



CITY OF MARSHALL AGENDA ITEM REPORT COUNCIL 8/27/24

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| Presenter: | Ilya Gutman |
| Meeting Date: | Tuesday, August 27, 2024 |
| Category: | NEW BUSINESS |
| 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.</p> <p>Please see attached Resolution/Finding of Facts for more detailed information.</p> <p>The Planning Commission conducted a public hearing on August 14, 2024, and unanimously recommended approval.</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 City Council may be added. |
| Recommendations: | Planning Commission and staff recommend approving the request to grant a Conditional Use Permit for a lumberyard in a B-3 general business district. |