



**CITY OF MARSHALL
AGENDA ITEM REPORT
PC 8/14/24**

Presenter:	Ilya Gutman
Meeting Date:	Wednesday, August 14, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Consider the request of Independent Lumber for a Conditional Use Permit for a Lumberyard in a B-3 General Business District
Background Information:	<p>This is a request to permit a lumberyard in a B-3 general business district.</p> <p>Lumberyards are conditional use in B-3 districts.</p> <p>This existing lumberyard was built before the area was annexed into the city limits. When it was annexed, it was grandfathered in and became a legal non-conforming use, as the ordinance requires. However, this provision does not allow expansion of the use, and the owner wants to build more buildings. Granting a CUP will allow for further development and will remove potential limitations.</p> <p>Menards is considered a lumberyard and was granted a CUP for such use. Generally, new construction in a B-3 district would require multiple site improvements, such as paved parking and landscaping; however, this is not a new construction, which makes this situation different.</p> <p>General business district regulations are in Section 86-104. The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49.</p> <p>Please see attached Finding of Facts for more detailed information.</p>
Fiscal Impact:	None known
Alternative/Variations:	None recommended but additional reasonable conditions intended to mitigate the impact of granting a conditional use permit as proposed by the Planning Commission may be added.
Recommendations:	<ol style="list-style-type: none"> 1. Close public hearing. 2. Recommend to City Council an approval of the request to grant a Conditional Use Permit for a lumberyard in a B-3 general business district.