



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, November 26, 2019
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	INFO/ACTION
<b>Subject:</b>	Request for Conditional Use Permit / school in R-1 One Family Residential District located at 1300 East Lyon Street
<b>Background Information:</b>	<p>This is a request by Marshall Public Schools to construct an addition to the existing Parkside elementary school. The Ordinance requires a conditional use permit for schools in an R-1 one family residence district and the original building does not have a conditional use permit on file.</p> <p>The addition is small compared to the existing building and should not have any measurable impact on the neighborhood.</p> <p>The conditional use permit regulations are found in Section 86-46 <a href="https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIIADEN_DIV2COUSPE_S86-46ISPU">https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIIADEN_DIV2COUSPE_S86-46ISPU</a> and the Standards for Hearing are found in Section 86-49. <a href="https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIIADEN_DIV2COUSPE_S86-49STHE">https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIIADEN_DIV2COUSPE_S86-49STHE</a>.</p> <p>Aerial photo, site plans, floor plans and elevations are attached</p> <p>At the Planning Commission meeting on November 13, 2019, after a public hearing, a motion was made by Steen, seconded by Knieff, to recommend approval as recommended by city staff to City Council. ALL VOTED IN FAVOR.</p>
<b>Fiscal Impact:</b>	None known.
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	<p>Planning Commission recommends to approve the request by Marshall Public Schools for a Conditional Use Permit to construct a new elementary school in an R-1 One Family Residence District at 1300 East Lyon Street with the following conditions applied:</p> <ol style="list-style-type: none"><li>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.</li><li>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.</li><li>3. 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.</li></ol>