

MARSHALLTOWN

— I O W A —

PLAN ZONING COMMISSION

Notice of Public Meeting Agenda

May 31, 2018 at 5:00 PM

10 W. State Street - Council Chambers

1. Call To Order & Roll Call

Bloomquist
Boston
Brodin
Deimerly-Snyder
Lins-Eich
Greer
Valbracht

2. Review And Recommendation To The City Council On Amendment #7 To Urban Renewal Area No. 3

Documents:

[053118_URNO3-AMEND_MEMO.PDF](#)

[05-14-2018_2018-070_UR3 PLAN MARSHALLTOWN URBAN RENEWAL AREA NO 3 AMENDMENT NO 3 APRIL 2018.PDF](#)

[05-14-2018_2018-070_TIF3 -MAP FINAL MARSHALLTOWN URBAN RENEWAL AREA NO 3 AMENDMENT NO 3 APRIL 2018.PDF](#)

2018 Tentative Meeting Schedule (Thursday following 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 11, 2018	February 15, 2018	March 15, 2018
April 12, 2018	May 31, 2018	TBD
July 12, 2018	August 16, 2018	September 13, 2018
October 11, 2018	November 15, 2018	December 13, 2018

MARSHALLTOWN

I O W A

TO: Plan Zoning Commission

FROM: Michelle Spohnheimer, Housing & Community Development Director

DATE: May 31, 2018 – Meeting Date

Review and Recommendation to the City Council on Amendment #7 to Urban Renewal Area No. 3

The City of Marshalltown is proposing to amend the boundary of Urban Renewal Area No. 3 and extend it to the West along Iowa Avenue West. The attached map identifies the increased area.

The amended plan outlines eligible projects including:

- 1) a development agreement with TC Casady Properties, LLC for improvements in an amount not to exceed \$250,000, and
- 2) allowing for planning, engineering, attorney and administrative fees associated with the support of urban renewal projects and planning.

Recommendation: The Commission may make a recommendation on to the to the City Council on the proposed amendment.

AMENDMENT NO. 7
to the
**CITY OF MARSHALLTOWN AMENDED
AND RESTATED URBAN RENEWAL
AREA NO. 3 URBAN RENEWAL PLAN**
for the
**CITY OF MARSHALLTOWN AMENDED
AND RESTATED URBAN RENEWAL
AREA NO. 3 URBAN RENEWAL AREA**

City of Marshalltown, Iowa

Original Plan – February 1996

Amendment No. 1 – April 2000

Amended and Restated Urban Renewal Plan Amendment No. 2 – January 2007

Amended and Restated Urban Renewal Plan Amendment No. 3 – June 2013

Amended and Restated Urban Renewal Plan Amendment No. 4 – June 2015

Amended and Restated Urban Renewal Plan Amendment No. 5 – October 2015

Amended and Restated Urban Renewal Plan Amendment No. 6 – October 2016

Amended and Restated Urban Renewal Plan Amendment No. 7 – June 2018

Local Government Professional Services, Inc.

DBA – Simmering-Cory

AMENDMENT NO. 7
to the
AMENDED AND RESTATED URBAN RENEWAL AREA NO. 3
URBAN RENEWAL PLAN
for the
AMENDED AND RESTATED URBAN RENEWAL AREA NO. 3
CITY OF MARSHALLTOWN, IOWA

The Amended and Restated Urban Renewal Area No. 3 Urban Renewal Plan (the “Plan” or “Urban Renewal Plan”) for the Amended and Restated Urban Renewal Area No. 3 Urban Renewal Area (the “Area” or “Urban Renewal Area”) was adopted in 1996 and has been previously amended six times including the following amendments:

- Amendment No. 1 (April 2000). Amendment No. 1 added land to the Urban Renewal Area.
- Amendment No. 2 (January 2007). Amendment No. 2 Amended and Restated the Urban Renewal Plan No. 3 for the Urban Renewal Area No. 3. The Amendment also added land and removed land from the Urban Renewal Area.
- Amendment No. 3 (June 2013). Amendment No. 3 added a project, Plumb Supply Company, LLC. To the Urban Renewal Plan and removed a self-imposed expiration date.
- Amendment No. 4 (June 2015). Amendment No. 4 added a project, Theisen’s, Inc., to the Urban Renewal Plan.
- Amendment No. 5 (October 2015). Amendment No. 5, also referred to as 2015-A Amendment, added a project, Bobcat Academy, to the Urban Renewal Plan.
- Amendment No. 6 (October 2016). Amendment No. 6 added a project, Hawkeye Hotels, LLC, to the Urban Renewal Plan.

Now the Amended and Restated Urban Renewal Plan No. 3 is being further amended for the purpose of adding additional land to the Urban Renewal Area and to identify a new urban renewal project to be undertaken within the Urban Renewal Area by this Amendment No. 7 (“Amendment No. 7” or “Amendment”) in accordance with the provisions of Chapter 403 of the *Code of Iowa*.

Except as modified by this Amendment, the provisions of the Amended and Restated Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

DESCRIPTION OF PROPERTY ADDED TO THE URBAN RENEWAL AREA

A legal description of the property being added to the Urban Renewal Area by this Amendment is attached hereto as Exhibit “A” and a corrected legal description for the entire Urban Renewal

Area is attached hereto as Exhibit “B.” A map of the entire Urban Renewal Area, as amended, is attached hereto as Exhibit “C.”

The City reserves the right to modify the boundary of the Area as needed in at some future date.

AREA DESIGNATION

The Urban Renewal Area was originally designated as both an economic development area appropriate for the promotion of commercial and industrial development and an area in which blighted conditions exist, appropriate for blight remediation activities. Amendments No. 2 and 3 reconfirmed the designation of economic development and the presence of blighting factors within the area. Amendments four through six did not make any changes to the Area designation.

This Amendment makes no change in the Area designation.

ELGIBLE URBAN RENEWAL PROJECTS (AMENDMENT NO. 7)

1. Development Agreement: The City is hereby amending the Urban Renewal Plan, as amended, in accordance with the provisions of Chapter 403 of the *Code of Iowa*, to authorize a new urban renewal project that is proposed to be undertaken in the Urban Renewal Area.

The proposed project involves the use of incremental property tax revenues to make economic development payments to TC Casady Property, LLC., in an amount not to exceed \$250,000.00 in connection with the development of a commercial building by TC Casady Property, LLC., located in the Urban Renewal Area. The City anticipates that the development will create an increase in assessed value for the property of \$530,000. Payments will be made for ten years, in an amount equal to 100% of the incremental property tax payments that are attributable to the expanded property.

2. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:

Project	Estimated Date	Estimated Cost to be Funded by TIF Funds
Fees & Costs	Undetermined	Not to Exceed \$25,000

FINANCIAL INFORMATION

1.	July 1, 2017 Constitutional Debt Limit:	\$68,225,606
2.	Outstanding General Obligation Debt:	\$33,349,985
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Project (Amendment No. 7) is identified above in the Eligible Urban Renewal Projects (Amendment No. 7). The project cost in this Plan will be incurred and spent over a number of years based on the terms of a development agreement. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects (Amendment No. 7) as described above will be approximately as stated in the next column:	\$275,000.00

EFFECTIVE PERIOD

This Amendment No. 7 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, will be consistent with Chapter 403 of the *Code of Iowa*. The division of revenues shall continue on the Area for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

REPEALER

Any parts of the Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of this Amendment No. 7 is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.

EXHIBIT A
LEGAL DESCRIPTION OF LAND ADDED TO URBAN RENEWAL AREA BY
AMENDMENT NO. 7

LEGAL DESCRIPTION OF LAND TO BE ADDED BY AMENDED AND RESTATED
AMENDMENT NO. 7:

Beginning at the northwest corner of the NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence southerly along the west line of the NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M. to a point 341.4' south of the northwest corner in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence westerly 673.0' bearing S 89° 10' W;

thence northerly to a point 617.4' east of the northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M. along the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence westerly 66' along the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence southerly 353.4' bearing S 5° 38' E;

thence westerly to a point 379.7' south of the northwest corner, along the west line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence northerly along said west line to the NW corner of section 15 township 83 north range 18 west of the 5th P.M.;

thence north along the east line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 9 township 83 north range 18 west of the 5th P.M.;

thence east along the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 289.96';

thence south to the northwest corner of Lot 5, Block 3, Pioneer Village First Addition to Marshall;

thence easterly along the north lines of Lots 5, 6, 7, 8, 9, 10, 11, 12, and 13 to the northeast corner of lot 13 of Block 3, Pioneer Village First Addition to Marshall;

thence southeast to the northwest corner of Lot 14, Block 3, Pioneer Village First Addition to Marshall;

thence southeast to the northeast corner of lot 16, Block 3, Pioneer Village First Addition to Marshall;

thence east to a point along the east line of Pioneer Village First Addition to Marshall, 195' north of the southeast corner of the South Fourteenth St. Right of Way of Pioneer Village First Addition to Marshall.

thence north along said east line to the southwest corner of Lot 1, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence east along the south line of Rolling Meadows 2nd Addition to Marshall to the southeast corner of Lot 9, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence south to the northwest corner of Parcel "A" in Lot 1 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 10 township 83 north range 18 west of the 5th P.M.;

thence east to a point 302.6' north of the southwest corner, along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 north range 18 west of the 5th P.M.;

thence southerly along said west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 North Range 18 west of the 5th P.M. to the northwest corner of the NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M. and point of beginning.

EXHIBIT B

LEGAL DESCRIPTION OF THE AMENDED AND RESTATED MARSHALLTOWN URBAN RENEWAL AREA NO. 3

CORRECTED LEGAL DESCRIPTION FOR THE AMENDED AND RESTATED MARSHALLTOWN URBAN RENEWAL AREA NO. 3:

Beginning at the intersection of the centerlines of South Center Street and of East Olive St;
thence easterly along the centerline of East Olive Street to the centerline of South 2nd Avenue;
thence southerly along said centerline (extended) to the south line of Future 1st Addition;
thence westerly along said south line of Future 1st Addition to the NE corner of Lot 1, Block 1, of
Sunset 1st Addition;
thence southerly to the SE corner of Lot 19, Block 1, of Sunset 1st Addition;
thence easterly to the NE corner of Lot 12, Block 1, of Sunset 2nd Addition;
thence southerly to the SE corner of Lot 12, Block 1, of Sunset 2nd Addition;
thence southwesterly to the NE corner of Lot 1, Block 4, of Sunset 2nd Addition;
thence southerly to the SE corner of Lot 1, Block 1, of Thunderbird Village 1st Addition;
thence southeasterly along the east line of Lots 2, 5, and 6 of the plat of Lots 1 through 8 of the
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 83 North, Range 18 West of the 5th P.M. to the SE
Corner of said Lot 6;
thence easterly along the north right of way line of E. Southridge Rd. to the east line of the NW
 $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 11;
thence southerly along said east line to the north line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11;
thence easterly along said north line to the east line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township
83 North, Range 18 West of the 5th P.M.;
thence southerly along said east line to the south line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11,
Township 83, Range 18 West of the 5th P.M.;
thence easterly along the north line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 83 North,
Range 18 West of the 5th P.M. to the NE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
thence southerly along the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13 to the south line of said
NW $\frac{1}{4}$ NW $\frac{1}{4}$;
thence westerly along south line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 13 township 83 north range 18
west of the 5th P.M. to the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14 township 83 north
range 18 west of the 5th P.M.

thence westerly along south line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 14 township 83 north range 18 west of the 5th P.M. to the southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14 township 83 north range 18 west of the 5th P.M.

thence westerly along south line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 14 township 83 north range 18 west of the 5th P.M. to the southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 township 83 north range 18 west of the 5th P.M.

thence westerly along south line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 14 township 83 north range 18 west of the 5th P.M. to the southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 township 83 north range 18 west of the 5th P.M.

thence westerly along south line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 14 township 83 north range 18 west of the 5th P.M. to the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 township 83 north range 18 west of the 5th P.M.

thence westerly along south line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M. to the southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 township 83 north range 18 west of the 5th P.M.

thence westerly along south line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M. to the west line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 township 83 north range 18 west of the 5th P.M.

thence northerly along said west line to a point 341.4' south of the northwest corner on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence westerly 673.0' bearing S 89° 10' W;

thence northerly to a point 617.4' east of the northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M. along the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence westerly 66' along the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence southerly 353.4' bearing S 5° 38' E;

thence westerly to a point 379.7' south of the northwest corner, along the west line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 15 township 83 north range 18 west of the 5th P.M.;

thence northerly along said west line to the NW corner of section 15 township 83 north range 18 west of the 5th P.M.;

thence north along the east line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 9 township 83 north range 18 west of the 5th P.M.;

thence east along the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 289.96';

thence south to the northwest corner of Lot 5, Block 3, Pioneer Village First Addition to Marshall;

thence easterly along the north lines of Lots 5, 6, 7, 8, 9, 10, 11, 12, and 13 to the northeast corner of lot 13 of Block 3, Pioneer Village First Addition to Marshall;

thence southeast to the northwest corner of Lot 14, Block 3, Pioneer Village First Addition to Marshall;

thence southeast to the northeast corner of lot 16, Block 3, Pioneer Village First Addition to Marshall;

thence east to a point along the east line of Pioneer Village First Addition to Marshall, 195' north of the southeast corner of the South Fourteenth St. Right of Way of Pioneer Village First Addition to Marshall.

thence north along said east line to the southwest corner of Lot 1, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence east along the south line of Rolling Meadows 2nd Addition to Marshall to the southeast corner of Lot 9, Block 3, Rolling Meadows 2nd Addition to Marshall;

thence south to the northwest corner of Parcel "A" in Lot 1 of the Subdivision of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 10 township 83 north range 18 west of the 5th P.M.;

thence east to a point 302.6' north of the southwest corner, along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 north range 18 west of the 5th P.M.;

thence northerly 138.1' along said west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 North Range 18 west of the 5th P.M.;

thence easterly a distance of 513 feet bearing N 87° 45 $\frac{1}{2}$ ' E;

thence southerly a distance of 162 feet bearing approximately S 2° 00' E to the south line of Lot 1 of the Subdivision of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 north range 18 west of the 5th P.M.;

thence east along said south line of lot 1 to the east line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 north range 18 west of the 5th P.M.;

thence northerly along said east line to the northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 north range 18 west of the 5th P.M.;

thence easterly along the north line of said section to northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 township 83 north range 18 west of the 5th P.M.;

thence easterly a distance of approximately 1,018.97' along the south line of South Pointe 1st Addition including Outlot "X" to the southeasterly corner of said addition located along the south line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 township 83 north range 18 west of the 5th P.M.;

thence northwesterly along the east lines of South Pointe 1st Addition including Outlot "X";

thence westerly along the north line of South Pointe 1st Addition including Outlot "X" to the west line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 township 83 north range 18 west of the 5th P.M.;

thence northerly along the west line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 township 83 north range 18 west of the 5th P.M. to the north right of way line extended of W. Hibbs Blvd.;

thence easterly along said northerly right of way line also being the south lines of Glenwood 1st Addition Lots 1 thru 7 to the SE corner of Lot 7 of said addition;

thence northerly along the easterly line of Glenwood 1st Addition Lot 7 to the easterly line of Ray 2nd Addition;

thence northeasterly along the east lines of Ray 1st and 2nd Additions to the south line of Commerce 3rd Addition also the south right of way line of Nicholas Dr.;

thence easterly along said south line to the centerline of South 2nd St.;

thence northerly along the South 2nd St. centerline to the centerline of W. Southridge Rd.;

thence easterly along said centerline to the west line of Lot 2 extended of the subdivision of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 83 North, Range 18 West of the 5th P.M.;

thence northerly along said west line of Lot 2 extended to the northwest corner of Lot 2 of Lot 3 of Lot 1 of the subdivision of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 83 North, Range 18 West of the 5th P.M.;

thence easterly 10 feet along the south line of said Lot 2 of Lot 3 of Lot 1;

thence northerly along the east line of the west 10 feet of Lot 2 of Lot 3 of Lot 1 and of the westerly 10 feet of Lot 2 of Lot 2 of Lot 1 extended to the centerline of Westwood Drive all in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11 township 83 north range 18 west of the 5th P.M.;

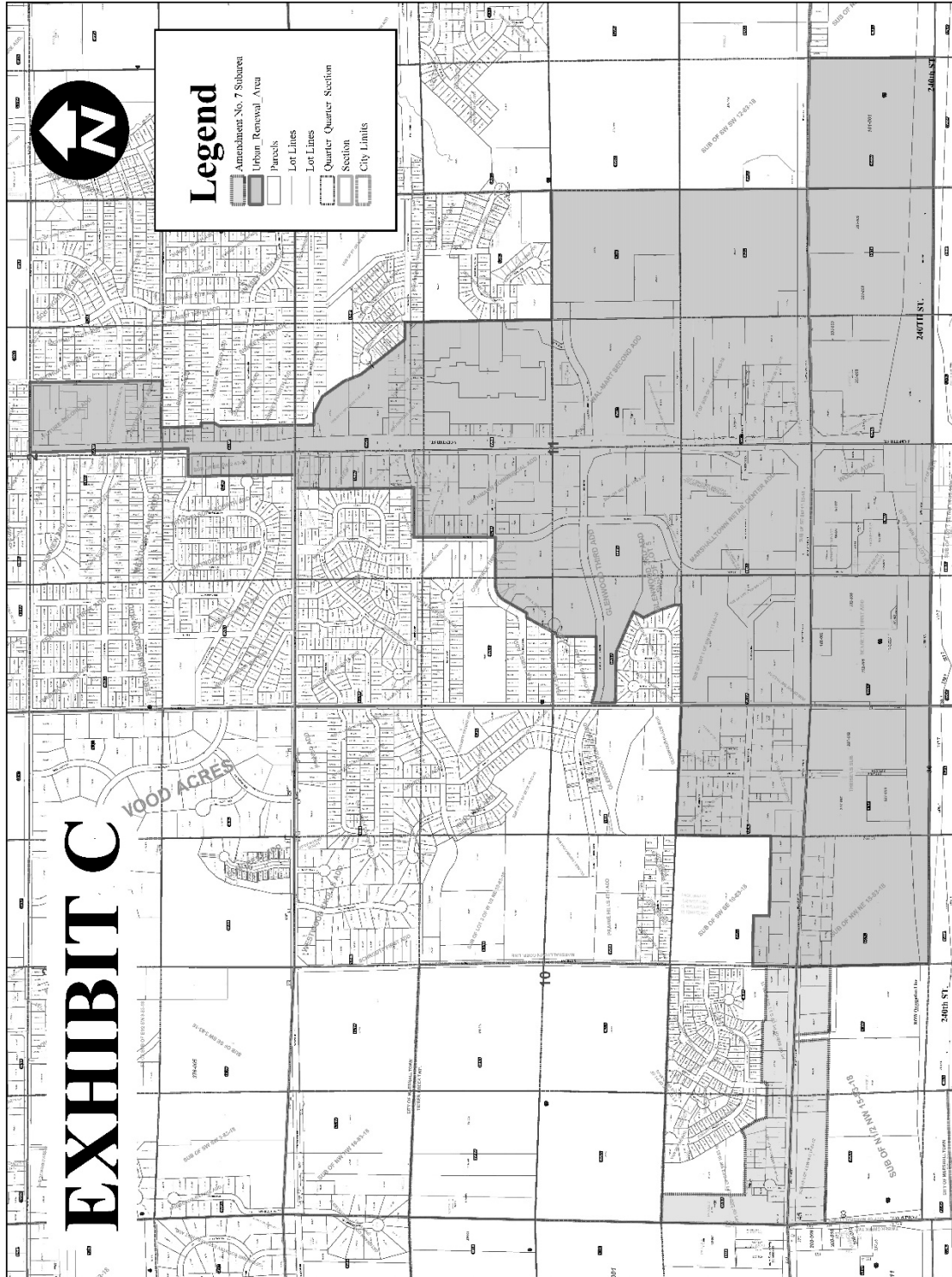
thence easterly along said centerline to the west line extended of Lot 14 of the subdivision of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 83 North, Range 18 West of the 5th P.M.;

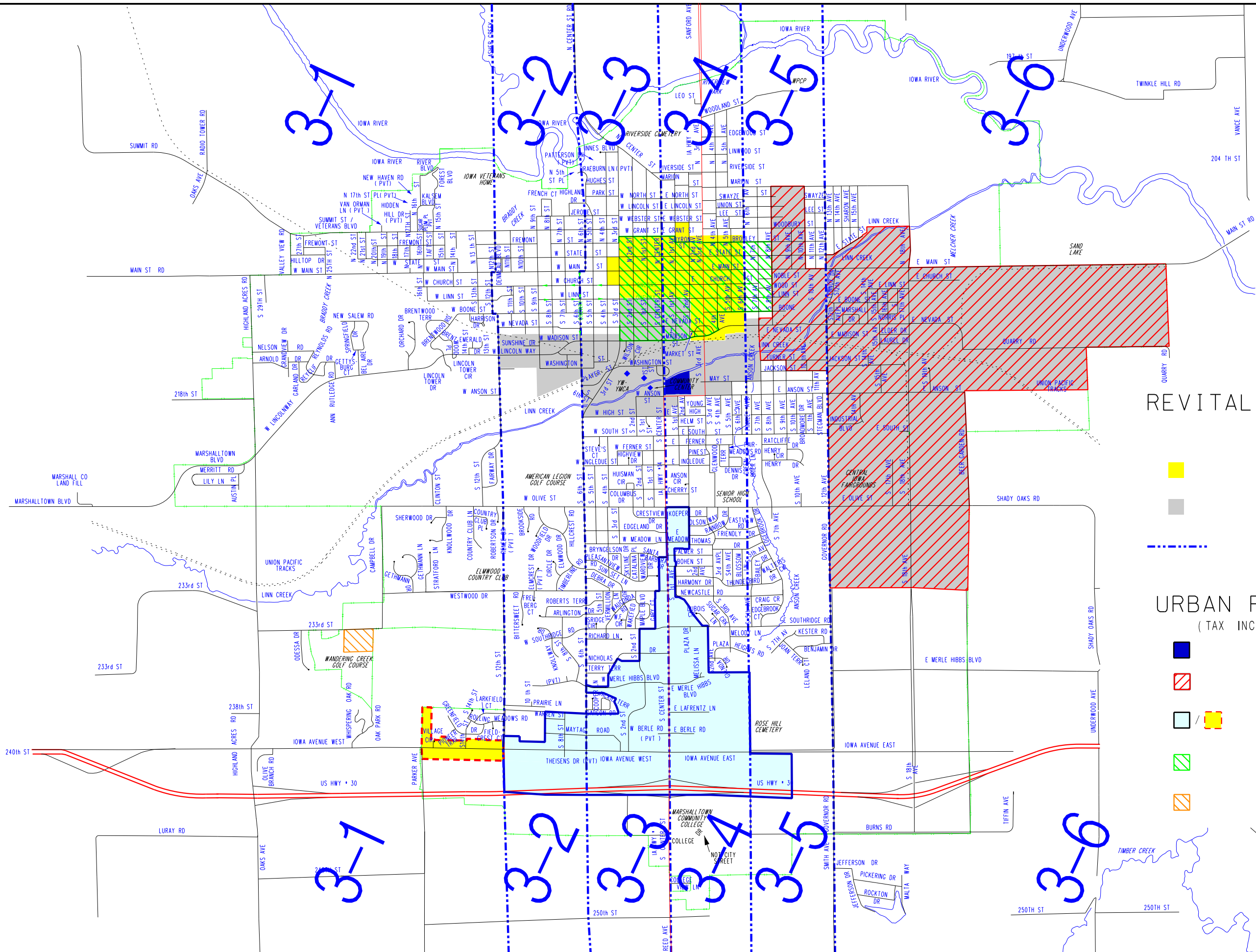
thence north along the west line of Lots 4 through 14 of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the centerline of Santa Barbara Drive;

thence easterly along said centerline to the centerline of South Center Street;

thence northerly along said centerline to the centerline of West Olive Street and point of beginning.

MAP OF MARSHALLTOWN URBAN RENEWAL AREA NO. 3, AS AMENDED





REVITALIZATION AREAS (TAX ABATEMENT)



NO. 1 AS AMENDED



NO. 2 AS AMENDED



NO. 3

URBAN RENEWAL AREAS (TAX INCREMENT FINANCING)



NUMBER 1



NUMBER 2



NUMBER 3 / PROPOSED AMENDMENT



NUMBER 4



NUMBER 5

