



PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, April 15, 2021 at 5:00 PM
10 W. State Street - Council Chambers

Planning & Zoning Commission
Thu, Apr 15, 2021 5:00 PM - 6:00 PM (CDT)

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

<https://global.gotomeeting.com/join/596221133>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (872) 240-3212
- One-touch: tel:+18722403212,,596221133#

Access Code: 596-221-133

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/596221133>

1. Call To Order & Roll Call

Boston
Brodin
Eilers
Gruendler
Medina
Valbracht
Wittkop

2. Minutes From March 11 Meeting

Documents:

[03112021_PZ_MIN.PDF](#)

3. Special Use Permit: 2102 S 5th Ave Review & Recommendation To Board Of Adjustment

Documents:

[MARSHALLTOWN RCF CONSTRUCTION PLAN.PDF](#)

MARSHALLTOWN RCF SITE PLAN.PDF
MARSHALLTOWN RCF SPECIAL USE PERMIT APPLICATION EXECUTED.PDF
04152021_PZ__MEMO_SUP_2102 S 5TH AVE.PDF

4. Preliminary Plat- Viejo Bluffs Review & Recommendation To City Council

Documents:

VIEJO BLUFFS PP.PDF
04152021_PZ_MEMO_VIEJO BLUFFS_PRELIM PLAT.PDF

5. Final Plat Viejo Bluffs Review & Recommendation To City Council

Documents:

VIEJO BLUFFS FP-REVISED.PDF
04152021_PZ_MEMO_VIEJO BLUFFS_FINAL PLAT.PDF

6. Rezone Request: 8318-01-305-005 Review & Set Public Hearing

Documents:

04152021_PZ__MEMO_REZONE 8318-01-305-005.PDF
REZONE APPLICATION.PDF
LEGAL DESCRIPTION.PDF

MISSION STATEMENT

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

Plan Zoning Commission

Meeting Minutes from March 11, 2021

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

Meeting time: 5 PM

1) Call to order and roll call

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

Commission members absent: Medina,

2) Mins

Accepted with corrections made to date.

3) Edgewood Industrial Park Preliminary Plat

Staff: Background, RISE funding.

Boston: Recommend to City.

Valbracht: recommend

Eilers: 2nd

Gary Thompson:

Boston: This is a Preliminary Plat

Gary Thompson: Size? Number of lots?

Kinser: 50% of the lots must be industrial

All Commissioners voted in favor

4) Preliminary Plat- Glenwood Park 8th Addition-CORRECTION 7th Addition

Staff: background

Boston: set back changes?

Staff: No

Trent Smith (McClure): realignment to be closer to original master plan.

MS: recommend to Council

Valbracht: Recommend to Council

Eilers: 2nd

All members voted in favor.

5) Glenwood Park 8th Addition PUD Master Plan Amendment- CORRECTION 7th Addition

Staff: Background

Valbracht: recommend

Eilers: 2nd

All Commissioners voted in favor

6) Urban Renewal Area #6

Kinser: Background
Eilers: Ownership?
MS: Multiple owners.
Valbracht: recommend
Eilers: 2nd
All Commissioners voted in favor

7) Public Hearing Traditional Neighborhood Zoning Amendment

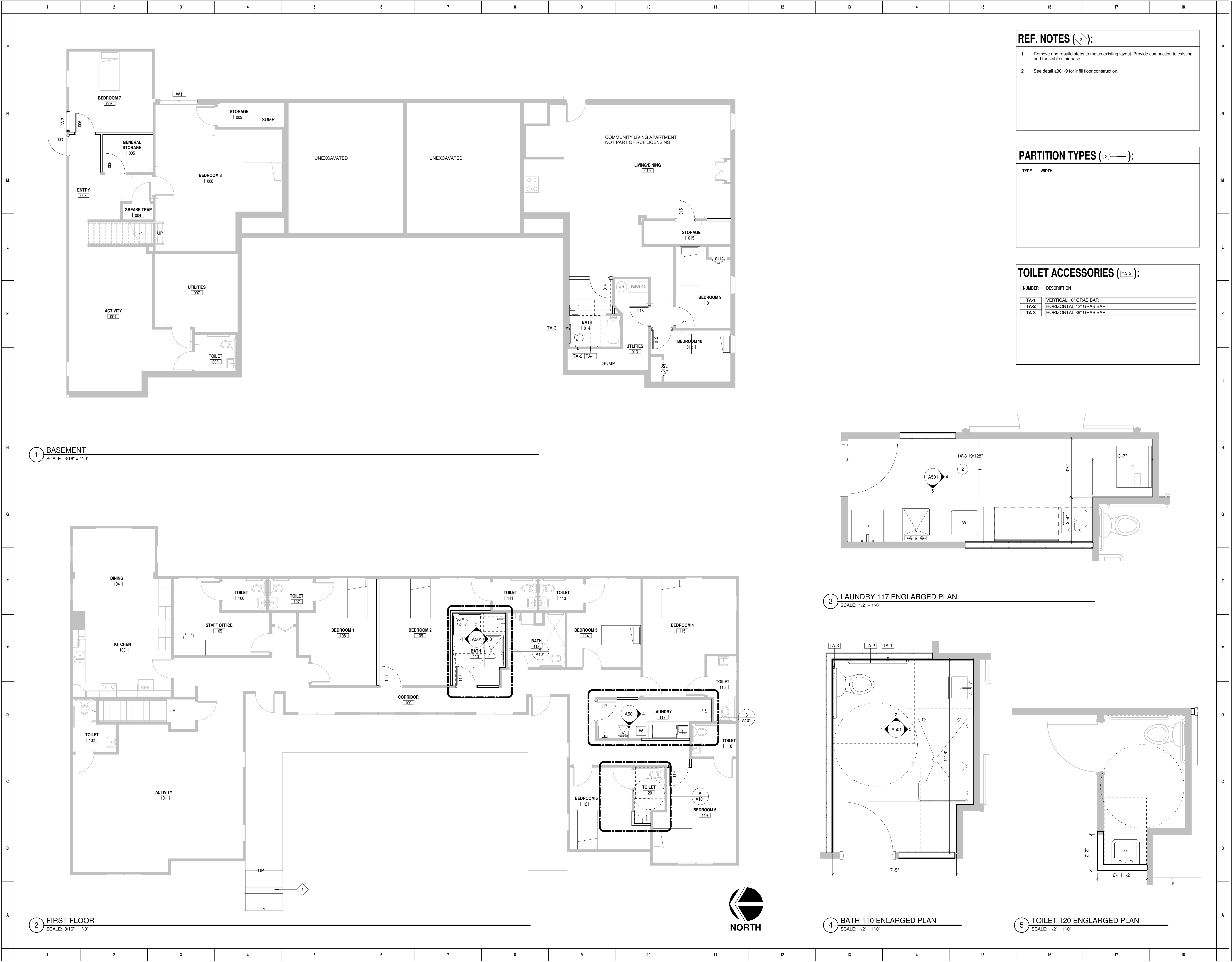
Staff: Back ground
Boston: Other adjustments?
MS: Zoning code update we will see changes.
Eilers: Temporary fix?
MS: Correct
Valbracht: recommend
Eilers: 2nd
All Commissioners voted in favor

8) Public Hearing Rezone Request: 412 E Merle Hibbs BLVD- Correction 421 E Merle Hibbs BLVD (Parcel 8318-11-426-011)

Staff: Background.
Boston: Appropriate change
Gary Thompson: Address change of parcel?
MS: Staff made a mistake on designating the parcel with the numeric address value. It has been corrected. Parcel number has not changed.
Valbracht: recommend
Eilers: 2nd
All Commissioners voted in favor

Meeting adjourned at 5:32 pm.

C:\Users\jduckett\Documents\08098001_ARCH_R20_OPTIMAE\MARSHALLTOWN_iduckett.rvt
2/1/2021 9:49:34 AM



Optimae LifeServices

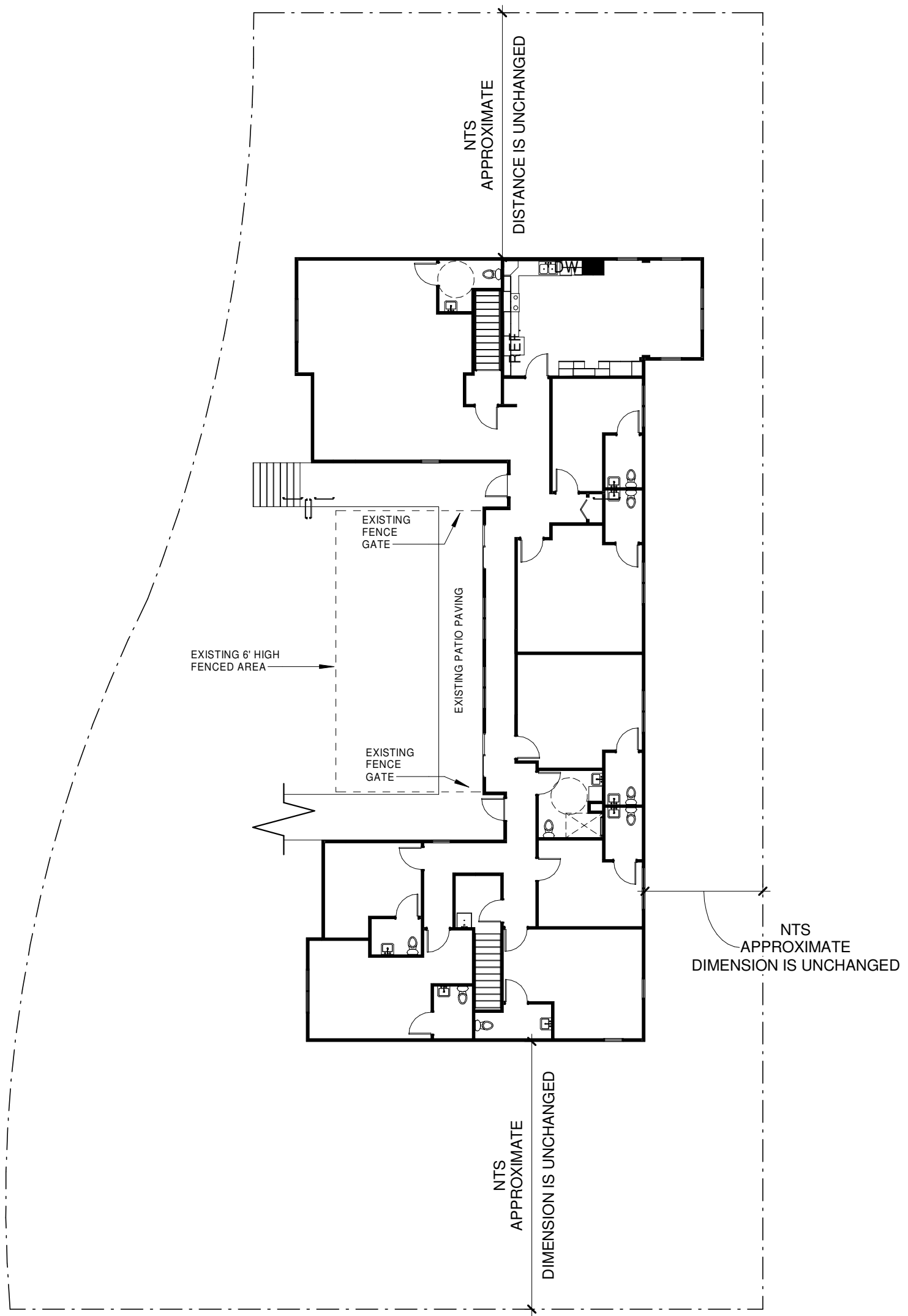
2102 S. 5TH AVENUE, MARSHALLTOWN
2102 S. 5TH AVENUE
MARSHALLTOWN, IOWA 50158
FLOOR PLANS, ENLARGED PLANS, FIRE
PROTECTION PLANS, TOILET PLANS

PROJECT NO.: 08098.001

A101

SCHEMMER
Design with Purpose. Build with Confidence.

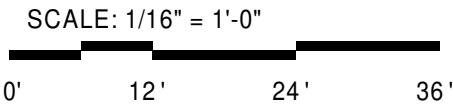
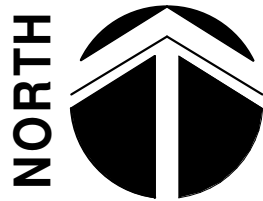
PRELIM - NOT FOR
CONSTRUCTION



NOTE: ALL INFORMATION ON THIS SITE PLAN IS INTENDED TO SHOW EXISTING CONDITIONS. THERE ARE NO INTENDED CHANGES TO THE EXISTING EXTERIOR CONDITIONS TO THIS SITE FOR THIS SPECIAL USE PERMIT APPLICATION.

MARCH 24, 2021

OPTIMAE LIFESERVICES
2102 S. 5TH AVENUE, MARSHALLTOWN, IOWA
SITE DIAGRAM
08098.001



SCHEMMER
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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.

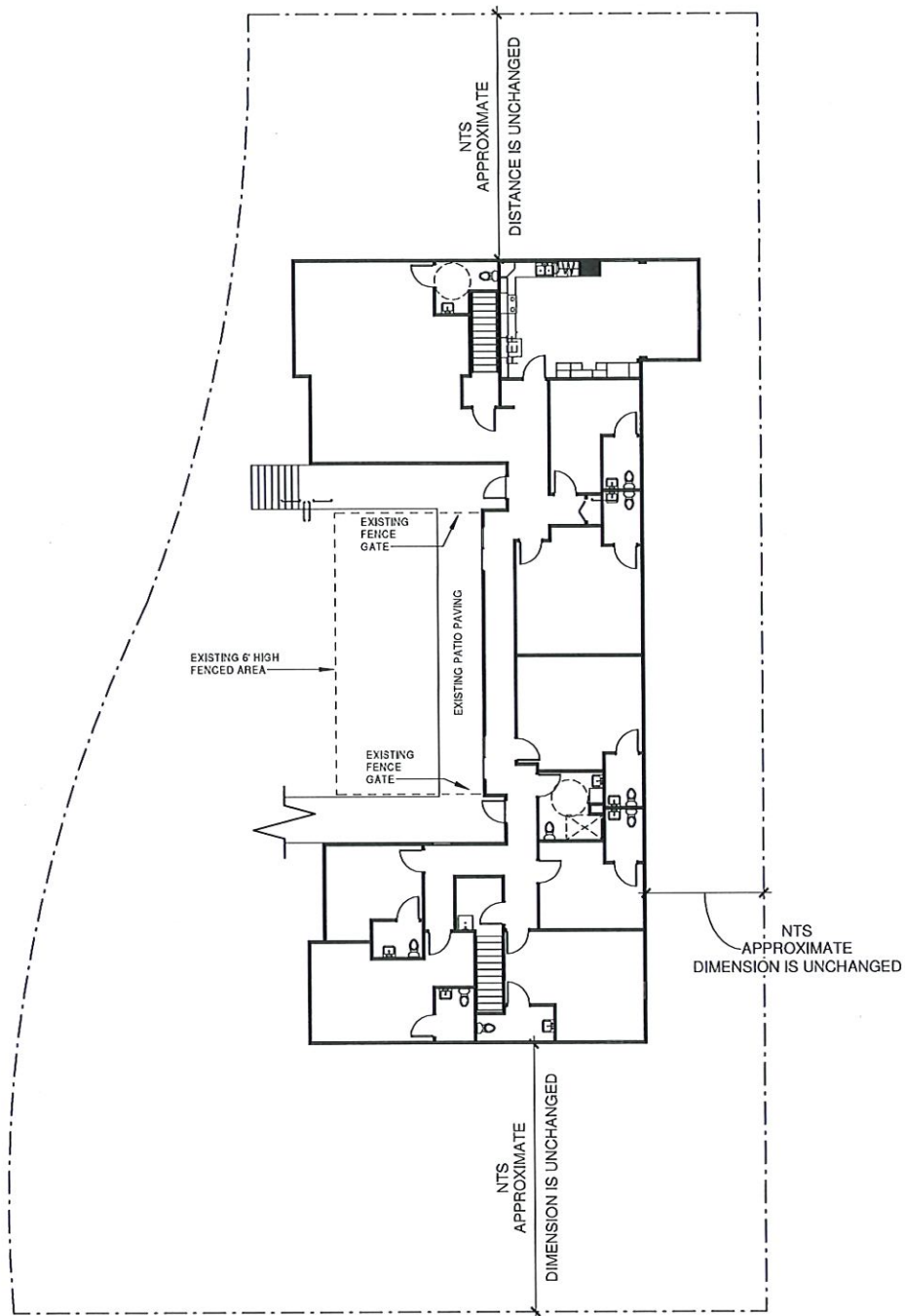
Please type or print legibly in ink.

Property Address: 2102 S. 5th Ave., Marshalltown 50158
Owner: Optima Life Services, Inc.
Mailing Address: 602 E. Grand Ave., Des Moines, IA 50309
Phone: 515-253-1230
Email:
Owner's Agent (if applicable): William Dadds, CEO
Agent Address: 602 E. Grand Ave., Des Moines, IA 50309
Agent Phone: 515-256-2241
Agent Email: wdadds@optimalifeservices.com

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: Wm. E. Dadds, CEO
Date: 3/29/21 Optima Life Services, Inc.



NOTE: ALL INFORMATION ON THIS SITE PLAN IS INTENDED TO SHOW EXISTING CONDITIONS. THERE ARE NO INTENDED CHANGES TO THE EXISTING EXTERIOR CONDITIONS TO THIS SITE FOR THIS SPECIAL USE PERMIT APPLICATION.

MARCH 24, 2021

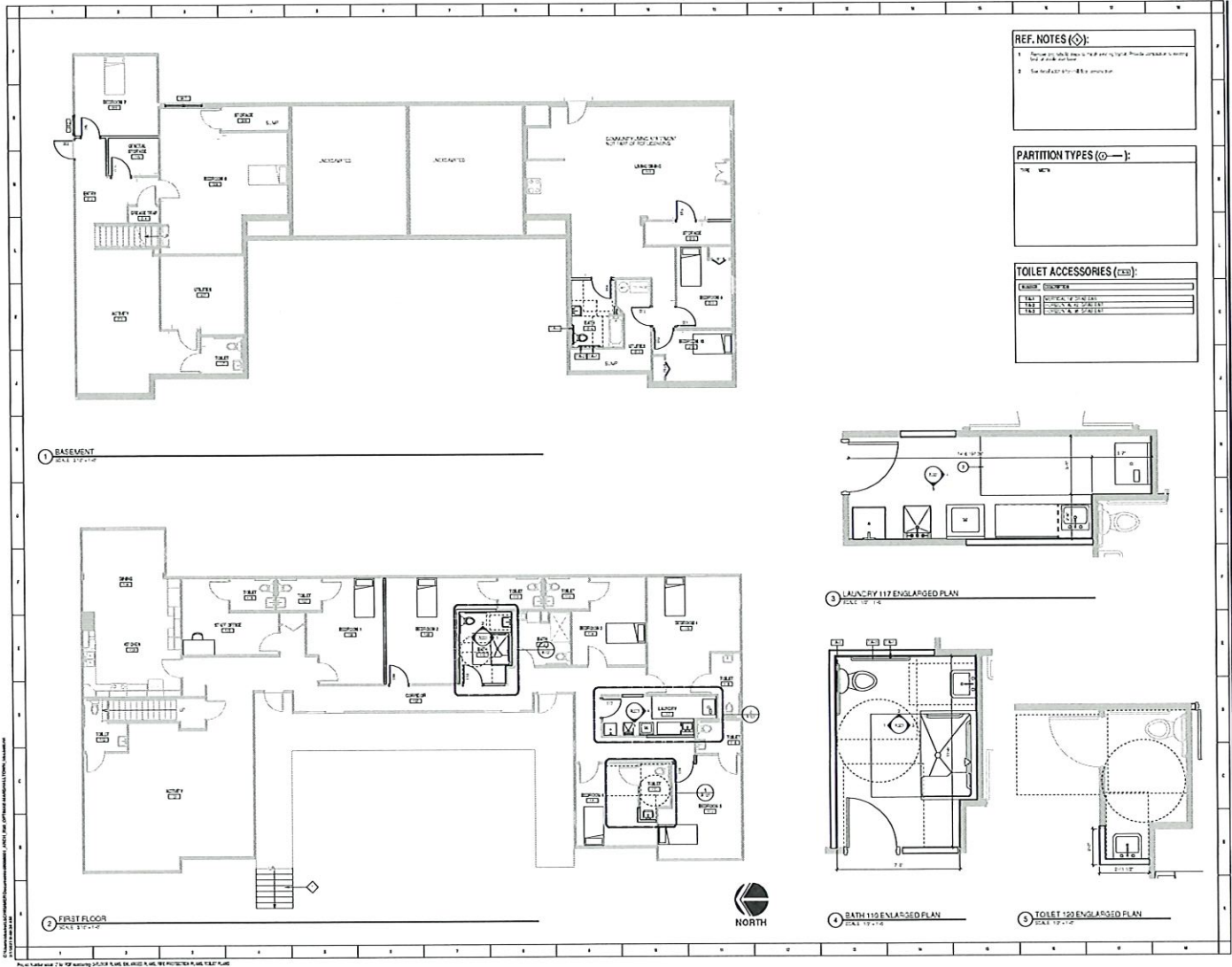
OPTIMAE LIFESERVICES
2102 S. 5TH AVENUE, MARSHALLTOWN, IOWA
SITE DIAGRAM
08098.001



SCALE: 1/16" = 1'-0"

0' 12' 24' 36'

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PRELIM - NOT FOR CONSTRUCTION

SCHEMMER
Design and Construction

Optimas LifeServices
2102 S. 5TH AVENUE, MARSHALLTOWN
1515 S. 5TH AVENUE, MARSHALLTOWN, IOWA 50158
FLOOR PLANS, ENLARGED PLANS, FIRE
PROTECTION PLANS, TOILET PLANS

PROJECT NO: 00098.001

A101

REAL ESTATE LEGAL DESCRIPTION
2021 South Fifth Avenue, Marshalltown, Iowa

Lot Three, Larsen's Third Subdivision to Marshalltown, Marshall County, Iowa

MARSHALLTOWN

— I O W A —

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: April 15th – Meeting Date

2102 S 5th Ave

FROM: Optimae Lifeservices

SUBJECT: Special Use Permit

Optimae Lifeservices has purchased 2102 S 5th Ave. The location is currently zoned R-2A, where Assisted living uses require a Special Use Permit. The previous assisted living facility 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

VIEJO BLUFFS FIRST ADDITION
PRELIMINARY PLAT
MARSHALLTOWN, IOWA



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Clive, Iowa 50325
515-964-1229
fax 515-964-2370

AREA:	
NE1/4 SE1/4	
SEC. 11-83-18 -	8.62 ACS
NW1/4 SW1/4	
SEC. 12-83-18 -	4.47 ACS
TOTAL	- 13.09 ACS

ZONING:
TRADITIONAL
NEIGHBORHOOD

OWNER:
CITY OF
MARSHALLTOWN
24 N. CENTER STREET
MARSHALLTOWN, IA
50158

SURVEYOR:
MCCLURE
1360 NW 121ST STREET
CLIVE, IA 50325
(515) 964-1229
ATTN: JOHN DEWEY
jdewey@mecresults.com

- GENERAL NOTES:**
- IMPROVEMENTS SHOWN ARE THOSE FROM THE CITY OF MARSHALLTOWN E. MERLE HIBBS BLVD EAST EXTENSION ROAD CONSTRUCTION PROJECT
 - CONSTRUCTION FOR PROJECT IS STILL UNDERWAY
 - PROJECT INFORMATION IS SHOWN WITH INFORMATION COLLECTED PRIOR TO THE BEGINNING OF CONSTRUCTION

SETBACK SUMMARY:

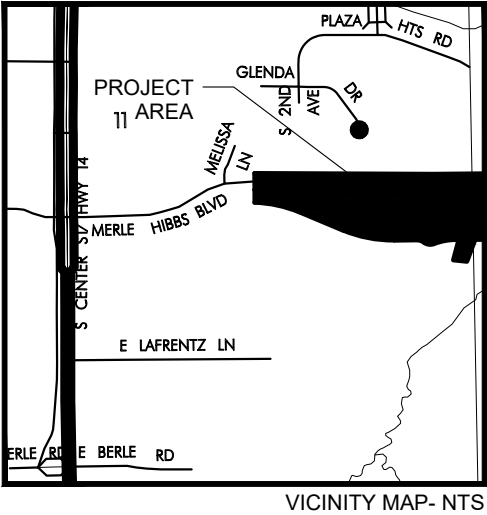
USE ^a	Front Yard Setback (min/max)	Rear Yard Setback (minimum)	Side Yard Setbacks (minimum/ combined)	Minimum Lot Area Required/Unit	Maximum Height	Minimum Lot
Width						
COMMERCIAL c.	0/15 feet	0	None d.	800 Square Feet	45 Feet	25 Feet
MULTI-FAMILY	0/25 feet	10 feet	None d.	1,700 Square Feet	45 Feet	25 Feet
SINGLE-FAMILY ATTACHED	10/25 feet	15 feet	6/12 b.	2,000 Square Feet	35 Feet	25 Feet
SINGLE-FAMILY DETACHED	15/25 feet	15 feet	6/12	3,500 Square Feet	35 Feet	35 Feet

- NOTES TO TABLE:
- DOES NOT INCLUDE RESIDENTIAL UNITS ABOVE A COMMERCIAL SPACE
 - NONE IF SHARED WALLS
 - INCLUDING RESIDENTIAL USES ABOVE COMMERCIAL SPACE
 - 6-FOOT MINIMUM PER SIDE WHEN ADJACENT TO A RESIDENTIAL DWELLING

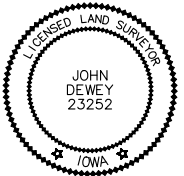
LEGAL DESCRIPTION:

A PART OF ACQUISITION PARCEL 1 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., ALSO BEING A PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., AS RECORDED IN MARSHALL COUNTY RECORDS INSTRUMENT, 2020-00000789, ALL INCLUDED IN AND FORMING A PART OF THE CITY OF MARSHALLTOWN, COUNTY OF MARSHALL, STATE OF IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 11; THENCE ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 12, N89°27'06"E, 432.87 FEET; THENCE S00°31'44"E, 416.18 FEET; THENCE S89°28'15"W, 174.17 FEET; THENCE S20°28'15"W, 146.89 FEET; THENCE N84°31'35"W, 87.27 FEET; THENCE N15°06'10"E, 132.92 FEET; THENCE S89°28'15"W, 21.14 FEET; THENCE 136.44 FEET ALONG A 382.00 FOOT RADIUS CURVE CONCAVE SOUTHEAST, HAVING A LONG CHORD S79°14'19"W, 135.72 FEET; THENCE 65.43 FEET ALONG A 68.00 FOOT RADIUS CURVE CONCAVE NORTH, HAVING A LONG CHORD BEARING N83°25'47"W, 62.93 FEET; THENCE 42.66 FEET ALONG A 102.00 FOOT RADIUS CURVE CONCAVE SOUTHWEST, HAVING A LONG CHORD N67°50'46"W, 42.35 FEET; THENCE S89°28'15"W, 150.65 FEET; THENCE 329.74 FEET ALONG A 815.00 FOOT RADIUS CURVE CONCAVE NORTHEAST, HAVING A LONG CHORD BEARING N78°56'19"W, 327.50 FEET; THENCE N67°20'52"W, 299.26 FEET; THENCE 289.76 FEET ALONG A 788.85 RADIUS CURVE CONCAVE SOUTHWEST, HAVING A LONG CHORD BEARING N77°52'15"W, 288.13 FEET; THENCE ALONG THE EXISTING EASTERLY RIGHT OF WAY OF E. MERLE HIBBS BOULEVARD, N00°25'52"W, 79.80 FEET; THENCE ALONG THE EAST LINE OF LOT 5 OF WAL-MART 2ND ADDITION TO MARSHALL, AN OFFICIAL PLAT AS RECORDED IN MARSHALL COUNTY RECORDS INSTRUMENT 0302885, N00°14'44"W, 105.31 FEET; THENCE ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 11, S89°43'35"E, 1128.29 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 13.09 ACRES AND BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



VICINITY MAP- NTS



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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

NAME: _____

DATE: **JOHN DEWEY, PLS NO. 23252**

MY LICENSE RENEWAL DATE IS **DECEMBER 31, 2021**

PAGES OR SHEETS COVERED BY THIS SEAL: **2 SHEETS**



VIEJO BLUFFS 1ST ADD.
PRELIMINARY
PLAT
Marshalltown, IA
Marshall
210414
3/31/2021
REVISIONS
4/09/2021

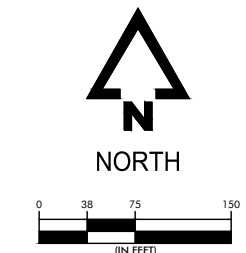
ENGINEER	DRAWN BY J.DEWEY
SURVEYOR J.DEWEY	CREW CHIEF B.MCGINTY
DRAWING NO.	SHEET NO.

DRAWING PATH: N: \Projects\190227-000\06-Drawings\Survey\Merle Hibbs Preliminary Plat.dwg PLOT DATE: 04/9/2021 3:59 PM PLOTTED BY: JOHN DEWEY

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ENGINEER
DRAWN BY
J.DEWEY

SURVEYOR
CREW CHIEF
B.MCGINTY

DRAWING NO.
SHEET NO.
02/02

MARSHALLTOWN

— I O W A —

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: April 15 – Meeting Date

Subdivision- Preliminary Plat
FROM: City of Marshalltown
SUBJECT: Preliminary Plat

The Preliminary Plat for Viejo Bluffs is comprised of two different lots, for development. This parcel is zoned as Traditional Neighborhood.

Background:

The City owns this property for the purpose of creating infrastructure, and extending E Merle Hibbs.

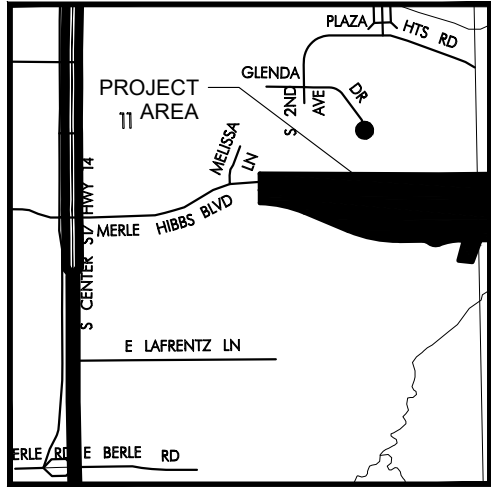
Recommendation: The Commission should make a recommendation to the City Council for consideration. A resolution would be presented at a future Council meeting.

DRAWING PATH: N:\Projects\190227-000\06-Drawings\Survey\Merle Hibbs Subdivision.dwg PLOT DATE: 04/9/2021 4:04 PM PLOTTED BY: JOHN DEWEY

INDEX LEGEND
CITY: MARSHALLTOWN
COUNTY: MARSHALL
SECTION: Acq. Parcel 1 Of NE1/4SE1/4 Sec. 11 & NW1/4SW1/4 Sec. 12 All in T83N-R18W
PROPRIETOR: CITY OF MARSHALLTOWN
REQUESTED BY: CITY OF MARSHALLTOWN
SURVEYOR: JOHN DEWEY
COMPANY: MCCLURE
RETURN TO: MCCLURE ATTN: JOHN DEWEY 1360 NW 121ST STREET, STE A CLIVE, IOWA 50325 / 515-964-1229

ZONING:
TRADITIONAL
NEIGHBORHOOD

AREA:	
NE1/4 SE1/4	
SEC. 11-83-18 -	8.62 ACS
NW1/4 SW1/4	
SEC. 12-83-18 -	4.47 ACS
TOTAL	- 13.09 ACS



VICINITY MAP- NTS

VIEJO BLUFFS FIRST
ADDITION
MARSHALLTOWN, IOWA

OWNER:
CITY OF
MARSHALLTOWN
24 N. CENTER STREET
MARSHALLTOWN, IA
50158

SURVEYOR:
MCCLURE
1360 NW 121ST STREET
CLIVE, IA 50325
(515) 964-1229
ATTN: JOHN DEWEY
jdewey@mecresults.com

SETBACK SUMMARY:

USE ^a	Front Yard Setback (min/max)	Rear Yard Setback (minimum)	Side Yard Setbacks (minimum/ combined)	Minimum Lot Area Required/Unit	Maximum Height	Minimum Lot
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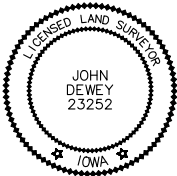
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I HEREBY CERTIFY THAT THIS
LAND SURVEYING DOCUMENT
WAS PREPARED AND THE
RELATED SURVEY WORK WAS
PERFORMED BY ME OR UNDER MY
DIRECT PERSONAL SUPERVISION
AND THAT I AM A DULY
LICENSED LAND SURVEYOR
UNDER THE LAWS OF THE STATE
OF IOWA.

NAME: _____

DATE: **JOHN DEWEY, PLS
NO. 23252**

MY LICENSE RENEWAL DATE IS
DECEMBER 31, 2021

PAGES OR SHEETS COVERED BY
THIS SEAL:
3 SHEETS



NORTH

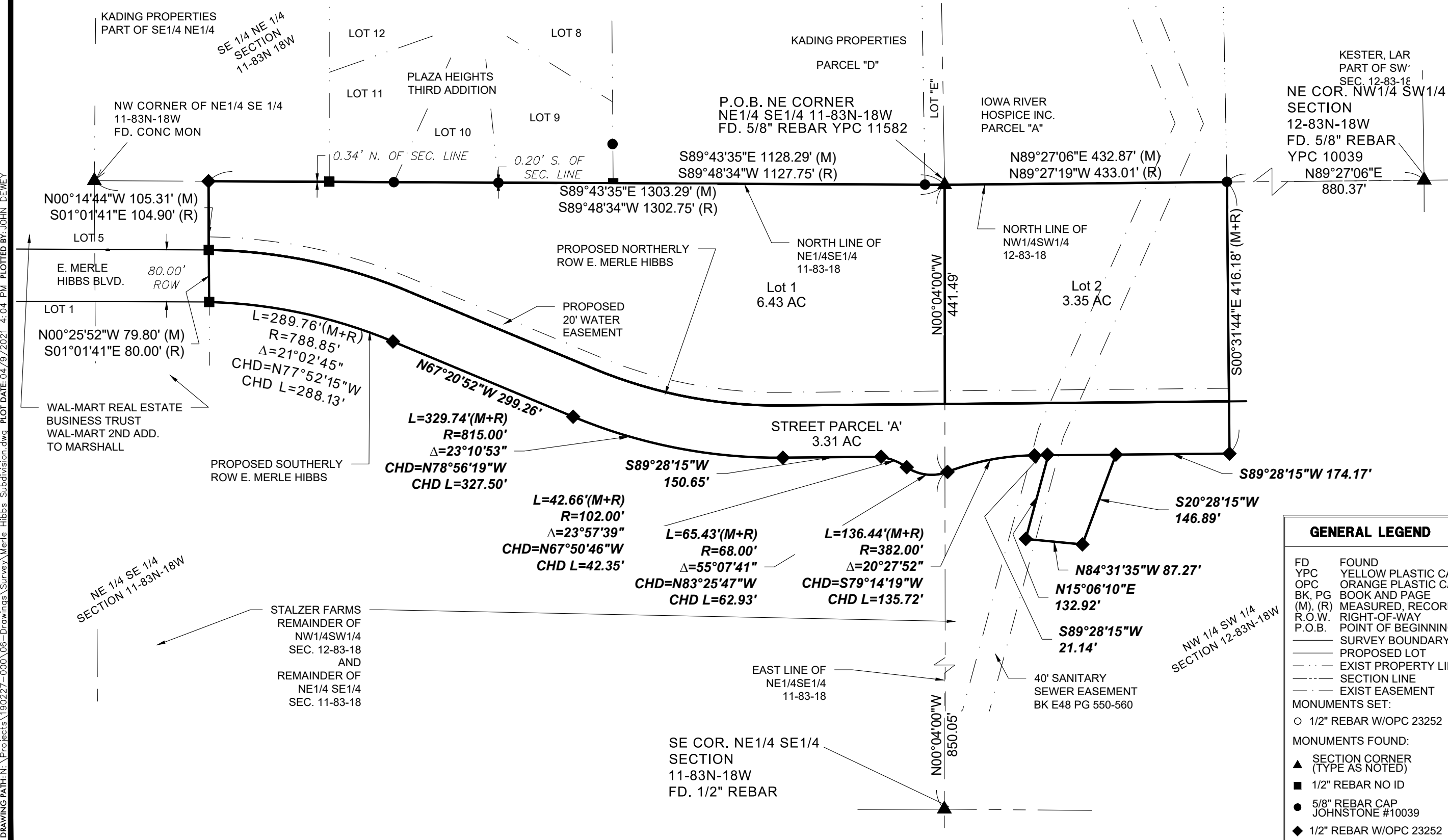
VIEJO BLUFFS
FIRST
ADDITION
Marshalltown, IA
Marshall
210414
3/19/2021
REVISIONS
3/30/2021
4/09/2021
.
.
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ENGINEER	DRAWN BY J.DEWEY
SURVEYOR J.DEWEY	CREW CHIEF B.MCGINTY
DRAWING NO.	SHEET NO. 01/03

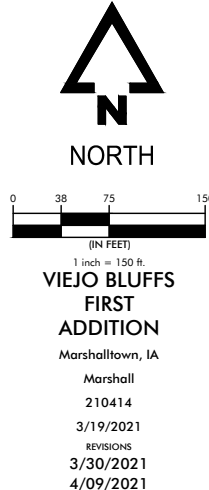
VIEJO BLUFFS FIRST
ADDITION
MARSHALLTOWN, IOWA

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fax 515-964-2370

DRAWING PATH: N:\Projects\190227-000\06-Drawings\Survey\Merle Hibbs Subdivision.dwg PLOT DATE: 04/9/2021 4:04 PM PLOTTED BY: JOHN DEWEY



GENERAL LEGEND	
FD	FOUND
YPC	YELLOW PLASTIC CAP
OPC	ORANGE PLASTIC CAP
BK, PG	BOOK AND PAGE
(M), (R)	MEASURED, RECORD
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
—	SURVEY BOUNDARY
---	PROPOSED LOT
---	EXIST PROPERTY LINE
---	SECTION LINE
---	EXIST EASEMENT
MONUMENTS SET:	
○	1/2" REBAR W/OPC 23252
MONUMENTS FOUND:	
▲	SECTION CORNER (TYPE AS NOTED)
■	1/2" REBAR NO ID
●	5/8" REBAR CAP JOHNSTONE #10039
◆	1/2" REBAR W/OPC 23252



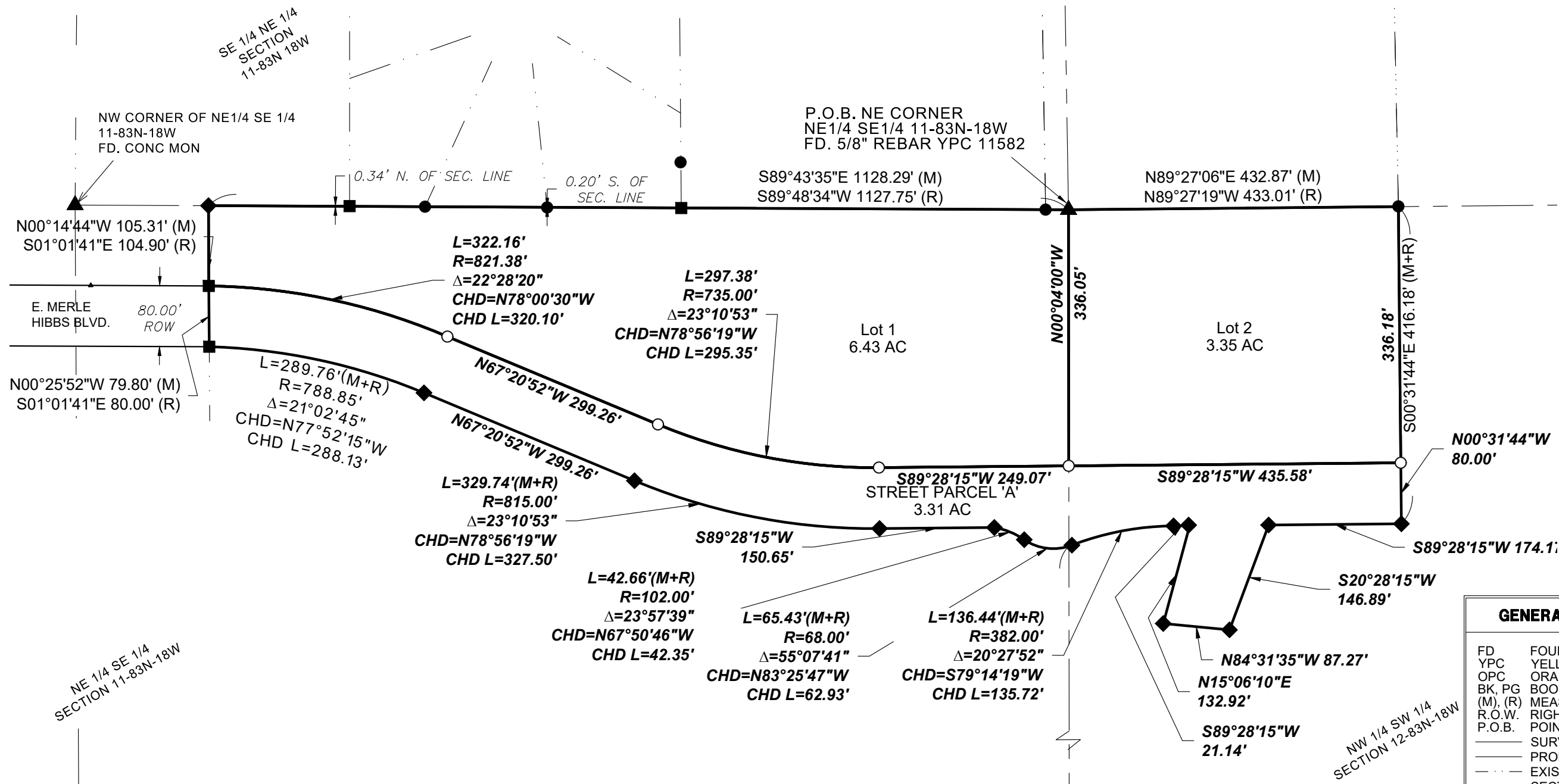
ENGINEER
SURVEYOR
J. DEWEY

DRAWN BY
CREW CHIEF
B. MCGINTY

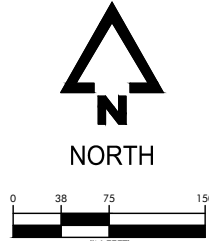
DRAWING NO.
SHEET NO.
02/03

VIEJO BLUFFS FIRST
ADDITION
MARSHALLTOWN, IOWA

McCLURETM
making lives better.
1360 NW 121st Street, STE A
Clive, Iowa 50325
515-964-1229
fax 515-964-2370



GENERAL LEGEND	
FD	FOUND
YPC	YELLOW PLASTIC CAP
OPC	ORANGE PLASTIC CAP
BK, PG	BOOK AND PAGE
(M), (R)	MEASURED, RECORD
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
—	SURVEY BOUNDARY
---	PROPOSED LOT
---	EXIST PROPERTY LINE
---	SECTION LINE
---	EXIST EASEMENT
MONUMENTS SET:	
○	1/2" REBAR W/OPC 23252
MONUMENTS FOUND:	
▲	SECTION CORNER (TYPE AS NOTED)
■	1/2" REBAR NO ID
●	5/8" REBAR CAP JOHNSTONE #10039
◆	1/2" REBAR W/OPC 23252



VIEJO BLUFFS
FIRST
ADDITION
Marshalltown, IA
Marshall
210414
3/19/2021
REVISIONS
3/30/2021
4/09/2021

ENGINEER
SURVEYOR
DRAWING NO.
DRAWN BY
J.DEWEY
CREW CHIEF
B.MCGINTY
SHEET NO.
03/03

DRAWING PATH: N:\Projects\190227-000\06-Drawings\Survey\Merle Hibbs Subdivision.dwg PLOT DATE: 04/9/2021 4:04 PM PLOTTED BY: JOHN DEWEY

MARSHALLTOWN

— I O W A —

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: April 15 – Meeting Date

Subdivision- Final Plat

FROM: City of Marshalltown
SUBJECT: Final Plat

The Final Plat for Viejo Bluffs is comprised of Two different lots, for development. The final plat might need some minor technical changes, after going through legal, and easement requirements.

Background:

Both lots are owned by City of Marshalltown, and is zoned as Traditional Neighborhood. The City owns this property for the purpose of creating infrastructure, and extending E Merle Hibbs.

Recommendation: Approval of Final Plat.

MARSHALLTOWN

I O W A

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: April 15th – Meeting Date

Parcel: 8318-01-305-005

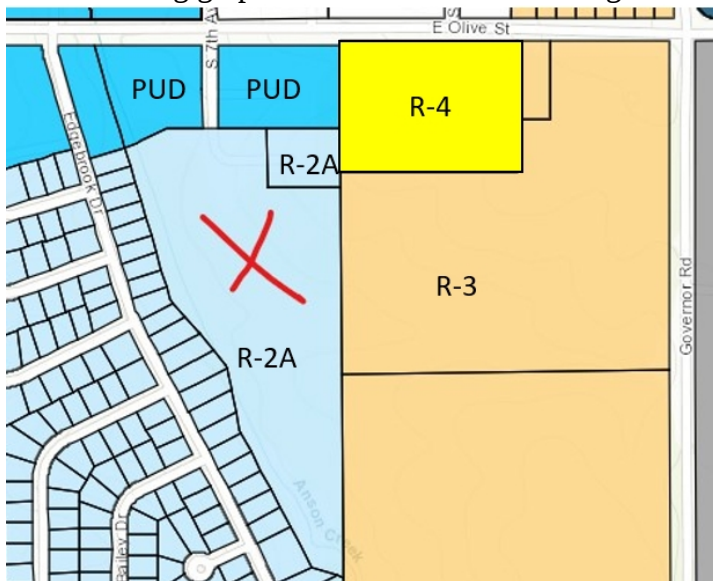
FROM: HCI for a property owned by Brookview Terrace Inc.

SUBJECT: Rezone from R-2A to R-5

HCI to develop multi-family housing. Parcel 8318-01-305-005 is currently zoned R-2A, Low Density Residential, and will not allow for multi-family dwelling units. The rezoning to R-5, High Density Residential would allow for multi-family dwelling units, at a higher density level of 2,000 SF per dwelling unit. The total lot area of this parcel is 17.4 acres (757,944 sf) which would allow for the development of 378 dwelling units.

The Comprehensive Future Land Use Plan for this area is designated for medium density residential.

The following graphic shows the current zoning for the area.



Staff is sending a notification to the adjacent property owner at 1802 S 7th Avenue that a request for rezoning has been submitted and that it would be the City's recommendation that their property be rezoned at the same time to form a unified boundary. A change to R-5 would not restrict the use of the property in any way.

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

Development of this property must meet all other applicable city codes related to items including but not limited to: Building, Fire, Engineering, Storm Water and Flood Regulations. These are processes that require administrative review and approval provided they comply with all requirements.

Recommendation: The next step would be for the Plan Zone Commission to hold a public hearing on rezoning request. The next regularly scheduled meeting is May 13th. The applicant has requested a special meeting be held if possible. In order to ensure proper publication staff would recommend that the Commission consider Thursday, May 6, 2021 for the next meeting.

Date Submitted & Fee Paid: 4-7-2021

Rezoning Request Application Form

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

www.marshalltown-ia.gov

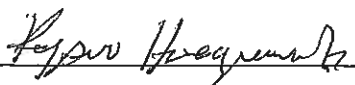
All items listed must be submitted with this application:

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:	
BEG AT A PT ON SE COR OF W 30 ACRES NW SW SEC 1 N 0 DEG 5 MIN E 956.3' N 89 DEG 43 M	
Owner:	
Brookview Terrace Inc.	
Mailing Address:	
906 Benjamin Dr. Marshalltown IA 50158	
Phone:	E-mail:
402-957-1818	Ryan@hci1988.com
Current Zoning Classification:	
R2-A	
Current Use:	
Farm ground	
Proposed Zoning Classification:	
R5	
Proposed Use:	
Multifamily	
Please list the uses of surrounding properties:	
PUD/R-3. Farm, Multifamily, single family	
Signature and Date:	
 2021/6/2021	

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA, THENCE SOUTH 89°43' EAST 368.5 FEET; THENCE SOUTH 50 FEET; THENCE SOUTH 16°23' EAST 415.3 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 16°23' EAST 605.0 FEET; THENCE SOUTH 40°08' EAST 335.8 FEET; THENCE SOUTH 11°34' EAST 47.6 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1; THENCE EASTERLY ALONG SAID SOUTH LINE 108.4 FEET TO THE SOUTHEAST CORNER OF THE WEST THREE-FOURTHS OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1; THENCE NORTH 0°05' EAST 956.3 FEET; THENCE NORTH 89°43' WEST 341.1 FEET; THENCE SOUTH 65°31' WEST 179.5 FEET TO THE POINT OF BEGINNING.

AND

THE EAST 10 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA, EXCEPT THE NORTH 373 FEET AND EXCEPT BEGINNING 373 FEET SOUTH OF THE NORTHEAST CORNER; THENCE SOUTH 225 FEET; THENCE WEST 288.9 FEET; THENCE NORTH 225 FEET; THENCE EAST 288.9 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA; THENCE SOUTH 89°25' WEST 438.4 FEET; THENCE SOUTH 11°34' EAST 221.55 FEET; THENCE SOUTH 27°23' EAST 582.8 FEET; THENCE SOUTH 66°46' EAST 151.5 FEET; THENCE NORTH ALONG SECTION LINE TO THE POINT OF BEGINNING, FROM ROOT OF TITLE

9805818 08/31/1998 04:47P 1 of 1
Joan A Smith-Legg Marshall County Recorder

STATE OF IOWA, MARSHALL CO.
entered upon transfer books and for
taxation this 13
day of September A.D. 1998

Joan A. Smith-Legg
9805818
PREP NO. 500 REC. NO. 100
FEE 5.00 REC. FEE 5.00

REAL ESTATE TRANSFER
TAX PAID 110
STAMP #
\$ 103.20
SIX
RECORDED
8/31/98
DATE COUNTY

Preparer Information George W. Sudenga, 118 East Main Street, Marshalltown, (515) 732-8800
Individual's Name Street Address City Phone



WARRANTY DEED

SPACE ABOVE THIS LINE
FOR RECORDER

For the consideration of SIXTY-FIVE THOUSAND (\$65,000.00)
Dollar(s) and other valuable consideration,

Gloria Jean Larsen and M. V. Larsen, wife and husband, and Kent M. Larsen and Ruth J. Larsen, husband and wife,

do hereby Convey to

Brookview Terrace, Inc., an Iowa Corporation,

the following described real estate in Marshall County, Iowa:

Commencing at the Northwest Corner of the Northwest Quarter of the Southwest Quarter of Section 1, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa; thence South 89°43' East, 368.5 feet; thence South 50 feet; thence South 16°23' East, 415.3 feet to the Point of Beginning; thence South 16°23' East, 605.0 feet; thence South 40°08' East, 335.8 feet; thence South 11°34' East, 47.6 feet to the South Line of the Northwest Quarter of the Southwest Quarter of Section 1; thence Easterly along said South Line 108.4 feet to the Southeast Corner of the West Three-fourths of the Northwest Quarter of the Southwest Quarter of Section 1; thence North 0°05' East 956.3 feet; thence North 89°43' West, 341.1 feet; thence South 65°31' West, 179.5 feet to the Point of Beginning.

AND

The East 10 acres of the Northwest Quarter of the Southwest Quarter of Section 1, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa; EXCEPT the North 373 feet and except beginning 373 feet South of the Northeast corner; thence South 225 feet; thence West 288.9 feet; thence North 225 feet; thence East 288.9 feet to the Point of Beginning.

AND

Beginning at the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 1, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa; thence South 89°25' West, 438.4 feet; thence South 11°34' East, 221.55 feet; thence South 27°23' East, 582.8 feet; thence South 66°46' East, 151.5 feet; thence North along Section Line to the Point of Beginning.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold 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 Covenant 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 distributiv 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.

STATE OF IOWA

Dated: August 27, 1998

SS:

MARSHALL COUNTY,

On this 27 day of August,
19 98, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Gloria Jean Larsen and M. V. Larsen, wife and husband,
and Kent M. Larsen and Ruth J. Larsen, husband and
wife,

to me known to be the identical persons named in
and who executed the foregoing instrument and
acknowledged that they executed the same as their
voluntary act and deed.

Gloria Jean Larsen (Grantor)

M. V. Larsen (Grantor)

Kent M. Larsen (Grantor)

Ruth J. Larsen (Grantor)



Notary Public

(This form of acknowledgment for individual grantor(s) only)

Joan R Smith-Legg Marshall County Recorder
STATE OF IOWA, MARSHALL CO.
entered upon transfer books and for
taxation this

day of August A.D. 1998

AUDITOR

ASSISTANT

Prepared Information George W. Sudanga, 118 East Main Street, Marshalltown, (515) 752-8800

9805818
Joan R. Smith-Legg
MARSHALL COUNTY RECORDER
\$103.00
RECORDED
8/31/98
64
COUNTY

REAL ESTATE TRANSFER

TAX PAID 110

STAMP #

\$ 103.00

RECORDED

DATE 8/31/98

COUNTY

WARRANTY DEED



For the consideration of SIXTY-FIVE THOUSAND (\$65,000.00)

Dollar(s) and other valuable consideration,

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AND

The East 10 acres of the Northwest Quarter of the Southwest Quarter of Section 1, Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa; EXCEPT the North 373 feet and except beginning 373 feet South of the Northeast corner; thence South 225 feet; thence West 288.9 feet; thence North 225 feet; thence East 288.9 feet to the Point of Beginning.

AND

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STATE OF IOWA

ss:

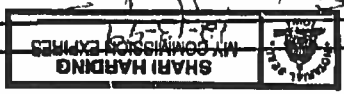
MARSHALL COUNTY,

On this 27 day of August

19 98, before me, the undersigned, a Notary Public in and for said State, personally appeared

Gloria Jean Larsen and M. V. Larsen, wife and husband, and Kent M. Larsen and Ruth J. Larsen, husband and wife,

to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Notary Public

(This form of acknowledgment for individual grantor(s) only)

Ruth J. Larsen (Grantor)

Kent M. Larsen (Grantor)

M. V. Larsen (Grantor)

Glora Jean Larsen (Grantor)