



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, November 12, 2019
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	adopt Ordinance for map amendment (rezone) by Four Seasons LLC at 800 West College Drive
Background Information:	<p>This is a request by Four Seasons, LLC, Marshall, MN to rezone 800 West College Drive from I-2 General Industrial District to B-3 General Business District. The owner wants to lease the building to UCAP for a daycare use until the new Headstart daycare facility is built. The area where this building is located is currently zoned I-2 General Industrial District, where daycare is not a permitted use. The City's comprehensive plan shows a strip north of West College Drive between Legion Field Road and the BNSF railroad tracks to the west as commercial use. In light of the comprehensive plan apparent intent, it seems reasonable to rezone this property to B-3 General Business District, where daycare is a permitted use.</p> <p>An area to the east of this property is already zoned B-3 General Business District, so staff proposes to rezone a portion of 750 West College Drive property located between the existing B-3 General Business District area and the property in question to B-3 General Business District as well to provide continuity of zoning district and avoid spot zoning. The State Lottery office is occupying the building located in the area staff proposes to rezone, so the use will go from nonconforming to permitted.</p> <p>Rezoning procedures are described in Section 86-30 Amendments https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIVIGE_S86-30AM. Attached are an aerial photo, and rezoned area extent for your reference.</p> <p>At the October 9, 2019, Planning Commission meeting, a public hearing was held, and a motion was made by Schroeder, second by Fox to recommend approval to City Council to rezone the property as recommended by staff. All voted in favor.</p> <p>The Ordinance Amendment to rezone 800 West College Drive and 750 West College Drive from I-2 General Industrial District to B-3 General Business District was introduced at the October 22, 2019, City Council meeting.</p>
Fiscal Impact:	Costs are to be billed to applicant.
Alternative/Variations:	None recommended.
Recommendations:	that the Council adopt Ordinance Number XXX, Second Series to rezone 800 West College Drive and 750 West College Drive from I-2 General Industrial District to B-3 General Business District.