

MARSHALLTOWN URBAN RENEWAL  
AREA #7 DESIGNATION AND PLAN  
HEARING

422742-50

Marshalltown, Iowa

September 12, 2022

The City Council of the City of Marshalltown, Iowa, met on September 12, 2022, at 5:30 p.m., at the City Council Chambers, 10 West State Street, Marshalltown, Iowa, for the purpose of conducting a public hearing on the designation of an urban renewal area and on a proposed urban renewal plan and projects. The Mayor presided and the roll being called the following members of the Council were present and absent:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

The City Council investigated and found that notice of the intention of the City Council to conduct a public hearing on the designation of the Marshalltown Urban Renewal Area #7 and on an urban renewal plan and projects for the Area had been published according to law and as directed by the Council and that this is the time and place at which the City Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the City Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member \_\_\_\_\_ moved the adoption of a resolution entitled “A Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Projects for the Marshalltown Urban Renewal Area #7,” seconded by Council Member \_\_\_\_\_. After due consideration, the Mayor put the question on the motion and the roll being called, the following named members of the Council voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. \_\_\_\_\_

A Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Project for the Marshalltown Urban Renewal Area #7

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa, the “Urban Renewal Law,” a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, it has been proposed by the City Council of the City of Marshalltown, Iowa, (the “City”) that the Marshalltown Urban Renewal Area #7 (the “Urban Renewal Area”) be established on the property (the “Property”) described in Exhibit A to this Resolution; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Urban Renewal Area to be an economic development and blighted area; and

WHEREAS, a proposed urban renewal plan (the “Plan”) has been prepared for the governance of projects and initiatives to be undertaken in the Urban Renewal Area and which authorizes a certain initial urban renewal project to be undertaken therein consisting of providing tax increment financing support to Karl of Marshalltown, LLC (the “Company”) in connection with the remodeling of a building located at 1000 North 3<sup>rd</sup> Avenue and the construction of a new building to be located at 906 North 3<sup>rd</sup> Avenue for use in the Company’s business operations in the Urban Renewal Area; and

WHEREAS, notice of a public hearing by the City Council on the question of establishing the Property as an urban renewal area and on the Plan and projects for the Urban Renewal Area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the City Council has conducted said hearing on September 12, 2022; and

WHEREAS, the Plan was submitted to and commented on by the Planning and Zoning Commission of the City; and

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were mailed to Marshall County and the Marshalltown Community School District; the consultation meeting was held on the 25<sup>th</sup> day of August, 2022; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Marshalltown, Iowa, as follows:

Section 1. An economic development and blighted area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the Marshalltown Urban Renewal Area #7.

Section 3. The development and redevelopment of the Property is necessary in the interest of the public health, safety or welfare of the residents of the City.

Section 4. It is hereby determined by this City Council as follows:

- A. The Plan conforms to the general plan of the municipality as a whole;
- B. Proposed development in the Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives;
- C. Proposed blight alleviation and prevention projects described in the Plan are necessary to restore the property situated in the Urban Renewal Area to its highest and best use and to prevent the spread of blighted conditions in the Urban Renewal Area; and
- D. It is not anticipated that families will be displaced as a result of the City's undertakings under the Plan. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 5. The Plan for the Urban Renewal Area is made a part hereof and is hereby in all respects approved in the form presented to this City Council, and the proposed projects described in the Plan are hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved September 12, 2022.

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Mayor

Attest:

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City Clerk

EXHIBIT A  
LEGAL DESCRIPTION  
MARSHALLTOWN URBAN RENEWAL AREA #7

A PORTION OF LAND IN THE EAST HALF OF SECTION 23 AND ALSO THE EAST HALF OF SECTION 26, TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5<sup>TH</sup> P.M., MARSHALL COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 3 OF THE TOWN PLAT OF MARSHALLTOWN; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 10 TO THE NORTHEAST CORNER OF LOT 5, BLOCK 3; THENCE NORTHEASTERLY ACROSS EAST WOODBURY STREET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, OF LAWRENCES ADDITION; THENCE NORTH ALONG THE WEST LINE OF LOTS 1 THROUGH 7 OF SAID LAWRENCES ADDITION ACROSS E. LEE STREET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 2, OF LAWRENCES ADDITION; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1 BLOCK 2 THROUGH LOT 6 ACROSS SWAYZE STREET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, OF LAWRENCES ADDITION; THENCE NORTH ALONG THE WEST LINE OF LOT 1 THROUGH LOT 6 OF SAID BLOCK 3 ACROSS MARION STREET TO THE SOUTHWEST CORNER OF LOT 81 OF BINFORDS PARK PLACE ADDITION; THENCE NORTH ALONG THE WEST LINE OF LOTS 81 THROUGH 74 TO THE NORTHWEST CORNER OF LOT 74 OF SAID BINFORDS PARK PLACE ADDITION; THENCE NORTHEASTERLY ACROSS RIVERSIDE STREET TO THE SOUTHWEST CORNER OF LOT 73 OF BINFORDS PARK PLACE ADDITION; THENCE EASTERLY ALONG THE SOUTH LINE OF LOT 73 IN SAID BINFORDS PARK PLACE ADDITION EXTENDED TO THE EAST RIGHT-OF-WAY LINE OF NORTH 4TH AVENUE AND SOUTHWEST CORNER OF LOT 1, BLOCK 4, OF BINFORD PARK MANOR ADDITION; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 AND LOT 20, BLOCK 4 EXTENDED TO THE EAST RIGHT-OF-WAY OF NORTH 5<sup>TH</sup> AVENUE; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOTS 1 EXTENDED TO THE EAST LINE OF THE 16' VACATED ALLEY ADJACENT ON THE EAST SIDE OF SAID BLOCK 3, BINFORD PARK MANOR ADDITION; THENCE NORTH ALONG THE EAST LINE OF SAID 16' VACATED ALLEY EXTENDED TO THE NORTH RIGHT-OF-WAY LINE OF WOODLAND STREET; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE TO EAST RIGHT-OF-WAY LINE OF NORTH 3RD AVENUE; THENCE NORTH ALONG SAID RIGHT-OF-WAY TO THE NORTH LINE OF SECTION 26; THENCE WEST ALONG SAID NORTH LINE OF SECTION 26 TO THE EAST RIGHT-OF WAY OF NORTH 3RD AVENUE; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY TO NORTH CORPORATE LINE OF THE TOWN OF MARSHALLTOWN, MARSHALL COUNTY, IOWA; THENCE SOUTHWESTERLY ALONG NORTH CORPORATE LINE OF THE TOWN OF MARSHALLTOWN TO THE NORTHWEST CORNER OF LOT 1 OF 1 OF 2 OF 1 OF 1 (LOT 1/1/2/1/1) OF SECTION 23, TOWNSHIP 84 NORTH, RANGE 18 WEST; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1 OF LOT 1 OF LOT 2 OF LOT 1 OF LOT 1 (LOT 1/1/2/1/1) THROUGH LOT 2 OF LOT 1 OF LOT 2 OF LOT 1 OF LOT 1 (LOT 2/1/2/1/1) TO THE SOUTH LINE OF SECTION 23, TOWNSHIP 84 NORTH, RANGE 18 WEST; THENCE SOUTH ALONG THE WEST LINE OF LOT 1 OF LOT 2 OF LOT 1 (LOT

1/2/1) TO ITS INTERSECTION WITH THE EAST BOUNDARY LINE OF THE CEMETERY; THENCE CONTINUING SOUTHEASTERLY ALONG THE EAST BOUNDARY LINE OF THE CEMETERY TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 5 OF LOT 3 OF LOT 1 (LOT 5/3/1) OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 84 NORTH, RANGE 18 WEST; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 5 OF LOT 3 OF LOT 1 (LOT 5/3/1) TO THE WEST RIGHT-OF-WAY OF NORTH 3RD AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY OF NORTH 3RD AVENUE TO THE NORTHEAST CORNER OF LOT 4, BLOCK 4, OF RIVERSIDE ADDITION; THENCE WEST ALONG SAID NORTH LINE OF LOT 4 EXTENDED ACROSS THE ADJACENT 16.5' ALLEY TO THE NORTHEAST CORNER OF LOT 17, BLOCK 4; THENCE SOUTH ALONG THE WEST LINE OF THE ALLEY TO THE SOUTHEAST CORNER OF LOT 12 OF BLOCK 4; THENCE SOUTHEASTERLY ACROSS MARION STREET TO THE NORTHEAST CORNER OF LOT 7 OF SUBDIVISION OF LOT 1 (LOT 7/1) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 84 NORTH, RANGE 18 WEST; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 7 THROUGH LOT 5 OF LOT 1 (LOT 7/1 THROUGH LOT 5/1) TO THE NORTH LINE OF BINFORDS ADDITION AND THE NORTHEAST CORNER OF LOT 12, BLOCK 1; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 12 THROUGH LOT 7, BLOCK 1 TO THE NORTHEAST CORNER OF LOT 12 AND NORTH LINE OF WEBSTER'S 3RD ADDITION SUBDIVISION OF OUTLOT A, AKA NELSON AND PETERSON SUB OF OUTLOT A; THENCE SOUTH ALONG THE EAST LINE OF LOT 12 TO THE SOUTH RIGHT-OF-WAY LINE OF EAST LINCOLN STREET; THENCE SOUTH ALONG THE EAST LINE OF LOT 9 THROUGH LOT 7 TO THE SOUTHEAST CORNER OF SAID LOT 7 AND ALSO THE NORTH LINE OF WEBSTERS 3RD ADDITION; THENCE SOUTH ALONG THE EAST LINE OF LOT 4, BLOCK 2 OF WEBSTERS 3RD ADDITION ACROSS EAST WEBSTER STREET TO THE NORTHEAST CORNER OF LOT 6, BLOCK 1 OF WEBSTERS 3<sup>RD</sup> ADDITION; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 6 THROUGH LOT 4 TO THE NORTHEAST CORNER OF LOT 2 OF LOT 1 OF LOT 1 OF LOT 1 OF LOT 1 (LOT 2/1/1/1/1) OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 84 NORTH, RANGE 18 WEST; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 2 OF LOT 1 OF LOT 1 OF LOT 1 OF LOT 1 THROUGH LOT 7 OF LOT 1 OF LOT 1 OF LOT 1 OF LOT 1 (LOT 2/1/1/1/1 THROUGH 7/1/1/1/1) EXTENDED TO THE SOUTHEAST CORNER OF LOT 2 OF LOT 1 OF LOT 1 OF LOT 1 (LOT 2/1/1/1), THENCE NORTHEASTERLY ACROSS THE ALLEY TO THE SOUTHWEST CORNER LOT 1, BLOCK 1, ABELL'S ADDITION; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 TO THE WEST RIGHT-OF-WAY LINE OF NORTH 3RD AVENUE; THENCE EAST ACROSS NORTH 3RD AVENUE TO THE SOUTHEAST CORNER OF LOT 10, BLOCK 3; ALL WITHIN THE CITY OF MARSHALLTOWN, MARSHALL COUNTY, IOWA.

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Upon motion and vote, the meeting adjourned.

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Mayor

Attest:

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City Clerk

STATE OF IOWA  
MARSHALL COUNTY  
CITY OF MARSHALLTOWN

SS:

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Marshalltown, Iowa, and that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with designating an urban renewal area and approving the urban renewal plan and project for the Marshalltown Urban Renewal Area #7 in the City.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
City Clerk

**(Please attach to this certificate a copy of the minutes or a resolution of the Planning and Zoning Commission showing the action taken by that Commission with respect to the urban renewal plan.)**



## **Plan Zoning Commission**

Meeting Minutes from August 11, 2022

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

Meeting time: 5:00 PM

### **1) Call to order and roll call**

Commission members present: Boston, Eilers, Gruendler, & Brodin

Commission members absent: Valbracht & Wittkop

### **2) Approval of Minutes from 6/16/22**

Minutes approved as distributed.

### **3) Review and Recommendation to City Council: Glenwood Park 7th Addition Final Plat**

Michelle Spohnheimer, Housing & Community Development Director presented information on the Glenwood Park 7<sup>th</sup> Addition Final Plat. The Engineer for the project was also present to answer any questions. Boston indicated that there were almost no changes from the Preliminary Plat previously approved. Discussion related to parks in the area.

**Gruendler moved to recommend approval of the Glenwood Park 7<sup>th</sup> Addition Final Plat to City Council. Second by Eilers. All Aye. Motion Carried.**

### **4) Review and Recommendation to City Council: Urban Renewal Area No 7 Designation**

Spohnheimer presented information on the proposed Urban renewal Area No. 7. Boston: Asked if there is a method of determining which lots were in the district. Spohnheimer described that it was based on where the Highway 14 Corridor area is, much of which was zoned as mixed use as part of the comprehensive update. The initial project planned includes the construction at Karl of Marshalltown.

**Brodin moved to recommend approval of the Urban renewal Area No 7 to City Council. Second by Gruendler. All Aye. Motion Carried.**

Meeting Adjourned 5:27 pm