



PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, December 19, 2019 at 5:00 PM
10 W. State Street - Council Chambers

1. Call To Order & Roll Call

Bloomquist
Boston
Brodin
Buzbee
Eilers
Valbracht
Wittkop

2. Review & Recommendation: Merle Hibbs West Preliminary And Final Plat

Documents:

[121919_PZ_MEMO_MERLE HIBBS WEST SUBDIVISION.PDF](#)
[MERLE HIBBS WEST_APPLICATION.PDF](#)
[MERLE HIBBS WEST_PRE PLAT.PDF](#)
[MERLE HIBBS WEST_FINAL PLAT.PDF](#)
[MERLE HIBBS WEST_TITLE OPINION.PDF](#)
[MERLE HIBBS WEST_RESTRICTIVE COVENANTS.PDF](#)
[MERLE HIBBS WEST_SIGNATURE.PDF](#)

3. Review & Recommendation: Merle Hibbs West PUD

Documents:

[121919_PZ_MEMO_MERLE HIBBS WEST PUD.PDF](#)
[MERLE HIBBS WEST_APPLICATION.PDF](#)
[MERLE HIBBS WEST_PUD MASTER PLAN AMENDMENT.PDF](#)

4. Rezoning Request: Initial Discussion PIN 8418-34-404-005 (No Address) & Parcel 8418-34-428-004 (804 Washington St) Rezone To R-4 Medium Density Residential

Documents:

[121919_PZ_MEMO_WASHINGTON_REZONE.PDF](#)
[WASHINGTON ST REZONING APPLICATION.PDF](#)

5. Highway 14 Corridor Zoning Discussion

Documents:

[121919_PZ_MEMO_HIGHWAY 14 REZONING.PDF](#)
[MU MIXED USED DISTRICT.PDF](#)
[TABLE-OF-PERMITTED-AND-SPECIAL-USES-FOR-COMMERCIAL-DISTRICTS.PDF](#)

2020 Proposed Meeting Schedule

1/9/20
2/13/20
3/12/20
4/16/20
5/14/20
6/11/20
7/16/20
8/13/20
9/10/20
10/15/20
11/12/20
12/10/20

MARSHALLTOWN

I O W A

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: December 19, 2019 – Meeting Date

Rezoning Request:

FROM: Merle Hibbs West

SUBJECT: New Subdivision on West Merle Hibbs

A request has been made for a Planned Unit Development on West Merle Hibbs, in order to create a new subdivision. The request made Roth Law Office, P.C. with current owner. The size of the subdivision is 1.42 acres, with eight lots, four duplex units. They have included a restrictive covenant for the proposed subdivision.

Recommendation:

The Planning Commission is to review the proposal, and then make a recommendation to the city council. Attached you will find a copy of the plan, as well as maps.

Complete the following contact information. (Please type or print clearly)

Owner Corporation Name Bedrock Development Group, LLC	
Contact/Owner Name Ed Graham	
Owner Address 2728 Asbury Rd Dubuque, IA 52001	Owner Fax
Owner Phone 563-557-1611	
Owner E-mail egraham@digitalcanal.com	

Name of Law Firm Roth Law Office	
Attorney Name Benjamin J. Roth	
Attorney Address 1400 Univeristy Ave Ste D Dubuque, IA 52001	Attorney Fax
Attorney Phone 563-557-1611	
Attorney E-mail broth@rothlawdbq.com	

Engineer Firm Name CGA Engineers	
Engineer Contact Person Steve Troskey	
Engineer Address 16 East Main St Marshalltown, IA 50158	
Engineer Phone 641-752-6701 x 51	Engineer Fax
Engineer E-mail stroskey@cgaconsultants.com	

MERLE HIBBS WEST MARSHALLTOWN, IOWA PRELIMINARY PLAT

LEGEND

EXISTING	PROPOSED	
		EVERGREEN TREE
		DECIDUOUS TREE
		SHRUBS (BUSHES)
		TREE LINE
		SIGN (TYPE AS NOTED)
		FENCE
		SILT FENCE
		CONTOUR LINE
		WATERLINE
		WATER VALVE
		FIRE HYDRANT
		SANITARY SEWER LINE
		STORM SEWER LINE
		MANHOLE
		CLEANOUT
		INTAKE
		BEEHIVE INTAKE
		GAS LINE
		GAS VALVE
		OVERHEAD ELECTRICAL LINE
		BURIED ELECTRICAL LINE
		POWER POLE
		STREET LIGHT
		ELECTRICAL BOX/TRANSFORMER
		TELEPHONE LINE
		TELEPHONE PEDESTAL

SURVEY LEGEND

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET
1/2" x 30" REBAR w/BUE PLASTIC ID CAP #22259
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/BUE PLASTIC ID CAP #22259
- () RECORDED AS

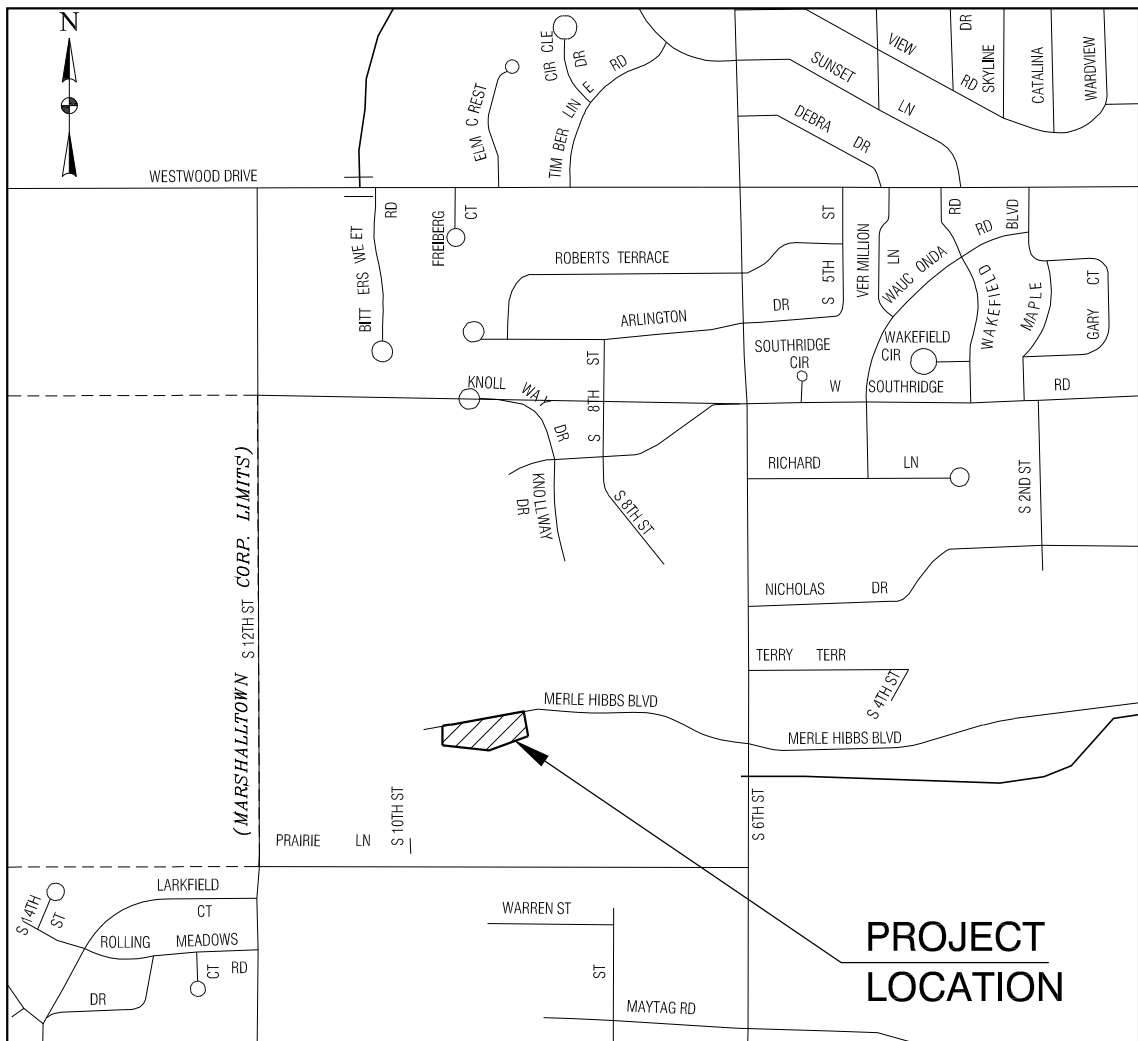
UTILITY COMPANIES

THE FOLLOWING UTILITIES ARE PRESENT ON THIS PROJECT

(ANW)	ALLIANT ENERGY FIELD ENGINEER	800-255-4268
CENTURYLINK	TOM STURMER	720-578-8090
HEART OF IOWA	JAY DUNCAN	641-486-2211
CITY MARSHALLTOWN SEWER	TROY MCGAHUEY	641-751-9608
CONSUMER ENERGY	JIM KIDD	641-754-1642
MARSHALLTOWN WATER WORKS	JASON TOWNE	641-751-4703
MEDICOM	CURT HODGES	515-669-3647

IOWA ONE CALL ID #551907315

NOTE:
ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.



VICINITY MAP

LEGAL DESCRIPTION

PARCEL "G" LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5th P.M., MARSHALL COUNTY, IOWA.
MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE, S0°13'45"W 487.80' ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10 TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST MERLE HIBBS BOULEVARD, ALSO BEING THE POINT OF BEGINNING; THENCE, NORTHEASTERLY 40.59' ALONG THE ARC OF A 1040.00' RADIUS CURVE, CONCAVE NORTHWESTERLY, HAVING A CHORD BEARING OF N80°49'58"E AND A CHORD DISTANCE OF 40.58' ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE, N79°42'53"E 389.26' ALONG SAID SOUTH RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "A" IN LOT 7 OF GLENWOOD PARK 4TH ADDITION AND RECORDED IN INSTRUMENT NO. 200300008140 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, S10°17'07"E 131.16' ALONG THE WEST LINE OF SAID PARCEL "A" TO THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID POINT ALSO BEING ON THE NORTH LINE OF LOT "D" OF SAID GLENWOOD PARK 4TH ADDITION; THENCE, S79°46'39"W 9.38' ALONG THE NORTH LINE OF SAID LOT "D"; THENCE, S69°52'07"W 207.25' CONTINUING ALONG SAID NORTH LINE; THENCE, N83°52'34"W 244.46' CONTINUING ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID LOT "D", SAID POINT ALSO BEING ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE, N0°13'45"E 100.00' ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 1.42 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

MARSHALLTOWN P&Z COMMISSION

MAYOR SIGNATURE

ATTEST

SURVEYOR AND ENGINEER

TRAVIS R STEWART, P.L.S.
STEVE T TROSKEY
CLAPSADDLE-GARBER
ASSOCIATES
P.O. BOX 754 - 16 E. MAIN STREET
MARSHALLTOWN, IOWA 50158
(641)752-6701

OWNER OF RECORD

GETHMANN INVESTMENT CORPORATION
PO BOX 160
MARSHALLTOWN, IOWA 50158

SURVEY REQUESTED BY:

BLUM GROUP
2012 NW PRAIRIE CREEK DRIVE
GRIMES, IOWA
TANNER BLUM

ZONING INFORMATION:

PUD - PLANNED UNIT DEVELOPMENT

FLOODPLAIN:

(ZONE X) AREAS DETERMINED TO BE MINIMAL FLOOD HAZARD
PANEL# 19127C0170C
EFFECTIVE DATE NOVEMBER 16, 2011

CLOSURE:

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT
- ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT.

UTILITY LINETYPES WITH A QUALITY LEVEL INDICATOR (*) HAVE BEEN LOCATED PER THE FOLLOWING ASCE STANDARD GUIDELINE FOR THE COLLECTION & DEPICTION OF EXISTING SUBSURFACE UTILITY DATA* :

- (A) - PRECISE HORIZONTAL & VERTICAL LOCATION OF UTILITIES OBTAINED BY THE ACTUAL EXPOSURE (OR VERIFICATION OF PREVIOUSLY EXPOSED & SURVEYED UTILITIES) & SUBSEQUENT MEASUREMENT OF SUBSURFACE UTILITIES, USUALLY AT A SPECIFIC POINT. MINIMALLY INTRUSIVE EXCAVATION EQUIPMENT IS TYPICALLY USED TO MINIMIZE THE POTENTIAL FOR UTILITY DAMAGE. A PRECISE HORIZONTAL & VERTICAL LOCATION, AS WELL AS OTHER UTILITY ATTRIBUTES, IS SHOWN ON PLAN DOCUMENTS. ACCURACY IS TYPICALLY SET TO 15- MM VERTICAL & TO APPLICABLE HORIZONTAL SURVEY & MAPPING ACCURACY AS DEFINED OR EXPECTED BY THE PROJECT OWNER.
- (B) - INFORMATION OBTAINED THROUGH THE APPLICATION OF APPROPRIATE SURFACE GEOPHYSICAL METHODS TO DETERMINE THE EXISTENCE & APPROXIMATE HORIZONTAL POSITION OF SUBSURFACE UTILITIES. QUALITY LEVEL B DATA SHOULD BE REPRODUCIBLE BY SURFACE GEOPHYSICS AT ANY POINT OF THEIR DEPICTION. THIS INFORMATION IS SURVEYED TO APPLICABLE TOLERANCES DEFINED BY THE PROJECT & REDUCED ONTO PLAN DOCUMENTS.
- (C) - INFORMATION OBTAINED BY SURVEYING & PLOTTING VISIBLE ABOVE-GROUND UTILITY FEATURES & BY USING PROFESSIONAL JUDGEMENT IN CORRELATING THIS INFORMATION TO QUALITY LEVEL D INFORMATION.
- (D) - INFORMATION DERIVED FROM EXISTING RECORDS OR ORAL RECOLLECTIONS.



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



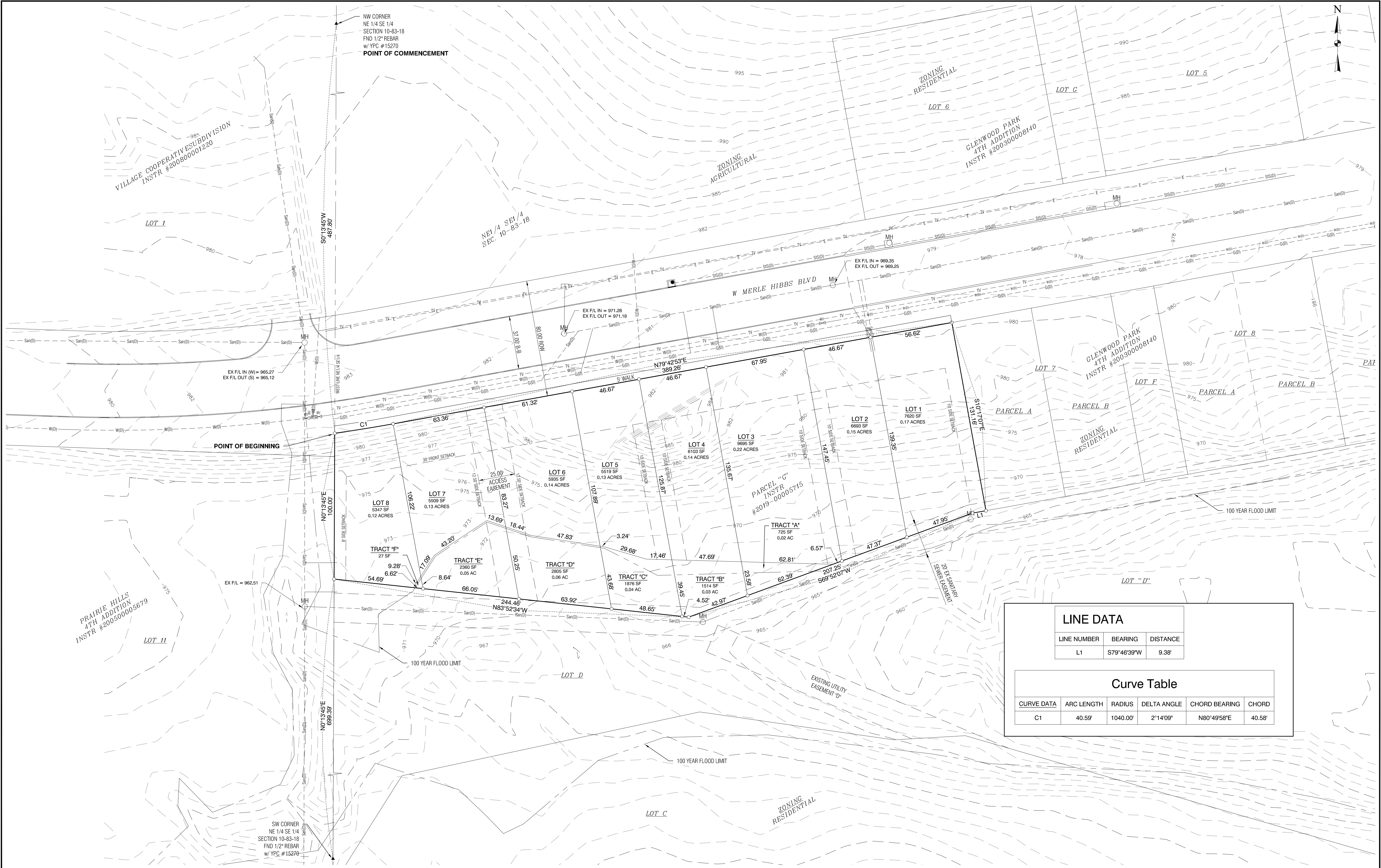
Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.cgaconsultants.com

DESIGNED: - DATE: -
DRAWN: CAQ DATE: 11-14-2019
CHECKED: - DATE: -
APPROVED: - DATE: -

MERLE HIBBS WEST
MARSHALLTOWN, IOWA

PRELIMINARY PLAT

PROJECT NO.
5773.04
SHEET NO.
1 OF 2



LINE DATA

LINE NUMBER	BEARING	DISTANCE
L1	S79°46'39"W	9.38'

Curve Table

CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	40.59'	1040.00'	2°14'09"	N80°49'58"E	40.58'



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA
Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-4701
www.cgaconsultants.com

DESIGNED: -	DATE: -
DRAWN: CAQ	DATE: 11-14-2019
CHECKED: -	DATE: -
APPROVED: -	DATE: -

MERLE HIBBS WEST MARSHALLTOWN, IOWA

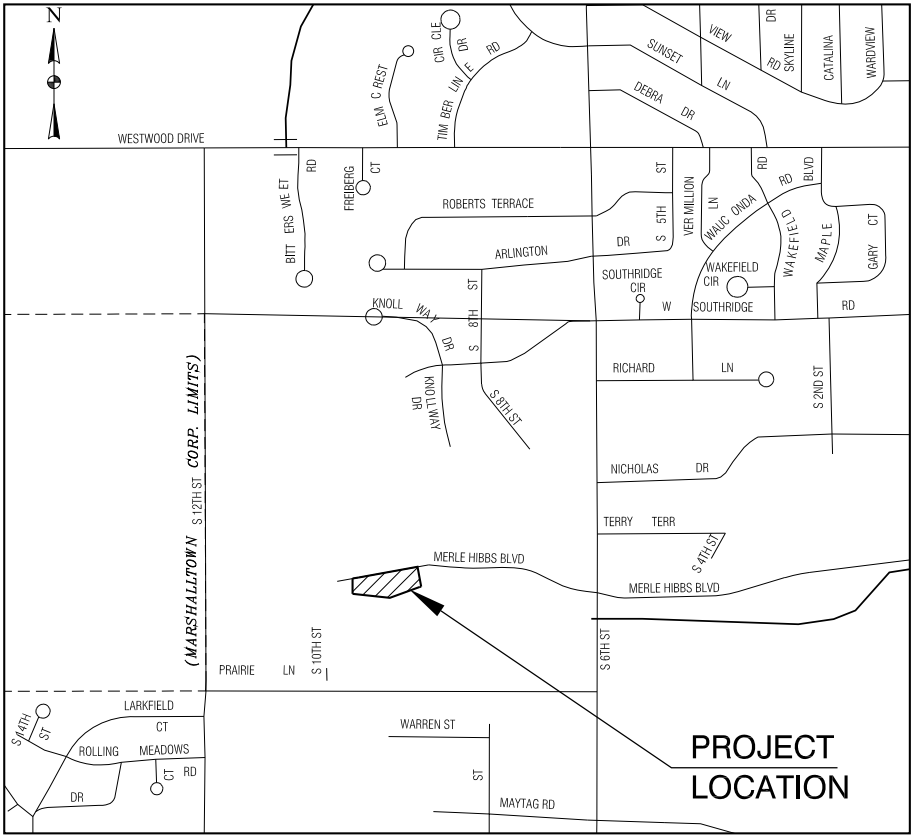
PRELIMINARY PLAT

PROJECT NO. 5773.04
SHEET NO. 2 OF 2

MERLE HIBBS WEST SUBDIVISION
MARSHALLTOWN, IOWA
FINAL PLAT

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED ENTIRELY WITHIN PARCEL "G" IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5th P.M., MARSHALL COUNTY, IOWA.
MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE, S0°13'45"W 487.80' ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10 TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST MERLE HIBBS BOULEVARD, ALSO BEING THE POINT OF BEGINNING; THENCE, NORTHEASTERLY 40.59' ALONG THE ARC OF A 1040.00' RADIUS CURVE, CONCAVE NORTHWESTERLY, HAVING A CHORD BEARING OF N80°49'58"E AND A CHORD DISTANCE OF 40.58' ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE, N79°42'53"E 389.26' ALONG SAID SOUTH RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "A" IN LOT 7 OF GLENWOOD PARK 4TH ADDITION AND RECORDED IN INSTRUMENT NO. 200300008140 IN THE OFFICE OF THE RECORDER, MARSHALL COUNTY, IOWA; THENCE, S10°17'07"E 131.16' ALONG THE WEST LINE OF SAID PARCEL "A" TO THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID POINT ALSO BEING ON THE NORTH LINE OF LOT "D" OF SAID GLENWOOD PARK 4TH ADDITION; THENCE, S79°46'39"W 9.38' ALONG THE NORTH LINE OF SAID LOT "D"; THENCE, S69°52'07"W 207.25' CONTINUING ALONG SAID NORTH LINE; THENCE, N83°52'34"W 244.45' CONTINUING ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID LOT "D", SAID POINT ALSO BEING ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE, N0°13'45"E 100.00' ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 1.42 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.



VICINITY MAP
NOT TO SCALE

SURVEYOR AND ENGINEER

TRAVIS R STEWART, P.L.S.
STEVE T TROSKEY
CLAPSADDLE-GARBER ASSOCIATES
P.O. BOX 754 - 16 E. MAIN STREET
MARSHALLTOWN, IOWA 50158
(641)752-6701

OWNER OF RECORD

GETHMANN INVESTMENT CORPORATION
PO BOX 160
MARSHALLTOWN, IOWA 50158

SURVEY REQUESTED BY:

BEDROCK DEVELOPMENT GROUP, LLC
2728 ASBURY ROAD
DUBUQUE, IA 52001

ZONING INFORMATION:

PUD - PLANNED UNIT DEVELOPMENT

FLOODPLAIN:

(ZONE X) AREAS DETERMINED TO BE MINIMAL FLOOD HAZARD
PANEL# 19127C0170C
EFFECTIVE DATE NOVEMBER 16, 2011

CLOSURE:

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT
- ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT.

UTILITY COMPANIES

THE FOLLOWING UTILITIES ARE PRESENT ON THIS PROJECT

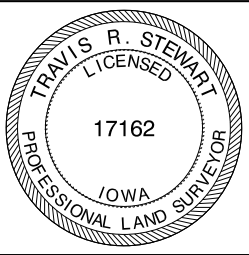
(ANW) ALLIANT ENERGY FIELD ENGINEER	800-255-4268
CENTURYLINK TOM STURMER	720-578-8090
HEART OF IOWA JAY DUNCAN	641-486-2211
CITY MARSHALLTOWN SEWER TROY MCGAHUEY	641-751-9608
CONSUMER ENERGY JIM KIDD	641-754-1642
MARSHALLTOWN WATER WORKS JASON TOWNE	641-751-4703
MEDICOM CURT HODGES	515-669-3647
IOWA ONE CALL ID #551907315	

SHEET INDEX

- SHEET 1 COVER SHEET
- SHEET 2 FINAL PLAT
- SHEET 3 LINE AND CURVE DATA

SURVEY LEGEND

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET
1/2" x 30" REBAR w/ ORANGE PLASTIC ID CAP #17162
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/ ORANGE PLASTIC ID CAP #17162
- () RECORDED AS



I hereby certify that this land surveying document was prepared and related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Signature
Travis R. Stewart, PLS
Iowa License Number 17162
My license renewal date is December 31, 2019

Pages or sheets covered by this seal: SHEETS 1 OF 3, 2 OF 3 AND 3 OF 3



NOTE:
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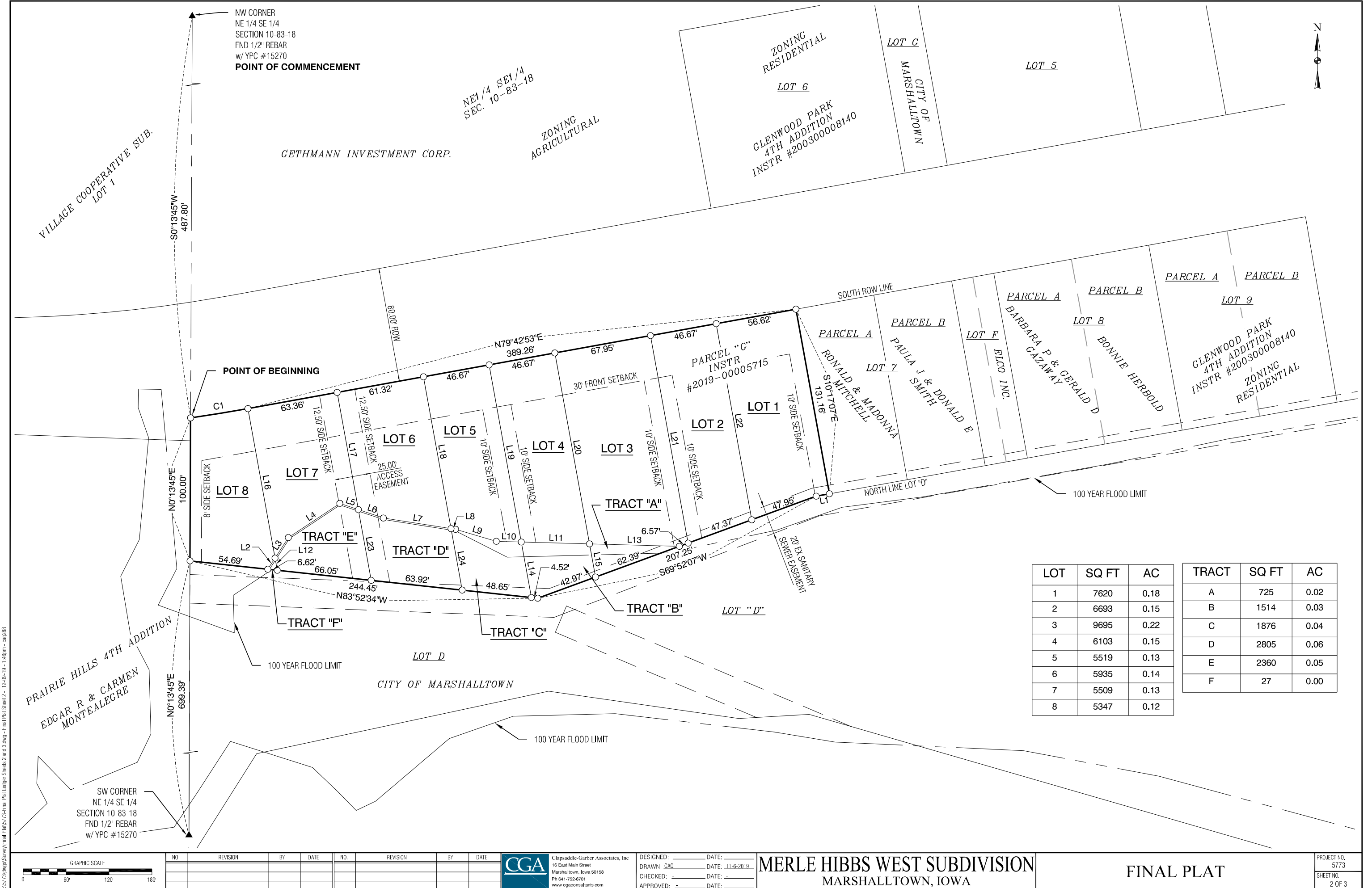
MARSHALLTOWN P&Z COMMISSION

MAYOR SIGNATURE

ATTEST

CGA

Clapsaddle-Garber Associates, Inc
16 East Main Street, P.O. Box 754
Marshalltown, Iowa 50158
Phone 641-752-6701
www.cgaconsultants.com



LOT	SQ FT	AC
1	7620	0.18
2	6693	0.15
3	9695	0.22
4	6103	0.15
5	5519	0.13
6	5935	0.14
7	5509	0.13
8	5347	0.12

TRACT	SQ FT	AC
A	725	0.02
B	1514	0.03
C	1876	0.04
D	2805	0.06
E	2360	0.05
F	27	0.00

J:\5773\MapSurvey\Final\Plat5773-Final Plat Ledger Sheets 2 and 3.dwg - Final Plat Sheet 2 - 12-05-19 - 1:46pm - cal288



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.cgaconsultants.com

DESIGNED: -	DATE: -
DRAWN: CAQ	DATE: 11-6-2019
CHECKED: -	DATE: -
APPROVED: -	DATE: -

MERLE HIBBS WEST SUBDIVISION
MARSHALLTOWN, IOWA

FINAL PLAT

PROJECT NO.
5773
SHEET NO.
2 OF 3

J:\5773\MapSurvey\Final Plots\5773-Final Plot Ledger Sheets 2 and 3.dwg - Final Plot Sheet 3 - 12-09-19 - 9:17am - cad288



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



Clapsaddle-Garber Associates, Inc
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.cgaconsultants.com

DESIGNED: _____	DATE: _____
DRAWN: CAQ	DATE: 11-6-2019
CHECKED: _____	DATE: _____
APPROVED: _____	DATE: _____

MERLE HIBBS WEST SUBDIVISION
MARSHALLTOWN, IOWA

FINAL PLAT

PROJECT NO. 5773
SHEET NO. 3 OF 3

LINE DATA		
LINE NUMBER	BEARING	DISTANCE
L1	S79°46'39"W	9.38'
L2	N32°53'55"E	9.28'
L3	N32°53'20"E	17.09'
L4	S56°24'46"W	43.20'
L5	S71°26'13"E	13.69'
L6	S71°23'34"E	18.44'
L7	S81°06'10"E	47.83'
L8	S81°06'10"E	3.24'
L9	S73°36'19"E	29.68'
L10	S88°25'44"E	17.46'
L11	S88°25'44"E	47.69'
L12	S10°17'07"E	8.64'

LINE DATA		
LINE NUMBER	BEARING	DISTANCE
L13	S88°25'44"E	62.81'
L14	S10°17'07"E	39.45'
L15	N10°17'07"W	23.58'
L16	S10°17'07"E	106.22'
L17	N10°17'07"W	83.27'
L18	N10°17'09"W	107.89'
L19	S10°17'07"E	125.87'
L20	N10°17'07"W	135.67'
L21	N10°17'07"W	147.45'
L22	S10°17'07"E	139.35'
L23	S10°17'07"E	50.25'
L24	N10°17'09"W	43.68'

Curve Table					
CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	40.59'	1040.00'	2°14'09"	N80°49'58"E	40.58'

ROTH LAW OFFICE, P.C.

1400 UNIVERSITY AVENUE, SUITE D
DUBUQUE, IA 52001

James J. Roth*
Benjamin J. Roth
Emilie J. Roth Richardson**
All Attorneys Licensed in Iowa

** Also Licensed in Wisconsin*

*** Also Licensed in Illinois*

Telephone: 563-557-1611

Facsimile: 563-557-9775

E-mail: BRoth@RothLawDbq.com

November 26, 2019

Bedrock Development Group, LLC
ATTN: Rod Blum & Ed Graham
Via E-Mail

**RE: Title Opinion – Property on W Merle Hills Blvd.
in Marshalltown, Iowa**

Dear Rod & Ed:

I have examined the abstract of title to the following property located in Marshall County, Iowa:

Parcel "G" located in the Northeast Quarter of the Southeast Quarter of Section 10, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa, as shown in Plat of Survey filed November 1, 2019 as Instrument No. 2019-00005715, records of the Recorder's Office, Marshall County, Iowa

from Root of Title to November 19, 2019 at 8:00 a.m., the last continuation being prepared by Evans Abstract Company and certified by them; and

According thereto, in my opinion, merchantable record title to said real property rests in Gethmann Investment Corporation, subject to the following:

1. NECESSARY DEED. The instrument conveying title to this property should be a Warranty Deed from Gethmann Investment Corporation.

It is my understanding that you are taking title as: Bedrock Development Group, LLC, an Iowa limited liability company.

2. REAL ESTATE MORTGAGE. There is no unpaid mortgage of record.

3. PLAT & EASEMENTS. The property is subject to a Plat of Survey filed November 1, 2019 as Instrument No. 2019-00005715. A copy of the plat showing the location and dimensions of the property is attached hereto for your reference.

You should make a physical examination of the property to determine the exact location of the boundary lines and to make certain there are no easements or encroachments that do not appear of record.

4. REAL ESTATE TAXES (PIN #8318-10-430-003). The real estate taxes to and including the first half of the 2018-2019 fiscal year are paid in full. The real estate taxes for the second half of the 2018-2019 fiscal year have not been paid of record. These taxes should be prorated and paid according to the terms of your Purchase Agreement.

If this property is to be occupied as a homestead, you are advised of the necessity of filing a claim for homestead credit and military credit, if applicable, with the Marshall County or City Assessor. To qualify for the credit, a filing must be made before July 1st of the year in which you purchase the property. It is this title examiner's understanding that one filing will suffice for the period of time you own the property to qualify for the homestead credit each year.

5. OTHER MATTERS:

You are advised that if the real estate uses a private sewage disposal system, you may be subject to Iowa Department of Natural Resources (hereinafter "DNR") and County Board of Health rules. These rules typically require all such systems be inspected for compliance upon a transfer of ownership. Under current rules adopted by the DNR, the seller is required to obtain an inspection report from a DNR certified inspector and provide it to the buyer during the negotiation of the sales contract or prior to the conveyance of the real estate. You should determine for yourself if the proposed real estate transfer is subject to these requirements. If so, you should be certain they are met, since failure to meet them may prevent the recording of the deed or contract.

Tax Reporting. You are notified that the Tax Reform Act of 1986 amended Internal Revenue Code Section 6045(e) to require that real estate transactions closed after December 31, 1986 be reported by the "Real Estate Broker." The term "Real Estate Broker" means any of the following persons involved in a real estate transaction in the following order or responsibility: the person (including any attorney or title company) responsible for closing the transaction, the mortgage lender, the Seller's Broker, the Buyer's Broker, or such other person designated in regulations prescribed by the Secretary of the Treasury.

U.S. District Court filings - Bankruptcies and other matters of record, if any, in the United States District Court for the Northern District of Iowa are not searched by the abstractor and are not indicated in the abstract of title. Your attention is directed to the Federal Clerk's office located in the City of Cedar Rapids, Iowa, in regard to Federal Court matters of record, if any, pertaining to the property.

I agree to indemnify you and your successors in interest in the mortgage opined hereto, to the full extent of any loss attributable to a breach of my duty to exercise reasonable care and skill in the examination of the title and the giving of this opinion.

You should ascertain the boundary lines of this property as to any easements or encroachments not shown of record.

This examiner expresses no opinion as to any mineral rights, or whether or not this property lies within a flood plain.

You should determine whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. These laws may impose liens against the property and personal liability against the owner, even though the owner did nothing to create the condition, and acquired the property without knowing about it.

This opinion covers only matters of record as shown in the abstract and does not include the following other matters not of public record that may affect the title such as:

- (a) Rights or claims of persons in possession of the real estate, other than the titleholder of record;
- (b) Any facts that would be disclosed by survey;
- (c) The right to file Mechanic's Lien against the premises for labor and materials furnished for improvements thereon within ninety days of the furnishing of the last item;
- (d) Any unrecorded easements;
- (e) Any restrictions as to building, occupancy, or usage contained in City of Marshalltown, Marshall County, Iowa, Zoning Ordinance;
- (f) Unrecorded tax liens of the United States Government;
- (g) Liability because of the presence in the real estate of solid waste, radioactive waste, hazardous waste or hazardous substances, including those substances defined to be hazardous in 42 U.S.C. Section 9601, et seq., United States Code and Chapter 455B, Code of Iowa; and
- (h) Flood plain restriction - In the event the property under examination is located in a flood plain, the property is subject to the jurisdiction of the Iowa Department of Natural Resources, and restrictions on use and construction that exist under Chapter 455B of the Code of Iowa.
- (i) Indoor Air Pollutants - The Abstract does not disclose the existence of indoor air pollutants such as radon or asbestos. Concerns re these types of conditions require consultation with a qualified environmental engineer.
- (j) Residential Property Seller Disclosure Statement - Under Chapter 558A of the Iowa Code, certain Sellers of residential property are required to disclose information about the property being sold. A failure to provide this disclosure or a disclosure that indicates material defects with the property may allow a Buyer to rescind the contract to purchase.
- (k) Lead-Based Paint Disclosure - Under federal law, certain Sellers and landlords of residential property are required to disclose information about the property being sold as it pertains to lead-based paint and lead-based paint hazards. A failure to provide this disclosure or a disclosure that indicates material defects with the property may allow a Buyer or Tenant to rescind the contract to purchase or lease, or may lead to monetary damages trebled.

(l) I do not certify as to special assessments which have not been certified to the County Treasurer and/or filed with the County Treasurer.

This Title Opinion includes all such matters of record which have not become void or unenforceable under applicable statutes of limitation and the Iowa Title Standards, including but not limited to contracts, mortgages, assignments, liens, leases, assignments of rent, building setback lines, easements, restrictive covenants, leases and encumbrances, unpaid real estate taxes or assessments and all amendments to such documents up to and including the time of the last abstract certification by the participating abstractor.

Thank you very much for giving us this opportunity to be of assistance.

Sincerely yours,



Benjamin J. Roth
Iowa Title Guaranty #3361

BJR/smt

Copies to:
Christopher Wertzberger, c/o Bradshaw Law Office
Kurt Polley, c/o Five Star Home Team
Denise Phipps, c/o Five Star Home Team

and except West Merle Hibbs Boulevard, all in the Northeast Quarter of the Southeast Quarter of Section 10, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa. (and other land)

This transaction is exempt from real estate transfer tax under the provisions of Sections 428A.2(14) and (21) for the reason that the instrument is delivered as a result of a reorganization of a corporation or limited liability company and the consideration is less than \$500.00.

.....

No. 39

Clapsaddle-Garber Associates,	:	Plat of Survey
By Travis R. Stewart, PLS	:	Filed November 1, 2019
Iowa License Number 17162	:	Dated October 21, 2019
	:	Recorded Instrument
to	:	No. 2019-00005715
	:	
Parcel "G" located in the Northeast Quarter	:	
of the Southeast Quarter of Section 10,	:	
Township 83 North, Range 18 West of	:	
the 5 th P.M., Marshall County, Iowa	:	

SEE

FOLLOWING

PAGE

FOR

COPY

OF

PLAT

OF

SURVEY

EVANS ABSTRACT COMPANY
23 NORTH CENTER STREET
MARSHALLTOWN IA 50158

\$12
Chg

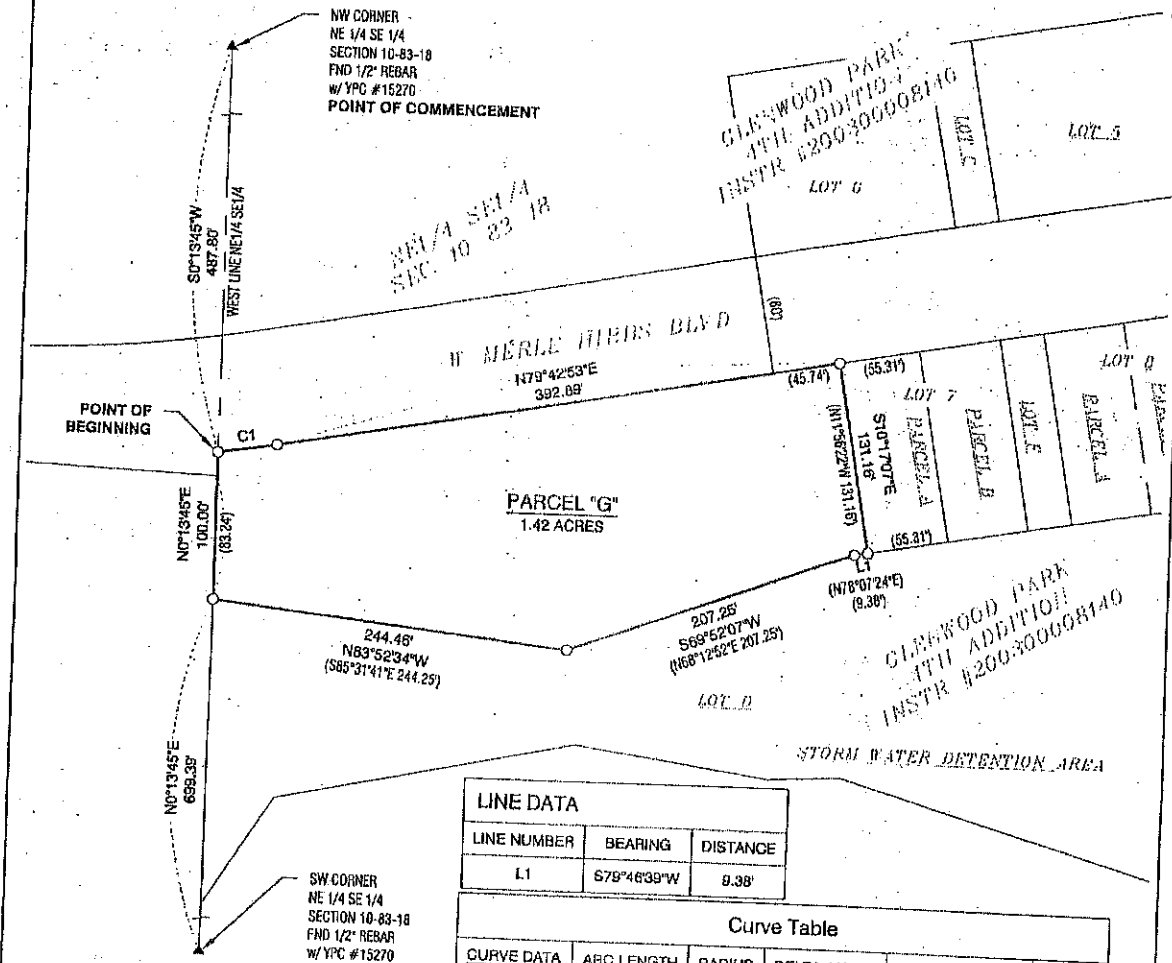
PLAT OF SURVEY

INDEX LEGEND	
LOCATION:	PARCEL "G" LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 10-83-18, MARSHALL COUNTY, IOWA
PROPRIETOR:	GETTMANN INVESTMENT CORPORATION
SURVEY REQUESTED BY:	BLUM GROUP
FIELD WORK COMPLETED:	10/15/2019
SURVEY PREPARED BY:	CLAPSADDLE-GARBER ASSOCIATES, INC.
RESPOND TO:	16 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50158 PHONE 641-752-6701 TSTEWART@CGACONSULTANTS.COM



Recorded: 11/01/2019 at 04:06:36 PM
Amt. \$12.00 Charge Page 1 of 2
Revenue Tax
Marshall County Iowa
Nan Benson County Recorder

File **2019-00005715**



LINE DATA

LINE NUMBER	BEARING	DISTANCE
L1	S79°46'39"W	9.38'

Curve Table

CURVE DATA	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD
C1	40.59'	1040.00'	2°14'09"	N80°49'58"E	40.59'

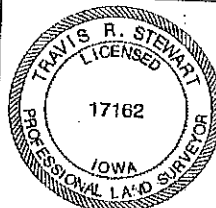
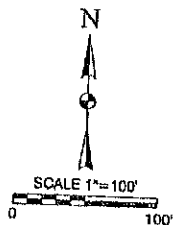
LEGEND:

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET
1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/ORANGE PLASTIC
ID CAP #17162
- () RECORDED AS

NOTE:

ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

DESCRIPTION
SEE SHEET 2 OF 2



BLUM SURVEY
MARSHALL COUNTY

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Travis R. Stewart, PLS

Iowa License Number 17162

My License Renewal Date is December 31, 2019

Pages or sheets covered by this seal:

SHEETS 1 OF 2 AND 2 OF 2

CGA

Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.cgaconsultants.com

DRAWN	SHEET NO.
CAQ	1 OF 2
DATE	PROJECT NO.
10-21-2019	5773.05

Merle Hibbs West

Restrictive Covenants

The undersigned Bedrock Development Group, LLC, being the owners of the following described real property:

Legal Description to be inserted here.

Which property has been or will be subdivided and replatted and shall henceforth be known as:

MERLE HIBBS WEST, MARSHALLTOWN, IOWA, containing four to eight lots (more or less), and subject to easements, reservations, restrictions, and right-of-way record and not of record;

(hereinafter the “MHW”).

Hereby make the following declarations as to limitations, restrictions and uses on all lots MHW lots of the Street, hereby specifying that said declarations shall constitute covenants to run with all said lots, as provided by law, and shall be binding upon the heirs, successors and assigns of all parties and all persons claiming under them and for the benefit and limitation upon all future owners of lots of MHW and homes constructed on the MHW lots in the city of Marshalltown, Iowa.

- (1) Lots shall be utilized solely and strictly for single family dwelling in zero lot line single family attached dwellings.
- (2) Architectural Review Board. MHW shall appoint two (2) representatives to carry out the functions of the Architectural Review Board (hereinafter the “Architectural Review Board”), which representatives can be changed by Bedrock Development Group LLC at any time. The objectives of the Architectural Review Board are to carry out the general purposes expressed in the Declaration of Restrictive Covenants, and to assure that any improvements are of high quality and comparable to other improvements in the area. To achieve these objectives, the Architectural Review Board shall have the power to administer the Restrictive Covenants contained in this Declaration, including the power to approve or disapprove of those matters expressed herein, until the time the powers and duties of the Architectural Review Board are turned over to the lot owners.

Procedure. Whenever Architectural Review Board approval is required appropriate plans and specifications shall be submitted to the Architectural Review Board. The Architectural Review Board shall either approve or disapprove the plans, specifications and/or requests made to it within thirty (30)

days after said plans, specifications and/or requests have been submitted to it; provided, however, if such plans, specifications and/or requests are disapproved in any respect, the applicant shall be notified wherein such plans, specifications and/or requests are deficient. The Architectural Review Board may withhold approval for any reason deemed by the Architectural Review Board to be appropriate, including aesthetic reasons, except that approval will not be withheld for capricious or unreasonable reasons.

Amendment to Restrictive Covenants. The Architectural Review Board shall be entitled to revise, amend, delete, and/or alter any and/or all of the provisions, restrictions, conditions and/or duties contained in the Restrictive Covenants; provided, however, such revision, amendment, deletions and/or alteration is agreed to unanimously by the members of the Architectural Review Board.

Transfer of Control. Following the sale of the last lot in the Subdivision, or earlier if agreed to by Bedrock Development Group, LLC, control over the Architectural Review Board shall be turned over to the lot owners of the subdivision. Following Bedrock Development Group, LLC relinquishment of control over the Architectural Review Board, it shall have no further duties or obligations to the Subdivision for the purposes of the Architectural Review Board.

- (3) No Building shall be erected on any residential building lot nearer than 25 feet to the front lot nor nearer than 8 feet to any side or rear lot line. On corner lots no building shall be erected nearer than 25 feet to the side street line. For the purposes of this paragraph, all measurements shall be taken from the portion of the structure nearest the property line in question. Rear property line and other property set back requirements shall conform to the City of Marshalltown zoning ordinance. Notwithstanding this paragraph, homeowners shall be allowed to see a front yard set back variance of down to 20 feet and side yard set back variance of down to 6 feet from the Marshalltown Zoning Board of Adjustment. If such variance is approved, the same shall be allowed pursuant to these Restrictive Covenants.
- (4) All construction within the subdivision shall be of new materials unless approved by the Architectural Review Board, as defined in paragraph 2, above. All dwellings shall present their most attractive front to the street in the subdivision upon which the lot abuts. After square footage is deducted, 25% of the remaining square footage of the front shall be brick or stone (other materials may be used if approved by Architectural Review Board). All roof pitches must be 6/12 or greater.
- (5) No structure shall be erected or permitted on any zero-lot line zoned for single family other than a zero-lot line single family attached dwelling which may not exceed two stories in height (excluding basement and attic).

- (6) All lots must have at least a two-car garage on the upper level.
- (7) The developer reserves the right to use any lot for an office and/or model home and may change location of said building from time to time. No storage shed or any other non-attached accessory building shall be allowed except as a construction office.
- (8) No dwelling shall be erected or permitted if such dwelling has a ground floor square foot area, exclusive of open porches and garages, of less than 1,200 square feet.
- (9) No trailer, trailer house, mobile home, foundation, basement, garage, shack, or non-dwelling type building shall be used as a residence, temporarily or permanently.
- (10) Only one family shall occupy any dwelling.
- (11) No Firearms, air rifles or BB guns shall be discharged within said lots and no hunting of animals shall be permitted.
- (12) No noxious or offensive activity shall be carried on in any house, building, or on any lot, nor shall anything be done therein or thereon which may be or become a nuisance to the neighbors or neighborhood.
- (13) No automobile, bus, truck, machinery, trailer, boat, recreation vehicle, or any other similar vehicle may be stored on any part of the lot, except within a garage. All applicable laws regarding the parking and storage of machinery and vehicles on public streets shall be obeyed.
- (14) No junk or materials of any nature shall be stored or kept on any part of the lots, except the building materials may be stored or kept for the purpose of immediate incorporation into a structure on the said real estate.
- (15) No building shall be erected, placed or altered on any lot until the construction plans, specifications and a plan showing the location of the structure on the lot have been approved by the Architectural Review Board. The Architectural Review Board reserves the right to deny any planned construction based on quality of workmanship and materials, harmony of external design with existing structures, and location of proposed building with respect to topography and finish grade level.
- (16) No fence or wall shall be erected or placed on any lot unless approved by the Architectural Review Board.
- (17) The owner of each lot shall keep the same free of weeds and debris. No grass, weeds, trees, shrubs or other vegetation shall be allowed to remain on any lot that

constitutes an actual or potential public nuisance, create a hazard or undesirable proliferation or detract from a neat and trim appearance.

- (18) No lot may be subdivided without the written consent of the Architectural Review Board. Adjoining lots may be combined for the purposes of the construction of the dwelling house, but in no event shall more than one dwelling house be permitted on any lot unless pre-approved by Architectural Review Board.
- (19) Once excavation for building purposes has commenced on a lot, the house or building on said lot shall be completed, including sodding, seeding and final landscaping, within one year of that time. All homeowners must plant at least 2 non-shrub trees within the property limits.
- (20) Before any construction or excavation begins on a lot, proper erosion and storm water runoff control measures shall be installed by lot owner, including, but not limited to, silt fences which must be placed as appropriate, including on downhill sides of lots. During and after construction any erosion and run off shall be the responsibility of the homeowner.
- (21) No trash or garbage shall be kept on any lot, except in adequate sanitary container, and all lots shall be kept free of weeds and debris. Furthermore, adequate garbage and waste containers, (covered dumpsters or similar containers and/or receptacles) shall be used during all stages of construction to prevent waste, debris and/or other materials from obstructing the lot and neighboring lots. Furthermore, no materials are to be buried on any portion of the lot or lots within the subdivision.
- (22) No animals of any kind, including but not limited to, livestock, chicken or fowl, shall be raised, bred, housed, quartered, or kept on any lot; however dogs, cats and other ordinary household pets may be kept and housed, provided that they are not kept, bred, housed or maintained for any commercial purpose. No outside kennels will be permitted, except if attached to the rear of the house, no larger than 70 square feet and be in consistency with the design of the dwelling exterior.
- (23) A perpetual public utility easement is reserved over each lot for installation, repair and maintenance of all utilities, including electricity, telephone and cable TV, all as shown on the plat. All said utilities shall be placed underground.
- (24) Sidewalks for each lot shall be constructed by each respective lot owner, at lot owner's expense. Lots that abut more than one street shall install sidewalks along all street fronted in accordance with City of Marshalltown Code of Ordinances. Lot owners shall have sidewalks installed prior to or upon completion of dwelling unit; provided, however, all sidewalks shall be complete no later than one (1) year after lot owner purchases lots (s).

- (25) These covenants and restrictions shall run with the land and shall be binding on all parties hereto, their heirs, successors and assigns, and on persons claiming under them for periods of twenty-one (21) years from the date these covenants are recorded, at which time the covenants and restrictions may be extended by filing a verified claim pursuant to the Iowa Code.
- (26) In case the parties hereto, or any of them or their heirs, successors or assigns, shall violate or attempt to violate any of the covenants and restriction herein, it shall be lawful for any other person or persons owning any lot in said subdivision, or any other interested party or parties, to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions, to either prevent him or them from so doing, or recover damages for such violation, or both.
- (27) The invalidation of any one of these covenants or restrictions, or any part thereof, by judgment or court order shall in no way affect any of the other provisions and all other provisions shall remain in full force and effect.
- (28) All earth excavated in the construction of a dwelling and not used on the premises of the lot shall be removed to such place or places on site as designated by Bedrock Development Group, LLC.
- (29) No signs, billboards, or advertising devices, except those used in the sale of said property, shall be placed on any lot or building of said subdivision.
- (30) All driveways leading from any street in the subdivision shall be of hard surface construction. Only one driveway is allowed per residence.
- (31) If firewood is stored outside of any dwelling unit, it shall be stacked and racked immediately adjacent to the rear of the residence in an orderly fashion. If the wood is purchased by the truckload, it must be cut and stacked within one month.
- (32) Items such as garbage cans, recycling bins, lawn or garden equipment, building materials, and other similar items shall be placed out of public view. Furthermore, any repair of motorcycles, automobiles, or other vehicles shall be done out of public view.
- (33) Driveway approaches must be identified and rock approaches in place before construction begins to prevent curb damage and to prevent mud from being tracked into street. Any street and/or curb damage that occurs because of construction shall be replaced at the homeowner's expense.

IN WITNESS WHEREOF, the foregoing instrument has been executed this _____
day of _____, 20____.

Bedrock Development Group, LLC

By: _____

Its: Authorized Agent

[illegible]

On this _____ day of _____, 2020, before me stood _____ an officer of Bedrock Development Group, LLC. To sign this document.

Notary Public in and for the said State

AUDITOR'S APPROVAL OF SUBDIVISION NAME

STATE OF IOWA, MARSHALL COUNTY, ss:

I, Nan Benson, being Auditor and Recorder of Marshall County, Iowa, do hereby approve, pursuant to Iowa Code §354.6(2) and §354.11(6), the subdivision name **Merle Hibbs West Subdivision** on the annexed plat and find the same to be succinct and unique in Marshall County, Iowa.

Witness my hand and seal this 12th day of December 2020.



Nan Benson, Auditor/Recorder
Marshall County, Iowa

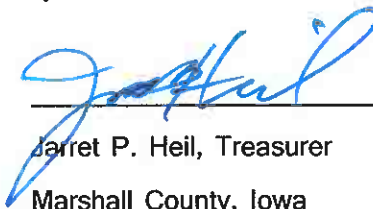


TREASURER'S CERTIFICATE

STATE OF IOWA, MARSHALL COUNTY, ss:

I, Jarret P. Heil, being Treasurer of Marshall County, Iowa, do hereby certify that land on which **Merle Hibbs West Subdivision** is laid out and platted as shown by the annexed plat is free from property taxes.

Witness my hand and seal this 12th day of December 2020.



Jarret P. Heil, Treasurer
Marshall County, Iowa



MARSHALLTOWN

I O W A

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: December 19, 2019 – Meeting Date

Rezoning Request:

FROM: Merle Hibbs West

SUBJECT: Planned Unite Development Request

A request has been made for an amendment to the Planned Unit Development on West Merle Hibbs. The request made Roth Law Office, P.C. with current owner approval. They have included a Master Plan Amendment, floor plans, and lot layouts.

Recommendation:

The Planning Commission is to review the proposal, and then make a recommendation to the city council.

Complete the following contact information. (Please type or print clearly)

Owner Corporation Name Bedrock Development Group, LLC	
Contact/Owner Name Ed Graham	
Owner Address 2728 Asbury Rd Dubuque, IA 52001	Owner Fax
Owner Phone 563-557-1611	
Owner E-mail egraham@digitalcanal.com	

Name of Law Firm Roth Law Office	
Attorney Name Benjamin J. Roth	
Attorney Address 1400 Univeristy Ave Ste D Dubuque, IA 52001	Attorney Fax
Attorney Phone 563-557-1611	
Attorney E-mail broth@rothlawdbq.com	

Engineer Firm Name CGA Engineers	
Engineer Contact Person Steve Troskey	
Engineer Address 16 East Main St Marshalltown, IA 50158	
Engineer Phone 641-752-6701 x 51	Engineer Fax
Engineer E-mail stroskey@cgaconsultants.com	

MERLE HIBBS WEST

SUBDIVISION IN MARSHALLTOWN, IOWA

MASTERPLAN AMENDMENT

DECEMBER 2019

Merle Hibbs West Subdivision

Owner & Developer

Bedrock Development Group, LLC

2728 Asbury Road

Dubuque, IA 52001

General Contractor

Blum Group

2012 NW Prairie Creek Drive

Grimes, IA 50111

Land Surveying / Site Design

CGA Engineers, Inc.

16 East Main Street

Marshalltown, IA 50158

Introduction

This informational packet will serve as a narrative to the Final Plat submitted to the City of Marshalltown.

In fall 2019 Bedrock Development Group, LLC purchased an option on 1.42 acres of land south of Merle Hibbs Boulevard contingent upon a successful Final Plat application. The proposed plan is to construct four duplex buildings, starting on the east end of the site and work west as the market allows.

The street, sewer laterals, and water laterals for eight units are already in the ground. This plan is similar what is on file with the City of Marshalltown, and this application seeks to create the subdivision and amend the existing Planned Unit Development.

General Project Description

Access to the site is on existing Merle Hibbs Boulevard and the street was designed with eight units planned, so this project will not negatively impact traffic.

The existing utilities will meet all City of Marshalltown and State of Iowa regulations in terms of size and placement. The detention pond to the south currently serves this area.

Flood Plain

A portion of this property is in the 100 year floodplain. However none of the proposed buildings are in the floodplain. Generally, if any portion of a property with a house touches a floodplain, the owner needs flood insurance. To bypass this requirement, a common practice will be to create Tracts around the floodplain and leave the land with the house completely outside of the floodplain in a Lot.

We have done this for Merle Hibbs West. Each of the “buildable areas” is identified as a Lot, and the Tract to the south is the area where the 100 year flood plain exists. Each adjacent Tract will be sold with the corresponding Lot and cannot be split off or sold independently. While there will be two distinct parcels for each owner, for all intents and purposes both parcels will act as one single property for setback and ownership purposes.

Between Lots 6 & 7 there will be a 25’ wide access easement for the City of Marshalltown. This easement will allow city representatives to access the creek to the south. No infrastructure will be built in this easement, and no trees will be removed by the developer in this area.

Lot Layout and Setbacks

Water and sewer laterals are already placed in the ground based on a layout from a previous developer. Lots in merle Hibbs West have been sized to accommodate this infrastructure, which means property sizes are not uniform across the development. Because of this, each lot will have unique setbacks as indicated below:

Setback Table:

Lot	Front	Rear*	Sides
Lot 1	30'	25'	10'
Lot 2	30'	25'	10'
Lot 3	30'	25'	10'
Lot 4	30'	25'	10'
Lot 5	30'	25'	10'
Lot 6	30'	25'	12.5'
Lot 7	30'	25'	12.5'
Lot 8	30'	25'	8'

*Rear setbacks will be measured from the south property line of the adjacent Tract. Tracts will not be allowed to be sold or transferred to anyone other than the owner of the corresponding Lot.

Landscaping

At this time there is not an intention to create a Homeowners Association, although the developer reserves the right to create one on the future. The trees to the south of the buildings will remain as much as possible, and each building will have landscaping around each structure. Specifics of plants/flowers has not been decided, but the developer understands the importance of attractive landscaping for selling each unit.

Project Phasing

There are four buildings planned for this site. The easternmost building will be constructed first and then buildings to the west will be built as the market demands.

Development Data

- Total Project Area: 1.42 acres
- Public Road Area: 0 acres
- Common Space Area: 0 acres
- Retention Pond Lot Area: 0 acres
- Dry Stormwater Detention Area: 0 acres
- Off-Street Parking Spaces: 8 + 2/unit on driveways
- Gross Density: 5.6 units/acre



Building Sketches

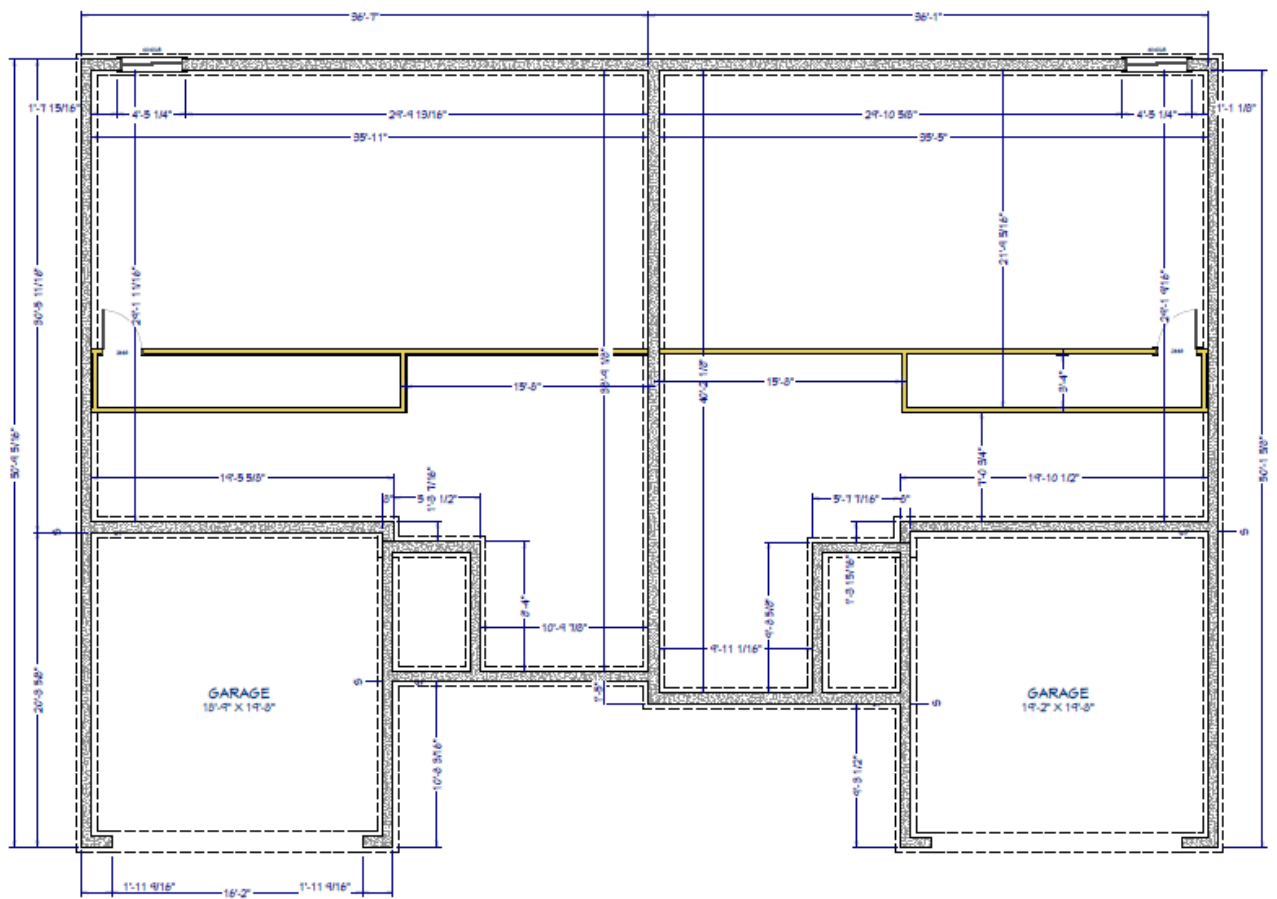


DECK
10'-0" X 10'-0"

DECK
10'-0" X 10'-0"

3RD FLOOR

3RD FLOOR



Typical Elevation



MARSHALLTOWN

IOWA

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: December 19th – Meeting Date

Rezoning Request – Initial Discussion

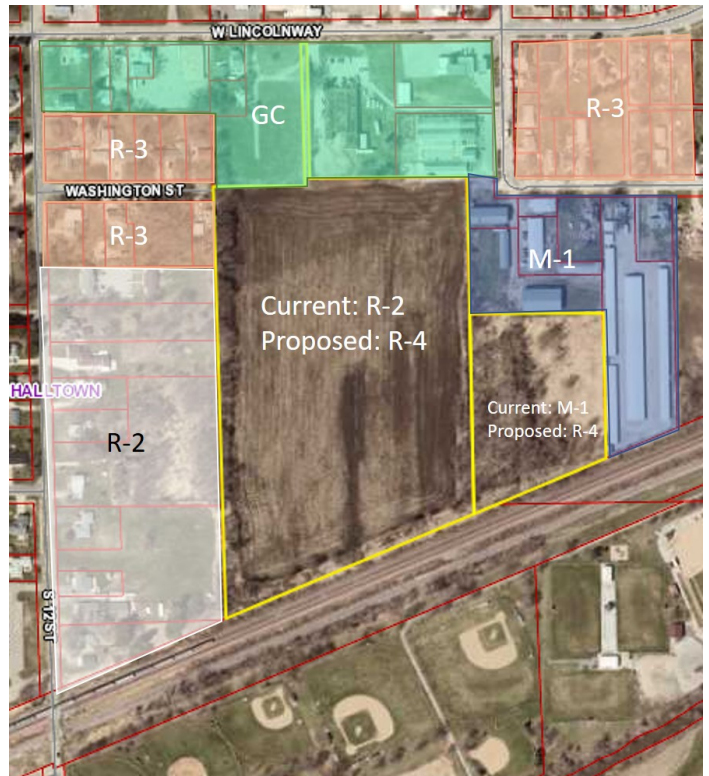
FROM: Bloomfield Acres LLC

**SUBJECT: PIN 8418-34-404-005 (no address) & Parcel 8418-34-428-004 (804 Washington St.) –
Rezone to R-4, Medium Density Residential**

Bloomfield Acres LLC is proposing a multifamily housing development on the two parcels shown in the map south of Washington Street. The parcels are currently zoned R-2 Low Density Residential and M-1, Light Industry. This area is currently identified as Light Industrial in our comprehensive plan. The larger parcel was recently put on the market for sale and Alliant currently owns the adjoining parcel to the East.

The developer would like to rezone the properties to R-4, Medium Density Residential and utilize the Residential Flexibility Standards guidelines for development. Washington Street would be connected through on the north side of the property.

Recommendation: This is the initial discussion on this proposal. A public hearing will be set for January 9, 2020 followed by three reading by the City Council and a Public Hearing at the Council level.



Date Submitted & Fee Paid: _____

Rezoning Request Application Form

36 N. Center Street, Marshalltown, IA 50158 Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as a part of this application will result in a delay in accepting your application until it is complete.

_____ **Legal description of the property.** The property owner must provide a copy of the full legal description. If you do not have a copy, you can obtain one from the Marshall County Recorder's Office for a fee. The tax description found on the County Assessor's website is not the full legal description.

_____ **Application fee.** A \$500 fee is required payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Zoning Office.

Please type or print legibly in ink.

Property Address:	
Owner:	
Mailing Address:	
Phone:	E-mail:
Current Zoning Classification:	
Current Use:	
Proposed Zoning Classification:	
Proposed Use:	
Please list the uses of surrounding properties:	
Signature and Date:	

MARSHALLTOWN

I O W A

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: December 19th – Meeting Date

Highway 14 Zoning Amendment – Rezoning and Implementation of MU, Mixed Use District.

The Commission has been working on the Highway 14 Corridor land use amendments for several months now including the development of the district language and the recent mapping. We would like to start this formal process with an initial discussion and review of the proposal. Included in the packet you will find maps identifying the proposed areas to be rezoned, the proposed MU Mixed Use District and an amendment to table of Permitted and Special Uses.

We are proposing the following tentative schedule for adoption:

12/19/19 – Initial Discussion
01/16/20 – Public Open House on Proposal
02/13/20 – Public Hearing with Plan Zoning Commission
02/24/20 – First Council Reading
03/09/20 – Second Council Reading
03/23/20 – Third Council Reading and Public Hearing

Recommendation: This is the initial discussion on this proposal. The next step will be to host an open house meeting followed by a Public Hearing in February and then on to City Council.

MU MIXED USE DISTRICT

156.201 Purpose.

The regulations set forth in this Chapter, or set forth elsewhere in this Ordinance when referred to in this Chapter, are the district regulations for the MU Mixed Use District.

The Mixed-Use District is intended to provide for compact, pedestrian-friendly mixed-use areas of limited size with a variety of residential, office and service uses that serve the adjacent neighborhood needs. It is intended to serve as a transitional use of land between commercial or industrial districts and residential districts.

156.202 Permitted Uses

1. Commercial uses contained in 156.430 of this Ordinance.
2. Dwelling, Single-Family Attached
3. Multi-family dwellings. These units shall not be on ground/first level of any building also containing a Commercial use listed in 156.430 of this Ordinance, except that a maximum of the 40% of the ground floor area may be residential provided it is not adjacent to a front or street side yard.
4. Churches
5. Parks, playgrounds, and civic buildings.
6. Accessory buildings and accessory uses customarily incident to any of the above uses. Provided they are subordinate in size area.

Any existing use, which is conforming as of January 1, 2009, shall be considered a conforming use for that zoning lot for the purposes of this Ordinance. The use can change to any other listed conforming use for the zoning lot, or to a special use. The zoning lot for the businesses after January 1, 2009, may expand provided that the new area is a listed conforming use for that zoning lot or to a listed special use by following the procedures in 156.565, Special Use Regulations.

156.203 Special Uses

1. Dwelling, single family
2. Dwelling, two-family

156.204 General Provisions.

1. Chain link fences shall not be allowed. Fences shall not exceed 4-feet in height when located in the front yard setback and may not exceed 6-feet in height when located in the side or rear side yard.
2. Paving shall not be allowed over or through the City-owned right-of-way in front of any Commercial use, except for driveways providing access to an approved parking lot.
3. Off-street parking requirements must be contained entirely outside of the public right-of way.
4. All regular business must take place inside a structure, except for authorized outdoor dining or an authorized special/seasonal event permit.
5. Multiple buildings are allowed on one zoning lot.
6. Exterior storage of goods and equipment is not permitted.
7. Only one driveway approach shall be permitted on each street frontage, of each premise. At locations where driveways are not shared with an adjoining property each driveway shall be placed in such a way as to not impede the visual clearance to access the public street.

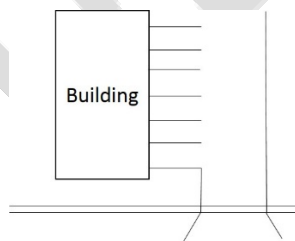
156.205 Bulk Requirements.

The following requirements shall be observed:

Maximum Front Yard Setback	10 feet
Side Yard Setback	5 Feet
Street Side Yard Setback* add definitions	10 Feet
Rear Yard Setback	None required, except adjacent to a residential district, where there shall be a 15-foot minimum setback.
Minimum Lot Area	10,000 sq. ft.
Lot Width	An average width of 100 feet minimum.
Minimum Height	20 feet, inclusive of design features

156.206 Parking Requirements.

1. Whenever structures are erected or structurally altered, parking spaces shall be provided on the same zoning lot as the building in accordance with 156.515-156.522 of this Ordinance. Uses which predominately occur during different times may share parking if it can be demonstrated that collectively the minimum number of parking spaces is provided at all time.
2. Parking lots shall be located in the rear of all commercial uses or on the side. Parking located on the side is allowable in accordance with the following:
 - The parking must not extend into the required front yard setback.
 - Landscaping shall be placed between the parking spaces and the front property line in accordance with 156.503(E)(1)
 - A single parking aisle with parking on one side, which is adjacent to the building, and meets the minimum dimension of the City's parking space requirements, is allowable. See sample below.



3. Parking areas shall be designed to minimize headlights shining into residential properties.
4. Parking areas shall be set back 5 feet from the property line and shall be landscaped with vegetation and or turf. This requirement can be waived where parking lots adjoin and have cross access agreements/easements.
5. The maximum amount of surface parking shall not exceed the specified minimum by more than then (10) percent or two spaces, whichever is greater. If additional parking is desired, it must be placed underground, within an enclosed building, or in a tuck-under garage. The exception is shared parking when a zoning lot is developed/redeveloped with shared uses in mind.

156.207 Design Guidelines.

1. All attached or detached garages shall be placed towards the rear of a building except on a corner,

where the side may also be allowed. These can be accessed via privately controlled lanes and alleyways.

2. One story commercial buildings shall be constructed to appear of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.
3. Driveway locations shall be spaced such that they are at least 5 feet from any adjacent driveway.
4. Shared driveways are allowed.
5. Driveway location shall comply with the requirements of the vision clearance, as stated in 156.021.
6. Accessory structures shall not be placed in such a manner that they extend in front of the rear building line of the primary structure.

156.208 Architectural Standards

1. The front façade, or any façade that directly abuts a public right-of-way including a street side yard of any building shall be at least fifty (50) percent brick or masonry stone.
2. All sides of buildings visible from the public right-of-way shall be architecturally treated to produce an aesthetically pleasing facade that is compatible with surrounding buildings and cohesive as development block. Exterior materials of commercial quality shall include wood, masonite, aluminum, steel, decorative concrete block, stucco, brick or other similar materials with an effective life of 25 years or greater. Smooth-faced concrete block shall not be permitted.
3. All rooftop mechanicals must be placed or screened in such a way that they are not visible from any public street, alleyway or park.
4. The front façade and street side façade of any new non-residential building shall be comprised of at least fifty (50) percent windows and doors at the ground level.
5. Accessory structures shall be constructed of similar and/or complimentary materials as the primary structure and shall be required to be comprised of at least twenty-five (25) percent windows and doors at the ground level.
6. Accessory structures that are not open for business to the public are exempt from the window and door requirements of #5 above provided they are placed between the rear of the primary building and rear yard setback and are not visible from the public street. The structure is subject to compliance with #2 above.
7. All structures must be constructed on permanent foundations and may not be placed in a temporary manner.

156.209 Landscaping:

1. Parking lots shall require one tree for every 10 spaces, in addition to the tree required in the landscape setback areas.
2. Landscaping is required in the front yard setback and the street side yard setback and shall include one tree for every 40 lineal feet of frontage. 20 percent of the land area located within the front yard or street yard setback area must be landscaped with perennial plant material and appropriately mulched. The remainder of the area must be maintained with turf grasses or additional plant material, but may not be filled completely with mulch material.

156.210 Signs See Section 156.550-156.552 Signs for additional requirements

1. Freestanding signs shall be limited to monument signs only with a permitted size that shall be no more than 48 square feet in area and 10 feet in height.
2. Roof signs are not permitted.

3. Directional signs limited to two per premise shall be permitted and shall be limited to 6 square feet each with a maximum height of 4 feet.

Review

§ 156.430 TABLE
TABLE OF PERMITTED AND SPECIAL USES FOR COMMERCIAL & INDUSTRIAL DISTRICTS

Districts

TN Traditional Neighborhood
 CBD Central Business District
 MU Mixed Use District
 NC Neighborhood Commercial
 PC Planned Commercial
 CC Community Commercial

GC General Commercial
 OP Office Park
 RC Regional Commercial
 ED Education District
 M1 Light Industry
 M2 Heavy Industry

Other Codes

P Permitted Use
 S Special Use

	SECTOR	USE	CODE	TN	MU	CBD	NC	CC	GC	OP	PC	RC	M1	M2
	Residential	See Specific Chapters for regulations		P	P	P	P							
22	Utilities	Utilities (i.e., electric power, natural gas, water, sewage)	221					S	S		S			P
22	Utilities	Acetylene gas manufacturing and storage	221210											P
22	Utilities	Ore reduction	221210											P
23	Construction	Building, Developing, and General Contracting (i.e., land subdivision and development, residential building construction, nonresidential building construction)	233						P				P	P
23	Construction	Plumbing, heating, and air-conditioning contractors	2351						P				P	P
23	Construction	Painting and Wall Covering Contractors	2352						P				P	P
23	Construction	Electrical Contractors	2353						P				P	P
23	Construction	Masonry, drywall, insulation, and tile Contractors	2354						P				P	P
23	Construction	Carpentry and floor contractors	2355						P				P	P
23	Construction	Roofing, siding, and sheet metal contractors	2356						P				P	P
23	Construction	Concrete contractors	2357						S				P	P
23	Construction	Glass & Glazing Contractors	23592						P				P	P
23	Construction	Building Equipment and Other Machinery Installation Contractors	23595						P				P	P
23	Construction	All Other Special Trade Contractors (i.e., house moving, swimming pool construction, sandblasting, awnings, countertops, signs, bathtub refinishing, mobile home setup, on-site welding)	23599						P				P	P

31-33	Manufacturing	Abattoir and slaughter houses or stockyards	311611										S
31-33	Manufacturing	Acid manufacturing	325132										S
31-33	Manufacturing	Ammonia, bleaching, or chlorine manufacturing	325311										P
31-33	Manufacturing	Asphalt manufacturing, refining, or preparation	324110										P
31-33	Manufacturing	Blast Furnaces	331111										P
31-33	Manufacturing	Boiler Works	332410										P
31-33	Manufacturing	Brick, tile, pottery, or terra cotta manufacturing (other than handicrafts)	327121										P
31-33	Manufacturing	Cement, lime, gypsum, or plaster of paris manufacturing	327310										S
31-33	Manufacturing	Coal tar manufacturing or distribution (except by-products of a public utility)	325192										P
31-33	Manufacturing	Creosote manufacture or treatment	325191										P
31-33	Manufacturing	Distillation of bones, coal, or wood	333994										S
31-33	Manufacturing	Explosives manufacturing or storage	325920										S
31-33	Manufacturing	Fat rendering	311613										S
31-33	Manufacturing	Fertilizer manufacturing	325311										S
31-33	Manufacturing	Glue manufacturing	325520										S
31-33	Manufacturing	Micro-Brewery			P	P		P	P		P	P	P
31-33	Manufacturing	Oilcloth or linoleum manufacturing	326192										P
31-33	Manufacturing	Paint, oil, turpentine, or varnish manufacturing	325510										P
31-33	Manufacturing	Petroleum or its products, or the refining of	324110										S
31-33	Manufacturing	Rolling mill	333516										P
31-33	Manufacturing	Smelting of tin or copper	331419										S
31-33	Manufacturing	Tanning, storage, or curling of rawhides or skins	316110										P
42	Wholesale Trade	Furniture and Home Furnishings Wholesalers	4212						P				P
42	Wholesale Trade	Professional and Commercial Equipment and Supplies Wholesalers (I.e., photographic, computer, scales, cooking supplies, store fixtures, medic)	4214						P				P
42	Wholesale Trade	Electrical Goods Wholesalers	4216						P				P
42	Wholesale Trade	Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers	4217						P				P
42	Wholesale Trade	Machinery, Equipment, and Supplies Wholesalers (I.e., excavating equipment, harvesting equipment, lawnmowers, animal feeders, industrial supplies, service equipment and supplies, transportation equipment and supplies except motor vehicle)	4218						P				P
42	Wholesale Trade	Paper and Paper Product Wholesalers	4221						P				P
42	Wholesale Trade	Drugs and Druggists' Sundries Wholesalers	4222						P				P

42	Wholesale Trade	Apparel, Piece Goods, and Notions Wholesalers	4223						P				P	P
42	Wholesale Trade	Grocery and Related Product Wholesalers	4224						P				P	P
42	Wholesale Trade	Beer, Wine, and Distilled Alcoholic Beverage Wholesalers	4228						P				P	P
42	Wholesale Trade	Miscellaneous Nondurable Goods Wholesalers (I.e., farm supplies, book and periodicals, flower, florists, tobacco, paint, pet supplies, yarn)	4229						P				P	P
42	Wholesale Trade	Automobile and Other Motor Vehicle Wholesalers	42111						P				P	P
42	Wholesale Trade	Motor Vehicle Supplies and New Parts Wholesalers	42112						P				P	P
42	Wholesale Trade	Tire and Tube Wholesalers	42113						P				P	P
42	Wholesale Trade	Roofing, Siding, and Insulation Material Wholesalers	42133						P				P	P
42	Wholesale Trade	Other Construction Material Wholesalers (I.e., flat glass, ornamental ironwork, prefabricated buildings, wire fencing)	42139						P				P	P
42	Wholesale Trade	Sporting and Recreational Goods and Supplies Wholesalers	42191						P				P	P
42	Wholesale Trade	Toy and Hobby Goods and Supplies Wholesalers	42192						P				P	P
42	Wholesale Trade	Jewelry, Watch, Precious Stone, and Precious Metal Wholesalers	42194						P				P	P
42	Wholesale Trade	Other Miscellaneous Durable Goods Wholesalers (I.e., musical instruments, audio and video, timber and timber products - except lumber)	42199						P				P	P
42	Wholesale Trade	Building material storage yards	423390											P
49	Warehousing	Fuel storage yards	493190											P
51	Information	Broadcasting and Telecommunications	513			P		P	P				P	P
51	Information	Information Services and Data Processing Services	514	P	P	P	P	P		P	S		P	P
51	Information	Software Publishers	5112	P	P	P	P	P	P				P	P
51	Information	Sound Recording Industries	5122	P	P	P	P	P	P				P	P
51	Information	Newspaper Publishers	51111		P	P			P	S			P	P
51	Information	Periodical Publishers	51112		P	P			P	S			P	P
51	Information	Book Publishers	51113		P	P			P				P	P
51	Information	Other Publishers	51119						P				P	P
51	Information	Motion Picture and Video Production	51211						P			P	P	P
51	Information	Motion Picture and Video Distribution (I.e., distribute to theaters, tv networks, exhibitors)	51212						P				P	P
51	Information	Motion Picture and Video Exhibition (I.e., theaters)	51213	S				P	P		P		P	P
51	Information	Postproduction Services and Other Motion Picture and Video Industries	51219						P				P	P
52	Finance/Insurance	Monetary Authorities - Central Bank	521			P		P		P	S		P	P

52	Finance/Insurance	Credit Intermediation and Related Activities (Commercial Banking, Credit Unions)	522	P	P		P	P		P	S	P	P	P
52	Finance/Insurance	Securities, Commodity Contracts, and Other Financial Investments and Related Activities	523	P	P		P	P		P	S	P	P	P
52	Finance/Insurance	Insurance Carriers and Related Activities	524	P	P		P	P		P	S	P	P	P
52	Finance/Insurance	Funds, Trusts, and Other Financial Vehicles	525	P	P		P	P		P	S		P	P
53	Real Estate	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works) (I.e., trademarks, patents)	533	P	P		P	P		P	S		P	P
53	Real Estate	Offices of Real Estate Agents and Brokers	5312	P	P		P	P		P	S		P	P
53	Real Estate	Activities Related to Real Estate (I.e., managing, appraising)	5313	P	P		P	P		P	S		P	P
53	Real Estate	General Rental Centers (commercial retail equipment rental)	5323						P				P	P
53	Real Estate	Commercial and Industrial Machinery and Equipment Rental and Leasing (business rental)	5324						P			P	P	P
53	Real Estate	Lessors of Residential Buildings and Dwellings	53111	P	P		P	P		P	S		P	P
53	Real Estate	Lessors of Nonresidential Buildings (except Miniwarehouses)	53112	P	P		P	P		P	P		P	P
53	Real Estate	Lessors of Miniwarehouses and Self-Storage Units	53113	P	P		P	P	P				P	P
53	Real Estate	Passenger Car Rental and Leasing	53211					P	P		S	P	P	P
53	Real Estate	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing	53212					P	P		S	P	P	P
53	Real Estate	Consumer Electronics and Appliances Rental	53221	P	P		P	P	P		P	P	P	P
53	Real Estate	Formal Wear and Costume Rental	53222	P	P		P	P	P		P	P	P	P
53	Real Estate	Video Tape and Disc Rental (I.e., video stores)	53223	P	P		P	P	P		P	P	P	P
53	Real Estate	Office Machinery and Equipment Rental and Leasing	53242	P	P		P	P	P		S	P	P	P
53	Real Estate	Home Health Equipment Rental (I.e., wheelchairs, oxygen)	532291	P	P		P	P	P	P	S	P	P	P
53	Real Estate	Recreational Goods Rental (I.e., bicycles, strollers, canoes)	532292		P	P		P	P		P	P	P	P
53	Real Estate	All Other Consumer Goods Rental (I.e., furniture, party supplies)	532299			P		P	P		P	P	P	P
54	Professional Svcs	Legal Services	5411	P	P		P	P		P	S	P	P	P
54	Professional Svcs	Accounting, Tax Preparation, Bookkeeping and Payroll Services	5412	P	P		P	P		P	S	P	P	P
54	Professional Svcs	Architectural, Engineering, and Related Services	5413	P	P		P	P		P	S		P	P
54	Professional Svcs	Specialized Design Services	5414	P	P		P	P		P	S		P	P
54	Professional Svcs	Computer Systems Design and Related Services	5415	P	P		P	P		P	S		P	P
54	Professional Svcs	Management, Scientific, and Technical Consulting Services	5416	P	P		P	P		P	S		P	P
54	Professional Svcs	Scientific Research and Development Services	5417	P	P		P	P		P	S		P	P
54	Professional Svcs	Advertising and Related Services	54181	P	P		P	P		P	S		P	P

54	Professional Svcs	Public Relations Agencies	54182	P	P	P	P	P		P	S		P	P
54	Professional Svcs	Media Buying Agencies	54183	P	P	P	P			P	S		P	P
54	Professional Svcs	Media Representatives (I.e., newspaper, tv, radio sales agents)	54184			P			P	P	S		P	P
54	Professional Svcs	Display Advertising (I.e., signs)	54185			P			P				P	P
54	Professional Svcs	Direct Mail Advertising (I.e., handbills, coupons)	54186			P			P			P	P	P
54	Professional Svcs	Advertising Material Distribution Services	54187			S			P				P	P
54	Professional Svcs	Other Services Related to Advertising (I.e., advertising specialties, display lettering)	54189			P			P				P	P
54	Professional Svcs	Marketing Research and Public Opinion Polling	54191	P	P	P	P			P	S	P	P	P
54	Professional Svcs	Photographic Services (I.e., still, video, or digital photography)	54192	P	P	P	P	P	P		P		P	P
54	Professional Svcs	Translation and Interpretation Services	54193	P		P	P			P	S		P	P
54	Professional Svcs	Veterinary Services	54194	S		S	S	P	P				P	P
54	Professional Svcs	All Other Professional, Scientific, and Technical Services (I.e., appraisal, consumer counseling, arbitration)	54199	P	P	P	P	P	P	P	S		P	P
56	Admin & Other	Junk yards	562212											S
56	Admin & Other	Office Administrative Services	5611	P	P	P	P	P		P	S		P	P
56	Admin & Other	Facilities Support Services (janitorial, security, maintenance)	5612	P	P	P	P	P		P	S		P	P
56	Admin & Other	Employment Services (placement agencies, temp services)	5613	P	P	P	P	P		P	S		P	P
56	Admin & Other	Travel Arrangement and Reservation Services	5615	P	P	P	P	P		P	P	P	P	P
56	Admin & Other	Investigation and Security Services	5616	P	P	P	P	P		P	S		P	P
56	Admin & Other	Services to Buildings and Dwellings (I.e., pest control, janitorial, landscaping, carpet & upholstery cleaning)	5617			P		P	P	P	S		P	P
56	Admin & Other	Other Support Services (I.e., day to day business support)	5619	P	P	P	P	P		P	S		P	P
56	Admin & Other	Document Preparation Services	56141	P	P	P	P	P		P	S		P	P
56	Admin & Other	Telephone Call Centers	56142			P		P		P	S	P	P	P
56	Admin & Other	Collection Agencies	56144			P	P	P		P	S		P	P
56	Admin & Other	Credit Bureaus	56145	P	P	P	P	P		P	S		P	P
56	Admin & Other	Other Business Support Services (I.e., court reporting, repossession services)	56149	P	P	P	P	P		P	S		P	P
56	Admin & Other	Private Mail Centers (mailbox rental & other mailing/office services)	561431			P	P	P	P	P	P	P	P	P
56	Admin & Other	Other Business Service Centers (including Copy Shops)	561439	P	P	P	P	P		P	S		P	P
61	Education Svcs	Junior Colleges	6112		P	P		P		P	S		P	P
61	Education Svcs	Colleges, Universities, and Professional Schools	6113		P	P		P		P	S		P	P
61	Education Svcs	Business Schools and Computer and Management Training	6114		P	P		P		P	S		P	P

61	Education Svcs	Technical and Trade Schools (i.e., cosmetology, real estate, truck driving, electronic)	6115		P	S		P		P	S		P	P
61	Education Svcs	Other Schools and Instruction (i.e., dance, music, photography, sports, language, exam preparation, automobile driving)	6116	P	P	P	P	P		P	S		P	P
61	Education Svcs	Educational Support Services (consultants, testing, guidance)	6117	P	P	P	P	P		P	S		P	P
62	Health & Social	Ambulatory Health Care Services (various health practitioners)	621	P	P	P	P	P		P	S	P	P	P
62	Health & Social	Hospitals	622			S		S		P	S		P	P
62	Health & Social	Nursing and Residential Care Facilities	623	S	S	S	S	S		S			P	P
62	Health & Social	Halfway Houses for ex-offenders	6239										S	S
62	Health & Social	Individual and Family Services	6241	P	P	P	P	P		P	S		P	P
62	Health & Social	Community Food and Housing, and Emergency and Other Relief	6242			P	P	P		S			P	P
62	Health & Social	Vocational Rehabilitation Services	6243	P	P	P	P	P		P	S		P	P
62	Health & Social	Child Day Care Services	6244	P	P	P	P	P		P	S		P	P
71	Entertain/Rec	Museums, Historical Sites, and Similar Institutions	712	P	P	P	P	P	P				P	P
71	Entertain/Rec	Performing Arts Companies	7111	P	P	P	P	P					P	P
71	Entertain/Rec	Promoters of Performing Arts, Sports, and Similar Events	7113	P	P	P	P	P		P	S		P	P
71	Entertain/Rec	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures	7114	P	P	P	P	P		P	S		P	P
71	Entertain/Rec	Independent Artists, Writers, and Performers	7115	P	P	P	P	P			S		P	P
71	Entertain/Rec	Amusement Arcades	71312	P	P	P	P	P			P	P	P	P
71	Entertain/Rec	Fitness and Recreational Sports Centers	71394	S	P	P	S	P	P			P	P	P
71	Entertain/Rec	Bowling Centers	71395	S	P	P	S	P	P		P	P	P	P
71	Entertain/Rec	All Other Amusement and Recreation Industries (i.e., archery, billiard, boat clubs, dance halls, miniature golf, amusement ride)	71399	S	P	S	S	P	P			P	P	P
72	Accommodation	Traveler Accommodation	7211	S	P	P	S	P	P	S	P	P	P	P
72	Accommodation	Full-Service Restaurants	7221	P	P	P	P	P	P	S	P	P	P	P
72	Accommodation	Limited-Service Eating Places	7222	S	P	P	P	P	P	S	P	P	P	P
72	Accommodation	Drinking Places (Alcoholic Beverages)	7224	S	P	P	S	P	P		P	S	P	P
72	Accommodation	Food Service Contractors (i.e., cafeteria contractors at hospitals, offices)	72231			S			P				P	P
72	Accommodation	Caterers	72232	S	S		P	P	P		P		P	P
72	Accommodation	Mobile Food Services	72233	S			S		P				P	P
81	Other Services	Electronic and Precision Equipment Repair and Maintenance (i.e., computers)	8112	P	P	P	P	P	P		P	S	P	P

81	Other Services	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113						P				P	P
81	Other Services	Personal Care Services (I.e., beauty & barber shops)	8121	P	P	P	P	P			P	P	P	P
81	Other Services	Death Care Services	8122	P	P	P	P	P	P				P	P
81	Other Services	Drycleaning and Laundry Services	8123	P	P	P	P	P	P		S	P	P	P
81	Other Services	Religious Organizations (Churches, etc.)	8131	P	P	P	P	P	P	P	S		P	P
81	Other Services	Grantmaking and Giving Services	8132	P	P	P	P	P		P	S		P	P
81	Other Services	Social Advocacy Organizations	8133	P	P	P	P	P		P	S		P	P
81	Other Services	Civic and Social Organizations	8134	P	P	P	P	P		P	S		P	P
81	Other Services	Business, Professional, Labor, Political, and Similar Organizations	8139	P	P	P	P	P	S	S	S		P	P
81	Other Services	Home and Garden Equipment and Appliance Repair and Maintenance	81141					S	P				P	P
81	Other Services	Reupholstery and Furniture Repair	81142	P	P	P	P	P	P				P	P
81	Other Services	Footwear and Leather Goods Repair	81143	P	P	P	P	P	P		P	P	P	P
81	Other Services	Other Personal and Household Goods Repair and Maintenance (I.e., garments, watches, jewelry, bicycles, recreational boats)	81149	P	P	P	P	P	P		P	P	P	P
81	Other Services	Pet Care (except Veterinary) Services (boarding, grooming, training)	81291	P	S	S	P	P	P			P	P	P
81	Other Services	Photofinishing	81292	P	P	P	P	P	P		P		P	P
81	Other Services	Parking Lots and Garages	81293	S	S	P	P	P	P	P	P	P	P	P
81	Other Services	All Other Personal Services (I.e., bail bonds, shoeshine, wedding planning, dating services)	81299	P	P	P	P	P		P	S	P	P	P
81	Other Services	Automotive Mechanical and Electrical Repair and Maintenance	811111			S		P	P		S		P	P
81	Other Services	Automotive Exhaust System Repair	811112			S		P	P		S		P	P
81	Other Services	Automotive Transmission Repair	811113			S		P	P				P	P
81	Other Services	Other Automotive Mechanical and Electrical Repair and Maintenance	811118			S		P	P		S		P	P
81	Other Services	Automotive Body, Paint, and Interior Repair and Maintenance	811121			S		P	P				P	P
81	Other Services	Automotive Glass Replacement Shops	811122			S		P	P				P	P
81	Other Services	Automotive Oil Change and Lubrication Shops	811191			S		P	P		S		P	P
81	Other Services	Car Washes	811192			S		P	P		S	S	P	P
81	Other Services	All Other Automotive Repair and Maintenance (I.e., tires, air conditioning, rust proofing)	811198			S		P	P		S		P	P
92	Public Admin	Executive, Legislative, and Other General Government Support	921			P				P	S		P	P
92	Public Admin	Administration of Human Resource Programs	923	P	P	P	P	P		P	S		P	P
92	Public Admin	Administration of Environmental Quality Programs	924	P	P	P	P	P		P	S		P	P

92	Public Admin	Administration of Housing Programs, Urban Planning, and Community Development	925	P	P	P	P	P		P	S		P	P
92	Public Admin	Administration of Economic Programs	926	P	P	P	P	P		P	S		P	P
92	Public Admin	Space Research and Technology	927			P		P		P	S		P	P
92	Public Admin	National Security and International Affairs	928			P		P		P	S		P	P
92	Public Admin	Courts	92211			P				P			P	P
92	Public Admin	Police Protection	92212	P	P	P	P	P	P		S		P	P
92	Public Admin	Legal Counsel and Prosecution	92213	P	P	P	P	P	P	P	S		P	P
92	Public Admin	Parole Offices and Probation Offices	92215	P	P	P	P	P		P	S	P	P	P
92	Public Admin	Fire Protection	92216	P	P	P	P	P	P	P	P		P	P
92	Public Admin	Other Justice, Public Order, and Safety Activities (I.e., emergency planning)	92219	P	P	P	P	P		P	S	P	P	P
44-45	Retail Trade	Furniture and Home Furnishings Stores	442	P	P	P		P	P		P	P	P	P
44-45	Retail Trade	Clothing and Clothing Accessories Stores	448	P	P	P	P	P			P	P	P	P
44-45	Retail Trade	Sporting Goods, Hobby, Book, and Music Stores	451	P	P	P	S	P	P		P	P	P	P
44-45	Retail Trade	Other Motor Vehicle Dealers (RV's, motorcycles, boats, recreational vehicles, etc.)	4412			P		P	P		S	P	P	P
44-45	Retail Trade	Beer, Wine, and Liquor Stores	4453		P	P		P	P	S	P	P	P	P
44-45	Retail Trade	Department Stores	4521		P	P		P	P		P	P	P	P
44-45	Retail Trade	Florists	4531	P	P	P	P	P	P		P	P	P	P
44-45	Retail Trade	Used Merchandise Stores	4533	P	P	P	P	P	P				P	P
44-45	Retail Trade	Electronic Shopping and Mail-Order Houses	4541			P		P	P				P	P
44-45	Retail Trade	Vending Machine Operators	4542						P				P	P
44-45	Retail Trade	New Car Dealers - Used car sales allowed on same zoning lot	44111					P	P		P	P	P	P
44-45	Retail Trade	Used Car Dealers	44112					P	P				P	P
44-45	Retail Trade	Automotive Parts and Accessories Stores	44131			P		P	P		P	P	P	P
44-45	Retail Trade	Tire Dealers	44132			S		P	P		S	P	P	P
44-45	Retail Trade	Appliance, Television, and Other Electronics Stores	44311	P	P	P		P	P		P	P	P	P
44-45	Retail Trade	Computer and Software Stores	44312	P	P	P	P	P			P	P	P	P
44-45	Retail Trade	Camera and Photographic Supplies Stores	44313	P	P	P	P	P	P		P	P	P	P
44-45	Retail Trade	Home Centers (home improvement centers)	44411			P		P	P		P	P	P	P
44-45	Retail Trade	Paint and Wallpaper Stores	44412		P	P	P	P	P		P	P	P	P
44-45	Retail Trade	Hardware Stores	44413	P	P	P	P	P	P		P	P	P	P

44-45	Retail Trade	Other Building Material Dealers (I.e., cabinet stores, floor coverings, lumber-retail, pre-fabricated buildings, glass)	44419			P		P	P		P	P	P
44-45	Retail Trade	Outdoor Power Equipment Stores	44421			P		P	P		P	P	P
44-45	Retail Trade	Nursery and Garden Centers	44422	S	S	S	P	P	P		P	P	P
44-45	Retail Trade	Supermarkets and Other Grocery (except Convenience) Stores	44511	P	P	P		P			P	P	P
44-45	Retail Trade	Convenience Stores	44512	P	P	P	P	P	P		P	P	P
44-45	Retail Trade	Meat Markets	44521	P	P	P	P	P	P			P	P
44-45	Retail Trade	Fish and Seafood Markets	44522	P	P	P	P	P	P			P	P
44-45	Retail Trade	Fruit and Vegetable Markets	44523	P	P	P	P	P	P			P	P
44-45	Retail Trade	Other Specialty Food Stores	44529	S	S	P	S	P	P			P	P
44-45	Retail Trade	Pharmacies and Drug Stores	44611	P	P	P	P	P		S	P	P	P
44-45	Retail Trade	Cosmetics, Beauty Supplies, and Perfume Stores	44612	P	P	P	P	P			P	P	P
44-45	Retail Trade	Optical Goods Stores	44613	P	P	P	P	P		S	P	P	P
44-45	Retail Trade	Other Health and Personal Care Stores (I.e., hearing aid, food supplements, convalescent supplies)	44619	P	P	P	P	P		S	P	P	P
44-45	Retail Trade	Gasoline Stations with Convenience Stores	44711	P	P	P	P	P	P	S	P	P	P
44-45	Retail Trade	Other Gasoline Stores	44719	P	P	P	P	P	P		P	P	P
44-45	Retail Trade	Warehouse Clubs and Superstores	45291					P	P		P	P	P
44-45	Retail Trade	All Other General Merchandise Stores (I.e., dollar stores, variety stores, home & auto supply stores)	45299	P	P	P	P	P	P		P	P	P
44-45	Retail Trade	Office Supplies, Stationery, and Gift Stores	45321	P	P	P	P	P		S	P	P	P
44-45	Retail Trade	Gift, Novelty, and Souvenir Stores	45322	P	P	P	P	P			P	P	P
44-45	Retail Trade	Pet and Pet Supplies Stores	45391	P	P	P	S	P	P		P	P	P
44-45	Retail Trade	Art Dealers	45392	P	P	P	P	P	P		P	P	P
44-45	Retail Trade	Manufactured (Mobile) Home Dealers	45393					S	P			P	P
44-45	Retail Trade	Fuel Dealers (I.e., thermogas)	45431						P			P	P
44-45	Retail Trade	Other Direct Selling Establishments (I.e., bottled water, frozen food, locker meat, party plan, coffee break supplies)	45439			S	S	P	P		S		P
44-45	Retail Trade	Tobacco Stores	453991	P	P	P	P	P	P		P	P	P
44-45	Retail Trade	All Other Miscellaneous Store Retailers (except Tobacco Stores) (I.e, art supply, cemetery, flower shops, auction houses, hot tub/swimming pools, trophy shops)	453998	P	P	P	P	P	P		P	P	P
48-49	Trans/Warehouse	Truck Transportation	484						P			P	P

48-49	Trans/Warehouse	Transit and Ground Transportation Passenger Transportation (including Vanpools)	485						P				P	P
48-49	Trans/Warehouse	Scenic and Sightseeing Transportation	487						P				P	P
48-49	Trans/Warehouse	Postal Service	491	S	S	S	S	P	P		P	P	P	P
48-49	Trans/Warehouse	Couriers and Messengers	492	P	P	P	P	P	P				P	P
48-49	Trans/Warehouse	Support Activities for Road Transportation (I.e., towing)	4884						P				P	P
48-49	Trans/Warehouse	General Warehousing and Storage	49311						P				P	P

*All uses not listed are permitted in the M1 and M2 Districts with a Special Use Permit.

