

--UNAPPROVED --

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
MARCH 9, 2022**

MEMBERS PRESENT: Schroeder, Lee, Deutz, and Muchlinski

MEMBERS ABSENT: Fox

OTHERS PRESENT: Bob Byrnes, Ilya Gutman, and Jason Anderson

1. The meeting was called to order by Chairperson Lee. She asked for the approval of the minutes of the January 12, 2022, regular meeting of the Marshall Planning Commission. Schroeder MADE A MOTION, SECOND BY Muchlinski, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.

2. Gutman explained this is the request by the Owner for an Interim Use Permit for a shipping container placement in a B-3 General business district. Last spring the City has amended its Ordinance governing placement of shipping containers and semi-trailers on properties within the City. The revised Ordinance now allows placing a limited number of containers in a general business district by an interim use permit. The above-listed conditions include a reference (condition 4) to a particular Ordinance section that itemizes specific conditions for container placement. This section is attached to make sure that only its current version is applicable and compliance with future amendments, if any, to this section will not be required. Staff recommends approval to the City Council of the request by Shri Gayatri LLC for an Interim Use Permit to have a storage container on the Quality Inn premises at 1511 East College Drive with the following conditions: 1. That the regulations, standards, and requirements as set forth in the City Code and as pertains 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 Interim Use Permit in the event that 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 this permit expires when the property changes ownership. 4. That this container meets all conditions of Sec. 86-248(f) dated 04-27-2021 (as attached) by June 30, 2022, including a fence. Marcia Friskey, General Manger at the hotel, explained that they will contact someone to install a fence around the container. Muchlinski ask what the fence will be made of? Friskey said they do not know at this time but possibly the same as the fence they have around their dumpsters which is screened chain link. They use the container to store extra stuff for the hotel. Lee asked if the Planning Commission approved this container, would the hotel be able to add more containers later. Gutman said no that they could only have what is allowed per the ordinance, which is basically one large container. Jim Swenson, of Marshall asked if anyone could rent containers out by the month. He thinks \$600 to get an Interim Use Permit (IUP) is an added expense and he doesn't agree with it. Gutman informed that before the recent ordinance change, they were never permitted. Swenson stated that they were used. Anderson advised that containers in use were in violation of the ordinance. Schroeder asked how this came up. Anderson explained that there were several complaints which resulted in an ordinance change. Brenan Clark of 229 Rainbow Drive, the owner of the Mattress Barn, said he was in the same situation and 15 years ago he was allowed to have it and now he gets letters for each of his locations regarding the storage container and needing to remove it or get an IUP. Clark said he must have a lot of storage to have inventory and due to COVID it takes so long to get inventory. He feels that the ordinance should only apply to the locations where there is a mess or a complaint. Clark read a text from Brandan Skewes who was unable to attend the hearing. The text stated that they received a letter about the container at their location. It further state that they had the container placed on the property long ago after they talked to Ray at the city to receive permission. Muchlinski asked Clark what he wants changed. Clark said he would like everything left the way it is if it is cleaned up. He said he

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feels it is funny how the city drives around looking for things to enforce. He said he is looking to expand his building as much as he can when he can afford it. Muchlinski said with the one we are addressing tonight he likes the idea of the fence as it is a road adjacent to the college. Clark added he would be interested to know if the college ever complained. Muchlinski said probably not, but it would look better with a screened fence. Deutz said his only comment is that commercial areas shouldn't need the fence, but if it is residential, then maybe a fence is justified. Deutz MADE A MOTION, SECOND BY Schroeder to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Anderson said we do have notes regarding the statements. Any changes to City Ordinance would need to go to City Council. Currently, we need to address the matter that we are dealing with now. Muchlinski MADE A MOTION, SECOND BY Deutz to recommend to City Council as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION. Byrnes stated he will also take these comments back to council.

3. Gutman said this is a request of Menard, Inc. to have a mini storage in a B-3 General Business District at 1211 Clarice Avenue, which requires a Conditional Use Permit in a B-3 District. Conditions attached will minimize an impact on surrounding properties. Staff recommend approval to the City Council of the request of Menard, Inc. to have mini storage in a B-3 General Business District at 1211 Clarice Avenue with the following conditions: 1. All driveways, approaches, any other non-landscaped areas are paved. 2. The perimeter of the property is separated from surrounding areas either by storage units or a minimum 6-foot high fence. 3. The landscape ordinance provisions for live vegetation and trees are complied with, both at the time of construction for area allocated for mini-storage, and for future subdivided parcel as determined at that time. 4. The number of units is as follows: 558 enclosed units and 78 RV parking stalls. Nick Brenner, of Menards, 5101 Menards Drive, Eau Claire, WI, stated this is one of many locations that they are looking at putting self-storage on the extra land that is owned by Menards. Schroeder MADE A MOTION, SECOND BY Muchlinski to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Muchlinski said it makes perfect sense. Muchlinski MADE A MOTION, SECOND BY Deutz to recommend to City Council as recommend by staff.
4. Gutman explained that the proposed changes are minor and intended to provide it flexibility in approving conditions for variances and conditional use permits. For example, allows additional storage during major construction projects for owners and contractors. Staff recommends the recommendation to the City Council approving the revisions amending Section 86-162 Yard Modification and 86-248 Outside Storage. Schroeder MADE A MOTION, SECOND BY Muchlinski, to recommend approval as recommended by staff. ALL VOTED IN FAVOR OF THE MOTION.
5. Lee asked for updates on the comprehensive plan. Gutman went over some of the survey results. He said the next step is a meeting in a month or month and a half with the final results from the survey. Schroeder said in the last meeting we went through all the survey results and had a discussion on the findings. There was additional conversation about results of the survey.
6. A conversation was held regarding the container ordinance. Anderson answered commission questions and explained how the process works.
7. A MOTION WAS MADE BY Schroeder, SECOND BY Deutz to adjourn the meeting. ALL VOTED IN FAVOR. Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Chris DeVos, Recording Secretary