



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Jason Anderson
Meeting Date:	Tuesday, February 14, 2023
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Kwik Trip 1255 - 1) Public Hearing on Preliminary Plat and Approval of Preliminary Plat; 2) Consider Resolution Adopting the Final Plat.
Background Information:	<p>Attached please find a copy of the preliminary plat of Kwik Trip 1255.</p> <p>Kwik Trip has purchased the three parcels at the corner of N. Bruce Street and E. College Drive with the intent of building a new gas station and convenience store at this location. The purpose of the plat here is to combine all parcels into one and to ensure that all property issues are addressed prior to building on the site.</p> <p>Attached please find a copy of the Engineer’s Report of Preliminary Plat Review. Copies of the proposed subdivision has been sent to the local utility companies for their review and comments. MMU has recently requested a 5-ft. utility easement on the southernmost 220 ft. of the west property line, which is shown on the final plat.</p> <p>The preliminary plat was presented at the Planning Commission meeting on January 11, 2023. Following discussion, Stoneberg made a motion, second by Muchlinski to recommend approval of the preliminary plat to the City Council. All voted in favor.</p> <p>The preliminary plat was then introduced at the January 24, 2023 City Council meeting and a hearing on the preliminary plat scheduled for the February 14, 2023 City Council meeting.</p> <p>Attached please find a copy of the Final Plat of Kwik Trip 1255 and the Final Plat Checklist.</p>
Fiscal Impact:	The applicant will be billed for all direct costs relating to the platting process.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	<p>Recommendation No. 1 that the Council close the public hearing and approve the Preliminary Plat of Kwik Trip 1255.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER 23-010, which is the Resolution Approving the Final Plat of Kwik Trip 1255.</p>

RESOLUTION NUMBER 23-010

**RESOLUTION APPROVING THE FINAL PLAT OF
KWIK TRIP 1255**

WHEREAS, Kwik Trip, Inc. of LaCrosse, Wisconsin, has filed with the Common Council, a Preliminary Plat identified as Kwik Trip 1255 situated in the City of Marshall, County of Lyon, State of Minnesota, described as follows, to-wit:

**KWIK TRIP 1255
BLOCK ONE LOT 1**

and more particularly described as attached Exhibit A.

AND WHEREAS, the Final Plat of Kwik Trip 1255 was presented to the Common Council on February 14, 2023.

NOW THEREFORE BE IT FURTHER RESOLVED, that said Final Plat of Kwik Trip 1255 has been duly found to be in conformity with Chapter 66 of the Code of Ordinances and State Statutes.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Common Council hereby authorizes and directs the City Clerk to certify his approval on the plat.

NOW THEREFORE BE IT FURTHER RESOLVED THAT this resolution shall become void 90 days after adoption and fulfillment of all contingencies of approval, if any, unless the plat is filed for record within such time.

Passed and adopted by the Common Council this 14th day of February 2023.

ATTEST:

City Clerk

Mayor of the City of Marshall, MN

This Instrument Drafted By:
Jason R. Anderson, P.E.
Director of Public Works/City Engineer
344 W. Main St.
Marshall, MN 56258

EXHIBIT A

Parcel 1

All that part of the Northeast Quarter (NE1/4) of Section Four (4), in Township One Hundred Eleven (111) North Range Forty-one (41) West of the Fifth Principal Meridian, Lyon County, Minnesota, described as follows to wit:

Commencing 2 rods West and 2 rods North of the Southeast corner of the Northeast Quarter (NE1/4) of Section 4, Township 111, Range 41, and running thence West a distance of 323.4 feet; thence running at right angles and running North a distance of 330 feet; thence turning at right angles and running East a distance of 323.4 feet, more or less, to a point 2 rods West of the East line of said Section 4; and thence turning at right angles and running South a distance of 330 feet to the place of beginning.

EXCEPTING THEREFROM the South 220 feet of said above described tract.

AND

Parcel 2

All that part of the Northeast Quarter (NE1/4) of Section Four (4) Township One Hundred Eleven (111), Range Forty-one (41), Lyon County, Minnesota, described as follows: Commencing 2 rods West and 2 rods North of the Southeast corner of the Northeast Quarter (NE1/4) of Section 4, Township 111, Range 41, running thence West a distance of 173.4 feet; thence turning at right angles and running North a distance of 220 feet; thence turning at right angles and running East at a distance of 173.4 feet more or less to a point 2 rods West of the East line of Section 4; thence turning at right angles and running South a distance of 220 feet to the place of beginning.

EXCEPT that part of Tract A which lies southeasterly of Line 1 described below:

Line 1. Beginning at a point on the East line of Tract A hereinbefore described distant 4.5 feet Northerly of the Southeast corner thereof; thence run Southwesterly to a point on a line run parallel with and distance 5.5 feet Southerly of the South line of said Tract A, distance 15 feet Westerly of its intersection with the Southerly extension of the East line of said Tract A.

AND

Parcel 3

All that part of the Northeast quarter (NE1/4) of Section Four (4), in Township One Hundred Eleven (111) north, of Range Forty-one (41) west of the Fifth Principal Meridian, described as follows, to-wit: Commencing at a point one hundred seventy-three and four tenths (173.4) feet west of a point two (2) rods west and two (2) rods north of the Southeast corner of said Northeast quarter (NE1/4) of Section Four (4), Township One Hundred Eleven (111) north, Range Forty-one (41) west; thence West a distance of one hundred-fifty (150) feet; thence North and at right angles to last line, a distance of two hundred twenty (220) feet; thence East and at right angles to last line, a distance of one hundred fifty (150) feet; and thence South and at right angles to last line, a distance of two hundred twenty (220) feet to the point of beginning, Lyon County, Minnesota.