



**CITY OF MARSHALL**  
**Planning Commission**  
**A g e n d a**  
**Wednesday, February 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 November 8th, 2023

**NEW BUSINESS**

- [2.](#) Public Hearing on the Preliminary Plat of Channel Parkway Addition

**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  
November 8, 2023**

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

**Call to Order.**

The meeting was called to order by Vice Chairperson Muchlinski.

**Approval of the Minutes.**

Muchlinski asked for the approval of the minutes of the October 11, 2023, regular meeting of the Marshall Planning Commission. DOOM MADE A MOTION, SECOND BY DEUTZ, to approve the minutes as written. ALL VOTED IN FAVOR.

**Conduct a Public Hearing for a variance adjustment permit for a reduced side yard setback for an addition at 304 East Marshall Street.**

Gutman explained that this is a request from Denise Strosahl and Daniel Smith a married couple, to construct a new addition that would include a garage located three feet from the side property line instead of the required five feet. Gutman informed granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use be reasonable, that the problem be caused by conditions that are unique to this property, and that granting the variance will not change the character of the area. Upon review, city staff believes that the argument could be made that this proposal generally meets first and third parts of the test: There are numerous structures in this block that do not meet minimum setbacks, which makes the request both reasonable and not changing the character of the area; however, there seems to be nothing unique in this property. The variance regulations and procedures are found in Section 86-29. A property aerial photo is attached for reference. Dan Smith of 304 East Marshall Street shared that he and his wife have lived in the home for 13 years. He made a PowerPoint presentation and said the garage is awkwardly narrow. It’s attached but does not function as an attached garage. He shared they plan to demolish and build a new garage wide enough so it can function the way an attached garage is supposed to function and look like it was meant to be there. The plan that was given to them by Independent Lumber showed the garage drawn at 16 feet in width which would be too wide. Dan informed that he plans to decrease that and have it built at 14 feet. If the Variance is granted, Dan informed they would only be using 6-8 inches of the required 5-foot side yard depending on where the property line is. Dan said neighbors shared their approval of the plan to update the home and he shared there are other homes in the neighborhood that are beyond the 5-foot required setback. Dan said the house is unique because in 1937, when the house was built, people did not use a garage the way we do now. Dan said the extra 2 feet of width would improve the living quality not just for them but for the future generation that would follow. Dan shared when they bought their home in May of 2010, they were the first people to purchase the home since 1959. He shared that instead of requesting a Variance Permit, the previous owner cut a flap into the back of the garage and outfitted it with hinges to have a makeshift door. Doom asked is the driveway pad exceeds the lot line, Dan answered they are unsure of where the lot line actually is located. He states an inspector used a laser to show the estimated outline of the line. Muchlinski asked what their approach would be if the Variance was denied. Denise Smith, Dan’s wife, stated the garage is being built for her since she is the one who uses it and has to worry every time she needs to get in and out and also be safer for everyone using it. Pat Surprenant of 400 E Marshall Street shared he was here as a voice of support as he also has a one-car style garage. He shared that some time ago he was in another meeting where another neighbor asked for a Variance request and it was granted. He said the plan for the change is good for the neighborhood. DOOM MADE A MOTION, SECOND BY DEUTZ to close the public hearing. All VOTED IN FAVOR. DOOM MADE A MOTION SECOND BY DEUTZ to make the recommendation to the City Council to approve the request by Denise Strosahl for a Variance Adjustment Permit for a reduced side yard setback as requested because the property is unique. ALL VOTED IN FAVOR.

**Conduct a Public Hearing on the request to rezone property at 100 through 120 London Road from R-1 One Family Residence District to I-1 Limited Industrial District**

Gutman explained this is a request by City of Marshall, Marshall, MN to rezone area at 100 through 120 London Road and as shown on attached map from R-1 One Family Residence District to I-1 Limited Industrial District for potential future development of a commercial building. The new Comprehensive Plan shows this entire area as a Commercial/Industrial Mix use with intent to allow for both commercial and light industrial uses. This mixed-use district ordinance with associated requirements has not been developed yet, but the current I-1 Limited industrial district will serve as the basis for the new district, making it an appropriate zoning district for this area. Rezoning procedures are described in Section 86-30 Amendments. A rezoning map is attached. Eric Lundberg 200 Athens Avenue asked if there would be access to Channel Parkway or if it would be on London Road and stated they are concerned about traffic. Anderson clarified there will be no access granted to Channel Parkway. It is an access restricted route. PIEPER MADE A MOTION, SECOND BY DOOM to close public hearing. PIEPER MADE A MOTION, SECOND BY DEUTZ, to make the recommendation to the City Council to approve the request to rezone properties at 100 through 120 London Road from R-1 One Family Residence District to I-1 Limited Industrial District. ALL VOTED IN FAVOR.

**Consider Ordinance amending Section 86-106 I-1 Limited Industrial District**

Gutman shared the new Comprehensive Plan has introduced a new land use: Commercial/Industrial Mix use, with the intent to allow both commercial and light industrial uses. This mixed-use district ordinance with associated requirements has not been developed yet. However, the current I-1 Limited industrial district description will serve as the basis for the new district requirements. Based on potential economic development in an area marked as Commercial/industrial use on the Land use map, a rezoning has become necessary, and the most reasonable way for the time being is to rezone this area to an I-1 limited industrial district, while also adding an office use to this district, in line with the future Commercial/Industrial zoning district. DOOM MADE A MOTION, SECOND BY DEUTZ for the recommendation to City Council to approve the revisions amending Section 86-106 I-1 - Limited industrial District by adding business offices as a permitted use in this district as proposed by staff. ALL VOTED IN FAVOR.

**Other Business**

Since there was no other business, A MOTION WAS MADE BY DOOM, SECOND BY DEUTZ to adjourn the meeting. ALL VOTED IN FAVOR. Vice Chairperson Muchlinski declared the meeting adjourned.

Respectfully submitted,  
Karla Ellis, Recording Secretary



## PLANNING COMMISSION AGENDA ITEM REPORT

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Wednesday, February 14, 2024
<b>Category:</b>	PUBLIC HEARING
<b>Type:</b>	ACTION
<b>Subject:</b>	Public Hearing on the Preliminary Plat of Channel Parkway Addition
<b>Background Information:</b>	<p>Attached please find a copy of the preliminary plat of Channel Parkway Addition in Marshall, Minnesota.</p> <p>The Economic Development Authority has been working with the Southwest West Central Service Cooperative (SWWC) to determine a new location for the agency’s administrative offices. The SWWC is currently located in the former Market Street Mall and has explored several relocation and redevelopment opportunities. It was determined that a new facility would best meet the needs of the organization, including the addition of training facilities for staff and the community.</p> <p>SWWC’s proposal includes the construction of a 16,000 sq ft facility on the city-owned property located in Parkway at the corner of London Road and Channel Parkway. SWWC employs 459 people with 52 staff on-site in Marshall with an 18-county service area. SWWC supports schools, cities, counties and government agencies with educational and administrative services including learning centers, special education services, enrichment programming, professional development, technology services, and more.</p> <p>The property that is being considered for development is located at the intersection of Channel Parkway and London Road. Creation of a parcel for this proposed development requires a platting process because this land has never been platted and City Ordinance requires land to be platted prior to the subdivision and sale of land.</p> <p>Attached please find a copy of the Engineer’s Report of Preliminary Plat Review. Copies of the proposed subdivision will be 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>	No alternative actions recommended.
<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 Channel Parkway Addition to the City Council, subject to utility companies review and recommendations.</p>

PRELIMINARY PLAT OF  
**CHANNEL PARKWAY ADDITION**  
 IN THE N.E. 1/4, N.W. 1/4, SEC. 5, T. 111 N., R. 41 W.,  
 CITY OF MARSHALL, LYON COUNTY, MINNESOTA

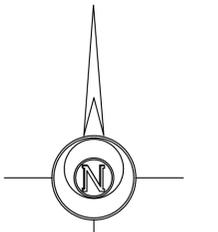
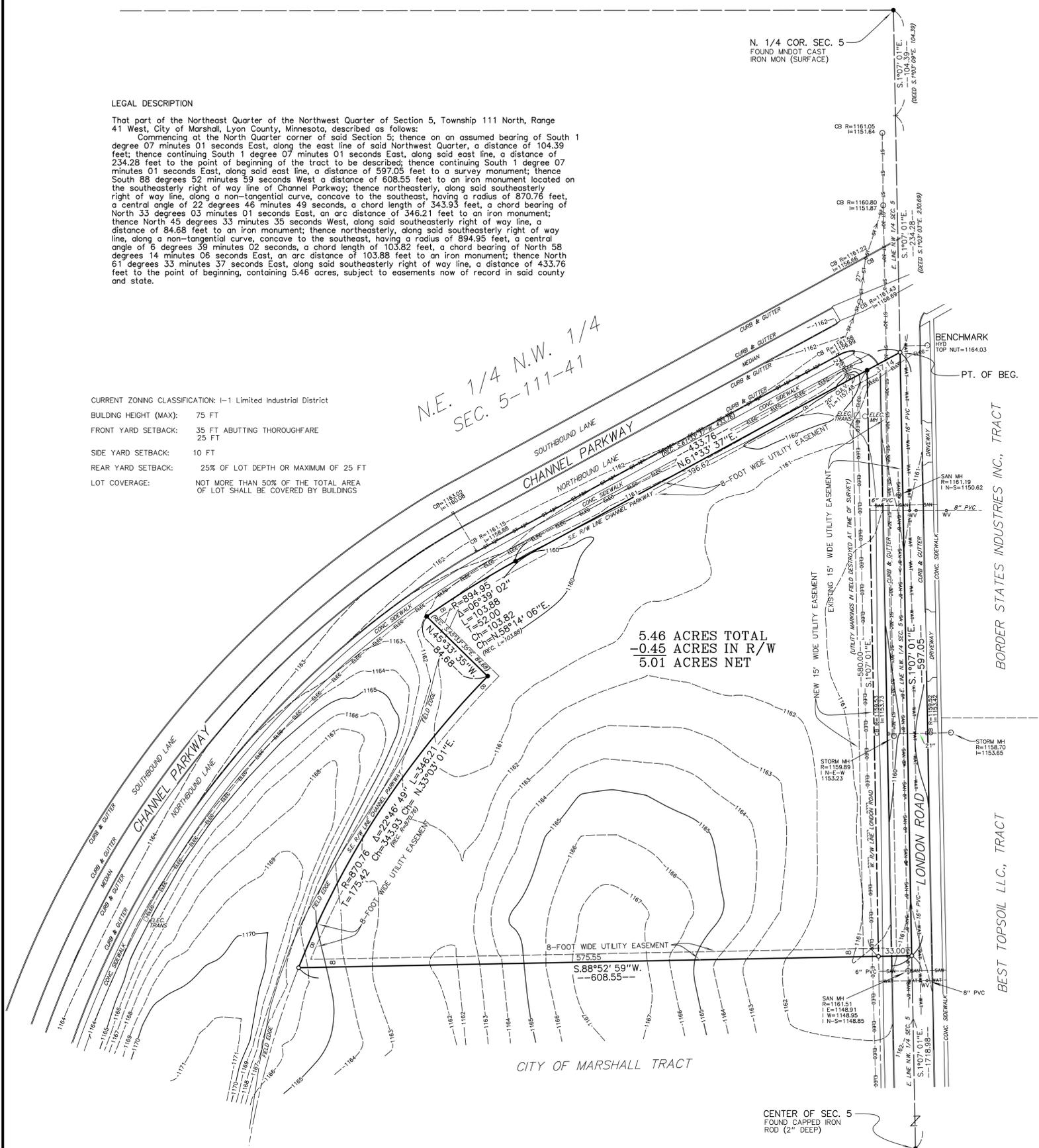
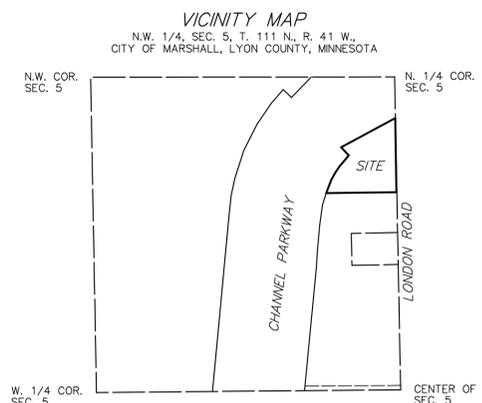
LEGAL DESCRIPTION

That part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 111 North, Range 41 West, City of Marshall, Lyon County, Minnesota, described as follows:  
 Commencing at the North Quarter corner of said Section 5; thence on an assumed bearing of South 1 degree 07 minutes 01 seconds East, along the east line of said Northwest Quarter, a distance of 104.39 feet; thence continuing South 1 degree 07 minutes 01 seconds East, along said east line, a distance of 234.28 feet to the point of beginning of the tract to be described; thence continuing South 1 degree 07 minutes 01 seconds East, along said east line, a distance of 597.05 feet to a survey monument; thence South 88 degrees 52 minutes 59 seconds West a distance of 608.55 feet to an iron monument located on the southeasterly right of way line of Channel Parkway; thence northeasterly, along said southeasterly right of way line, along a non-tangential curve, concave to the southeast, having a radius of 870.76 feet, a central angle of 22 degrees 46 minutes 49 seconds, a chord length of 343.93 feet, a chord bearing of North 33 degrees 03 minutes 01 seconds East, an arc distance of 346.21 feet to an iron monument; thence North 45 degrees 33 minutes 35 seconds West, along said southeasterly right of way line, a distance of 84.88 feet to an iron monument; thence northeasterly, along said southeasterly right of way line, along a non-tangential curve, concave to the southeast, having a radius of 894.95 feet, a central angle of 6 degrees 39 minutes 02 seconds, a chord length of 103.82 feet, a chord bearing of North 58 degrees 14 minutes 06 seconds East, an arc distance of 103.88 feet to an iron monument; thence North 61 degrees 33 minutes 37 seconds East, along said southeasterly right of way line, a distance of 433.76 feet to the point of beginning, containing 5.46 acres, subject to easements now of record in said county and state.

CURRENT ZONING CLASSIFICATION: I-1 Limited Industrial District  
 BUILDING HEIGHT (MAX): 75 FT  
 FRONT YARD SETBACK: 35 FT ABUTTING THOROUGHFARE  
 25 FT  
 SIDE YARD SETBACK: 10 FT  
 REAR YARD SETBACK: 25% OF LOT DEPTH OR MAXIMUM OF 25 FT  
 LOT COVERAGE: NOT MORE THAN 50% OF THE TOTAL AREA OF LOT SHALL BE COVERED BY BUILDINGS

N.E. 1/4 N.W. 1/4  
 SEC. 5-111-41

5.46 ACRES TOTAL  
 -0.45 ACRES IN R/W  
 5.01 ACRES NET



SCALE 1" = 60'

- DENOTES IRON MONUMENTS FOUND OR SET IN PREVIOUS SURVEYS.
- DENOTES IRON MONUMENTS SET & MARKED WITH REG. NO. 50875 UNLESS OTHERWISE SHOWN.

BEARINGS ARE ORIENTED TO THE LYON COUNTY COORDINATE SYSTEM, NAD83 2011 ADJUSTMENT. VERTICAL DATUM = NAVD88

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 Ben Madsen  
 DATE: 2-08-2024 LICENSE NO. 50875

S.W.W.C. - ADMIN BUILDING	
DRAWN BY: B.M. CHECK BY: B.M. SURVEY BY: B.M., K.V.	TEL: (507) 235-3780 318 EAST BLUE EARTH AVENUE FAIRMONT, MINNESOTA 56031
FILE NO. 1 Page 5	

**ENGINEER'S REPORT  
 PRELIMINARY PLAT REVIEW**

Subdivision Name: Channel Parkway Addition

Quarter NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 5 Township 111N Range 41W

Owner's Name: City of Marshall, MN

Surveyor: Ben Madsen-Madsen Land Surveying, Inc. Reg. No. 50875

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		No park land; assess fee
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

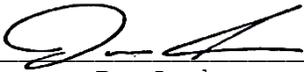
Sec. 66-54. Information required. (2) Other preliminary plans.		Yes	No	N/A	Comments
a.	Drainage and grading plans 1. Existing and proposed drainage.			X	Submitted with final building plans through building permit process
	2. Drainage flow facility.			X	
b.	Utility plans			X	

**CITY ENGINEER'S RECOMMENDATIONS:**

**DATE RECEIVED:** 02/06/2024

**DATE REVIEWED:** 02/06/2024

**PLANNING COMMISSION REVIEW DATE:** 02/14/2024



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

Copies to: City Administrator  
 Building Official  
 Senior Engineering Specialist