



## CITY OF MARSHALL AGENDA ITEM REPORT

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| <b>Meeting Date:</b>           | Wednesday, January 23, 2019  |
| <b>Category:</b>               | NEW BUSINESS   |
| <b>Type:</b>                   | INFO/ACTION  |
| <b>Subject:</b>                | REQUEST FOR VARIANCE ADJUSTMENT PERMIT (2)<br>Greater Minnesota Family Services at 1408 Floyd Wild Drive   |
| <b>Background Information:</b> | <p>Greater Minnesota Family Services (GMFS) is a non-profit organization that provides help to at-risk children, mostly low income. They are licensed by the State of Minnesota as a Mental Clinic. One of their programs is called SEED, and it helps 3- to 5-year old kids with emotional and social development. They have been operating this program in Marshall for some time, first in a commercial building and then, starting this fall, in a single-family house located at 1408 Floyd Wild Drive, which is located in an R-1 One Family Residence District.</p> <p>According to Tom Belcher, GMFS's CFO, they work with groups of 8 to 10 kids at a time and each session lasts 3 hours, so they have two sessions a day. They employ 7 people in Marshall. Mr. Belcher informed the City that they run a similar program in many other cities throughout Minnesota. He said that other cities look at this as a daycare operation. Each location is licensed as a satellite office to their main office in Willmar, but this does not involve any state inspections. According to our research, all locations with listed addresses are situated in commercial buildings.</p> <p>According to the Ordinance definition, a daycare is any state licensed facility that provides, among others, habilitation and rehabilitation services for less than 24 hours a day. According to this definition, which goes beyond statutory requirements, this facility is indeed a daycare, which is a permitted use in an R-1 One Family Residence District, even though its license is not a daycare license.</p> <p>However, this use has other ordinance implications, mostly parking related. <a href="#">Section 86-205</a> prohibits vehicular access to non-residential uses across residential properties. This house is located hundreds of feet back from the street and is accessed through a recorded access easement, which goes through other residential properties. <a href="#">Section 86-206</a> requires that all required parking and access drives be paved. According to the <a href="#">Table 86-230</a>, daycares need one parking space per employee plus one per ten kids which ends up being 8 total spaces for this building. There are two garages that can accommodate three vehicles total and a concrete pad in front of the house that can accommodate another one.</p> <p>Mr. Belcher stated that GMFS has a contract for snow removal for the entire access drive. However, initial complaint that was received by the City was a concern about traffic. Mr. Belcher indicated that all kids are brought to the facility by bus rather than their parents but between 7 employees, a bus making several trips a day, and possible staff meetings, the projected traffic exceeds what may be considered normal for residential use</p> <p>A variance for not paving parking spaces may also be granted considering that half of required spaces are provided, and an attached condition limiting a number of cars parked outside will mitigate any possible negative impact thus keeping the character of the area intact.</p> <p>The variance regulations and procedures are found in <a href="#">Section 86-29</a>. A property aerial photo is attached for reference.</p> <p>At the Planning Commission meeting on January 9, 2019, a motion was made by Knieff, second by Carstens to recommend approval to the City Council of the request by Greater Minnesota Family Services for a Variance Adjustment Permit for permitting unpaved parking with a condition that not more than three vehicles will be parked outside of paved area at any time. All voted in favor of the motion.</p> |
| <b>Fiscal Impact:</b>          | None known.  |

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| <b>Alternative/<br/>Variations:</b> | None recommended.   |
| <b>Recommendations:</b>             | Planning Commission recommends approval to the City Council of the request by Greater Minnesota Family Services for a Variance Adjustment Permit for unpaved parking with a condition that not more than three vehicles will be parked outside of paved area at any time as recommended by staff. |