



**CITY OF MARSHALL**  
**Planning Commission**  
**Agenda**  
**Wednesday, May 08, 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 April 10, 2024

**NEW BUSINESS**

- [2.](#) Consider the request of Brad Meulebroeck for exterior finishes not listed in the ordinance at 300 West Main Street. This building is located within Central Heritage District.

**PUBLIC HEARING**

- [3.](#) **WITHDRAWN:** Consider the request for a Conditional Use Permit to install a Billboard at 1230 Floyd Wild Drive
- [4.](#) Preliminary Plat of Lockwood Second Addition
- [5.](#) Preliminary Plat of Peachy Subdivision

**OTHER BUSINESS**

6. Election of Officers

**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  
APRIL 10, 2024**

**MEMBERS PRESENT:** Lee, Pieper, Deutz, Agboola, Stoneberg, Muchlinski, Doom  
**OTHERS PRESENT:** Jason Anderson, Ilya Gutman

**1. Call to Order.**

The meeting was called to order by Chairperson Lee.

**2. Approval of the Minutes.**

Lee asked for the approval of the minutes of the March 13, 2024, 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. MOTION PASSED 7:0

**3. Consider the request of Karen Owen for a Conditional Use Permit for a duplex in an R-1 district.**

Gutman shared this is a request to build a duplex in an R-1 district, the location is adjacent to the R-2 district. The City Ordinance provides specific factors to consider, and this duplex meets all the conditions. Gutman suggests that this request be approved. Scott Beekman, 803 Woodfern Drive, lives next door and would like the area to remain residential as the entire block is single family. Brian Swalboski, owner of Canoga Park Childcare, stated from a business aspect he would rather see a single family. Karen Owen, the property owner of 700 E Southview Drive, stated that Canoga Park Childcare is a business in a residential area and that all of Southview Court are multiple dwellings. Muchlinski asked how long the property had been vacant. Owen replied there was a house fire in 2009 and the house was torn down after that. Owen has owned the property since 1996. Stoneberg asked why Owen wants to build a duplex. Owen responded stating she is thinking of the future for her family. Owen shared she would live on the Woodfern side. Doom inquired if there would be driveways on Woodfern Drive and Southview Drive, as shown in the drawings. Owen responded that there would be separate entries so it will look like a single-family home from the front. Deutz asked if there are plans to rent the duplex outside the family. Owen replied, initially it was just family but recently decided to offer one unit to others. Stoneberg asked how close the property was to the Beekman's house. Anderson informed it was about 15 feet from the Beekman property. Gutman stated the duplex met all yard requirements. Scott Beekman shared there is no on-street parking on Southview Drive, and it could affect his side of parking space on Woodfern Drive. Beekman also states the proximity of 15 feet will be tight. Gutman stated that each unit would have a 2-car garage and space for another 2 cars outside of the garage, so each unit would have enough parking. Stoneberg asked if there was enough room for a backyard. Owen confirmed there would be. STONEBERG MADE A MOTION, SECOND BY MUCHLINSKI, to close the public hearing. All VOTED IN FAVOR. MUCHLINSKI MADE A MOTION, SECOND BY DOOM, 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. ALL VOTED IN FAVOR. MOTION PASSED 7:0

**4. Preliminary Plat of Kwik Trip 1273**

Anderson informed the commission members that the second store of the Kwik Trip purchase has been combined with numerous parcels at the site of the Cattoor's Gas Station at 814 West Main Street. The purpose of the Plat is to bring it together so there is no inconsistency. Anderson shared city staff has reviewed the preliminary plat for conformance for city ordinance and has no issues or concerns. City staff would recommend and approval to City Council. Muchlinski asked how many entrances there would be at this plat. Dean George, Kwik Trip Representative, responded back stating there would be about 3 entrances. The access on the north side will stay, primary access off Highway 59 will be coming in, and then an exit somewhere in the middle. The new plan is facing the south. DOOM MADE A MOTION, SECOND BY PIEPER, to close the public hearing. All VOTED IN FAVOR DOOM MADE A MOTION SECOND BY MUCHLINSKI to recommend approval of the preliminary plat of Kwik Trip 1273 to the City Council, subject to utility companies review and recommendations. ALL VOTED IN FAVOR. MOTION PASSED 7:0

**5. Ordinance amending Section 86-97 One Family Residence District**

Gutman shared the new comprehensive plan was adopted and staff are trying to start the process of aligning all ordinance with the new comprehensive plan. Gutman also mentioned the rental code which was adopted, so limiting the number of people that are unrelated to three is no longer necessary. Pieper asked if this was due to the amount of college students living in one place or what was the main motive

of this overall change. Gutman shared that college living was part of the motive and that is why they limited the number of people that are unrelated. Gutman shares they also had some complaints regarding parking. The new rental code specifically states tenants have to either park on the property or in the street in front of the property. Agboola asked what would happen with visitors or guests if there is no space for them. Anderson and Gutman stated it is more for tenants and not visitors or guests. PIEPER MADE A MOTION, SECOND BY STONEBERG, to close the public hearing. ALL VOTED IN FAVOR. MUCHLINSKI MADE A MOTION, SECOND BY DEUTZ to recommend to the City Council approving the revisions amending Section 86-97 One family residence district as recommended by staff. ALL VOTED IN FAVOR. MOTION PASSED 7:0

**6. Ordinance repealing Section 86-51 Bed and Breakfast**

Gutman informed this section's provisions will be covered under the short-term rental provisions of the new Rental Ordinance, so it makes sense to get rid of the whole section. STONEBERG MADE A MOTION, SECOND BY DEUTZ to close the public hearing. ALL VOTED IN FAVOR. PIEPER MADE A MOTION, SECOND BY DOOM, to recommend to the City Council approving repealing Section 86-51 Bed and Breakfast as recommended by staff. ALL VOTED IN FAVOR. MOTION PASSED 7:0

**7. Ordinance amending Section 86-107 General Industrial District**

Gutman shared this section is not about the comprehensive plan. Gutman stated that this section is only about one change. Gutman explained that there are some areas in town where owners are growing crops in empty lots. Gutman informed the Ordinance does not allow that right now, but it does make sense for some vacant lot owners to be able to grow crops temporarily until an actual building is put on those empty lots. This Ordinance change will allow for cultivation by Conditional Use in an industrial district where there is less traffic. In other areas, for example Businesses, it will be handled differently. Business would have to apply for an Interim Use Permit since it is a high-traffic zone. Gutman explained they would like to start with this change before people start planting crops. Anderson shared as an example, on the Industrial side the old Ralco building was allowed to plant hay, currently Runnings has decided to till it and plant corn. On the Commercial side, Menards broke ground and planted corn. Gutman stated there are people doing it right now and with this ordinance change it would be easier to regulate it. MUCHLINSKI MADE A MOTION, SECOND BY DOOM, to close the public hearing. ALL VOTED IN FAVOR. AGBOOLA MADE A MOTION, SECOND BY PIEPER to recommend to the City Council approving the revisions amending Section 86-107 general industrial district as recommended by staff. ALL VOTED IN FAVOR. MOTION PASSED 7:0

**8. Ordinance amendment to Section 86-162 Yard Modification**

Gutman stated that this section relates to a previous Variance application that was denied. Gutman shared that staff met after that meeting to discuss the potential harm. The variance request was denied because the property was not unique, but staff reviewed the situation again and it does appear that for curved portion of circles reducing the front yard from 25 feet to 15 feet may be considered. In reality, this will only affect the properties on corner lots that contain the small, curved portion. PIEPER MADE A MOTION, SECOND BY STONEBERG, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY MUCHLINSKI, to recommend to the City Council approving the revisions amending Section 86-162 Yard Modification. ALL VOTED IN FAVOR. MOTION PASSED 7:0

**9. Ordinance amending Section 66-55 Procedures**

Gutman shared this is not a zoning section change, so it does not require a public hearing, but it pertains to the Planning Commission. Public hearings for plats are now brought to the Planning Commission, however if there is no quorum this change will allow public hearings to go to Council and have public hearings there to speed up the process. When there is no quorum at the Planning Commission meetings but still a few members are present, staff can provide information but there should be no discussion.

**10. Other Business.**

Lee asked to notify attendance in advance. Lee informed there will be reelections of Chair and Co-Chair at the May meeting. Since there was no other business, A MOTION WAS MADE BY DOOM, SECOND BY PIEPER, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 7:0 Chairman Lee declared the meeting adjourned.

Respectfully submitted,  
Karla Ellis, Recording Secretary



**CITY OF MARSHALL  
AGENDA ITEM REPORT  
PC 5/08/24**

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Wednesday, May 8, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider the request of Brad Meulebroeck for exterior finishes not listed in the ordinance at 300 West Main Street. This building is located within Central Heritage District.
<b>Background Information:</b>	<p>This is a request by Brad Meulebroeck of Marshall to install LP wood board and batten siding as exterior finishes at 300 West Main Street. This request is in conjunction with Central Heritage District regulations.</p> <p>Chapter 86 Zoning, Article VI, Division 5 of the City Ordinance describes requirements that all projects involving exterior construction or renovation have to comply with. These requirements are different from, and in addition to, other zoning conditions that the Planning Commission usually deals with. The emphasis is on the appearance which is pretty subjective.</p> <p>The Central Heritage District Exterior Construction Standards also describe the procedures for reviews. If the project complies with the Standards, the Zoning Administrator or the Building Official will approve the project. The projects that deviate from, or contradict, the Standards, will have to be reviewed by the Planning Commission. However, this procedure is different from variances or conditional use permits since there is no need for a public hearing, so the process is less formal. The Planning Commission's decision is final, and the City Council approval is not necessary.</p> <p>The ordinance list several permitted exterior finishes, such as brick, stucco, and stone, but wood in general and board and batten in particular are not listed. However, the Ordinance allows the Planning Commission to approve other finishes. Attached is a street view, a rendering of the proposed finishes, and a picture of this material used elsewhere. Permitted exterior finishes are listed in Section 86-282.</p>
<b>Fiscal Impact:</b>	N/A
<b>Alternative/ Variations:</b>	That the request be approved because LP wood board and batten siding meets the intent and purpose of the Heritage District Exterior Construction standards.
<b>Recommendations:</b>	That the request be denied because the siding material is not listed as permitted.



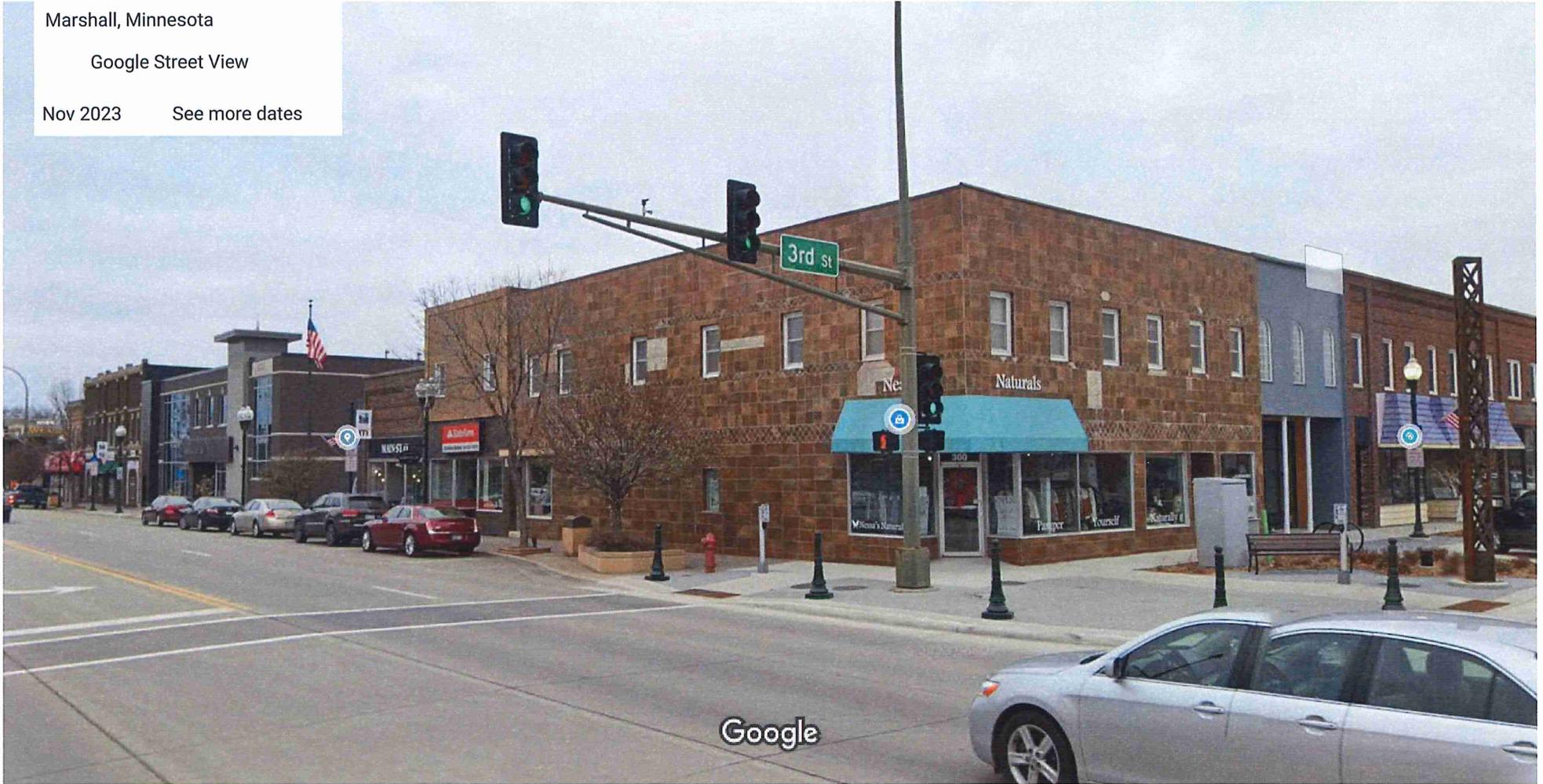
298 W Main St

Marshall, Minnesota

Google Street View

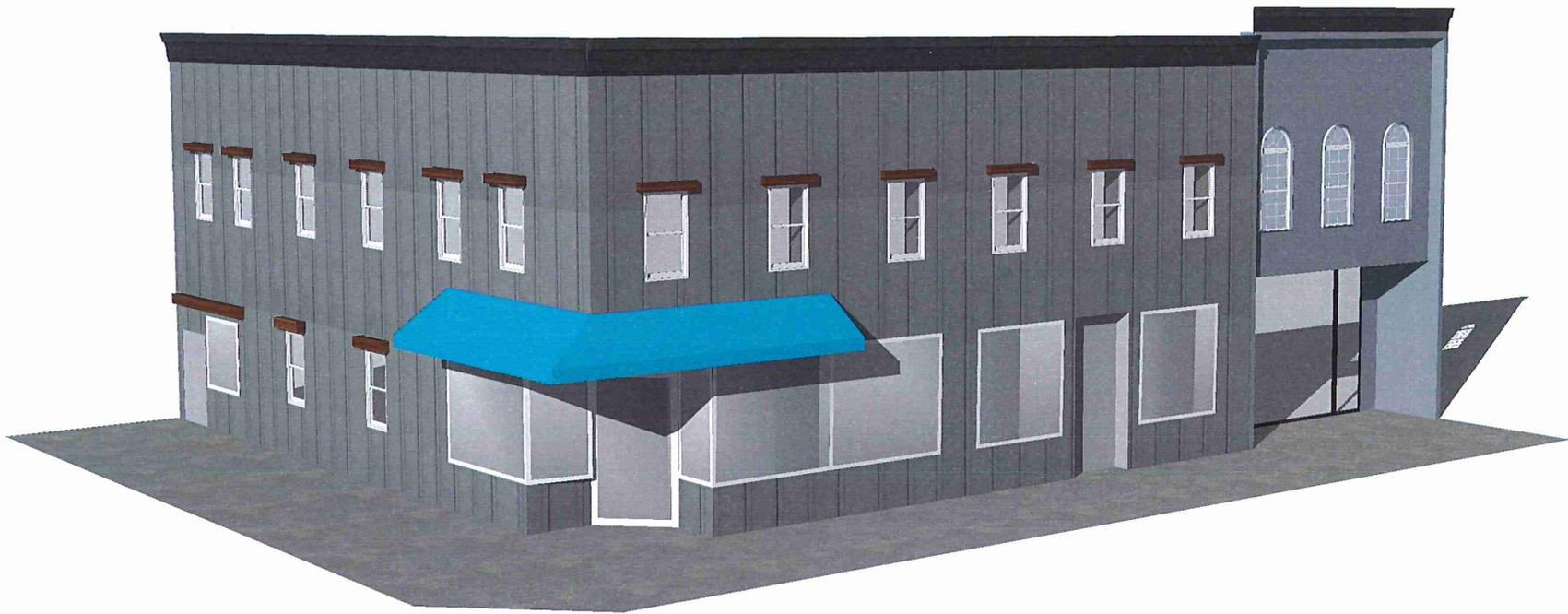
Nov 2023

[See more dates](#)



Google

Image capture: Nov 2023 © 2024 Google



**CITY OF MARSHALL  
AGENDA ITEM REPORT  
PC 5/08/24**

**WITHDRAWN**

<b>Presenter:</b>	Ilya Gutman
<b>Meeting Date:</b>	Wednesday, May 8, 2024
<b>Category:</b>	PUBLIC HEARING
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider the request for a Conditional Use Permit to install a Billboard at 1230 Floyd Wild Drive
<b>Background Information:</b>	<p>The owner applied for a Conditional Use Permit for an advertising sign at 1230 Floyd Wild Drive. This sign will be a traditional billboard, not a digital sign.</p> <p>The applicant requests four panels total, 12 feet by 24 feet each, with two panels mounted side-by-side with a 3-foot gap and two such pairs installed at about 20-degree angle to each other to face traffic on Highway 59 in both directions. The overall height of the sign is requested to be 27 feet. Each side is less than the maximum allowed length of 55 feet and there are no residential districts or other advertising signs within 100 feet of the proposed sign, so this request meets specific requirements for advertising signs.</p> <p>However, Section 86-49 Standard for hearing includes 15 specific criteria for granting a conditional use permit. The first one is “whether the proposed use is compatible with the existing neighborhood environment...” This sign will be much larger than any other one in the immediate vicinity, and staff believe it may not be compatible with the existing neighborhood. As a result, the recommendation of staff is to approve a sign half the size of the requested size.</p> <p>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 aerial photo, site diagram, and sign drawings are all attached</p>
<b>Fiscal Impact:</b>	None known.
<b>Alternative/ Variations:</b>	<p><b>Alternative #1</b> Recommend denial of the request of the Owner for a Conditional Use Permit for an advertising sign at 1230 Floyd Wild Drive as not meeting Section 86-49 (a) (1).</p> <p><b>Alternative#2</b> Recommend approval of the request of the Owner for a Conditional Use Permit for an advertising sign at 1230 Floyd Wild Drive as requested by an applicant, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>i. 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</li> </ul>

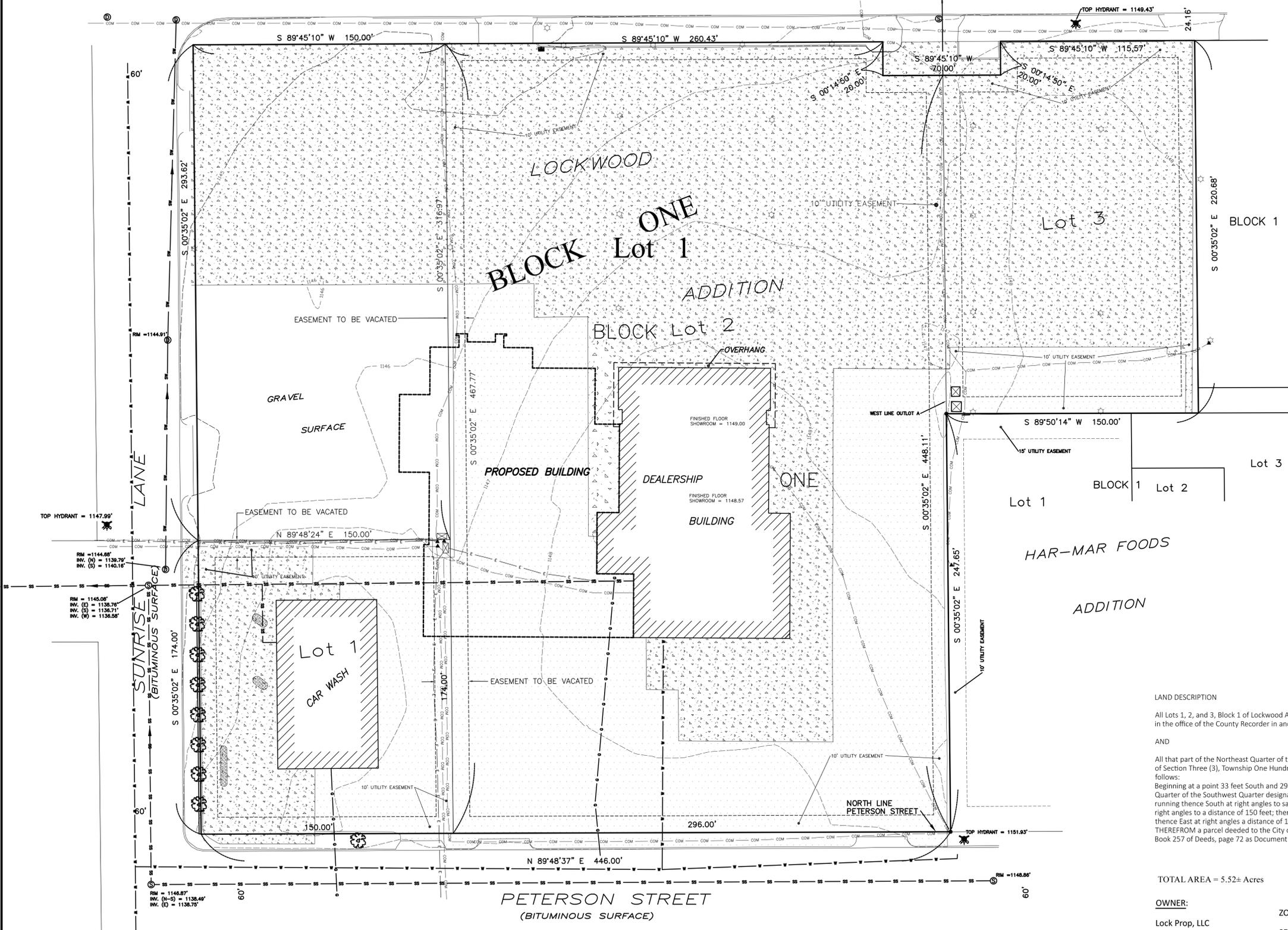
	<p>not encroach into any public right-of-way or adjacent property.</p> <p>ii. This permit is for the sign structure described as follows:</p> <ul style="list-style-type: none"> <li>a. Two double (side-by-side) non-digital panels installed at an angle to each other (four sign panels total).</li> <li>b. Each sign panel shall be no greater than 12 feet by 24 feet.</li> <li>c. The overall height of the sign shall be no more than 30 feet.</li> <li>d. There shall be a clearance below the sign bottom edge of at least 17 feet.</li> </ul> <p>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.</p> <p>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</p>
<p><b>Recommendations:</b></p>	<p>Close public hearing.</p> <p>Staff recommends a <u>motion</u> to recommend to City Council an approval of the request of the Owner for a Conditional Use Permit for an advertising sign at 1230 Floyd Wild Drive, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>iii. 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.</li> <li>iv. This permit is for the sign structure described as follows: <ul style="list-style-type: none"> <li>e. Two non-digital panels installed at an angle to each other.</li> <li>f. Each sign panel shall be no greater than 12 feet by 24 feet.</li> <li>g. The overall height of the sign shall be no more than 30 feet.</li> <li>h. There shall be a clearance below the sign bottom edge of at least 17 feet.</li> </ul> <p>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.</p> <p>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.</p> </li> </ul>

**PLANNING COMMISSION**  
**05/08/2024**  
**AGENDA ITEM REPORT**

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Wednesday, May 8, 2024
<b>Category:</b>	PUBLIC HEARING
<b>Type:</b>	ACTION
<b>Subject:</b>	Preliminary Plat of Lockwood Second Addition
<b>Background Information:</b>	<p>Attached please find a copy of the preliminary plat of Lockwood Second Addition.</p> <p>The property owner is planning a building addition and wishes to redefine property lines to accommodate this addition.</p> <p>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.</p>
<b>Fiscal Impact:</b>	The applicant has paid the \$300 escrow for direct costs relating to the plat and the difference will be refunded or billed to the applicant according to the current Fee Schedule.
<b>Alternative/ Variations:</b>	Any additional requirements recommended by the Planning Commission.
<b>Recommendations:</b>	<p><u>Recommendation No. 1</u> Close public hearing.</p> <p><u>Recommendation No. 2</u> Recommend approval of the preliminary plat of Lockwood Second Addition to the City Council, subject to utility companies review and recommendations.</p>

PRELIMINARY PLAT  
**LOCKWOOD SECOND ADDITION**  
 Marshall, Minnesota

EAST COLLEGE DRIVE/MN T.H. NO. 19 & 68



NORTH

GRAPHIC SCALE  
 1 inch = 30 feet  
 ( IN FEET )  
 0 15 30

**LEGEND**

These standard symbols will be found in the drawing.

- MONUMENTS FOUND
- MONUMENTS SET - 5/8" IRON W/SEAL #43844
- ⊗ FIRE HYDRANT
- ⊙ SANITARY SEWER MANHOLE
- ⊕ STORM DRAIN MANHOLE
- CATCH BASIN
- ⊠ ELECTRICAL TRANSFORMER
- ▲ UTILITY PEDESTAL
- LIGHT POLE
- MONUMENTS FOUND
- BURIED COMMUNICATIONS LINE
- BURIED ELECTRIC
- BURIED NATURAL GAS LINE
- SW STORM SEWER
- SS SANITARY SEWER
- W WATER LINE
- ⊗ DECIDUOUS TREE
- CONCRETE SURFACE
- ▨ BITUMINOUS SURFACE
- ▨ BUILDING

**LAND DESCRIPTION**  
 All Lots 1, 2, and 3, Block 1 of Lockwood Addition, in the City of Marshall, as filed and recorded in the office of the County Recorder in and for Lyon County, Minnesota.

AND  
 All that part of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Three (3), Township One Hundred Eleven (111), Range Forty-one (41) described as follows:  
 Beginning at a point 33 feet South and 296 feet West of the Northeast corner of the Northeast Quarter of the Southwest Quarter designated as the South line of Trunk Highway No. 19; running thence South at right angles to said South line, a distance of 317 feet; thence West at right angles to a distance of 150 feet; thence North at right angles a distance of 317 feet; thence East at right angles a distance of 150 feet to the place of beginning, EXCEPTING THEREFROM a parcel deeded to the City of Marshall pursuant to Warranty Deed recorded in Book 257 of Deeds, page 72 as Document No. 100692.

TOTAL AREA = 5.52± Acres

**OWNER:**  
 Lock Prop, LLC

**ZONING - B-3 COMMERCIAL**

**SET BACKS -**  
 EAST COLLEGE DRIVE - 35'  
 SIDE - 10'  
 SUNRISE LANE - 25'  
 PETERSON STREET - 25'

BEARINGS BASED ON LYON COUNTY COORDINATES (NAD83 1996 Ad)

RM = 1146.87  
 INV. (N-S) = 1138.48  
 INV. (E) = 1138.75

RM = 1145.08  
 INV. (N) = 1138.79  
 INV. (S) = 1140.16

RM = 1144.91

RM = 1144.60  
 INV. (N) = 1138.79  
 INV. (S) = 1140.16

**ENGINEER'S REPORT  
 PRELIMINARY PLAT REVIEW**

Subdivision Name: Lockwood Second Addition

Quarter NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 3 Township 111N Range 41W

Owner's Name: Lock Prop LLC

Surveyor: Daniel L. Beutel Reg. No. 43844

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			Street name only

	<b>Sec. 66-54. Information required. (1) Preliminary subdivision plat.</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
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	

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	

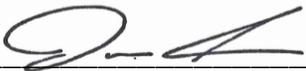
**CITY ENGINEER'S RECOMMENDATIONS:**

Approve

**DATE RECEIVED:** April 16/Revised May 2, 2024

**DATE REVIEWED:** May 2, 2024

**PLANNING COMMISSION REVIEW DATE:** May 8, 2024



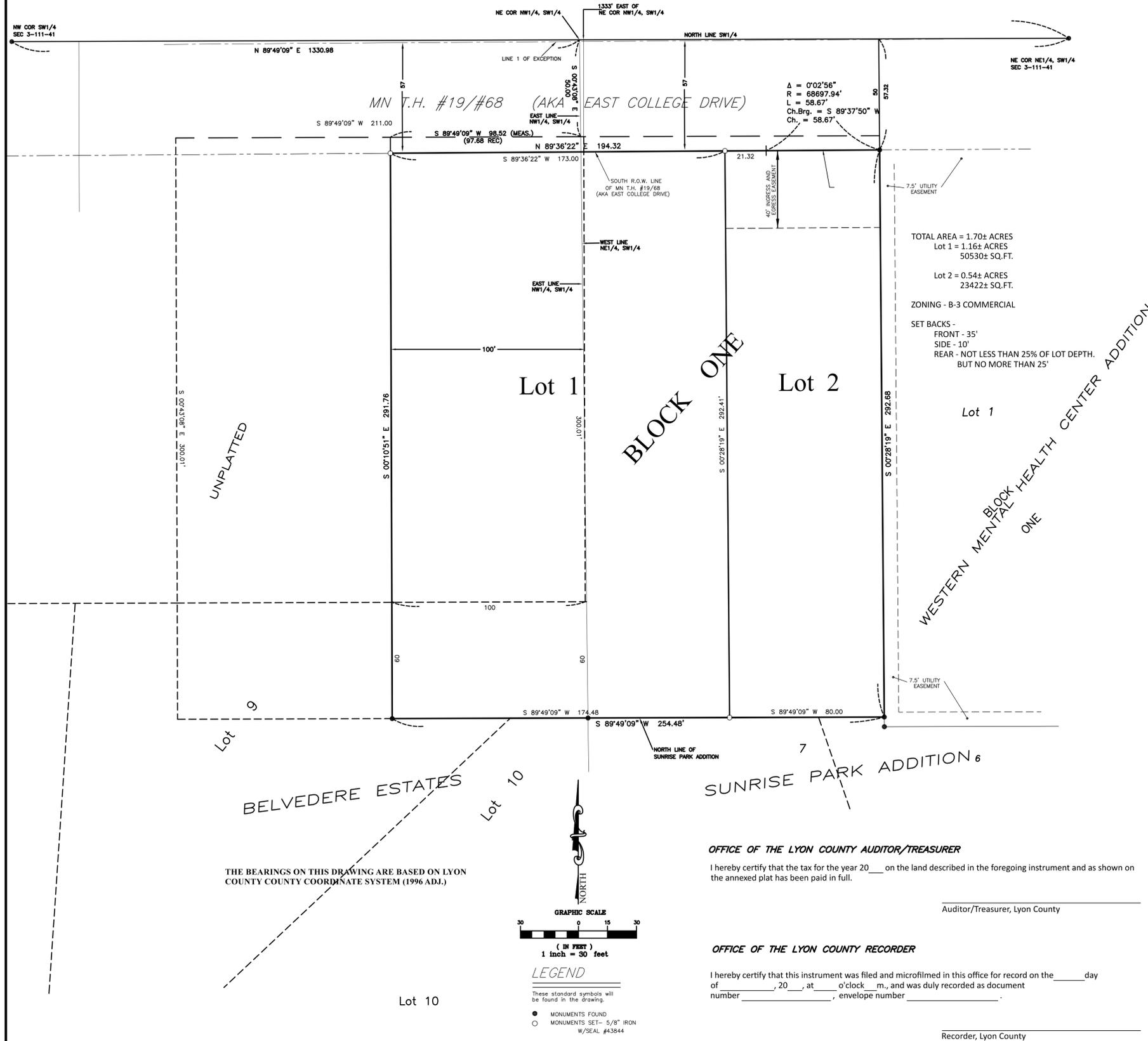
\_\_\_\_\_  
 Jason R. Anderson, P.E.  
 Director of Public Works/Planning & Zoning Administrator



**PLANNING COMMISSION**  
**05/08/2024**  
**AGENDA ITEM REPORT**

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Wednesday, May 8, 2024
<b>Category:</b>	PUBLIC HEARING
<b>Type:</b>	ACTION
<b>Subject:</b>	Preliminary Plat of Peachy Subdivision
<b>Background Information:</b>	<p>Attached please find a copy of the preliminary plat of Peachy Subdivision.</p> <p>The property owner is planning a demolition of existing buildings on the site and desires to create lots for sale and development.</p> <p>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.</p>
<b>Fiscal Impact:</b>	The applicant has paid the \$300 escrow for direct costs relating to the plat and the difference will be refunded or billed to the applicant according to the current Fee Schedule.
<b>Alternative/ Variations:</b>	Any additional requirements recommended by the Planning Commission.
<b>Recommendations:</b>	<p><u>Recommendation No. 1</u> Close public hearing.</p> <p><u>Recommendation No. 2</u> Recommend approval of the preliminary plat of Peachy Subdivision to the City Council, subject to utility companies review and recommendations.</p>

# Preliminary Plat of PEACHY SUBDIVISION



**KNOW ALL PEOPLE BY THESE PRESENTS:** That Peachy LLC, a limited liability company under the laws of the State of Minnesota, fee owner of the following described property:

(Document no. 1624496)

Tract A and Tract B

The Easterly 100 feet of that part of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section Three (3), Township One Hundred Eleven (111) North, Range Forty-one (41) West of the Fifth Principal Meridian in Lyon County, Minnesota, described as follows: Beginning at a point 1333 feet east of the West quarter corner of Section 3, Township 111 North, Range 41 West and 50 feet south of the center line of T.H. No. 19 as now laid out and constructed; thence in a westerly direction along the right of way line of T.H. No. 19 a distance of 211 feet; thence south at right angles a distance of 240 feet; thence east and parallel with the center line of T.H. No. 19 a distance of 211 feet; thence north a distance of 240 feet to the point of beginning.

AND  
 A tract of land located in the Northeast Quarter of the Southwest Quarter (NE¼ SW¼) of Section Three (3), Township One Hundred Eleven (111) North, Range Forty-one (41) West, Lyon County, Minnesota, being more particularly described as follows: Commencing at the Northeast corner of said Northeast Quarter of the Southwest Quarter (NE¼ SW¼) of said Section Three (3), thence North 90 degrees 00 minutes 00 seconds West, assumed bearing along the North line of said Southwest Quarter 1176.00 feet; thence South 00 degrees 00 minutes 00 seconds East 50 feet to the point of beginning, said point of beginning being on the South right of way line of Trunk Highway number 19; thence South 00 degrees 17 minutes 28 seconds East 300.00 feet to a point on the North line of Sunrise Park Addition to the City of Marshall, Minnesota; thence North 90 degrees 00 minutes 00 seconds West along said North line 152.93 feet to the West line of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 31 minutes 32 seconds West along said West line 300.00 feet to said South right of way line; thence North 90 degrees 00 minutes 00 seconds East along said South right of way line 154.21 feet to the point of beginning.

EXCEPTING THEREFROM: All that part of Tracts A and B described above which lies North of a line run parallel with and distant 57 feet South of line I described below:  
 Line I: Beginning at a point on the west line of Section 3, Township 111 North, Range 41 West, which is 5.64 feet South of the West quarter corner of said Section 3; thence Easterly on an azimuth of 90 degrees 54 minutes 10 seconds the direction is based on the Minnesota State Plane Coordinate System, South Zone, No. 14 American Datum of 1927, a distance of 1,426.34 feet; thence Easterly a distance of 177.38 feet along a tangential curve concave to the South, having a radius of 68,754.94 feet and a central angle of 0 degrees 08 minutes 52 seconds; thence on an azimuth of 91 degrees 03 minutes 02 seconds, tangent to said curve, a distance of 3,794.40 feet to a point on the East line of said Section 3 which is 4.62 feet North of the East Quarter corner thereof.

AND

Tract C

All that part of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section Three (3), Township One Hundred Eleven (111) North, Range Forty-one (41) West of the Fifth Principal Meridian in Lyon County, Minnesota, described as follows: Commencing at the NE corner of said NW¼ SW¼ thence South 00 degrees 31 minutes 32 seconds East, assumed bearing, along the east line of said NW¼ SW¼ 50 feet to a point on the S'y right of way of Trunk Highway Number 19; thence North 90 degrees 00 minutes 00 seconds West along the S'y right of way line 97.68 feet; thence South at right angles to said right of way 240.00 feet to the Point of Beginning; thence on a continuation of last line South 60.00 feet; thence North 90 degrees 00 minutes 00 seconds East parallel with said right of way line 97.68 feet more or less to a point on the said East line of the NW¼ SW¼; thence North 00 degrees 31 minutes 32 seconds West along said east line 60.00 feet; thence North 90 degrees 00 minutes 00 seconds West 97.68 feet to the Point of Beginning.

Have caused the same to be surveyed and platted as PEACHY SUBDIVISION, and do hereby donate and dedicate to the public for public use forever the easements as shown on this plat.

**PEACHY LLC**

by \_\_\_\_\_, Its \_\_\_\_\_

**STATE OF MINNESOTA  
 COUNTY OF LYON**

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, a \_\_\_\_\_ of Peachy LLC, a limited liability company under the laws of the State of Minnesota .

Notary Public,  
 My Commission Expires \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I hereby certify that I have surveyed and platted the property described on this plat as PEACHY SUBDIVISION, that this plat is a correct representation of said survey; that all distances are correctly shown on the plat; that all monuments have been correctly placed in the ground as shown on the plat; that the outside boundary lines are correctly designated on the plat and that there are no wetlands or public highways to be designated on this plat other than as shown.

Daniel L. Bueltel  
 Minnesota License Number 43844

**STATE OF MINNESOTA  
 COUNTY OF LYON**

The Surveyor's Certificate was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Daniel L. Bueltel, a licensed land surveyor.

Notary Public,  
 My Commission Expires \_\_\_\_\_

**CITY COUNCIL**

This plat of PEACHY SUBDIVISION was approved and accepted, by resolution, at a meeting of the City Council of Marshall, Minnesota, held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mayor \_\_\_\_\_

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

**OFFICE OF THE LYON COUNTY AUDITOR/TREASURER**

I hereby certify that the tax for the year 20\_\_\_\_ on the land described in the foregoing instrument and as shown on the annexed plat has been paid in full.

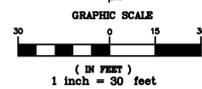
\_\_\_\_\_  
 Auditor/Treasurer, Lyon County

**OFFICE OF THE LYON COUNTY RECORDER**

I hereby certify that this instrument was filed and microfilmed in this office for record on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m., and was duly recorded as document number \_\_\_\_\_, envelope number \_\_\_\_\_.

\_\_\_\_\_  
 Recorder, Lyon County

THE BEARINGS ON THIS DRAWING ARE BASED ON LYON COUNTY COUNTY COORDINATE SYSTEM (1996 ADJ.)



**LEGEND**

- MONUMENTS FOUND
- MONUMENTS SET - 5/8" IRON W/SEAL #43844

**ENGINEER'S REPORT  
 PRELIMINARY PLAT REVIEW**

Subdivision Name: Peachy Subdivision

Quarter NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 3 Township 111N Range 41W

Owner's Name: Peachy LLC

Surveyor: Daniel L. Beutel Reg. No. 43844

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		Purpose of plat is to consolidate parcels and adjust property line locations
h.	Boundary line bearings and distances	X			
i.	Easement	X			
j.	Street names, elevations and grades		X		Street name only

<b>Sec. 66-54. Information required. (1) Preliminary subdivision plat.</b>		<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
k.	Utilities		X		Purpose of plat is to consolidate parcels and adjust property line locations
l.	Lot lines, numbers and dimensions	X			
m.	Park land			X	
n.	Setbacks	X			Purpose of plat is to consolidate parcels and adjust property line locations
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	

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		Purpose of plat is to consolidate parcels and adjust property line locations
	2. Drainage flow facility.		X		Purpose of plat is to consolidate parcels and adjust property line locations
b.	Utility plans		X		Purpose of plat is to consolidate parcels and adjust property line locations

**CITY ENGINEER'S RECOMMENDATIONS:**

Approve

**DATE RECEIVED:** May 2, 2024

**DATE REVIEWED:** May 2, 2024

**PLANNING COMMISSION REVIEW DATE:** May 8, 2024



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