



PLAN ZONING COMMISSION

Notice of Regular Meeting
Thursday, June 17, 2021 at 5:00 PM
10 W. State Street - Council Chambers

Plan Zoning
Thu, Jun 17, 2021 5:00 PM - 6:00 PM (CDT)

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

<https://global.gotomeeting.com/join/459707061>

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

United States: +1 (646) 749-3122
- One-touch: tel:+16467493122,,459707061#

Access Code: 459-707-061

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1. Call To Order & Roll Call

Boston
Brodin
Eilers
Gruendler
Medina
Valbracht
Wittkop

2. Minutes From May 6th Meeting

Documents:

[05062021_PZ_MIN.PDF](#)

3. Special Use Permit: 502 N 12th Ave Recommend To Board Of Adjustment

Documents:

[502 N 12TH AVE - SPECIAL USE PERMIT_APPLICATION.PDF](#)
[06172021_PZ__MEMO_502 N 12TH AVE MEMO.PDF](#)

MISSION STATEMENT

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

Plan Zoning Commission

Meeting Minutes from May 6th, 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

Commission members absent: Valbracht, & Wittkop

2) Mins

Accepted

3) Public Hearing: Rezone 8318-01-305-005 From R2A to R-5

Staff: Background

Tom Wertzberger: Allow for multifamily. Three buildings, three stores, and 103 units.

Eilers: Will R-4 work?

Spohnheimer: Yes but R-5 is less restrictive.

Eilers: Will it be feasible?

Spohnheimer: R-5 would accommodate

Wertzberger: Other factors limiting: fire, access, and zoning. R-5 is what they would like.

Brodin: Written comments?

Knutson: None

Brodin: Close Public Hearing at 5:13

Boston: Motion to Approve request

Medina: 2nd

All Members voted in Favor

4) Comprehensive Plan Amendment: Review and Recommendation to Council

Staff: background

Boston: Why?

Spohnheimer: Justification. R-5 needed to accommodate

Boston: Make Recommendation

Eilers: 2nd

All members voted in favor.

All members voted in favor

Meeting adjourned at 5:17 pm.

May 27, 2021



RE: Special Use Permit
502 N 12th Ave – Lot Improvements
Marshalltown, Iowa
PN: 5833.03

Commission & Board Members:

Enclosed is a Special Use Permit Application (w/ accompanying conceptual site plan, application fee, and legal description) for the property located at 502 N 12th Ave, in Marshalltown. The property is currently zoned 'R-5 High Density Residential' and most recently served as an apartment complex with attached gymnasium until storm damage caused significant damage. The City of Marshalltown deemed and posted the building as a Dangerous Building in August of 2020. Previously this lot and building served as a school building for the Marshalltown Community School District and as a child care center for Marshall County Child Care Services. Swift Pork Company acquired the property in November of 2020 and demolition of the dangerous building is currently underway.

In accordance with the City's Code of Ordinance, Chapter (§) 156.142, the R-5 zoning designation allows the lot to be used for parking lot purposes through obtaining a Special Use Permit. Enclosed with the application is a conceptual site plan for full build out of a parking lot to serve as employee parking for the JBS Pork – Marshalltown facility. This lot is adjacent to an existing parking lot, located within the same R-5 zoned District. It is the intent that the build-out will be done in phases, constructing additional parking from the west side of the lot to the east side of the lot. The primary purposes and goals of the project are to:

1. Free up on-street parking currently used by JBS employees for use by non-JBS employees, such as the residents and visitors of the surrounding residential area.
2. Provide additional parking for the Facility to address a parking shortage that occurs during shift changes.

Please feel free to contact me at 641-752-6701 extension 48 or hthomas@cgaconsultants.com, with any questions or comments.

Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC.

A handwritten signature in blue ink, reading 'Heather Thomas', is positioned above the printed name.

Heather Thomas, P.E.
Project Manager

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:

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

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

 X **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.

 X **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: **502 N 12th Ave - Marshalltown**

Owner: **Swift Pork Company**

Mailing Address: **1770 Promontory Circle, Greeley, CO 80634 [Deed Holder]** 

Phone: **641-752-9320 (Brad Carl)**

Email: **Brad.Carl@jbssa.com**

Owner's Agent (if applicable): **Heather Thomas - Clapsaddle-Garber Associates, Inc.**

Agent Address: **16 E. Main Street, Suite #400; Marshalltown, IA 50158**

Agent Phone: **641-752-6701 x 48 (Office) or 641-485-8240 (Mobile)**

Agent Email: **hthomas@cgaconsultants.com**

Designated On-Site Representative:

JBS - Attn: Brad Carl

402 N 10th Ave.

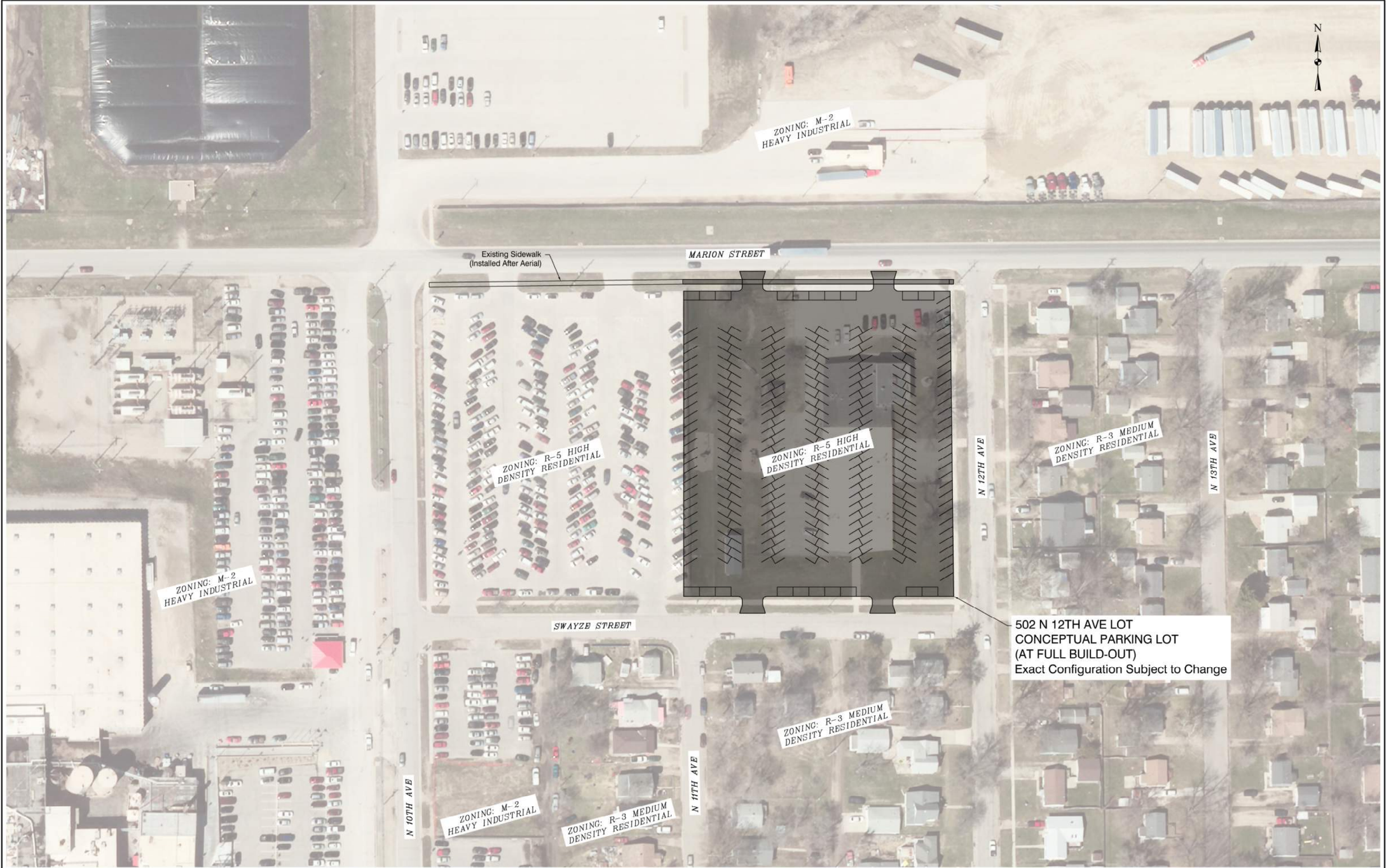
Marshalltown, IA 50158

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: *Heather Ann Thomas*

Date: **05/27/2021**



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

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

DESIGNED: ####	DATE: ####
DRAWN: HAT	DATE: 05/27/21
CHECKED: ####	DATE: ####
APPROVED: ####	DATE: ####

502 N 12th Ave Improvements
MARSHALLTOWN, IOWA

CONCEPTUAL SITE LAYOUT
FULL BUILD OUT OF PARKING LOT

PROJECT NO. 5833
SHEET NO. 1

CLAPSADDLE-GARBER ASSOCIATES, INC. / CONSULTING ENGINEERS

18215

DATE	INVOICE NO.	COMMENT	AMOUNT	NET AMOUNT
05/27/2021		Board of Adjustment-Special Use Permit		300.00
DATE 05/27/21			TOTAL	300.00
VENDOR City of Marshall				

Special Use Application Fee was hand delivered by Heather Thomas to City Hall - Accounting Office (Attn: Caleb Knutson) on the afternoon of 05/27/2021.

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND. PAPER, A VOID PANTOGRAPH AND MICROPRINTING

CLAPSADDLE-GARBER ASSOCIATES, INC.

CONSULTING ENGINEERS
PO BOX 754
MARSHALL TOWN, IA 50158-0754
(641) 752-6701



506
72 739

18215

PAY Three Hundred and no/100

TO THE CITY OF MARSHALLTOWN
ORDER 24 NORTH CENTER STREET
OF OF MARSHALLTOWN IA 50158

DATE 05/27/21
CHECK 18215
CHECK AMOUNT \$300.00

COPY
AUTHOR
SIGNATURE

11018215110107390506412062437110

Unique Doc ID: 2703628
Recorded: 11/25/2020 at 2:44:49.537 PM
County Recording Fee: \$12.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$15.00
Revenue Tax: \$335.20
Marshall County, Iowa
Nan Benson - Recorder
Doc. Number: 202000006640

Taxpayer & Return To: Swift Pork Company, 1770 Promontory Circle, Greeley, CO 80634
Preparer: Kevin R. Hitchins, 102 E. Church St., Marshalltown, Iowa 50158, (641) 752-4507



WARRANTY DEED

For the consideration of One and No/100 Dollar(s) and other valuable consideration, Superior Rentals, L.L.C., a limited liability company organized and existing under the laws of Iowa, does hereby Convey to Swift Pork Company the following described real estate in Marshall County, Iowa:

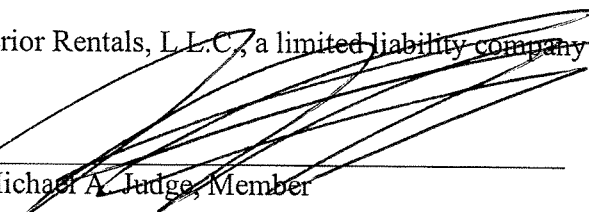
Lot 1 of Lot 1 of the Northeast Quarter of the Southwest Quarter of Section 25, Township 84 North, Range 18 West of the 5th P.M., Marshall County, Iowa, except the South 928 feet thereof, except the West 30 feet and the East 33 feet of said Lot 1 of Lot 1 for street purposes, and except the West One-half thereof, subject to easement recorded in Micro-File No. 1099-1978-9 of the records of the Recorder's Office of Marshall County, Iowa.

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 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.

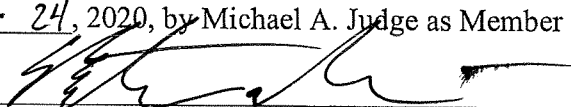
Dated: November 24, 2020.

Superior Rentals, L.L.C., a limited liability company

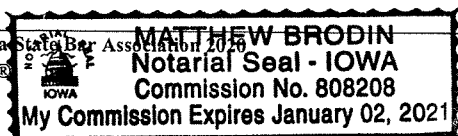
By 
Michael A. Judge, Member

STATE OF IOWA, COUNTY OF MARSHALL

This record was acknowledged before me on November 24, 2020, by Michael A. Judge as Member of Superior Rentals, L.L.C.


Signature of Notary Public

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Form No. 101, Warranty Deed
Revised January 2016

MARSHALLTOWN

— I O W A —

TO: Plan Zoning Commission

FROM: Caleb Knutson, City Planner

DATE: June 17th – Meeting Date

FROM: Staff
SUBJECT: 502 N 12th Ave Special Use Permit

JBS is proposing that 502 N 12th Ave be converted a parking lot for their employees. Currently zoned R-5, parking lots require a special use permit in this zoning district.

Recommendation: Make recommendation to Board of Adjustment