



CITY OF MARSHALL
Planning Commission
Agenda
Wednesday, August 14, 2024 at 5:30 PM
City Hall, Council Chambers

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Consider Approval of the Minutes from the Regular Meeting Held on July 10, 2024

PUBLIC HEARING

- [2.](#) Consider the request of the Turkey Valley Farms to rezone these two lots from R-1 One Family District to R-2 One to Four Family District and a Conditional Use Permit for a parking lot in an R2 District
- [3.](#) Consider the request of Paul and Joanne Stoneberg for a Conditional Use Permit for three multi-family apartment buildings in a B-3 General Business District at 1000 Clarice Avenue
- [4.](#) Consider the request of Independent Lumber for a Conditional Use Permit for a Lumberyard in a B-3 General Business District

OLD BUSINESS

NEW BUSINESS

ADJOURN

Disclaimer: These agendas have been prepared to provide information regarding an upcoming meeting of the Common Council of the City of Marshall. This document does not claim to be complete and is subject to change.

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
JULY 10, 2024**

MEMBERS PRESENT: Pieper, Deutz, Agboola, Muchlinski, Doom, Lee
MEMBERS ABSENT: Stoneberg,
OTHERS PRESENT: Jason Anderson, Ilya Gutman, Amanda Schroeder,
Christina Cruz-Jennings (via Zoom)

Call to Order.

The meeting was called to order by Chairperson Lee.

Approval of the Minutes.

Chairperson Lee asked for the approval of the minutes of the June 12, 2024, regular meeting of the Marshall Planning Commission. DOOM MADE A MOTION, SECOND BY MUCHLINSKI, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION. MOTION PASSED 6:0.

Consider the request for a Variance Adjustment Permit for a Reduced Side Yard

Anderson presented this request from the property owner to construct a new addition that would be located five feet from the side property line instead of the required ten feet. Granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use is reasonable, that the problem is caused by conditions that are unique to this property, and that granting the variance will not change the character of the area. Building an addition is obviously reasonable. However, there is nothing unique about this property, which is a typical rectangular interior lot. Additionally, there are no other buildings around that are too close to their side property lines so building this addition may change the character of the area. Steve Sussner – part owner of Borch’s Sporting Goods, 1309 East College Drive, informed that the plan is to build a production warehouse facility. Sussner shared there is no space in back, front or east of the building to add the addition. Pieper asked why he couldn’t go ten feet. Sussner replied there is not enough room to go ten feet. Pieper asked why not use the front. Sussner stated the City Zoning Ordinance requires specific parking requirements. Doom asked if the parcel to the west was landlocked. Anderson confirmed the parcel to the west was landlocked. Deutz asked why the company was able to construct concrete surface closer than 10-FT to the lot line. Anderson shared the City Ordinance prohibits a building to be built up to the lot line but does not prohibit concrete flat work all the way up to the lot line. Doom shared the location is unique due to the parcel next door being landlocked. MUCHLINSKI MADE A MOTION, SECOND BY DEUTZ, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION SECOND BY DEUTZ to recommend approval to the City Council of the request by Mike Dalager for a Variance Adjustment Permit for a reduced side yard setback to five feet. ALL VOTED IN FAVOR. MOTION PASSED 6:0.

Public Hearing on Preliminary Plat of Ag Plus Swenson Addition

Jason informed the purpose of this plat is to better describe parcels of land in this area and to better describe and identify access agreements across parcels. Anderson shared property owners desire to better describe the parcels of land in the area and are working on different access agreements and possible improvements on the property and they’ve determined the first step should be to plat the property. Anderson informed City staff has reviewed the Preliminary Plat and recommends approval to City Council. Brian Kor, 2517 River Road, stated he is representing a couple property owners and was wondering if there was any consideration in extending down the frontage road by Action Sports, all the way to the manufactured home park entrance. Jason shared the city is not involved in this project. Anderson stated this was a private project between private property owners and the city is not in the position at this time to do any frontage roads in any direction. Steve Traen, 1100 East Main Street, informed that AgPlus wants to put in a frontage road from Canoga Drive into the AG Plus lot. Traen shared their only access is located on Highway 59 and becomes difficult when there is construction. Traen stated the State will not allow access from Highway 23. Doom asked why this was brought to the Planning Commission members if it is a private project. Anderson informed the City Ordinance requires property to be platted prior to subdivision and much of this land area is not currently platted. In addition, platting lots in this area makes it simpler for Ag Plus and Swenson to create access agreements and transfer property. Anderson shared the Planning Commission’s role is to review the Preliminary Plat for compliance with City Code. DOOM MADE A MOTION, SECOND BY PEIPER, to close the public hearing. ALL VOTED IN FAVOR. MUCHLINSKI MADE A MOTION, SECOND BY AGBOOLA to recommend approval of the preliminary plat of Ag Plus Swenson Addition to the City Council, subject to utility companies review and recommendations. ALL VOTED IN FAVOR. MOTION PASSED 6:0.

Other Business

Since there was no other business, DOOM MADE A MOTION SECOND BY AGBOOLA, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 6:0 Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Kerla Ellis, Recording Secretary

Item 1.



**CITY OF MARSHALL
AGENDA ITEM REPORT
PC 8/14/24**

Presenter:	Ilya Gutman
Meeting Date:	Wednesday, August 14, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Consider the request of the Turkey Valley Farms to rezone these two lots from R-1 One Family District to R-2 One to Four Family District and a Conditional Use Permit for a parking lot in an R-2 District
Background Information:	<p>This is a request to, first, rezone this area from R-1 One-Family District to R-2 One-to-Four Family District, and then, to approve a Conditional Use Permit for a parking lot in an R-2 District. Turkey Valley Farms is looking for a way to provide more off-street parking for its workforce.</p> <p>This area is shown as medium density residential use on the Future Use Map in the Marshall 2040 Comprehensive Plan. Consequently, rezoning to R-2 will be in compliance with the new Comprehensive Plan. Parking lots are conditional uses in R-2.</p> <p>One to Four Family Residence District regulations are in Section 86-98. The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49.</p> <p>Please see attached Finding of Facts for more detailed information.</p>
Fiscal Impact:	None Known
Alternative/Variations:	None recommended but additional reasonable conditions as proposed by the Planning Commission may be added to a conditional use permit.
Recommendations:	<ol style="list-style-type: none"> 1. Close public hearing. 2. Recommend to City Council an approval of the request to rezone the area from R-1 Single Family Residence to R-2 One to Four Family Residence. 3. Recommend to City Council an approval of the request to grant a Conditional Use Permit for a parking lot in an R-2 One to Four Family Residence District with the following conditions: <ol style="list-style-type: none"> a. The only parking access shall be from South 6th Street; b. Ten-foot landscaped setbacks are required on all four sides; c. A buffer planting screen or fence shall separate parking from adjacent residential lots d. At least four trees shall be planted; e. Parking shall be paved and not used for commercial vehicles f. A drawing/layout of parking development shall be presented to the City for approval.

**Marshall Planning Commission
Report to City Council – Request for Rezoning
306 and 308 South 6th Street, City of Marshall, Lyon County, Minnesota**

WHEREAS, the office of the City of Marshall Zoning Administrator received an application dated June 25, 2024, for rezoning from R-1 single family residence district to R-2 one to four family residence district for properties located at 306 and 308 South 6th Street,

WHEREAS, the applicant for the rezoning was the property owner Turkey Valley Farms,

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the rezoning;

WHEREAS, the 2040 Comprehensive Plan shows medium density residential use for this area;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for rezoning and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that rezoning as requested is consistent with the current Comprehensive Plan and will further City development.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that rezoning from R-1 to R-2 be approved as recommended by staff. The motion offered by _____ and seconded by _____, and declared carried on the following vote:

Ayes:

Nays:

Abstained:

Passed: ____:____

Marshall Planning Commission

By: Cathy Lee

Its: Chair

Marshall Planning Commission
Report to City Council – Request for Conditional Use Permit
306 and 308 South 6th Street, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permits dated June 25, 2024, for a parking lot on property located at 306 and 308 South 6th Street,

WHEREAS, the applicant for the Conditional Use Permits was the property owner Turkey Valley Farms,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is currently zoned R-1 one family residence district but is requested to be rezoned to R-2 one to four family residence district as defined in Ordinance Sec. 86-98, and parking lots are a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86-49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This area is located next to a Turkey Valley Farms and other commercial entities, including parking lots.
- (2) The property has adequate access from South 6th Street.
- (3) No additional traffic will be generated if this CUP is granted as this parking lot will accommodate Turkey Valley Farms employees currently parking on the streets.
- (4) Landscaping is to be compliant with the ordinance and is included in conditions.
- (5) The standard R-2 outside storage provisions will be applicable (outside storage is mostly prohibited in an R-2 district).
- (6) The standard R-2 accessory buildings provisions will be applicable, but no accessory buildings are planned.
- (7) Not applicable.
- (8) The parking lot will be designed to fit on the available lots.
- (9) The parking lot will be designed to meet all ordinance requirements.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility will not be utilized for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The use should not be injurious to surrounding area and to the community because it will reduce street parking.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit with proposed conditions will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for a parking lot in an R-2 one to four family residence district be approved as recommended by staff with the following conditions:

- (1) The only parking access shall be from South 6th Street;
- (2) Ten-foot landscaped setbacks are required on all four sides;
- (3) A buffer planting screen or fence shall separate parking from adjacent residential lots
- (4) At least four trees shall be planted;
- (5) Parking shall be paved and not used for commercial vehicles
- (6) A drawing/layout of parking development shall be presented to the City for approval.,

The motion offered by _____ and seconded by _____, and declared carried on the following vote:

Ayes:

Nays:

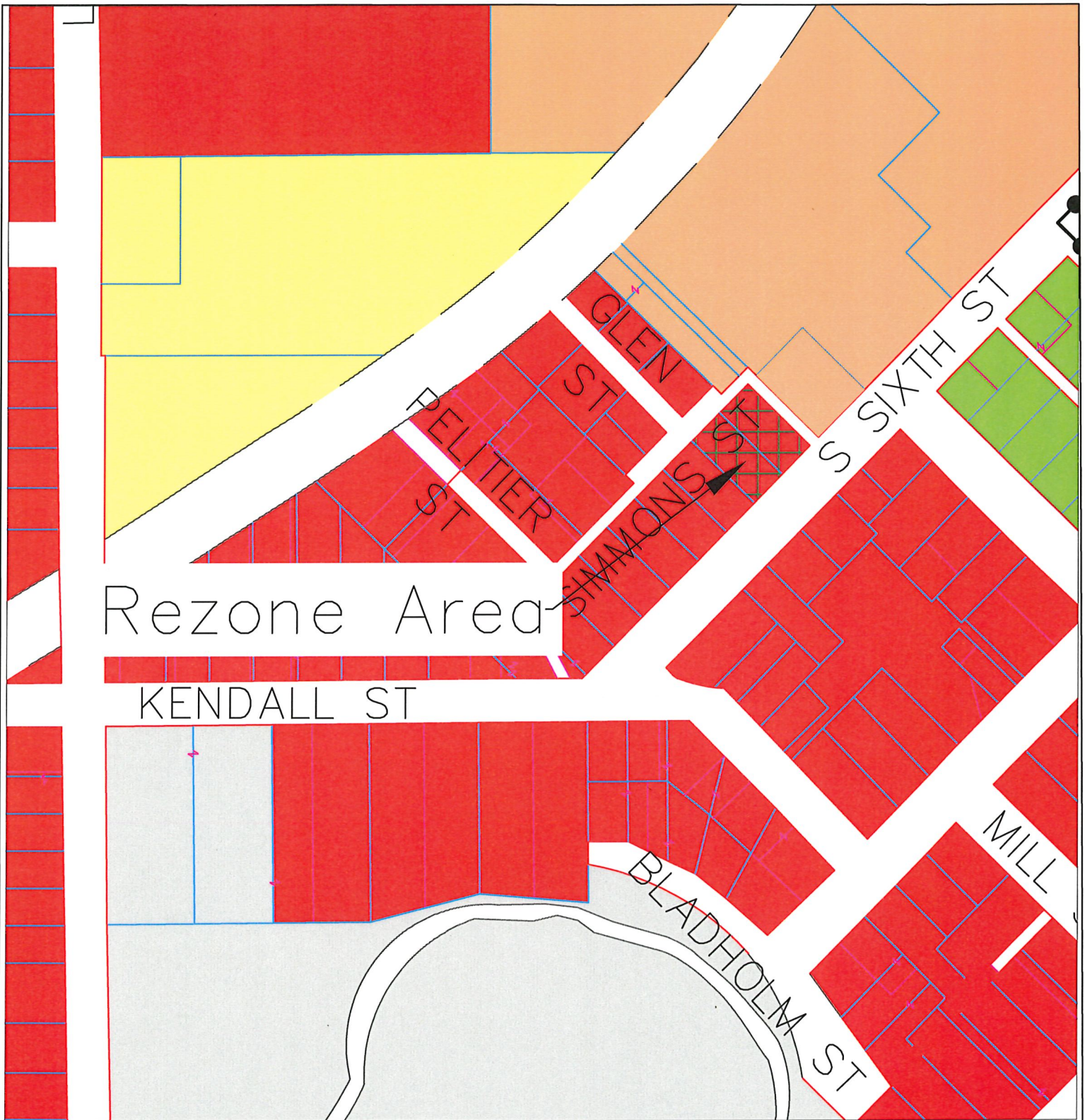
Abstained:

Passed: ____: ____










Marshall Planning Commission

By: Cathy Lee

Its: Chair



Rezoned Area

A		AGRICULTURAL	R-4		HIGHER DENSITY - MULTIPLE FAMILY RESIDENCE	B-3		GENERAL BUSINESS
R-1		ONE FAMILY RESIDENCE	R-5		MANUFACTURED HOME PARK	B-4		SHOPPING CENTER BUSINESS
R-2		ONE TO FOUR FAMILY RESIDENCE	B-1		LIMITED BUSINESS	I-1		LIMITED INDUSTRIAL
R-3		LOW TO MEDIUM DENSITY - MULTIPLE FAMILY RESIDENCE	B-2		CENTRAL BUSINESS	I-2		GENERAL INDUSTRIAL



COMMUNITY PLANNING DEPT.
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 56258

TURKEY VALLEY REZONE

AUGUST 6, 2023

EXISTING ZONING MAP W/ PROPOSED
 REZONE AREA FROM R-1 TO R-2

Item 2.





**CITY OF MARSHALL
AGENDA ITEM REPORT
PC 8/14/24**

Presenter:	Ilya Gutman
Meeting Date:	Wednesday, August 14, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Consider the request of Paul and Joanne Stoneberg for a Conditional Use Permit for three multi-family apartment buildings in a B-3 General Business District at 1000 Clarice Avenue
Background Information:	<p>This is a request to have three apartment buildings a B-3 general business district.</p> <p>Apartment buildings are conditional use in B-3 district.</p> <p>General business district regulations are in Section 86-104. The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49.</p> <p>Please see attached Finding of Facts for more detailed information.</p>
Fiscal Impact:	None Known
Alternative/Variations:	None recommended but additional reasonable conditions as proposed by the Planning Commission may be added.
Recommendations:	<ol style="list-style-type: none"> 1. Close public hearing. 2. Recommend to City Council an approval of the request to grant a Conditional Use Permit for three apartment buildings in a B-3 general business district with the following condition: The buildings and site are constructed per attached drawings.

**Marshall Planning Commission
Report to City Council – Request for Conditional Use Permit
1000 Clarice Avenue, City of Marshall, Lyon County, Minnesota**

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permits dated July 23, 2024, for a multiple unit dwelling to be built on property located at 1000 Clarice Avenue,

WHEREAS, the applicant for the Conditional Use Permits was the property owner Paul and Joanne Stoneberg and a developer Steve Kuepers,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is zoned B-3 General Business District as defined in Ordinance Sec. 86-104 and multiple family dwellings is a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86-49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This is a commercial area so multiple story buildings and significant traffic will be compatible with current use.
- (2) The property will have access from two streets.
- (3) The additional traffic generated by this use will be safely handled by public streets.
- (4) The site will be landscaped in compliance with the landscaping ordinance.
- (5) The standard B-3 outside storage provisions will be applicable, which generally prohibit any outside storage.
- (6) The standard B-3 accessory buildings provisions will be applicable.
- (7) This building size is adequate for proposed use.
- (8) The site area is adequate for proposed development.
- (9) The ordinance parking requirements will be met.
- (10) The density of the area will not change in any significant way.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility are adequate for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The proposed use will not be injurious to surrounding area (see item 1) and will be helpful to the community.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for building apartments in a B-3 General Business District be approved as recommended by staff. The motion offered by _____ and seconded by _____, and declared carried on the following vote:

Ayes:

Nays:

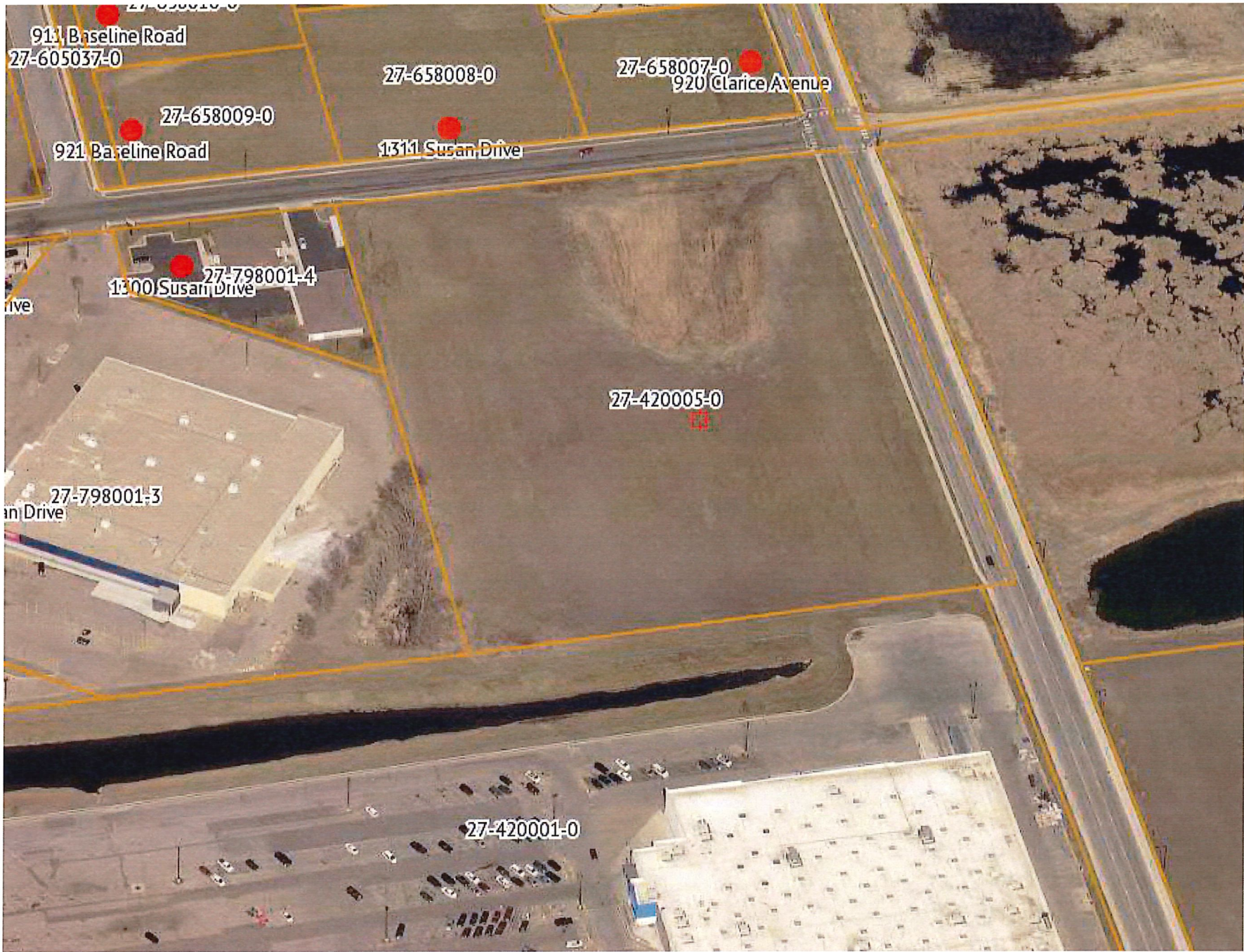
Abstained:

Passed: ____: ____

Marshall Planning Commission

By: Cathy Lee

Its: Chair



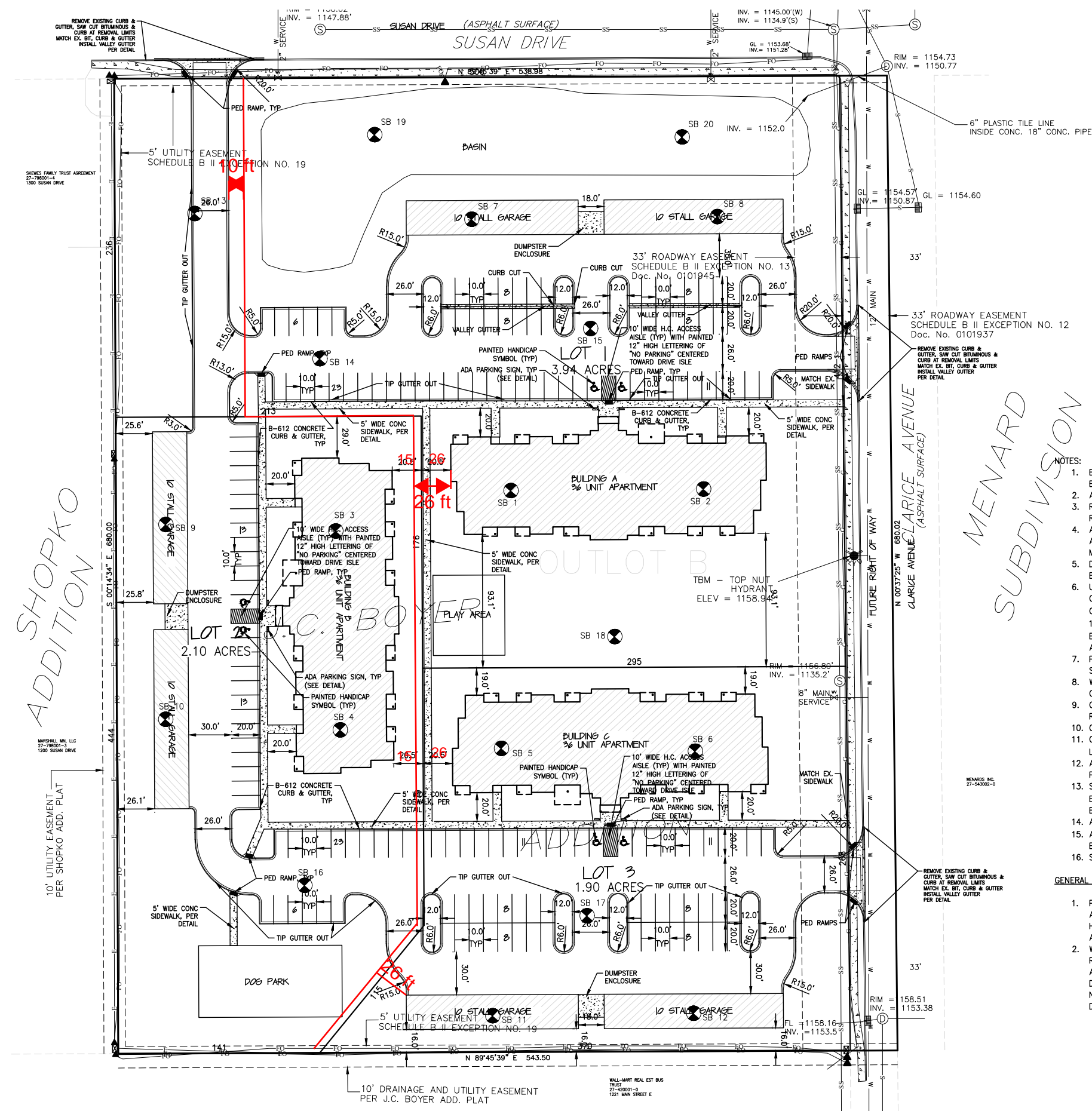


K KUEPERS
ARCHITECTS & BUILDERS
BRANERO/BAXTER, MN 218-829-0707

UPDATE AREAS

REQUIRED	PROPOSED					
	LOT 1	LOT 2	LOT 3			
LOT AREA	3.93 AC	171,191	2.11 AC	91,912	1.89 AC	82,328
IMPERVIOUS SURFACE	SF	SF	SF	SF	SF	SF
APARTMENT	19,612	19,612	19,612	19,612	19,612	19,612
GARAGE	5,400	5,400	5,400	5,400	5,400	5,400
PATIO AND PADS	1,309	1,309	1,309	1,309	1,309	1,309
PLAY AREA	2,800					
SIDEWALKS	3,352	2,292	2,292	2,532	2,532	2,532
PAVEMENT	43,397	29,621	29,621	22,712	22,712	22,712
BUILDING COVERAGE %	15%	27%	27%	30%	30%	30%
TOTAL IMPERVIOUS	75,870	58,234	58,234	51,565	51,565	51,565
% IMPERVIOUS	44%	63%	63%	63%	63%	63%
APARTMENT UNITS	36	36	36	36	36	36
PROPOSED DENSITY	9.2 UNITS/AC	17.1 UNITS/AC	17.1 UNITS/AC	19.0 UNITS/AC	19.0 UNITS/AC	19.0 UNITS/AC
PARKING - PROPOSED						
GARAGE STALLS	20	20	20	20	20	20
SURFACE PARKING	72	56	56	42	42	42
TOTAL PARKING	92	76	76	62	62	62
PARKING REQUIRED	72	72	72	72	72	72

Plot Date & Time:



NOTES:

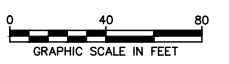
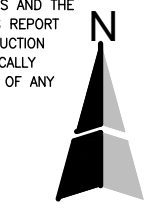
- BOUNDARY AND EXISTING CONDITION INFORMATION PER SURVEY PREPARED BY BUELTEL-MOSENG LAND SURVEYING, INC.
- ALL EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, CONCRETE APRONS AND STOOPS.
- ALL PAVEMENT STRIPING SHALL BE 4" WIDE LINES, STRIPED USING HIGH VISIBILITY TRAFFIC AND HIGHWAY APPROVED WHITE PAINT. PROVIDE APPROPRIATE STRIPING AND PAVEMENT MARKINGS FOR ALL HANDICAP PARKING AND ACCESS AISLES.
- DIMENSIONS TAKE PRECEDENCE OVER SCALE. ALL DIMENSIONS ARE TO BACK OF CURB, EDGE OF SIDEWALK OR EXTERIOR BUILDING UNLESS OTHERWISE NOTED.
- UNLESS OTHERWISE INDICATED ON THE PLAN, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINTS, AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND CONCRETE DRIVES. CONTROL JOINT MAXIMUM SPACING: WALKS - 8' O.C., ALL OTHERS - 10' O.C. SAW CUT CONTROL JOINTS MINIMUM ONE-QUARTER CONCRETE THICKNESS. EXPANSION JOINT MAXIMUM SPACING: WALKS - 24' O.C., ALL OTHERS - 40' O.C. DOWEL ALL EXPANSION JOINTS - MAXIMUM 24" O.C.
- PEDESTRIAN RAMPS SHALL BE INSTALLED AT LOCATIONS WHERE SIDEWALK MEETS CURB AS SHOWN ON PLAN.
- WHEN DOING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR SHALL COORDINATE THE REMOVAL LIMITS WITH THE CITY.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL SIDEWALKS AND ACCESS ROUTES MEET ADA AND MNDOT GUIDELINES FOR ACCESSIBILITY.
- CONTRACTOR SHALL VERIFY CONDUIT REQUIREMENTS FOR POWER AND IRRIGATION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH THE FIRE MARSHAL THE LOCATION OF FIRE LANE SIGNAGE AND CURB MARKINGS (IF NEEDED).
- ALL NEW UTILITIES SHALL BE UNDERGROUND. COORDINATE LOCATIONS WITH UTILITY PROVIDERS.
- SIDEWALKS SHALL BE CONSTRUCTED WITH A MAXIMUM CROSS SLOPE OF 2%. ANY SIDEWALK EXCEEDING 2% CROSS SLOPE MUST BE REMOVED AND REPLACED AT CONTRACTOR'S EXPENSE.
- ALL STREET PATCHING SHALL MATCH EXISTING SECTION.
- ALL SIDEWALK DAMAGED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
- SAW CUT ALL CONCRETE CURB, CONCRETE WALK AND BITUMINOUS AT REMOVAL LIMITS.

GENERAL NOTES:

- PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THAT ALL PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION SHALL BEGIN UNTIL THE CONTRACTOR HAS REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY THE PERMITTING AUTHORITIES.
- WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY. THE SOILS REPORT AND RECOMMENDATION SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN CASE OF CONFLICT SHALL TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCY BETWEEN THE SOILS REPORT AND PLANS.

BENCHMARK:

- TOP OF PROPERTY PIN SW CORNER ELEV=1155.77 NAVD 88
- TNH WEST SIDE OF CLARICE 370' SOUTH OF SUSAN DRIVE ELEV=1158.94 NAVD 88



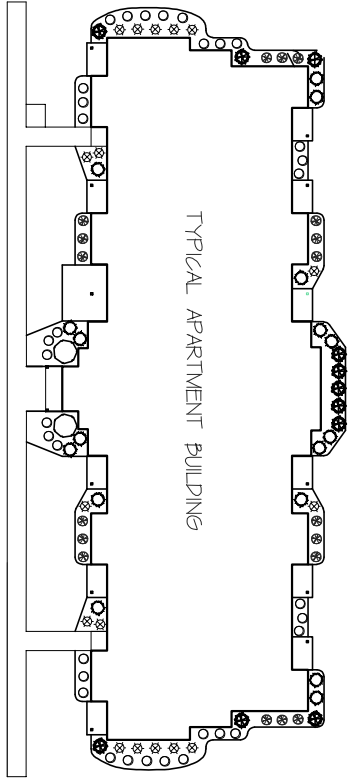
Item #	DESCRIPTION	REVISIONS
Item 3.		

CAMPION ENGINEERING SERVICES, INC.
 Civil Engineering • Land Planning
 PO BOX 41486
 PLYMOUTH, MN 55441
 PHONE: (763)486.3799
 EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 Martin P. Campion -Lic. # 19901 Date:

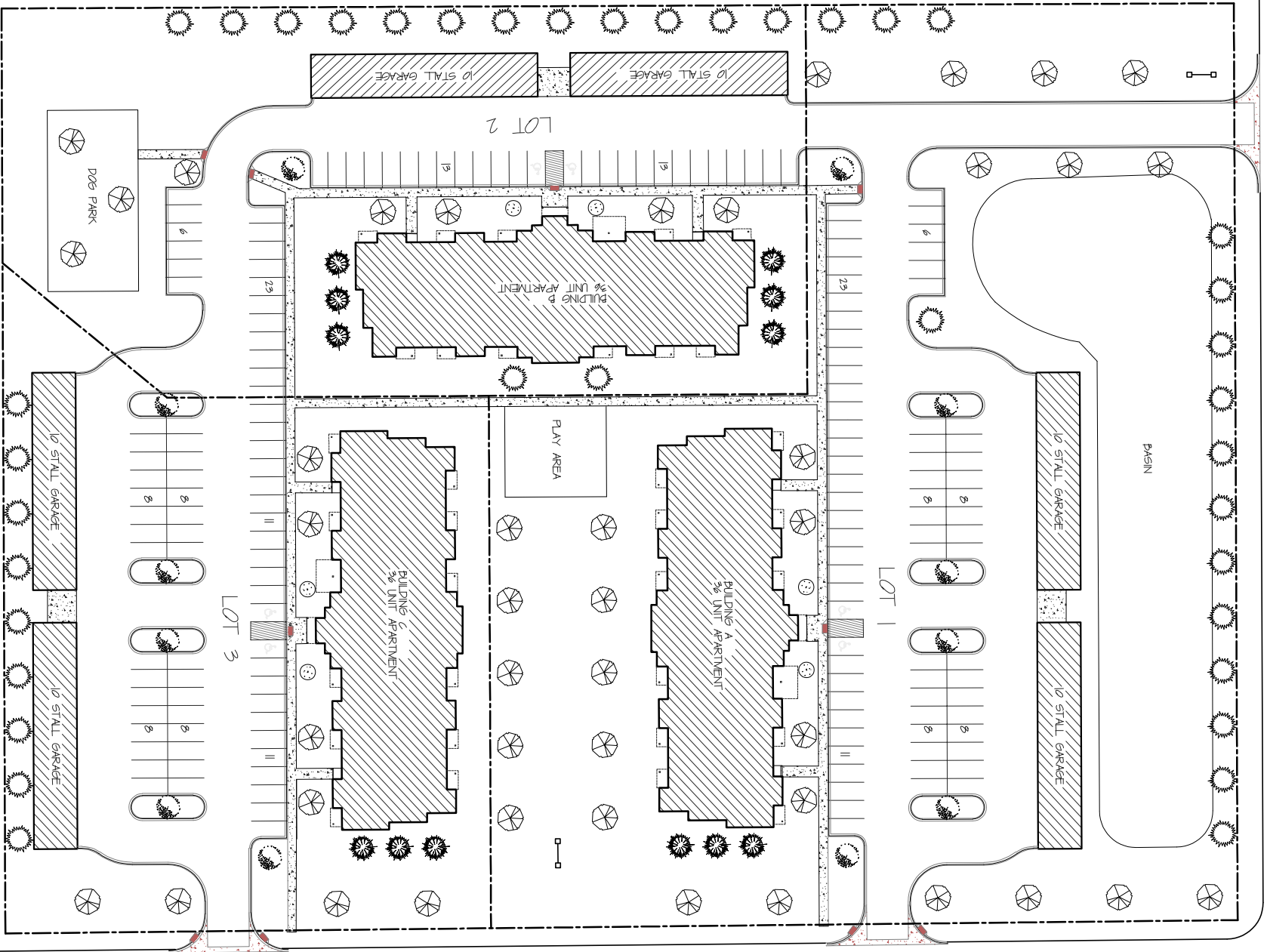
STONE MEADOW APARTMENTS
KUEPERS, INC
 MARSHALL, MN

SITE PLAN
 SHEET NO. 4 OF 13 SHEETS
 PROJECT NO: []
 DATE: 01/22/2024
 Page 14



- PLANTING LEGEND - SHRUBS:**
- = LITTLE QUICK TREE HYDRANGEA (TREE FORM) - HYDRANGEA PANDICATA SHAW/OF 2 TREES PER BUILDING
 - ⊗ = DWARF HIGH-BUSH CRANBERRY - VIBURNUM OXILLIS MAUI/ 5 GAL/LIN 10 STRIPS PER BUILDING
 - ⊙ = WALL MOUNTED LUMINAIRE - PHYSCOCARPUS OPULIFOLIUS 3 GAL/LIN 10 STRIPS PER BUILDING
 - ⊗ = KARL FORSTER GRASS - CALYPTROGON ACUTIFOLIA 5 GAL/LIN 10 STRIPS PER BUILDING
 - ⊙ = LITTLE FRAGRANT GRENA - BRUNELLA JAPONICA 1 1/2" LITTLE PRINCESS® 3 GAL/LIN 10 STRIPS PER BUILDING
 - ⊗ = SPANISH BROOM - BRUNELLA JAPONICA 1 1/2" LITTLE PRINCESS® 3 GAL/LIN 10 STRIPS PER BUILDING
 - ⊙ = SPANISH BROOM - BRUNELLA JAPONICA 1 1/2" LITTLE PRINCESS® 3 GAL/LIN 10 STRIPS PER BUILDING
 - ⊗ = SPANISH BROOM - BRUNELLA JAPONICA 1 1/2" LITTLE PRINCESS® 3 GAL/LIN 10 STRIPS PER BUILDING

1 LANDSCAPE PLAN - SHRUB PLANTINGS
NOT TO SCALE



2 LANDSCAPE PLAN - CONCEPTUAL
SCALE 1" = 80'-0"

Item 3.

LANDSCAPE NOTES:

1. LANDSCAPED AREAS TO RECEIVE SOD. RETENTION BASIN AREAS SHALL BE SEEDED.
2. LAWN REGULATION SYSTEM TO BE INSTALLED AT ALL SOD & BED AREAS.
3. SOD SHALL BE CULTURED KENTUCKY BLUEGRASS. LANDSCAPE CONTRACTOR WILL WATER AT TIME OF INSTALLATION AND ROLL AT ALL SOD AS NEEDED TO ASSURE A GROWTH TURT. ALL SLATES GREATER THAN 5' TO 1' SHALL BE STAKED.
4. ALL GRID BEDS TO RECEIVE LANDSCAPE ROCK WITH WEED BARRIER FABRIC.
5. ALL AREAS WHERE SOD AND ROCK TOUCH SHALL HAVE COMMERICAL GRADE BLACK TOLY DECK.
6. ALL SINGLE STEM TREE SPECIES SHALL BE STAKED.
7. LOCATE ALL UTILITIES BY ACTUAL LOCATION IN THE FIELD PRIOR TO PLANTING OPERATION.

PLANTING LEGEND - SITE TREES:

- ⊗ = BLACK HILLS SPRUCE - PICEA GLAUCOA BENNETTA 6" & 8" FEET HIGH 20 TREES
- ⊗ = NORWAY SPRUCE - PICEA ABIES 6" & 8" FEET HIGH 12 TREES
- ⊗ = GREENHOLE LINEN - TILIA CORODATA GREENHOUSE 6" & 8" FEET HIGH 12 TREES
- ⊗ = AUTUMN PLAZE WATTLE - ACER X FREESIA/ 6" & 8" FEET HIGH 12 TREES
- ⊗ = FRAGRANT FLOWING GRAB - MALUS FRAGRANS 6" & 8" FEET HIGH 12 TREES
- ⊗ = MARSHAL HONEYLOCUST - GLEDITSIA TRIACANTHOS NERBING TREPCOLE 6" & 8" FEET HIGH 12 TREES

SITE LIGHTING LEGEND:

- ⊙ = P-1 = POLE MOUNTED LUMINAIRE - SINGLE HEAD 4" SQUARE - 10' POLE RAB LIGHTING MAT 3
 - ⊙ = P-2 = POLE MOUNTED LUMINAIRE - DOUBLE HEAD 4" SQUARE - 10' POLE RAB LIGHTING MAT 3
 - ⊙ = WP-1 = WALL PARK LUMINAIRE RAB LIGHTING SLIM 15
 - ⊙ = WP-2 = LED SPOT FLOOD LIGHTING DIRECTIONAL ACCENT LIGHT
 - ⊙ = RC-1 = LED RECESSED DISK AT ENTRANCE CANOPY
 - ⊙ = P-1 = LED BALBAED LIGHT - SITE LIGHT
- NOTE: ALL DECKS/PATIOS TO HAVE A WALL MOUNTED EXTERIOR LIGHT THAT IS MANUALLY CONTROLLED BY THE TENANT. PATRIOT LIGHTING - SONOMA (02BTRWPT) OR EQUAL.

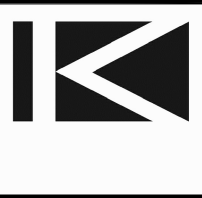
REVISIONS	DATE

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

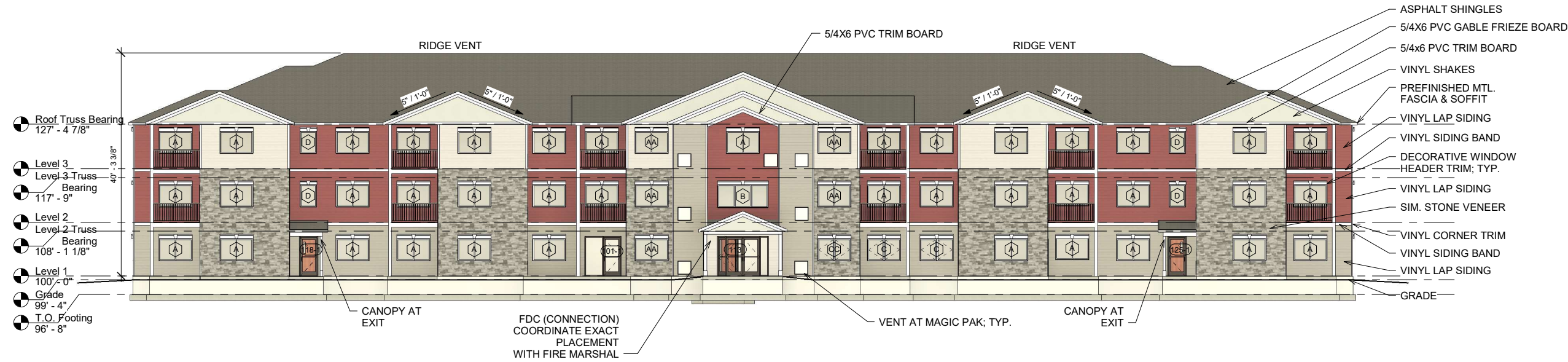
Name: _____
 Signed: _____
 Date: _____ License #: _____

MARSHALL APARTMENTS
 MARSHALL, MN
 copyright kuepers, 2024

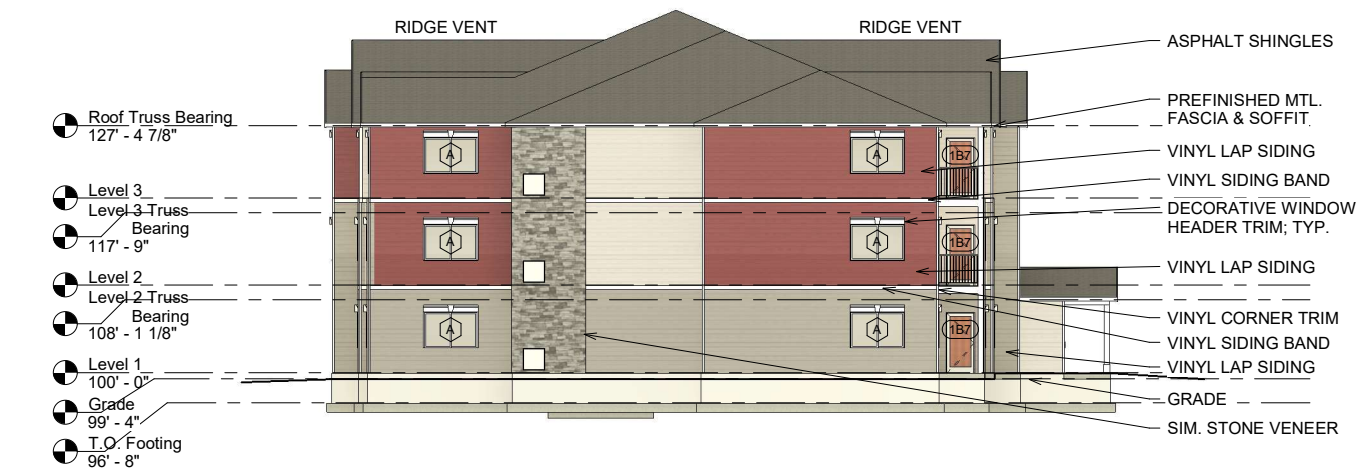
KUEPERS INC
 ARCHITECTS & BUILDERS
 BRAINERD/BAXTER, MN 218-829-0707



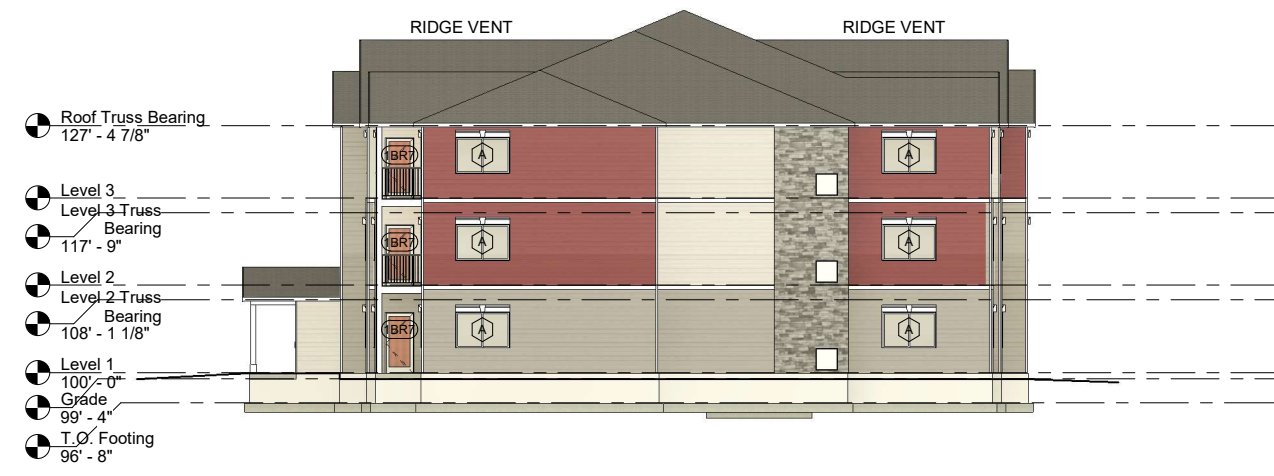
UP 01-23-XXXX
 DRAWN BY: _____
 DATE: 07-10-24
 SCALE: AS SHOWN
 DWG. # _____



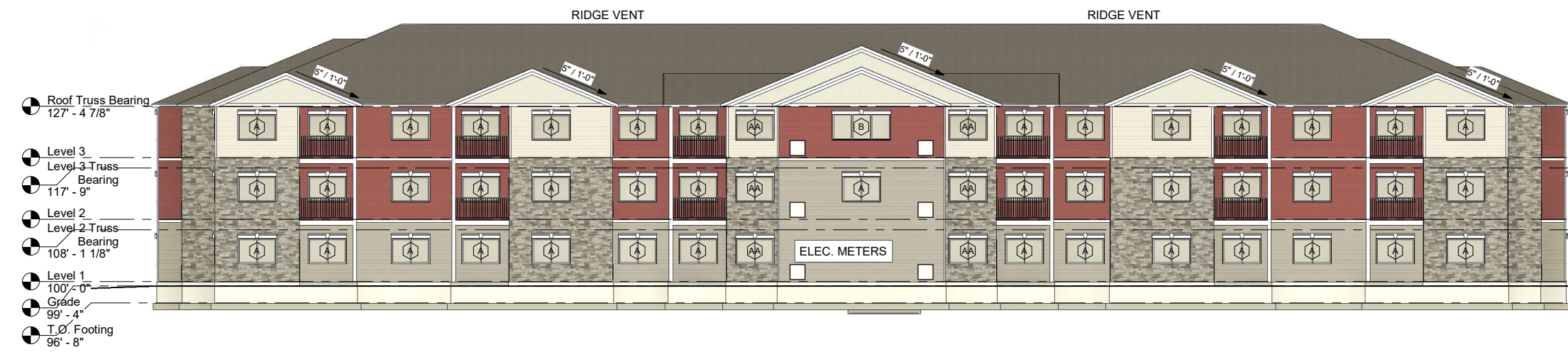
① South Elevation
3/32" = 1'-0"



② West Elevation
3/32" = 1'-0"



③ East Elevation
3/32" = 1'-0"



④ North Elevation
3/32" = 1'-0"

- ASPHALT SHINGLES
- 5/4x6 PVC GABLE FRIEZE BOARD
- 5/4x6 PVC TRIM BOARD
- VINYL SHAKES
- PREFINISHED MTL. FASCIA & SOFFIT
- VINYL LAP SIDING
- VINYL SIDING BAND
- DECORATIVE WINDOW HEADER TRIM; TYP.
- VINYL LAP SIDING
- SIM. STONE VENEER
- VINYL CORNER TRIM
- VINYL SIDING BAND
- VINYL LAP SIDING
- GRADE

No.	Description	Date

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. Name: Christopher J. Raimann, AIA Signed:

Date: 08-15-2022 License #: 46319



Stone Meadow Apartments - Building A

GENERAL NOTES:

1. ALL PLUMBING PENETRATIONS MUST TERMINATE AT A MIN. OF 12" ABOVE THE ROOF SURFACE
2. ADDRESS NUMBERS SHALL BE INSTALLED IN A VISIBLE LOCATION PER IBC 502.1 ADDRESS NUMBER TO BE 12" HT. WITH CONTRASTING COLORS
3. FDC (CONNECTION) MUST BE LOCATED AT THE ADDRESS SIDE OF THE BUILDING OR AT AN APPROVED LOCATION
4. WATER FLOW ALARMS MUST BE INSTALLED ON THE EXTERIOR PER IBC 903.4.2
5. ALL EXIT DISCHARGE SHALL BE ILLUMINATED PER IBC 1008.2.3
6. GLAZING ADJACENT TO DOORS SHALL BE SAFETY GLAZING PER IBC 2406.4.2 - EXCEPTION 3 AT HVAC CLOSETS

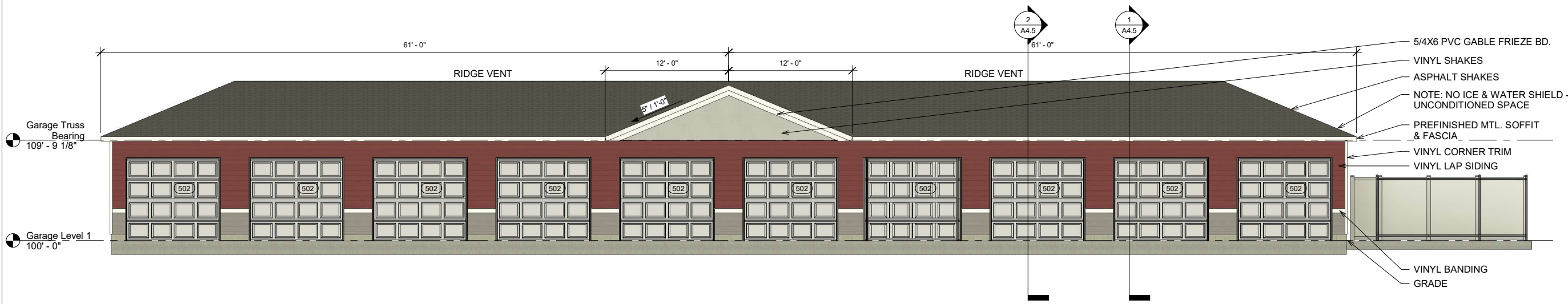
PRELIMINARY NFC

Kuepers Inc.
Building A

Project number	xx-xx-xxxx	Date	09-01-2023
Drawn by	RET	Checked by	CJR

A3.1
Building Elevation

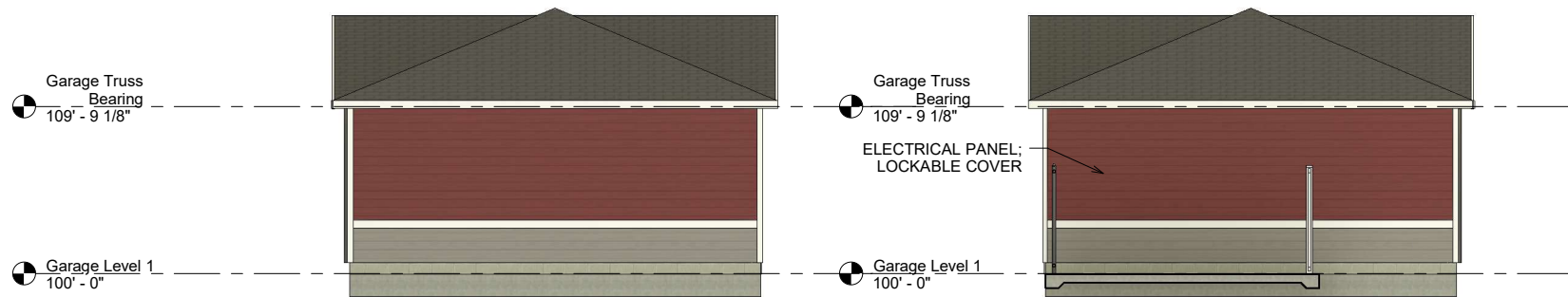
Page 16



① Garage 1 - Front Elevation
3/16" = 1'-0"

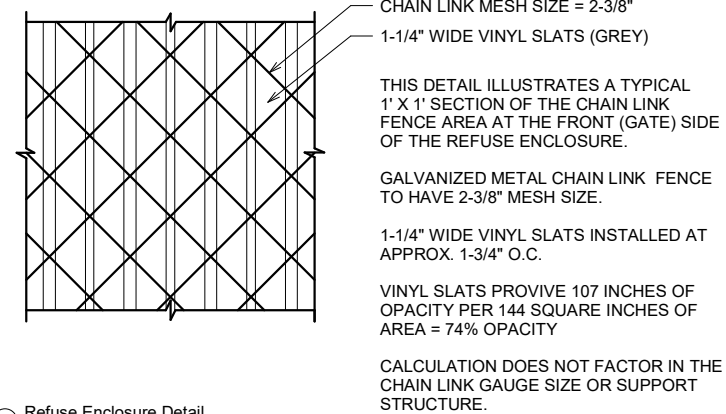
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- GARAGE OCCUPANCY GROUP: U OCCUPANCY
- GARAGE CONSTRUCTION TYPE: VB

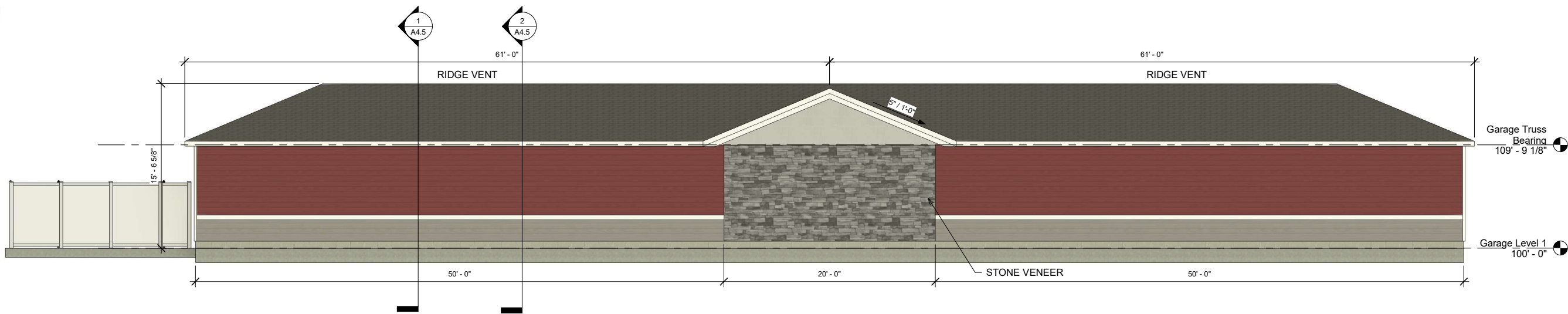


② Garage 1 - Side 1 Elevation
3/16" = 1'-0"

③ Garage 1 - Side 2 Elevation
3/16" = 1'-0"



○ Refuse Enclosure Detail
3" = 1'-0"



④ Garage 1 - Rear Elevation
3/16" = 1'-0"

No.	Description	Date

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Name: Christopher J. Raimann, AIA
Signed:

Date: 08-15-2022 License #: 46319



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Stone Meadow Apartments - Building A

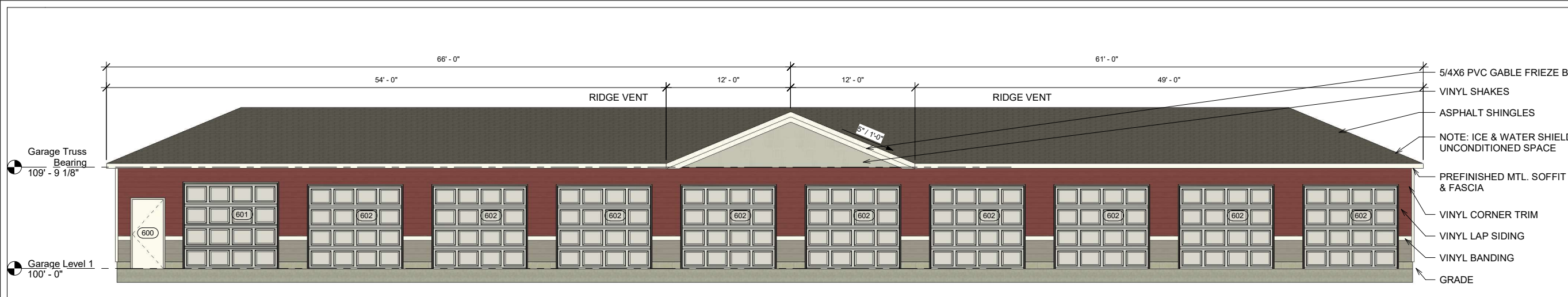
PRELIMINARY NFC

Kuepers Inc.
Building A

Project number XX-XX-XXXX Date 09-01-2023
Drawn by RET Checked by CJR

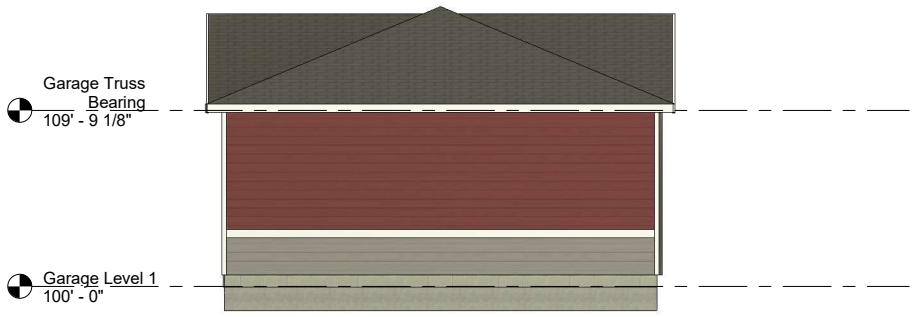
A3.2
Garage 1 Elev Page 17

Item 3.

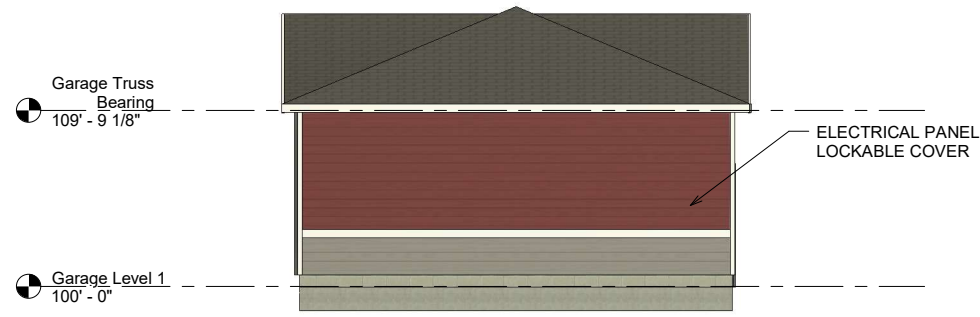


① Garage 2 - Front Elevation
3/16" = 1'-0"

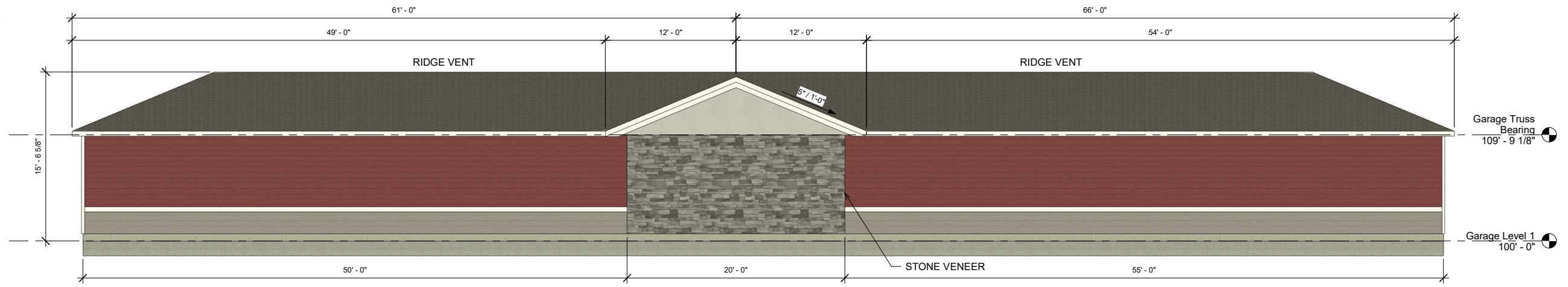
- GENERAL NOTES:
1. GARAGE OCCUPANCY GROUP: U OCCUPANCY
 2. GARAGE CONSTRUCTION TYPE: VB



② Garage 2 - Side 1 Elevation
3/16" = 1'-0"



③ Garage 2 - Side 2 Elevation
3/16" = 1'-0"



④ Garage 2 - Rear Elevation
3/16" = 1'-0"

No.	Description	Date

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Date: 08-15-2022 License #: 46319

KUEPERS^{INC}
ARCHITECTS & BUILDERS
BRAINERD/BAXTER, MN 218-829-0707



Stone Meadow Apartments - Building A

PRELIMINARY NFC

Kuepers Inc.
Building A

Project number xx-xx-xxxx Date 09-01-2023
Drawn by RET Checked by CJR

A3.3
Garage 2 Elev Page 18

Item 3.

7/15/2024 2:05:59 PM



① Level 1 Overall Plan
3/32" = 1'-0"

No.	Description	Date

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Name: Christopher J. Raimann, AIA
Signed: _____
Date: 08-15-2022 License #: 46319

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Stone Meadow Apartments - Building A

PRELIMINARY NFC

Kuepers Inc.		
Building A		
Project number	XX-XX-XXXX	Date 09-01-2023
Drawn by	RET	Checked by CJR
A1.1		Page 19
Overall Floor		

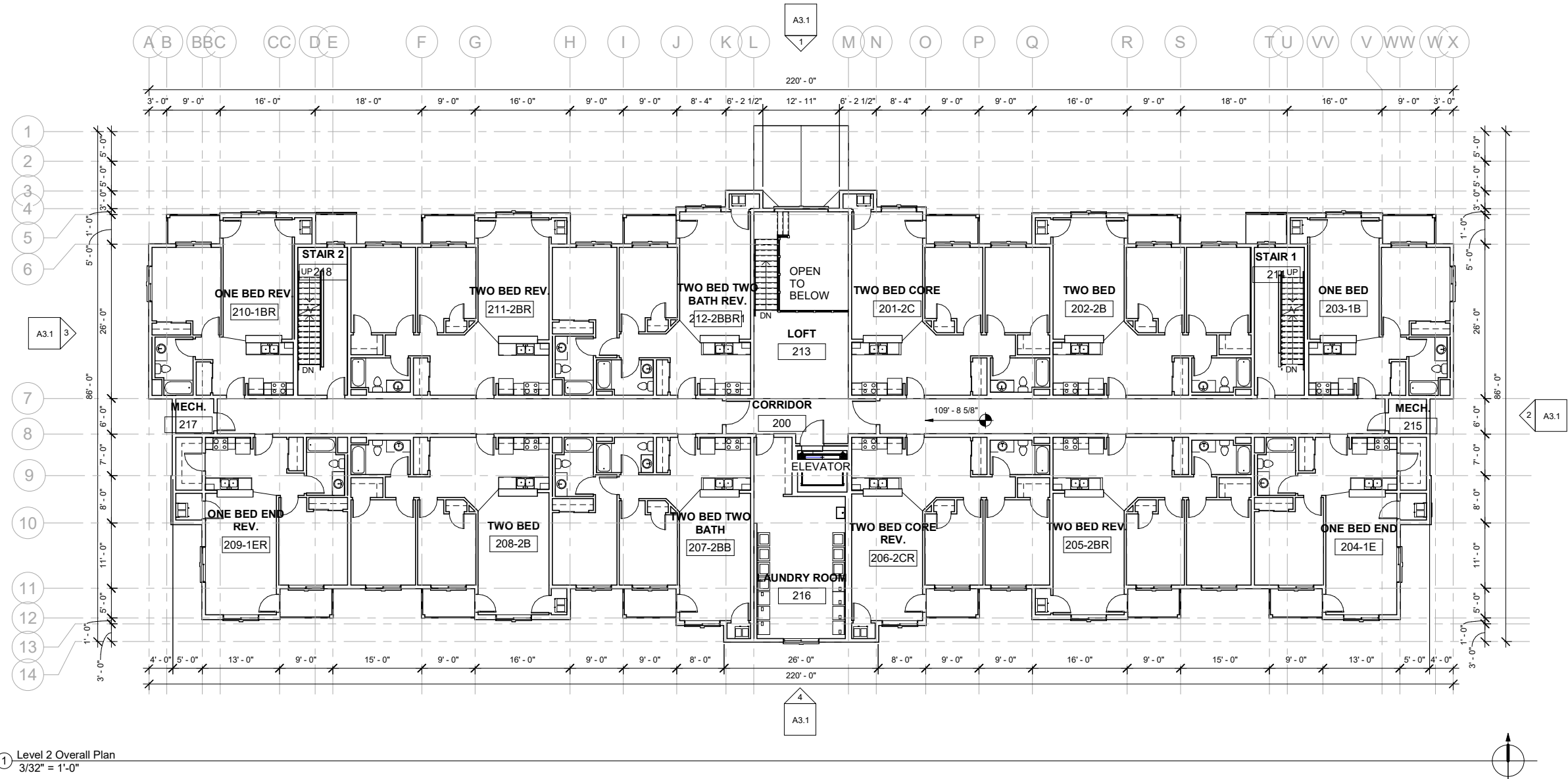
Scale

Item 3.

No.	Description	Date

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 Signed: _____

Date: 08-15-2022 License #: 46319



① Level 2 Overall Plan
 3/32" = 1'-0"

PRELIMINARY NFC



BRAINERD/BAXTER, MN 218-829-0707

Stone Meadow Apartments - Building A

Kuepers Inc.
 Building A

Project number XX-XX-XXXX Date 09-01-2023
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A1.2
 Overall Floor

Page 20

Item 3.

No.	Description	Date

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Date: 08-15-2022 License #: 46319

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Stone Meadow Apartments - Building A

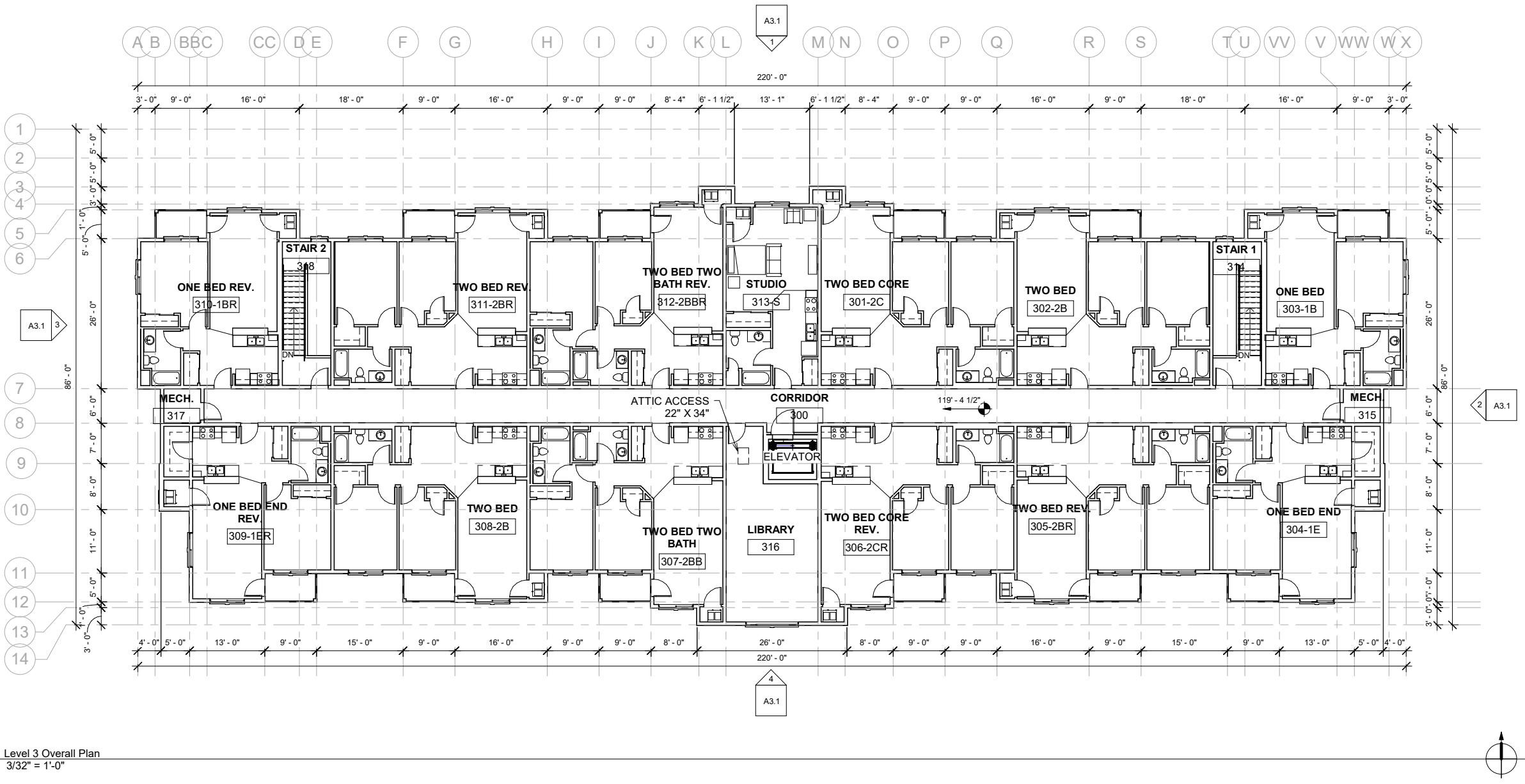


Kuepers Inc.
Building A

Project number XX-XX-XXXX Date 09-01-2023
Drawn by RET Checked by CJR

A1.3
Overall Floor

PRELIMINARY NFC



1 Level 3 Overall Plan
3/32" = 1'-0"

Item 3.



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Date: 08-15-2022 License #: 46319

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ARCHITECTS & BUILDERS

BRAINERD/BAXTER, MN 218-829-0707



Stone Meadow Apartments - Building A

PRELIMINARY NFC

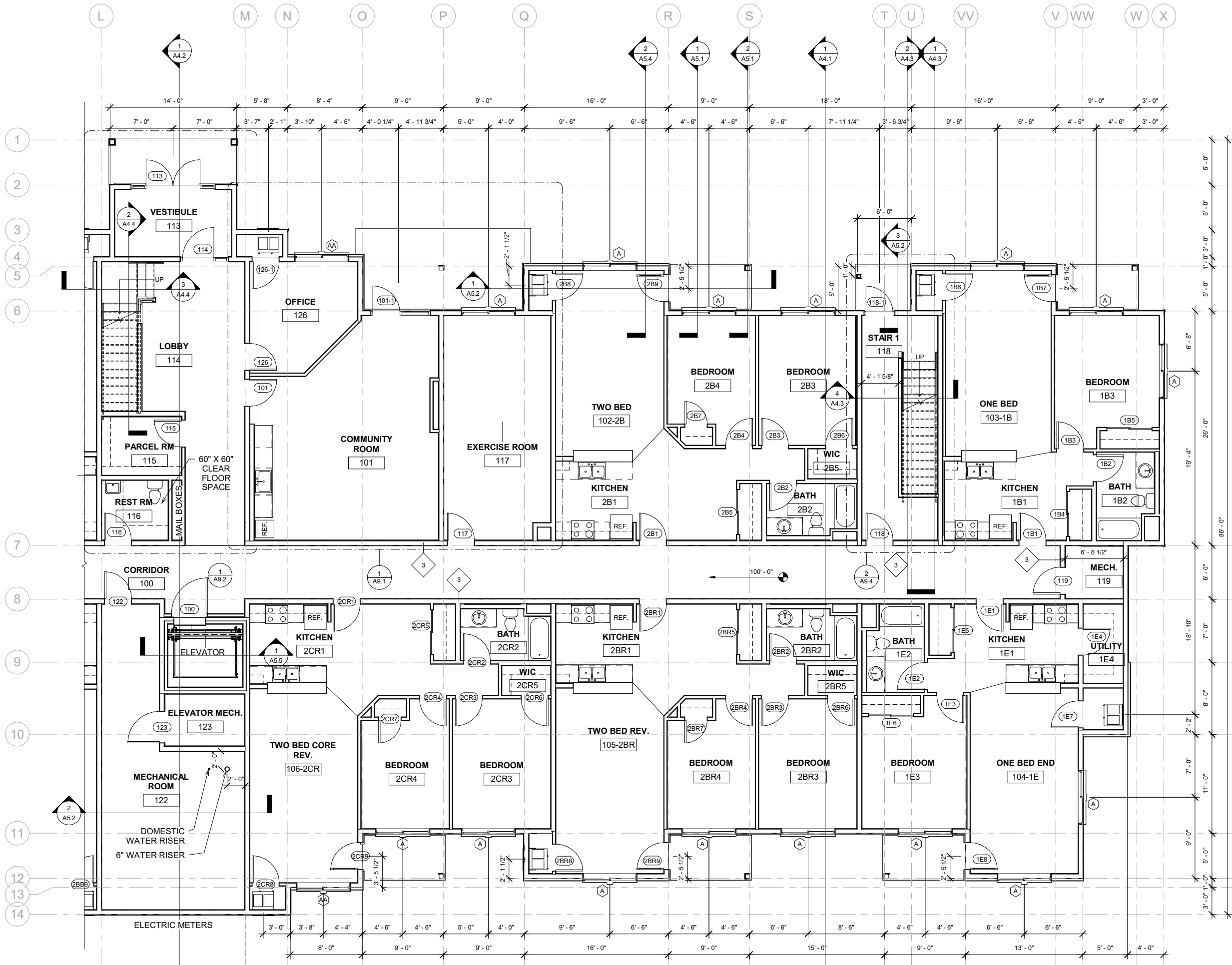
Kuepers Inc.
Building A

Project number	xx-xx-xxxx	Date	09-01-2023
Drawn by	RET	Checked by	CJR

A1.4
Floor Plan Le

Page 22

Item 3. ① Level 1 - Floor Plan East
 3/16" = 1'-0"



Item 3. Level 1 - Floor Plan West
3/16" = 1'-0"

No.	Description	Date

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Date: 08-15-2022 License #: 46319

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BRAINERD/BAXTER, MN 218-829-0707

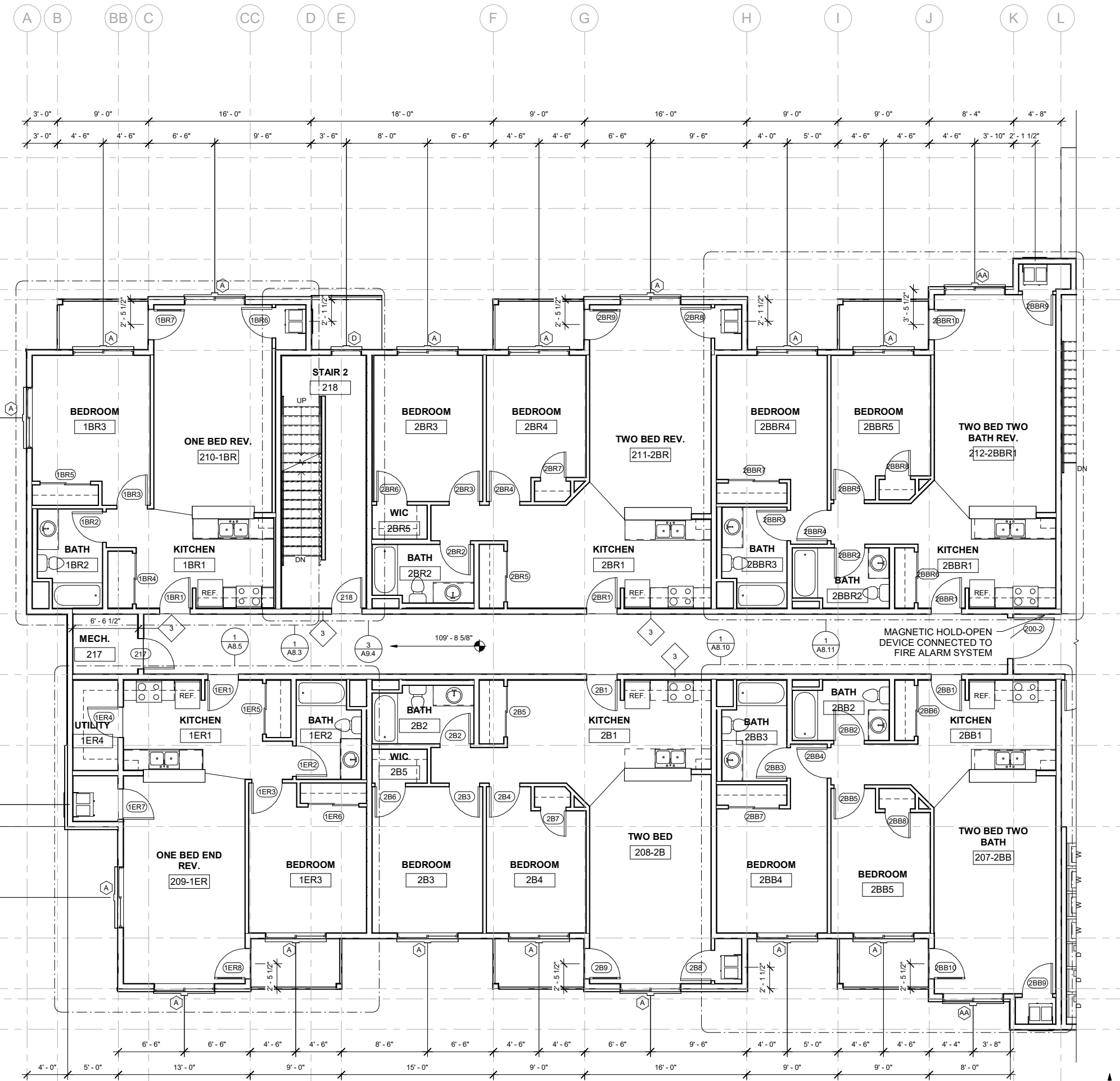


Stone Meadow Apartments - Building A

PRELIMINARY NFC

Kuepers Inc.
Building A
Project number XX-XX-XXXX Date 09-01-2023
Drawn by RET Checked by CJR

A1.5
Floor Plan Legend Page 23
Scale



No.	Description	Date

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Date: 08-15-2022 License #: 46319



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Stone Meadow Apartments - Building A

PRELIMINARY NFC

Kuepers Inc.
Building A

Project number	xx-xx-xxxx	Date	09-01-2023
Drawn by	RET	Checked by	CJR

A1.6
Floor Plan Le

Scale

- 1
- 2
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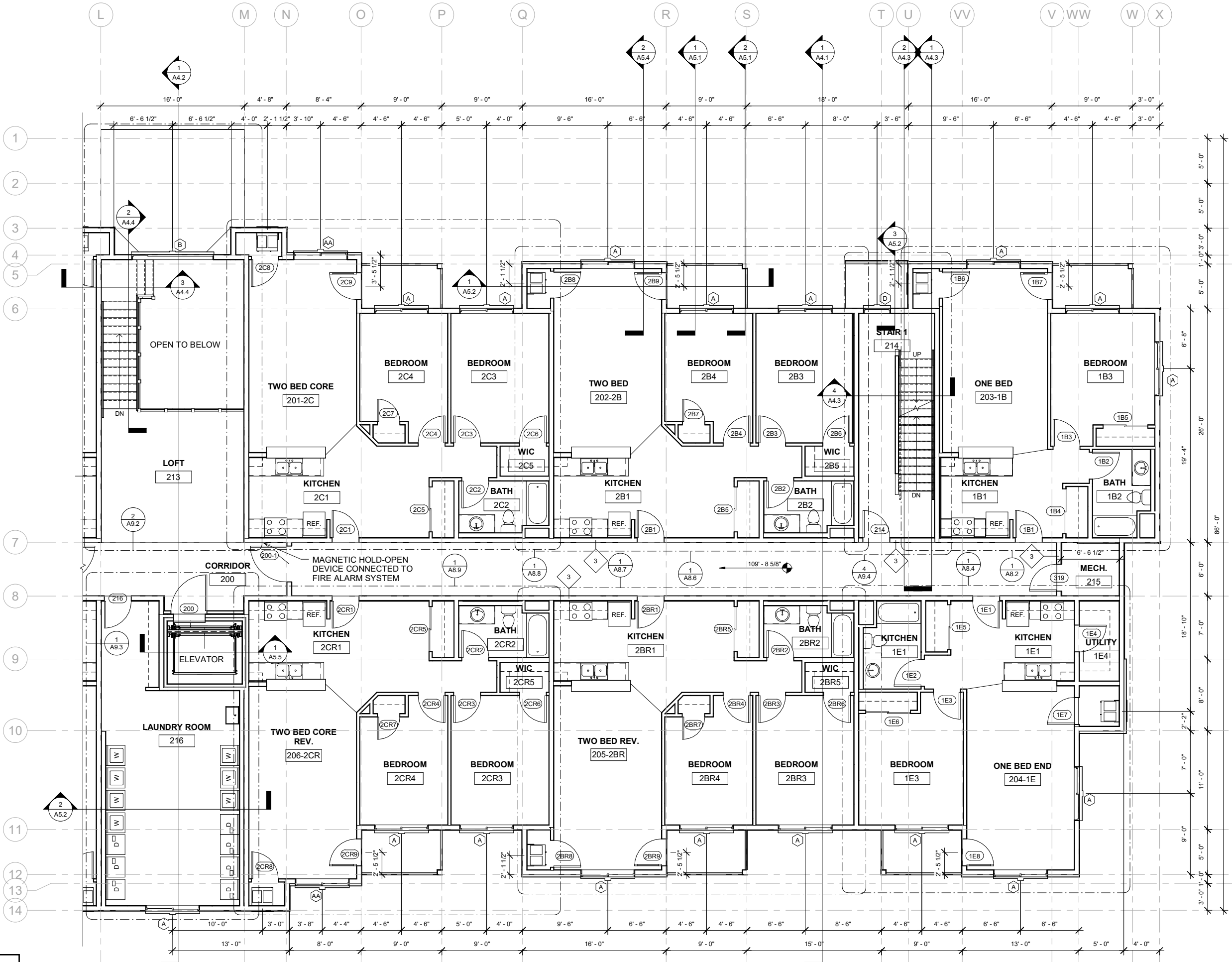
Item 3.

① Level 2 - Floor Plan East
3/16" = 1'-0"

No.	Description	Date

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Date: 08-15-2022 License #: 46319



Item 3. el 2 - Floor Plan West
6" = 1'-0"

PRELIMINARY NFC

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ARCHITECTS & BUILDERS
BRAINERD/BAXTER, MN 218-829-0707



Stone Meadow Apartments - Building A

Kuepers Inc.
Building A

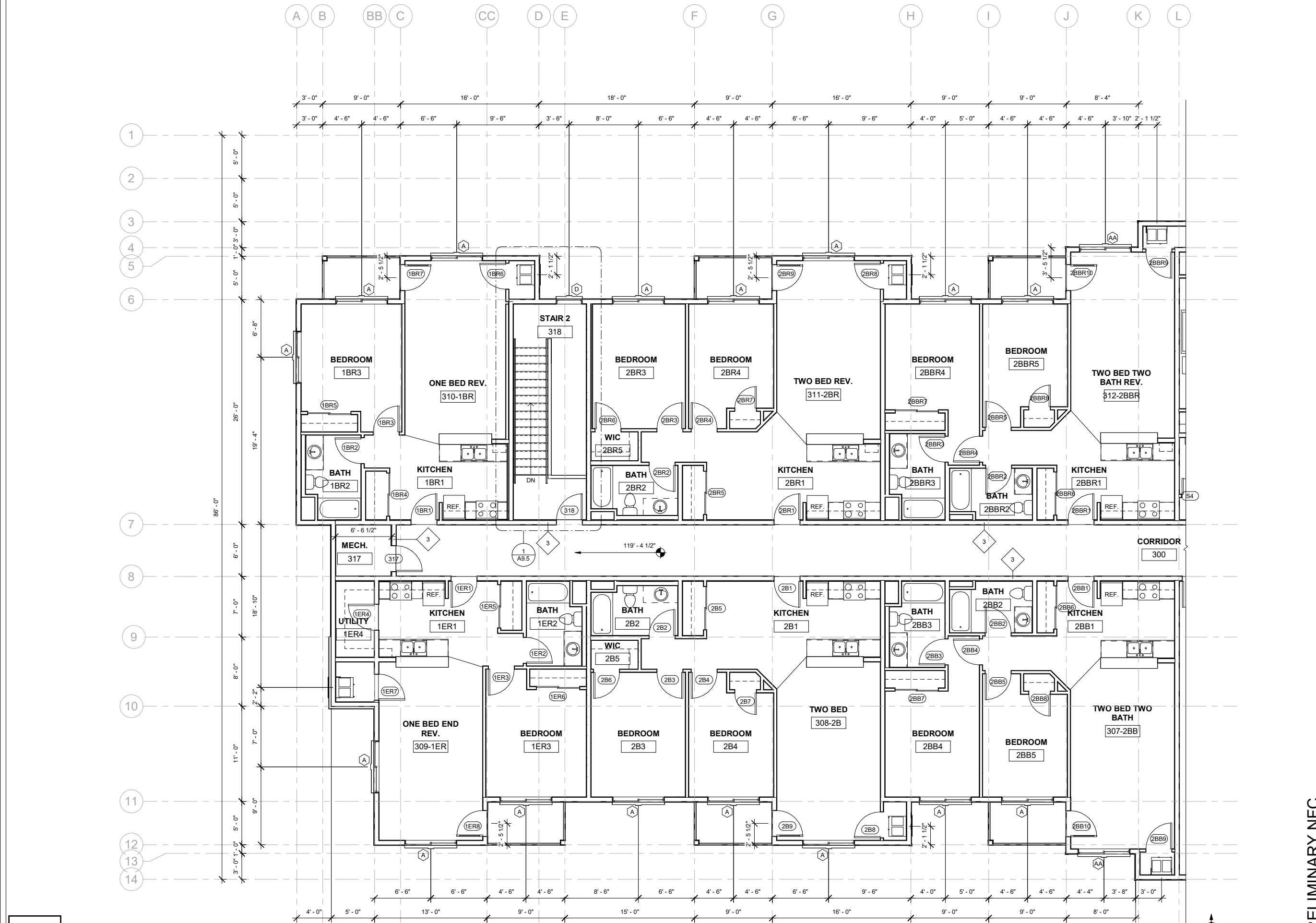
Project number XX-XX-XXXX Date 09-01-2023
Drawn by RET Checked by CJR

A1.7
Floor Plan Legend Page 25

No.	Description	Date

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Date: 08-15-2022 License #: 46319



Item 3.

1 Level 3 - Floor Plan East
3/16" = 1'-0"

PRELIMINARY NFC



BRAINERD/BAXTER, MN 218-829-0707

Stone Meadow Apartments - Building A

Kuepers Inc.
Building A

Project number	XX-XX-XXXX	Date	09-01-2023
Drawn by	RET	Checked by	CJR

A1.8
Floor Plan Le

No.	Description	Date

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Date: 08-15-2022 License #: 46319



Stone Meadow Apartments - Building A

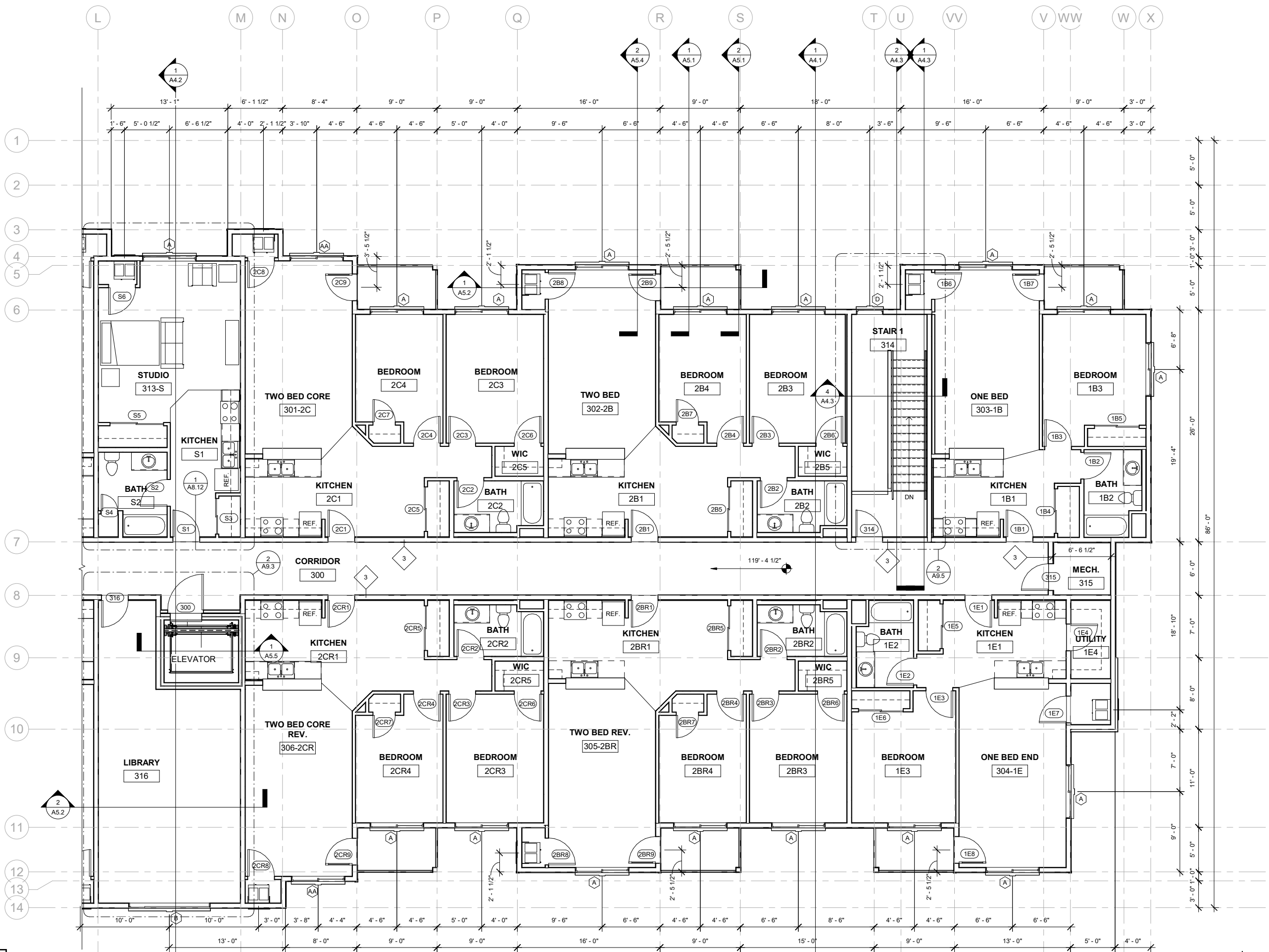
PRELIMINARY NFC

Kuepers Inc.
Building A

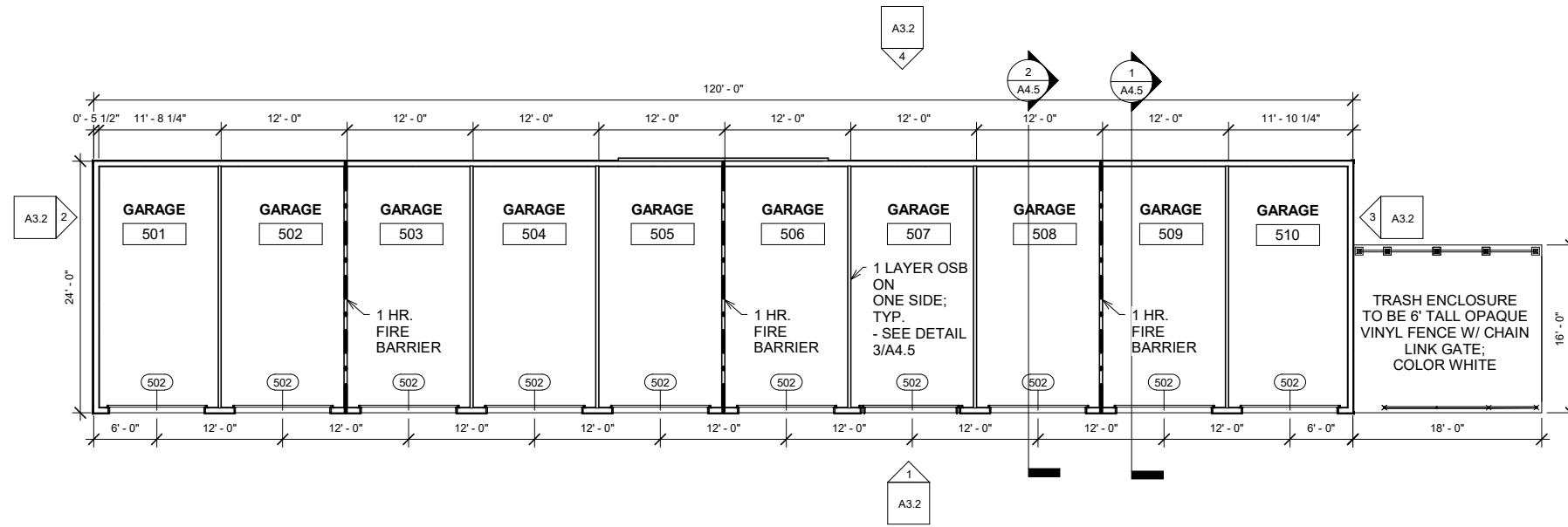
Project number XX-XX-XXXX Date 09-01-2023
Drawn by RET Checked by CJR

A1.9
Floor Plan Legend Page 27

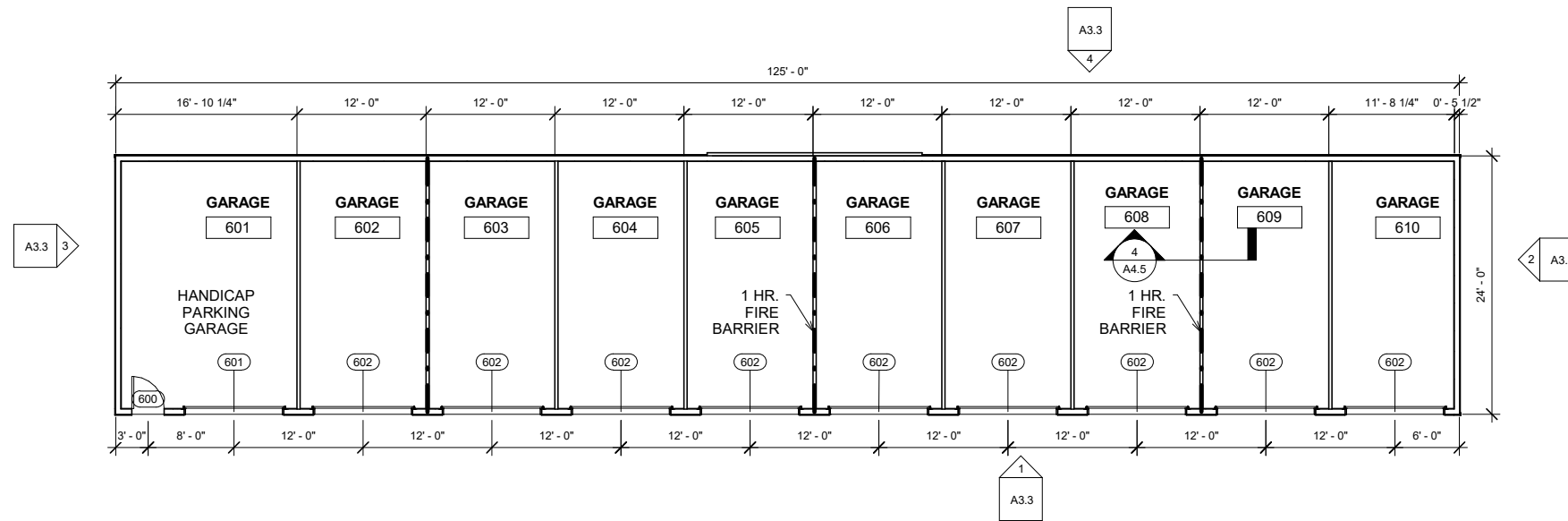
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Item 3. Level 3 - Floor Plan West
3/16" = 1'-0"



① Garage 1 Floor Plan
1/8" = 1'-0"



② Garage 2 Floor Plan
1/8" = 1'-0"

Door Schedule - Garages													
Mark	Count	Location	Width	Height	Door Type	Fire Rating	Finish	Frame Material	Rough Width	Rough Height	Hardware Group	Swing	Comments
502	10	GARAGE	9'-0"	8'-0"	D-11	-	MTL.	WD.	0'-0"	0'-0"		O.H.	13
600	1	GARAGE	3'-0"	6'-8"	D-1	-	MTL.	WD.	3'-2"	6'-10"		L.H.	3, 16
601	1	GARAGE	9'-0"	8'-3"	D-11	-	MTL.	WD.	0'-0"	0'-0"		O.H.	13, 15
602	9	GARAGE	9'-0"	8'-0"	D-11	-	MTL.	WD.	0'-0"	0'-0"		O.H.	13

DOOR ABBREVIATIONS:

- R.H. = RIGHT HAND
- L.H. = LEFT HAND
- O.H. = OVERHEAD
- DBL. = DOUBLE DOOR
- BI-P. = BI-PASS DOOR
- H.M. = HOLLOW METAL
- MTL. = METAL
- STL. = STEEL
- INSUL. = INSULATED
- F.G. = FIBERGLASS
- ALUM. = ALUMINUM

COMMENTS:

1. PANIC HARDWARE
2. KEYED LOCKSET
3. PASSAGE LOCKSET
4. PRIVACY LOCKSET
5. SELF CLOSING HINGES
6. ARM DOOR CLOSER
7. KICK PLATE - PUSH SIDE
8. BUZZER ENTRY
9. SMOKE RESISTANT SEALS
10. WOOD CASING
11. ELECTROMAGNETIC DOOR HOLDER
12. PEEP HOLE
13. LOCKABLE GARAGE DOOR HANDLE
14. BAR PULL
15. AUTOMATIC GARAGE DOOR OPENER
16. DEADBOLT LOCK

GENERAL NOTES:

1. P.M. TO VERIFY ALL ROUGH OPENINGS
2. P.M. TO VERIFY ALL JAMB DEPTHS
3. FLASHING TO BE PLACED OVER ALL EXTERIOR DOORS

No.	Description	Date

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Name: Christopher J. Raimann, AIA
Signed:

Date: 08-15-2022 License #: 46319

KUPEPERS INC
ARCHITECTS & BUILDERS
BRAINERD/BAXTER, MN 218-829-0707

Stone Meadow Apartments - Building A

Kuepers Inc.
Building A

Project number XX-XX-XXXX Date 09-01-2023
Drawn by RET Checked by CJR

A1.10
Garage Floor

Scale Page 28

PRELIMINARY NFC

Item 3.

7/15/2024 2:04:38 PM

**CITY OF MARSHALL
AGENDA ITEM REPORT
PC 8/14/24**

Presenter:	Ilya Gutman
Meeting Date:	Wednesday, August 14, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Consider the request of Independent Lumber for a Conditional Use Permit for a Lumberyard in a B-3 General Business District
Background Information:	<p>This is a request to permit a lumberyard in a B-3 general business district.</p> <p>Lumberyards are conditional use in B-3 districts.</p> <p>This existing lumberyard was built before the area was annexed into the city limits. When it was annexed, it was grandfathered in and became a legal non-conforming use, as the ordinance requires. However, this provision does not allow expansion of the use, and the owner wants to build more buildings. Granting a CUP will allow for further development and will remove potential limitations.</p> <p>Menards is considered a lumberyard and was granted a CUP for such use. Generally, new construction in a B-3 district would require multiple site improvements, such as paved parking and landscaping; however, this is not a new construction, which makes this situation different.</p> <p>General business district regulations are in Section 86-104. The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49.</p> <p>Please see attached Finding of Facts for more detailed information.</p>
Fiscal Impact:	None known
Alternative/Variations:	None recommended but additional reasonable conditions intended to mitigate the impact of granting a conditional use permit as proposed by the Planning Commission may be added.
Recommendations:	<ol style="list-style-type: none"> 1. Close public hearing. 2. Recommend to City Council an approval of the request to grant a Conditional Use Permit for a lumberyard in a B-3 general business district.

Marshall Planning Commission
Report to City Council – Request for Conditional Use Permit
504 and 508 Baseline Road, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for a Conditional Use Permit dated July 8, 2024, for a lumberyard on property located at 504 and 508 Baseline Road,

WHEREAS, the applicant for the Conditional Use Permit was the property owner Independent Lumber of Marshall,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is zoned B-3 General business district as defined in Ordinance Sec. 86-104 and lumberyards are a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86-49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This is a commercial area with Menards lumber yard nearby.
- (2) The property has adequate access from Baseline Road.
- (3) No additional traffic will be generated if this CUP is granted.
- (4) The site has no landscaping currently.
- (5) The standard B-3 Outside Storage provisions will be applicable.
- (6) The standard B-3 Accessory Buildings provisions will be applicable.
- (7) Not applicable.
- (8) The site area is adequate for this use.
- (9) Site has ample parking area.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permit.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility are adequate for current use.
- (14) All standard maintenance provisions will apply.
- (15) The use has been in existence for a long time and will not be injurious to surrounding area and to the community.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for a lumberyard in a B-3 General Business District be approved as recommended by staff. The motion offered by _____ and seconded by _____, and declared carried on the following vote:

Ayes:

Nays:

Abstained:

Passed: ____: ____

Marshall Planning Commission

By: Cathy Lee
Its: Chair

