
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. Second floor walls were completed and third floor is expected to begin in early February 2022.
- Urban Pie in the Uptown has closed, however there have been numerous inquiries regarding a new business occupying the space. MIX 2.0 has indicated that they will be occupying the location with a sushi restaurant. No plans have been submitted at this time.

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. No schedule has been presented at this time for construction.
- 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 for review to start as soon as the weather breaks. The building department has 40 active commercial projects ongoing and got 3 completed this month. One of the frustrating things during this year is projects that have 1 or 2 items on a punch list that the contractor can't seem to get finished. We have 12 of the 40 projects that have an item or two on a punch list that are not getting completed. This is more than likely due to product shortages.

With the slowing of new commercial starts during the next few months, the inspectors will be attending code update and training seminars. This will be in preparation of the new projects that we are anticipating starting in the spring. Marion Independent School District will be doing 3 projects this construction season with plans coming in or will be soon. Other projects like East Town Crossings 3rd apartment building and several other apartment complexes, and commercial buildings being proposed. While we are training for a new construction season, we are still inspecting projects like Marion Christian Church, Truck Builders, The Broad and 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	398	550	388
WRECKING	0	1	0
BEER & LIQUOR INSP	10	7	11
COMPLAINT INSPECTIONS	11	11	16
TOTAL INSPECTIONS	409	569	415
PERMITS			
ACTIVE DEPT PERMITS	10,858	10,904	8,295
PERMITS ISSUED	208	301	246
NEW SINGLE FAMILY	1	7	1
NEW MULTI-FAMILY (UNITS)	0 (0)	0 (0)	1 (2)
NEW COMMERCIAL	0	0	1
REMODEL/ADD. COMMERCIAL	5	5	3
RENTAL HOUSING			
RENTAL HOUSING UNITS	4,545	4,546	4,515
TOTAL RENTAL INSPECTIONS	180	266	170

BUILDING CODE COMPLIANCE

BUILDING CODE COMPLAINTS	CURRENT	LAST MONTH	LAST YEAR
NEW COMPLAINTS	4	8	8
RESOLVED COMPLAINTS	14	0	10
ACTIVE COMPLAINTS	64	72	39
ACTIVE COMPLAINTS BY TYPE			
BUILDING MISCELLANEOUS	7	11	6
DEBRIS IN YARD	29	29	8
HOUSING	13	11	13
PROPERTY MAINTENANCE	13	21	12

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.
- 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.
- 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.
- 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.

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- 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.
 - 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.
 - 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.

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.

Upcoming Order to Abate Cases/Cases to Watch:

- 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 staffs 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.
- 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.
- 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.
- 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.
- 2315 1st Ave. (Michael & Debra McGrath)
 - Derecho damage. Tree limbs on the house and no repair of the roof.
 - Several attempts have been made to contact the owners.
 - Enforcement of storm damage homes have been lenient to this point.

- Michael Jr. has been given the contact information for the PATCH program to hopefully assist in the tree removal.
- Staff has received bids to abate the nuisance.
- Michael has informed staff of his intentions to deal with the tree in mid-December.
- The tree branch has been removed from the structure but is still hanging precariously from the tree. The city Arborist has been notified of the situation and was asked to address the matter through their means.
- 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.
 - 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.

DRAINAGE EASEMENT / HOLD HARMLESS AGREEMENTS

- There were 5 applications reviewed and issued in January 2022 (5 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.

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)

Snyder and Associates submitted the final plans to the IDOT in November to allow for a February letting.

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 January 11, 2022 and took action on the following items:

- Conditional Use for accessory structure over 900sqft at 270 Ridge Dr – Servey (approved)
- Rezoning and Final Plat – Marion Community Build 1st Addition – Nick Glew (both approved)
- Final Plat – Marion Commerce Park 4th Addition – Viceroy Properties (approved)
- Preliminary and Final Site Development Plans – Partners Ave & Medco Dr – Twenty40 Building Concepts (both approved)

Zoning Board of Adjustment

The Marion Zoning Board of Adjustment met on January 8, 2022 and took action on the following items:

- Variance to side yard setback for accessory structure at 1530 Henderson Dr – Quaid (approved)
- Conditional Use for accessory structure over 900sqft at 270 Ridge Dr – Servey (approved)

Historic Preservation Commission

The Marion Historic Preservation Commission did not meet January 2022.

Bicycle and Pedestrian Advisory Committee

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

Construction Code Review Board

The Marion Construction Code Review Board did not meet in January 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.