and Size: No hive shall exceed five (5) feet in height and twenty (20) cubic feet in size on any lot (Section 176.49-9C):

The proposed hive will sit 4.5 feet tall and will be approximately 12.5 cubic feet in size (18" x 22" x 54"). The hive is shorter than the maximum permitted height of five (5) feet and is less than the permitted size of twenty (20) cubic feet.

C. Beekeeping Requirements

(1) Setbacks

- (a) **Where there is a wall, fence or similar barrier between the subject property and adjacent property, no setback from the property line is required. Where there is no wall, fence or similar barrier between subject property and adjacent property, hives shall be set back five (5) feet from the property line (Section 176.49-9D(1):**

The applicant is proposing to have the hive setback 33' from the eastern property line (15th Street), 10' from the northern property line and over 30' to the southern property line.

- (b) **Hives shall not be located in front or in a side yard that abuts a street in all residential and commercial districts (Section 176.49-9D(2):**

The proposed location of the hive is in the backyard of the property. Being an interior lot, the hive has not been placed in a side yard where the lot abuts a street. The lot does have 15th Street located in the rear; however, the proposed placement of the hive is 33' away from the property line.

- (c) **No hive shall be located closer than ten (10) feet from a public sidewalk (Section 176.49-9D(3):**

There is no public sidewalk along 15th Street on either side of the road. The closest public sidewalks are along 14th Street (front of the house) and on 10th Avenue (one lot north of subject property).

D. Hive Placement and Flyways.

- (1) **For any ground level hive that is within twenty (20) feet of the doors and/or windows of the principal building on an abutting lot, either of the following conditions must exist (Section 176.49.9E(1):**

- (a) **The hive opening must face away from doors and/or windows:**

Not applicable to the request as the hive will be farther than twenty (20) feet from any door or window of an adjacent principal structure. The hive opening

will face south, which is a distance over thirty (30) feet to the southern property line.

- (b) A flyway of at least six (6) feet in height comprising of a lattice fence, dense hedge or similar barrier must be established in front of the opening of the hive such that the honeybees fly upward and away from neighboring properties. The flyway shall be located within three (3) feet of the entrance to the hive and shall extend at least two (2) feet in width on either side of the hive opening: Not applicable to the request as the hive is setback farther than twenty (20)' from an adjacent principal structure.

E. Compliance with State and Local Laws

- (1) All beekeeping shall comply with applicable State and local laws and regulations (176.49-9E):

Compliance with Section 176.49-9 of the Marion City Code shall be considered to comply with all local laws and regulations.

It is staffs' position that the applicant has met all requirements for keeping bees on the property as permitted by Section 176.49 of the Marion Code of Ordinances.

Both the Commission and Zoning Board of Adjustment shall render their decision of approval or denial based on the following review criteria (Section 176.36-6E) as established in the Zoning Regulations:

- (1) That the conditional use applied for is provided in the zoning district within which the property is located:

The property is currently zoned R-3, Two-Family Residential and beekeeping is permitted as a conditional use within the zoning district and per the conditions established in the Urban Agricultural Regulations (176.49).

- (2) That the proposed use and development will be in accord with the intent and purpose of the Zoning Ordinance and the Comprehensive Community Plan:

The use is permitted through the conditional use process and through conditions established in the Urban Agricultural Regulations (176.49). The City Council through its approval of the Urban Agriculture Regulations has placed an emphasis on permitting more urban agriculture and their accessory uses within the City Limits as part of the Blue Zone initiative.

- (3) That the proposed use and development will not have a substantial adverse effect upon adjacent property; the character of the neighborhood; traffic conditions; parking; utility and service facilities; and other factors affecting the public health, safety, and welfare:

Planning Division1225 6th Avenue, Suite 210

Marion, Iowa 52302

www.cityofmarion.org

There should not be an adverse effect upon adjacent properties or the character of the neighborhood from the proposed hive as it sits towards the middle of the backyard which is fenced. Staff believes that the public health, safety, and welfare are not being affected as the public will not have direct access to the hives and Emerson Elementary is now the location of the Marion Home School Assistance Program meaning recess is not being held nearby on a daily basis.

- (4) That the proposed development or use will be located, designed, constructed, and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property:**

The location of the hive in the middle of the fenced in backyard provides distance from the public on either of the three (3) adjacent/nearby streets.

- (5) That adequate measures have been or will be taken to assure adequate access designed to minimize traffic congestion and to assure adequate service by essential public services and facilities including utilities, storm water drainage, and similar facilities:**

The proposed conditional use should not affect traffic or essential public services and facilities.

Staff Recommendation:

Staff recommends **APPROVAL** of CPC Resolution No. 20-10; the applicant has met the requirements for keeping bees on the property as permitted by Section 176.49 of the Marion Code of Ordinances and the standards for review of a conditional use have been met.

Conditional Use Instructions and Application
Notice of Appeal to the Zoning Board of Adjustment

CONTACT INFORMATION:

Owner: Gutschmidt Properties Inc
Company Name if Applicable: Eric Gutschmidt
Address: 1540 D Avenue NE City, State, Zip: Cedar Rapids, IA 52402
Phone: (319) 214-3332 Fax: _____ Email: gutschmidtproperties@gmail.com

Applicant or Agent (if different from Owner): Cara Case
Company Name if Applicable: _____
Address: 969 14th Street City, State, Zip: Marion, IA 52302
Phone: (903) 353-4308 Fax: _____ Email: caraharclerode@gmail.com

Applicant or Agent (if different from Owner): _____
Company Name if Applicable: _____
Address: _____ City, State, Zip: _____
Phone: _____ Fax: _____ Email: _____

PRE-APPLICATION INFORMATION:

Have you attended a pre-application conference with Staff? Yes: _____ No: ☒

If yes, date of pre-application conference: _____

If no, contact the Planning and Development Department at 319-743-6320 or email tbellach@cityofmarion.org to schedule a pre-application conference prior to submittal of the application. Failure to conduct a pre-application conference may result in processing delays of your request.

PROPERTY INFORMATION:

Property Address (if different from Owner Information): 969 14th Street, Marion
Legal Description: Gray & Greens S60' N120' Lot K & W40' S60' N120'
Lot Size: 120' x 60' = 7,200^{sf} Square Feet (or attach a copy of Plat)
Zoning District: R3 Present Use of Property: single-family residential
City Code Section regarding Conditional Use: 176.49-9

Conditional Use Instructions and Application
Notice of Appeal to the Zoning Board of Adjustment

GENERAL DESCRIPTION OF REQUEST:

Please provide a general description of the request. (Use additional sheets of paper if necessary)

I would like to request authorization to keep one hive of honey bees at 969 14th Street, a single-family residential lot in Marion. Bees are crucial for the pollination of both food crops and flowers, in addition to producing honey and wax. They are fascinating creatures to observe as they work together at their tasks in the hive.

The placement of the hive will be in the backyard at ground level at least 20 feet from any doors or windows of the principal building at 969 and 20 feet from the principal building on any abutting lot (please see Site Plan attached). The hive will also be more than 20 feet away from 15th Street behind the lot.

SITE PLAN:

Have you attached a site plan? Yes: ☒ No: ☐

Please remember a site plan must be submitted and be to a reasonable scale. If you should require assistance please contact the Planning and Development Department.

IMPORTANT DATES AND TIMES:

- Zoning Board of Adjustment Deadline - Last weekday of the Month - 4:00 p.m.
- Zoning Board of Adjustment Regular Meeting - 3rd Tuesday of Every Month - 7:00 p.m.

It is requested that the appeal be set for hearing by the Chairperson of the Zoning Board of Adjustment in strict accordance with the provisions of the Code of Ordinances of the City of Marion. Property owner signature is required.

Name: _____

(Signature)

Date: _____

4/24/2020

15th Street

Electric Pole

50'
hive to street

Driveway

Scale: 2ft



33'
hive to E fence



Maple Tree

Garage Slab

Beehive
Faces South →

10'
hive to N fence

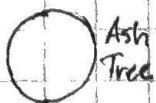
21'
hive to sidewalk

Sidewalk

20'
hive to cellar

23'
hive to house

Cellar Door



Ash Tree

Deck Area

Electric Meter

window

window

window

Back Door



Planning Division
 1225 6th Avenue, Suite 210
 Marion, Iowa 52302
www.cityofmarion.org

commission memo

DATE: Tuesday, May 12, 2020

TO: Planning & Zoning Commission

FROM: Nicole Behrens, AICP Candidate
 Planner I

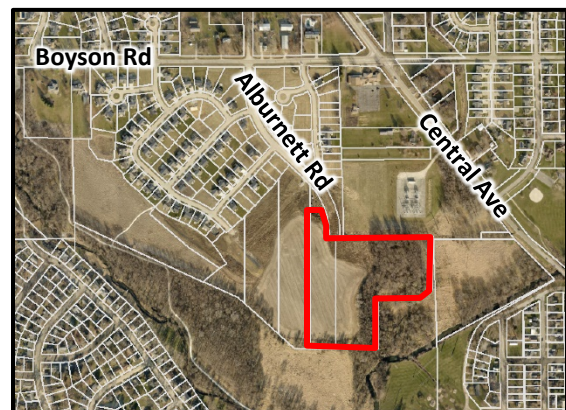
RE: 9. BOWMAN MEADOW'S 7TH ADDITION - COMPREHENSIVE PLAN AMENDMENT, PRELIMINARY PLAT, PRELIMINARY SITE DEVELOPMENT PLAN

- a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family Residential for Bowman Meadows 7th Addition, Marion, Iowa.
- b. CPC Resolution No. 20-11 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)
- c. CPC Resolution No. 20-12 recommending approval of a preliminary plat for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)
- d. CPC Resolution No. 20-13 recommending approval of a preliminary site development plan for Bowman Meadows 7th Addition, Marion, Iowa. (Midwest Development Co.)

Exhibit(s): A. Future Land Use Map - Letter of Request & Exhibit
 B. Proposed Preliminary Plat
 C. Proposed Preliminary Site Development Plan & Elevations

Background:

Midwest Development Company is seeking approval of a comprehensive plan amendment to the Future Land Use Map, preliminary plat, and preliminary site development plan for Bowman Meadows 7th Addition. The property consists of approximately 14.75 acres and includes four buildable lots, road right-of-way, two drainage lots, and an outlot for future a Bowman Meadows development (located on the west side of Alburnett Road extension). The four buildable lots will include two buildings per lot with 10-units per building.

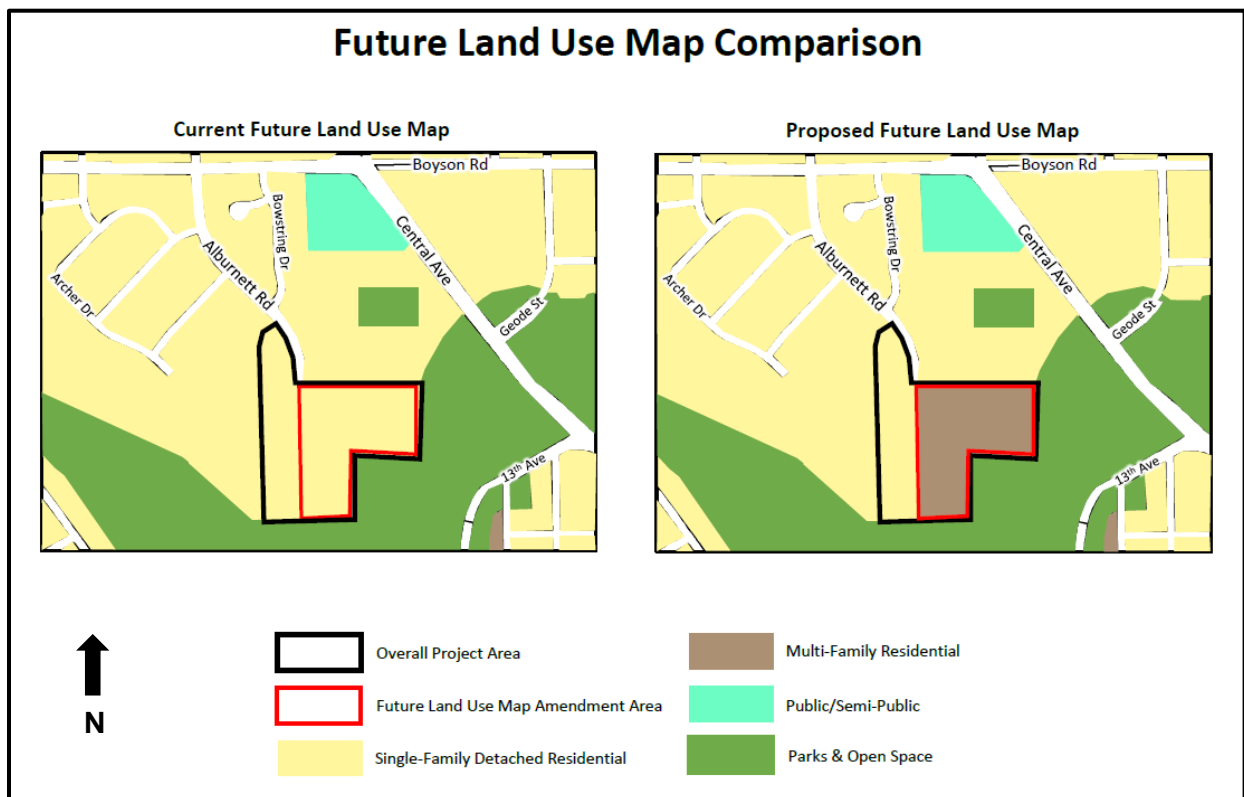


The current PD-R, Planned Development-Residential zoning does allow for the multi-family use that is being proposed by the developer.

Future Land Use Map Amendment:

City Council approved Ordinance 10-03, rezoning the property associated with the current request from A-1, Agriculture to PD-R, Planned Development Residential in August 2010. The portion of the PD-R located on the east side of the proposed Alburnett Road extension (red box) was originally planned for single-family detached homes which worked with the Single-Family Detached Residential Future Land Use Map designation.

The applicant is now proposing multi-family units to be located on that property and is requesting to amend the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family Residential.



Per the Comprehensive Plan, multi-family residential is intended to be used as a transitional product between non-residential and single-family residential uses as well as along major roads. Per the Marion Transportation Plan within the Comprehensive Plan and our Major Streets Guide, Alburnett Road

extension is classified as a minor arterial and will include accommodations for multi-modal transportation. Arterial roads are essential to the urban street network where larger volumes of traffic at higher speeds move compared to their counterparts, collectors and local streets. They are also characterized by limited access points and fewer signalized or controlled intersections.

Staff recommends **APPROVAL** of CPC Resolution No. 20-11 regarding the proposed amendment to the Future Land Use Map of the Marion Comprehensive Plan. The request meets goals stated within the Comprehensive Plan pertaining to multi-family residential recommendations and policies.

Preliminary Plat:

The following address the review criteria for platting purposes:

1. Compliance with Chapter 176 (Zoning Regulations) and Marion Comprehensive Plan:

The applicant is proposing, with this request, an amendment to the Comprehensive Plan's Future Land Use Map. The request meets requirements set forth within Chapter 176.

2. Water Service:

Water is currently located at the intersection of Alburnett Road and Bowstring Drive. The Developer is aware of this and is showing the extension of water services south to serve the development.

3. Storm-Water Management:

The applicant is indicating three private detention basins (dry) on Lot 1 along Alburnett Road and Lot 2 and Lot 3 on the eastern edge of the property. Lot A and Lot B will be dedicated to the City for open space and drainage conveyance.

4. Environmentally Sensitive Land Impact:

The site has taken into account the sensitive land identified.

- a) 100 Year Flood Plain: Lot A and Lot B will be dedicated to the City as open space and drainage conveyance. Both lots have a good portion located within the 100-year flood plain. Lot 1 and Lot 2 also show the 100-year flood plain on them; however, the applicant is showing the buildings outside of the flood plain.
- b) 500 Year Flood Plain: Not Applicable; not located within the 500-year flood plain.
- c) Slope: Not Applicable, no slopes greater than 15% are identified on the subject property.
- d) Tree Masses: The applicant is showing most, if not all the existing tree mass to be removed for either buildings or detention basins.
- e) Wetlands: Not Applicable, there are no wetlands on the site.

5. Sanitary Sewer Service:

Sanitary sewer will be extended from Bowman Meadows 6th Addition off the end of Archer Drive to the east to serve the development.

6. Street Construction:

The extension of Alburnett Road by the developer is required if the City has not constructed the road first. If the developer moves forward with the project prior to the City constructing the road, the developer will be reimbursed their cost for the over-width and over-depth of Alburnett Road which has been common practice tracked by the Engineering Department. If the City constructs Alburnett Road, the developer will need to pay a hook-up fee when they move forward with their development. The internal street network within the development will be private.

7. Trail / Sidewalk Connections:

An 8' trail will be installed along both sides of Alburnett Road as part of the Alburnett Road construction. Private internal sidewalks are indicated on the preliminary site development plan.

8. Lot Configuration / Access

Lot configurations meet the requirements of a PD-R development. Access is being provided that can accommodate emergency management vehicles.

9. Parkland / Open Space Dedication:

The developer is not proposing dedication of any parkland. As mentioned above, Lot A and Lot B will be dedicated to the City as open space and drainage conveyance due to the location of the 100-year flood plain indicated on both lots. The City currently does not require any dedication of parkland or open space.

Staff recommends **APPROVAL** of CPC Resolution No. 20-12 regarding Midwest Development Company's Bowman Meadows 7th Addition Preliminary Plat. The request is consistent with the proposed Future Land Use Map amendment and existing PD-R zoning. It also meets the requirements set forth within Chapter 175, Subdivision Regulations and Chapter 176, Zoning Regulations.

Preliminary Site Development Plan:

Bowman Meadows 7th Addition is denser than the nearby subdivision being developed by Midwest Development Co. The density of multi-family area, Lots 1- 4, is approximately 12-units per acre (red area), compared to approximately 3.5-units per acre within Bowman Meadows 1st – 5th Additions (blue areas, approved final plats). Staff is not concerned about the difference in density as the multi-family is adjacent to city parkland creating an open feel on the periphery of the property.





Planning Division

1225 6th Avenue, Suite 210

Marion, Iowa 52302

www.cityofmarion.org

All internal roads/drive aisles within the development will be privately owned and maintained. A second ingress/egress onto Alburnett Road was added per the Fire Departments recommendation in case of an emergency. Per the applicant's engineer, the two bump-outs located in the middle of Arbor Mist Drive and Stoney Oak Lane are to provide the minimum required clearance around a fire hydrant.

At the request of staff, internal sidewalks have been provided for the residents which lead the two mailbox clusters and the adjacent 8' trail along Alburnett Road. These internal sidewalks are to provide pedestrian accommodations so people do not need to walk in the drive aisles.

The provided landscaping along Alburnett Road does meet the minimum requirements for both shrubs and trees. Also indicated on the Plan is one tree per building located within a grass strip separating driveways.

Eight identical buildings (10-units per building) are proposed for the property. Each three-level unit will include a private entrance, attached ground level 2-car garage, common living space on the second floor, and two bedrooms and bathrooms on the third level. Colored elevation renderings indicate the use of light, medium, and dark gray tones (one of the four color schemes) while utilizing a mix of horizontal, vertical, and shake vinyl siding.

Staff recommends **APPROVAL** of CPC Resolution No. 20-13 regarding Midwest Development Company's proposed Bowman Meadows 7th Addition Preliminary Site Development Plan. The applicant has addressed comments made by staff and the Plan meets the requirements set forth within Chapter 176, Zoning Regulations.

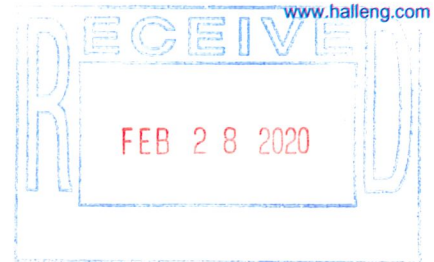
HALL & HALL ENGINEERS, INC.

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February 28, 2020

Mr. David N. Hockett, AICP
Assistant Planning and Development Director
City of Marion Planning and Development Department
1225 6th Avenue, Suite 210
Marion IA 52302



RE: Future Land Use Map Amendment – Bowman Meadows Seventh Addition

Dear Mr. Hockett,

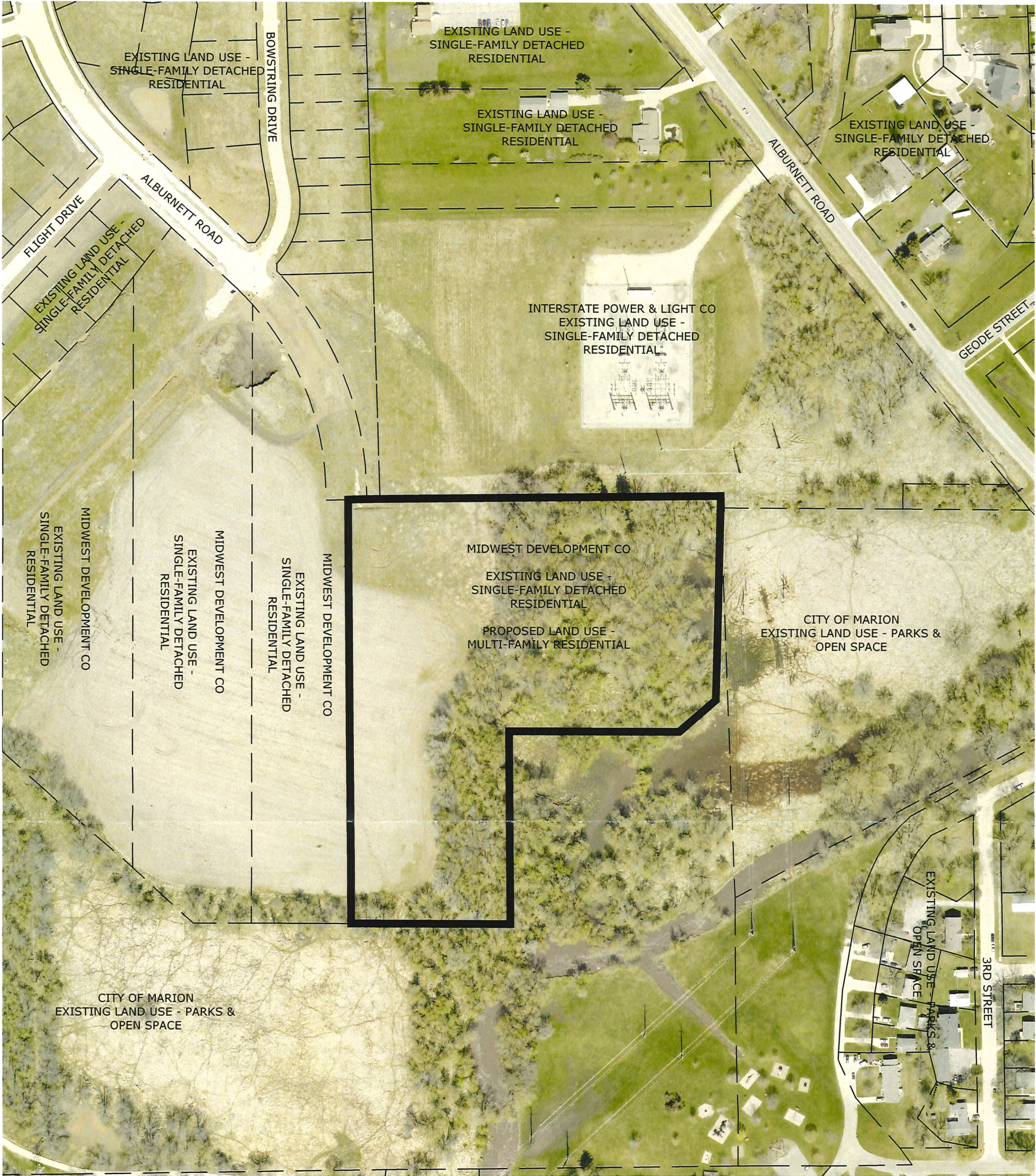
On behalf of our client, Midwest Development, Co., we respectfully request to amend the future land use map of the Marion Comprehensive Plan from Single-Family Detached Residential to Multi-Family to accommodate multi-family in the PD-R rezoning classification. If you have any further questions, please contact me at (319) 362-9548. Thank you for your help in this matter.

Sincerely,



Loren Hoffman
Project Manager

Copy: Hunter Skogman, Midwest Development, Co.



OWNER/APPLICANT:
MIDWEST DEVELOPMENT CO
%HUNTER SKOGMAN
417 1ST AVENUE SE
CEDAR RAPIDS IA 52401
HSKOGMAN@SKOGMAN.COM

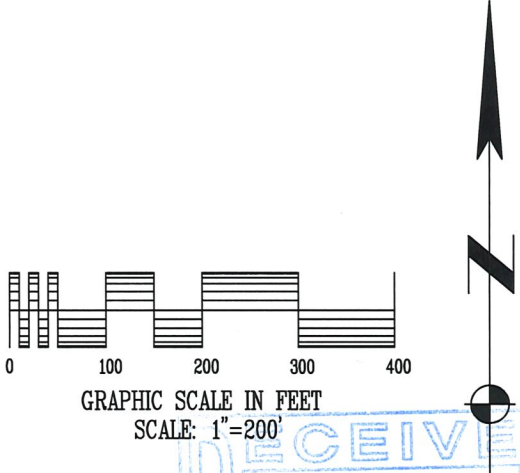
CONTACT:
HALL & HALL ENGINEERS, INC.
%LOREN HOFFMAN
1860 BOYSON ROAD
HIAWATHA IA 52233
(319) 362-9548
LOREN@HALLENG.COM

EXISTING FUTURE LAND USE MAP DESIGNATION: SINGLE-FAMILY DETACHED RESIDENTIAL

PROPOSED FUTURE LAND USE MAP DESIGNATION: MULTI-FAMILY RESIDENTIAL

EXISTING AND PROPOSED ZONING: PD-R (PLANNED DEVELOPMENT-RESIDENTIAL)

LEGAL DESCRIPTION:
PARCEL 'B' IN PLAT OF SURVEY NO. 1565 AS FILED IN BOOK 7458 AT PAGE 302 IN THE OFFICE OF THE LINN COUNTY RECORDER
AND BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE ¼ SW ¼) ALL IN SECTION 36, TOWNSHIP 84
NORTH, RANGE 7 WEST OF THE 5TH P.M. IN THE CITY OF MARION, LINN COUNTY, IOWA



PROJECT NUMBER: 7574-MF	SHEET: 1 OF 1	SCALE: 1" = 200'	FIELD BOOK NO: NA	DATE: 02/24/20	SHEET TITLE: EXHIBIT FUTURE LAND USE MAP AMENDMENT BOWMAN MEADOWS 7TH ADDITION MARION, LINN COUNTY, IOWA
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LAND SURVEYING • LAND DEVELOPMENT PLANNING

www.halleng.com

DESIGNED BY: SKF

DRAWN BY: SKF

CHECKED BY: SKF

REVISED PRELIMINARY PLAT
FOR
BOWMAN MEADOWS 7TH ADDITION
IN THE CITY OF MARION, LINN COUNTY, IOWA

UTILITY LEGEND-EXISTING

— (SS8) —	SANITARY SEWER W/SIZE
— (ST15) —	STORM SEWER W/SIZE
— — — —	SUBDRAIN
— (FM6) —	FORCE MAIN W/SIZE
— (W8) —	WATER MAIN W/SIZE
— (G) — — (G) —	GAS
— (S) — — (S) —	STEAM
— (OHE) — — (OHE) —	ELECTRIC-UNDERGROUND
— (E) — — (E) —	ELECTRIC-UNDERGROUND
— (C) — — (C) —	CABLE TV-UNDERGROUND
— (OHC) — — (OHC) —	CABLE TV-UNDERHEAD
— (OHT) — — (OHT) —	TELEPHONE-UNDERHEAD
— (F) — — (F) —	FIBER OPTIC-UNDERGROUND
— (OHF) — — (OHF) —	FIBER OPTIC-UNDERHEAD
— (T) — — (T) —	TELEPHONE-UNDERGROUND
— — — —	FENCE LINE
— — — —	SILT FENCE
— (FP) — — — —	FLOODPLAIN LIMITS
— (FW) — — — —	FLOODWAY LIMITS
— (CORP) — — — —	CITY CORPORATE LIMITS
— — — — 800 — — — —	CONTOUR LINE
— — — —	LIGHT POLE W/O MAST
— — — —	LIGHT POLE W/MAST
— — — —	TELEPHONE POLE
— — — —	POWER POLE
— — — —	GUY ANCHOR
— — — —	GUY POLE
— — — —	TELEPHONE PEDESTAL
— — — —	TELEPHONE MANHOLE
— — — —	CABLE TV PEDESTAL
— — — —	UTILITY/CONTROL CABINET
— — — —	SANITARY MANHOLE
— — — —	STORM MANHOLE
— — — —	GRATE INTAKE
— — — —	RA-3 INTAKE
— — — —	RA-5 INTAKE
— — — —	RA-6 INTAKE
— — — —	RA-8 INTAKE
— — — —	HORSESHOE CATCH BASIN W/O FLUME
— — — —	HORSESHOE CATCH BASIN W/FLUME
— — — —	GAS VALVE
— — — —	FLARED END SECTION
— — — —	CLEANOUT, STORM OR SANITARY
— — — —	TRAFFIC SIGNAL W/MAST
— — — —	BOLLARD
— — — —	BENCHMARK
— — — —	STREET SIGN
— — — —	WELL
— — — —	FIRE HYDRANT

UTILITY LEGEND-PROPOSED

— SS8 —	SANITARY SEWER W/SIZE
— ST18 —	STORM SEWER W/SIZE
— FM6 —	FORCE MAIN W/SIZE
— W12 —	WATER MAIN W/SIZE
— CORP —	CITY CORPORATE LIMITS
— S —	SANITARY MANHOLE
— D —	STORM MANHOLE
— OR —	GRATE INTAKE
— RA-3 —	RA-3 INTAKE
— RA-5 —	RA-5 INTAKE
— RA-6 —	RA-6 INTAKE
— RA-8 —	RA-8 INTAKE
— H —	HORSESHOE CATCH BASIN W/O FLUME
— F —	FLARED END SECTION
— C —	CLEANOUT, STORM OR SANITARY
— H —	FIRE HYDRANT
— V —	WATER VALVE
— S —	WATER SHUTOFF
— B —	WATER BLOWOFF

SURVEY LEGEND

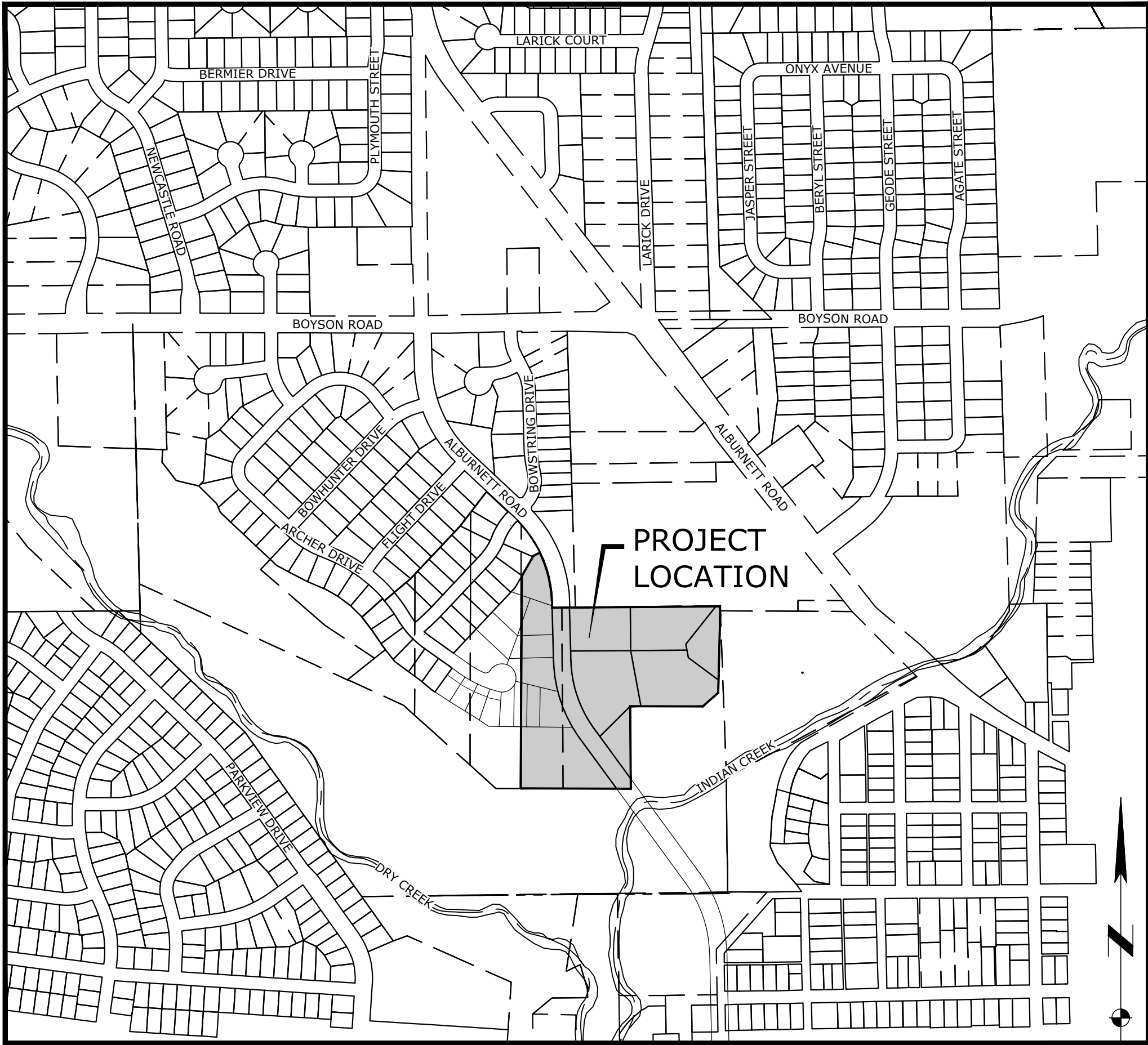
— — — —	SET — REBAR W/CAP NO. —
— — — —	FOUND SURVEY MONUMENT AS NOTED
— — — —	FOUND RIGHT OF WAY RAIL
— — — —	SECTION CORNER SET AS NOTED
— — — —	SECTION CORNER FOUND AS NOTED
— — — —	CUT "X" IN CONCRETE
— — — —	RECORDED AS
— — — —	EASEMENT LINE
— — — —	PLAT OR SURVEY BOUNDARY
— — — —	PLAT LOT LINE
— — — —	CENTERLINE
— — — —	SECTION LINE
— — — —	1/4 SECTION LINE
— — — —	1/4-1/4 SECTION LINE
— — — —	EXISTING LOT LINE
— — — —	BUILDING SETBACK LINE

PLANT LEGEND

— — — —	DECIDUOUS TREE
— — — —	CONIFEROUS TREE
— — — —	DECIDUOUS SHRUB
— — — —	CONIFEROUS SHRUB
— — — —	TREE STUMP
— — — —	TREE LINE DRIP EDGE

NOTE: THIS IS A STANDARD LEGEND. SOME ITEMS MAY NOT APPEAR ON DRAWINGS.

LOCATION MAP
(1"=500')



SHEET INDEX

- COVER
- REVISED PRELIMINARY PLAT

UTILITY AND EMERGENCY TELEPHONE NUMBERS

CITY OF MARION, IOWA	
ENGINEERING DEPARTMENT	(319)-743-6340
POLICE DEPARTMENT	(319)-377-1511
EMERGENCY	911
FIRE DEPARTMENT	(319)-377-8237
EMERGENCY	911
WATER DEPARTMENT	(319)-743-6310
SEWER MAINTENANCE DEPARTMENT	(319)-377-6367
IOWA ONE CALL (UTILITIES)	(800)-292-8989
MID-AMERICAN ENERGY	(319)-298-5162
CENTURY LINK (TELEPHONE)	
ENGINEER, WEST SIDE	(319)-399-7600
ENGINEER, EAST SIDE	(319)-399-7487
ALLIANT/I.E.S. INDUSTRIES (ELECTRIC, STEAM)	
INFORMATION	(319)-786-1912
MEIDACOM (CABLE TV)	
BUSINESS	(319)-395-9699
LOCATIONS	(800)-292-8989
WINDSTREAM (TELEPHONE / CABLE TV)	
BUSINESS	(319)-790-7114
LOCATIONS	(800)-292-8989
IMON (TELEPHONE / CABLE TV)	(319)-261-4670
SOUTHSLOPE (TELEPHONE / CABLE TV)	(319)-665-5312
LINN COUNTY REC	(319)-377-1587
CEDAR RAPIDS AND IOWA CITY RAILWAY COMPANY	(800)-283-1540
IOWA DEPARTMENT OF TRANSPORTATION	
DISTRICT ENGINEER	(319)-364-0235
MAINTENANCE GARAGES	(319)-364-8189
LINN COUNTY ENGINEER	(319)-892-6400
LINN COUNTY MAINTENANCE	(319)-892-6420

TITLEHOLDER:

MIDWEST DEVELOPMENT COMPANY
411 1ST AVENUE SE, SUITE 100
CEDAR RAPIDS, IA 52401

APPLICANT:

MIDWEST DEVELOPMENT COMPANY
HUNTER SKOGMAN
411 1ST AVENUE SE, SUITE 401
CEDAR RAPIDS, IA 52401
hskogman@skogman.com

ZONING

EXISTING: PD-R, PLANNED DEVELOPMENT-RESIDENTIAL
PROPOSED: NO CHANGE (PD-R)

LAND USE

EXISTING: VACANT
PROPOSED: MULTI-FAMILY

DIMENSIONAL STANDARDS

FONT YARD (FT, MIN):	25'
SINGLE INTERIOR SIDE YARD (FT, MIN):	7'
CORNER SIDE YARD (FT, MIN):	12'
REAR YARD (FT, MIN):	25' OR 20% OF DEPTH

NOTES

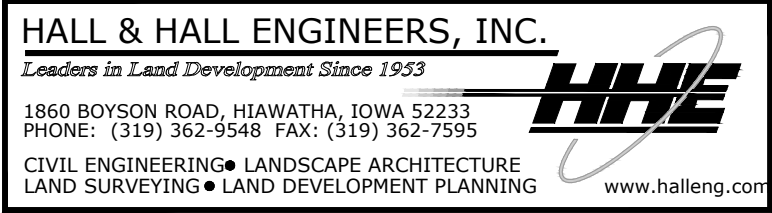
THIS PLAN IS CONCEPTUAL REPRESENTATION OF THE PROPOSED DEVELOPMENT. ANY FINAL PLAT AND RELATED IMPROVEMENTS REQUIRED BY THIS DEVELOPMENT SHALL MEET THE REQUIREMENTS OF DESIGN STANDARDS MANUAL.

LEGAL DESCRIPTION

PARCEL 'B' IN PLAT OF SURVEY NO. 1565 AS FILED IN BOOK 7458 AT PAGE 302 IN THE OFFICE OF THE LINN COUNTY RECORDER AND BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE ¼ SW ¼) ALL IN SECTION 36, TOWNSHIP 64 NORTH, RANGE 7 WEST OF THE 5TH P.M. IN THE CITY OF MARION, LINN COUNTY, IOWA

FLOOD NOTE

THIS PROPERTY IS LOCATED IN "AREA OF MINIMAL FLOOD HAZARD" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 19113C0311D WHICH BEARS AN EFFECTIVE DATE OF APRIL 5, 2010 AS WELL AS THE PRELIMINARY FLOOD INSURANCE RATE MAP, MAP NUMBER 19113C0311E DATED APRIL 16, 2019. ZONE AE ENCROACHES ON THE SUBJECT PROPERTY ALONG THE SOUTH AND EAST PROPERTY LINES.



Contact Person	JASON STONE
Telephone Number	(319) 362-9548
Fax Number	(319) 362-7595
E-Mail Address	jasons@halleng.com
Mailing Address	1860 Boyson Rd Hiawatha, IA 52233
Date Submitted	02/28/2020
Date Revised	05/01/2020
Date Revised	

DIRECTOR, DEPT. OF DEVELOPMENT

DATE

PRELIMINARY SITE DEVELOPMENT PLAN
FOR
BOWMAN MEADOWS 7TH ADDITION
IN THE CITY OF MARION, LINN COUNTY, IOWA

UTILITY LEGEND-EXISTING

— (SS8) —	SANITARY SEWER W/SIZE
— (ST15) —	STORM SEWER W/SIZE
— — —	SUBDRAIN
— (FM6) —	FORCE MAIN W/SIZE
— (W8) —	WATER MAIN W/SIZE
— (G) — — (G) —	GAS
— (S) — — (S) —	STEAM
— (OHE) — — (OHE) —	ELECTRIC-OVERHEAD
— (E) — — (E) —	ELECTRIC-UNDERGROUND
— (C) — — (C) —	CABLE TV-UNDERGROUND
— (OHC) — — (OHC) —	CABLE TV-OVERHEAD
— (OHT) — — (OHT) —	TELEPHONE-OVERHEAD
— (F) — — (F) —	FIBER OPTIC-UNDERGROUND
— (OHF) — — (OHF) —	FIBER OPTIC-OVERHEAD
— (T) — — (T) —	TELEPHONE-UNDERGROUND
— — —	FENCE LINE
— — —	SILT FENCE
— (FP) —	FLOODPLAIN LIMITS
— (FW) —	FLOODWAY LIMITS
— (CORP) —	CITY CORPORATE LIMITS
— — — 800 — — —	CONTOUR LINE
— — —	LIGHT POLE W/O MAST
— — —	LIGHT POLE W/MAST
— — —	TELEPHONE POLE
— — —	POWER POLE
— — —	GUY ANCHOR
— — —	GUY POLE
— — —	TELEPHONE PEDESTAL
— — —	TELEPHONE MANHOLE
— — —	CABLE TV PEDESTAL
— — —	UTILITY/CONTROL CABINET
— — —	SANITARY MANHOLE
— — —	STORM MANHOLE
— — —	GRATE INTAKE
— — —	RA-3 INTAKE
— — —	RA-5 INTAKE
— — —	RA-6 INTAKE
— — —	RA-8 INTAKE
— — —	HORSESHOE CATCH BASIN W/O FLUME
— — —	HORSESHOE CATCH BASIN W/FLUME
— — —	GAS VALVE
— — —	FLARED END SECTION
— — —	CLEANOUT, STORM OR SANITARY
— — —	TRAFFIC SIGNAL W/MAST
— — —	BOLLARD
— — —	BENCHMARK
— — —	STREET SIGN
— — —	WELL
— — —	FIRE HYDRANT

UTILITY LEGEND-PROPOSED

— SS8 —	SANITARY SEWER W/SIZE
— ST18 —	STORM SEWER W/SIZE
— FM6 —	FORCE MAIN W/SIZE
— W12 —	WATER MAIN W/SIZE
— CORP —	CITY CORPORATE LIMITS
— — —	SANITARY MANHOLE
— — —	STORM MANHOLE
— — —	GRATE INTAKE
— — —	RA-3 INTAKE
— — —	RA-5 INTAKE
— — —	RA-6 INTAKE
— — —	RA-8 INTAKE
— — —	HORSESHOE CATCH BASIN W/O FLUME
— — —	FLARED END SECTION
— — —	CLEANOUT, STORM OR SANITARY
— — —	FIRE HYDRANT
— — —	WATER VALVE
— — —	WATER SHUTOFF
— — —	WATER BLOWOFF

SURVEY LEGEND

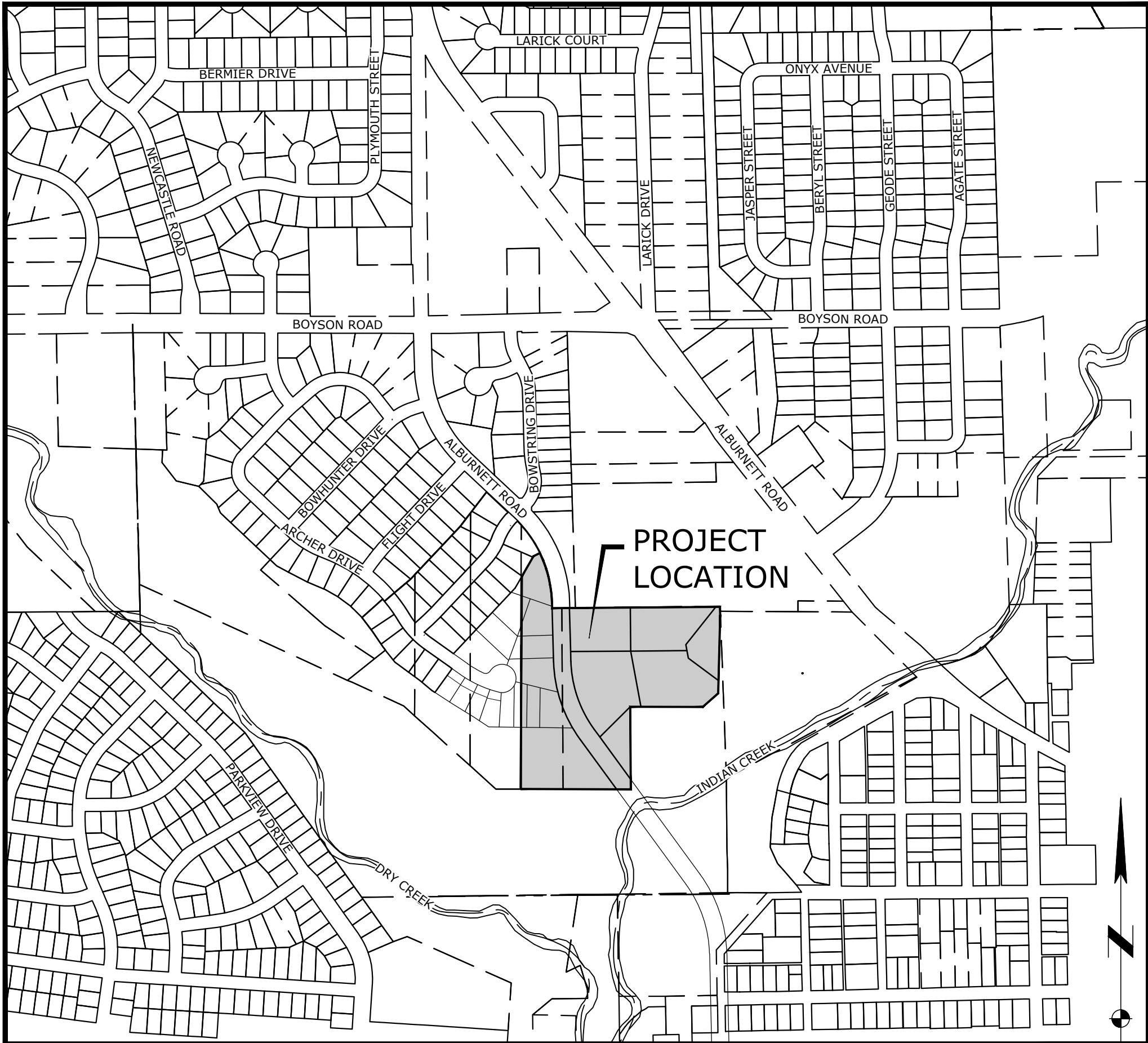
— — —	SET — REBAR W/CAP NO. —
— — —	FOUND SURVEY MONUMENT AS NOTED
— — —	FOUND RIGHT OF WAY RAIL
— — —	SECTION CORNER SET AS NOTED
— — —	SECTION CORNER FOUND AS NOTED
— — —	CUT "X" IN CONCRETE
— — —	RECORDED AS
— — —	EASEMENT LINE
— — —	PLAT OR SURVEY BOUNDARY
— — —	PLAT LOT LINE
— — —	CENTERLINE
— — —	SECTION LINE
— — —	1/4 SECTION LINE
— — —	1/4-1/4 SECTION LINE
— — —	EXISTING LOT LINE
— — —	BUILDING SETBACK LINE

PLANT LEGEND

— — —	DECIDUOUS TREE
— — —	CONIFEROUS TREE
— — —	DECIDUOUS SHRUB
— — —	CONIFEROUS SHRUB
— — —	TREE STUMP
— — —	TREE LINE DRIP EDGE

NOTE: THIS IS A STANDARD LEGEND. SOME ITEMS MAY NOT APPEAR ON DRAWINGS.

LOCATION MAP
(1"=500')



SHEET INDEX

- COVER
- PRELIMINARY SITE DEVELOPMENT PLAN

UTILITY AND EMERGENCY TELEPHONE NUMBERS

CITY OF MARION, IOWA

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POLICE DEPARTMENT	(319)-377-1511
EMERGENCY	911
FIRE DEPARTMENT	(319)-377-8237
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ENGINEER, WEST SIDE	(319)-399-7600
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TITLEHOLDER:

MIDWEST DEVELOPMENT COMPANY
411 1ST AVENUE SE, SUITE 100
CEDAR RAPIDS, IA 52401

APPLICANT:

MIDWEST DEVELOPMENT COMPANY
HUNTER SKOGMAN
411 1ST AVENUE SE, SUITE 401
CEDAR RAPIDS, IA 52401
hskogman@skogman.com

AREA CALCULATIONS

LOT 1 AREA:	90,047 SF / 2.07 AC	(100%)
EXISTING:		
BUILDING AREA:	0	
PAVED AREA:	0	
OPEN AREA:	90,047 SF / 2.07 AC	(100%)

PROPOSED:		
BUILDING AREA:	13,302 SF / 0.31 AC	(15.0%)
PAVED AREA:	23,899 SF / 0.55 AC	(26.6%)
OPEN AREA:	52,846 SF / 1.21 AC	(58.4%)

LOT 2 AREA:	84,684 SF / 1.94 AC	(100%)
-------------	---------------------	--------

EXISTING:		
BUILDING AREA:	0	
PAVED AREA:	0	
OPEN AREA:	84,684 SF / 1.94 AC	(100%)

PROPOSED:		
BUILDING AREA:	13,302 SF / 0.31 AC	(16.0%)
PAVED AREA:	23,137 SF / 0.53 AC	(27.3%)
OPEN AREA:	48,245 SF / 1.10 AC	(56.7%)

LOT 3 AREA:	63,433 SF / 1.46 AC	(100%)
-------------	---------------------	--------

EXISTING:		
BUILDING AREA:	0	
PAVED AREA:	0	
OPEN AREA:	63,433 SF / 1.46 AC	(100%)

PROPOSED:		
BUILDING AREA:	13,302 SF / 0.31 AC	(21.2%)
PAVED AREA:	22,662 SF / 0.52 AC	(35.6%)
OPEN AREA:	27,469 SF / 0.63 AC	(43.2%)

LOT 4 AREA:	56,239 SF / 1.29 AC	(100%)
-------------	---------------------	--------

EXISTING:		
BUILDING AREA:	0	
PAVED AREA:	0	
OPEN AREA:	56,239 SF / 1.29 AC	(100%)

PROPOSED:		
BUILDING AREA:	13,302 SF / 0.31 AC	(24.0%)
PAVED AREA:	23,138 SF / 0.53 AC	(41.1%)
OPEN AREA:	19,799 SF / 0.45 AC	(34.9%)

NOTES

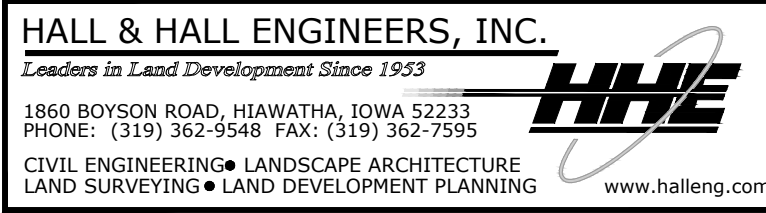
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FLOOD NOTE

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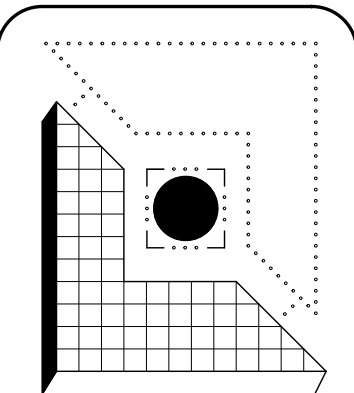
Contact Person	JASON STONE
Telephone Number	(319) 362-9548
Fax Number	(319) 362-7595
E-Mail Address	jasons@halleng.com
Mailing Address	1860 Boyson Rd Hiawatha, IA 52233
Date Submitted	02/28/2020
Date Revised	05/01/2020
Date Revised	05/06/2020

DIRECTOR, DEPT. OF DEVELOPMENT

DATE



PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW ONLY
04-29-20



BROST
ARCHITECTS & PLANNERS LTD

1005 LONGFELLOW DRIVE
HAWAIIA, IA 52233

P.O. BOX 1109
CEDAR RAPIDS, IA 52406

PHONE: 319.366.8531
FAX: 319.366.8532
brostarch@brostarchitects.com

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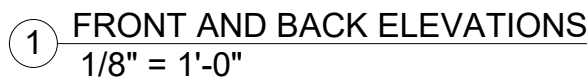
BOWMAN MEADOWS 7TH ADDITION
TOWNHOMES 10 - PLEX
475 BURDETTE DRIVE SW
CEDAR RAPIDS, IOWA

REVISION DATE

DATE
04-29-20
PROJECT NUMBER
1909A
DRAWN BY: PRE
CHECKED BY: DLB, JR.

PERSPECTIVE

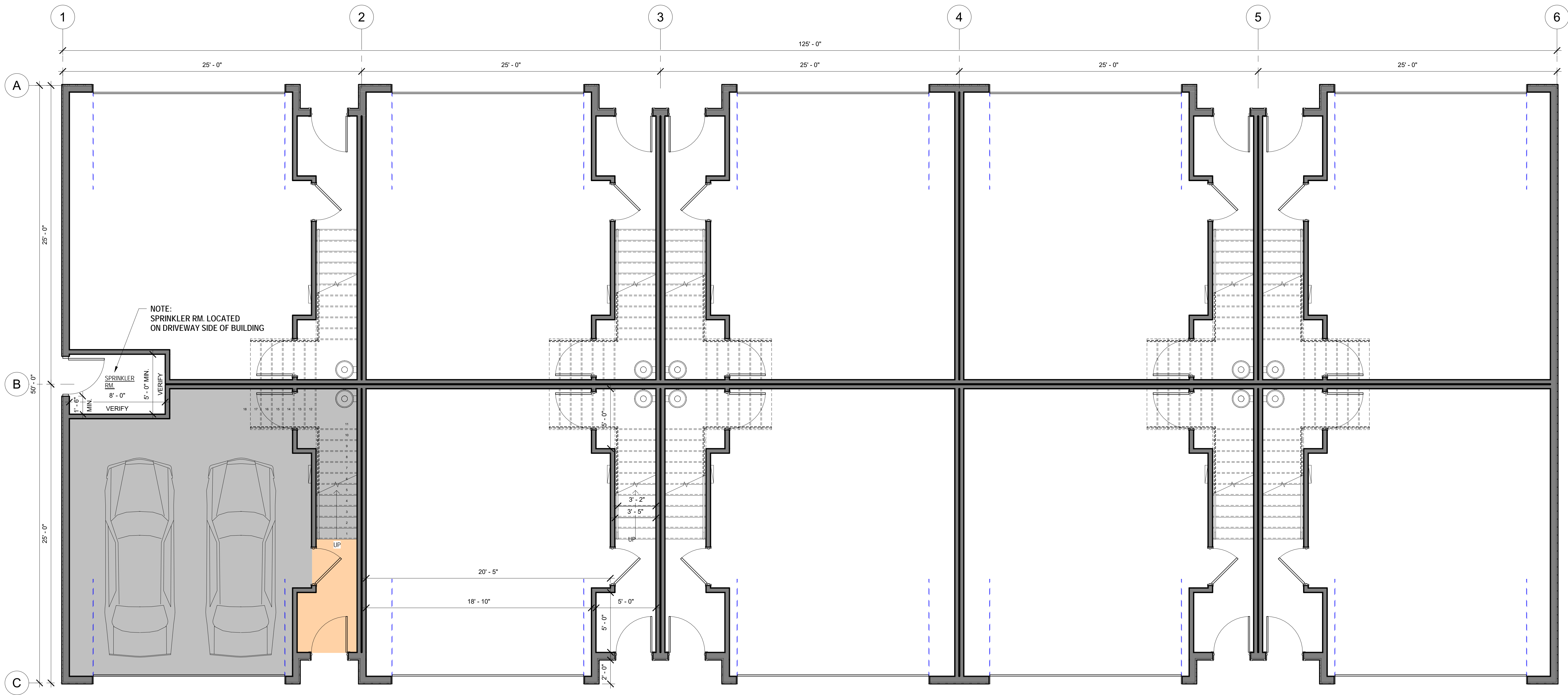
SHEET NUMBER
A201



③ SIDE ELEVATION - SPRINKLER RM.
1/8" = 1'-0"

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04-29-20

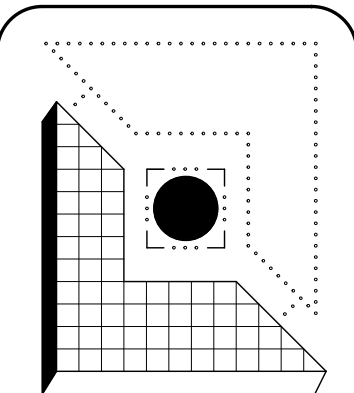




1ST FLOOR	45 U.S.F.
2ND FLOOR	560 U.S.F. (INCLUDING STAIR)
3RD FLOOR	502 U.S.F.
TOTAL - FINISHED	1,107 U.S.F.

GARAGE	528 U.S.F. (WITH SPRINKLER RM.)
GARAGE	507 U.S.F. (WITHOUT SPRINKLER RM.)

PRELIMINARY
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1005 LONGFELLOW DRIVE
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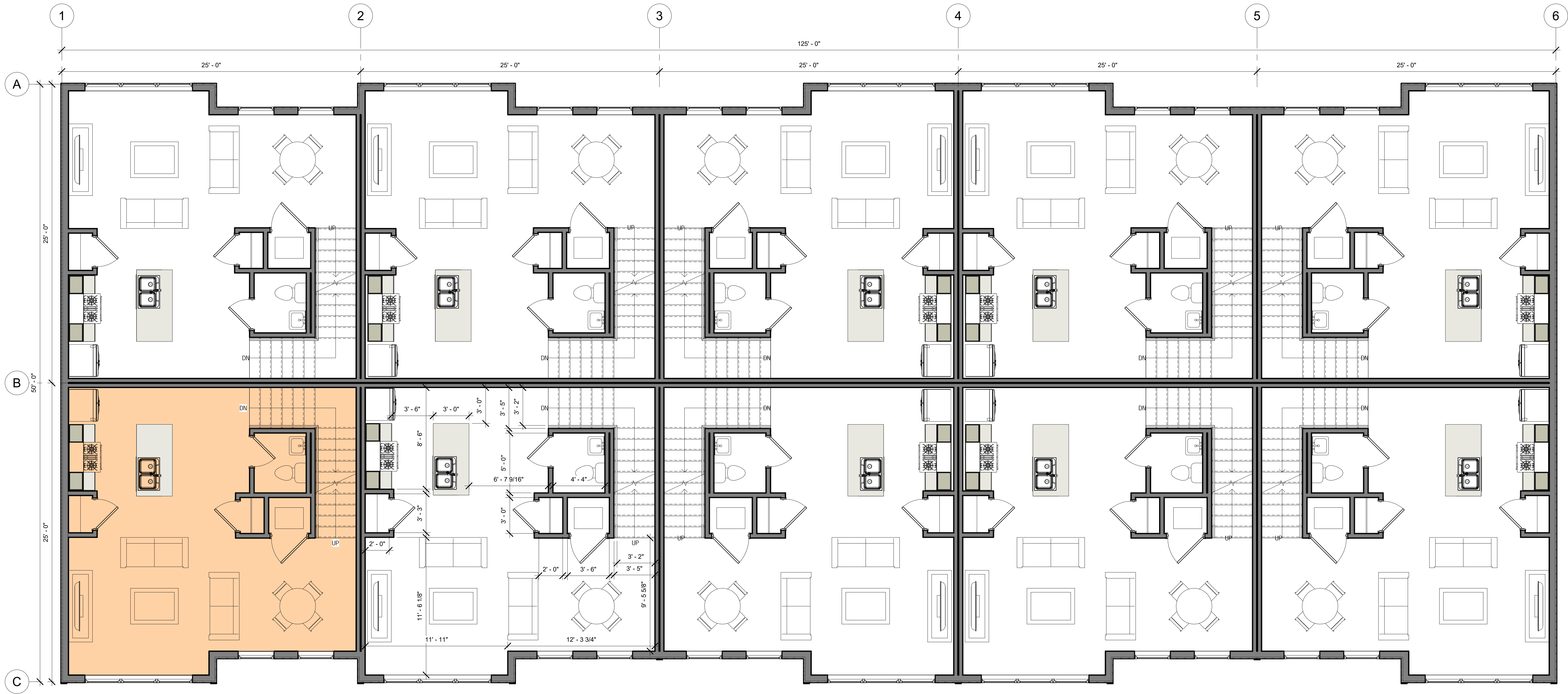
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BOWMAN MEADOWS 7TH ADDITION
TOWNHOMES 10 - PLEX
475 BURDETTE DRIVE SW
CEDAR RAPIDS, IOWA

REVISION DATE

DATE
04-29-20
PROJECT NUMBER
1909A
DRAWN BY: PRE
CHECKED BY: DLB, JR.

1ST FLOOR PLAN
SHEET NUMBER
A101



1ST FLOOR	45 U.S.F.
2ND FLOOR	560 U.S.F. (INCLUDING STAIR)
3RD FLOOR	502 U.S.F.
TOTAL - FINISHED	1,107 U.S.F.

GARAGE	528 U.S.F. (WITH SPRINKLER RM.)
GARAGE	507 U.S.F. (WITHOUT SPRINKLER RM.)

PRELIMINARY
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04-29-20



BROST
ARCHITECTS & PLANNERS LTD

1005 LONGFELLOW DRIVE
HAWAIIA, IA 52233

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CEDAR RAPIDS, IA 52406

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NOTICE COPYRIGHT

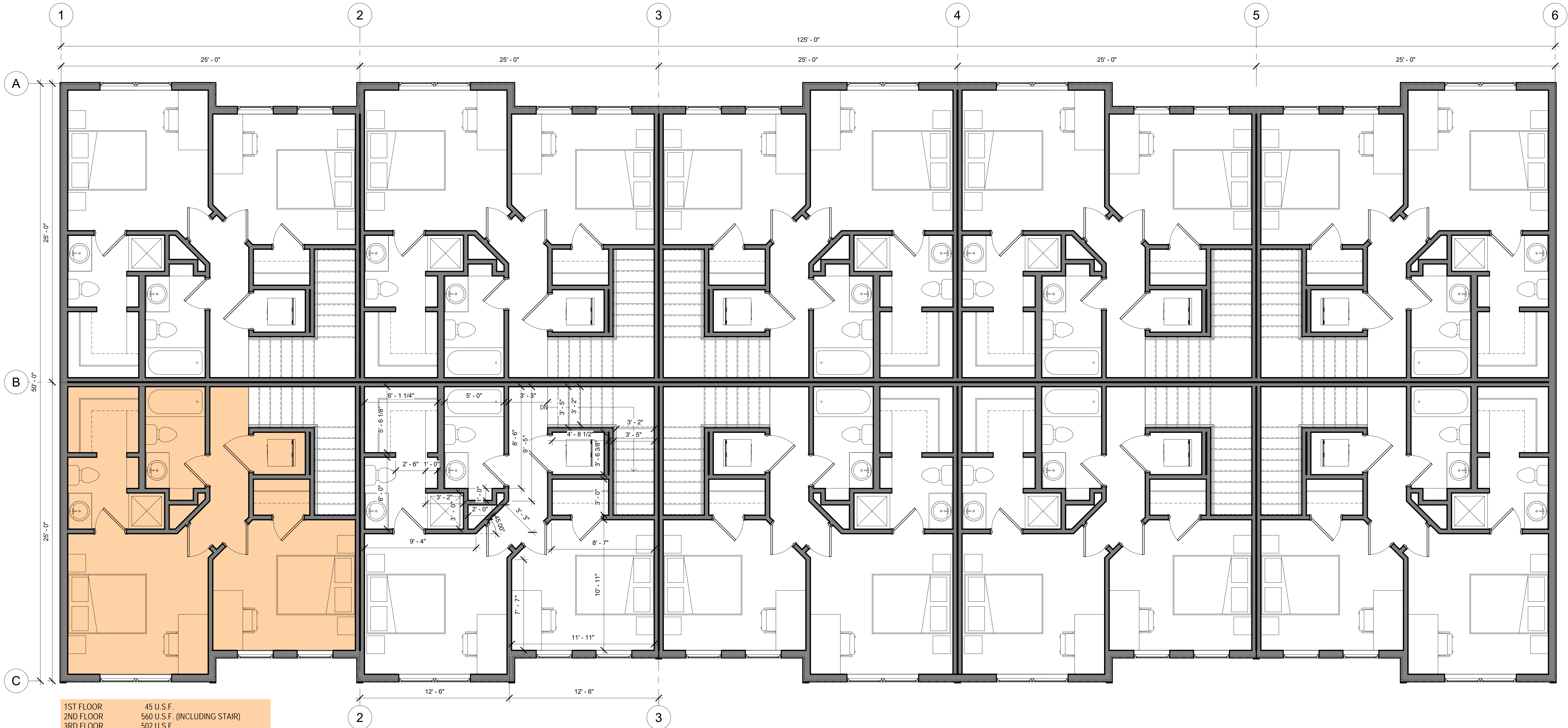
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BOWMAN MEADOWS 7TH ADDITION
TOWNHOMES 10 - PLEX
475 BURDETTE DRIVE SW
CEDAR RAPIDS, IOWA

REVISION DATE

DATE
04-29-20
PROJECT NUMBER
1909A
DRAWN BY: PRE
CHECKED BY: DLB, JR.

2ND FLOOR PLAN
SHEET NUMBER
A102



1ST FLOOR 45 U.S.F.
2ND FLOOR 560 U.S.F. (INCLUDING STAIR)
3RD FLOOR 502 U.S.F.
TOTAL - FINISHED 1,107 U.S.F.

GARAGE 528 U.S.F. (WITH SPRINKLER RM.)
GARAGE 507 U.S.F. (WITHOUT SPRINKLER RM.)

PRELIMINARY
NOT FOR CONSTRUCTION
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04-29-20

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HAWAII, IA 52233

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BOWMAN MEADOWS 7TH ADDITION
TOWNHOMES 10 - PLEX
475 BURDETTE DRIVE SW
CEDAR RAPIDS, IOWA

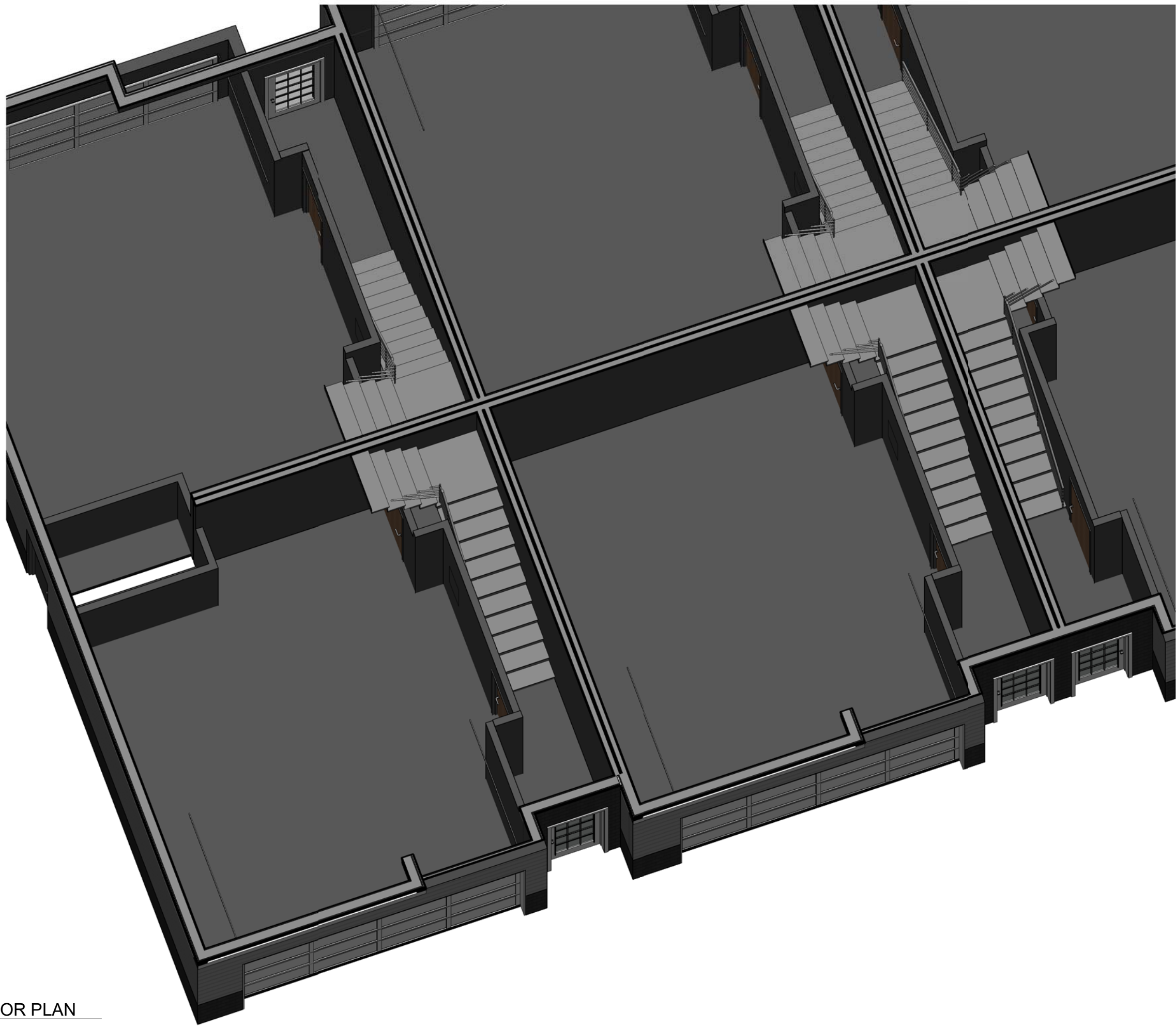
CONSULTANT

REVISION DATE

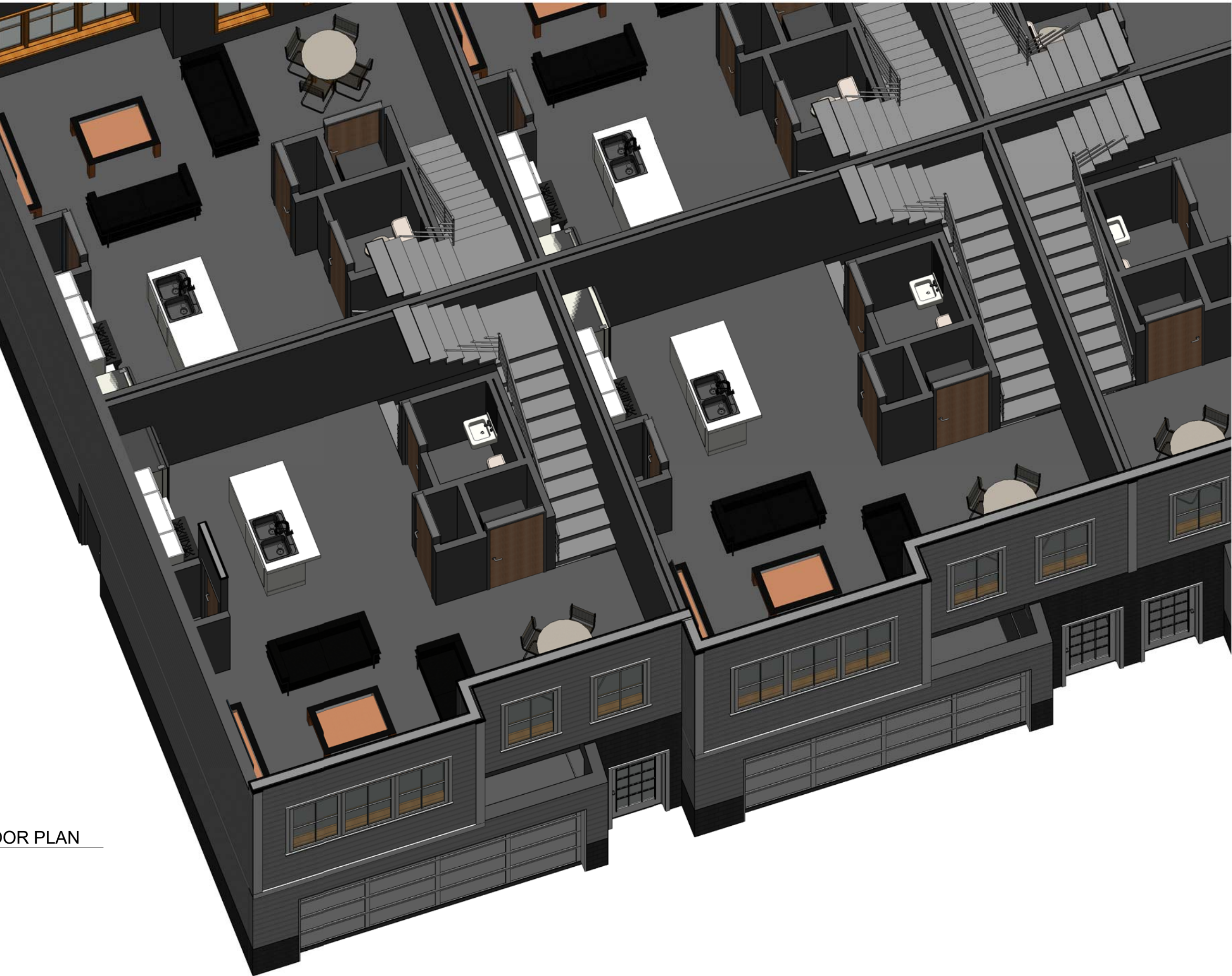
DATE
04-29-20
PROJECT NUMBER
1909A
DRAWN BY: PRE
CHECKED BY: DLB, JR.

3RD FLOOR PLAN

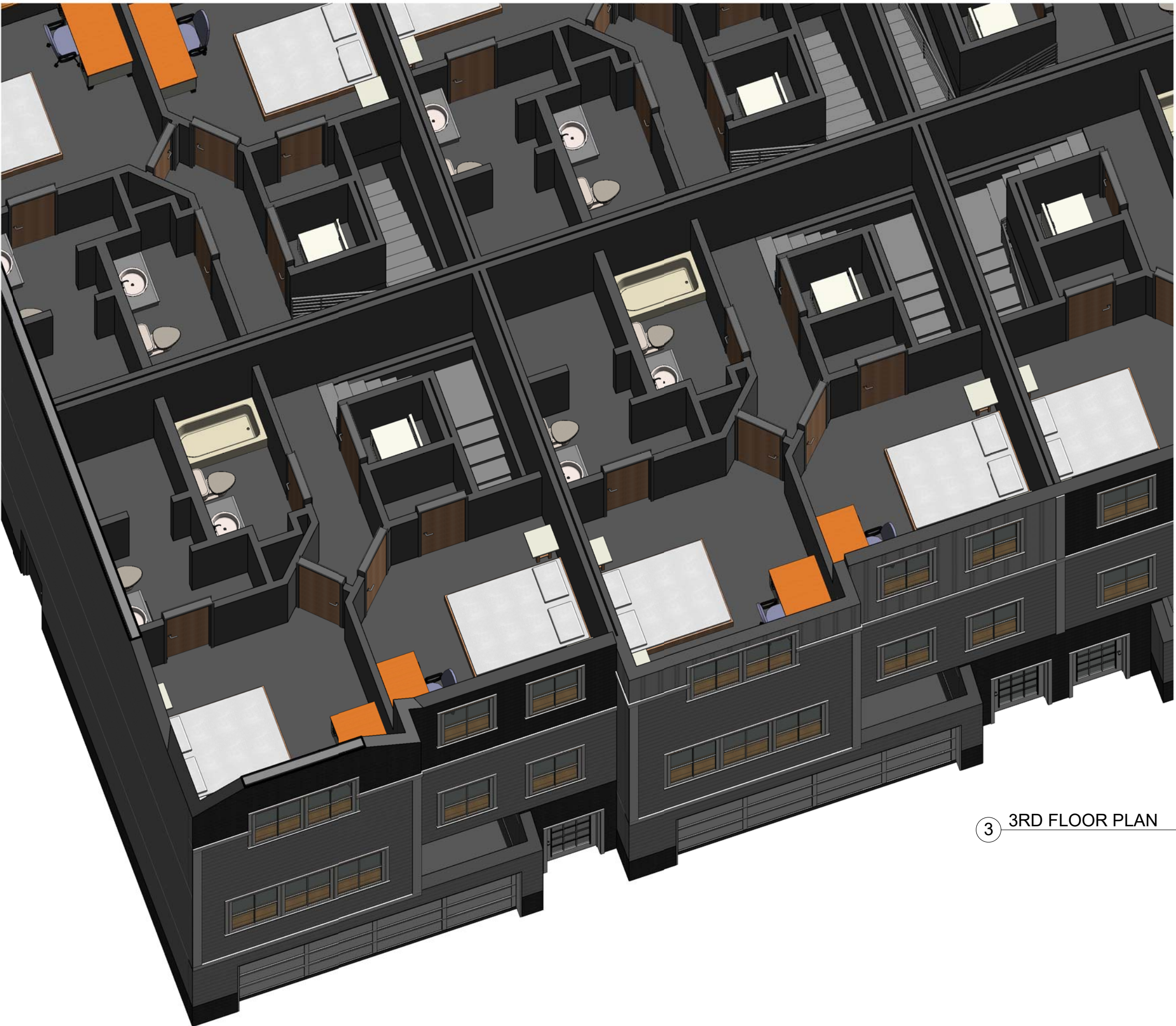
SHEET NUMBER
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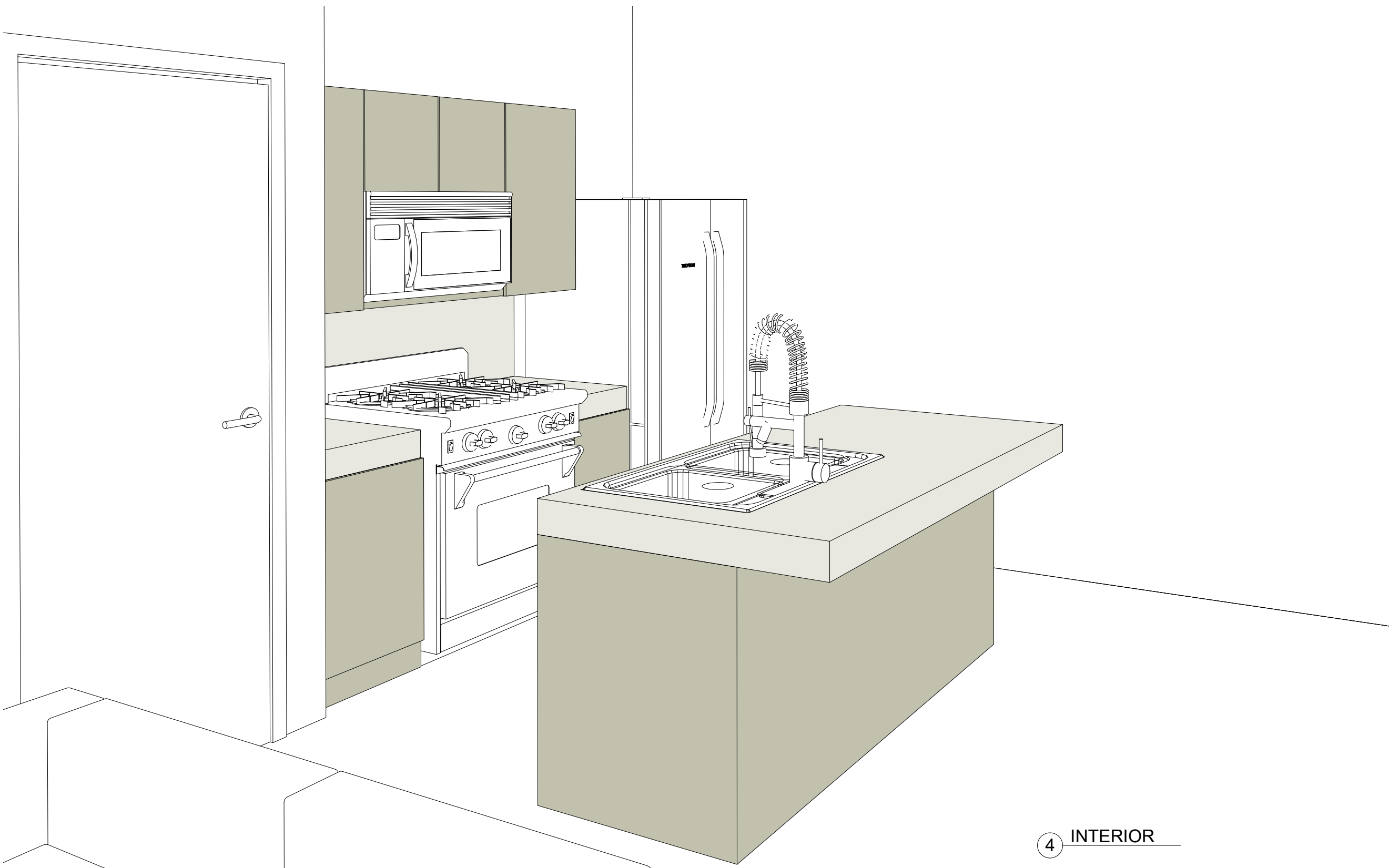
① 1ST FLOOR PLAN



② 2ND FLOOR PLAN



③ 3RD FLOOR PLAN



④ INTERIOR

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW ONLY
04-29-20



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BOWMAN MEADOWS 7TH ADDITION
TOWNHOMES 10 - PLEX
475 BURDETTE DRIVE SW
CEDAR RAPIDS, IOWA

CONSULTANT

REVISION DATE

DATE
04-29-20
PROJECT NUMBER
1909A
DRAWN BY: PRE
CHECKED BY: DLB, JR.

3D FLOOR PLANS

SHEET NUMBER
A300

commission memo

DATE: May 4, 2020

TO: Planning and Zoning Commission

FROM: David N. Hockett, AICP
Principal Planner

RE: 10. Marion Enterprise Center (Amendment)

a. CPC Resolution No. 20-14 recommending approval of an amendment to the Marion Enterprise Center Design Guidelines. (MEDCO Holding Company, LLC)

DOCUMENTS:

1. **The Marion Enterprise Center Planned Development Ordinance and Design Guidelines**
<https://www.cityofmarion.org/home/showdocument?id=3507>

The City has received a request from the MEDCO Holding Company, LLC to amend the Marion Enterprise Center (MEC) – Planned Development Ordinance and Design Guidelines to extend the Tier II design / use standards to lots 14 & 15 that are located east of Enterprise Drive and west of the Marion Airport runway to adjust to anticipated market demand and accommodate a potential office/warehouse spec building.

The Marion Enterprise Center Design Guidelines were adopted in 2010 as part of a master plan for approximately 180 acres of land located south of Highway 151 and west of the Marion Airport. The primary intent of the MEC Design Standards is to create “an integrated office industrial park intended to accommodate the relocation of industrial properties within the City’s Central Corridor as well as attract new office and industrial development to the City of Marion. The MEC Planned Development Ordinance has been developed to ensure standards are in place which creates an aesthetically significant development encouraging low impact and conservation design. Ultimately, the MEC Planned Development Ordinance will provide guidance to all development in the Business Park” The development of the projects within

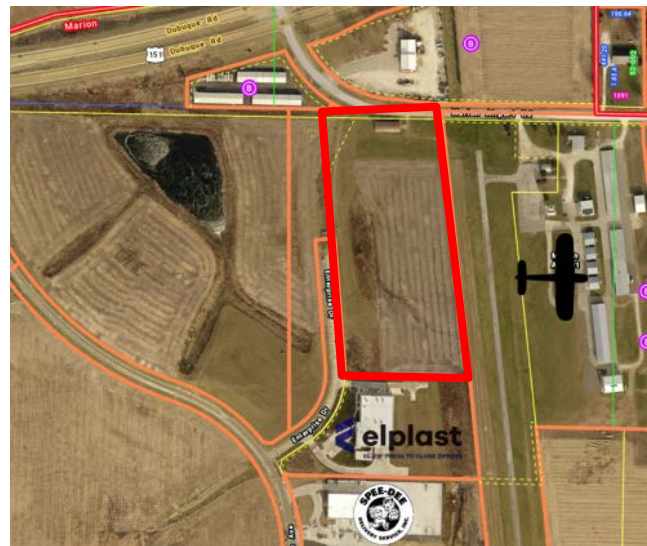
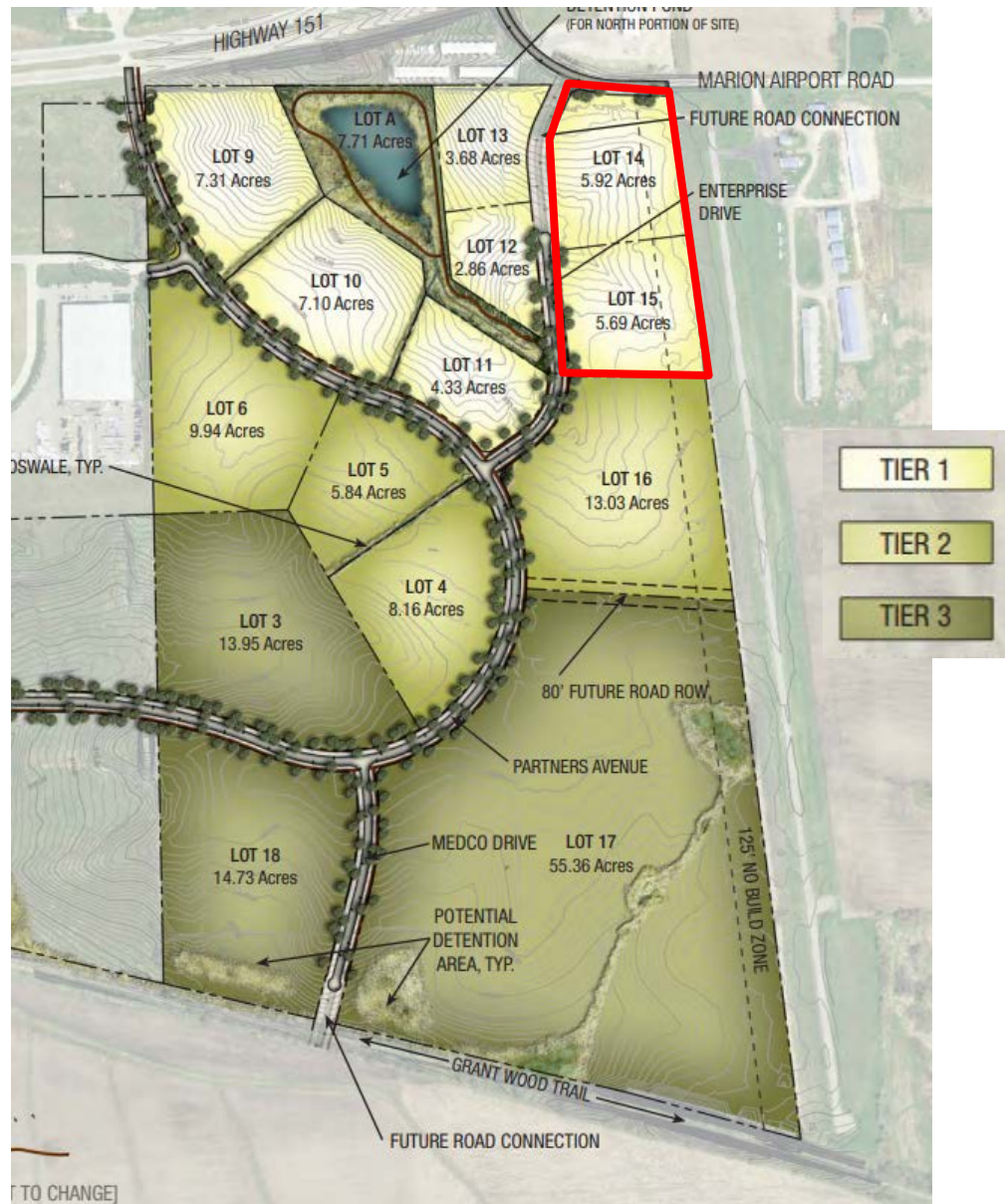


Figure 1: Vicinity Map

Planning Division
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Marion, Iowa 52302
www.cityofmarion.org

the MEC are approved through the Planned Development process of a preliminary and final site development plan with a recommendation to the City Council from the Planning and zoning Commission. The entire MEC Design Manual can be reviewed online:

<https://www.cityofmarion.org/home/showdocument?id=3507>





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Tier I was originally proposed along the north 1/4 of the development due to proximity to Highway 151 and the desire to create more traffic intense uses with higher building and site design standards. The Tier II and Tier III are identical in permitted uses, while the design standards are different between the two.

The subject property is currently classified as a Tier I which was created to provide a “space for the development of primarily intensive office, research and light industrial facilities. All business, service and processing, or storage should be conducted wholly within an enclosed building.” The General Use list of Tier I permits a variety of retail and trade school uses which are not permitted within the Tier II and Tier III. The Tier I district does not permit Trade Services, Warehousing and Truck Terminal facilities that are found in the other two districts, which would be permitted if approved.

The requested Tier II was created to provide a location that is a location for more intensive industrial uses, larger standalone office and research facilities, or warehouse distribution operations. Lots in this area should

be larger and occupied by primarily one user. It would be anticipated that large parking areas would be associated with these property's as well as truck loading and unloading facilities.

General USEs	TIER 1	TIER 2	TIER 3
Business or Trade School	X		
Construction Sales & Service	X	x	X
Corporate Office	X	x	X
General Office	X	x	X
Manufacturing, Assembly & Compounding	X	x	X
Printing, lithographing or film processing (2)	x		
Research Services	x	x	X
Trade Services		x	x
Transportation			
• Transportation Terminal	x		
• Truck Terminal		x	x
Warehousing		x	x
RETAIL USES	TIER 1	TIER 2	TIER 3
Clinic or Group Medical Center	x		
Financial Service	X		
Restaurants	x		
Retail Service	X		
Personal Service	X		

Those uses are generally defined as follows:

- Trade Services: are establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve

services to construction or building trades. Typical uses include shops or operating bases for plumbers, electricians, or heating, ventilating, and air conditioning contractors.

- **Truck Terminal:** A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.
- **Warehousing:** (Enclosed) including storage, distribution, and handling of goods and materials within enclosed structures. Typical uses include wholesale distributors, storage warehouses, and van and storage companies.

The MEC has been working on concepts on how the remaining Tier I area can be developed in a manner to maximize retail / office uses along Partners Drive near Highway 151 and have illustrated that the remaining property can be developed in a manner that likely exceeds Tier I minimum site and design standards.

The uses are provided in Tier II and not in Tier I is due to the scale of the operations and outdoor components typically found as part of the operation. The standards do not permit outside storage, but there is typically equipment and truck/trailer operations/ storage that occur outdoors.

The second factor to the amendment is to permit relief from the design standards regarding exterior building materials. The most noticeable is that Tier I requires 50% of premium material while Tier II permits only 30% of premium exterior material. Premium material is typically masonry and concrete products and some architectural steel materials. Roofing materials permitted in the Tier II include 3 Tab Asphalt or similar shingles that are not permitted in the Tier I.

The lots proposed for amendment are shallow when compared to other lots within the MEC and have a significant no build easement along the rear property lines due to the location of the Marion Airport runway which limits the use of this area of the property for vehicle / trailer storage. Staff is not generally opposed to the proposed amendment as the lots are not adjacent nor will they be highly visible from Highway 151 with the future buildout of projects between these lots and the Highway. Staff would note that while the design standards for materials are in place the Planning and Zoning Commission and City Council will have to consider the design of any buildings in the future as part of approval or any financial assistance as while they can meet or exceed the design material standards they can could fall short on building and site design.



April 13, 2020

To: Dave Hockett - Principal Planner, Community Development
From: Nick Glew – President, MEDCO Holding Company, LLC

Cc: Tom Treharne – Community Development Director
Lon Pluckhahn – City Manager

RE: Request to amend the Marion Enterprise Center Planned Development Ordinance & Design Guidelines

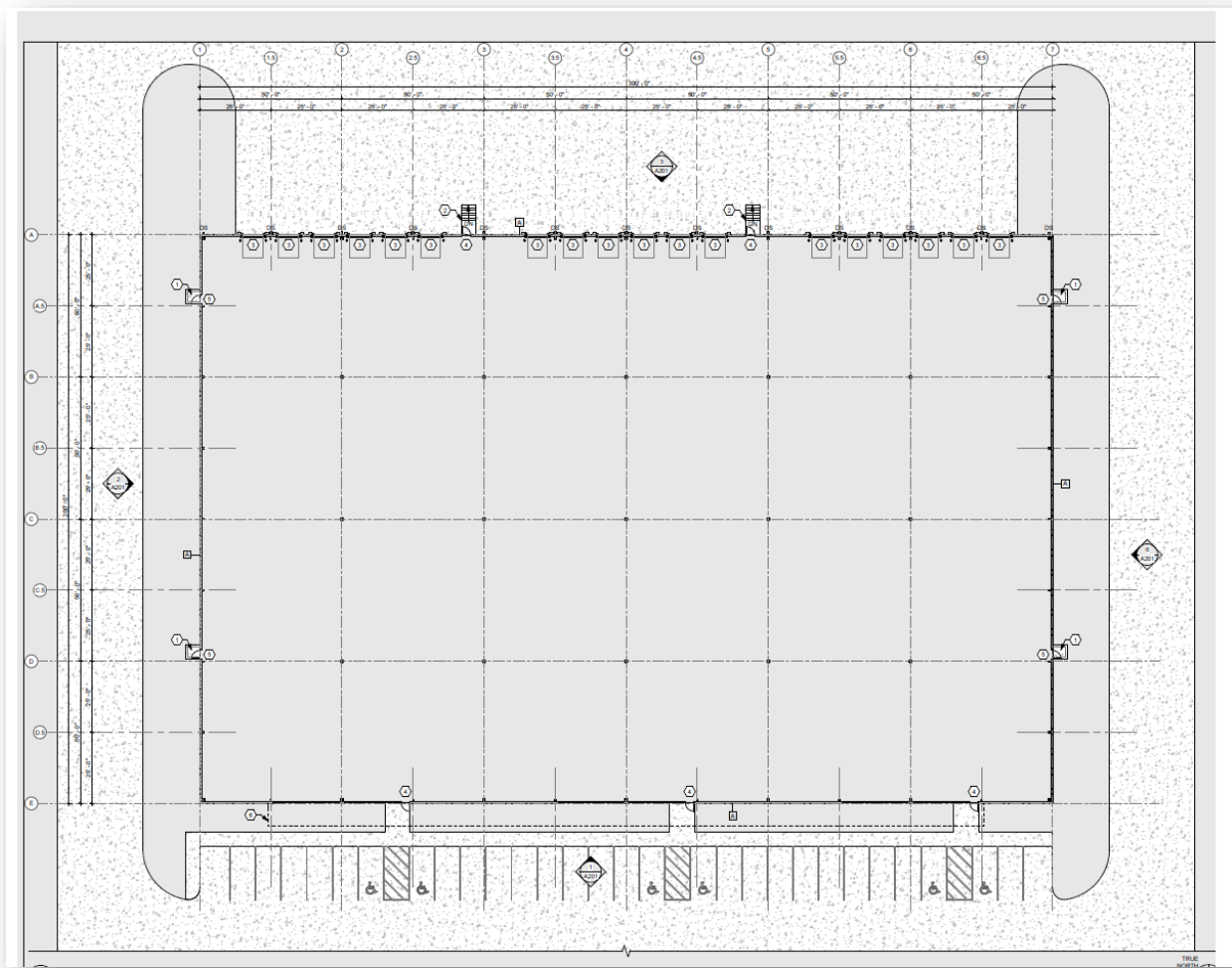
Dear Mr. Hockett:

MEDCO Holding Company, LLC respectfully requests consideration to amend the Marion Enterprise Center Planned Development Ordinance & Design Guidelines. This document, which serves as the zoning ordinance for the Marion Enterprise Center, continues to serve our project well and has resulted in several high-quality projects in the MEC. This request is to respond to current and anticipated market demands as allowed by the adopted ordinance.



We are requesting to **reclassify Lots 14 & 15** in order to accommodate a speculative flexible industrial/warehouse facility and better align with anticipated market demand that we continue to experience. We believe a proposed 60,000 sf office/warehouse investment is best suited for Lot 15 and provides the type of building inventory missing most in the Marion community. A conceptual site plan of the proposed building is below. Approval of the site development plan is not part of this rezoning request.

Second, we believe that Lot 14 is best suited for Tier 2 users, which I will explain later in this request.



The planned development ordinance was adopted by the Marion City Council in 2010. A full copy of the ordinance is available online at <https://www.medcoiowa.org/certifiedsites/design-standards/>. It continues to serve as the playbook for all development in the Marion Enterprise Center. Within the initial text of the ordinance, specific language states, *“It is recognized that modifications and changes may be necessary due to changes in the site details and response to market demand. At the discretion of the Planning and Development Director changes to the layout of the development that are deemed to be major changes shall require an amendment to the MEC Planned Development – Special Ordinance.”*

The difference between Tier 1 and Tier 2 ground is minimal. The chart below illustrates general allowable uses by Tier:

General USEs	TIER 1	TIER 2	TIER 3
Business or Trade School	X		
Construction Sales & Service	X	x	X
Corporate Office	X	x	X
General Office	X	x	X
Manufacturing, Assembly & Compounding	X	x	X
Printing, lithographing or film processing (2)	x		
Research Services	x	x	X
Trade Services		x	x
Transportation			
• Transportation Terminal	x		
• Truck Terminal		x	x
Warehousing		x	x
RETAIL USES	TIER 1	TIER 2	TIER 3
Clinic or Group Medical Center	x		
Financial Service	X		
Restaurants	x		
Retail Service	X		
Personal Service	X		

As you can see, moving from Tier 1 to Tier 2 essentially eliminates our ability to provide ground for retail users on Lots 14 & 15. We are very comfortable with this change as retail interest has been extremely limited in the Marion Enterprise Center. Additionally, any retail users would typically desire ground of increased visibility, which these lots do not provide.



We are not losing track of retail users, in fact MEDCO Holding Company, LLC recently completed a planning exercise to provide additional clarity as to how small users of retail/office space might be better accommodated within the larger parcels that are currently available. The illustrations of this planning process focused primary on Lots 9 & 10 of the MEC are included below:

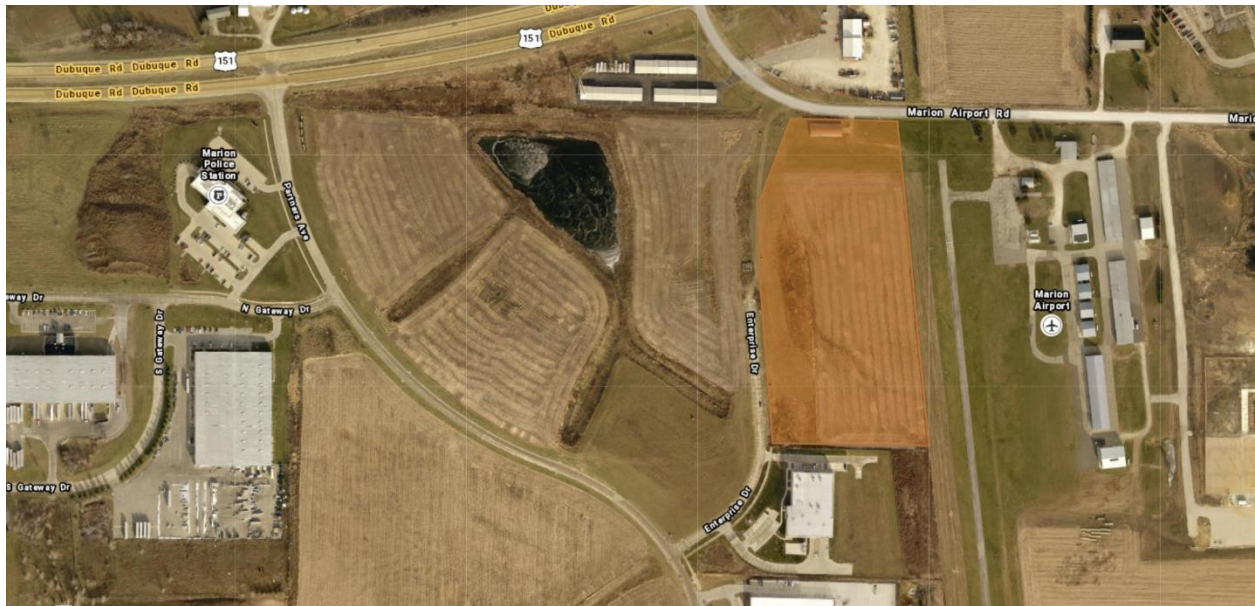


The second minor change from reclassifying Tier 1 ground to Tier 2, is its impact on allowable exterior building materials. These materials are described in detail on page 13 of the PDO.

III. architecture

Percentage of Premium Material Required per Building Face																	
	Premium Material	Not Allowed	Tier 1 - 100% SITE PLANS					Tier 2 - 100% SITE PLANS					Tier 3 - 100% SITE PLANS				
			Front	Rear	Side	Corner	Double	Front	Rear	Side	Corner	Double	Front	Rear	Side	Corner	Double
MINIMUM PREMIUM MATERIAL PERCENTAGES REQUIRED																	
MINIMUM AND MAXIMUM PERCENTAGES REQUIRED: "X" = UNLIMITED AND "0" = NOT ALLOWED			100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
SECOND "X" SELECTION INDICATES "UNLIMITED" IF "NOT ALLOWED" PERCENTAGE INDICATES MAXIMUM ALLOWABLE AREA																	

It is important to understand the context of the Lot 14 & 15 locations. The parcels are located on the far eastern edge of the Marion Enterprise Center. The parcels are bordered to the east by the Marion Municipal Airport. Building height restrictions and setbacks are not conducive for full parcel development. However, these lots do work well for users that place dock doors and truck traffic to the rear of the buildings as proposed in the project we are pursuing for Lot 15.



The second consideration is that ElPlast America, bordering Lot 15 to the south, is currently a Tier 2 location. This project shows the continued high-quality design already happening on Tier 2 ground and the continued design expectation that will be overseen by the MEDCO Holding Company, LLC Board of Directors as we continue to develop the park.



Thank you for your consideration of this request. We believe this minor reclassification will best position these lots for qualify development opportunities as we respond to market activity and the lessons we continue to learn as we bring high quality projects to the community.

Please let me know what additional questions you might have.

Sincerely,

A handwritten signature in blue ink, reading "Nick Glew". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nick Glew, President
MEDCO Holding Company, LLC
nick@medcoiowa.org | 319-743-4724



1225 6th Avenue, Suite 110
Marion, Iowa 52302
www.cityofmarion.org

commission memo

DATE: Monday, April 27, 2020

TO: Planning & Zoning Commission

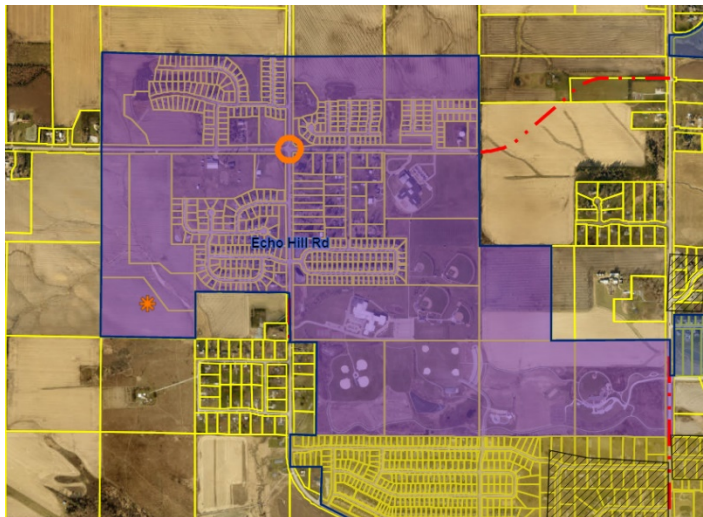
FROM: Amal Eltahir, Assistant to City Manager

RE: Designating Echo Hill Road Urban Renewal Area

Exhibit(s): Echo Hill Road Urban Renewal Plan

A public hearing will be held by the City Council on May 21, 2020 on the adoption of an urban renewal plan for the Echo Hill Road Urban Renewal Area. We have prepared this memorandum to assist the Commission in performing its role in this process.

Section 403.5 of the Code of Iowa requires that, before they hold a public hearing, the City Council must submit a copy of the proposed plan to the Commission, “for review and recommendations as to its conformity with the general plan for the development” of the City. The statute does not require that the Commission hold a hearing on the proposed plan, nor does it require that the Commission take any action to either approve or reject the proposed plan. It directs that the Commission meet to review the plan and comment to the City Council as to whether the plan conforms to, or is consistent with, the City’s Comprehensive Plan. Please convene a quorum of the Commission, complete your review and submit any comments to the City Manager’s Office by Noon on May 21, 2020.



CITY OF MARION, IOWA
URBAN RENEWAL PLAN
ECHO HILL ROAD URBAN RENEWAL AREA

May, 2020

I. INTRODUCTION

Chapter 403 of the Code of Iowa authorizes cities to establish areas within their boundaries known as “urban renewal areas,” and to exercise special powers within these areas. Urban renewal powers were initially provided to cities in order that conditions of blight and deterioration within cities might be brought under control. Gradually, urban renewal has been found to be a useful tool, as well, for economic development in previously undeveloped areas and for retention of enterprises and jobs in other areas.

In order to facilitate the use of urban renewal for economic development, in 1985, the Iowa General Assembly amended Chapter 403 to authorize City Councils to create “economic development” areas. An economic development urban renewal area may be any area of a city which has been designated by the City Council as an area which is appropriate for industrial, commercial and/or residential enterprises and in which the city seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with a finding by the City Council that such an area needs to be established within the City. An urban renewal plan is then prepared for the area, which must be consistent with the City’s existing comprehensive or general plan. All other affected taxing entities must be notified and given an opportunity to comment on the plan. The City Council must hold a public hearing on the urban renewal plan, following which, the Council may approve the plan.

In 1996, the Iowa General Assembly again expanded the scope of urban renewal legislation relative to housing development in “economic development areas.” This legislation allows the use of tax increment financing (TIF) for housing projects beyond those that benefit only low and moderate income (LMI) families. Under the 1996 legislation, TIF can be used to support the construction of public infrastructure for any type of housing development as long as a percentage of the TIF revenues or funds from other sources, equal to or greater than the percentage of LMI families in the county, is set aside to help meet the housing needs of this group.

This document is intended to serve as the Urban Renewal Plan for the City of Marion’s (the “City”) Echo Hill Road Urban Renewal Area (the “Urban Renewal Area”) and will guide the

City in promoting economic growth through the encouragement of commercial, industrial, and residential development in such area as detailed herein. This document is an Urban Renewal Plan within the meaning of Chapter 403 of the Code of Iowa and sets out proposed projects and activities within the Urban Renewal Area.

II. DESCRIPTION OF URBAN RENEWAL AREA

The real property included in the Urban Renewal Area includes all of the real property described on Exhibit A hereto.

III. URBAN RENEWAL OBJECTIVES

The primary objectives for the development of the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by creating job opportunities and strengthening the property tax base.
2. To assist in providing land and resources for new and expanded commercial, industrial, and residential development in a manner that is efficient from the standpoint of providing municipal services.
3. To stimulate through public action and commitment, private investment in commercial and industrial development, and to encourage commercial and industrial job retention, growth and expansion through the use of various federal, state and local incentives, including tax increment financing.
4. To provide municipal infrastructure, services and facilities that enhance possibilities for economic development and community attractiveness to private enterprise.
5. To help finance the costs of street, water, sanitary sewer, storm sewer, or other public improvements in support of new residential, commercial, and industrial development.
6. To provide a more marketable and attractive investment climate.
7. To increase the number of affordable housing units in the City that are safe, attractive and comfortable.

IV. URBAN RENEWAL PROJECTS AND ACTIVITIES

The following types of activities are examples of the specific actions which may be undertaken by the City within the Urban Renewal Area:

1. Preparation of plans related to the development and implementation of the Urban Renewal Area and specific urban renewal projects.
2. Construction of public improvements and facilities, including streets, public utilities or other facilities in connection with an urban renewal project.

3. Construction of buildings or specific site improvements such as grading and site preparation activities, access roads and parking, railroad spurs, fencing, utility connections, and related activities.

4. Acquisition, preparation and disposition of property for development and/or redevelopment.

5. Making available, as appropriate, financing for development projects, including conventional municipal borrowing and tax increment financing resulting from increased property values in the Urban Renewal Area.

6. Pursuant to state law, provision of direct financial assistance, including grants, loans and tax increment rebate agreements, to private persons engaged in economic development, in such form and subject to such conditions as may be determined by the City Council.

V. SPECIFIC URBAN RENEWAL PROJECTS

The City has determined to undertake the following initiatives in the Urban Renewal Area as economic development urban renewal projects:

A.

Name of Project: Echo Hill Road and Alburnett Road Intersection Improvements Project (the “Intersection Improvements Project”)

Date of Council Approval of Project: May 21, 2020

Description of Project and Project Site: The Intersection Improvements Project will consist of the construction of street improvements at the intersection of Echo Hill and Alburnett Road, including the construction of a roundabout, and the incidental utility, landscaping, site clearance and cleanup work related thereto.

It is expected that the completed Intersection Improvements Project will cause increased and improved ability of the City to provide adequate transportation infrastructure thereby resulting in increased commercial and residential growth in the City.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Intersection Improvements Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Intersection Improvements Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City’s obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City’s use of incremental property tax revenues for the Intersection Improvements Project will not exceed \$620,000.

LMI Set Aside: Pursuant to the provisions of Section 403.22 of the Code of Iowa, the City will provide low and moderate income family housing assistance in its area of operation in an amount not less than 37.23% of the incremental property tax revenues to be used for the repayment of the City's debt obligations incurred for the Intersection Improvements Project. The City intends to use incremental property tax revenues generated with the Urban Renewal Area to satisfy the required LMI Set Aside

B.

Name of Project: Regional Storm Water Detention Basin Project

Date of Council Approval of Project: May 21, 2020

Description of Project and Project Site: The City will undertake the construction of a regional storm water detention basin on the north side of Dawn Drive, west of Alburnett Road. The completed Regional Storm Water Detention Basin Project will alleviate downstream flooding and will have a direct, positive impact on increased and improved residential, commercial and industrial development in the Urban Renewal Area through the provision of enhanced public infrastructure in the City.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and right-of-way as are necessary to successfully undertake the Regional Storm Water Detention Basin Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Regional Storm Water Detention Basin Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Regional Storm Water Detention Basin Project will not exceed \$300,000.

LMI Set Aside: Pursuant to the provisions of Section 403.22 of the Code of Iowa, the City will provide low and moderate income family housing assistance in its area of operation in an amount not less than 37.23% of the incremental property tax revenues to be used for the repayment of the City's debt obligations incurred for the Regional Storm Water Detention Basin Project. The City intends to use incremental property tax revenues generated with the Urban Renewal Area to satisfy the required LMI Set Aside.

C.

Name of Project: Oak Ridge School Traffic Study Project

Date of Council Approval of Project: May 21, 2020

Description of Project and Project Site: The Oak Ridge School Traffic Study Project will consist of undertaking a traffic study at the Oak Ridge School approach to Alburnett Road to see if the construction of a turn lane is warranted.

It is expected that the completed Oak Ridge School Traffic Study Project will cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial and industrial enterprises in the City.

Description of Properties to be Acquired in Connection with Project: It is not anticipated that the City will acquire real property in connection with the Oak Ridge School Traffic Study Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Oak Ridge School Traffic Study Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Oak Ridge School Traffic Study Project will not exceed \$50,000.

D.

Name of Project: 2021-2024 Urban Renewal Administration and Professional Support Program

Date of Council Approval of Program: May 21, 2020

Description of Program: The City will provide administrative and professional support to its urban renewal projects and initiatives in the City's 2021, 2022, 2023, and 2024 fiscal years (the "Admin Support Program"). The Admin Support Program will include planning, staffing, grant writing and administration, document support, record management, accounting, legal services and such other services as are necessary to carry out and effectuate the urban renewal initiatives and objectives of the City.

Description of Use of TIF for the Program: The City will fund its support contributions under the Admin Support Program from the proceeds of internal advances (the "Advances") of cash on hand. The City's annual contributions will be determined from year to year. The City will repay the Advances from incremental property tax revenues to be derived from the Urban Renewal Area. The amount of the Advances will be determined from year to year. The total amount of incremental property tax revenues to be applied to the City's Admin Support Program for the City's fiscal years 2021 through 2024 shall not exceed \$_____.

VI. LAND USE PLAN AND PROPOSED DEVELOPMENT

The City has adopted a Comprehensive Land Use Plan which guides the establishment of commercial, residential and industrial land uses throughout the incorporated area. Land use in the Urban Renewal Area will be carried out in a manner that will maintain consistency with the Comprehensive Land Use Plan and the City's zoning regulations.

VII. TAX INCREMENT FINANCING

In order to assist in the development or retention of private enterprises, the City may be requested to acquire land, construct public improvements or provide economic development loans, grants or other tax incentives for the benefit of private enterprises in order to enhance the value of property in the Urban Renewal Area. As part of the Urban Renewal Area, the City has adopted an ordinance to create a tax increment district (the “TIF District”), within which the property taxes eventually paid by new private development may be used to pay costs of urban renewal projects for these types of activities, including reimbursing the City or paying debt service on obligations issued by the City. The use of these tax revenues is known as tax increment financing (“TIF”).

Depending upon the date upon which the TIF District is legally established and the date on which debt is initially certified within the TIF District, an original taxable valuation is established for the property within the TIF District, which is known as the “base valuation.” The “base valuation” is the assessed value of the taxable property in the TIF District as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt payable from TIF revenues to be generated within that TIF District. When the value of the property inside the TIF District increases by virtue of new construction or any other reason, the difference between the base valuation and the new property value is the “tax increment” or “incremental value.”

Procedurally, after tax increment debt has been incurred for the financing of improvements within the TIF District or for the payment of economic development incentives to private entities, property taxes levied by all local jurisdictions (city, county, school, area college) against the incremental value, with the exception of taxes levied to repay current or future debt incurred by local jurisdictions and the school district instructional support and physical plant and equipment levies, are allocated by state law to the City’s tax increment fund rather than to each local jurisdiction. These new tax dollars are then used to pay principal and interest on any tax increment debt incurred or to pay the costs of projects in the Urban Renewal Area.

VIII. RESIDENTIAL DEVELOPMENT

One of the City’s objectives in the Urban Renewal Area is to promote new residential development and the corresponding construction of public infrastructure.

When a City utilizes TIF to support the provision of public infrastructure related to residential development, a percentage of the TIF revenues generated by the project (or other funds of the City) must be used to provide assistance to LMI families

Unless a reduction is approved by the Iowa Department of Economic Development, the percent of incremental revenues used to provide LMI assistance must be at least equal to the percentage of LMI families living in Linn County. That percentage is currently 37.23%. LMI families are those whose incomes do not exceed 80% of the median county income.

The requirement to provide assistance for LMI housing may be met either by ensuring that at least 37.23% of the units constructed in the area are occupied by families whose incomes are at

or below 80% of the median county income, or by setting aside an amount equal to 37.23% of the project costs for LMI housing activities elsewhere in the City.

If funds are set aside, as opposed to constructing affordable housing in the Urban Renewal Area, the type of assistance provided anywhere within the City may include but is not necessarily limited to:

1. Owner/renter-occupied housing rehabilitation.
2. Grants, credits or other direct assistance to LMI families.
3. Homeownership assistance.
4. Tenant-based rental assistance.
5. Down-payment assistance.
6. Mortgage interest buy-down assistance.
7. Infrastructure development for LMI housing.

IX. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. The collection of incremental property taxes in the Urban Renewal Area will continue for the maximum number of years authorized by Chapter 403 of the Code of Iowa unless otherwise determined by action of the City Council.

X. PLAN AMENDMENTS

This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa to, for example, change the project boundaries, modify urban renewal objectives or activities, or to carry out any other purposes consistent with Chapter 403 of the Code of Iowa.

XI. FINANCIAL INFORMATION

- | | |
|---|----------------------|
| 1. Current constitutional debt limit: | <u>\$144,853,051</u> |
| 2. Outstanding general obligation debt: | <u>\$ 61,630,000</u> |
| 3. Proposed amount of debt to be incurred*: | <u>\$ 1,357,516</u> |

*It is anticipated that the some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

EXHIBIT A
Legal Description
Echo Hill Road Urban Renewal Area

Certain real property situated in the City of Marion, Linn County, State of Iowa, more particularly described as follows:

Starting at the northwest corner of Lot 1, Rolling Glen Acres Addition to Linn County; thence

North following the east right-of-way line of North 10th Street to the southwest corner of Lot 6, of Turning Stone Addition to the City of Marion; thence

West to the centerline of North 10th Street; thence

North following the centerline of North 10th Street to the northeast corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

West to a point that is Three Hundred Thirty Feet (330') west of the northeast corner of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

North to a point that is Three Hundred Thirty Feet (330') west of the northeast corner of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

West to the northwest corner of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

North to the northwest corner of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

West to the northwest corner of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-Three (23), Township Eighty-Four (84), Range Seven (7); thence

South to the southwest corner of the Northwest Quarter (NW ¼), of the Southeast Quarter (SE ¼) of Section Twenty-Three (23), Township Eighty-Four (84), Range Seven (7); thence

East to the south east corner of the Northwest Quarter (NW ¼), of the Southeast Quarter (SE ¼) of Section Twenty-Three (23), Township Eighty-Four (84), Range Seven (7); thence

North to the southwest corner of Outlot E, Prairie Trail 2nd Addition to Marion, Iowa; thence

East to the eastern boundary line of Section Twenty-Three (23), Township Eighty-Four (84), Range Seven (7); thence

South to a point that is Thirty-Three feet (33') south of the northern boundary line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

East to a point that is Three Hundred Forty-Nine point Six Feet (349.6') east of the western boundary line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7), and Thirty-Three Feet (33') south of the northern boundary line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-Four (24), Township Eighty-Four (84), Range Seven (7); thence

South to the southeast corner of Lot 3, Midcalf First Addition to Linn County, Iowa; thence

East to the point of beginning.