



**MARSHALLTOWN
MORE THAN EVER**

**CITY OF MARSHALLTOWN
PLAN ZONING COMMISSION
NOTICE OF PUBLIC MEETING
CITY HALL COUNCIL CHAMBERS
10 WEST STATE STREET
APRIL 17, 2025, 5:00 PM**

AGENDA

CALL TO ORDER

ROLL CALL

BUSINESS

1. APPROVE MEETING MINUTES FROM MARCH 13TH, 2025 MEETING
2. CONDUCT A PUBLIC HEARING AND CONSIDER MAKING A
RECOMMENDATION ON REZONING APPLICATION FOR 301 TO 319 N 10TH
AVENUE

ADJOURNMENT

Planning and Zoning Commission – Regular Meeting

Meeting Minutes – March 13th, 2025

1. Call to Order

Meeting was called to order at 5:00 PM in the City Council Chambers at 10 W. State Street

2. Roll Call:

Present: Boston, Brodin, Casady (Doyle), Harris-Medina, Valbracht, Gruendler

Absent: Isom

3. Approve Meeting Minutes

All ayes upon roll call. Motion carries.

4. Conduct a Public Hearing and Consider Making a Recommendation on Ordinance 15099 – An Ordinance Amending the Zoning Code Relating to the use of Barbed Wire with Fencing Applications.

Clayton Ender, Assistant Director of Housing and Community Development, provided a staff review of Draft Ordinance 15099.

Jon B questioned if there should be a minimum height of fencing. Jon cited a substation near the high school with a 6 ft fence with a barb wire strand above it. Clayton verified that industry standard would dictate height with a max height 10 ft.

Section 1: No changes

Section 2: Update to allowance for Major Utilities but do not change language for others.

Section 3: Barbwire only allowed on major utilities. All barbwire fence have to be above 6 ft and up.

Section 4: Temporary fences do not allow barbwire. Strike out Section 4.

Section 5: Standard language

Section 6: Standard language

ITC: Critical infrastructure, needs a higher level of security. Need to discourage people from breaching. Ten foot is the standard of safety & security in other areas.

Closed at 5:25 pm

Steve motioned, Matt seconded. Roll Call – all yes.

Motion by Valbrecht to recommend approval of draft Ordinance 15099. Seconded by Brodin. All ayes upon roll call. Motion carries.

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HOUSING & COMMUNITY DEVELOPMENT

Deb Millizer, Director
Clayton Ender, Assistant Director
24 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5756
Fax - (641) 754-5717

TO: Planning and Zoning Commission
FROM: Clayton Ender, Assistant Housing & Community Development Director
DATE: April 17th, 2025
RE: Conduct a Public Hearing and Consider Making A Recommendation on Rezoning Application for 301 to 319 N 10th Avenue

City Staff Contact:	Clayton Ender, AICP Assistant Director of Housing and Community Development Phone: 641-754-5756 Email: cender@marshalltown-ia.gov
Applicant:	Swift & Company 1770 Promontory Cir Greely CO 80634
Property Owner:	Swift Pork Company 1770 Promontory Cir Greely CO 80634
Recommendation:	Staff recommends approval of the zone change application and provides the following motion for the commission's consideration: The Planning and Zoning Commission recommends approval of Ordinance 15100 as drafted, which includes conditions pertaining to prohibited uses and uses requiring approval of a special use permit.
Current Zoning District & Current Usage:	Current: Zoning: RM, Medium Density Residential Zoning District Current Usage: Single-unit dwellings and vacant parcels
Proposed Zoning District & Proposed Usage:	Zoning: GI, General Industrial Zoning District Proposed Usage: Stormwater management facilities

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Review Criteria:

In determining whether to approve, approve with conditions, or deny a zone change, the review bodies shall consider the following review criteria:

1. The administrative body has considered the recommendation of staff.

Staff recommends approval of the rezoning application as outlined in the recommendation section of this staff report.

2. The request is consistent with applicable policies of the Comprehensive Plan and applicable utility plans and capital improvements plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.

The comprehensive plan identifies the future land use designation for the subject properties as low density residential which is defined as, "Single-family detached and two-family residential development at a density of 4-6 units per acre."

The subject properties are further identified within focus area #3 of the land use chapter of the comprehensive plan. This focus area further refines the future land use of the subject properties to that of "significant open space / park buffer". The proposed usage of the subject properties for stormwater management facilities would be consistent with the comprehensive plan.

3. The request promotes the purposes of this Zoning Ordinance as established in § 156.A.002, Purposes, and in other applicable purpose statements in this chapter.

§ 156.A.002(C)(1) "Encourage a diverse and stable economy with employment opportunities, particularly those that have meaningful multiplier effects in the local economy, by promoting the vitality and development of commercial and industrial districts"

§ 156.A.002(C)(2) "Enable and encourage entrepreneurship and local business growth"

§ 156.A.002(C)(3) "Enable retention and sensitive expansion of local businesses."

4. Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other improvements are present or are planned to be provided.

The subject property has adequate access to existing public streets, water, sanitary sewer, storm sewer and other utilities.

5. The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the general character of the area.

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Land uses to the east and south include residential dwellings and vacant residential zoned lots. Land uses to the north include off-street parking facilities for JBS Swift & Co. Land uses to the west are those of general industrial, specifically JBS Swift & Co.

The proposed usage of the subject properties for stormwater management facilities which would be designed to support expansion of JBS Swift & Co's main campus is compatible with all surrounding uses.

6. The dimensions of the subject property to accommodate reasonable development that complies with the requirements of this ZO, including parking, open space, and buffering requirements.

The subject properties cumulatively contain 1.17 acres of land area. The total development area dimensions are 406 feet north-south X 125 feet east-west.

Adequate area is available for development of the subject properties with stormwater management facilities.

7. The pace of development and the amount of vacant land currently zoned for comparable development in the vicinity of the subject property.

The proposed rezoning is related to an expansion of JBS Swift & Co. To allow for expansion of their warehousing and shipment facilities on the south end of the campus additional land area is needed to accommodate stormwater management. Without a rezoning further expansion of these facilities would likely become difficult to accomplish.

8. A comparison of the hardship to the applicant with the relative gain to the public health, safety, and welfare.

The proposed development will support economic growth with the community and will introduce additional open space to the neighborhood which can contribute to improved health of residents.

9. The proposed zone change is consistent with the Comprehensive Plan or Future Land Use Map and increase the likelihood of advancing the goals, objectives, and policies of the Comprehensive Plan Land Use Map, or another adopted area plan, including but not limited to redevelopment plans.

See review criteria #2 regarding future land use map.

Land use General Goal 1: Maximize the potential of the community of Marshalltown as a thriving center for business and healthy recreation, while maintaining and enhancing its livability as a residential community.

Land use industrial Goal 1: Retain and expand Marshalltown's industrial land uses to ensure a diverse tax base and local employment opportunities.

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The proposed rezoning will work to advance the goals of the comprehensive plan, including those called out above, by supporting the expansion of an existing industrial business, JBS Swift & Co. This expansion will increase the local tax base and support local employment opportunities.

10. The range of uses allowed by the proposed zoning district will be compatible with the properties in the immediate vicinity of the subject property.

Staff is recommending that this rezoning be subject to conditions restricting land usage beyond the standard land use restrictions. The purpose for the restrictions would be to support consistency with the comprehensive plan while still supporting the JBS Swift & Co. expansion as planned. The specific restrictions would be to prohibit uses which would normally be subject to a special use permit and to require a special use permit for all other uses normally permitted by right, but which are not otherwise permitted within the RM zoning district. The special use permit provision is intended to create oversight for certain uses considering the proximity to adjacent residential uses.

The complete list of prohibited uses and those uses to be subject to special use permit are included within the draft ordinance. The property owners will need to agree to these conditions in writing prior to close of a public hearing at city council.

11. The suitability of the subject property for the zoned purposes.

The applicant has provided a site development concept drawing showing how the subject properties are intended to be used for a stormwater management facility. Initial staff review indicates that the subject properties are suitable for the intended development. The subject properties are also suitable for alternative development, but staff recommends the land uses for this area be subject to conditions (see review criteria #10).

12. The character of the surrounding area is transitioning or being affected by other factors, such as traffic, a new school, adjoining uses, or environmental issues.

The surrounding area is composed of an established residential neighborhood. The comprehensive plan does identify adjacent properties to transition to higher density residential uses. Allowing for this rezoning to support the JBS expansion and creation of a stormwater management facility that will second as a landscaped buffer is beneficial to protecting existing residential uses and/or supporting redevelopment of adjacent properties into higher density residential uses.

13. Nearby property owners are in support of, or do not oppose, the proposed map amendment.

Notice of the proposed rezoning, including meeting dates and times, has been mailed to all property owners within 250 feet of the rezoning boundary + width

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of any intersecting street. Signs have also been posted on N 10th Avenue, Lee Street, and Woodbury Street.

As of publication of this staff memo no public comments have been received. Staff has received some questions about what is being proposed, but no formal comments have been received.

Attachments:

Draft Ordinance 15100
Aerial Vicinity Map
Rezoning Application

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ORDINANCE 15100

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP FOR LOTS 166, 167, 168, 169, 170, 171, 172, 173, 174, AND 175 IN MELROSE PARK ADDITION TO THE TOWN OF MARSHALL, MARSHALL COUNTY, IOWA FROM MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT TO GENERAL INDUSTRIAL ZONING DISTRICT

WHEREAS, the owner of record for Lots 166, 167, 168, 169, 170, 171, 172, 173, 174, and 175 in Melrose Park Addition to the Town of Marshall, Marshall County, Iowa have petitioned to have their properties rezoned from RM, Medium Density Residential Zoning District to GI, General Industrial Zoning District ; and,

WHEREAS, certain conditions further restricting land uses within the rezoning area are justified to ensure consistency with the City of Marshalltown's adopted comprehensive plan which identifies the subject properties as low density residential or parks and open space buffer areas; and,

WHEREAS, the owner of the subject properties within the area of the official zoning map amendment have agreed to the conditions of the official zoning map amendment in writing; and,

WHEREAS, the Planning and Zoning Commission has reviewed this petition at their regular meeting on April 17th, 2025 and following a public hearing has made a recommendation to approve the official zoning map amendment petition; and,

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. Official Zoning Map Amendment. The following legally described property is hereby rezoned from RM, Medium Density Residential Zoning District to GI, General Industrial Zoning District:

Lots 166, 167, 168, 169, 170, 171, 172, 173, 174, and 175 in Melrose Park Addition to the Town of Marshall, Marshall County, Iowa

AND

To the centerline of adjacent public right-of-way.

Section 2. Conditions. The official zoning map amendment outlined in Section No. One of this ordinance shall be subject to the following conditions:

A. Prohibited Land Uses. The following land uses shall be prohibited:

1. All Group Living Uses
2. Airport Or Heliport Uses

3. Correctional Facility Uses
4. Solar Panel Array Uses (Principal Use)
5. Ground Mounted Solar Panel Array Uses (Accessory Use)
6. Adult Entertainment Business Uses
7. All Heavy Industrial Uses, Excluding Any Park Or Open Space Area Uses Designed To Support Adjacent Heavy Industrial Uses Such As, But Not Limited To, Stormwater Management Facility Uses
8. All Waste-Related Service Uses, Excluding Recycling Facility Uses

B. **Special Use Permit Required:** The following land uses shall be subject to issuance of a special use permit:

1. All Agriculture and Animal-Related Service uses
2. All Education Facility Uses
3. All Medical Facility Uses
4. Any Park Or Open Space Area Uses Designed To Support Adjacent Heavy Industrial Uses Such As, But Not Limited To, Stormwater Management Facility Uses
5. All Passenger Terminal Uses, Excluding Airport or Heliport Use
6. All Social Service Uses, Excluding Correctional Facility Use
7. All Indoor Entertainment Uses
8. All Office Uses
9. All Commercial Parking Uses
10. All Restaurant Uses
11. All Retail Repair, sales, and Service Uses
12. All Self-Storage Uses
13. All Vehicle Sales and Service Uses
14. All Light Industrial Uses
15. All Warehousing and Freight Movement Uses
16. Recycling Facility Uses
17. Wholesale Trade Uses

Section 3. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. When Effective. This ordinance shall be in full force and effect after its final passage, approval and publication as provided by law.

Passed this _____ day of _____ 2025 and signed this _____ day of _____ 2025.

Signatures on following pages.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

I, Alicia Hunter, City Clerk of the City of Marshalltown, Iowa, do hereby certify that the foregoing ORDINANCE was passed and approved by the City Council of the City of Marshalltown, Iowa, on the ____ day of _____ 2025, and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the ____ day of _____ 2025.

Alicia Hunter, City Clerk

SWIFT PORK COMPANY

Brad Carl

SIGNATURE

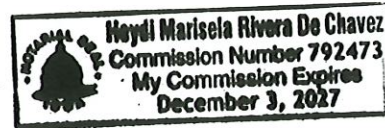
Brad Carl - Corporate Engineer

PRINT NAME AND TITLE

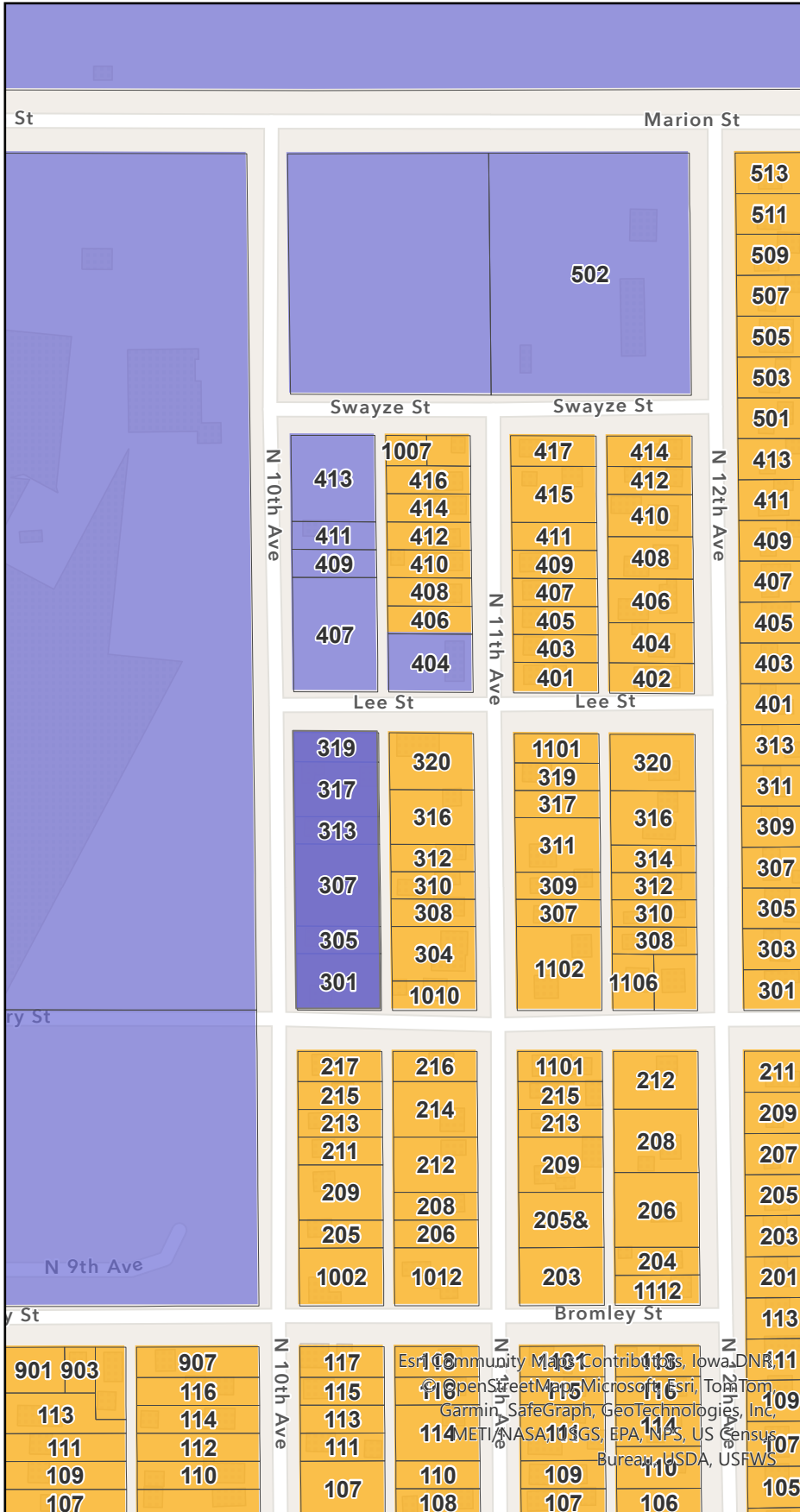
On this 10 day of April, 2025 before me, the undersigned, a notary in public in and for the State of Iowa, personally appeared Brad Carl, to me known to be the identical person(s) named in the foregoing instrument and who executed the same as his/her/their/ voluntary act and deed.

[Signature]

Notary Public in and for the State of Iowa



Marshalltown Zoning



Legend

☐ Parcels

Zoning Districts

-  Agricultural (AG)
-  Rural Residential (RR)
-  Low-Density Residential (RL)
-  Medium-Density Residential (RM)
-  High-Density Residential (RH)
-  Mixed-Use (MU)
-  Urban Core (UC)
-  General Commercial (GC)
-  General Industrial (GI)
-  Planned Unit Development (PUD)
-  Public and Institutional (PI)
-  Recreation (REC)



0 100 200 400
US Feet



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Aerial Vicinity Map
301-319 N 10th Avenue Rezoning



Date Submitted & Fee Paid:

PAID 500.00
V.#: 8001561160

Rcvd
03/17/25
HAT

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. *pd 03/17/25 ✓*

Please type or print legibly in ink.

Property Address:

402 N 10th Ave, Marshalltown IA 50158

Owner:

Swift & Company

Mailing Address:

1770 Promontory Cir, Greeley CO 80634

Phone:

641-752-9320

E-mail:

Brad.Carl@Jbssa.com

Current Zoning Classification:

Residential

Current Use:

Residential (Houses & Empty Lots)

Proposed Zoning Classification:

General Industrial

Proposed Use:

Stormwater Management

Please list the uses of surrounding properties:

Residential, Commercial, Industrial

Signature and Date:

Brad Carl 3-17-25

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.

301 N 10th Ave- Lots 166 and 167 in Melrose Park, an Addition to Marshall, Marshall County, Iowa

305 N 10th Ave- Lot 168 Melrose Park Addition to Marshall, Marshall County, Iowa

307 N 10th Ave- Lot 171, Melrose Park Addition to Marshall, Marshall County, Iowa, and Lots 169 and 170, Melrose Park Addition to Marshall, Marshall County, Iowa

313 N 10th Ave- Lot 172 in Melrose Park, an Addition to Marshall, Marshall County, Iowa

317 N 10th Ave- Lots 173 and 174, Melrose Park, an Addition to the town of Marshall, Marshall County, Iowa

319 N 10th Ave- Lot 175 in Melrose Park, an Addition to Marshall, Marshall County, Iowa

GENERAL GRADING NOTES

1. SLOPES SHALL NOT BE GREATER THAN 3:1, UNLESS OTHERWISE NOTED
2. GRADE TO DRAIN AWAY FROM ALL BUILDINGS.
3. SIDEWALK CROSS SLOPES SHALL NOT EXCEED 2%. CONTRACTOR SHALL TARGET 1.5% CROSS SLOPE.
4. STRIP TOPSOIL TO A DEPTH OF 8" & STOCKPILE AS PER PLAN. RESPREAD TOPSOIL AT LEAST 8" DEEP AS PER SPECIFICATIONS.

LEGEND

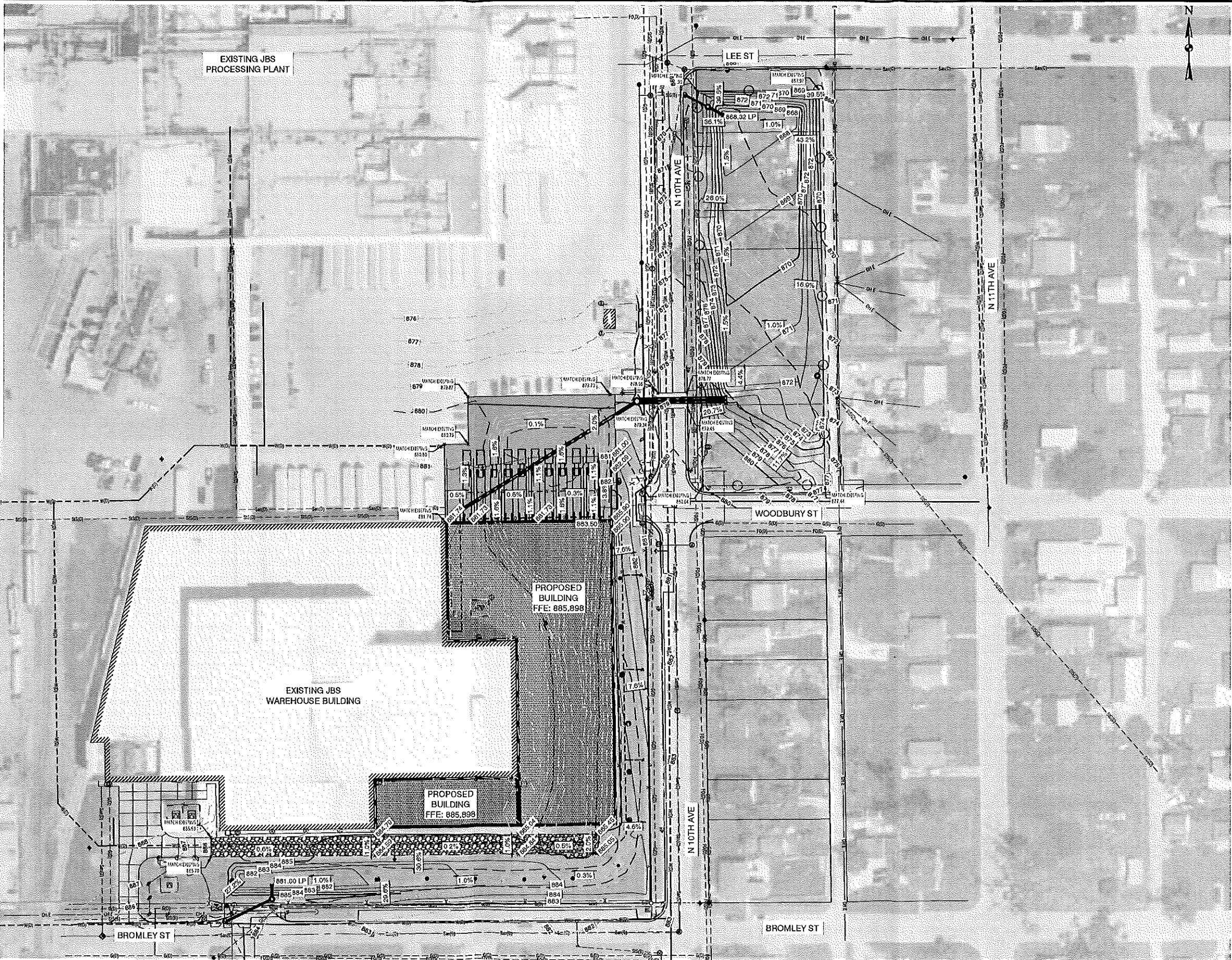
- 2.0% PROPOSED SLOPE
- PROPOSED DRAINAGE PATTERN
- LP LOW POINT

EARTHWORK SUMMARY

TOPSOIL
TOPSOIL STRIP & STOCK PILE = 3,470 CY
TOPSOIL SPREAD (+30%) = 2,725 CY
TOPSOIL WASTE = 745 CY

EARTHWORK
CUT = 5,440 CY
FILL (+30%) = 17,025 CY
BORROW = 11,585 CY

TOTAL NET
BORROW = 10,840 CY



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



Chapman & Barber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-8701
www.cgaconsultants.com

DESIGNED: _____ DATE: _____
DRAWN: _____ DATE: _____
CHECKED: _____ DATE: _____
APPROVED: _____ DATE: _____

JBS DISTRIBUTION EXPANSION
MARSHALLTOWN, IOWA

OVERALL GRADING PLAN

PROJECT NO.
25-DS-0026
SHEET NO.
C.300

