

## **Board of Adjustment**

Meeting Minutes – March 22nd, 2023

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

**1. Roll Call:**

Present: Sweet, Engle, Thurston, and Wenner

Absent: Schulze

**2. Select Chair Person**

No Motion to select Chair Person until next Board of Adjustment Meeting

**3. Meeting Minutes from 9/21/2021**

Wenner motion to approve

Second by Engel

All approve and accept minutes

**4. PUBLIC HEARING and ACTION to Board of Adjustment on Special Use Permit Request 102 N 9<sup>th</sup> Ave, Dustin Tapp**

Chair declared the public hearing open. No Public hearing. The public hearing was closed. Dustin Tapp, Central Towing and Recovery, presented on the proposed special use application for 102 N 9<sup>th</sup> Ave. Currently Central Iowa Towing and Recovery is based in Ames but also services cities such as Waterloo. Dustin would like to operate services in Marshalltown to improve response time and road clearance as the closest service would be in Ames. Hector Hernandez, City Planner presented information on the proposed towing service company. The meeting of Plan and Zoning Commission on Thursday, March 9, 2023 made the recommendation of having an 8FT privacy fence around the outdoor storage area.

**Wenner motion to approve the special use permit for 102 N 9<sup>th</sup> Ave, Dustin Tapp with the following conditions an 8FT privacy fence. Engel seconded the motion. All Aye. Motion Carried.**

**5. PUBLIC HEARING and ACTION to Board of Adjustment on Special Use Permit Request 1414 Iowa Ave W, TC Casady Property LLC**

Chair declared the public opened. The following public comments were received. Jim Bell local property and business owner expressed an opposition due to negative impact on the neighborhood. Also questioned what portion of the property would be used for the business. Shannon Robinson and Kelly Miller from Greenfield Dr spoke and expressed concerns about the

trash, smell, children in neighborhood, contamination, decrease property value, and the view from their homes. Alyssa Johnson voiced concern about flies being a problem. Mark Stevens talked about the air quality concerns as well as the negative property value, and concerned about the truck cleanliness. John Hall Chamber of Commerce President expressed support in the project, it would utilize vacant land for development. The type of development is appropriate for the location of the commercial use. The owner and business are willing to comply with screening and fencing in order to limit the impact with the neighbors. Written comments were received from Cynthia Britson and Antonio Banderas included in the packet. Public hearing was closed.

The applicant presented the request to the board. Todd Casady responded to the question to what portion of the property would be used, approximately 2 acres would be used. It was believed it was a good fit for Iowa Avenue and Cassidy has multiple properties on Iowa Ave. Mike Keeran with Stone Sanitation presented information on Stone's operations. He addressed operations and concerns about nuisance that were mentioned by the residents. The project would include a new building for office, a wash bay, and repair. They are willing to do the fencing and buffering to meet the requirements. He mentions that no garage would be stored on site, the trucks would be cleared and emptied. In his experience he believes there is no excessive odor from the building. They chose the location due to the easy access to the landfill and the majority of the operations in Marshalltown. Keeran described the regulation that Stone's has to follow from the state level.

Discussion included the following topics, board members asked if there was any history of concerns from the current facility. Keeran said there has not been any concerns since working for Stone's. Keeran talked about how trucks would be stored on site. Keeran said the backing up of trucks would occur during the afternoon and vehicles would be parked outdoors for safety. He indicated that there would be 18 vehicles that would be stored as well as 100 variety of containers. Board discussed limited visibility by requiring fencing and landscaping. Concerned of a privacy fence light in color that could be softened with some trees and shrubs. The board did question the smell which Mike discussed that it should be very limited. Mike said the worst smell would be grease trap.

Staff presentation, Hector Hernandez presented information on the special use permit application and Heather Thomas, the City Engineering addressed stormwater retention. Heather addressed traffic concerns that would only increase 1%. Iowa Ave is an arterial road. The city does have an MS4 which addresses potential contamination which required ongoing monitoring.

**Thurston motion to approve the special use permit for 1414 Iowa Ave W, TC Casady Properties LLC with the following conditions 8 FT light privacy fence on all sides surrounding the gravel of the property lines with buffering to include a combination of trees and bushes on the North side of the property. Seconded by Wenner. All aye 4-0.**

**Staff discussed future meeting dates**

**Meeting Adjourned at 6:15 pm**