

1. Agenda

Documents:

[AGENDA.PDF](#)

2. Supporting Meeting Documents

Documents:

[MEMO.PDF](#)

[MINUTES 1.PDF](#)

[MINUTES 2.PDF](#)

[OFFICE PARK ORDINANCE.PDF](#)

Notice of Public Meeting
Plan & Zoning Commission – AGENDA
Agenda for Thursday, January 5, 2017 – 5:00 PM
City Hall, Council Chambers
10 West State Street, Marshalltown

Call to Order:

Committee Members:

Jon Boston, Chair
Sharon Greer, Vice-Chair
Tammy Lawson,
Keith Bloomquist

Angela Lins-Eich
Fauna Nord
Steve Valbracht

Roll Call.

Business:

1. Review and approval of minutes from 09/08/16
2. Review and approval of minutes from 12/15/16
3. **PUBLIC HEARING**
Recommendation to City Council on a Zoning Ordinance change to Chapter 29 - Table of Permitted Uses for uses within the OP Office Park District.



James L. Lowrance, Mayor
Randy A Wetmore, City Administrator
36 North Center Street
Marshalltown, IA 50158-4911
Tel - (641) 754-5756
Fax - (641) 754-5742

Housing & Community Development

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director 

DATE: January 5, 2017 – Meeting Date

PUBLIC HEARING

Recommendation to the City Council related to a Zoning Ordinance change to Chapter 29 - Table of Permitted Uses for uses within the OP Office Park District.

The City has received an application to amend the zoning ordinance Table of Permitted Uses to allow additional uses within the OP Office Park District. This request would apply to all OP property. The request has been submitted by the owners of the Medicap Pharmacy building.

The request has been made to include the following as a special use:

- Full service restaurants – 7221
- Limited eating places – 7222
- Beer Wine and Liquor Store – 4453
- Tobacco Store - 453991

We have had some initial discussions about long term planning related to the general medical campus area downtown and what is the best plan for that area. The owners of 11 N. 3rd Avenue are looking for a more immediate action to provide more resale opportunities for their property.

A recommendation should be made to the City Council for consideration. The intention is to have the Council set a public hearing for January 23, 2017 at their regular meeting on January 9th.

2017 Tentative Meeting Schedule (Thursday flowing the 2nd Monday of the Month)

**Dates are tentative and may be changed or canceled in order to accommodate staff schedules or development need.*

January 26, 2017 (special)	February 16, 2017	March 16, 2017
April 13, 2017	May 11, 2017	June 15, 2017
July 13, 2017	August 10, 2017	September 14, 2017
October 12, 2017	November 16, 2017	December 14, 2017

City Council
Leon Lamer, Mike Gowdy, Al Hoop, Joel Greer
Robert Schubert, Bill Martin, Bethany Wirin



MINUTES
MARSHALLTOWN PLAN & ZONING COMMISSION
SEPTEMBER 8, 2016

Call to order: 5:00 PM

Members Present: Jon Boston-Chair, Keith Bloomquist, Stephen Valbracht, Tammy Lawson Fauna Nord and Angela Lins-Eich

Members Absent: Sharon Greer-Vice-Chair

1. Review and approval of the minutes from 08/11/16

Approved as distributed.

2. Recommendation to the City Council regarding the establishment of a new Urban Renewal Area Number 5.

Tom Deimerly, MED Director, presented the plan to create a new district which would cover the former Wandering Creek development area. 39% of increment created will divert to a new fund for low & moderate income housing development as required by the Iowa code. The Commission should make a recommendation to the City Council.

Bill Eggleston made a public comment asking for additional clarification of the use of tax abatement. Staff commented that the City allows use of TIF or tax abatement but not both.

Motion by Valbracht to recommend approval. Second by Nord. All Aye. Motion Carried 6-0.

3. Review and recommendation to the City Council on the Hawkeye Subdivision Preliminary and Final Plat

Steve Troskey, CGA, presented the subdivision plat to split off a lot just west of the Hampton Inn. The lot is 2.86 ac. in area.

Motion by Valbracht to recommend approval. Second by Lawson. All Aye. Motion Carried 6-0.

With no further business the Commission adjourned.

Respectfully submitted,

Michelle Spohnheimer, Housing & Community Development Director

MINUTES
MARSHALLTOWN PLAN & ZONING COMMISSION
DECEMBER 15, 2016

Call to order: 10:30 AM

Members Present: Jon Boston-Chair, Keith Bloomquist, , Tammy Lawson and Angela Lins-Eich

Members Absent: Sharon Greer-Vice-Chair, Stephen Valbracht and Fauna Nord

Bloomquist, Lawson and Lins-Eich joined by phone.

1. Set public hearing for January 5, 2017 at 5:00 PM related to a Zoning Ordinance change to Chapter 29 – Table of Permitted Uses within the OP Office Park District.

Spohnheimer presented the application to amend the zoning ordinance related to uses within the Office Park District. Staff has requested that the hearing be set for January 5th in order to work with the upcoming Council schedule.

Motion by Lawson to set the public hearing. Second by Lins-Eich. All Aye. Motion Carried 4-0.

With no further business the Commission adjourned.

Respectfully submitted,

Michelle Spohnheimer, Housing & Community Development Director

Date Submitted & Fee Paid: 12/7/16 ✓



HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT

36 North Center Street, Marshalltown, IA 50158

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

www.ci.marshalltown.ia.us

Zoning Ordinance Change Application Packet

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. In addition, other information may be requested at the required public meetings.

X

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.

X

Description of Ordinance Change. Please attach a sheet of paper explaining in detail why you are seeking an ordinance change. Information should include if proposed changes are for your property solely or if changes would affect multiple properties in town.

Please type or print legibly in ink.

Requester's Name:

SAM ZOSKE (TAZ REAL ESTATE LLC)

Mailing Address:

1911 KNOWLEDGE DR. MARSHALLTOWN IA 50158

Phone:

(641) 485-9415

Email:

SZOSKE@GMAIL.COM

Current Zoning Classification of Property in Question (if related to ordinance change):

OFFICE PARK

Current Use (if related to ordinance change):

VACANT (PRIOR PHARMACY)

Proposed Use (if related to ordinance change): CONVENIENCE STORE (4452) TOBACCO STORE (453991)

FULL SERVICE RESTAURANT (7221) LIMITED SERVICE (7222) BEER, WINE & LIQUOR (4453)

Signature and Date:

TAZ Real Estate LLC

1911 Knollwood Dr Marshalltown, IA 50158 | 641-485-9415 | szoske@gmail.com

12/7/2016

City Of Marshalltown

Housing and Community Development Department

36 North Center St. Marshalltown, IA 50158

Dear City Of Marshalltown

Housing and Community Development Department:

We are writing this letter as the owners of the property located at 11 N. 3rd Ave in Marshalltown (previously Medicap Pharmacy). I am making a request for the Zoning Commission and City Council to consider including additional special use options for our property and those located in the Office Park District.

As the City of Marshalltown and its community members are aware, the changes at Central Iowa Healthcare have impacted residents, business and property owners. The decision to close Medicap Pharmacy was heavily based on the changes and direction of CIH. We understand the changes at CIH including relocation and the negative impact on the surrounding areas of our downtown are not any fault of the City of Marshalltown or its leadership. We do feel that managing the impact on residents, business owners and property owners is the responsibility of the city's leadership.

When the Office Park District and its Special and Permitted uses were established near downtown, the intent was to maintain the area as an office, medical and administrative zone. Clearly the decision by CIH to relocate the hospital has changed the downtown medical campus and direction of the area. In addition the move will also have an impact on McFarland Clinic and other local health related entities and their operation decisions. All of these things affect business and property values.

The current assessment and value of our property is based on use as retail or medical while the uses of Office Park are limited to administration and office. Pharmacy is a very unique retail business and the future of the that industry, like others healthcare, are rapidly declining. Our asking price of \$275,000 closely reflects assessed value of \$258,520. We have had several serious buyers on the table with offers of near asking price. Those potential buyers are requesting zoning which is not currently allowed. There has been some interest in administrative and office however buyers are offering nearly half the asking and assessed price. Not only is this difference affecting our property value but also the property tax income of the city. A higher purchase price also encourages a better and more profitable business model.

We are aware the City of Marshalltown is currently looking at the future of Office Park and the downtown medical campus. This process will take several months or even years to build a plan and decide what is best for this area. What we do know is that it will not be a medical campus. These decisions take time and careful consideration and ask that the city does not pass this burden on to the property and business owners. For this reason we are not asking for a zoning change rather additions to the options for Special Use under Office Park. Below are those Special Uses we would like to see added:

Full Service Restaurants- 7221

Limited Eating Places- 7222

Beer Wine and Liquor Store- 4453

Tobacco Store- 453991

We understand the impact and downstream effects zoning decisions and direction can have on a community and we are taking this into consideration. The above requests are taking into account the surrounding businesses, demographics of Marshalltown and the market requests. Full Service and Limited Eating are represented numerous times and in close proximity to the Office Park. Beer, Liquor, Wine and Tobacco are already being sold in downtown CBD on Main Street. Additionally Beer, Liquor, Wine and Tobacco are allowed in Office Park at Caseys. In our opinion none of these requests changes or alters the current look, image or flow of adjacent businesses.

I thank the committee for considering these requests and would be happy to answer any questions.

Sincerely,



Sam Zoske