

--UNAPPROVED --

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
APRIL 12, 2023**

MEMBERS PRESENT: Deutz, Doom, Stoneberg, Lee and Muchlinski

MEMBERS ABSENT: Pieper

OTHERS PRESENT: Jason Anderson, Ilya Gutman, and Amanda Schroeder

1. The meeting was called to order by Chairperson Lee. She asked for the approval of the minutes of the March 8, 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 OF THE MOTION.

2. Gutman explained this area has been recently annexed into the city and is currently zoned A – Agricultural District. Solar panels are a Conditional Use Permit in an A – Agricultural District. Staff believe all standards for hearing are met. Staff recommends approval to the City Council of the request by the Western MN Municipal Power Agency for a Conditional Use Permit to have solar panels in an A – Agricultural District at 1200 North 7th Street with the following standard conditions. 1. That the regulations, standards, and requirements as set forth in the City Code and as pertain 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 if 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. Luke Gildemeister, from US Solar Corporation, of 100 N 6th St Suite 410 B Minneapolis, MN explained the project to construct a solar system on 51.5 acres. He went over the location of the protect and the neighbors in the area. There will be approximately 21,222 panels on the site. The highest the panels will ever get is 10 ft. The proposed fence is similar to a farm fence and will be 8 ft tall without any barbed wire. There will be a new access road. Once the project is completed and operational, there will be no noise or odor. He explained in detail the location, neighborhood, the panels, all site equipment, and safety items. Muchlinski asked what the lifespan is of the panels. Gildemeister advised it is a 30-year period with the ability to last longer. Tony Mead, with MMU, added that he is here to advise they are in support of this project. Muchlinski MADE A MOTION, SECOND BY Stoneberg to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Doom added that we have gone over all the ordinance requirements, and everything has been addressed and it meets all the requirements. Doom MADE A MOTION, SECOND BY Deutz to recommend to City Council as recommended by staff.

3. Gutman advised this section was amended several years ago to allow a single shipping container in a general business district as an interim use permit. This change was a result of a specific request since prior to that shipping containers were not permitted in business districts. However, after some conversations – internal and external – staff concluded that a limitation of just one shipping container may be relaxed because the ordinance requires a fencing around to mask them from public right of way anyway, and, on the other hand, also allows open storage behind fences. The proposed change will limit the total area of containers rather than the number of them, with suggested number being an equivalent of three 40’ x 8’ containers; a limitation of the area as a

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percentage of the building area on site will allow avoiding multiple containers placed next to smaller buildings, which would look disproportionate. This will also encourage owners to build an addition if a larger storage area is desired. Additionally, the change will allow storage units other than standard shipping containers, again, due to the reason they will be fenced off anyway and will not be visible. These changes have been presented at the Legislative & Ordinance Committee April 4, 2023, and recommended for approval. Muchlinski questioned the setbacks. Gutman clarified storage units will not be placed in front yards and that there would be fence coverage. Muchlinski MADE A MOTION, SECOND BY Deutz to recommend to City Council as recommended by staff.

4. A MOTION WAS MADE BY Deutz, SECOND BY Stoneberg to adjourn the meeting. ALL VOTED IN FAVOR. Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Chris DeVos, Recording Secretary