



Planning Division  
1225 6<sup>th</sup> Avenue, Suite 210  
Marion, Iowa 52302  
[www.cityofmarion.org](http://www.cityofmarion.org)

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The Planning and Zoning Commission of the City of Marion, Iowa, will meet **Tuesday, June 9, 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 #878 7243 6978. A link is also provided at [www.cityofmarion.org](http://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, June 9th via phone at 319-743-6320 or email [abartlett@cityofmarion.org](mailto: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. RECEIVE AND FILE RESIGNATION – HARPER
4. ELECTION OF OFFICERS
5. MINUTES
  - a. Planning and Zoning – May 12, 2020
6. CITIZEN PRESENTATIONS
7. DIRECTOR’S REPORT
8. 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. 20-16 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 11<sup>th</sup> Street, Marion, Iowa. (David Besler)

9. BOWMAN MEADOWS 8<sup>TH</sup> ADDITION – COMPREHENSIVE PLAN AMENDMENT, PRELIMINARY SITE DEVELOPMENT PLAN, & PRELIMINARY PLAT
  - a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single-Family Attached Residential for Bowman Meadows 8<sup>th</sup> Addition, Marion, Iowa.
  - b. CPC Resolution No. 20-17 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single-Family Attached Residential for Bowman Meadows 8<sup>th</sup> Addition, Marion, Iowa. (Midwest Development Co.)
  - c. Public hearing regarding a preliminary site development plan for Bowman Meadows 8<sup>th</sup> Addition, Marion, Iowa.
  - d. CPC Resolution No. 20-18 recommending approval of Bowman Meadows 8<sup>th</sup> Addition Preliminary Site Development Plan, Marion, Iowa. (Midwest Development Co.)
  - e. CPC Resolution No. 20-19 recommending approval of Bowman Meadows 8<sup>th</sup> Addition Preliminary Plat, Marion, Iowa. (Midwest Development Co.)
  
10. WINSLOW ADDITION – COMPREHENSIVE PLAN AMENDMENT, REZONING, & PRELIMINARY PLAT
  - a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan and rezoning request for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa.
  - b. CPC Resolution No. 20-20 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Neighborhood Commercial for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust)
  - c. CPC Resolution No. 20-21 recommending approval of a rezoning request from A-1, Rural Restricted to BL, Business Local for property located south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust)
  - d. CPC Resolution No. 20-22 recommending approval of Winslow Addition Preliminary Plat, Marion, Iowa. (Donna M. Morrissey Rev. Trust)
  
11. FINAL SITE DEVELOPMENT PLAN – THE COMMONS AT ENGLISH GLEN 5<sup>TH</sup> ADDITION – ROBSON HOMES
  - a. CPC Resolution No. 20-23 recommending approval of The Commons at English Glen 5<sup>th</sup> Addition Final Site Development Plan for property located north of 29<sup>th</sup> Avenue and east of Winchester Drive extended. (Robson Homes, Inc.)

12. URBAN RENEWAL PLAN AMENDMENTS (TABLED MAY 12, 2020)
  - 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.
13. OTHER BUSINESS
  - a. Discussion regarding the Growth Management Plan.
14. ADJOURN

## commission memo

**DATE:** Thursday, June 4, 2020

**TO:** Planning and Zoning Commission

**FROM:** David N. Hockett, AICP  
Principal Planner

**RE: 8. 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 11<sup>th</sup> Street, Marion, Iowa.
- b. CPC Resolution No. 20-16 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 11<sup>th</sup> Street, Marion, Iowa. (David Besler)

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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:**

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The applicant, David Besler owner of property located at 1627 11<sup>th</sup> 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

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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.

The applicant had requested a conditional use for the approval of a 3120 sq ft garage at the May 2020 Planning and Zoning Commission. The commission recommended denial of the request due to the size and the non-compatibility of the garage within the neighborhood it was proposed to be sited within. The applicant withdrew the request prior to the Zoning Board of Adjustment (ZBA) action on the item and submitted a revised site plan / garage size to address comments from the Planning Commission.

#### **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 1250 square feet, which is 350 sq ft 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 multi-stall garage which includes what the applicant indicates are 3 stalls that are 10' x 22' which will be used for two residential homes on the property and an additional 30' x 18' garage for 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.

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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 proposed garage is similar in size to the largest garages in the immediate neighborhood. 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:**

The garage is designed in a manner to support multi tenants on a property with the walls between stalls, as would be expected with most garages provided for tenant use. The larger garage portion (570 sq ft) at 18' wide is a small two stall width but with the additional depth makes it nice oversized two stall.

- (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:**

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Based on the submitted application, site plan and building elevations staff is supportive of the revised conditional use, as it provides tenant space and additional garage space for the to support the property. Staff recommends approval of the revised request.



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**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](mailto: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

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**GENERAL DESCRIPTION OF REQUEST:**

**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 – 3<sup>rd</sup> Tuesday of Every Month – 7:00 p.m.

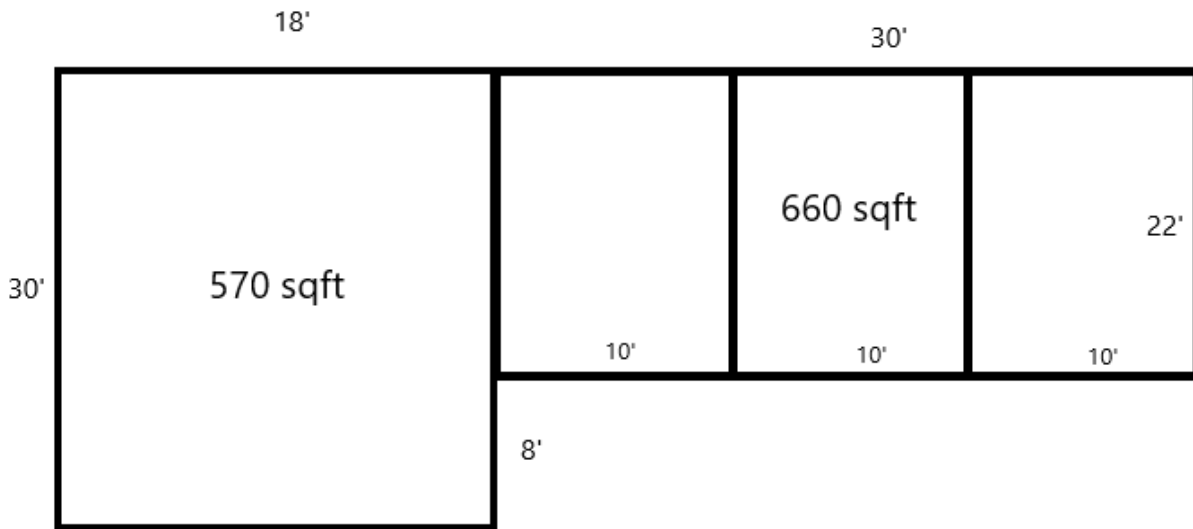
It is requested that the appeal be set for hearing by the Chairperson of the Zoning Board of Adjustment in strict accordance with the provisions of the Code of Ordinances of the City of Marion. Property owner signature is required.

Name:   
(Signature)

Date: 3-13-20





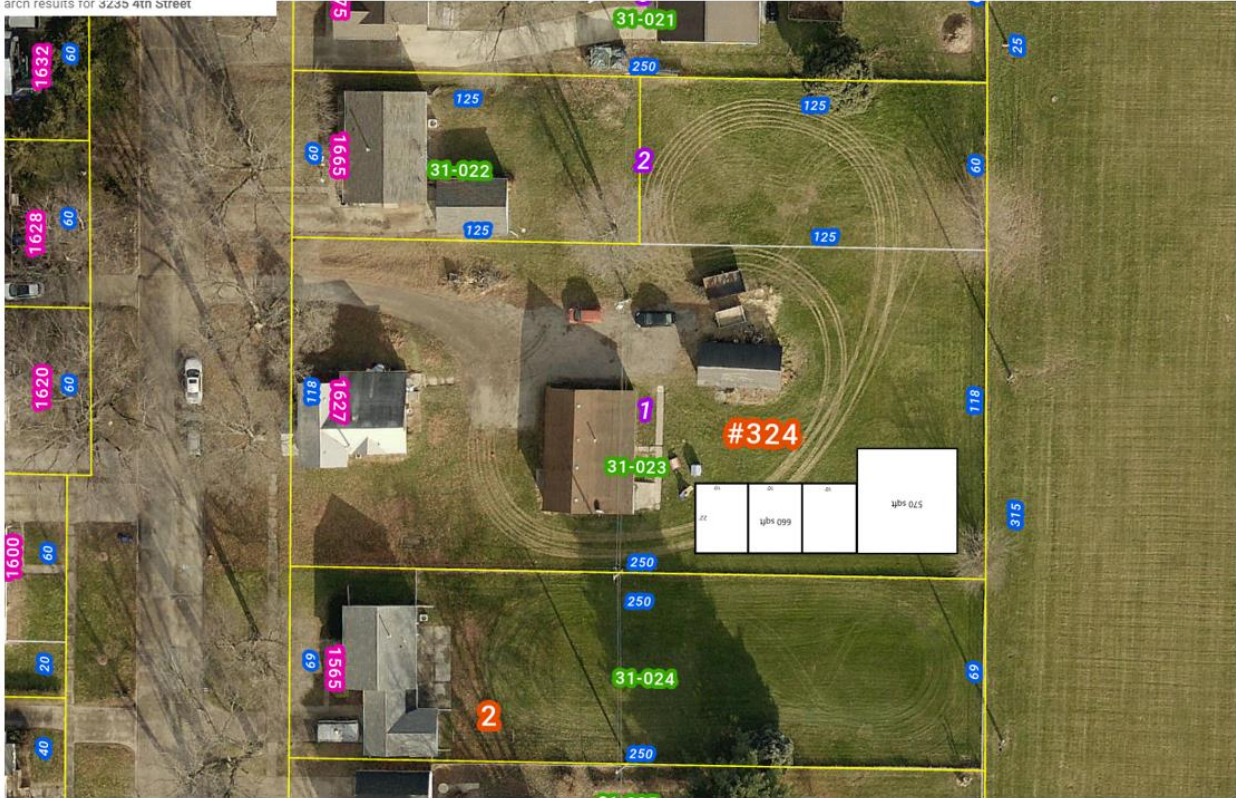


# MARION

Community Development

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arcn results for 3235 4th Street





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## commission memo

**DATE:** Tuesday, June 9, 2020

**TO:** Planning & Zoning Commission

**FROM:** Nicole Behrens, AICP Candidate  
 Planner I

**RE:** 9. BOWMAN MEADOW'S 8<sup>TH</sup> 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 Single-Family Attached Residential for Bowman Meadows 8<sup>th</sup> Addition, Marion, Iowa.
- b. CPC Resolution No. 20-17 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single-Family Attached Residential for Bowman Meadows 8<sup>th</sup> Addition, Marion, Iowa. (Midwest Development Co.)
- c. Public hearing regarding a preliminary site development plan for Bowman Meadows 8<sup>th</sup> Addition, Marion, Iowa.
- d. CPC Resolution No. 20-18 recommending approval of Bowman Meadows 8<sup>th</sup> Addition Preliminary Site Development Plan, Marion, Iowa. (Midwest Development Co.)
- e. CPC Resolution No. 20-19 recommending approval of Bowman Meadows 8<sup>th</sup> Addition Preliminary Plat, Marion, Iowa. (Midwest Development Co.)

**Exhibit(s):** Future Land Use Map - Letter of Request & Exhibit  
 Proposed Preliminary Site Development Plan  
 Proposed Revised Preliminary Plat

### **Background:**

Midwest Development Co. is seeking approval of a comprehensive plan amendment to the Future Land Use Map, preliminary site development plan, and a revised preliminary plat for Bowman Meadows 8<sup>th</sup> Addition. The property consists of approximately 4.2 acres and includes 18 lots for 18 zero-lot line homes. The original preliminary plat and approved final plat (Bowman Meadows 1<sup>st</sup> Addition) had 9 individual lots for the 18-units proposed (two units per lot).



**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 PD-R was originally planned for single-family attached homes in this area. However, the land use designation was not included within the 2010 Comprehensive Plan, adopted in July 2010. Staff believes this was an oversight at the time, as the address letter for this area (originally Bowman Meadows 1<sup>st</sup> Addition) does show two addresses per lot, indicating the 2-unit homes have been planned for since the rezoning adoption in 2010.

The applicant, per staff's request, is requesting the amendment to the Future Land Use Map of the Marion Comprehensive Plan to accurately indicate the intended land use of Single-Family Attached Residential on the Future Land Use Map as originally planned for this area.

## Future Land Use Map Comparison

**Current Future Land Use Map**



**Proposed Future Land Use Map**



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Per the Comprehensive Plan, single-family attached residential provides additional housing options and can be located within the same area as single-family detached residential homes or make a good buffer option between single-family detached homes and more intense commercial areas. When single-family attached homes are located within an established neighborhood, the Comprehensive Plan recommends that the architectural style compliments the established character. Images of the proposed product have been provided by the applicant as part of the preliminary site development plan review (below). Staff does believe the character of the proposed 2-unit product fits with the character of the established Bowman Meadows neighborhoods.

Staff recommends **APPROVAL** of CPC Resolution No. 20-17 regarding the proposed amendment to the Future Land Use Map of the Marion Comprehensive Plan. The 2-unit homes have been planned for this area since 2010 and the request meets goals stated within the Comprehensive Plan pertaining to single-family attached residential recommendations.

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**Preliminary Site Development Plan:**

Bowman Meadows 8<sup>th</sup> Addition is not changing the density of the Bowman Meadows area as 2-unit homes have been planned for since 2010 with the approved rezoning and 2011 with the approved Bowman Meadows 1<sup>st</sup> Addition Final Plat.

As mentioned within the Future Land Use Map amendment review, the character of the 2-units will fit into the existing area. The proposed product is a traditional suburban ranch style home in hues of earth-tones with the use of brick or stone on the lower portion of the front façade. The roof lines match other single-family detached homes within the Bowman Meadows subdivisions.



Each unit will have a 2-stall garage with their own individual driveway, shared driveways are not being proposed with this project. This can be seen in the colored images (above) and on the final site development plan. Most of the single-family detached homes being constructed along the east side of Bowstring Drive have 2-stall garages as well, making 2-stall garages common in this section of the

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Bowman Meadows development. The applicant is aware that snow removal will impact the driveways in the cal-de-sac and have adjusted the driveways on Lots 129 & 130 to provide spacing; there is also potential to utilize the space between Lots 137 & 138 for snow. If necessary, the applicant is willing to adjust the driveways for additional spacing.

Staff recommends **APPROVAL** of CPC Resolution No. 20-18 regarding Midwest Development Company's proposed Bowman Meadows 8<sup>th</sup> Addition Preliminary Site Development Plan. The applicant has addressed comments made by staff and the Plan meets the requirements set forth within Chapter 175, Subdivision Regulations and Chapter 176, Zoning Regulations.

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**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 services were installed in 2011 to the existing lots per Bowman Meadows 1<sup>st</sup> Addition Plan of Improvements. The applicant is required to submit revised Plan of Improvements to Engineering to show how each new lot will be served. Any water service line that will not be used will be abandoned.

**3. Storm-Water Management:**

The applicant is not indicating any stormwater management with Bowman Meadows 8<sup>th</sup> Addition. When Bowman Meadows 1<sup>st</sup> Addition Final Plat was approved, Lot A was dedicated to the City of Marion as stormwater management. If Lot A had not been dedicated to the City of Marion for stormwater management, it would have been included on the revised preliminary plat for Bowman Meadows 8<sup>th</sup> Addition. Since the density of the area is not changing, there is no need for additional stormwater management.

**4. Environmentally Sensitive Land Impact:**

The site has taken into account the sensitive land identified.

- a) 100 Year Flood Plain: Not Applicable; not located within the 100-year flood plain; FEMA designation is Minimal Flood Hazard Area – Zone X.
- b) 500 Year Flood Plain: Not Applicable; not located within the 500-year flood plain; FEMA designation is Minimal Flood Hazard Area – Zone X.
- c) Slope: Not Applicable, no slopes greater than 15% are identified on the subject property.
- d) Tree Masses: Not Applicable, there are no tree masses on the site.
- e) Wetlands: Not Applicable, there are no wetlands on the site.

**5. Sanitary Sewer Service:**

Sanitary sewer services were installed in 2011 to the existing lots per Bowman Meadows 1<sup>st</sup> Addition Plan of Improvements. The applicant is required to submit revised Plan of Improvements to Engineering to show how each new lot will be served.

**6. Street Construction:**

Bowstring Drive and Quiver Court have both been constructed. Street patches will occur to allow for the new water and sanitary sewer services to be provided to the new lots. The patches will be full panel patches to the nearest joint; partial panel removals will not be allowed. The full panel patches will help maintain the life of the street.

**7. Trail / Sidewalk Connections:**

An 8' trail along Alburnett Road has already been installed adjacent to this proposed addition. Sidewalks are required and will be installed along the west side of Bowstring Drive and Quiver Court as the homes are built.

**8. Lot Configuration / Access**

Lot configurations meet the requirements of a PD-R development. The applicant is proposing to split the existing nine (9) lots into eighteen (18) individual lots for the 2-unit homes. This will create zero-lot line properties versus having an entire 2-unit home on one lot.

**9. Parkland / Open Space Dedication:**

The developer is not proposing dedication of any parkland. The City currently does not require any dedication of parkland or open space.

Staff recommends **APPROVAL** of CPC Resolution No. 20-19 regarding Midwest Development Company's Bowman Meadows 8<sup>th</sup> 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.

# HALL & HALL ENGINEERS, INC.

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May 28, 2020

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

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

Dear Dave,

On behalf of our client and the owner, Midwest Development, Co., we respectfully request to amend the future land use map of the Marion Comprehensive Plan from Single-Family Detached Residential to Single Family Attached Residential to accommodate duplexes in the PD-R zoning classification.

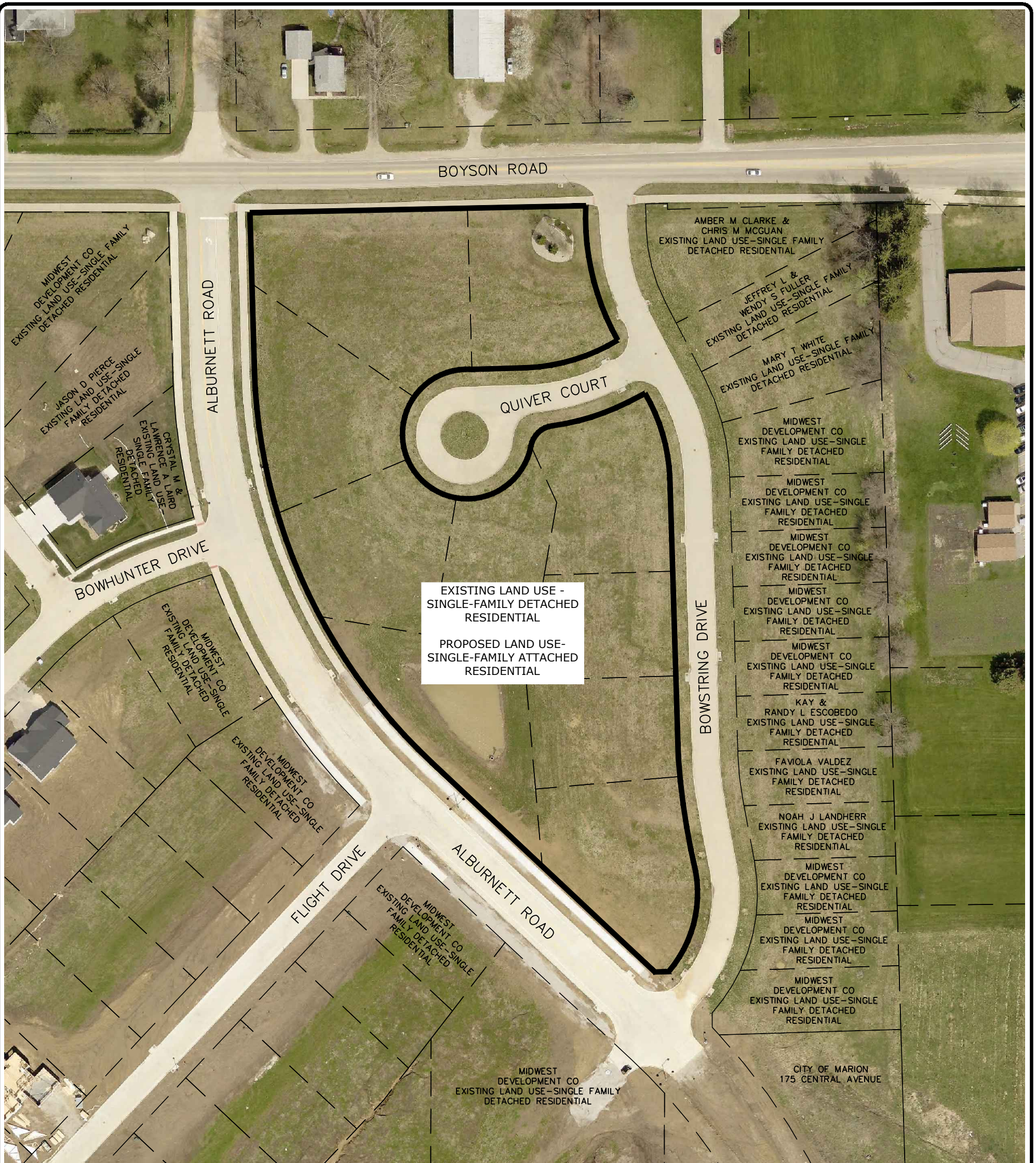
The density for these lots will not increase since the previously approved preliminary plat for Bowman Meadows Addition does show duplexes being constructed in this area of the development. The Owner is requesting to replat this area so that each duplex unit is on a separate lot. If you have any further questions, please contact me at (319) 362-9548. Thank you for your help in this matter.

Sincerely,

*Susan Forinash*

Susan Forinash  
Survey Team Leader





**OWNER/APPLICANT:**

MIDWEST DEVELOPMENT CO  
 %HUNTER SKOGMAN  
 411 1ST AVENUE SE  
 CEDAR RAPIDS IA 52401  
 HSKOGMAN@SKOGMAN.COM

**CONTACT:**

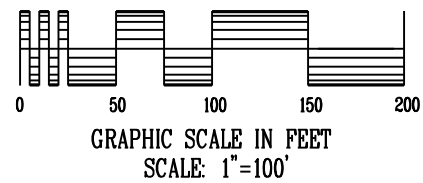
HALL & HALL ENGINEERS, INC.  
 %LOREN HOFFMAN  
 1860 BOYSON ROAD  
 HIAWATHA IA 52233  
 (319)-362-9548  
 LOREN@HALLENG.COM

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

**PROPOSED FUTURE LAND USE MAP DESIGNATION:** SINGLE-FAMILY ATTACHED RESIDENTIAL

**LEGAL DESCRIPTION:**

LOT 1 - LOT 9, BOWMAN MEADOWS FIRST ADDITION IN THE CITY OF MARION, LINN COUNTY, IOWA AS RECORDED IN BOOK 8041, PAGES 616-640 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER



Project Number: 7574-1-RP	Sheet: 1 of 1	Scale: 1"=100'	Field Book No: FBK	Date: 5/29/2020
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Sheet Title:  
**EXHIBIT**  
**FUTURE LAND USE MAP AMENDMENT**  
 BOWMAN MEADOWS 8TH ADDITION  
 MARION, LINN COUNTY, IOWA

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Designed by:DLK    Drawn by:DLK    Checked by:

# PRELIMINARY SITE DEVELOPMENT PLAN FOR BOWMAN MEADOWS 8TH 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
—(WB)—	WATER MAIN W/SIZE
—(G)—	GAS
—(S)—	STEAM
—(OHE)—	ELECTRIC-OVERHEAD
—(E)—	ELECTRIC-UNDERGROUND
—(C)—	CABLE TV-UNDERGROUND
—(OHC)—	CABLE TV-OVERHEAD
—(OHT)—	TELEPHONE-OVERHEAD
—(F)—	FIBER OPTIC-UNDERGROUND
—(OHF)—	FIBER OPTIC-OVERHEAD
—(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

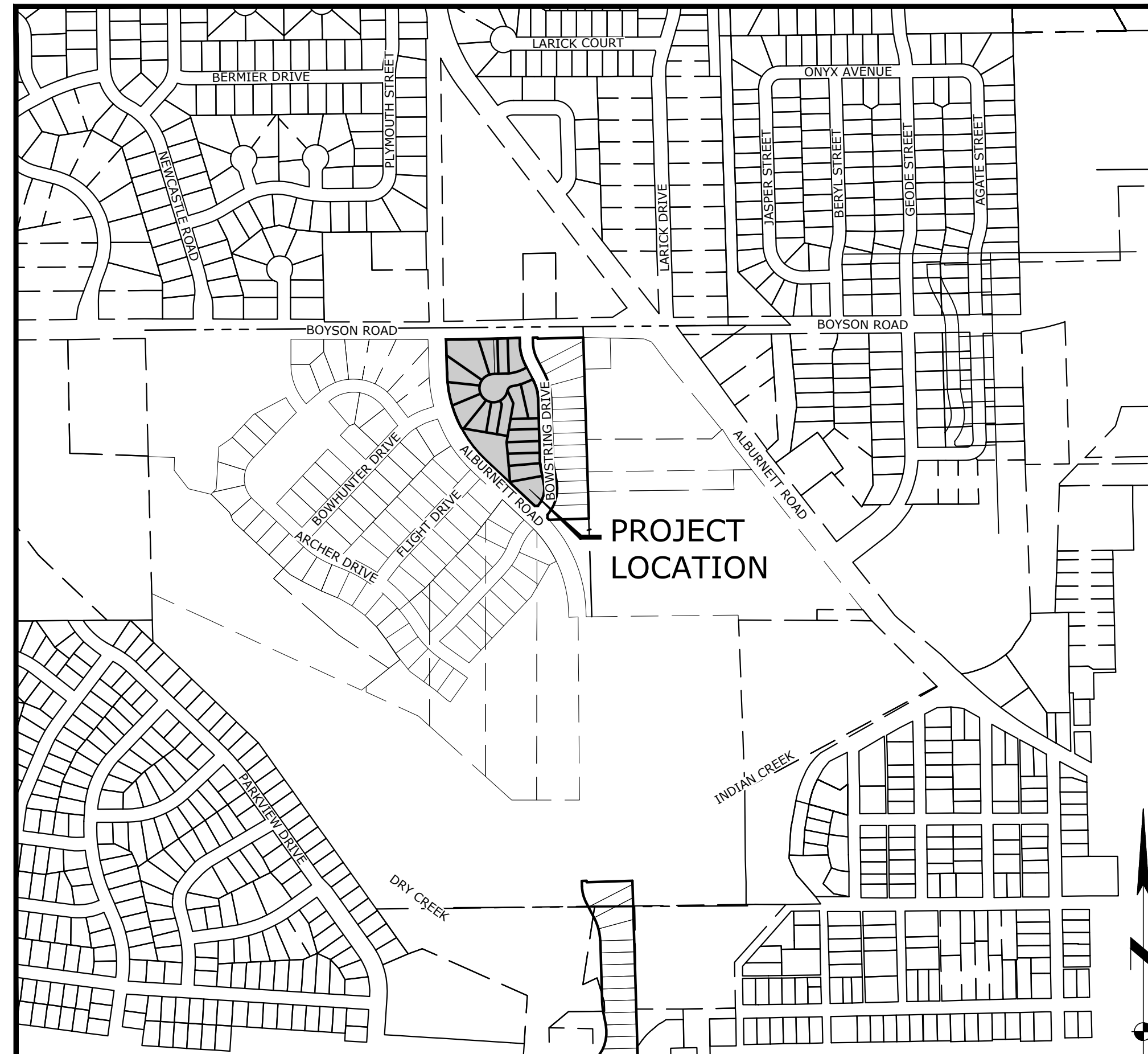
○	SET REBAR W/CAP NO.
⊗	FOUND SURVEY MONUMENT AS NOTED
⊕	FOUND RIGHT OF WAY RAIL
△	SECTION CORNER SET AS NOTED
▲	SECTION CORNER FOUND AS NOTED
×	CUT "X" IN CONCRETE
( )	RECORDED AS
---	EASEMENT LINE
---	PLAT OR SURVEY BOUNDARY
---	PLAT LOT LINE
---	CENTERLINE
---	SECTION LINE
---	1/4 SECTION LINE
---	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	
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: RESIDENTIAL

## DIMENSIONAL STANDARDS

FRONT YARD (FT, MIN):	25'
SINGLE INTERIOR SIDE YARD (FT, MIN):	7'
CORNER SIDE YARD (FT, MIN):	12'
REAR YARD (FT, MIN):	25'

## NOTES

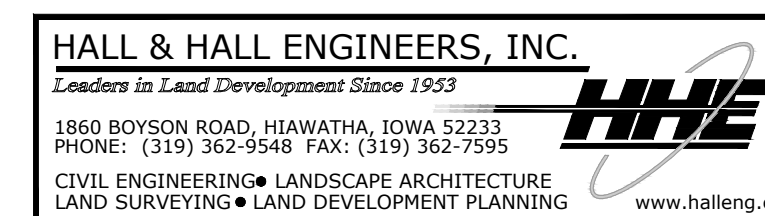
THIS PLAN IS CONCEPTUAL REPRESENTATION OF THE PROPOSED DEVELOPMENT. ANY FINAL PLAT AND RELATED IMPROVEMENTS REQUIRED BY THIS DEVELOPMENT SHALL MEET THE REQUIREMENTS OF DESIGN STANDARDS MANUAL.

## LEGAL DESCRIPTION

LOT 1 - LOT 9, BOWMAN MEADOWS FIRST ADDITION IN THE CITY OF MARION, LINN COUNTY, IOWA AS RECORDED IN BOOK 8041, PAGES 616-640 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER

## FLOOD NOTE

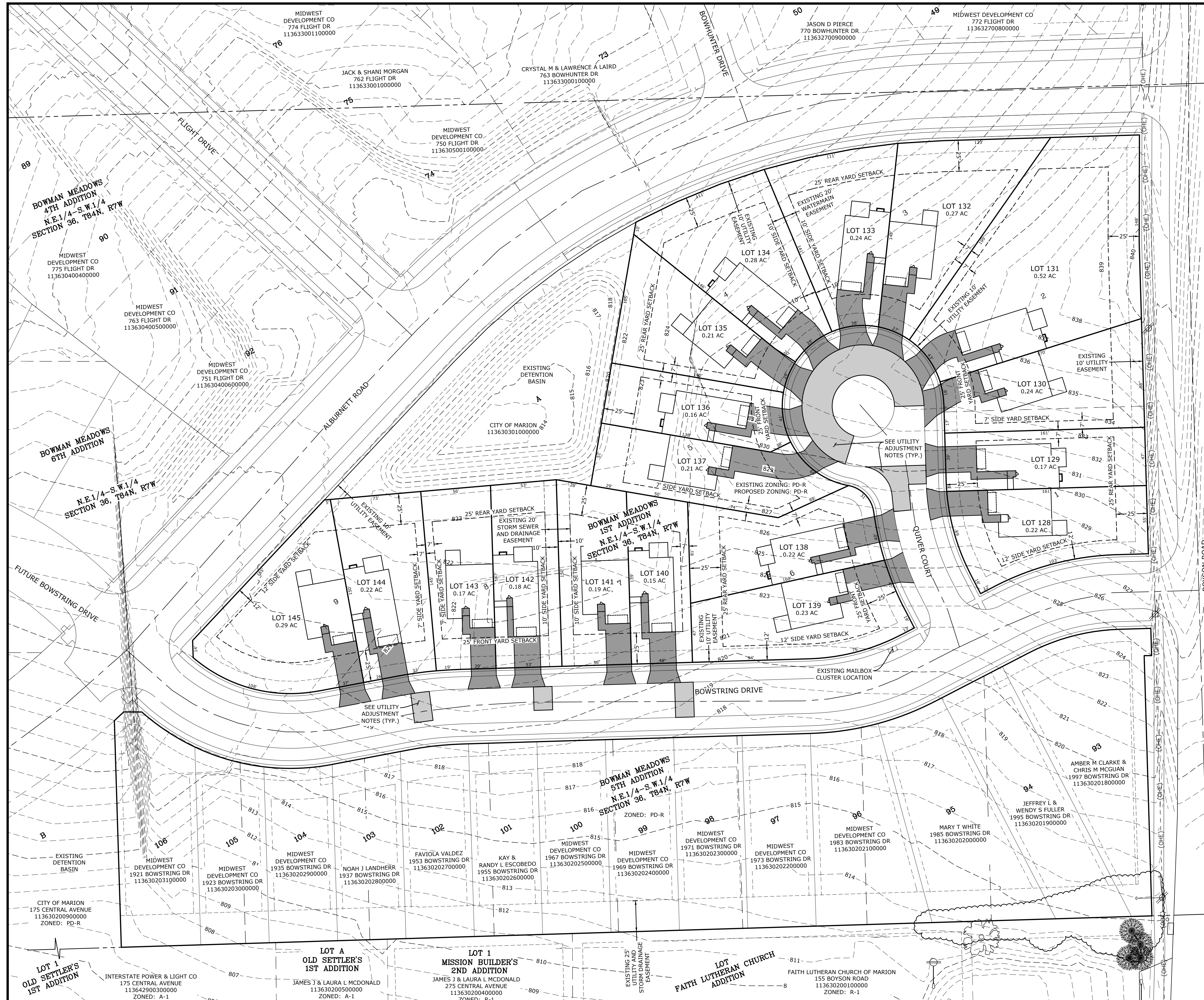
THIS PROPERTY IS LOCATED IN "AREA OF MINIMAL FLOOD HAZARD" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 19113C0311D WHICH BEARS AN EFFECTIVE DATE OF APRIL 5, 2010 AS WELL AS THE PRELIMINARY FLOOD INSURANCE RATE MAP, MAP NUMBER 19113C0311E DATED APRIL 16, 2019.



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	05/11/2020
Date Revised	06/01/2020
Date Revised	

DIRECTOR, DEPT. OF DEVELOPMENT

DATE

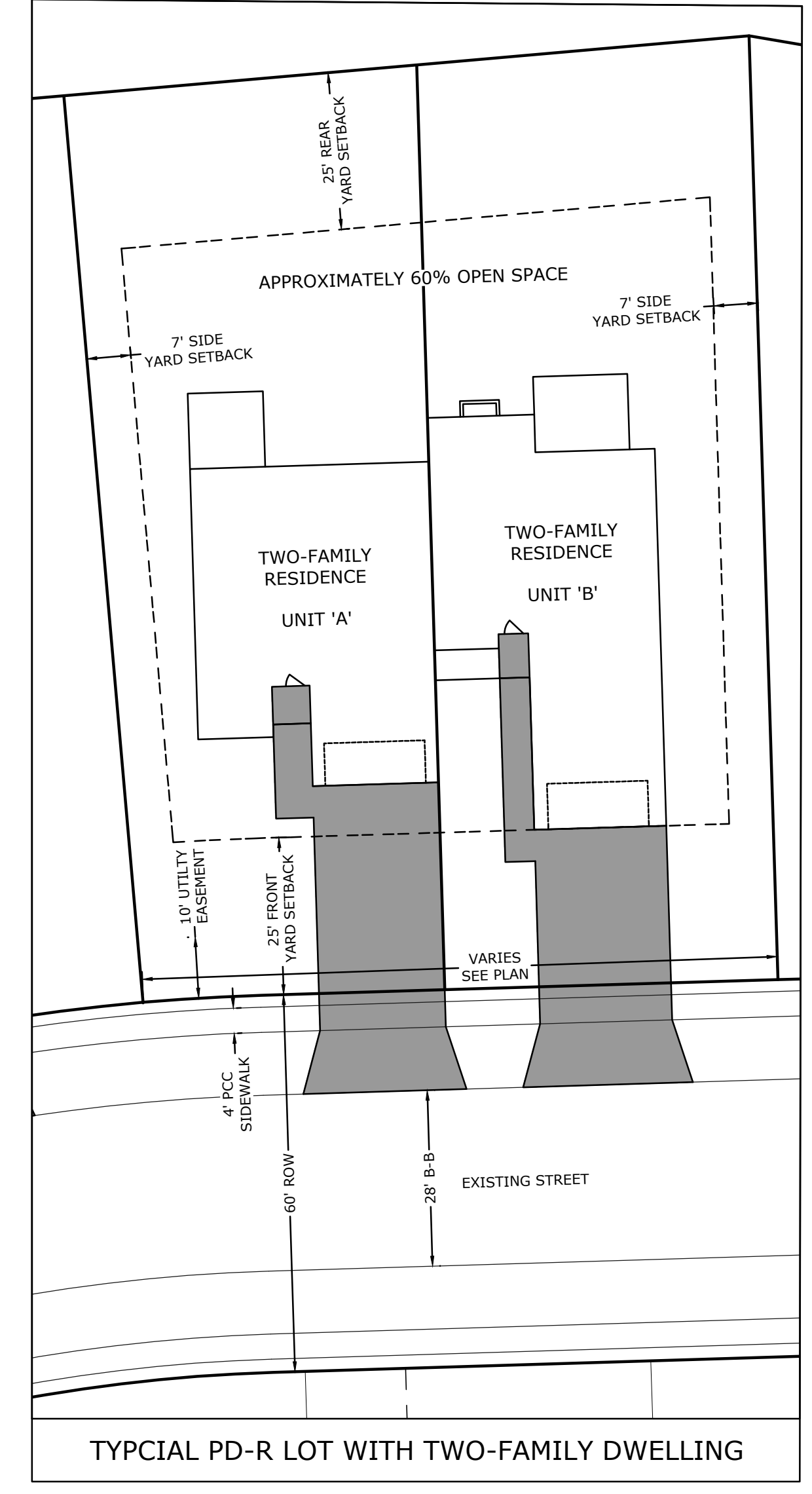
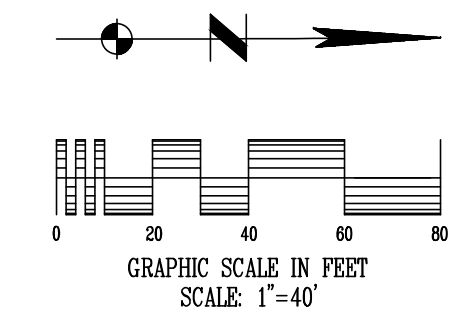


NATHAN J & ROBIN D BORRETT  
220 BOYSON ROAD  
11362520300000  
ZONED: A-1

AUDREY L & RONALD A LANDHERR  
180 BOYSON ROAD  
1136278001000000  
ZONED: A-1

- NOTES:**
- ALL PUBLIC STREETS SHALL BE 7" PCC ON 6" COMPACTED GRANULAR SUBBASE.
  - ALL PUBLIC SIDEWALKS SHALL BE 4' WIDE PCC.
  - NO DRIVEWAY ACCESS ALLOWED ON BOYSON ROAD OR ALBURNETT ROAD.

- UTILITY ADJUSTMENT NOTES:**
- SANITARY SEWER SERVICES:
    - NEW SERVICES REQUIRED ON LOTS 129, 131, 133, 134, 136, 138, 140, 142, AND 144
  - WATER SERVICES:
    - NEW SERVICES REQUIRED ON LOTS 129, 135, 136, AND 137
    - EXISTING SERVICE REALIGNMENT REQUIRED ON LOTS 130, 131, 133, 134, AND 140
  - REMOVAL OF PCC PANELS SHALL BE TO NEAREST JOINT. NO PARTIAL REMOVALS PERMITTED.



DRAWN BY: JGS				
CHECKED BY: LMH				
APPROVED BY: LMH				
DATE: 06/01/2020				
FIELD BOOK: XXX	NO.	REVISION DESCRIPTION	APPROVED	DATE

**City of Marion**  
IOWA

**HALL & HALL ENGINEERS, INC.**  
Leaders in Land Development Since 1953  
1860 BOYSON ROAD, HIWATHA, IOWA 52233  
PHONE: (319) 362-9548 FAX: (319) 362-7595

**FAITH LUTHERAN CHURCH OF MARION**  
155 BOYSON ROAD  
11363020100000  
ZONED: R-1

**BOWMAN MEADOWS 8TH ADDITION**  
IN THE CITY OF MARION,  
LINN COUNTY IOWA

CAD File: I:\projects\7500\7574-1-RP-BOWMAN MEADOWS 8TH ADDITION\DWG\Plan\7574-1-RP-PP1.dwg Date Plotted: May 27, 2020 - 4:13pm Plotted By: JSTONE

# REVISED PRELIMINARY PLAT FOR BOWMAN MEADOWS 8TH 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
---	WATER MAIN W/SIZE
---	WATER MAIN W/SIZE
---(G)---	GAS
---(S)---	STEAM
---(OHE)---	ELECTRIC-OVERHEAD
---(E)---	ELECTRIC-UNDERGROUND
---(C)---	CABLE TV-UNDERGROUND
---(OHC)---	CABLE TV-OVERHEAD
---(OHT)---	TELEPHONE-OVERHEAD
---(F)---	FIBER OPTIC-UNDERGROUND
---(OHF)---	FIBER OPTIC-OVERHEAD
---(T)---	TELEPHONE-UNDERGROUND
---	FENCE LINE
---	SILT FENCE
---	FLOODPLAIN LIMITS
---	FLOODWAY LIMITS
---	CITY CORPORATE LIMITS
---	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
---	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

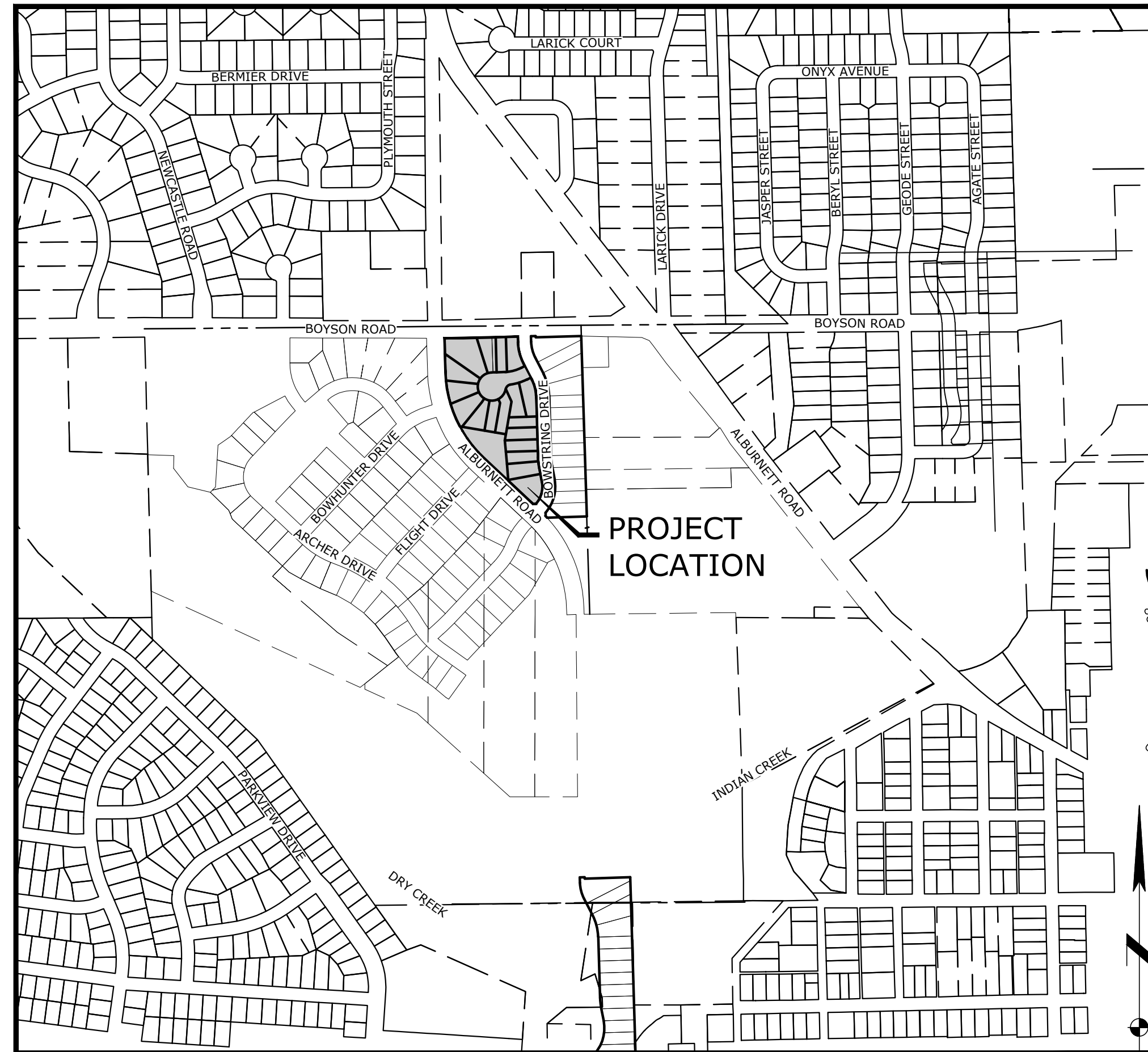
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	CONIFEROUS TREE
	DECIDUOUS SHRUB
	CONIFEROUS SHRUB
	TREE STUMP
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LOCATION MAP  
(1"=500')



## SHEET INDEX

- COVER
- REVISED PRELIMINARY PLAT

## UTILITY AND EMERGENCY TELEPHONE NUMBERS

CITY OF MARION, IOWA	
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MID-AMERICAN ENERGY	(319)-298-5162
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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: RESIDENTIAL

## DIMENSIONAL STANDARDS

FRONT YARD (FT, MIN):	25'
SINGLE INTERIOR SIDE YARD (FT, MIN):	7'
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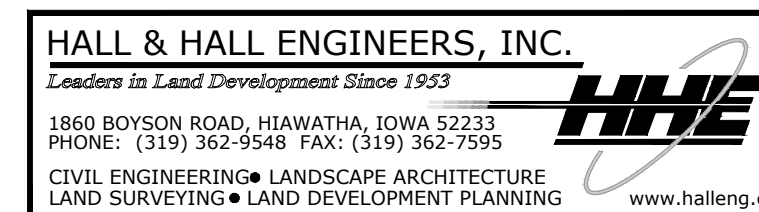
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## FLOOD NOTE

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.



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	05/11/2020
Date Revised	06/01/2020
Date Revised	

DIRECTOR, DEPT. OF DEVELOPMENT

DATE



## commission memo

**DATE:** Thursday – June 4, 2020

**TO:** Marion Planning & Zoning Commission

**FROM:** David N. Hockett, AICP - Principal Planner

**RE:** **10. WINSLOW ADDITION – COMPREHENSIVE PLAN AMENDMENT, REZONING, & PRELIMINARY PLAT**

- a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan and rezoning request for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa.
- b. CPC Resolution No. 20-20 recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Neighborhood Commercial for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust)
- c. CPC Resolution No. 20-21 recommending approval of a rezoning request from A-1, Rural Restricted to BL, Business Local for property located south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust)
- d. CPC Resolution No. 20-22 recommending approval of Winslow Addition Preliminary Plat, Marion, Iowa. (Donna M. Morrissey Rev. Trust)

---

The applicants are seeking approval of amendments to both the future land use map as well as the zoning map in addition to a preliminary plat to support the future development of a neighborhood commercial node w/ potential upper-story residential units for property located south of Tower Terrace Road and the Winslow Road intersection.

The property in question has been in limited agricultural production for much of its history due to the location of Indian Creek. A home was constructed on the east portion of the property in the late 1970s with the balance of the property unused and portions planted in walnut trees anticipating a future timber harvest.



Figure I: General Location Map

**Comprehensive Plan / Future Land Use Map Amendment Request:**

- a. **Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan and rezoning request for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa.**
- b. **CPC Resolution No. \_\_\_\_\_ recommending approval of the amendment to the Future Land Use Map of the Marion Comprehensive Plan from Single-Family Detached Residential to Neighborhood Commercial for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust)**

---

The future land use map was amended in 2010 and designated the northwest portion of the subject property as “Single Family Detached Residential” which is characterized by detached single-family homes on ¼ acre lots. The subject area amendment is approximately 2.8 acres of land that is located outside the 100 year flood plain line and thus would have development potential. The applicants are seeking to amend the future land use map to Neighborhood Commercial to permit the proposed BL,

Business Local zoning designation. The Neighborhood Commercial designation supports small scale commercial centers serving daily needs of the neighborhood or immediate areas.

The property to the east and south are currently land use designated as “Parks and Open Spaces” which typically includes neighborhood and community parks, Squaw Creek Park, trail ways, wetlands and floodplains. The area while privately owned was given the “Parks and Open Spaces” designation due to much of it being located within the floodplain and development potential limited. The property to west is currently designated as “Public / Semi Public” which includes areas open to the public such as schools, civic buildings, churches and cemeteries. Currently the Linn Mar School District owns the property with the immediate area undeveloped due much of it being located within the 100 year flood plain.

The property to the north of Tower Terrace Road is currently land use designated “Neighborhood Commercial” and received that designation in April 2013 to support an underlying O-1, Office Transitional zoning at the time the Marion YMCA was reviewing sites throughout the community to build their new facility with regional partners that were looking at constructing accessory uses to the YMCA. The land use and underlying zoning of the property permits a wide range of uses from Single Family to Multi-Family Residential, including supported residential uses (care facility, assisted living etc). In addition to the residential uses offices and light commercial are a permitted use.

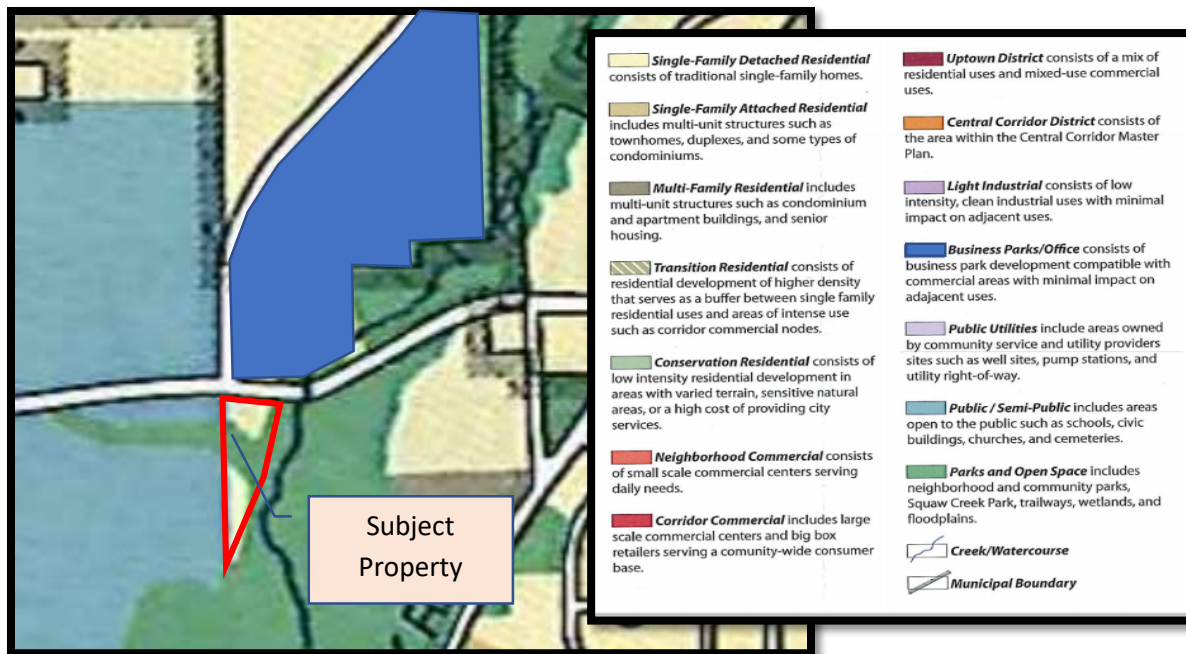


Figure II: Existing Land Use Map

The requested land use map amendment would be consistent with the adjacent land uses. Traffic from higher intensity uses should be directed away from lower intensity uses, building elements and scale should be consistent with surrounding future development.



# HALL & HALL ENGINEERS, INC.

*Leaders in Land Development Since 1953*



May 11, 2020

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

RE: Future Land Use Map Amendment – Winslow Addition

Dear Dave,

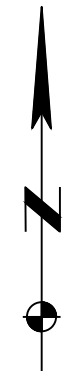
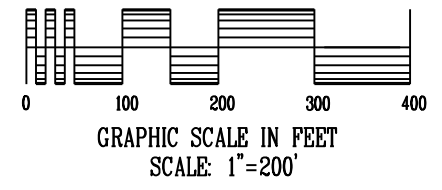
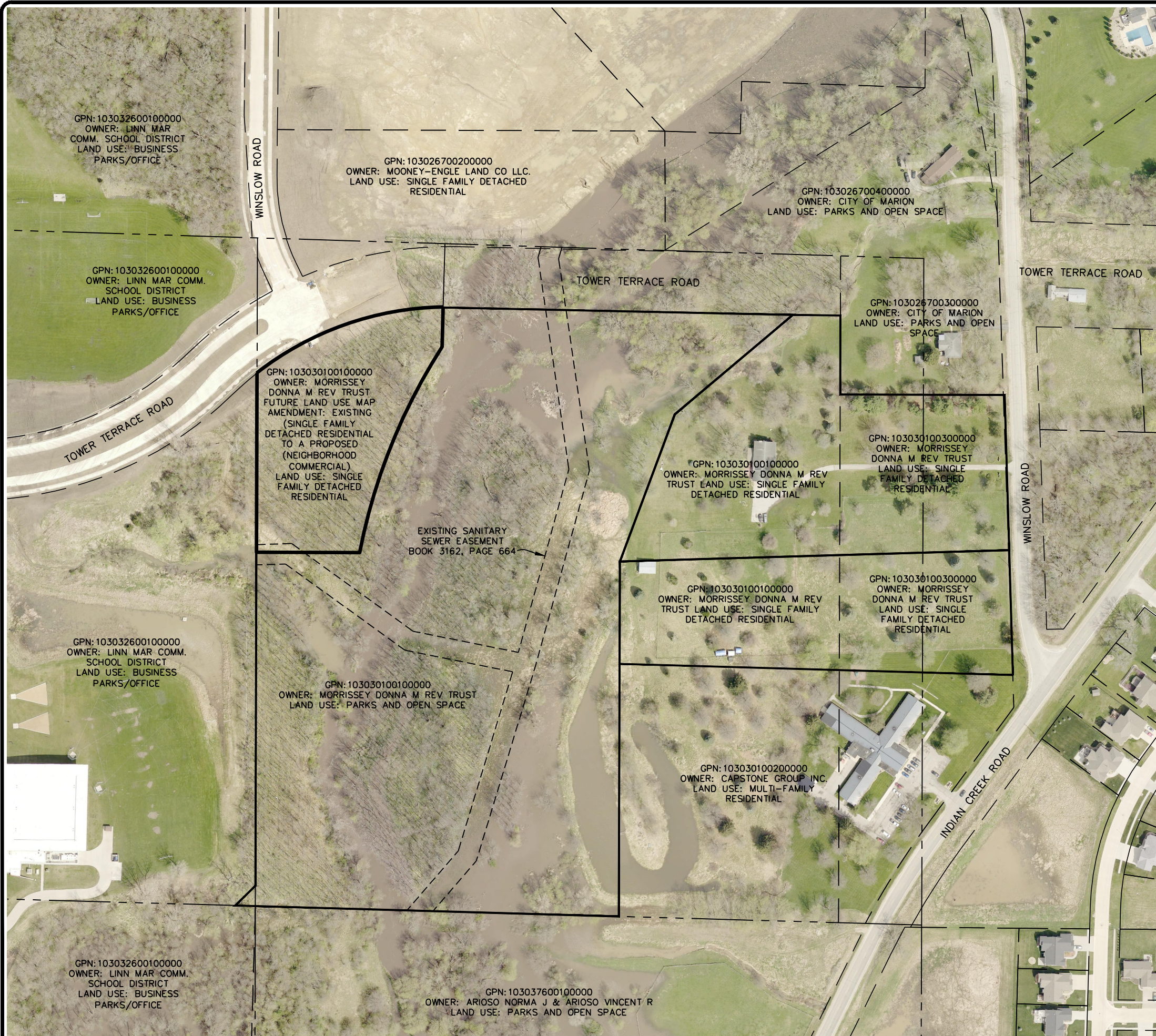
On behalf of our client, Donna M Morrissey Revocable Trust, we respectfully request to amend the future land use map of the Marion Comprehensive Plan from Single-Family Detached Residential to Neighborhood Commercial to accommodate mixed use commercial development allowed in the BL rezoning classification. If you have any further questions, please contact me at (319) 362-9548. Thank you for your help in this matter.

Sincerely,

*Susan Forinash*

Susan Forinash  
Survey Team Leader

Copy: Donna Morrissey



OWNER/APPLICANT:  
 DONNA MAE MORRISSEY REVOCABLE TRUST  
 3456 WINSLOW ROAD  
 MARION IA, 52302

CONTACT:  
 HALL & HALL ENGINEERS, INC.  
 1860 BOYSON ROAD  
 HIAWATHA, IOWA 52233  
 319-362-9548  
 susan@halleng.com

FUTURE LAND USE MAP AMENDMENT:  
 EXISTING (SINGLE FAMILY DETACHED RESIDENTIAL) TO A PROPOSED (NEIGHBORHOOD COMMERCIAL)

LEGAL DESCRIPTION:  
 FUTURE LAND USE MAP AMENDMENT: EXISTING (SINGLE FAMILY DETACHED RESIDENTIAL TO A PROPOSED (NEIGHBORHOOD COMMERCIAL):

PART OF THE WEST 7/8 OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 84 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, MARION, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 30; THENCE S88°13'52"E 948.68 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE S1°46'08"W 125.71 FEET TO THE SOUTHERLY RIGHT OF WAY OF TOWER TERRACE ROAD AS RECORDED IN BOOK 9162, PAGE 207 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND THE POINT OF BEGINNING; THENCE S1°14'44"W 78.75 FEET; THENCE SOUTHWESTERLY 441.65 FEET ALONG THE ARC OF A 1155.83 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY (CHORD BEARS S21°51'46"W 438.97 FEET); THENCE N89°49'15"W 204.35 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE N0°10'42"E 355.03 FEET ALONG SAID WEST LINE TO SAID SOUTHERLY RIGHT OF WAY OF TOWER TERRACE ROAD; THENCE NORTHEASTERLY 397.73 FEET ALONG SAID SOUTHERLY RIGHT OF WAY AND THE ARC OF 615.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY (CHORD BEARS N70°30'01"E 390.84 FEET) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.83 ACRES SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**HALL & HALL ENGINEERS, INC.**  
*Leaders in Land Development Since 1953*  
 1860 BOYSON ROAD, HIAWATHA, IOWA 52233  
 PHONE: (319) 362-9548 FAX: (319) 362-7595  
 CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE  
 LAND SURVEYING • LAND DEVELOPMENT PLANNING  
 www.halleng.com

FLUMA EXHIBIT  
**MORRISSEY PROPERTY**  
 PART OF THE WEST 7/8 OF THE N.E. 1/4-S.W. 1/4, SECTION 30, T84N, R6W  
 MARION, LINN COUNTY, IOWA

Sheet Title:	
Date:	5/26/2020
Field Book No:	FBK
Scale:	1"=200'
Sheet:	1 of 1
Project Number:	10715



1225 6<sup>th</sup> Avenue, Suite 210  
Marion, Iowa 52302  
[www.cityofmarion.org](http://www.cityofmarion.org)

## Rezoning Request

**a. Public hearing regarding an amendment to the Future Land Use Map of the Marion Comprehensive Plan and rezoning request for property south of Tower Terrace Road and west of Winslow Road, Marion, Iowa.**

**c. CPC Resolution No. \_\_\_\_\_ recommending approval of a rezoning request from A-1, Rural Restricted to BL, Business Local for property located south of Tower Terrace Road and west of Winslow Road, Marion, Iowa. (Donna M. Morrissey Rev. Trust)**

The applicant is seeking to rezone property from A-1, Rural Restricted which is intended to “*preserve land suitable for eventual development for other uses until such time as necessary facilities and services can be economically and reasonably provided to such areas*” to BL, Business Local is intended to is “to provide locations for small-scale service and retail uses that primarily serve the convenience needs of residential neighborhoods. The BL District permits a mix of uses, but care must be taken to ensure that adequate access, parking and screening is provided so as not to negatively impact adjoining residential neighborhoods and building design should be compatible with residential properties.”

The property to the north is currently zoned O-1, Office Transitional (Ordinance No. 13-08 w/ Conditions) and is currently undeveloped. The O-1 zoning district permits a wide range of residential, office and commercial land uses. North of the O-1 zoned property the area is in the process of developing with single family detached homes.

The properties to in all other directions are currently zoned A-1, Rural Restricted and consists of a substantial amount of flood plain, Linn Mar School District and other property currently owned by the applicant for a single family home. Beyond the immediately adjacent property the area has been developed with single family homes.

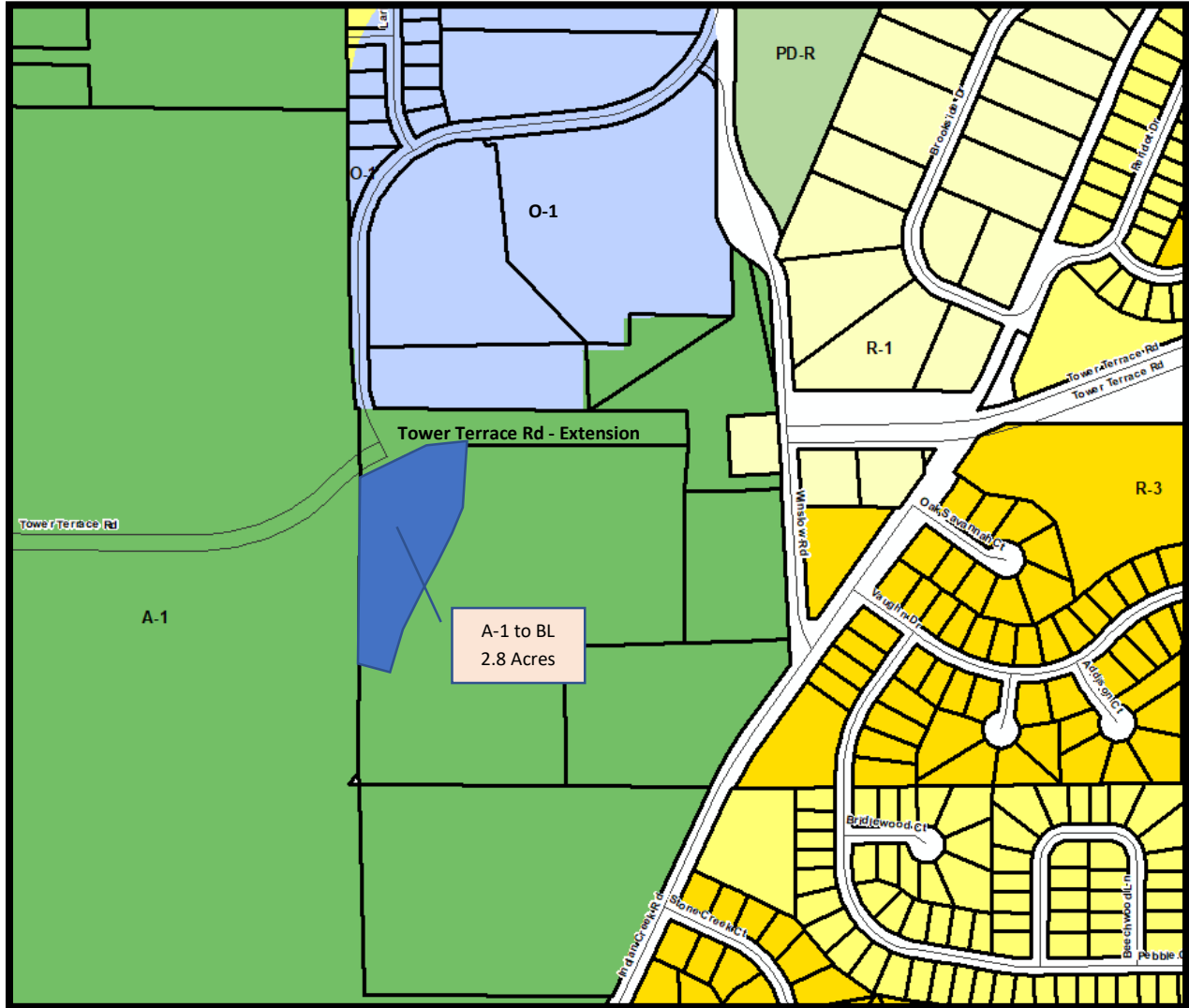


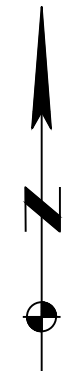
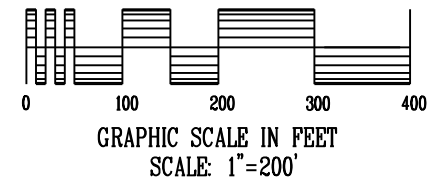
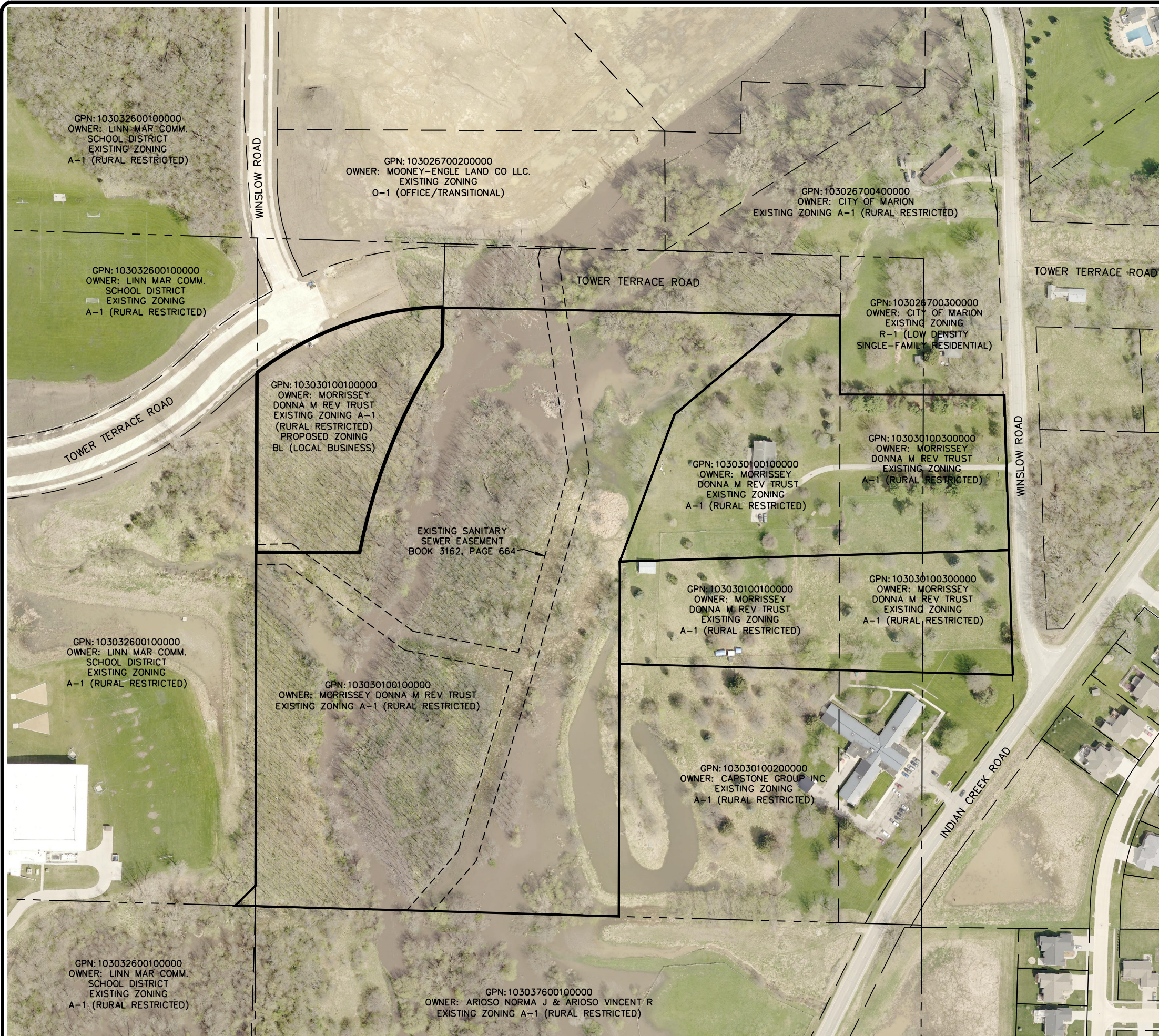
Figure III: Zoning Map

The proposed BL, Business Local was created to provide limited goods and services to support the immediate areas and neighborhoods and not the community or region. The BL to ensure it develops in a manner consistent with providing to the neighborhoods has limitations on the most intense uses associated with commercial / office developments. It permits financial institutions /banks, coffee and tea rooms (no drive-thrus,, day care centers, a variety of office, business and professional establishments and personal services and small and retail sales which is defined as an establishment between 5,000 and 10,000 square feet. In addition to the commercial and office uses it permits upper floor dwelling units. Restaurants are permitted as a conditional use, which is subject to review and recommendation by the Planning and Zoning Commission to the Zoning Board of Adjustment.



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Staff requested a concept plan to be submitted to illustrate how the property could be developed with a single access onto Tower Terrace Road. The applicant illustrated three multi-story buildings with centrally located parking and detention basins. The property is large enough to develop as a single or multiple buildings. Size of buildings would be limited by the ability to provide the required parking and detention systems. For comparison purposes the commercial site at southwest corner of 19<sup>th</sup> Avenue and 10<sup>th</sup> Street (Parlor City) is approximately 1.85 acres.



OWNER/APPLICANT:  
 DONNA MAE MORRISSEY REVOCABLE TRUST  
 3456 WINSLOW ROAD  
 MARION IA, 52302

CONTACT:  
 HALL & HALL ENGINEERS, INC.  
 1860 BOYSON ROAD  
 HIAWATHA, IOWA 52233  
 319-362-9548  
 susan@halleng.com

EXISTING: A-1 (RURAL RESTRICTED)  
 PROPOSED: BL (LOCAL BUSINESS)

LEGAL DESCRIPTION - REZONING A-1 TO BL:

PART OF THE WEST 7/8 OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 84 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, MARION, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 30; THENCE S88°13'52"E 948.68 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE S1°46'08"W 125.71 FEET TO THE SOUTHERLY RIGHT OF WAY OF TOWER TERRACE ROAD AS RECORDED IN BOOK 9162, PAGE 207 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND THE POINT OF BEGINNING; THENCE S1°14'44"W 78.75 FEET; THENCE SOUTHWESTERLY 441.65 FEET ALONG THE ARC OF A 1155.83 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY (CHORD BEARS S21°51'46"W 438.97 FEET); THENCE N89°49'15"W 204.35 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE N0°10'42"E 355.03 FEET ALONG SAID WEST LINE TO SAID SOUTHERLY RIGHT OF WAY OF TOWER TERRACE ROAD; THENCE NORTHEASTERLY 397.73 FEET ALONG SAID SOUTHERLY RIGHT OF WAY AND THE ARC OF 615.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY (CHORD BEARS N70°30'01"E 390.84 FEET) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.83 ACRES SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**HALL & HALL ENGINEERS, INC.**  
*Leaders in Land Development Since 1953*  
 1860 BOYSON ROAD, HIAWATHA, IOWA 52233  
 PHONE: (319) 362-9548 FAX: (319) 362-7595  
 CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE  
 LAND SURVEYING • LAND DEVELOPMENT PLANNING  
 www.halleng.com

REZONING EXHIBIT  
**MORRISSEY PROPERTY REZONING**  
 PART OF THE WEST 7/8 OF THE N.E. 1/4-S.W. 1/4, SECTION 30, T84N, R6W  
 MARION, LINN COUNTY, IOWA

Sheet Title:	
Date:	05/29/20
Field Book No:	FBK
Scale:	1"=200'
Sheet:	1 of 1
Project Number:	10715



### Preliminary Plat

- d. CPC Resolution No. \_\_\_\_\_ recommending approval of Winslow Addition Preliminary Plat, Marion, Iowa. (Donna M. Morrissey Rev. Trust)

This is a request is for a proposed preliminary plat for the Winslow Addition preliminary plat located south of Tower Terrace Road and west of Winslow Road. The proposed preliminary plat consists of 4 lots on 30.50 acres.

The following is a breakdown of the review criteria used for the platting process:

**1. Water Service (blue):**

Water Service currently exists to the north of the property at the south end of Winslow Road and along Indian Creek Road. The proposed development can be served from the provided mains with internal loops throughout the future development to ensure proper water pressure.

**2. Sanitary Sewer Service (orange):**

Sanitary sewer service is currently available to the property through the property at several locations and capable of serving the development.

**3. Storm-water Management:**

The developer at time of development would be required to provide a stormwater management plan that can accommodate the proposed development. The requested concept plan illustrates that adequate room is available on the proposed lot to accommodate the basin.

**4. Environmentally Sensitive Land Impact:**

The site has identified environmentally sensitive land.

- a. 100 Year Flood Plain: A significant portion of the property is located within the 100 year flood plain and as currently mapped all located within Out Lot A which is designated as a non-buildable lot.





- b. 500 Year Flood Plain: A significant portion of the property is located within the 500 year flood plain.
  - c. Slope: The area for development has no significant slopes, however significant slopes exist on Outlot A which has been designated as non-buildable.
  - d. Tree Masses: There are significant tree mass on the site with the majority being located on outlot A, many of the trees located on Outlot A are walnut trees that were intentionally planted for eventual timber harvest. Lot 1 has existing tree masses but quality appears poor.
  - e. Wetlands: There are no identified wetlands on the site.
- 5. Street Construction:**  
The applicant at this time is not proposing any internal street network, should Lots 2 and 3 be redeveloped and a network is required the developer will be required to submit a plan for approval and build per street construction standards.
- The developer when final platting lots will be responsible for half the cost of improvements to both Tower Terrace Road and Winslow Road. If the City should conduct improvements prior to the property being final platted connection fees may be established that the developer would be required to pay at the time of final plat.
- 6. Trail / Sidewalk Connections:**  
The applicant will be responsible for all internal sidewalks associated with the development. The City is currently negotiating trails through the property as part of a large network. These negotiations are currently ongoing. Typically, with preliminary plats trail easements are reserved, however at this time none are proposed due to the ongoing negotiations. Additional information can be provided at the meeting.
- 7. Lot Configuration / Access:**  
All lots within the subdivision meet the minimum size requirements of the proposed zoning classifications. At time of final plat lot sizes will likely change, should additional lots be added the final plat will be reviewed by the Planning and Zoning Commission prior to City Council action, should lots be combined no review by the Commission would be required.
- 8. Parkland / Open Space Dedication and Landscaping:**  
The developer is not proposing dedication of any parkland or open space. Outlot A at this time will be retained by the property owner.

Staff recommends **APPROVAL** of the proposed preliminary plat for the Winslow Addition as it meets the goals and objectives of the Comprehensive Plan and the proposed amendments as well as Section 175 (Subdivision Regulations) and Section 176 (Zoning Regulations).



**Planning Division**  
 1225 6<sup>th</sup> Avenue, Suite 210  
 Marion, Iowa 52302  
[www.cityofmarion.org](http://www.cityofmarion.org)

## commission memo

**DATE:** Tuesday, June 9, 2020

**TO:** Planning & Zoning Commission

**FROM:** Nicole Behrens, AICP Candidate  
 Planner I

**RE:** 11. THE COMMONS AT ENGLISH GLEN 5<sup>TH</sup> ADDITION - FINAL SITE DEVELOPMENT PLAN

- a. CPC Resolution No. 20-23 recommending approval The Commons at English Glen 5<sup>th</sup> Addition Final Site Development Plan for property north of 29<sup>th</sup> Avenue and east of Winchester Drive extended. (Robson Homes, Inc.)

**Exhibit(s):** Approved Preliminary Site Development Plan  
 Proposed Final Site Development Plan  
 Elevation Comparison Renderings (FSDP vs PSDP)

### **Background:**

Robson Homes, Inc. is seeking approval of a final site development plan for The Commons at English Glen 5<sup>th</sup> Addition. The property consists of approximately 10 acres and includes 33 lots for single-family detached homes.

The Planning and Zoning Commission approved the preliminary site development plan for this area in May 2019 with Council approval in July 2019. At the time of approval, conditions were placed on the property per the rezoning request regarding having a homeowner's association, specific fencing, and specific landscaping requirements along 29<sup>th</sup> Avenue.



Consideration of the final site development plan should be based on its conformity with the approved preliminary site development plan. The proposed final site development plan does not include all areas of the PD-R district that was approved as part of the preliminary site development plan. Those areas will be included within future development phases.

**Planning Division**1225 6<sup>th</sup> Avenue, Suite 210

Marion, Iowa 52302

[www.cityofmarion.org](http://www.cityofmarion.org)**Final Site Development Plan:**

The overall layout of the final site development plan has not changed from the approved preliminary site development plan. The number of lots, lot and street layout, private detention basin, and mix of 1-story and 2-story homes are consistent. A minor change has been in the architectural style of the 1-story and 2-story homes being proposed for the area. During the preliminary site development plan review, the styles of product had a modern architectural emphasis Whereas with the final site development plan, a traditional suburban ranch style has replaced one of the modern 1-story products and the modern 2-story products have had a few architectural tweaks. Staff does not believe these changes in product type are significant as the applicant is still proposing a mix of 1-story and 2-story homes.

Only a portion of the sidewalk around the proposed detention basin (Outlot A) is showing to be installed with the 5<sup>th</sup> Addition. Per the Engineer/applicant, the remaining portions of the sidewalk will be installed with the future phases of development as final/finish grade will not be completed on Outlot A until those phases adjacent to the outlot are platted.

The applicant has provided a landscape plan as part of the final site development plan that does reflect the conditions placed on the PD-R zoning (City Council Ord. No. 19-20). The following two conditions are noted on the landscaping plan:

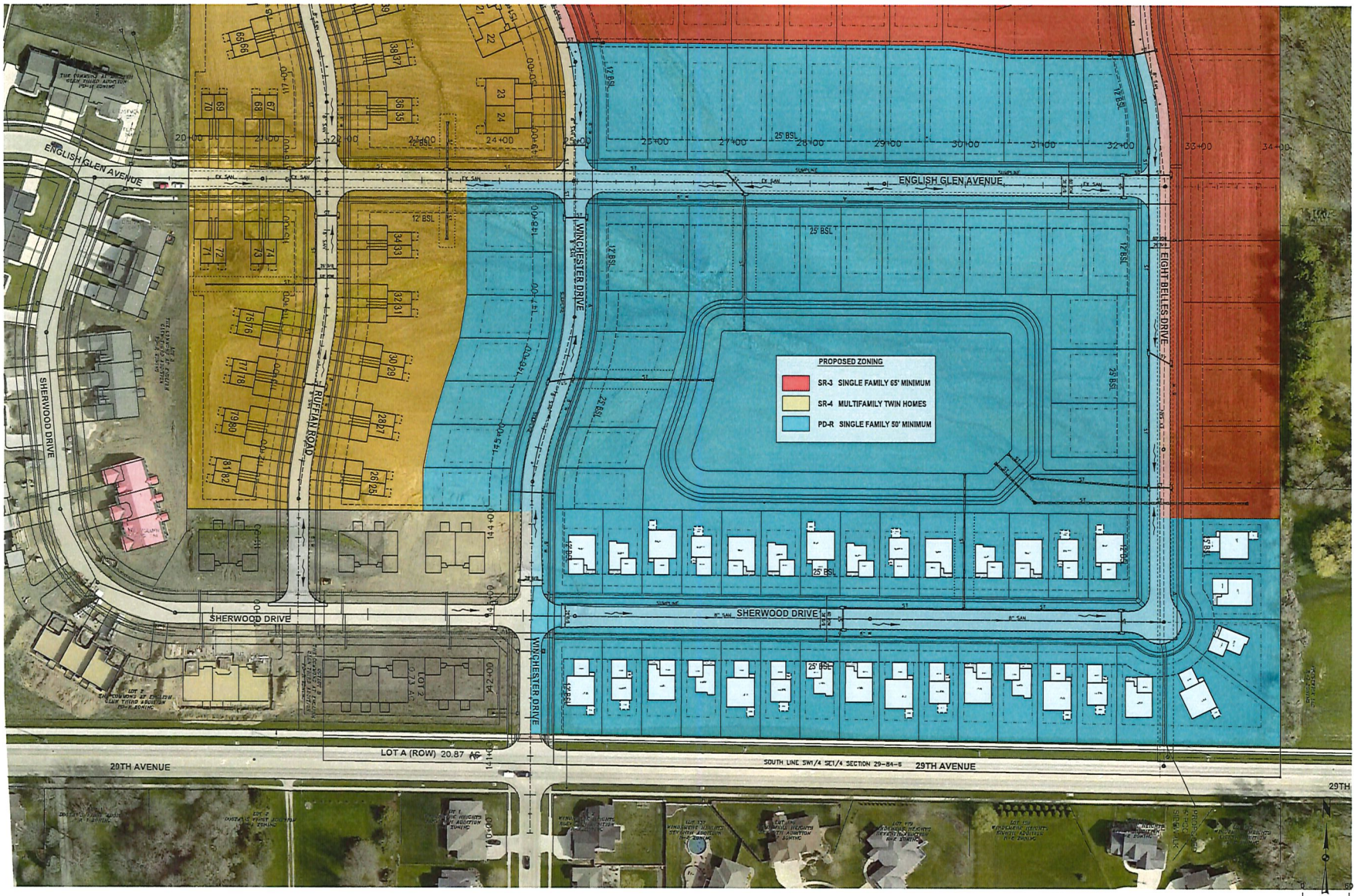
- Only a black vinyl coated chain link fence is permitted in the rear of the 50' lots zoned PD-R.
- A landscape buffer shall be provided between the homes and the 29<sup>th</sup> Avenue right-of-way, consisting of one (1) shade variety tree per lot with a minimum 40' spacing and one (1) evergreen tree per lot.

Staff has reviewed the landscaping plan and finds that it meets the requirements set forth within the conditions. Staff has also worked with the Engineering firm to intermix various species of trees versus grouping species together; this is key to maintaining a buffer if an illness becomes widespread amongst a certain species in the future.

The condition within Ord. No. 19-20 pertaining to a homeowner's association being established will be included within the Memorandum of Agreement for The Commons at English Glen 5<sup>th</sup> Addition Final Plat.

Staff recommends **APPROVAL** of CPC Resolution No. 20-23 regarding Robson Homes, Inc's, The Commons at English Glen 5<sup>th</sup> Addition Final Site Development Plan. The request is consistent with the approved preliminary site development plan and existing PD-R zoning, including the conditions. It also meets the requirements set forth within Chapter 175, Subdivision Regulations and Chapter 176, Zoning Regulations.

PROJECT NO. 118.1156 DATE: 04/17/19  
 SHEET NO. 1 OF 1  
 5/14/2019 5:53:32 PM  
 156  
 www.library.usdo.com/arcgis/rest/services/MapServer/Server/arcgis/MapServer?appid=118.1156



REVISION	DATE	BY
ENGINEER: EDC	DESIGNED BY: EDC	SCALE: 1"=60'
TECHNICIAN: JWM	DATE: 04/17/19	DRAWN BY: JWM

**THE COMMONS AT ENGLISH GLEN PHASE 2**  
**29TH AVENUE EXHIBIT**  
**SNYDER & ASSOCIATES, INC.**

MARION, IA  
 2727 S.W. SNYDER BLVD.  
 515-964-2020 | www.snyderassociates.com

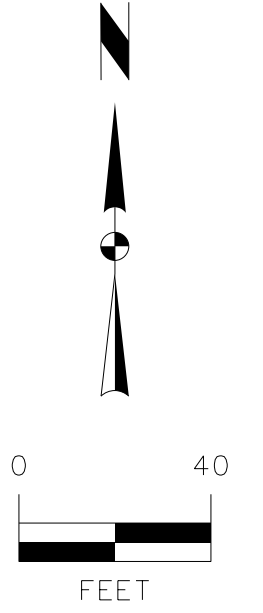
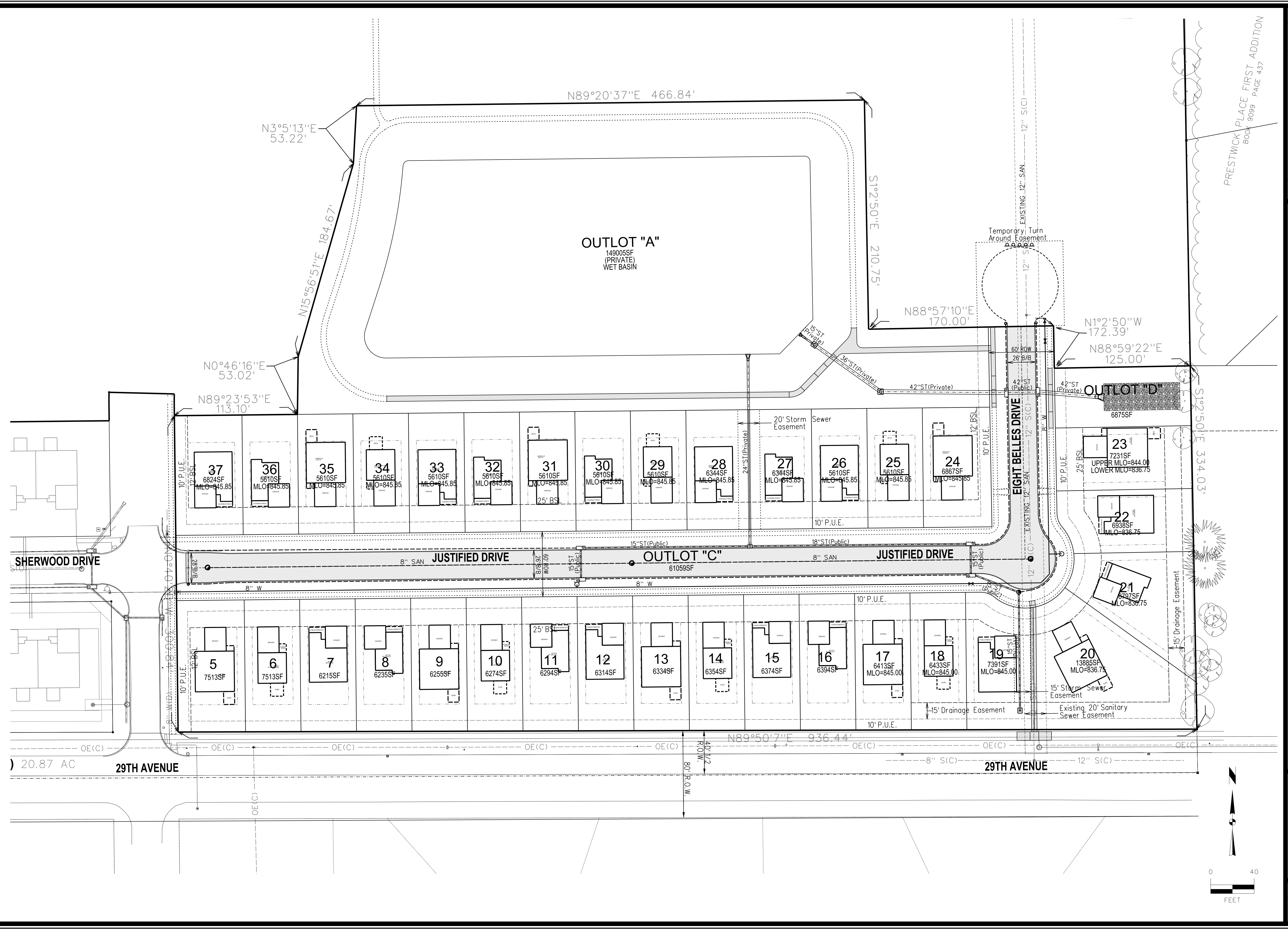
**SNYDER & ASSOCIATES**

Project No: 118.1156

Sheet 1 of 1



6/13/2020 9:15:29 AM Snyder 1:40  
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**THE COMMONS AT ENGLISH GLEN-FIFTH ADDITION**  
**FINAL SITE DEVELOPMENT PLAN**  
**SNYDER & ASSOCIATES, INC.**

MARK	REVISION	DATE	BY
2	REVISED AS PER CITY COMMENTS	6/02/20	RMM
1	REVISED AS PER CITY COMMENTS	6/01/20	RMM

Engineer:	JAL	Checked By:	EDC	Scale:	1"=40'
Technician:	JWM	Date:	5/15/2020	Field Bk.:	

  
**SNYDER & ASSOCIATES**

Project No: 118.1156  
 Sheet 2 of 3

MARION, IA  
 2727 S.W. SNYDER BLVD.  
 ANKENY, IOWA 50023  
 515-964-2020 | www.snyder-associates.com  
 Project No: 118.1156  
 Sheet 2 of 3





Final Site Development Plan: Proposed Products



Preliminary Site Development Plan:  
Approved Products





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Marion, Iowa 52302  
[www.cityofmarion.org](http://www.cityofmarion.org)

## commission memo

**DATE:** Monday, April 27, 2020

**TO:** Planning & Zoning Commission

**FROM:** Amal Eltahir, Assistant to City Manager

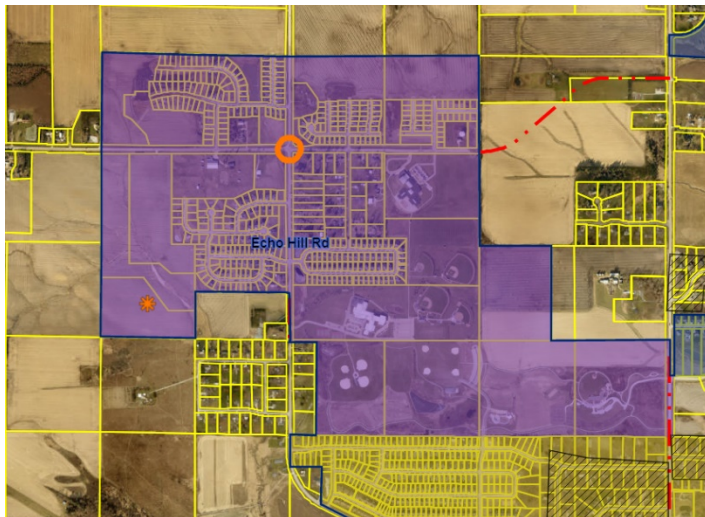
**RE:** Designating Echo Hill Road Urban Renewal Area

**Exhibit(s):** Echo Hill Road Urban Renewal Plan

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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 10<sup>th</sup> Street to the southwest corner of Lot 6, of Turning Stone Addition to the City of Marion; thence

West to the centerline of North 10<sup>th</sup> Street; thence

North following the centerline of North 10<sup>th</sup> 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 2<sup>nd</sup> 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.