

PLANNING & DEVELOPMENT ACTIVITY

Uptown Commercial District:

- The Uptown Marion Mall redevelopment project, Broad & Main, was formally approved by City Council at the January 21, 2021 City Council Meeting. Third floor was completed with windows being installed on ground level. March expects to bring completion of third floor and demolition to begin on remaining portions of the mall.

General Commercial Improvements:

- Staff has been presented with several concept plans for potential commercial development projects along 7th Avenue. The projects below have been formally submitted for review and are proposed to be constructed this spring/summer.
 - Cedar Rapids Bank and Trust, located at 700 25th Street, is under construction an open date has not be scheduled. A temporary bank branch is located between KFC and Quality auto for approximately 10 months.
 - Kwik Star plans were submitted, awaiting formal site plan and building plans to be submitted. Construction to begin summer 2022
- Green Acres Storage has begun to clear the site for the new facility anticipated to begin in spring 2022.
- Caliber Collision has purchased the property located at 1075 Lyons Lane and will be making exterior improvements. An early 2022 open date is planned.

COMMERCIAL BUILDING ACTIVITY

Looking forward and spring coming, another busy year is in store. Contractors getting ready to go with plans coming in for review to start as soon as the weather breaks. 7 new commercial permits and 3 more plans that permits have not been applied for came in for the month of February. The building department has 45 active commercial projects ongoing and got 4 completions this month. After a frustrating last 6 months the older projects appear to be coming to an end. We have 6 of the 45 projects that have an item or two on a punch list that are not getting completed.

Most of the new projects will be starting this spring as soon as the frost gets out. Marion Independent School District will be doing 3 projects this construction season with permits ready to issue for 2 of them. Broad & Main (second building) and Kwik Star both should be starting soon. While we are training for a new construction season, we are still inspecting projects like Truck Builders, The Broad & Main mixed use, a number of storage buildings, commercial condos and many more projects that got started in this last year.

BUILDING DIVISION STATISTICS

INSPECTIONS	CURRENT	LAST MONTH	LAST YEAR
ALL CONSTRUCTION	363	398	343
WRECKING	0	0	0
BEER & LIQUOR INSP	3	10	5
COMPLAINT INSPECTIONS	15	11	11
TOTAL INSPECTIONS	378	419	359
PERMITS			
ACTIVE DEPT PERMITS	10,809	10,858	8,413
PERMITS ISSUED	193	208	256
NEW SINGLE FAMILY	9	1	11
NEW MULTI-FAMILY (UNITS)	0 (0)	0 (0)	0 (0)
NEW COMMERCIAL	0	0	0
REMODEL/ADD. COMMERCIAL	4	5	2
RENTAL HOUSING			
RENTAL HOUSING UNITS	4,551	4,545	4,514
TOTAL RENTAL INSPECTIONS	148	180	208

BUILDING CODE COMPLIANCE

BUILDING CODE COMPLAINTS	CURRENT	LAST MONTH	LAST YEAR
NEW COMPLAINTS	6	4	3
RESOLVED COMPLAINTS	11	14	5
ACTIVE COMPLAINTS	65	64	55
ACTIVE COMPLAINTS BY TYPE			
BUILDING MISCELLANEOUS	7	7	4
DEBRIS IN YARD	31	29	16
HOUSING	14	13	15
PROPERTY MAINTENANCE	13	13	20

Active Municipal Infractions:

- 5010 Winslow Road (Sam Nemer).
 - November 8th court date. Continued to March 3rd.
 - No change in the conditions of the property
 - Parks Department enforcing weed ordinance.
 - Reached out to Sam to discuss the condition of his property again.
 - Most recent pictures show more items accumulating.
 - Scheduled site inspection by staff was cancelled by Sam with no rescheduled date.
 - Significant increase of items in the field behind Sam's house after continuance of the November 8th court date.
 - Sam has parked a significant number of trailers on the backside of an adjacent lot. Both Sam and the adjacent owner were contacted to move the trailer right away.
 - Staff has been documenting items on the property in preparation of the March 3rd court date.
- 1565 7th Ave. (Dwight Hogan)
 - Estate started. Staff has been in contact with their attorney.
 - No change in the condition of the structure or the exterior property areas.
 - Kara in conversations with their attorney.
 - Recent painting done on the West side of the home. Nothing higher than what can be reached from the ground has been done.
 - Condition of the exterior of the home continue to deteriorate. Staff is proceeding with a municipal infraction.
 - Representative of the estate has been in discussions with staff about corrections.
 - Water Department discovered a sewage leak in the basement. Code Compliance was notified. How was posted with a Notice of Condemnation giving Dwight 7 days to correct the hazard. Staff secured an administrative search warrant and performed the search of the remainder of the property. After the search the home was placard as Condemned.
 - Staff has coordinated with Dwight's sister, daughter and local agencies to assist in the repairs and cleaning needed to remove the condemned placard.
- 2895 15th Ave. (Garen Braun)
 - Garen was avoiding being served but since has.
 - In violation of the previous signed order.
 - No change in the condition of his property from previous month.
 - Interior electrical work started.
 - Inside isn't that bad, garage still full of junk though.
 - Court date May 23rd, 2022. Yes, 2022... 😞
 - Garen agreed to a meeting with myself and Kara. Kara will be typing agreement items up and will be sending out to all parties for verification.
 - Front porch area cleaned up but no movement of the vehicles.
 - Worked being done to remove the rear porch. No vehicles/motorcycles have been removed.

- Small shed has been constructed in the ROW along with no improvement of the exterior conditions. Staff has requested another meeting with Garen in hopes of getting anything to change on the exterior of the property.
 - Weather and scheduling conflicts have resulted in no face-to-face communications to attempt to resolve the issues.
 - Garen has removed a large quantity of junk, debris and garbage from the home. 1 car has also been removed. He has contacted staff about occupancy on his home.
- 540 8th Ave. (Bonnie Allan)
 - Correction due date was 8/17/2021
 - Staff moving forward with a municipal infraction.
 - No correspondence and no action taken on the home.
 - Weeds and brush have been knocked down. Parks asked to report back with the extent of activities and reported that the activities were to the front yard only leaving the rear and side yards untouched.
 - Bonnie filed an answer to the municipal infraction. Court date is set for April 25, 2022.
 - There has been no change in the exterior condition of the home or the property.
 - Kara has reached out to Bonnie in hopes of resolving this matter without a court date in April.
 - Kara's attempt to get a meeting between staff and Bonnie has failed. Bonnie has not responded to our attempts.
 - Kara has had minimal contact with Bonnie. Staff has worked to get assistance in the repairs on Bonnie's home.
- 1081 27th Street (Maske)
 - Agreement signed on July 29th after the property was brought into compliance.
 - Debris and junk slowly returning.
 - Junk car on a trailer rotates from the street to the driveway.
 - Started a municipal infraction.
 - Property still in non-compliance.
 - PD asked to patrol area for vehicles in violation.
 - Contempt hearing November 9, Continued to December 7th.
 - Property still in disarray after the court date continuance.
 - January 10th is the court date on this matter. The exterior is still a revolving door with items constantly being moved and replaced with something else.
 - Donald and Melissa were both appointed attorneys for representation. Court date has been reset for February 8th, 2022.
 - An agreement was signed by all parties giving the tenants until Feb. 22nd to bring the property into compliance. The property was not cleaned up and the built-in option on the agreement to give the tenants a 1 time 7 day period to bring the property into compliance was requested. A reinspection was scheduled for March 3rd.
- 1060 18th Street (James L'Homme)
 - Correct due date is 8/20/2021
 - No action taken to remove the RV or to mow tall weeds.
 - No change in the condition of the property from the previous month.

- James stated in an email to Kara that he will be travelling back to remove the RV and to take care of the weeds and tall grass around the property.
- Weed and grass has been mowed but the RV remains.
- Judgement in favor of the city has been granted. Corrections due December 15th, 2021
- RV has not been removed and the home remains vacant after staffs report of inaction on the court order.
- There has been no change in the condition of the home after judgement in favor of the city was granted. Staff is discussing the pursuit of an Iowa Code 657.A.10A.
- 3105 3rd Ave. (Steven Frost)
 - Agreement signed in 2018.
 - Parking in the grass and storing junk and junk vehicles on the lot.
 - Steven was given a verbal warning to get the property back into compliance.
 - Not much action performed to show an effort to bring the property back into compliance.
 - Kara is researching the old agreement signed in 2018. Possible moving forward on a violation of this agreement.
 - Steven has ignored staff's verbal requests to remove junk and correct the parking situation. An Order to Abate will be prepared and sent out after the first of the year.
 - Steven has until 2/3/2022 to bring his property into compliance. There has been no action taken to address the items in the abatement order.
 - A municipal infraction has been filed and no answer by Steven has been received by the court.

Active Order to Abate Cases:

- 901 7th Ave. (Phyllis Rausch)
 - "Friendly letter" sent on 8/19/2021. Action demanded within 7 days.
 - Weeds were addressed on 8/25/2021. Neighboring city lot was cleaned up to match the conditions on this property.
 - No permits issued or action to repair the siding.
 - Kara has been in conversations with the Rausch's
 - No action taken to repair the building in response to Kara's conversations.
 - Kara has had little to no conversations with the Rausch attorney.
 - Still no action taken to repair the structure.
 - Kara is preparing a municipal infraction.

Upcoming Order to Abate Cases/Cases to Watch:

- 500 8th Ave. (Mike Warner)
 - Staff was alerted to the interior condition of this property by MFD in early December. Efforts to get Mike and Heritage Agency on Aging together were initiated.
 - Mike has taken action to clean the interior stairway and the front entry area. Also has cleaned the front room to allow for access to a first floor bedroom where Mike's wife sleeps.
 - Weekly inspection on Wednesdays continue to further encourage Mike and to help with small weekly goals set to advance the overall habitability of the home.

- Staff has coordinated with Heritage Area Agency on Aging, Habitat for Humanity and Marion Cares to get the funding and repairs that is badly needed on the home. Staff worked to secure a donated toilet to ease the financial burden on the owners.
- 1277 8th Ave. (First Pentecostal Church)
 - Met with the realtor. Church has no plans on securing the structure with the insurance funds.
 - Realtor is searching for a buyer to purchase as is.
 - Staff is pushing for the church to secure the bell tower area and other areas such as open windows.
 - Staff is requesting information from the church regarding the future of the structure.
 - There is no information staff can relay on this matter at this time.
- 529 W. 8th Ave. (Karon Redfearn & Jennifer Trout)
 - Rear yard majorly overgrown.
 - Neighbor performed only work to remove downed trees and limbs.
 - Fence, outbuildings, and deck are in major need of repair.
 - Order to Abate gives them until 11-12-2021 to Demo and remove or repair.
 - Structures have been repaired, and debris has been removed from the yard. Fence repair remains.
 - Property remains picked up, but the fence issue still has not been addressed. Overall, the property is in satisfactory condition.
- 1568 5th Ave. (Thelma Jacobs)
 - SUV and junk/debris in the lot behind the home.
 - Thelma suing the City over access issues to the lot off 6th Ave.
 - Thelma is appalled that she can't park or store items on her lot.
 - Order to Abate being prepared.
 - SUV removed from the rear yard. Lawn tractors and debris remain.
 - Staff advised by Kara to limit enforcement on the junk until after the conclusion of Thelma's court case against the city.

DRAINAGE EASEMENT / HOLD HARMLESS AGREEMENTS

- There were 3 applications reviewed and issued in February 2022 (8 YTD)

PROJECT UPDATES

City Wide Zoning Initiative

Staff is currently working to identify all potential non-conforming uses that would occur as a result of the zoning map updates to the Ward 3 area and making changes to the map to minimize the number created.

Staff has created and finishing work on several zoning changes primarily in regards to uptown café dining, drive thru designs and street trees. Anticipated to begin at the City Council in Spring 2022.

Trail Projects

10th Avenue Side paths (35th Street to Eagleview Drive)

Project is in winter shutdown.

CeMar Trail (7th Street to Marion city limits, including bridges)

The trail has been broken into 5 phases, allowing separate lettings for each segment.

The **first phase (Bridge Demo)**: Staff is working through project closeout with the IDOT.

The **second phase (Thomas/Legion Park Paving)**: Staff is working through project closeout with the IDOT. The project was accepted by City Council in January. Final reimbursement for funding and other required documentation was submitted to the IDOT at the end of January.

The **third phase (Bridge over Indian Creek)**: Staff is working through project closeout with the IDOT. We should be able to release the final retainage to the contractor soon. Also, Parks has it in this year's budget to pave the section of trail between the bridge and Lindale Drive, that should take place this spring.

The **fourth phase (Ped. Bridge over Marion Blvd)**: Project is in winter shutdown.

The **fifth phase (South of Hwy 100)**: Trunk sewer easement has been signed by property owners, trail negotiations to begin soon.

Indian Creek Trail (Boyson Trail to Tower Terrace Road)

The project was let through the Iowa DOT on February 15th with Peterson Contractors Inc. the apparent low bidder at a bid of \$1,719,592.32. A full contract is anticipated to come to the City Council in March. A late start date has been set for March 21st for this project to allow potential bat habitat trees to be felled before the March 31st deadline.

Lucore Road Pedestrian Bridge and Sidepath

In 2021 the CMPO Policy Board funded the project at 15%, allowing it to be placed in the State Transportation Improvement Program (STIP) and eligible for additional/full funding in a later funding cycle. In December, Council approved application and staff submitted application for remaining funding to get to the 80% Federal match.

BOARDS AND COMMISSIONS

Planning & Zoning Commission

The Marion Planning & Zoning Commission met on February 8, 2022 and took action on the following items:

- Conditional Use for detached structures over 900sqft at 2932 14th Ave – Houdeshell (approved)
- Preliminary and Final Site Development Plans – 3100 10th Ave – Green Park Apartment Living (both approved)

- Preliminary and Final Site Development Plans, and Final Plat – 610 & 648 Marion Blvd – Boulevard Apartments (all approved with conditions)
- Central Corridor Review – 585 8th Ave – Kopel Realty (approved)

Zoning Board of Adjustment

The Marion Zoning Board of Adjustment met on February 15, 2022 and took action on the following items:

- Conditional Use for detached structures over 900sqft at 2932 14th Ave – Houdeshell (approved)
- Variance for a sign exceeding allowable height at 5005 10th Ave – Marion Market BP (approved)
- Variance for a message sign in the Central Corridor at 700 25th St – CRBT (approved)

Historic Preservation Commission

The Marion Historic Preservation Commission did not meet February 2022 as there were no actionable items submitted for review.

Bicycle and Pedestrian Advisory Committee

The Bicycle and Pedestrian Advisory Committee did not meet February 2022.

Construction Code Review Board

The Marion Construction Code Review Board did not meet in February 2022 as there were no items that required action.

Nuisance Enforcement and Property Maintenance Advisory Board

Next scheduled meeting is set for March 2022. Two replacements for the outgoing Tom Begley and Bob Kalous are being interviewed.