



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, May 25, 2021
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Request for Conditional Use Permit / school in R-1 One Family Residential District
Background Information:	<p>This request of the Church of the Holy Redeemer is for a Conditional Use Permit to operate a school at 501 South Whitney Street. The building is in an R-1 One Family Residence District and the Ordinance requires a Conditional Use Permit for schools there. This school has been located there for long time before the current Ordinance took effect. The school is grandfathered in but if an addition or significant remodeling will take place, a Conditional Use Permit will be required. Since they are applying for a Conditional Use Permit for a daycare, it made sense to run a Conditional Use Permit for a school concurrently.</p> <p>The conditional use permit regulations are found in Section 86-46 https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIIADEN_DIV2COUSPE_S86-46ISPU.</p> <p>At the Planning Commission meeting on May 12, 2021, after a public hearing, a motion was made by Schroeder, seconded by Lee, to recommend approval as recommended by city staff to City Council. ALL VOTED IN FAVOR.</p>
Fiscal Impact:	None known.
Alternative/ Variations:	None recommended.
Recommendations:	<p>Planning Commission recommends approving the request by Church of the Holy Redeemer for a Conditional Use Permit for a school in an R-1 One Family Residence District at 501 South Whitney Street with the following conditions applied:</p> <ol style="list-style-type: none"> 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 Conditional Use Permit in the event that any person has breached the conditions contained in this permit provided first, that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable amount of time in which to repair such default. <p>That the property is maintained to conform to the Housing Code, Zoning Code, Building Code, and not cause or create negative impacts to adjacent existing or future properties</p>