

Marshall Planning Commission
Report to City Council – Request for Conditional Use Permit
306 and 308 South 6th Street, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permits dated July 1, 2024, for a parking lot on property located at 306 and 308 South 6th Street,

WHEREAS, the applicant for the Conditional Use Permits was the property owner Turkey Valley Farms,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is currently zoned R-1 one family residence district but is requested to be rezoned to R-2 one to four family residence district as defined in Ordinance Sec. 86-98, and parking lots are a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86-49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This area is located next to a Turkey Valley Farms and other commercial entities, including parking lots.
- (2) The property has adequate access from South 6th Street.
- (3) No additional traffic will be generated if this CUP is granted as this parking lot will accommodate Turkey Valley Farms employees currently parking on the streets.
- (4) Landscaping is to be compliant with the ordinance and is included in conditions.
- (5) The standard R-2 outside storage provisions will be applicable (outside storage is mostly prohibited in an R-2 district).
- (6) The standard R-2 accessory buildings provisions will be applicable, but no accessory buildings are planned.
- (7) Not applicable.
- (8) The parking lot will be designed to fit on the available lots.
- (9) The parking lot will be designed to meet all ordinance requirements.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility will not be utilized for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The use should not be injurious to surrounding area and to the community because it will reduce street parking.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit with proposed conditions will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for a parking lot in an R-2 one to four family residence district be approved as recommended by staff with the following conditions:

- (1) The only parking access shall be from South 6th Street;
- (2) Ten-foot landscaped setbacks are required on all four sides;
- (3) A buffer planting screen or fence shall separate parking from adjacent residential lots
- (4) At least four trees shall be planted;
- (5) Parking shall be paved and not used for commercial vehicles
- (6) A drawing/layout of parking development shall be presented to the City for approval.,

The motion offered by PEIPER and seconded by DOOM, and declared carried on the following vote:

Ayes: 4

Nays: 2

Abstained:

Passed: 4: 2

Marshall Planning Commission



By: Cathy Lee

Its: Chair