

AGENDA
MEETING OF THE MARSHALL PLANNING COMMISSION
WEDNESDAY – JUNE 8, 2022
COUNCIL CHAMBERS – CITY HALL
5:30 P.M.

- 1) *Call to Order*
- 2) *Election of Officers*
- 3) *Consider the approval of the minutes of the April 13, 2022, regular meeting of the Marshall Planning Commission*
- 4) *Conduct Public Hearing on the request of Hope Harbor, Marshall, MN for a Conditional Use Permit to provide service for 8 persons in a residential facility at 219 North High Street*
- 5) *Preliminary plat of CDI Addition*
- 6) *Comprehensive Plan Discussion/Update*
- 7) *Other Business*
- 8) *Adjourn*

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
APRIL 13, 2022**

MEMBERS PRESENT: Schroeder, Lee, Deutz, and Muchlinski

MEMBERS ABSENT: Fox

OTHERS PRESENT: Bob Byrnes, Ilya Gutman, Dennis Simpson, and Jason Anderson

1. The meeting was called to order by Chairperson Lee. She asked for the approval of the minutes of the March 9, 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.
2. Gutman explained this is a request by BN Kor Investments LLC for a Conditional Use Permit to have an advertising sign at 507 South Highway 23. This sign will be installed behind a private driveway. 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 two LED panels, 11 feet by 23 feet each, installed at about 30-degree angle to each other to face traffic on Highway 23 in both directions. The overall height of the sign is requested to be 27 feet. Each panel size is less than maximum allowed length of 55 feet and smaller than previously installed signs of this nature. The City of Marshall does not have an ordinance that regulates those signs and not many other cities do. 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. Staff recommends a motion to recommend to City Council an approval of the request of BN Kor Investments LLC, for a Conditional Use Permit for an advertising sign at 507 South Highway 23, 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 panels will be installed at an angle to each other. b) Each sign shall be no greater than 12 feet by 25 feet. c) The overall height of the sign shall be no more than 30 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 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. Byrnes asked where the

--UNAPPROVED --

billboard is in relation to the power line. Brian Kor, owner of AP Design, explained it is 25 ft or more from the power line. Deutz asked if the owner of the new building has said anything about the billboard. Kor said not that he is aware of, but he has inquired about advertising on the billboard. The brightness sometimes seems to be a concern for people, but it is dimmer than the city lights and it can be dimmed more. Kor said they want to be a good neighbor so if it affects any neighbors across the highway this can be dimmed. Deutz MADE A MOTION, SECOND BY Schroeder to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Muchlinski MADE A MOTION, SECOND BY Deutz to recommend to City Council as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION.

3. Gutman advised this is a proposed amendments to Section 86-96 Agricultural District that are based on requested changes, past and current. A few other changes are made to better align the section with other sections. Section 86-230 is amended to better reflect certain businesses' nature and parking needs. In most cases parking requirements were reduced. These changes were presented to the L&O yesterday prior to being presented to the Planning Commission today – to speed up the process, since one of the changes is time sensitive. Staff recommends the recommendation to the City Council approving the revisions amending Sections 86-96 Agricultural district and Section 86-230 Required number of spaces. Anderson detailed a few changes in the sections. Muchlinski stated that unnecessary parking takes up commercial land. Anderson added that is correct and the paved area creates extra run off. Deutz MADE A MOTION, SECOND BY Muchlinski to recommend to City Council as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION
4. Lee asked for updates on the comprehensive plan. Gutman said there is not much new and went over more detail of the survey. This is early yet in the process but, there will be a meeting April 29th with the task force. Anderson went over the packet and advised we can answer any questions and Schroeder is here for questions also. Muchlinski said he would be interested in seeing how the pie chart compares to the city budget. Deutz asked what we do with this data. Anderson said it is to help provide SRF and task force with information. The Comp Plan won't state what specific items have to be because that it is an overview of what future areas can be developed into and what residents would like to see. Byrnes said it is a state requirement to have a Comp Plan in place. Lee added our other Com Plan was from 1996 so it needed to be updated.
5. A MOTION WAS MADE BY Schroeder, SECOND BY Deutz 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., Director of Public Works/Zoning Administrator *JA*

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

DATE: June 1, 2022

SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT
Hope Harbor
219 North High Street

Action Recommendation

Motion to close public hearing.

Staff suggests a motion to approve the request with the condition that no vehicles will be parked on the street.

Background

This is a request by Hope Harbor, for a Conditional Use Permit to provide service for 8 persons in a residential facility. The ordinance allows residential facilities serving 6 or fewer people as a permitted use, but facilities serving more than 6 people are allowed only as a conditional use.

The major consideration may be parking. Based on the information provided by the owner, there are 5 or 6 people working or volunteering in the building daily and residents do not own or use vehicles. This house has a two-car garage, and driveway in front of it may accommodate more vehicles, even though part of it is steeply sloped. There is one business vehicle stored in the garage, and the owner said that adjacent churches offered their parking areas for overflow. Including a condition not to park on the street will mitigate the impact of parking on surrounding areas and will not be a significant burden on the applicant.

Requirements for R-1 One Family Residence District are in Section 86-97. Conditional use requirements can be found in Section 86-46 through 86-49.

Fiscal Impact

None known.

Alternatives Variations

Deny the request for reason it does not meet the intent of Section 86-49.

IG: cld



27-174002-0

N HIGH ST

219 N HIGH ST

27-174003-0

217 N HIGH ST

27-174004-0

27-174003-0

215 N HIGH ST

TO: Members of the Marshall Planning Commission

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

DATE: June 1, 2022

SUBJECT: PRELIMINARY PLAT OF CDI ADDITION

Action / Recommendation

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

Background

Attached please find a copy of the preliminary plat of CDI Addition in Marshall, Minnesota.

The property owner desires to split the properties to allow for separate ownership of the two large storage buildings on the property. Currently, this land is not part of a platted subdivision, and it is described by metes and bounds. Section 66-31 of our City Ordinance requires a plat whenever a subdivision of land is proposed. Charles Bladholm or a representative of CDI of Marshall, LLP is anticipated to be present to address any questions the Planning Commission may have regarding the plat.

The Engineer's Report of Preliminary Plat Review will be provided to the Planning Commission prior to the meeting date. Copies of the proposed subdivision will be sent to the local utility companies for their review and comments.

Fiscal Impact

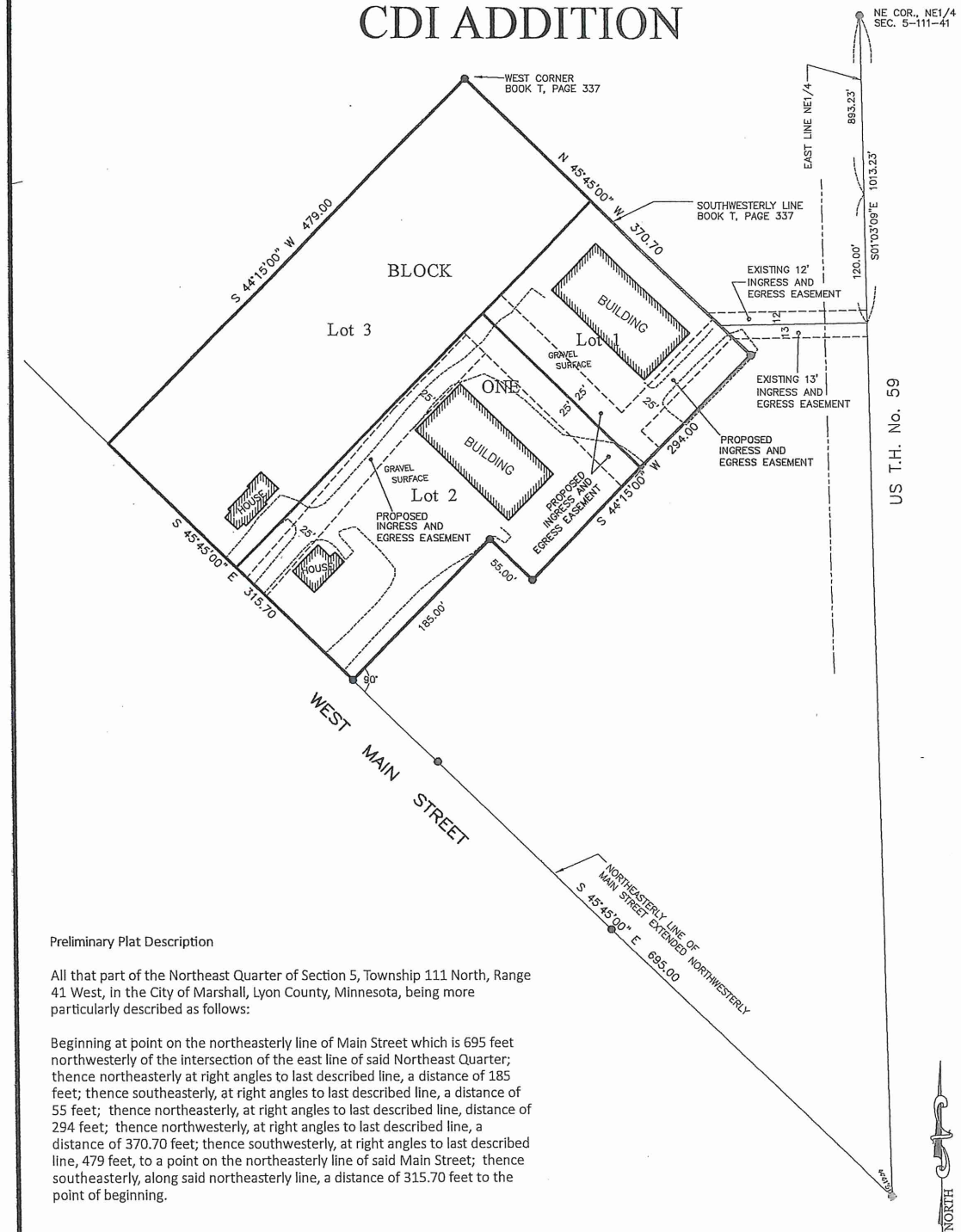
The applicant will be billed for all direct costs relating to the platting process.

Alternative Actions

Any additional requirements recommended by the Planning Commission.

JRA:lrk / Attachment

PRELIMINARY PLAT OF CDI ADDITION



Preliminary Plat Description

All that part of the Northeast Quarter of Section 5, Township 111 North, Range 41 West, in the City of Marshall, Lyon County, Minnesota, being more particularly described as follows:

Beginning at point on the northeasterly line of Main Street which is 695 feet northwesterly of the intersection of the east line of said Northeast Quarter; thence northeasterly at right angles to last described line, a distance of 185 feet; thence southeasterly, at right angles to last described line, a distance of 294 feet; thence northeasterly, at right angles to last described line, a distance of 55 feet; thence northeasterly, at right angles to last described line, a distance of 294 feet; thence northwesterly, at right angles to last described line, a distance of 370.70 feet; thence southwesterly, at right angles to last described line, 479 feet, to a point on the northeasterly line of said Main Street; thence southeasterly, along said northeasterly line, a distance of 315.70 feet to the point of beginning.

OWNERS:

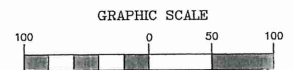
CDI of Marshall
PO BOX 823
MARSHALL MN 56258

ZONING:

B3 - GENERAL BUSINESS

AREAS:

TOTAL = 167390± SQ. FT.
LOT 1 = 30282± SQ. FT.
LOT 2 = 58217± SQ. FT.
LOT 3 = 78891± SQ. FT.



LEGEND

These standard symbols will be found in the drawing.

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

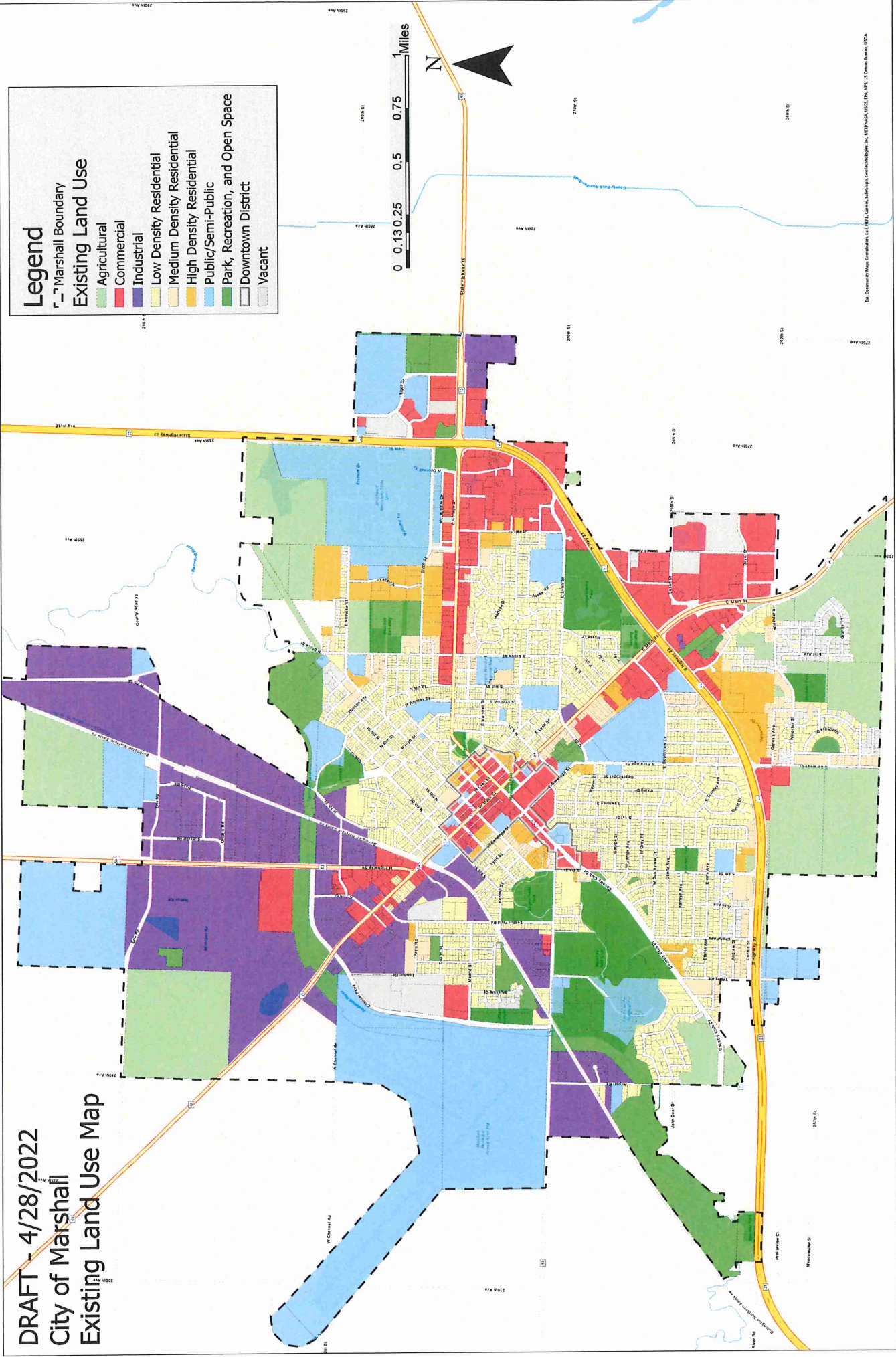
DATE: JUNE 1, 2022

Prepared by
Bueltel-Moseng Land Surveying, Inc.
Marshall, MN 56258 Ph. 507-532-9043
PROJECT NO. 22-2031

Land Use Categories

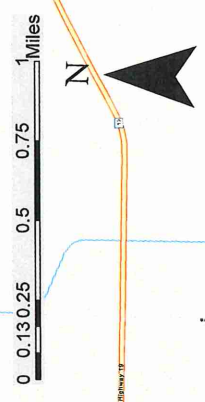
Category	Description
Low Density Residential	Areas for maintained or future residential growth at the lowest density of the community. This category includes primarily single-family residential development on individual lots of generally at a density of less than 6 units per acre. Future growth within the category should include similar single family home growth.
Medium Density Residential	Areas for maintained or future single family and multi-family residential uses at a mid-density range. Specific residential types include single family homes, duplexes, townhomes, and small-scale apartment buildings. Density of the various development types should lie between 6 and 12 units per acre.
High Density Residential	Areas of the highest density residential development, including primarily multi-family development (e.g., apartments and other higher density townhomes or others). Density of various developments should be 12 units per acre or greater.
Commercial	Includes a broad spectrum of retail, sales, and service uses in the community. This category is used to guide the location of uses ranging from multi-tenant shopping centers to health care facilities to neighborhood commercial uses.
Industrial	Areas that support a range of manufacturing, warehousing, and distribution uses within the community. Uses can range from low intensity warehousing to high intensity manufacturing and distribution.
Parks, Recreation, and Open Space	Areas of existing public and private outdoor recreation uses and open spaces. This use primarily supports existing city parks, but also includes other outdoor recreation opportunities (e.g., golf course) and general open spaces.
Agriculture	Areas of agricultural use include production, animal husbandry, and fields.
Public/Semi Public	Areas that include a range of public, semi-public, and private facilities that provide community services. Public uses include city and county buildings and services, educational institutions, and other governmental facilities. Semi-public uses include health services, places of worship, and cultural centers.
Downtown Mixed-Use	Areas with a vertical mix of uses including commercial retail sales and service uses, multi-family residential, offices, public institutions, and other mixed-use developments, where multiple use types are located within the same structure. Residential development should be 12 units per acre or greater.
Neighborhood Mixed Use	A horizontal mix of commercial and residential uses, where multiple use types are located within different structures located on the same or neighboring parcels. Residential development should lie between 6 and 12 units per acre
Commercial/Industrial Mixed Use	Areas with a horizontal mixture of industrial and commercial uses, where multiple use types are located within different structures located on the same or neighboring parcels.

DRAFT - 4/28/2022
City of Marshall
Existing Land Use Map



Legend

- Marshall Boundary
- Existing Land Use
 - Agricultural
 - Commercial
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Public/Semi-Public
 - Park, Recreation, and Open Space
 - Downtown District
 - Vacant



East Community Maps, Contributors: Esri, HERE, DeLorme, Swatch, GeoEye, GeoEye, Inc., Aerial, USGS, EPA, NOAA, US Coast Guard, USGS

DRAFT - Future Land Use Map City of Marshall May 27, 2022

- ## Legend
- Marshall Boundary
 - DRAFT 1 - Growth & Redevelopment Areas
 - Future Annexation Area
 - Infill/Redevelopment Areas
 - New Development Area
 - Orderly Annexation
 - DRAFT 1 - Future Land Use
 - Low Density Residential (<6 DU/acre)
 - Medium Density Residential (6-12 DU/acre)
 - High Density Residential (>12 DU/acre)
 - Downtown Mixed Use
 - Neighborhood Mixed Use
 - Commercial
 - Commercial/Industrial Mixed Use
 - Industrial
 - Park, Recreation, & Open Space
 - Public/Semi-Public

0 0.130.25 0.5 0.75 1 Miles



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