



PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, September 12, 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. Approval Of Minutes From 08/15/2019

Documents:

[081519_PZ_MIN.PDF](#)

3. Rezoning Discussion Of Parcel 8318-12-126-010 - City Property Along E. Southridge Road
Motion to set Public Hearing for Thursday, October 3, 2019

Documents:

[SOUTHRIDGE REZONING APPLICATION_2019.PDF](#)
[091219_PZ_MEMO_SOUTHRIDGE_REZONE.PDF](#)

4. Rezoning Discussion Of Parcels 8418-26-229-015, 8418-25-151-001 & 8418-25-101-002
From R-2 To M-2
Motion to set public hearing for Thursday, October 3, 2019

Documents:

[091219_PZ_MEMO_M2-EDGEWOOD EXT_REZONE.PDF](#)
[REZONING APPLICATION_M-2 - CITY.PDF](#)

2019 Proposed Meeting Schedule

10/3/19 11/14/19 12/12/19

Plan Zoning Commission

Meeting Minutes from August 15, 2019

Meeting location: City Council Chambers, 10 W. State Street, Marshalltown, IA 50158

Meeting time: 5:00 PM

1) Call to order and role call

Commission members present: Boston, Brodin, Buzbee, Eilers, Valbracht

Commission members absent: Bloomquist, Wittkop

2) Minutes From 07/18/19 Plan Zoning Commission Meeting

With no changes or corrections the minutes stand approved as distributed.

3) Review And Recommendation Of Special Use Permit Request From Child Abuse Prevention Services, Inc. For The Property At 306 S 17th Avenue

Linda Havelka – CAPS presented the Child Abuse and Prevention Services application for a Special use Permit. Havelka described that they do a lot of home visits and work in the school. They have about 15 employees that will use the parking lot and some street parking on occasion. There will not be a lot of high traffic mainly daytime hours.

Spohnheimer discussed that the property is zoned R-5 which allows for Office as a Special Use in the district and with the change in ownership it has to come back before the City for approval.

Valbracht moved to recommend approval to the Board of Adjustment on the application as presented. Second by Brodin. Motion Carried 5-0

4) PUBLIC HEARING And Recommendation On Zoning Ordinance Amendment Related To Special Uses In The RC, Regional Commercial District

Spohnheimer provided information on the request to amend the RC district to allow for the outside storage buildings as a Special Use Permit.

Randy Dickerson with U-HAUL presented their request to allow the amendment to the zoning which would allow for two building to be constructed and presented photos of other sites.

Boston declared the public hearing open.

Spohnheimer indicated that names would be called from the sign in list for comments.

Anna Wolvers, 213 Thomas Dr. – Has concerns as a resident nearby, parking of vehicles and lot maintenance, council voted no not favorable previously.

Connie - 302 S 16th Avenue – Expressed concern about the square footage.

Boston Closed the public hearing at 6:10

Valbracht moved to recommend approval of the request as presented. Second by Eilers. Motion Failed. 1 in favor - 4 opposed

5) PUBLIC HEARING And Recommendation To City Council On Zoning Ordinance Amendment Related To Special Uses In The M-2, Heavy Industry District

Spohnheimer provided information on the request to amend the M-2 district to allow for the livestock wholesale as a Special Use in the district. She indicated that additional written comments were received and posted with the agenda.

Adam Van Dike, Attorney for Parks of Iowa, presented information on the application request as a follow-up to the initial discussion. He wanted to address the 4 or 5 main concerns heard last month.

Oder – With hogs in and out there is a rightful concern. Explain project perception they are a hog farm which has pits, lagoons and liquefy manure. Parks does not do that. Facility is concrete use straw and sawdust to store and clean out manure. Roughly 600-700 head, cleaned out weekly, trucks haul away, not outside storage. Ottumwa mayor support not a problem. Proposing a SUP be allowed which would allow for conditions that have to be met and maintained. If problem pull SUP.

Truck traffic – estimate 12-15 trucks a day. Trucks already coming from/to JBS as another stop along the way.

Pest control – have to keep facility free of pests and rodents to keep hogs and employees safe. Random compliance checks by a 3rd party.

Flooding – Have a large detention pond, as for existing flooding site protected by levy. Building will be 36-46 inches above grade. Follow City requirements.

State permits – Not large enough to require State permits. Still have to adhere to local ordinances.

Location is ideal to JBS site. Please consider the two letters from the other Mayors as places that operate. Have been an asset to community. No complaints in either community.

Lawrence Parks – CEO – Parks Livestocks Companies.

Family owned business. Grew up in IL now live in SC. Grew up in the industry. 98 first buying facility in Iowa. Operate in multiple states. Operate high integrity business. Hog transfer station – in and out generally in a day, most do not stay overnight. Buy 500-700 a day. Understand the difference between CAFO and this facility. Dry bedding, no pits. Cleaned up a few times a week. Audits are voluntary don't have to do them. Opened up in Ellsworth 21 years, Ottumwa 13 years, hogs don't meet JBS spec get to maximize. Truck traffic come in drop off and go to JBS, some saving especially in efficiency to producers.

Eilers asked where nearest station currently is? Competitor west of town. Parks closest facility is in Ellsworth.

Eilers asked about the dead animal storage. Parks indicated it can be picked up as needed daily or by call. Site further to east. Storage on east edge

Boston declared the public hearing open.

Spohnheimer indicated that names would be called from the sign in list for comments.

LeLand Searles – 911 May St – former director of air quality council very familiar with state laws. Left job in 2011. Familiar with pollutants. Put more confidence in a door to door survey of residents more meaningful than mayor opinion. Toxic air qualities harder on young children and older adults may not be detectable by the nose. Study, school 1 mile away and 5 miles away. Children much higher rates at closer school of asthma and other illness. Woodbury school proximity. A lot of research out of NC as well. Been in confinements and facilities. Should not be so close to the edge of town. Bedding will reduce but not remove entirely. No state requirement for permitting. While winds may predominately carry pollutants away but would be still impact. Higher rates of illness and impact. Object to placement for public health reasons.

Mark Mitchell - 401 Orchard Dr. – 59 years resident worked at JBS 12 years. This project only bring a few jobs.

Janita Boyd – 809 Patterson Ln – Lived hear, left and moved back – would not like to add any more within City limits. Sat and watched intersection. Went to Sand Lake and Rc Flyers. Went in to 3 businesses and asked – all 3 hate to limit business but not proper business to be in City limits. Y should have opened bid, Parks may be a great business. Think about the hospital and leadership has failed. PZ your job to be thoughtful for people of the town

Mike Ladehoff – 407 N 15th Avenue – Letter submitted –M2 zone area, better to move it out of town. Many of the examples miles out of town. Bike trail and other recreation nearby impacted.

Maureen Gummert -Environmental concerns, question related location to residential areas. No faith in the community leaders.

Boston closed the Public Hearing at 5:52 for commission comments and discussion.

Leigh Bauder – Vision Marshalltown is this what we want for the future. Not with plans for the City.

Ken Buffington – Ask friend in Ottumwa if smells – yes. Live a few blocks away. – Wife works at lennox

Boston indicated that once again he was looking for a positive motion to act on and that their role was to make a recommendation to the Council and that the issue cannot end at the Commission level.

Valbracht moved to recommend approval of the request as presented. Second by Brodin. Motion Failed. 0 in favor - 5 opposed

6) PUBLIC HEARING And Recommendation On Rezoning Of 2821 E Main Street To M-2, Heavy Industry District

Spohnheimer indicated that this item is related to the previous request but specific to the rezoning of the proposed site. The zoning change is consistent with the Comprehensive Plan.

Eilers did ask if the current owner was wanting to move forward if the other item fails to move ahead. That was not known at this time.

Boston declared the public hearing open specific to the rezoning request.

No additional comments.

Public Hearing was Closed.

Valbracht moved to recommend approval of the request as presented. Second by Eilers. Motion Failed. 1 in favor - 4 opposed

Spohnheimer explained the next steps in the process will be for all three items to go to the City Council on August 26, 2019 as discussion items where the Council will be presented with all of the information received and recommendations from the Commission. The Council will be able to provide direction to the staff on how to proceed with the applications.

With no further business the meeting adjourned

Submitted by Michelle Spohnheimer

Housing & Community Development Director

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:

Parcel 8318-12-126-010

Owner:

City of Marshalltown

Mailing Address:

24 N Center Street

Phone:

641-754-5756

E-mail:

mspohnheimer@marshalltown-ia.gov

Current Zoning Classification:

R-2A

Current Use:

Vacant lot

Proposed Zoning Classification:

R-2

Proposed Use:

Single Family Residential/Street Connection

Please list the uses of surrounding properties:

Single Family Residential

Signature and Date:



09/10/2019



Recorded: 12/07/2018 at 10:38:56 AM

Amt: \$17.00

Page 1 of 2

Revenue Tax: \$140.80

Marshall County Iowa

Nan Benson County Recorder

File **2018-00006510**

\$140.80

\$17.00

WARRANTY DEED

Box * **Preparer & Return To:** James L. Goodman, 26 S 1st Ave. Suite 302, Marshalltown, IA 50158, 641-752-4271

Taxpayer: City Council of the City of Marshalltown, Iowa, 24 S. Center Street, Marshalltown, IA 50158

For the consideration of One Dollar(s) and other valuable consideration, **Joe A. Hunt and Diane M. Hunt, husband and wife** do hereby Convey to **the City Council of the City of Marshalltown, Iowa** the following described real estate in **MARSHALL** County, Iowa:

Parcel "B" in the Northeast Quarter of the Northwest Quarter of Section 12, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa, as shown in Plat of Survey recorded in Document No. 2018-00005993 of the records of the Auditor/Recorder's Office, Marshall County, Iowa.

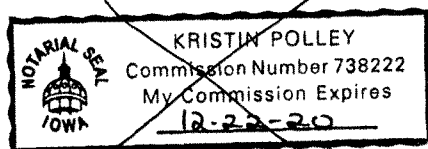
Grantors do Hereby Covenant with Grantee, and successors in interest, that Grantors holds the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and Grantors Covenants to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: December 6th, 2018

x Joe A. Hunt
Joe A. Hunt, Grantor

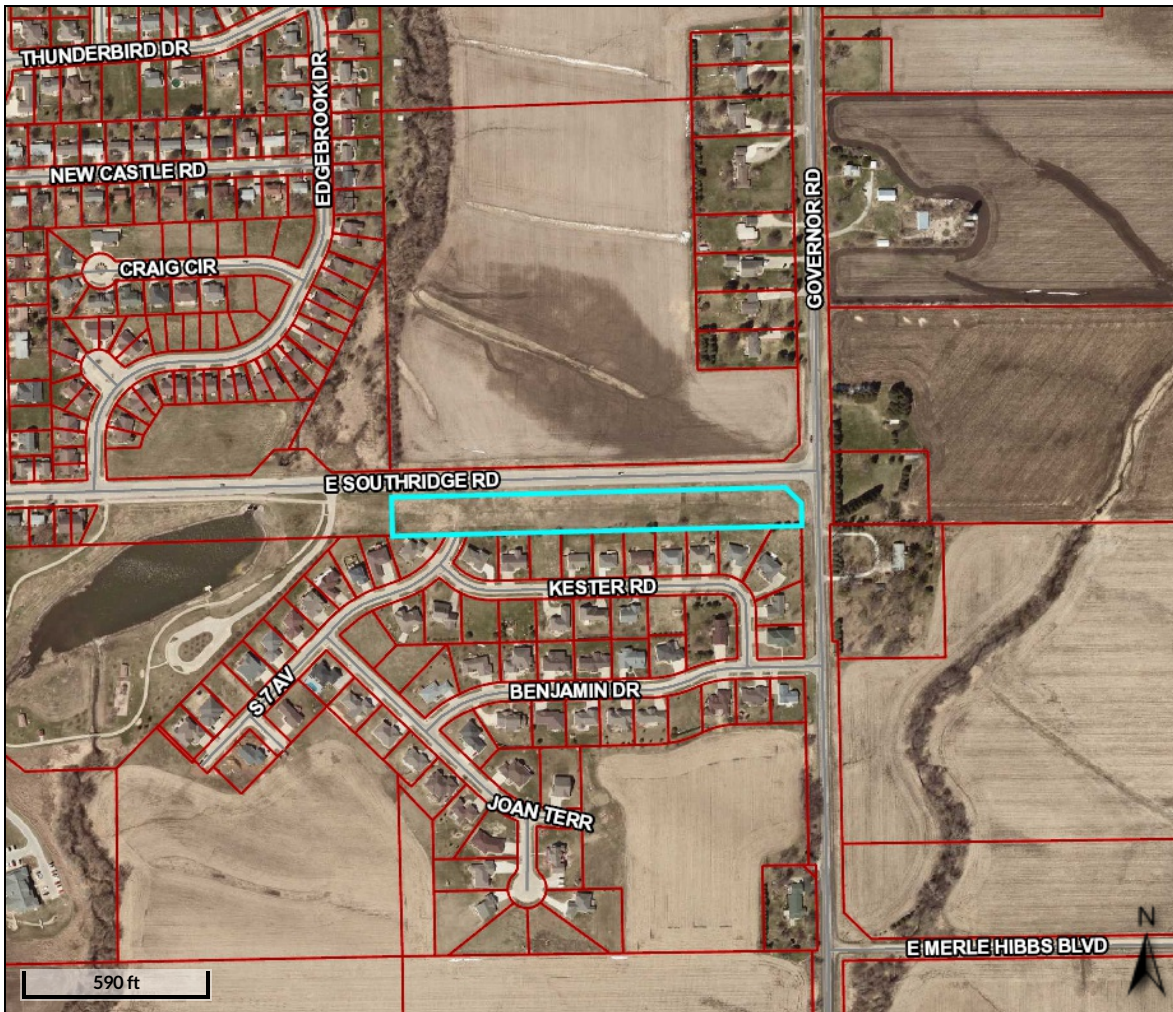
x Diane M. Hunt
Diane M. Hunt, Grantor



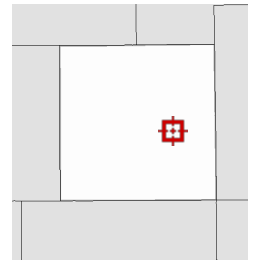


Beacon™

Marshall County, IA



Overview



Legend

- Parcels
- Corporate Limits
- Roads
- Major Highways**
 - U.S. Hwy 30
 - Hwy 330
 - State Paved

Parcel ID	8318-12-126-010	Alternate ID	n/a	Owner Address	CITY OF MARSHALLTOWN	Last 2 Sales Date	Price	Reason	Qual
Sec/Twp/Rng	12-83-18	Class	EXEMPT		24 N CENTER ST	12/6/2018	\$88500	Sale to/by Government/Exempt Organization	U
Property Address		Acreage	3.44		MARSHALLTOWN, IA 50158	1/14/2014	0	Exchange, trade, gift, transfer from Estate (Including 1031 Exchanges)	U
District	450800-MTOWN CITY MC								
Brief	PARCEL B NE NW								
Tax Description	(Note: Not to be used on legal documents)								

Date created: 9/10/2019

Last Data Uploaded: 9/10/2019 7:30:04 AM

Developed by  Schneider GEOSPATIAL

MARSHALLTOWN

IOWA

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director *MS*

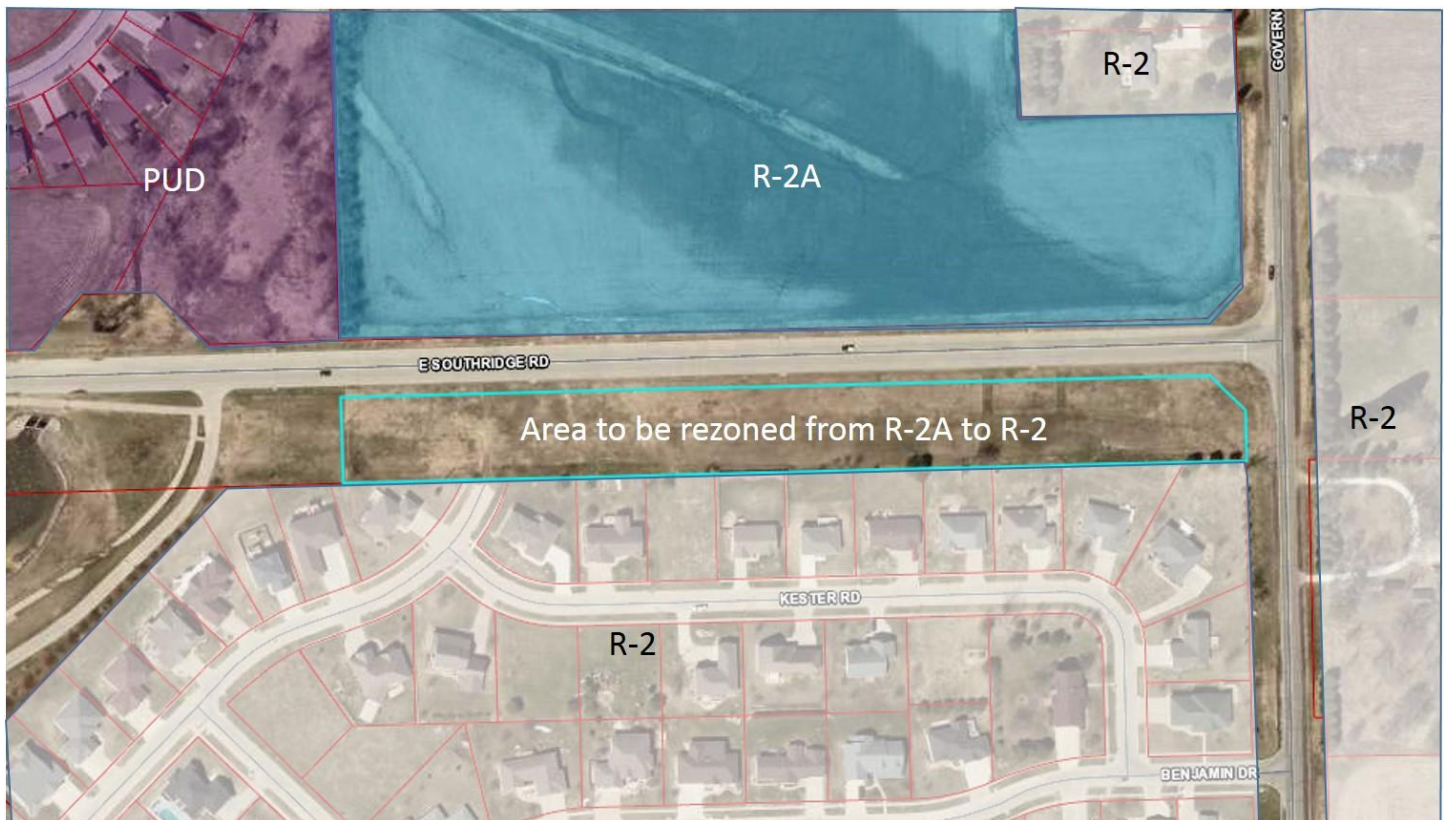
DATE: September 12, 2019 – Meeting Date

Rezoning Request:

FROM: City of Marshalltown

SUBJECT: PIN 8318-12-126-010 – Rezone from R-2A to R-2

The City recently purchased the property along the south side of E. Southridge Road just north of Cross Country Estates. The purpose of the acquisition was to allow for the installation of a second public access to the Cross Country Estates Development. The Council has discussed subdividing the property and rezoning the land to R-2 to allow for single family detached dwellings only. The property is currently zoned R-2A which also allows for duplexes. The change is consistent with the Comprehensive Plan related to land use which has the entire area shown as low density residential.



Recommendation: This is the initial discussion on this proposal. The Commission should make a motion to set a public hearing at a Plan Zoning Commission meeting for Thursday, **October 3, 2019**.

Following a public hearing, the Commission may make a recommendation to the City Council for three readings and a public hearing at the Council level.

— I O W A —

FROM: Michelle Spohnheimer, Housing & Community Development Director *MS*

Rezoning Request:

SUBJECT: PIN 8418-26-229-015, 8418-25-151-001 & 8418-25-101-002 – Rezone from R-2 to M-2

R-2

Area to be rezoned from R-2 to M-2

R-2

M-1

R-4

M-2

R-3

M-2

Following a public hearing, the Commission may make a recommendation to the City Council for three readings and a public hearing at the Council level.

Date Submitted & Fee Paid: _____

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_____ **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:

8418-26-229-015, 8418-25-151-001 & 8418-25-101-002

Owner:

City of Marshalltown

Mailing Address:

24 N. Center Street

Phone:

641-754-5756

E-mail:

mspohnheimer@marshalltown-ia.gov

Current Zoning Classification:

R-2

Current Use:

Ag Land

Proposed Zoning Classification:

M-2

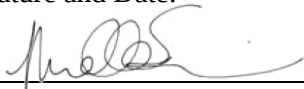
Proposed Use:

Commercial/Industrial Uses

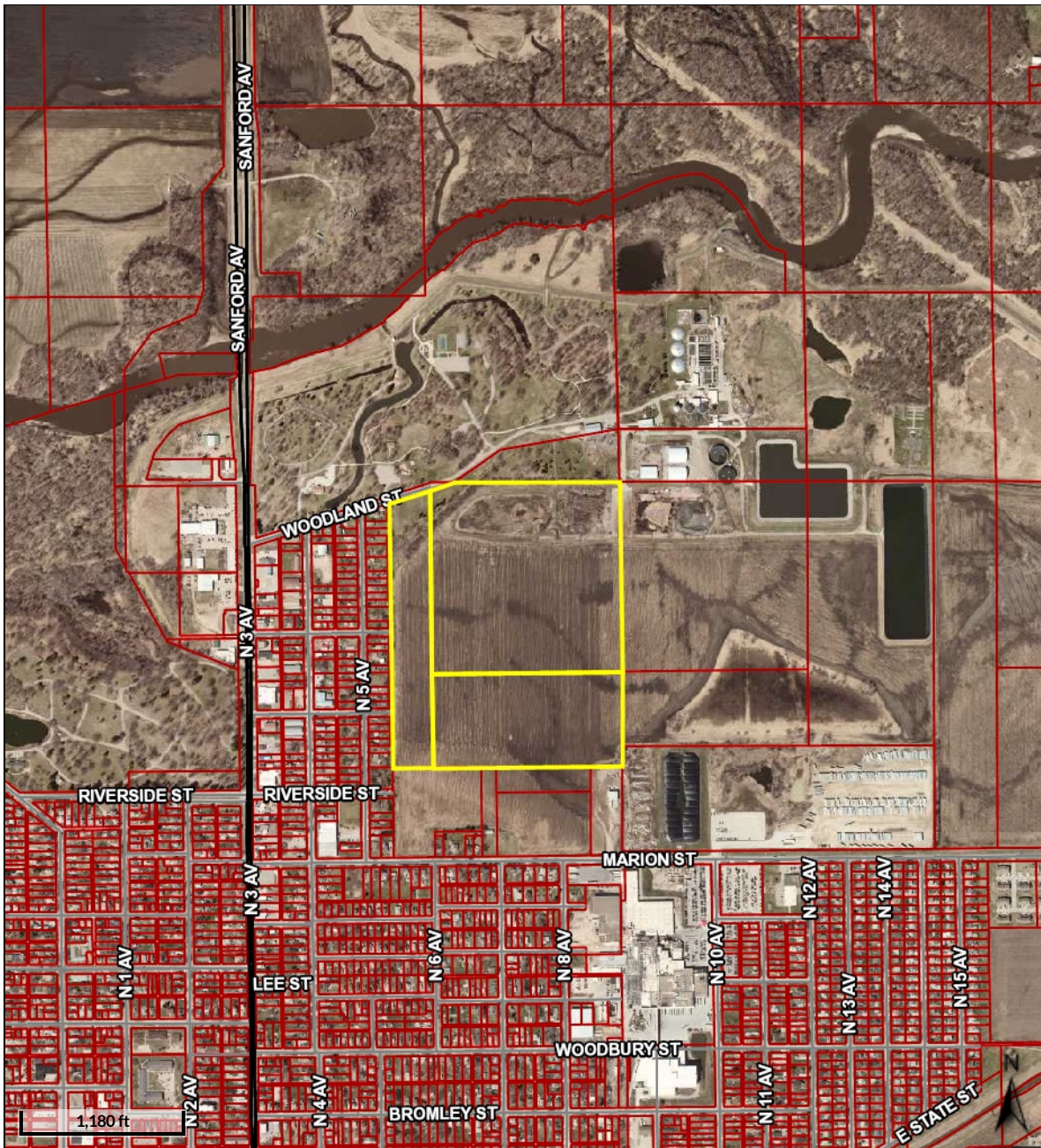
Please list the uses of surrounding properties:

Mix of residential and industrial primarily. The Water Pollution Control Plant and Compost facility are to the North.

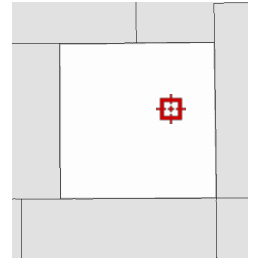
Signature and Date:



09/10/19



Overview



Legend

-  Parcels
-  Corporate Limits
-  Roads
- Major Highways**
 -  U.S. Hwy 30
 -  Hwy 330
 -  State Paved

Date created: 9/10/2019
Last Data Uploaded: 9/10/2019 7:30:04 AM

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