

AGENDA
MEETING OF THE MARSHALL PLANNING COMMISSION
WEDNESDAY – MARCH 8, 2023
COUNCIL CHAMBERS – CITY HALL
5:30 P.M.

- 1) *Call to Order*
- 2) *Consider the approval of the minutes of the January 11, 2023, regular meeting of the Marshall Planning Commission.*
- 3) *Conduct Public Hearing for a Conditional Use Permit for a single ownership duplex in an R-1 One Family Residence District at 522 Jaguar Court*
- 4) *Other Business*
- 5) *Adjourn*

--UNAPPROVED --

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
JANUARY 11, 2023**

MEMBERS PRESENT: Lee, Deutz, Doom, Stoneberg, Pieper and Muchlinski

MEMBERS ABSENT:

OTHERS PRESENT: Jason Anderson, Ilya Gutman, and Amanda Schroeder

1. The meeting was called to order by Chairperson Lee. She asked for the approval of the minutes of the December 14, 2022, regular meeting of the Marshall Planning Commission. Doom MADE A MOTION, SECOND BY Stoneberg, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.
2. Gutman explained this is the request by the Owner for an Interim Use Permit for a shipping container placement in a B-3 General business district. While containers are generally prohibited in business districts, the Ordinance allows placing one container in a General Business District by an interim use permit. The below-listed conditions include a reference to a particular Ordinance section that itemizes specific requirements for granting an Interim Use Permit for a container. Staff recommends approval to the City Council of the request by Independent Lumber, for an Interim Use Permit to have a storage container on the premises at 508 Baseline Road with the following conditions: 1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the class of district in which such premises are located shall be conformed with. 2. That the City reserves the right to revoke the Interim Use Permit in the event that any person has breached the conditions contained in this permit provided that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable time in which to repair such default. 3. That this permit expires when the property changes ownership. 4. That this container meets all conditions of Sec. 86-248(f) dated 04-27-2021 (as attached) by February 28, 2023, including a fence. Brent Demuth / 508 baseline road explained the location of the shipping container saying little will be seen from the street. Deutz questioned what the discuss is about. Gutman said it is to decide if it should be granted. Demuth said it will only be seen from the corner of Keller Williams Realty and that will be fenced. Deutz asked if the fence will affect the access. Demuth said no. Doom asked for the size. Demuth said 40 x 8 x 8.5 which is standard. Muchlinski MADE A MOTION, SECOND BY Deutz to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Deutz MADE A MOTION, SECOND BY Stoneberg to recommend to City Council as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION.
3. Anderson advised that Kwik Trip has purchased the three parcels at the corner of N. Bruce Street and E. College Drive with the intent of building a new gas station and convenience store at this location. The purpose of the plat here is to combine all parcels into one and to ensure that all property issues are addressed prior to building on the site. Staff recommends that the Planning Commission recommend approval of the preliminary plat of Kwik Trip 1255 to the City Council, subject to utility companies review and recommendations. Doom clarified that we are just making a motion on combining the 3 lots. Anderson said that is correct. Stoneberg MADE A MOTION, SECOND BY Muchlinski to recommend to City Council as recommend by staff.
4. A MOTION WAS MADE BY Doom, SECOND BY Pieper to adjourn the meeting. ALL VOTED IN FAVOR. Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Chris DeVos, Recording Secretary

MEMORANDUM

TO: Members of the Marshall Planning Commission
Sharon Hanson, City Administrator
Jason R Anderson, P.E., Director of Public Works/Zoning Administrator *ja*

FROM: Ilya Gutman, Assistant Planning & Zoning Administrator *IG*

DATE: March 1, 2023

SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT
Vesta LLC
522 Jaguar Court

Action Recommendation

1. Motion to close public hearing.
2. Staff recommends a motion to recommend to City Council an approval of the request to grant a Conditional Use Permit for a single ownership duplex in an R-1 One Family Residence District with the following condition: The outside appearance is uniform and masks evidence of two dwellings in the building.

Background

This is a request to have a single ownership duplex in an R-1 One Family Residence District.

The lot size is adequate for a duplex and all yard regulations will be complied with.

One Family Residence District regulations are in Section 86-97. The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49.

Fiscal Impact

None known.

Alternatives Variations

None recommended but additional reasonable conditions as proposed by the Planning Commission may be added.

IG: cld