

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

- 1) *Call to Order*
- 2) *Consider the approval of the minutes of the January 12, 2022, regular meeting of the Marshall Planning Commission.*
- 3) *Conduct Public Hearing on the request of Leah Luckow for an Interim Use Permit for a Home Occupation to have a hair salon business in an R-1 One Family Residence District*
- 4) *Comprehensive Plan Discussion/Update*
- 5) *Other Business*
- 6) *Adjourn*

**--UNAPPROVED --**

**MINUTES OF THE  
MARSHALL PLANNING COMMISSION MEETING  
JANUARY 12, 2022**

**MEMBERS PRESENT:** Schroeder, Lee, Deutz, Muchlinski, and Edblom

**MEMBERS ABSENT:** Fox

**OTHERS PRESENT:** Ilya Gutman, Jason Anderson, and Lauren Deutz

1. The meeting was called to order by Chairperson Lee. She asked for the approval of the minutes of the December 8, 2021, regular meeting of the Marshall Planning Commission. Schroeder MADE A MOTION, SECOND BY Muchlinski, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.
2. Gutman explained this is a request by the City of Marshall for a Conditional Use Permit to allow construction of a 39-unit apartment in B-2 Central Business District and within the limits of the Downtown District at 103 West Lyon Street. Apartment buildings are a Conditional Use in a Central Business District. The lot is currently vacant, and the City is promoting the development of apartments within, and in close proximity to, the downtown business area. However, parking in downtown has always been a concern. Based on the types of apartments proposed in the building, 45 parking spaces would be needed for this development outside of the Downtown district, based on the City parking regulations. However, all uses within the Downtown District are exempt from off-street parking. Staff recommends approve the request with the following conditions applied: 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 Conditional 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 the property is maintained to conform to the Zoning Code and not cause or create negative impacts to adjacent existing or future properties. 4. That not more than 40 apartments are allowed. 5. That at least one off-street parking space per apartment is provided. Muchlinski questioned the traffic flow regarding College Drive. Anderson advised that those conversations have not happened yet at this time. In 2025 on College Drive, the stop light at Lyon Street will go away; the intersection gets narrower and there will be a RRFB crossing. Muchlinski MADE A MOTION, SECOND BY Schroeder to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Schroeder MADE A MOTION, SECOND BY Muchlinski to recommend to City Council as recommend by staff.
3. Lauren Deutz, Economic Development Director, presented the item. This presentation is an overview of what we are looking at. The Planning Commission decides if this fits in the Comp Plan. Some background information was shared about the developer. The project is a 3 phase projects with phase 1 starting this spring. The developer wants the project to look like it fits downtown with finishes complementing the downtown. Higher end apartments are their niche and they are having a lot of success in that area. Lee said she is surprised with number of 1-bedroom apartments. Lauren Deutz explained that the higher end 1-bedroom apartments is in high need at this time, but phase 2 and 3 gives them the option to change and go to a 2 or 3-bedroom if the need is there. Muchlinski questioned the entrances. Lauren Deutz said the main entrance is on Lyon Street with 2 on the parking side and 3 or 4 on the frontside.

Gutman advised State Statutes require the Planning Commission to review the Project Plan and the TIF

**--UNAPPROVED --**

Plan for compliance with the intent of the City Comprehensive Plan. The proposed project is a mixed commercial and high-density residential construction (three buildings with the total of 83 apartments and commercial space on the first floor in two of them) that will be located on the vacant portions of "Block 11", more accurately described as Lots 1-5 and Lots 15-20 of the Original Plat of the City of Marshall. The Comprehensive Plan identifies this area for downtown commercial use. There are many similar buildings (commercial on the first floor and residential on the upper floors) within downtown and commercial use within the downtown district has historically included apartments. Therefore, city staff believes that the proposed project complies with the current city Comprehensive Plan. Staff recommends approval of the attached resolution finding the proposed Tax Increment Financing District No. 1-15 within Redevelopment Project No. 1 for the City of Marshall to be consistent with the intent of the City Comprehensive Plan. Anderson added that we don't need to do any rezoning for this project as it all fits. Muchlinski MADE A MOTION, SECOND BY Schroeder, to approve the Resolution for the TIF Plan for District 6-1 Complying with the City of Marshall Comprehensive Plan. ALL VOTED IN FAVOR OF THE MOTION.

4. Lee asked for updates on the comprehensive plan. Lauren Deutz said the survey was released the end of December and the goal was to receive 300 surveys back and as of today we are at 316. The open house will be interactive version of the survey; however due to the current spike of covid we have pushed that to February. The consultant will be on site for some focus groups. Everything is moving along well. Muchlinski asked if survey will drive the focus groups. Lauren Deutz said that is correct. From what she has seen so far it is spot on as to what they were expecting. Muchlinski asked how the people are generated for the focus group. Lauren Deutz said they haven't had that discussion. Anderson said it will be based on the survey as to what groups we will reach out to.
5. A MOTION WAS MADE BY Deutz, SECOND BY Muchlinski 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., Assistant City Engineer/Zoning Administrator *JA*

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

**DATE:** February 2, 2022

**SUBJECT:** REQUEST FOR INTERIM USE PERMIT / HAIR SALON IN R-1 ONE FAMILY RESIDENCE DISTRICT

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### Action Recommendation

Close public hearing.

Recommend approval to the City Council of the request by Leah Luckow for an Interim Use Permit to have a hair salon in her house as a home occupation 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 one year from its date of adoption.
4. That this home occupation meets all conditions of current Section 86-50 adopted 12-10-2019 (Exhibit A).

### Background

This is the request of Leah Luckow for an Interim Use Permit for a Home Occupation for a hair salon business.

The location is in an R-1 One Family Residence District. Sec. 86-50, Home Occupation, permits home occupations when they meet the specific conditions outlined in this section. This application seems to be in compliance.

### Fiscal Impact

None known.

### Alternatives / Variations

Deny the request

IG:cld



**INTERIM USE PERMIT**  
City of Marshall, Minnesota

**WHEREAS**, the Planning Commission of the City of Marshall has held a Public Hearing for a Interim Use Permit for a hair salon at the location described as:

State of Minnesota, County of Lyon, City of Marshall  
**215 North Hill Street**

and, in accordance with and pursuant to the provisions of Chapter 86 of the City Code of Ordinances related to zoning; and has written findings that the establishment, maintenance or conducting of the use for which the permit is sought will not under the circumstances be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to the use, or to the public welfare, or injurious to property or improvements in the area adjacent to such use; and,

**WHEREAS**, the Planning Commission has designated certain conditions in the granting of such use permit.

**NOW, THEREFORE** Be It Resolved by the Common Council of the City of Marshall, Minnesota, that a Interim Use Permit be granted to Leah Luckow for an Interim Use Permit to have a hair salon in an R-1 One Family Residence District on the premises described herein subject to 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 one year from its date of adoption.
4. That this home occupation meets all conditions of current Section 86-50 adopted 12-10-2019 (Exhibit A).

**ADOPTED February 22, 2022.**

ATTEST:

\_\_\_\_\_  
Mayor

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

(SEAL)

File No. 1147

This Instrument Drafted By:  
Jason R. Anderson, P.E.  
Assistant City Engineer/Zoning Administrator

# EXHIBIT A

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## **Sec. 86-50. Home occupations and businesses.**

(a) An interim use permit shall be required for all home occupations unless any of the following three conditions exist:

- (1) Such home occupation is supplementary to a business that has its principal place of business legally located elsewhere.
- (2) Such home occupation is entirely computer and/or internet based.
- (3) Such home occupation is conducted entirely outside the premises except bookkeeping and regular mail delivery.

In addition to any of the above conditions, the home occupation must be such that the traffic entering such dwelling does not exceed that which is normal and customary for a residence, no business related vehicles or vehicles with business advertisement are parked or stored outside, no vehicular traffic or street parking is generated in greater volume than would normally be expected in a residential neighborhood, no direct sale of goods to the consumer occurs on premises, and it meets all relevant provisions of subsection (b), except item (16). As an exception, for businesses compliant with conditions (1) or (3), one business related car, van or light truck with business advertisement may be parked outside at nights and on weekends.

(b) Home occupations shall at a minimum meet the following conditions:

- (1) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its residential use by the applicant.
- (2) The home occupation related space may not exceed one-third of the living space of the dwelling, excluding garages and accessory buildings.
- (3) The conduct of the home occupation shall not result in any change in the outside appearance of the building or land.
- (4) No exterior display or signs related to the home occupation shall be installed.
- (5) No direct sale of goods that are not produced on site shall take place, except during home parties not scheduled on a regular basis.
- (6) No equipment shall be used which creates offensive noise, vibration, sound, smoke, dust, odors, heat, glare or electrical disturbance to radio or television reception and no hazard beyond the one customary for dwellings is created.
- (7) Only persons that are members of the family and residing in the premises shall be employed on the premises.
- (8) There shall be no exterior storage of materials, business equipment or vehicles except one business related car, van or light truck with business advertisement may be parked outside at nights and on weekends.
- (9) There shall not be more than one-half of the accessory buildings used for the storage of merchandise, business equipment, materials or machinery.
- (10) No separate entrance for customers may be provided or used.
- (11) No sewer, water or electric usage beyond what is typical for a dwelling shall occur.
- (12) No regular business hours shall be advertised, and all services shall be rendered by appointment only.

# EXHIBIT A

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- (13) If at any time more than two customers may be present, off-street parking shall be provided in addition to parking required by the article for a dwelling. Such parking shall be provided in a location customarily associated with single family dwellings.
  - (14) No customers shall be present between 9:00 p.m. and 6:00 a.m.
  - (15) Additional home occupation related vehicular traffic, including delivery, shall not exceed four vehicles per day.
  - (c) All home occupation interim use permits are issued for initial one-year term and may be renewed for future terms.
  - (d) The home interim conditional use permit is granted to an applicant for a specific property and is not transferable to another person or property.
  - (e) The applicant, upon making application, grants to the city upon issuing any home occupation permit the right to inspect the premises in which the occupation is being conducted to ensure compliance with the provisions of this section and any conditions additionally imposed.
  - (f) All home occupations involving the following activities, even if formally compliant with subsection (b), are prohibited:
    - (1) Any automotive related activity including, but not limited to, auto repair and detailing.
    - (2) Any children related activity except those licensed by the State and individual lessons.
    - (3) Any animal related activity including, but not limited to, kenneling and breeding, except grooming.
    - (4) Any funeral related activity including, but not limited to, mortuaries and embalming services.
    - (5) Any activity involving commercial cooking, including restaurants, except dessert making for individual parties, such as weddings and graduations.
    - (6) Any activity involving multiple garage sales.
    - (7) Any activity that may be considered objectionable.
  - (g) Home occupations shall be an interim use in agricultural and all residential districts.
- (Ord. No. 747 2nd series, § 1, 12-10-2019)

Editor's note(s)—Ord. No. 747 2nd series, § 1, adopted Dec. 10, 2019, amended § 86-50 to read as set out herein. Previously § 86-50 was titled offices of persons and home occupations and derived from Code 1976, § 11.21(6); and Ord. No. 680 2nd series, § adopted Sep. 24, 2013.





# **CITY OF MARSHALL COMPREHENSIVE PLAN**

Task Force Meeting #3

Friday, January 28th



## TODAY'S AGENDA

- 1** Introductions
- 2** Community Survey
- 3** Open House & Community Conversations
- 4** Next Steps



## INTRODUCE YOURSELF

- Name
- Department or Organization

**What is the most exciting thing to have happened so far in 2022?**





## COMMUNITY SURVEY

### Overview of Results (to date)



339 responses



Mostly 30–49-year-olds



Mostly long-term residents



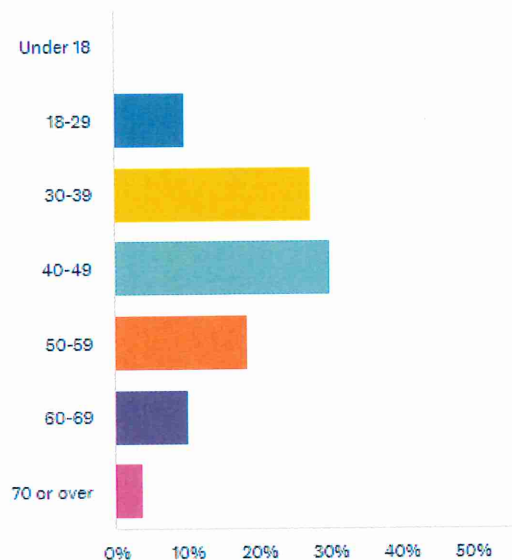
## COMMUNITY SURVEY

Why do we look at demographic information?

- Ensure we are hearing from a representative cross-section of the community
- Identify gaps where we can focus efforts to gather more responses
- Identify potential focus groups



## COMMUNITY SURVEY

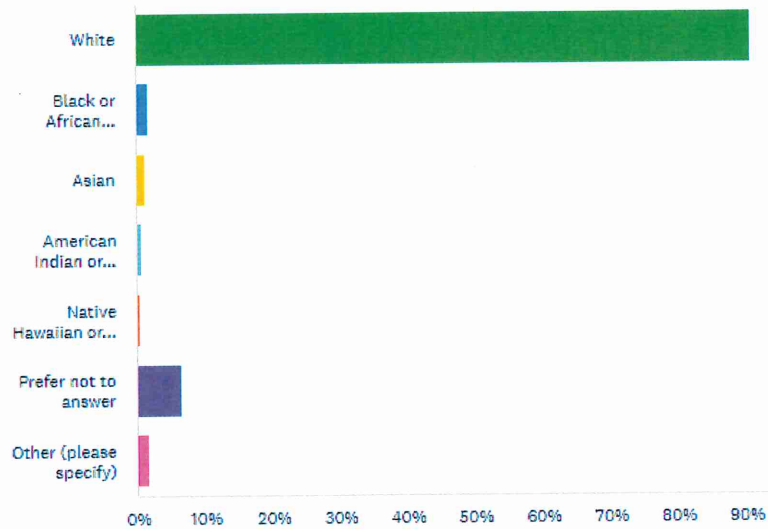


### How old are you?

- Most responses from 30–49-year-olds
- Dispersed across age groups
- *Could focus on getting more responses from 18-29*



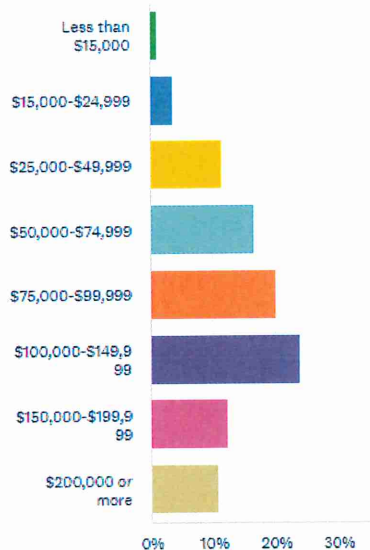
## COMMUNITY SURVEY



### What is your race?

- Mostly representative of Marshall community
- Some responses from all groups
- Will get targeted feedback through focus groups

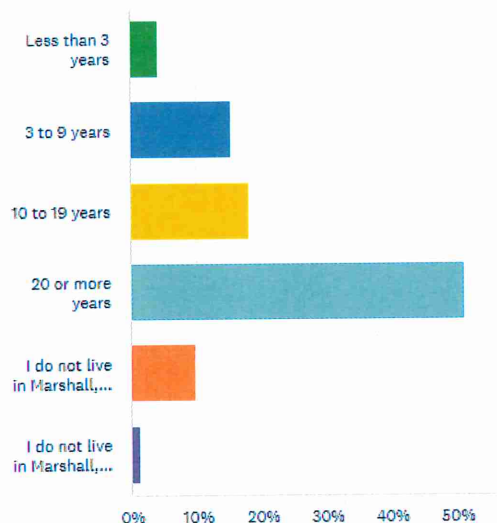
## COMMUNITY SURVEY



What is the total income of your household?

- Typically want to ensure we received from below median: \$49,000
- 15% of responses below median

## COMMUNITY SURVEY



How long have you lived in Marshall?

- Mostly from long-term (20+ year) residents
- Some responses from all groups (new residents, visitors, employees)



## COMMUNITY SURVEY



### Where did you live before moving to Marshall?

- Mostly the Southwest MN region
- Some responses from every group (lifelong residents, returning, across MN, Midwest, US, and international)

## COMMUNITY SURVEY



What is your one favorite thing about Marshall?

good nice opportunities amenities living feels safe Safe friendly  
Marshall safety Small town feel people variety parks  
shops community lot small big Small town feel  
businesses city clean size restaurants family close great schools

## COMMUNITY SURVEY



What is your one least favorite thing about Marshall?

much park options winter town retail nothing stores Marshall  
Lack shopping need people shopping places Lack  
entertainment things families community kids enough  
businesses restaurants lot activities Target city limited

## COMMUNITY SURVEY



What is Marshall's biggest opportunity over the next 20 years?

Creating things city kids people stores need better bring adding  
opportunities bigger community places  
Marshall Continue businesses attract town expand  
grow etc shopping housing growth young families retail make families

## COMMUNITY SURVEY



What issues or opportunities do you think Marshall needs to prioritize in the next 20 years?

1. Year-round recreational opportunities
2. Retail opportunities
3. Attracting and retaining industry
4. Enhance entertainment opportunities
5. Tourism/Hospitality
6. Daycare development
7. Workforce
8. Affordable Housing



## COMMUNITY SURVEY

### The survey is still open!

- Share the survey link with your friends, neighbors, co-workers, etc.
- Paper copies available

Survey will close on Sunday evening after the Open House (February 20)





## OPEN HOUSE

Postponed original event until February 16<sup>th</sup> (4-6pm)

- Held at Marshall City Hall
- Variety of engagement activities to participate in
- Short presentation on the plan process (4pm & 5pm)

**You are welcome to attend, and please share the word with other community members!**

All information can be found on the city website

## COMMUNITY CONVERSATIONS



### Next engagement event: Focus Groups

- Project team will create list of potential focus groups
  - Will be based on:
    - Groups we have not heard from or would like to hear more
    - Recurring themes from survey (e.g., need for more housing)



## WHAT HAPPENS NEXT?

- The community survey will remain open until after the open house, please help spread the word!
- Join us for the February 16<sup>th</sup> Open House
- Next Task Force Meeting will review survey results and discuss focus groups, along with plan goals

*For any questions or comments, please contact Stephanie Falkers at [sfalkers@srfconsulting.com](mailto:sfalkers@srfconsulting.com)*



**Thank you!**

