



PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, September 17, 2020 at 5:00 PM
10 W. State Street - Council Chambers

Planning & Zoning Commission
Thu, Sep 17, 2020 5:00 PM - 6:00 PM (CDT)

Please join my meeting from your computer, tablet or smartphone.

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Access Code: 945-348-669

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1. Call To Order & Roll Call

Vacant
Boston
Brodin
Eilers
Medina
Valbracht
Wittkop

2. Minutes From March 12 And September 10 Meeting

Documents:

[031220_PZ_MIN.PDF](#)
[091020_PZ_MIN.PDF](#)

3. Public Hearing: Rezone E Southridge

Documents:

[5761 LOT 1 LEGAL DESC.PDF](#)
[E SOUTHRIDGE ST - MAP.PDF](#)
[REZONING APPLICATION E SOUTHRIDGE ST.PDF](#)
[0917202_PZ_MEMO_E SOUTHRIDGE_REZONE.PDF](#)

4. Special Use Permit: 713 S 12th St

Documents:

[SITE PLAN.PDF](#)
[LEGAL DESCRIPTION 713 S 12TH ST.PDF](#)
[TR LITTLE SCHOLARS LEARNING CENTER.PDF](#)
[0917202_PZ_MEMO_713 S 12TH ST.PDF](#)
[SPECIAL USE PERMIT.PDF](#)

MISSION STATEMENT

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant and growing community.

Plan Zoning Commission

Meeting Minutes from March 12, 2020

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

Meeting time: 5:00 PM

1) Call to order and roll call

Commission members present: Bloomquist, Brodin, Eilers, Valbracht, Wittkop

Commission members absent: Boston, Buzbee

2) Minutes from February 12th Meeting

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

3) Merle Hibbs West Final Plat Modifications

Knutson: Since what was originally approved, and passed is going to be different than what will be built. You will need to review and recommend to send back to Council.

Valbracht: just one Foot?

Blum: Changes to boundary lines. Changes to lot width.

Valbracht: Any other questions? Comments from public?

Brodin: Motion to recommend Final Plat Modifications

Eilers: Seconded

All voted in favor.

4) Review of Map and Discussion

Rose Schroder: Presentation, and explanation of the Map

Eilers: Three total?

Valbracht: Rose: do you see an issue omitting these.

Schroder: Pro's & Con's. Better to omit them. Could justify removing. Recommend omitting over, creating an overlay.

Eilers: Worried removing all industrial will snowball.

Schroder: Use legal description for industrial.

Valbracht: prefer to do this all at once. In favor in omitting these specific industrial properties. In favor of public hearing to get the ball rolling.

Brodin: In favor of omitting.

Bloomquist: Favor of doing this

Schroder: some of the lots that are zoned industrial are vacant or city owned

Valbracht: in favor what you have. Any more questions?

Eilers: Motion a public hearing for potential rezoning April 16th at 5 PM. And on the new Mixed-Use ordinance language.

Brodin: Second

Motion Passes, all in Favor

Meeting adjourned at 5:19 pm.

Plan Zoning Commission

Meeting Minutes from September 9, 2020

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

Meeting time: 12:00 PM

1) Call to order and roll call

Commission members present: Boston, Brodin, Eilers, Medina, Valbracht, Wittkop

Commission members absent: None

2) Rezone Request Initial Discussion Introduction

Knutson: Rezoning presentation on behalf of the City of Marshalltown. The city of Marshalltown would like to rezone Lot 1 E Southridge Road from PUD to R-A2

Boston: Makes perfect sense

Valbracht: Motion to set a hearing for September 17

Boston: Seconded.

All Commission members voted in favor. Motion passed 6-0.

Meeting adjourned at 12:13 pm.

LOT 1
MARSHALL COUNTY

DESCRIPTION

LOT 1 LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5th P.M., MARSHALL COUNTY, IOWA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE, S88°25'07"W 155.36' ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE, N1°24'04"W 119.83' TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST SOUTHRIDGE ROAD; THENCE, N88°21'58"E 155.36' ALONG SAID SOUTH RIGHT OF WAY LINE TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE, S1°24'04"E 119.97' ALONG SAID EAST LINE TO THE POINT OF BEGINNING, CONTAINING 0.43 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.



MARSHALLTOWN

— I O W A —

HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT

36 North Center Street, Marshalltown, IA 50158

Ph: 641-754-5756 Fax: 641-754-5742

www.marshalltown-ia.gov

Rezoning Request Application Packet

Application: Applications will not be accepted unless complete. All required items must be submitted with the 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.

Notifications: The City will place a sign on the property to notify the public that a rezoning request has been submitted. The sign includes the city's phone number so that concerned individuals will have an opportunity to learn about the proposal and can present information on this matter to the Commission and/or Council at the public hearing. A notice of public hearing is also published in the newspaper.

1. The burden of providing sufficient evidence to make the applicant's case shall be on the applicant in all cases.
2. The rezoning request must be considered by the Plan Zoning Commission and the City Council. Contact the Housing & Community Development Director for a schedule of the upcoming meetings. Please note the deadline dates for each meeting. The commission will review the request at a regularly scheduled meeting at least once prior to the public hearing. A public hearing must be held by the commission prior to making a recommendation to the City Council. The Plan Zoning Commission meets in the City Council Chambers at City Hall at 5:00 PM on the Thursday following the first Council meeting of the month.
3. The Marshalltown City Council meets on the 2nd and 4th Mondays of the month at 5:30 p.m. in the City Hall Council Chambers. According to Iowa Code, the rezoning requires three readings and a public hearing.
4. Under optimum conditions it takes about 4-6 months to rezone property if the issue is not controversial. Larger projects may require additional time.
5. Applicants are encouraged to provide all applicable information as early as possible to facilitate the process.

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:

See legal description

Owner:

City of Marshalltown

Mailing Address:

24 N Center Street

Phone:

641-754-5756

E-mail:

mspohnheimer@marshalltown-ia.gov

Current Zoning Classification:

PUD

Current Use:

vacant land

Proposed Zoning Classification:

R-2A

Proposed Use:

housing

Please list the uses of surrounding properties:

park and housing

Signature and Date:



09/02/2020

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MARSHALLTOWN

— I O W A —

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: September 17th – Meeting Date

Rezoning Request – Public Hearing

FROM: City of Marshalltown

SUBJECT: Lot 1 (no address, no Parcel ID)– Rezone to R-2A, Low Density Residential

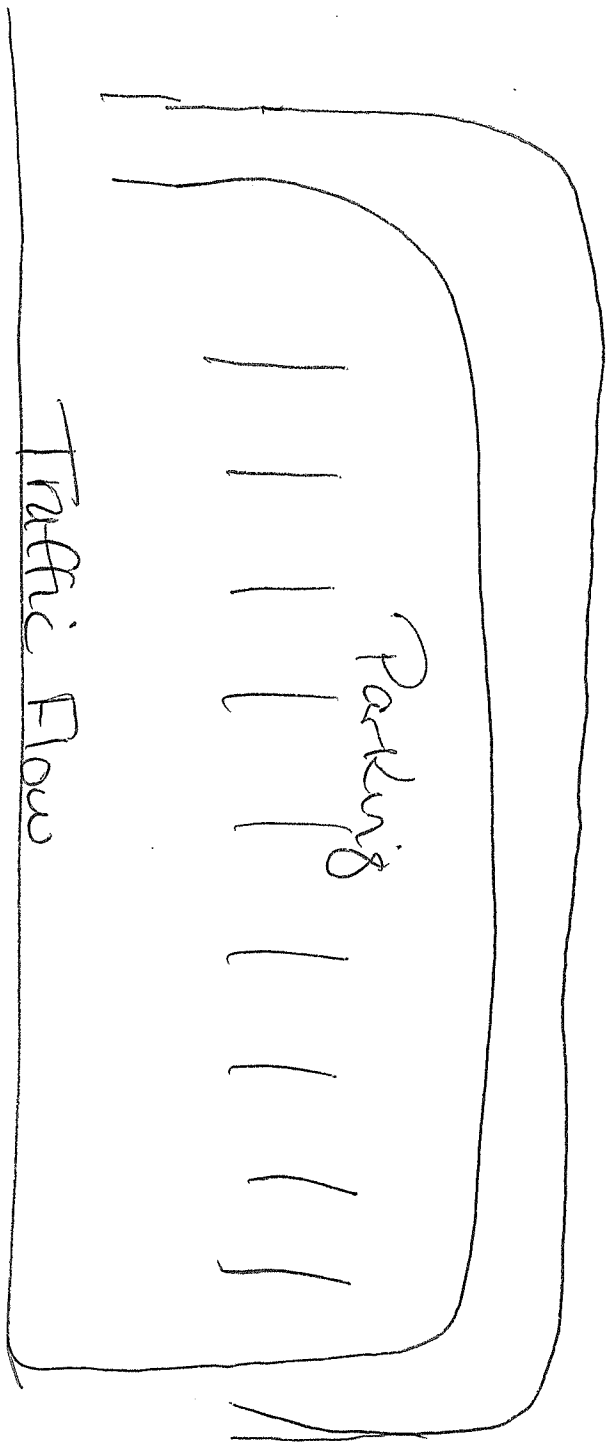
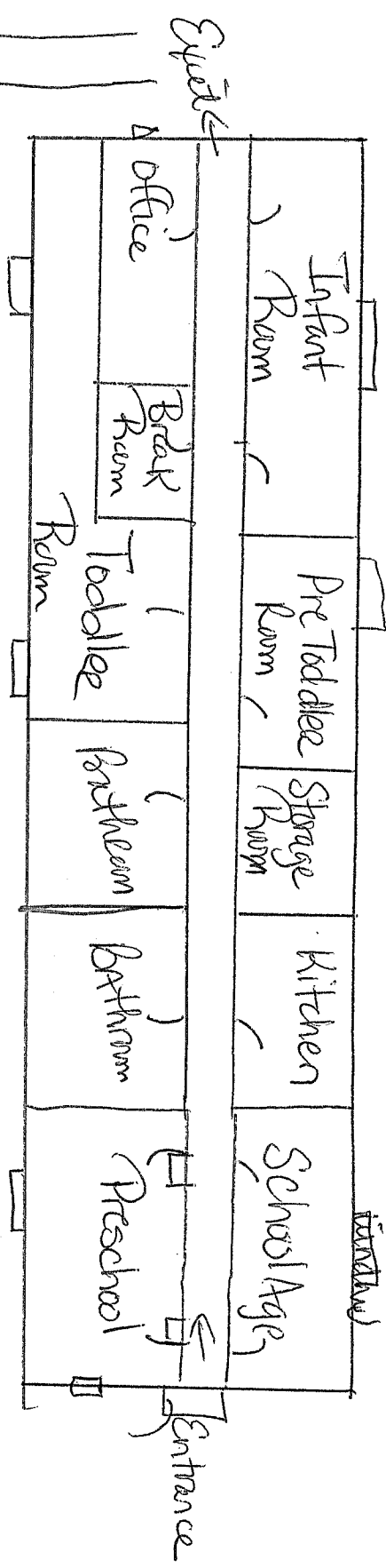
Lot 1 is currently owned by the City of Marshalltown, and is zoned as Planned Unit Development. Rezoning to R-2A would ensure consistency that Lot 1 and the other parcel in the same zoning category. The City of Marshalltown is selling these parcels to a developer; that plans to develop for housing. City Council has accepted an offer on this property. The process is currently in the due diligence stage.



Recommendation: The Plan Zone Commission to make a recommendation to City Council on this rezoning request.

Housing & Community Development
36 North Center Street, Marshalltown, IA 50158
Tel. (641) 754-6583 - Fax (641) 754-5742

784-5642



1 Staff
Parking

Office

- Five - go to Church
- Tornado - CACFP
- Split up to help others

Kenneith and Eldora Perry

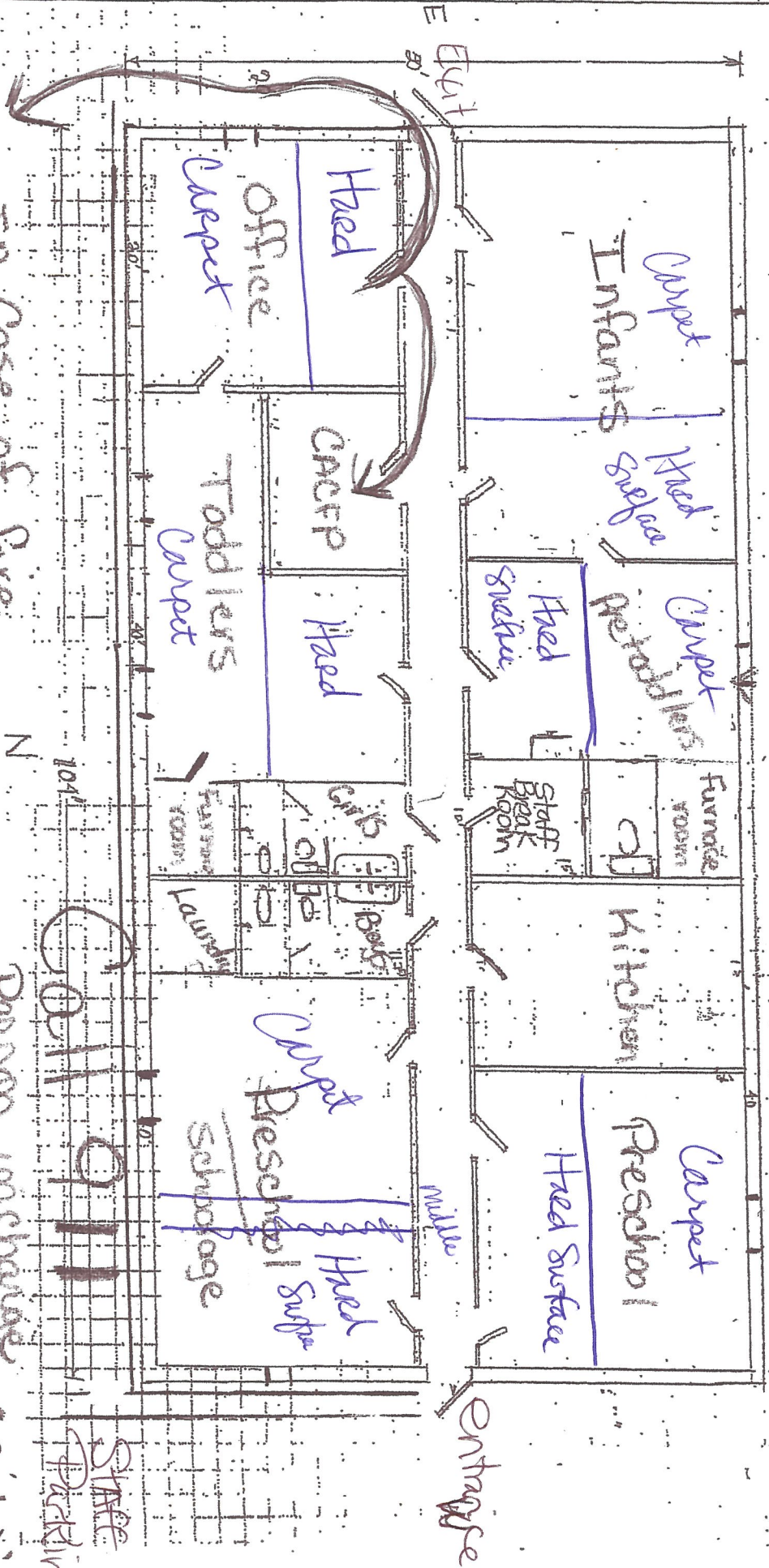
1209 W. Mason

641-752XXXX

ESCAPE Route

House

Directly in back of Pretoddlers in case of in truder



In Case of Fire go to Church

Parents pick up on 12th St.

Person in charge
• Call Gene Hughes (Bishop)
• Take emergency file
• Call parents if necessary

STAFF PARKING

RUTHERFORD & BIDWELL LAW OFFICE

106A SOUTH 1ST AVENUE
MARSHALLTOWN, IA 50158

Bradley J. Rutherford
Eric R. Bidwell
Attorneys at Law

Phone: (641) 753-3648
Fax: (641) 753-0731

Writer's email - ebidwell@iabar.org
www.rutherfordbidwell.com

November 1, 2017

GNB Bank
Attention: Rob Shiek
2504 S. 2nd Street
Marshalltown IA 5015

Re: Preliminary Title Opinion
Buckaroo, LLC Purchase
713 South 12th Street
Marshalltown IA 50158

Dear Lender:

This is to certify that I have examined the abstract of title in one part as last certified by the Evans Abstract Company to October 17, 2017 at 8:00 A. M. covering the following described real estate to-wit:

The West 623.1 feet of the East 653.1 feet of the South 270.0 feet of the North 1026.51 feet of the Northeast Quarter of the Southwest Quarter of Section Thirty-four in Township Eighty-Four North, Range Eighteen West of the Fifth P. M., Marshall County, Iowa except the East 173.0 feet of the South 210.0 feet thereof; subject to an easement for road purposes across the North Sixty feet thereof as contained in deed recorded in Book B-9, Page 237 of the records of the Recorder's Office of Marshall County, Iowa.

The root title for this examination is a Warranty Deed filed September 18, 1956, dated September 17, 1956 and recorded in Book B-6, Page 78 in the office of the Recorder of Marshall County, Iowa.

There has been a continuous and unbroken chain of title to this real estate from said date to October 17, 2017 at 8:00 A. M. as last certified and the abstract as submitted qualifies as a 40 Year Marketable Title abstract.

Times-Republican

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Little Scholars Learning Center expanding to Marshalltown

TODAYS NEWS

AUG 31, 2020

NOAH ROHLFING

T-R Assistant Sports Editor

nrohlfing@timesrepublican.com

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T-R FILE PHOTO - Little Scholars Learning Center owners Lisa and Mike Hines of Conrad, in a photo taken during the Conrad location's opening in 2019.

Little Scholars Learning Center Director Lisa Hines has had a busy week of interviews.

The preschool, toddler and infant care center is expanding

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from its original location and base in Conrad to Marshalltown. Little Scholars will be located at Bright Beginnings preschool location, 713 S. 12th St. and will provide childcare and education to an area Hines says has a great need.

The Conrad location will continue to operate as normal.

“We were looking to expand into Marshalltown,” Hines said. “We knew Bright Beginnings was having problems. When they said they weren’t going to open for the year, we got a call from the owners asking if we wanted a tour of their site. That was our opportunity to expand.”

After starting small in Conrad and reaching 55 students, the time came to move, and Hines said the company is in the process of finishing up big changes to the interior of the building. She said everything received a fresh coat of paint and the interior rooms will all have new carpets.

Hines said they have added windows to the classroom doors so they can see what’s going on. Not all of the renovations are fully complete, and she said it’s not yet ready for promotion photos, but she is happy with how the building will look when it’s done.

The location was lucky to escape damage from the derecho. Hines he said there was not even debris damage for them to deal with, but power outages set them back.

Missing out on a full week of work, Little Scholars was forced to push the opening date back for the location to Sept. 14.

But when it does open, Hines said the location will have plenty to offer Marshalltown parents and children.

“We offer a balanced schedule of active and calm, age-appropriate activities each day,” she said. “These activities include math, science, music, reading, fine and gross motor development, as well as fine arts, social studies,

and special projects. Weekly character-building skills will set your scholar apart. We believe every child has the right to a quality childcare program without regard to social or economic standing.”

Hines praised the city of Marshalltown’s response to their intentions to open in town. She is planning to have 15 staff members at the location and is hoping to have all new staff hired and trained before the opening of the building to customers. She said the location also intends to do Child Care Assistance, so there could be different staff for that.

Parents interested in sending their kids to the preschool can apply online, and Hines said there is around 20 kids signed up for the first year of preschool. The school will have a capacity of 75 children.

Hines said it is a learning experience for the staff just as much as it is for the children.

“We have a really good culture going on in Conrad, and I’m excited to bring it to Marshalltown,” Hines said. “We went with Little Scholars Learning Center because we wanted to make it clear that everyone can keep learning.”

Contact Noah Rohlfing at 641-753-6611 or nrohlfing@timesrepublican.com.

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Food giveaways continue in Marshalltown



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Times-Republican



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MARSHALLTOWN

— I O W A —

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: September 17th – Meeting Date

712 S 12th St

FROM: Little Scholars Learning Center

SUBJECT: Special Use Permit

Little Scholars preschool has moved into 502 S 12th St, where Bright Beginnings use to operate. The location is currently zoned R-2, where educational uses require a Special Use Permit. Bright Beginnings was granted a Special Use Permit. Special Use Permits nontransferable; a new business must apply for a special use.

Recommendation: The Plan Zone Commission to make a recommendation to Board of Adjustment

DATE SUBMITTED & FEE PAID: _____
HEARING DATE: _____



BOARD OF ADJUSTMENT

Special Use & Home Occupation Special Use Permit Application

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

All items listed must be submitted with this application:

_____ **A site plan, drawn in ink to scale.** This site plan shall not be larger than 11" X 17."

_____ **Any other applicable drawings or diagrams.** Home Occupation Special use permits must submit a floor plan diagram.

_____ **Application fee.** A \$300 fee is required for a special use request (\$150 for a Home Occupation Special Use request). Make check payable to "City of Marshalltown." The fee must be paid when the application is submitted to the Housing Department.

_____ **Legal description of the property.** The property owner should have a copy of the legal description of the property. *Please note that the tax description on the Marshall County assessor's webpage is NOT the legal description.* The legal description is listed on the property's abstract or owners may obtain a copy of the recorded deed from the Marshall County Recorder's Office for a fee.

It is the burden of the applicant to provide sufficient facts with this application and at the Board of Adjustment meeting to support a finding that all the standards for approval have been met. For all special use requests, with the exception of a Home Occupation Special Use request, the Plan & Zoning Commission shall first review the proposal and make a recommendation to the Board of Adjustment.

Attendance at all meetings is required.

Please type or print legibly in ink.

Property Address: 713 S. 12th St. Marshalltown, Ia. 50158

Owner: Lisa Hines

Mailing Address: P.O. Box 446 Conrad, Ia. 50621

Phone: (641) 328-4962

Email: lsic@heartofiowa.net

Owner's Agent (if applicable):

Agent Address:

Agent Phone:

Agent Email:

The board will use this information to review your request. Please attach any additional supporting information. If you have any questions, please contact the Zoning Department at 754-5756.

Please describe the request and what justification there is for the proposal. Attach additional pages if necessary. If applicable, please provide a description of the business or use, discuss any signage to be used, and parking issues.

Owner/Agent Signature: Lisa Hines

Date: 9-15-20