

**AGENDA**  
**MEETING OF THE MARSHALL PLANNING COMMISSION**  
**WEDNESDAY – NOVEMBER 9, 2022**  
**COUNCIL CHAMBERS – CITY HALL**  
**5:30 P.M.**

- 1) *Call to Order*
- 2) *Consider the approval of the minutes of the September 14, 2022, regular meeting of the Marshall Planning Commission.*
- 3) *Election of Vice Chair.*
- 4) *Conduct Public Hearing for a Conditional Use Permit to install a digital billboard at 705 West Main Street.*
- 5) *Conduct Public Hearing for a Variance Adjustment Permit to have reduced side yard and parking.*
- 6) *Preliminary plat of DG Marshall Addition*
- 7) *Ordinance Amendment to Sections 86-205 Access, 86-206 Construction and maintenance, and 86-226 Minimum size regulations.*
- 8) *Other Business*
- 9) *Adjourn*

**MINUTES OF THE  
MARSHALL PLANNING COMMISSION MEETING  
SEPTEMBER 14, 2022**

**MEMBERS PRESENT:** Lee, Deutz, Stoneberg and Muchlinski  
**MEMBERS ABSENT:** Doom  
**OTHERS PRESENT:** Jason Anderson, Ilya Gutman, and Amanda Schroeder

1. *Call to Order* - The meeting was called to order by Chairperson Lee at 5:30 pm.
2. *Approval of Minutes* - Chairperson Lee asked for the approval of the minutes of the July 13, 2022, regular meeting of the Marshall Planning Commission. MUCHLINSKI MADE A MOTION, SECOND BY DEUTZ, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.
3. *Ordinance Amendment to Section 86-165 relating to Structures in Residential Districts* - Gutman explained the current ordinance prohibits exterior finishes with exposed fasteners on non-accessory structures in all residential districts to avoid industrial looking buildings and protect the values of the properties. However, it appears that those fasteners on low slope roofs (with less than 4 in 12 pitch) are practically not visible. Considering that metal roofs with exposed fasteners may be a practical alternative to shingles in this situation, it would be reasonable to allow it. Staff recommends the recommendation to the City Council approving the revisions amending Sec. 86-165 Structures in Residential Districts to allow exposed fasteners on low slope roofs.

Deutz asked for clarification if this is prohibited just for roofs and not siding. Gutman confirmed this amendment applies only to roofs.

DEUTZ MADE A MOTION, SECOND BY MUCHLINSKI to recommend to City Council as recommended by staff. ALL VOTED IN FAVOR OF THE MOTION.

4. *Ordinance Amendment to Section 86-180 to 86-187 relating to Signs* - Gutman advised that the current City Sign Ordinance was adopted in 1976 and has practically not been amended ever since. It is therefore outdated in not covering many newer sign types and applications, thus creating ambiguity, restrictive in allowed sign area, and difficult to follow. Considering the above reason, staff suggests completely revising the Sign Ordinance as presented. The revised Ordinance includes all existing sign related definitions that will be moved out of the Chapter definition section (Sec. 86-1) to have all sign related information in one place. The new ordinance also expands a list of signs not requiring a sign permit and includes requirements for LED signs. Additionally, the new Ordinance slightly increases maximum allowed signage area and gives additional allowances for properties located on extra-large lots and/or facing divided highway. In general, the City's new sign ordinance is less restrictive than sign ordinances of comparable cities and allows for more signage than average. To simplify Ordinance understanding, a summary spreadsheet is attached. Also, staff has created a spreadsheet for signage area calculations that considers all ordinance provisions. Staff recommends the recommendation to the City Council approving the revisions amending Division VI-2 Signs in its entirety.

Muchlinski asked what constitutes an incidental sign. Gutman read definition from proposed ordinance amendment. Gutman indicated that spreadsheet would be on the website also to clarify types of signs and determination of type of sign and what is permissible. Anderson indicated that contractors still

-- UNAPPROVED --

consult with City staff on allowable signage. Deutz inquired on preparation of proposed amendments. Gutman provided some examples of signage area and applicable conditions. Anderson and Gutman commented on the increased maximum sign areas in the proposed ordinance. Gutman brought up a few restrictions for several situations (i.e., banners).

MUCHLINSKI MADE A MOTION, SECOND BY DEUTZ to recommend to City Council as recommended by staff. ALL VOTED IN FAVOR OF THE MOTION.

5. *Other Business* - Cathy Lee welcomed Sara Stoneberg to the Planning Commission. Gutman gave an update on the Comprehensive Plan that it is actually being written now and will be open to public comment in October with a presentation to Commission in November. Schroeder indicated Comp Plan Task Force is now reviewing and to have comments in by the end of this week. Gutman indicated staff would then be reviewing after Task Force review. Deutz inquired on development of former West Side School site. Anderson indicated that site is under private ownership with possible development of the area. The developer has placed a sign at the site, but the City has not seen plans nor has developer shared intent with the City. The current zoning of the site is R-1. Deutz also inquired on former Thrifty White site. Deutz inquired on possible permanent music venues and potential locations. Anderson commented on Parks and Community Services discussions relating to bandshell location and the structure and discussing possible considerations for the Council of a different venue altogether of a more modern outdoor music venue.
6. *Adjourn* - A MOTION WAS MADE BY STONEBERG, SECOND BY DEUTZ to adjourn the meeting. ALL VOTED IN FAVOR. Chairperson Lee declared the meeting adjourned at 5:48 pm.

Respectfully submitted,  
Lona Rae Konold, Recording Secretary





# MARSHALL

CULTIVATING THE BEST IN US

## 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:** November 2, 2022

**SUBJECT:** REQUEST FOR CONDITIONAL USE PERMIT  
McNally Management LLC  
705 West Main Street

### Action Recommendation

Motion to close public hearing.

Staff recommends a motion to recommend to City Council an approval of the request of McNally Management LLC, for a Conditional Use Permit for an advertising sign at 705 West Main Street, subject to the following conditions:

1. The sign must be installed as shown on attached sketch. A survey showing exact sign location by the registered land surveyor shall be filed with the City of Marshall prior to sign installation. The sign or any part thereof shall not encroach into any public right-of-way or adjacent property.
2. This permit is for the sign structure described as follows:
  - a. Two double panels will be installed at an angle to each other (four sign panels total).
  - b. Each sign panel shall be no greater than 8 feet by 20 feet.
  - c. The overall height of the sign shall be no more than 32 feet.Prior to sign installation, a sign permit application must be applied and paid for. Structural drawings showing sign footing and foundations shall be signed by a registered professional engineer and submitted along the sign permit application.
3. The sign structure shall be maintained in a safe condition and all surfaces maintained without blemish or defects. The current land and sign owner, and all future sign and landowners are fully responsible for maintenance, together or separately.
4. The sign shall comply with the following regarding image change and brightness:
  - a. Image Change Frequency: Not more often than every 6 seconds.
  - b. Image transition shall be instantaneous without any special effect.
  - c. Image maximum illumination shall be not more than 0.3-foot candle above ambient light at a distance of 150 feet from sign face.
  - d. No flash or moving images are allowed.
  - e. The sign brightness shall adjust depending on ambient light conditions.
  - f. The sign image shall be discontinued in case of sign malfunction.
5. The sign owner shall adjust the sign brightness if the City finds it to be too bright and interfering with driver's operation of motor vehicle and official traffic control.
6. The City of Marshall is granted the right to utilize this sign for any safety related messages when necessary.
7. Obtain the required permit from the State Department of Transportation.



**Background**

McNally Management LLC applied for a Conditional Use Permit for an advertising sign at 705 West Main Street. This is a so-called dynamic display LED sign which is a sign with the electronic image that changes every so often. Similar signs were installed at the corner of Highway 59 and Highway 23 and Highway 19 and Highway 23. The City staff has not heard any adverse or negative comments about those signs and it appears that the highway traffic has not been affected.

The new sign will consist of four LED panels, 8 feet by 20 feet each, installed one above each other and at an angle to each other to face traffic in both directions. The overall height of the sign is requested to be 32 feet. Each panel size is less than maximum allowed length of 55 feet and there are two sign panels per side, as limited by the ordinance. This sign is about the same size or smaller than previously installed signs of this nature.

The City of Marshall does not have an ordinance now that regulates these signs. The science of the light and brightness is complicated. The Condition 4 pertaining to this issue is based on the State regulations, industry standards, and other communities' rules. All conditions may be revised, or new conditions added by both the Planning Commission and the City Council.

Advertising sign definition may be found in Section 86-1 under Sign, Advertising, and sign regulations for this zoning district are in Section 86-185 (3). The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49. An area site diagram and sign drawings are attached.

**Fiscal Impact**

None known.

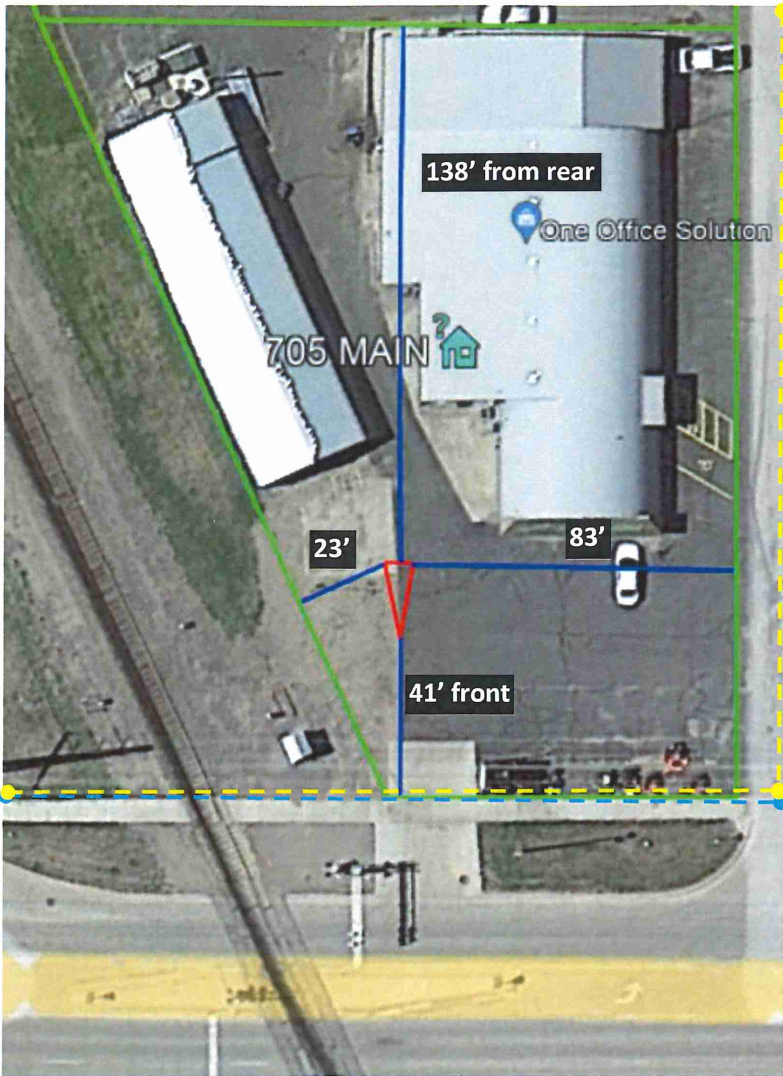
**Alternatives Variations**

None recommended

IG: cld

SITE PLAN: McNally Management

ADDRESS: 705 West Main Street, Marshall, MN 56258, 44.4519326879, -95.7963973633



Legend:

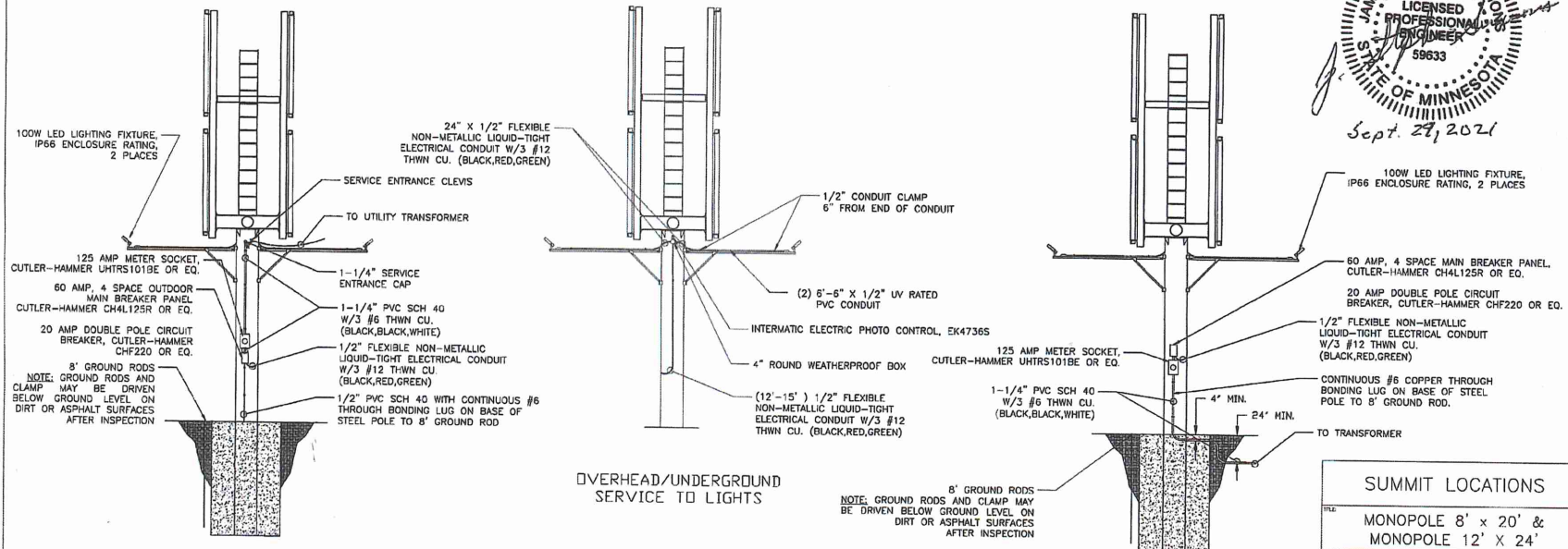
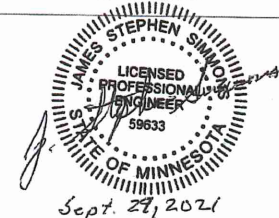
Existing ROW: ● — — — — — ●

Existing Power Line: ● — — — — — ●

# PANEL SCHEDULE

#	DESCRIPTION	CB AMPS	KW	NOTES
1	OUTDOOR LIGHT	20	0.10	1-100W LED FIXTURES
2	OUTDOOR LIGHT	20	0.10	1-100W LED FIXTURES

PANEL:  
60 A.-120/240 VAC-SINGLE PH. 3W  
2 CIRCUIT-3R ENCLOSURE  
CUTLER-HAMMER CH4L125R OR EQ.



OVERHEAD SERVICE ENTRANCE

220 VAC POWER RISER DIAGRAM

UNDERGROUND SERVICE ENTRANCE

## SUMMIT LOCATIONS

MONOPOLE 8' x 20' &  
MONOPOLE 12' x 24'

McNALLY MANAGEMENT  
705 W. MAIN ST.  
MARSHALL, MN 56258

DESIGNER:  
J. STEPHEN SIMMONS P.E. #59633  
304 FUDGE AVE.  
EATON, OH 45320  
PHONE: 937-733-9643  
EMAIL: j.stephen.simmons@gmail.com

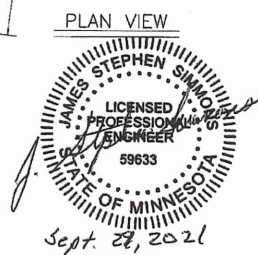
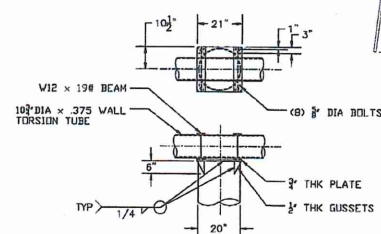
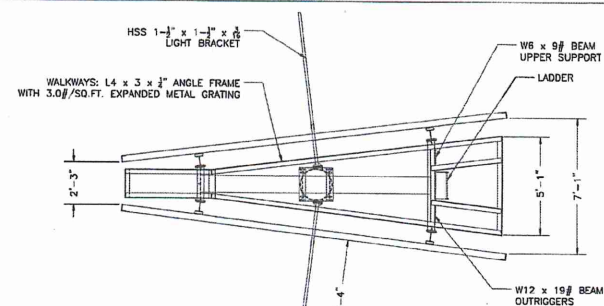
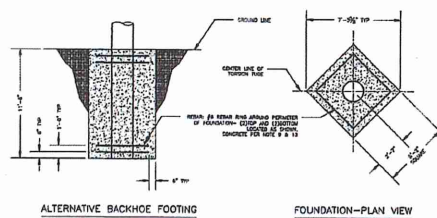
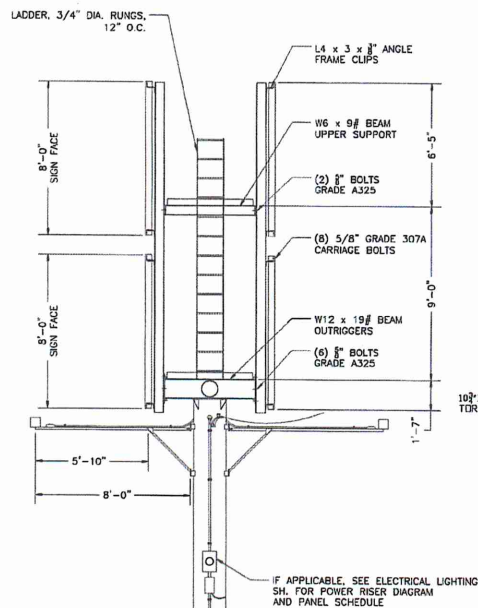
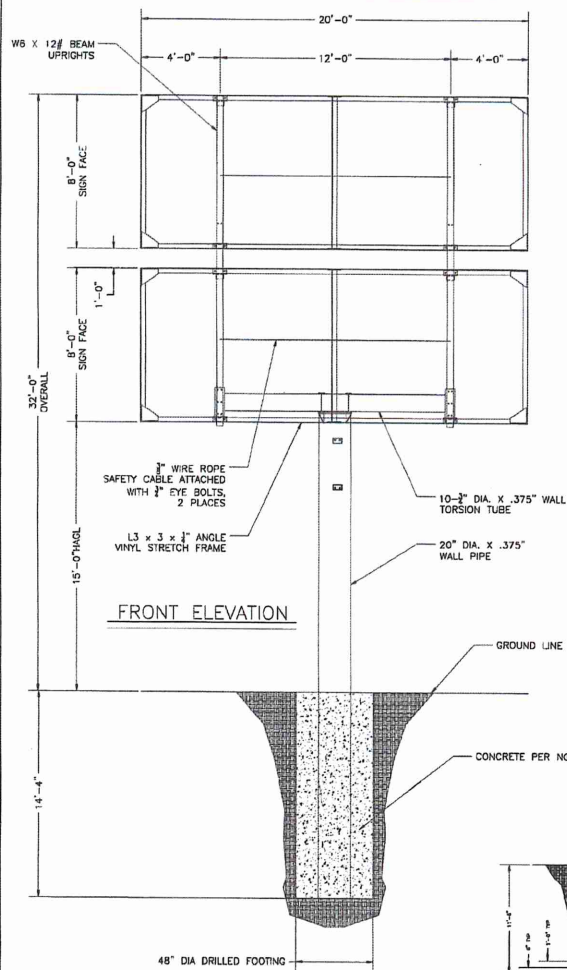
DRAWN BY: JM  
CHECKED BY: NONE  
DATE: 2/7/2020  
SHEET: 1 OF 1

## ELECTRICAL NOTES

- ALL WORK SHALL MEET OR EXCEED ALL NEC STANDARDS
- PROVIDE BONDING IN ALL APPLICABLE LOCATIONS PER NEC 250.104(C)

NO.	DESCRIPTION	DATE	DESIGNER	CHECKER
1	1. ADDED BONDING TO BASE OF STEEL POLE	JM	2/7/20	
REVISIONS				





SPECIFICATIONS	CODE DATA
<ol style="list-style-type: none"> <li>STEEL ROLLED W BEAM SECTIONS: ASTM A992</li> <li>ALL OTHER ROLLED SECTIONS: ASTM A36</li> <li>PIPE SECTIONS: A.P.I. 5L X 42</li> <li>BOLTS: 3/4" MINIMUM DIAMETER—GRADE A325</li> <li>ASSUMED LATERAL SOIL PRESSURE 150 PSF/FT.</li> <li>SOIL BEARING PRESSURE ASSUMED 1500 LBS./S.F. PER IBC TABLE 1806.2</li> <li>DESIGNED WIND LOAD 24.44 P.S.F. THE DESIGNED WIND LOAD HAS BEEN FOUND TO EXCEED THE SEISMIC LOADING OF EARTH QUAKES.</li> <li>DEAD LOAD: TOTAL SIGN WEIGHT _____ #</li> <li>LIVE LOAD: WALKWAYS - 60#/SQ. FT.</li> <li>CONCRETE: 3000 PSI AT 28 DAYS DESIGN-2500 PSI AT 28 DAYS</li> <li>ALL WELDS TO CONFORM TO AWS D1.1-98 SPECIFICATION</li> <li>DESIGNED IN ACCORDANCE WITH 2020 MINNESOTA BUILDING CODE BASED ON 2018 INTERNATIONAL BUILDING CODE.</li> <li>STEEL TO RECEIVE RUST INHIBITIVE PRIMER AND TOP COAT OF COLOR CHOICE</li> <li>REINFORCING BAR: ASTM A-615 GRADE 60 (REBAR IS NOT REQUIRED IF FIBER REINFORCED CONCRETE IS USED.)</li> <li>STRUCTURAL COMPONENTS ARE CAPABLE OF RESISTING HYDROSTATIC AND HYDRODYNAMIC LOADS AND THE EFFECTS OF BUOYANCY</li> <li>ALL STRUCTURAL CONNECTIONS SHALL BE WELDED 3/8" ALL AROUND UNLESS OTHERWISE NOTED.</li> </ol>	<p>2020 MINNESOTA STATE BLDG. CODE-2018 IBC</p> <p>USE GROUP: U TYPE OF CONSTRUCTION: IB ULTIMATE DESIGN SPEED: 120 MPH NOMINAL WIND SPEED: 83 MPH WIND EXPOSURE: B RISK CATEGORY: II SIGN HEIGHT: 32 FEET SPECIAL INSPECTIONS: REQUIRED</p>
SUMMIT LOCATIONS	
<p>MONOPOLE 8' x 20'</p> <p>McNALLY MANAGEMENT 705 W. MAIN ST. MARSHALL, MN 56258</p> <p>J. STEPHEN SIMMONS P.E. #59633 304 FUDGE AVE. EATON, OH 45320 PHONE: 937-733-9843 EMAIL: j.stephen.simmons@gmail.com</p>	
<p>DATE: JMS</p> <p>SCALE: NONE</p>	<p>DATE: JSS</p> <p>DATE: 06/10/2020</p> <p>SHEET: 1 OF 1</p>



**MEMORANDUM**

**TO:** Members of the Marshall Planning Commission  
Sharon Hanson, City Administrator  
Jason R. Anderson, P.E., City Engineer/Zoning Administrator *Ja*

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

**DATE:** November 2, 2022

**SUBJECT:** REQUEST FOR A VARIANCE ADJUSTMENT PERMIT  
1213 East College Drive

**Action Recommendation**

Close public hearing.

Recommend denial to the City Council of the request by Levi Bond / Iron Horse Development for a Variance Adjustment Permit to have a reduced side yard and reduced parking.

**Background**

This is a request from the owner to approve building a new store building with five feet side yard instead of required 10 feet side yard and provide 29 parking space instead of required 33 spaces.

The new building is proposed to be built five feet away from the east property line. The owner wants to maximize the width of the driveway located on the west side of the lot and leading to the required parking in the back. The Owner also wants to reduce parking in order to free space for required landscaping; they state that parking as suggested (4 spaces fewer than required) will be adequate based on past experience and estimates of store foot traffic.

Granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use is reasonable (it is); the problem is caused by the conditions unique to this property (the property is relatively small, but that can be resolved by slightly reducing the building size or shifting it and there is enough room for required parking and landscaping); and that granting the variance will not change the character of the area (no other building around has a five foot side yard, even though the “character” of the area will most likely not be affected). It seems that two out of three conditions are at least partially not met.

The variance regulations and procedures are found in Section 86-29. A property aerial photo with proposed site plan is attached for reference.

**Fiscal Impact**

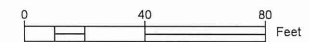
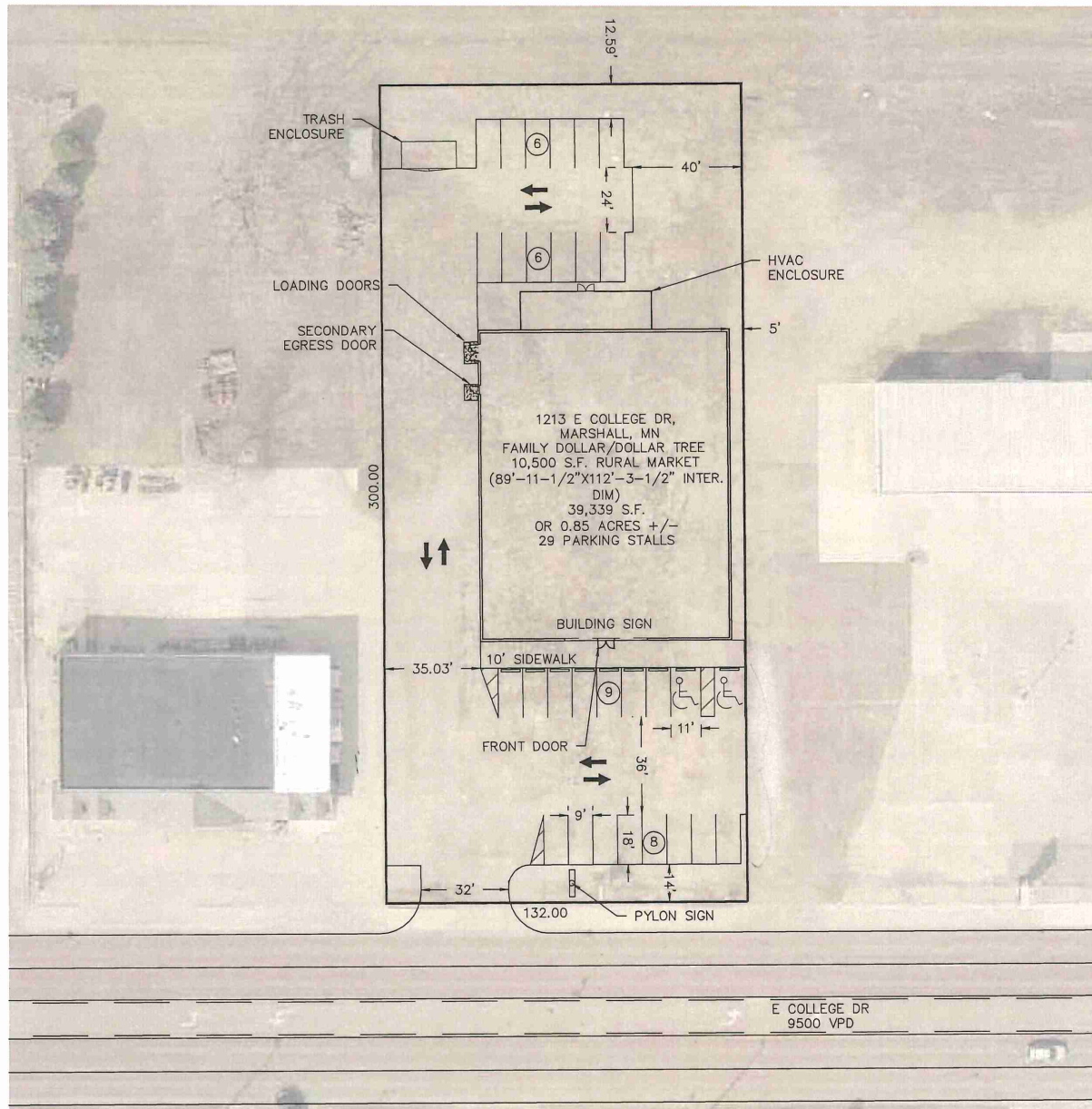
None known.

**Alternatives / Variations**

Recommend approval to the City Council of the request for a variance for reduced parking only, based on provided evidence of reduced parking needs.

IG: cld

# MARSHALL, MN SITE CONCEPT





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**TO:** Members of the Marshall Planning Commission

**FROM:** Jason R. Anderson, P.E., Director of Public Works/Planning & Zoning Administrator

**DATE:** November 9, 2022

**SUBJECT:** PRELIMINARY PLAT OF DG MARSHALL

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**Action / Recommendation**

Staff recommends a motion to recommend approval of the preliminary plat of DG Marshall to the City Council, subject to utility companies review and recommendations.

**Background**

Attached please find a copy of the preliminary plat of DG Marshall.

Dollar General has purchased two lots for development of their retail store. The building that is being constructed sits atop the lot line that separates the two lots. City of Marshall Zoning Ordinance requires property line setbacks, therefore, a building cannot be constructed over top of a lot line. Due to an error in property descriptions, Lyon County is not allowing for the two lots to be combined into one lot to resolve the lot line issue. To resolve the issue, Dollar General is going through a platting process to resolve description concerns and to combine the existing two lots.

Attached please find a copy of the Engineer's Report of Preliminary Plat Review. Copies of the proposed subdivision has been sent to the local utility companies for their review and comments.

**Fiscal Impact**

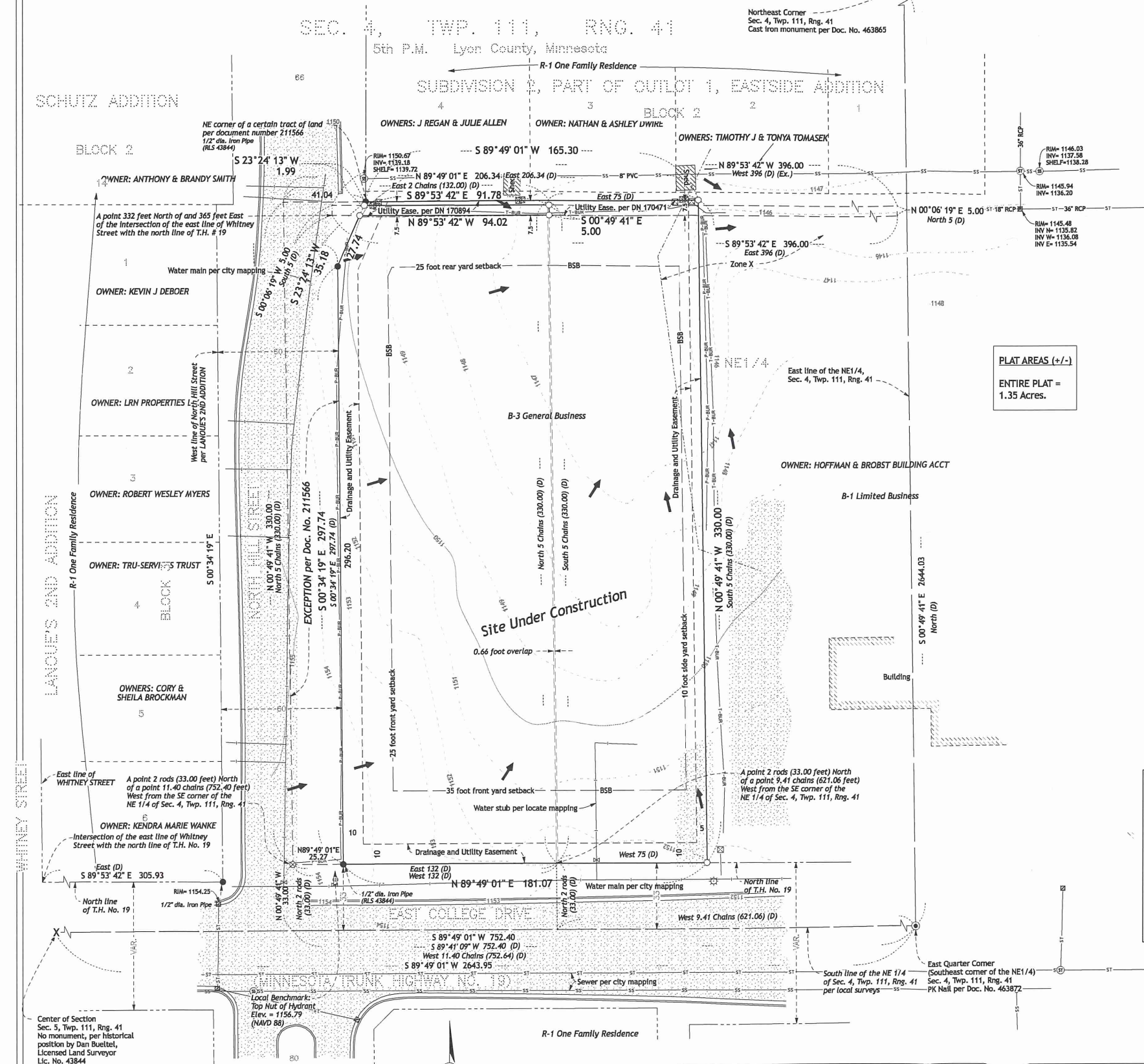
The applicant will be billed for all direct costs relating to the platting process.

**Alternative Actions**

Any additional requirements recommended by the Planning Commission.

JRA:lrk / Attachments

# DG MARSHALL

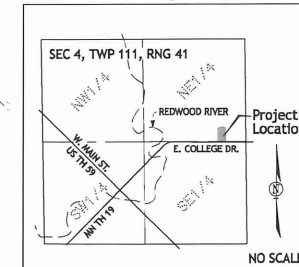


## MAPPING LEGEND

STORM SEWER MANHOLE	⊕
SANITARY SEWER MANHOLE	⊙
CATCH BASIN	⊗
CULVERT APRON	⊠
WELL	⊕
HYDRANT	⊕
WATER VALVE	⊕
UTILITY HANDHOLE	⊕
LIGHT POLE	⊕
UTILITY POLE	⊕
UTILITY POLE ANCHOR	⊕
UTILITY PEDESTAL	⊕
UTILITY METER	⊕
TANK (AS SPECIFIED)	⊕
SEWER CLEANOUT	⊕
LIFT STATION	⊕
TREE (DECIDUOUS)	⊕
TREE (EVERGREEN)	⊕
SOIL BORING	SB#
SURFACE DRAINAGE ARROW	→
BURIED ELECTRIC LINE	—P-BUR—
BURIED TELEPHONE LINE	—T-BUR—
BURIED FIBER OPTIC LINE	—F/O-BUR—
BURIED GAS LINE	—G—
OVERHEAD POWER LINE	—OHP—
WATER LINE	—W—
STORM SEWER PIPE	—SS—
SANITARY SEWER PIPE	—SS—
CONC. CURB & GUTTER	—C—
PROPERTY LINE	—P—
CONTROLLED ACCESS	—C—
CHAINLINK FENCE	—XC—
WOOD FENCE	—W—
BARB WIRE FENCE	—BW—
WOVEN WIRE FENCE	—WW—
TREELINE	—TL—
WETLAND	—W—
EXISTING CONTOURS	—1091—
BUILDING SETBACK	—BSB—
SOILS TYPE BOUNDARY	—D67A D67B—
CONCRETE	⬢
BITUMINOUS	⬢
GRAVEL	⬢

PLAT AREAS (+/-)  
ENTIRE PLAT =  
1.35 Acres.

## Vicinity Map



## LEGAL DESCRIPTION

All that part of the Northeast Quarter of Section 4, Township 111 North of Range 41 West of the 5th P.M., Lyon County, Minnesota, contained within the following boundary lines, to wit:

Beginning at a point 2 rods (33 feet) North and 9.41 chains (621.06 feet) West from the Southeast corner of said Northeast Quarter of Section 4, and running thence North a distance of 5 chains (330 feet); thence East and at right angles to last line a distance of 75 feet; thence South and at right angles to last line a distance of 5 chains (330 feet); thence West a distance of 75 feet to the point of beginning.

Together with a tract of land located in the Northeast Quarter of Section 4, Township 111 North of Range 41 West of the 5th P.M., Lyon County, Minnesota, described as follows: Commencing 2 rods (330 feet) North from a point 11.40 chains (752.4 feet) West from Southeast corner of Northeast Quarter of said Section 4 and running thence North 5 chains (330 feet); thence East 2 chains (132 feet); thence South 5 chains (330 feet); thence West 2 chains (132 feet) to the place of beginning.

Excepting therefrom a tract of land located in the Northeast Quarter of Section 4, Township 111 North of Range 41 West of the 5th P.M., Lyon County, Minnesota, described as follows: Commencing at a point 332 feet North and 365 feet East of the intersection of the East line of Whitney Street with the North line of T.H. #19 in the City of Marshall, Minnesota, and running thence East and parallel with the North line of T.H. #19, a distance of 396 feet; thence North at right angles to last line a distance of 5 feet; thence Westerly at right angles to last line and parallel with the North line of T.H. #19 a distance of 396 feet; thence South at right angles to last line a distance of 5 feet to point of beginning.

And also excepting therefrom the property conveyed to the City of Marshall in Warranty Deed dated December 28, 2016, recorded December 29, 2016, as Document No. 211566, described as follows: That part of the Northeast Quarter of Section 4, Township 111 North of Range 41 West of the 5th P.M., Lyon County, Minnesota, being more particularly described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence South 89° 49' 01" West, bearing based on Lyon County Coordinate System (1996 Adj.), along the South line of said Northeast Quarter, a distance of 752.40 feet; thence North 00° 49' 41" West a distance of 33.00 feet, to the Point of Beginning; thence continuing North 00° 49' 41" West a distance of 330.00 feet; thence North 89° 49' 01" East a distance of 41.04 feet, to the Southwest corner of Lot 4, Block 2 of EASTSIDE ADDITION, as filed and recorded in the office of the County Recorder in and for said Lyon County; thence South 23° 24' 13" West a distance of 35.18 feet to a point 60 feet East, measured at right angles, of the West line of North Hill Street as shown on LANOU'S 2ND ADDITION, as filed and recorded in the office of said County Recorder; thence South 00° 34' 19" East, parallel to said West line, a distance of 297.74 feet, to a point 33 feet North of the South line of said Northeast Quarter; thence South 89° 49' 01" West, parallel to said South line, a distance of 25.27 feet, to the point of beginning.

Existing Property Site Address: 801 & 805 East College Drive, Marshall, MN 56258

Current Zoning = B-3 General Business

County Tax Parcel IDs = 27-599053-0 & 27-599074-0

East College Drive is a Thoroughfare Road.  
North Hill Street is a minor street.

## BUILDING SETBACKS

B-3 General Business District

## Yard Regulations:

Front Yard  
= 35 feet from Thoroughfare Roads  
= 25 feet from Minor Streets  
Side Yard = 10 feet  
Rear Yard = 25% of lot depth (25 foot max.)  
Lot depth = ±321 feet (25% = 80.25 feet)

There was no evidence of wetland observed within the area to be platted.

Topographic features shown hereon are from a field survey completed on 04/20/2022 and Lyon County aerial mapping.

Access to property will be provided by widening an existing entrance in the southeasterly portion of the project property along East College Drive (MN TH 19).

Existing ground cover was primarily yard with some trees. Dollar General store is currently being constructed on the site.  
There were no buildings observed on the project property in the process of conducting the field work.

A portion of the project property lies within Flood Zone X (0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile), according to F.I.R.M. Map No. 27083C0309D, dated 11/26/2010 by graphing plotting only, we do not assume responsibility for exact determination, as is plotted hereon.

## PROPERTY BOUNDARY MONUMENT LEGEND

- SET IRON PIPE WITH CAP STAMPED "DELEO 40341"
- FOUND IRON MONUMENT
- ⊙ SET MAGNETIC "PK" NAIL
- ⊕ GOVERNMENT SECTION CORNER MONUMENT
- (D) DIMENSION / DIRECTION PER DEED OF RECORD

ORIENTATION OF THIS BEARING  
SYSTEM ASSUMES THAT THE  
EAST-WEST QUARTER SECTION LINE  
OF SEC. 4, TWP. 111, RNG. 41  
BEARS SOUTH 89° 56' 18" WEST

0 30 60  
SCALE IN FEET

NO.	REVISIONS SINCE INITIAL DATE OF 11/02/2022	DATE
1	ADDED LABELS FOR DBU EASEMENTS, EDITED LEGAL DESCRIPTION	11/03/2022

1120 Industrial Park Road  
Brainerd, MN 56401  
763-409-6333

13 North 11th Avenue  
St. Cloud, MN 56303  
800-568-1288

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT  
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION  
AND THAT I AM A DULY REGISTERED LAND SURVEYOR  
UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *Samuel J. DeLeo* 11/03/2022  
Samuel J. DeLeo, MN License No. 40341 Date

PROJECT NO. OVERG2202

## Preliminary Plat of DG MARSHALL

For property at: 801 & 805 East College Drive  
City of Marshall, County of Lyon, State of Minnesota  
Located in Section 4, Township 111 North, Range 41 West



**ENGINEER'S REPORT  
 PRELIMINARY PLAT REVIEW**

Subdivision Name: DG Marshall

Quarter NE $\frac{1}{4}$  Section 4 Township 111N Range 41W

Owner's Name: DGOGMarshallmn02092022 LLC

Surveyor: Samuel J. DeLeo, PLS Reg. No. 40341

Sec. 66-54. Information required. (1) Preliminary subdivision plat.		Yes	No	N/A	Comments
a.	Scale 1" = 100' or larger	X			
b.	Subdivision and owner names	X			
c.	Legal description and location sketch	X			
d.	Date, scale and north arrow	X			
e.	Acreage	X			
f.	Zoning classification	X			
g.	Contours	X			
h.	Boundary line bearings and distances	X			
i.	Easement	X			
j.	Street names, elevations and grades	X			



Sec. 66-54. Information required. (1) Preliminary subdivision plat.		Yes	No	N/A	Comments
k.	Utilities	X			
l.	Lot lines, numbers and dimensions	X			
m.	Park land			X	
n.	Setbacks	X			
o.	Natural drainageways	X			
p.	Other related information			X	
q.	Covenants and restrictions			X	
r.	Improvement plans and financing			X	
s.	Future platting			X	
t.	Variance request			X	
u.	Floodway and flood zone designations	X			
v.	Certificates of approval		X		To be included in Final Plat.


Sec. 66-54. Information required. (2) Other preliminary plans.		Yes	No	N/A	Comments
a.	Drainage and grading plans				
	1. Existing and proposed drainage.	X			
	2. Drainage flow facility.	X			
b.	Utility plans	X			

**CITY ENGINEER'S RECOMMENDATIONS:**

**DATE RECEIVED:** November 3, 2022

**DATE REVIEWED:** November 3, 2022

**PLANNING COMMISSION REVIEW DATE:** November 9, 2022



Jason R. Anderson, P.E.  
Director of Public Works/Planning & Zoning Administrator


Copies to: City Administrator  
Building Official  
Senior Engineering Specialist




**MARSHALL**  
CULTIVATING THE BEST IN US

**MEMORANDUM**

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

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

**DATE:** November 2, 2022

**SUBJECT:** Ordinance amending Sections 86-205 Access, 86-206 Construction and maintenance, and 86-226 Minimum size regulations

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**Action Recommendation**

Staff recommends the recommendation to the City Council approving the revisions amending Sections 86-205 Access, 86-206 Construction and maintenance, and 86-226 Minimum size regulations as recommended by staff.

**Background**

These are minor changes to parking ordinance brought up by real life. The changes allow for a narrower two-way street access drive beyond required front yard, which will let landowners save money on pavement and reduce impervious surfaces, while not negatively affecting safety; require that principal use parking on the lot be paved, which will prevent large gravel parking lots in business areas, since only accessory parking to the main structure is currently covered by the Ordinance; and increase minimum sidewalk width in front of the shorter parking places to make sure that an accessible path is still available if a vehicle's front projects over sidewalk.

**Fiscal Impact**

None.

**Alternatives/Variations**

None recommended.

IG/cld / Attachments



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**Sec. 86-226. Minimum size regulations.**

- (a) Each required off-street parking space shall have a width of not less than eight and one-half feet, and a length of not less than 20 feet except parking space placed against sidewalk wider than ~~five~~<sup>four</sup> feet, curb, or lawn may be reduced to 18 feet. Spaces intended for parallel parking and spaces within angled parking area shall be not less than 22 feet long. Oversize space, where required, shall be not less than 55 feet long and ten feet wide.
- (b) Each space shall be adequately served by access drives and independently accessible except parking garages provided for dwellings may have one parking space immediately in front of each garage space. Each off-street loading space shall contain a minimum area of not less than 500 square feet and be adequate for a largest [large] delivery truck serving the building including access. All required parking and loading spaces shall be identified with painted lines on the parking surface except parking for one- to four-family dwellings. Accessible parking spaces shall be provided and constructed per Minnesota State Building Code.

(Ord. No. 686, § 1, 6-10-2014)

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**Sec. 86-206. Construction and maintenance.**

- (a) In all classes of residence districts and in all classes of business districts, required parking, principal use parking, stacking area, and loading areas, and access drives must be paved with concrete, bituminous, or solid pavers. In all classes of industrial districts and in agricultural district, required parking and loading areas and access drives serving commercial uses commonly visited by general public, such as, but not limited to, stores, service shops, animal hospitals, parks, etc. must be paved as required in business districts. All other uses located in industrial districts and agricultural district may have required parking and loading areas and access drives located off the required front yard surfaced with at least six inches of crushed stone or granite; access drives within right-of-way and required front yard must be paved. Parking area surfaces shall be drained to storm sewers where available and away from adjacent properties.
- (b) The operator of the principal building or use shall maintain required parking and loading areas, access drives and stacking spaces in a neat and adequate manner including restriping when it becomes necessary. Except one- to four-family dwellings, required parking areas shall be cleared of snow within 24 hours of the end of any snowfall event.

(Ord. No. 686, § 1, 6-10-2014)

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**Sec. 86-205. Access.**

- (a) Parking and loading spaces shall have proper access from a public right-of-way. Except one- and two-family dwellings, access to any parking or loading space shall be by access drive not less than 24 feet wide for two-way traffic and 15 feet wide for one-way traffic. As an exception, a two-way access drive width may be reduced to 20 feet beyond the required front yard, provided no parking spaces are located along the side of, and accessed directly from, such reduced width access drive.
- (b) The number, width and location of access drives shall be such as to minimize traffic congestion and traffic hazard. Access drives openings to street shall not be located closer than 25 feet to the nearest intersection.
- (c) In all business districts, direct access shall be provided to a street right of way.
- (d) Vehicular access to non-residential uses across property in any residence districts shall be prohibited.

(Ord. No. 686, § 1, 6-10-2014)