

AGENDA
MEETING OF THE MARSHALL PLANNING COMMISSION
WEDNESDAY – DECEMBER 9, 2020
MERIT CENTER 1001 WEST ERIE ROAD
5:30 P.M.

- 1) *Call to Order*
- 2) *Consider the approval of the minutes of the November 4, 2020, regular meeting of the Marshall Planning Commission.*
- 3) *Conduct Public Hearing on the request of Owner and Verizon Wireless to build a wireless communication tower taller than allowed by the City Ordinance*
- 4) *Other Business*
- 5) *Adjourn*

--UNAPPROVED --

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
NOVEMBER 4, 2020**

MEMBERS PRESENT: Edblom, Carstens, Fox, and Lee

MEMBERS ABSENT: Schroeder, Knieff

OTHERS PRESENT: Glenn Bayerkohler, Jason Anderson, Ilya Gutman, and Jim Lozinski

1. The meeting was called to order by Chairman Edblom. He asked for the approval of the minutes of the October 14, 2020, regular meeting of the Marshall Planning Commission. Fox MADE A MOTION, SECOND BY Lee, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.

2. Gutman explained this is a request by City of Marshall to install fiber cement panels as exterior finishes at 344 West Main Street. This request is in conjunction with Central Heritage District regulations. 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. 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. The ordinance list several permitted exterior finishes, but not fiber cement panels, and allows the Planning Commission to approve other finishes. Permitted exterior finishes are listed in Section 86-282. Staff has no opinion. Fox asked what we need to do to remove the appearance ordinance since we approve all of them anyway. Anderson said if City Council wants us to look at it, we will be happy to do so. Gutman explained it would follow the same process as any ordinance change. Councilman Jim Lozinski said this was a big push by Greig & Gregerson and it was to prevent people from painting their brick pink in downtown. It is to keep up the look of downtown. Fox asked if the color scheme is in the palette. Gutman said yes, the colors are. Fox explained that he doesn't want downtown to look like a dump but maybe we can modify the materials allowed. Anderson said he would like a vote to see if there is a desire to bring this forward to be changed. Councilman Jim Lozinski advised that someone should talk to the downtown businesses first because they are the ones who wanted this, and they spent a lot of time on this. He said that for the Coty hall, this is a cost savings measure, just like for businesses, and that is why we are looking to change the material being used. Carstens inquired if this isn't a save a penny now to spend a dollar later. Councilman Jim Lozinski said materials are comparable and in the long run it is probably better. We are switching for equal product. Gutman said as a reminder, this is to discuss the appearance, not the material and cost. Fox MADE A MOTION, SECOND BY Carstens, to approve the request. ALL VOTED IN FAVOR OF THE MOTION.

3. In other business Gutman asked if, since we are sending the packet by email, it is necessary to also print copies for everyone. All present agreed to just email. Anderson said to follow up by email with Schroeder and Knieff. Gutman said he also wants to congratulate Edblom on his election to City Council and advise with that move we would be electing a chair in January. Gutman said the City is in the process of finding someone to update the City Comprehensive Plan. Anderson said

--UNAPPROVED --

we will be needing City Council approval; once we have approval, we will bring it back to the Planning Commission. Our current Comprehensive Plan is from 1996.

4. A MOTION WAS MADE BY Lee, SECOND BY Brady to adjourn the meeting. ALL VOTED IN FAVOR. Chairman Edblom 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

FROM: Ilya Gutman, Assistant Planning & Zoning Administrator

DATE: December 2, 2020

SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT / TOWER 130' TALL

Action Recommendation

Close public hearing.

Staff recommends a motion to recommend to City Council an approval of the request to grant a conditional use permit for a 139' tall communication tower in an I-2 General Industrial District 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 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 the tower meets all requirements of, and receives all required approval from, FAA or MnDOT Aeronautics.

Background

This is a request by the Owner and Verizon Wireless to build a wireless communication tower taller than allowed by the City Ordinance.

This tower is proposed to be 139 feet tall and will be located in an I-2 General Industrial. The Ordinance permits towers up to 75 tall in that district and all towers taller than that require a conditional use permit.

Article VI Supplemental Regulations, Division 6 Towers and antennas describes requirements for new towers. This tower seems to comply with all requirements.

The conditional use permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49. Aerial photo and site plans are attached.

Fiscal Impact

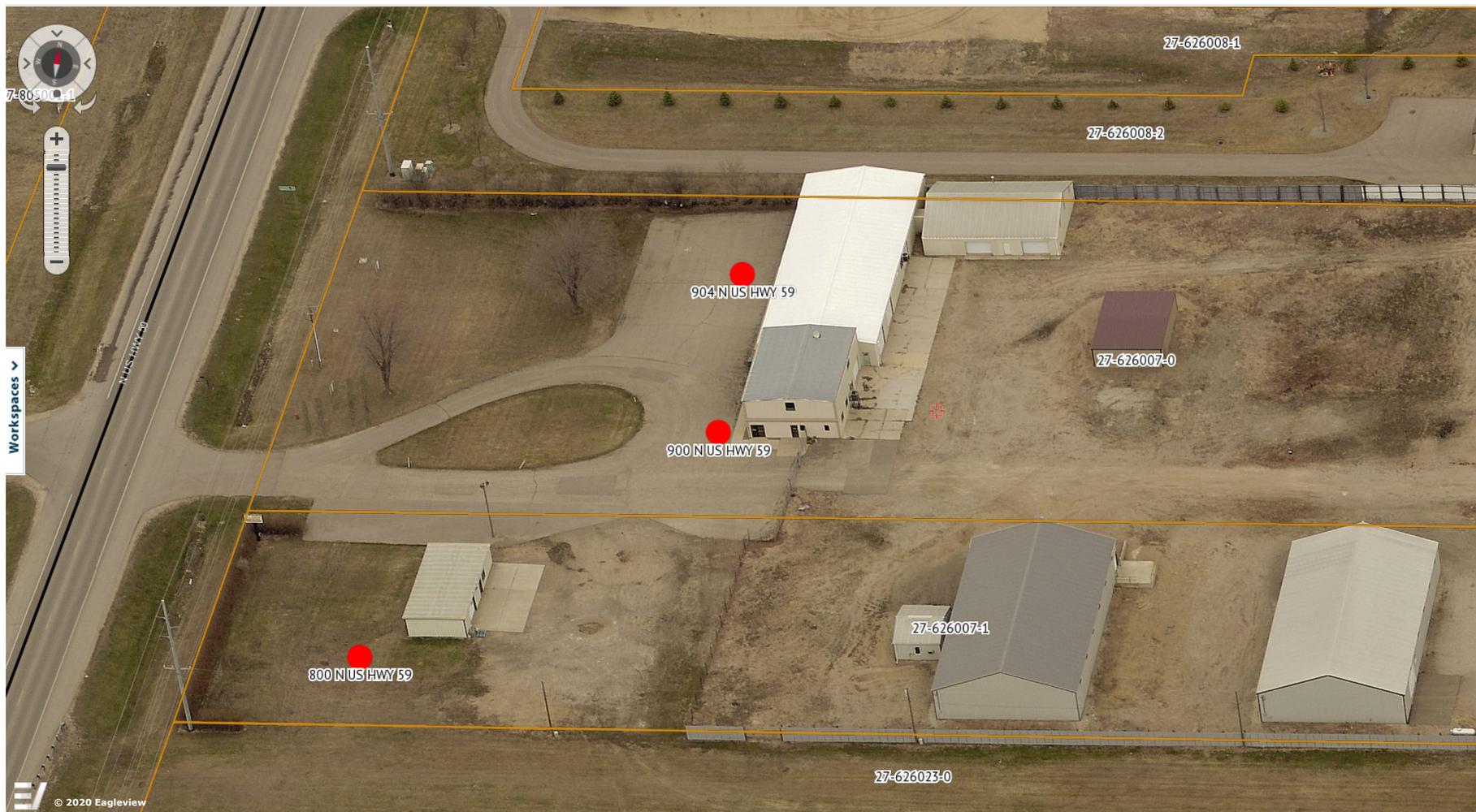
None known.

Alternatives / Variations

None recommended.

IG:cld

CONNECTEXPLORER



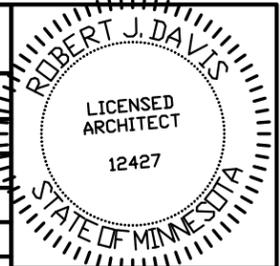
map: Auto (Oblique) ▾ Apr 2020 - May 2020 ▾ < image 1 of 14 > 04/11/2020

GENERATOR TYPE:
DIESEL

FROST DEPTH
DESIGN = 4'-0"

DETAIL INDEX

DETAIL	DETAIL DESCRIPTION
SLAB	SLAB WITH 3 CABINETS
GEN 1.4	30REOZK: DIESEL GENERATOR W/ ICE SHIELD
1.1	BOLLARD DETAIL
2.1	FENCE SECTION (DETAIL 2)
3.1	CABLE BRIDGE SECTION
4.1	CABLE BRIDGE ELEVATION
6.1	SNOW/MAN GATE (DETAIL 1)
7.1	GPS MOUNTING DETAIL (DETAIL 2)
8.1	TELCO ENTRY DETAIL
9.1	CMPH DETAIL
10.8	ONE-LINE ELECTRICAL DIAGRAM
12.1	METER ON POST (DETAIL 2)



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of MINNESOTA. ROBERT J. DAVIS, Reg. No. 12427

Signed: *Robert J. Davis*

Date: 08/24/2020

Date:



9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299
WWW.DESIGN1EP.COM



10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(952) 946-4700

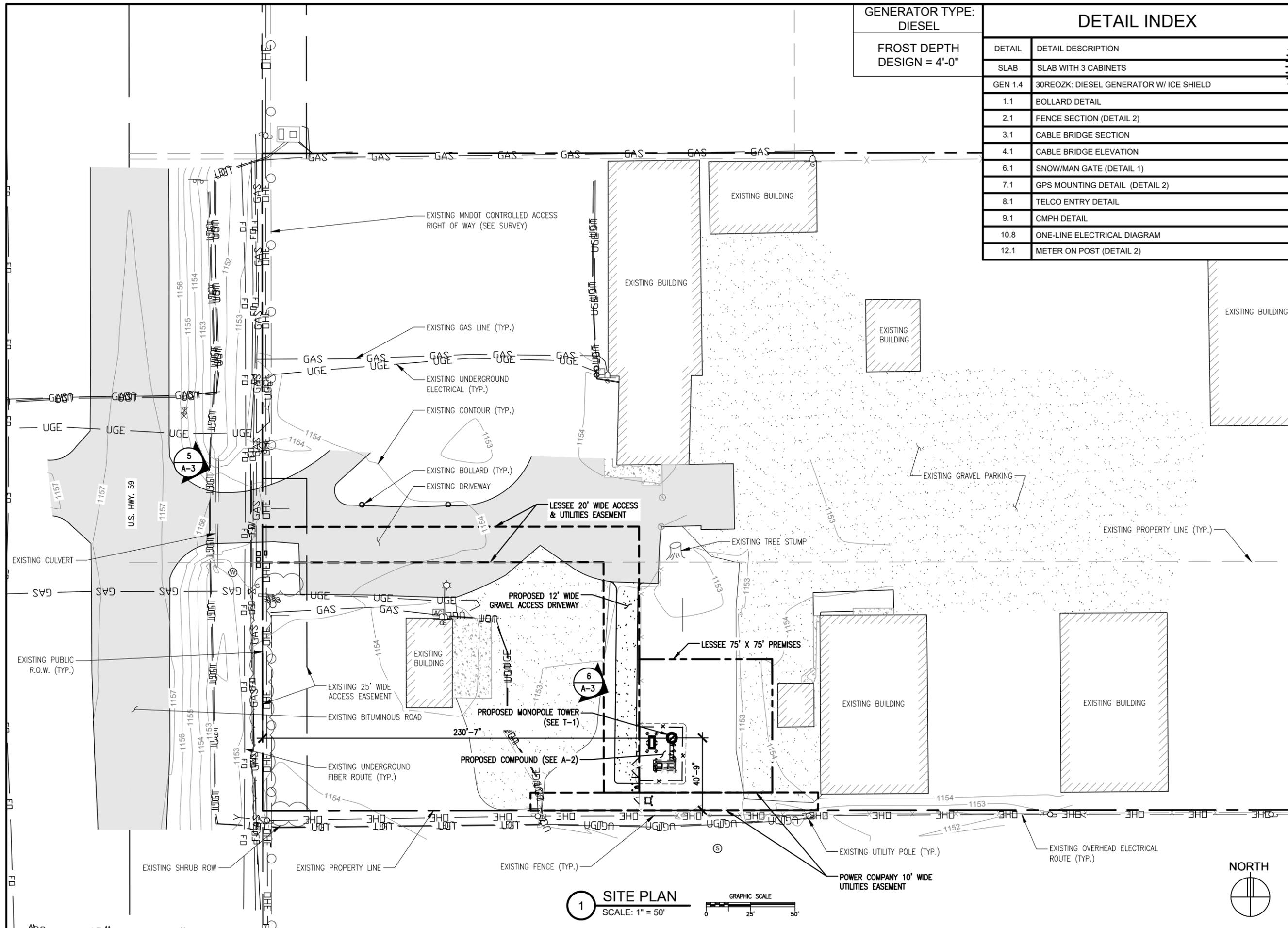
PROJECT
20171644012
LOC. CODE: 466729

MN08
MARSHALL
NORTH

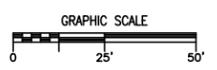
HIGHWAY 59
MARSHALL, MN 56258

SHEET CONTENTS:
SITE PLAN
DETAIL INDEX

DRAWN BY: CJW
DATE: 07-21-20
CHECKED BY: TRB
REV. A 08-03-20
REV. B 08-24-20

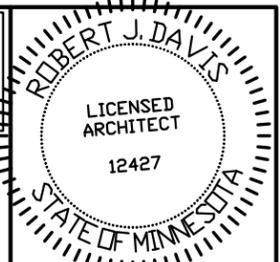


1 SITE PLAN
SCALE: 1" = 50'



A-1

NOTE:
 CONTRACTOR TO COORDINATE PUBLIC AND
 PRIVATE UTILITY LOCATES PRIOR TO
 CONSTRUCTION START. NOTIFY THE ARCHITECT
 AND THE VZV CONSTRUCTION ENGINEER
 IMMEDIATELY OF ANY UTILITY LINE ISSUES.



I hereby certify that this plan,
 specification or report was
 prepared by me or under my direct
 supervision and that I am a duly
 Licensed Architect under
 the laws of the state of MINNESOTA.
 ROBERT J. DAVIS, Reg. No. 12427

Robert J. Davis
 Signed:
 08/24/2020
 Date:

DESIGN 1
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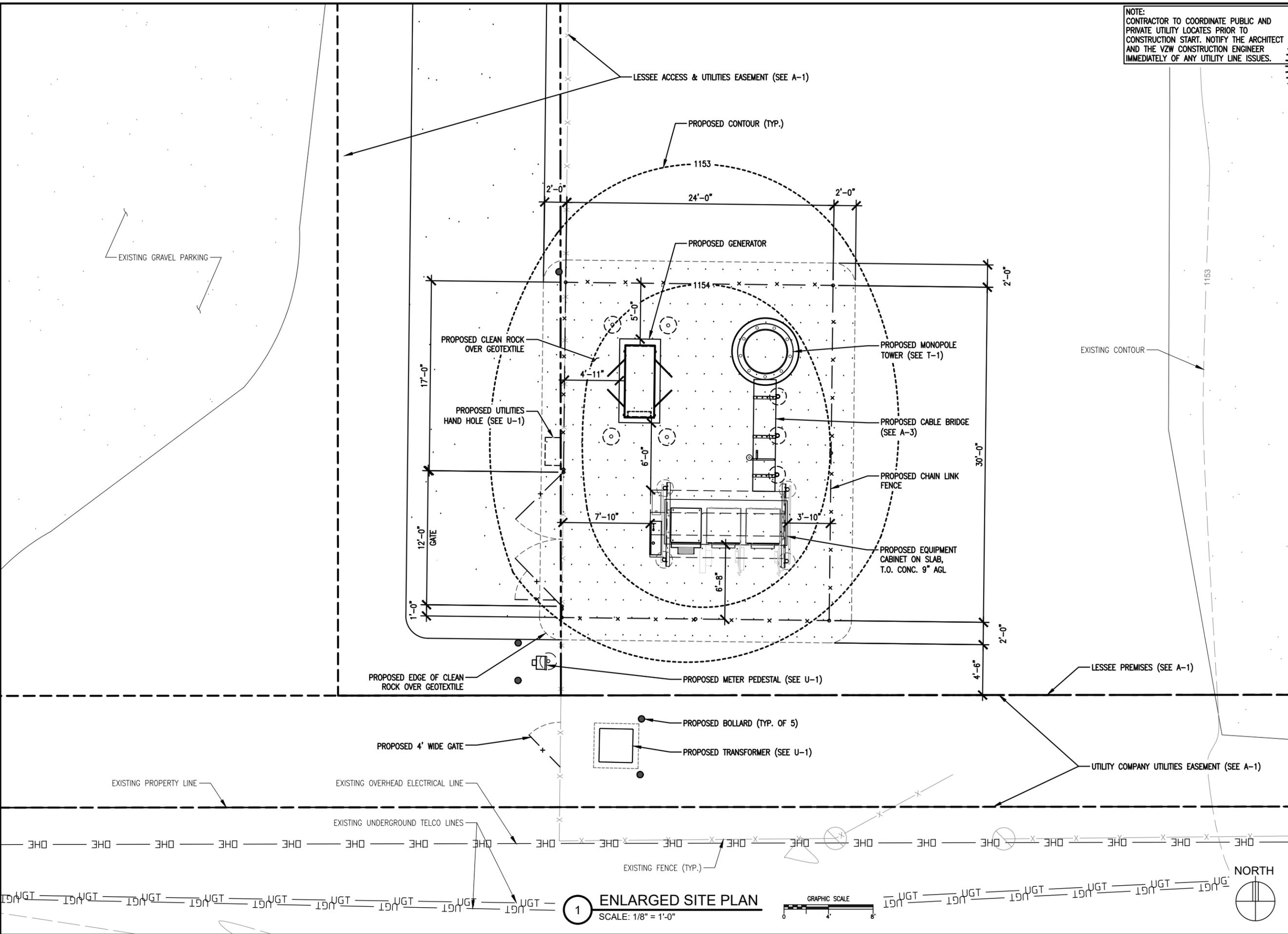
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MN08
 MARSHALL
 NORTH

HIGHWAY 59
 MARSHALL, MN 56258

SHEET CONTENTS:
 ENLARGED SITE PLAN

DRAWN BY: CJW
 DATE: 07-21-20
 CHECKED BY: TRB
 REV. A 08-03-20
 REV. B 08-24-20



1 ENLARGED SITE PLAN
 SCALE: 1/8" = 1'-0"