

**Barnesville Planning Commission
Regular Meeting
Monday, May 1, 2006**

The regular meeting of the Barnesville Planning Commission was called to order by Chair Jeremy Krause at 6:30 p.m.

Members present: Merlin Strom, Jeremy Krause, Marlene Schell, Gary Fraedrich, Steve Mortenson, Mike Osten, Pat Berndt, and Karen Lauer, Acting Zoning Administrator.

Member absent: Aaron Grommesh.

Also in attendance were Chris McKay, Tim Heldenbrand, Roland Holm, and Karen Carpenter from the Record-Review.

AGENDA

05-01-06-01 Motion by Strom and seconded by Osten to approve the agenda with the addition of hard piping sump pumps and car wash concerns. Unanimously carried.

MINUTES

05-01-06-02 Motion by Strom and seconded by Fraedrich to approve the minutes of the April 3, 2006 meeting with the addition of language in the Institutional Zoning/School Sign section to read "The Commission members discussed the various ordinances and agreed it may be appropriate to incorporate new language for signs to be used by churches, schools, libraries and clubs in residential districts". Unanimously carried.

CHRIS MCKAY CONDITIONAL USE PERMIT

Karen Lauer noted that the six month CUP issued to Chris McKay is due to expire on May 15. Karen contacted Chris this winter to assist in finding a permanent location for his business. Chris indicated it has been a struggle to find a location with reasonable rent. He is investigating the possibility of purchasing some land and constructing a building to meet his needs. The City attorney indicated the Planning Commission could extend the CUP for a minimal amount of time, one to two months. If the CUP would be required for a longer period of time, the attorney indicated it would be better to go through another CUP process. Chris mentioned that he has complied with the CUP regulations, and has had no neighbor complaints brought to him. The timeline for new construction would be 90 to 120 days. The Commission members discussed the procedure and timeline for the CUP and public hearing process. The consensus of the Commission members was to extend the CUP for 45 days to allow Chris to complete the necessary paperwork for the CUP and to look at a public hearing for June 5. The Planning Commission could then make a recommendation to the City Council for a possible six month extension of the CUP.

CAR WASH CONCERNS

Tim Heldenbrand presented to the Commission members concerns on the car wash and truck parking on the lot north of the car wash. He asked if there is control over the property and what goes on that property. He indicated there is a concrete pile on the property, an unlicensed van on the south side of the building, and the mobile wash truck and trailer has been sitting on the lot for months. Mr. Heldenbrand also indicated that the mobile wash truck was used in the lot to wash trucks last summer and this created a lot of dust and dirt. Karen Lauer indicated that the police have issued a citation for the removal of the concrete pile. The other issues will be investigated.

INSTITUTIONAL ZONING/SCHOOL SIGN

Karen Lauer reviewed the proposed language addition to the R-1 and R-2 Residential Signs section. Commission members discussed the various aspects of language. One concern discussed was the term “similar uses”, and the other concern was in regard to the lighting of the sign.

05-01-06-03 Motion by Fraedrich and seconded by Strom to call for a public hearing on June 5, 2006 at 6:30 p.m. regarding the sign language. Unanimously carried.

PUBLIC HEARING: WATER RECREATION AND WATER STORAGE FACILITIES STORM WATER MANAGEMENT

05-01-06-04 Motion by Berndt and seconded by Osten to opening the public hearing at 7:35 p.m. Unanimously carried.

Karen Lauer reported that the notice was published and no comments were received prior to the meeting. The Commission members reviewed the proposed language. No comments were received at the hearing.

05-01-06-05 Motion by Berndt and seconded by Mortenson to close the public hearing at 7:41 p.m. Unanimously carried.

05-01-06-06 Motion by Schell and seconded by Mortenson to recommend to the City Council to approve the amendment to Section 11.52 and to add Section 11.55. Unanimously carried.

Sec. 11.52 Water Recreation and Water Storage Facilities

(Add to current language)

Provided however that the foregoing terms and conditions should not apply to storm water retention or detention ponds, but that storm water retention or detention pond must comply with Storm Water Management ordinances.

Section 11.55

STORM WATER MANAGEMENT The purpose of this ordinance is to promote, preserve and enhance the natural resources within the City of Barnesville and protect them from adverse effects brought about by poorly sited development or incompatible activities by regulating land disturbing or development activities that would have an adverse and potentially irreversible impact on water quality.

Subd. 1. Scope and Effect

Effective at the date of adoption of this ordinance, every applicant for a single building project or a subdivision which disturbs five (5) acres or more; or disturbs one acre of total land area that is part of a larger plan of development of 5 acres or more must submit a storm water management plan to the City of Barnesville Zoning Officer and apply for a General Storm Water Permit through the Minnesota Pollution Control Agency.

No building permit, or subdivision approval to allow land disturbing activities shall be issued until approval of the storm water management plan or a waiver of the approval requirement has been obtained in strict conformance with the provisions of this ordinance.

Subd. 2. Criteria for Permanent Facilities

An applicant shall install or construct on or for the proposed land disturbing or development activity, all storm management facilities necessary to manage increased runoff so that the ten-year storm peak discharge rates existing before the development shall not be increased. An applicant may also make an in-kind or monetary contribution to the development and maintenance of community storm water management facilities designed to serve multiple land disturbing and development activities undertaken by one or more persons, including the applicant.

Whenever possible, a residential developer is encouraged to incorporate the storm management facilities into the parkland dedication as required by subdivision ordinance.

Subd. 3. Design Standards

Storm Water detention facilities constructed in the City of Barnesville shall be designed according to the most current technology using Best Management Practices as reflected in the MPCA publication "Protecting Water Quality in Urban Areas" dated March 2000 and any amendments thereto.

PUBLIC HEARING: DAYCARE FACILITIES SERVING OVER 12 PEOPLE AS CUP IN R-2

05-01-06-07 Motion by Osten and seconded by Schell to open the public hearing on the daycare facility at 7:44 p.m. Unanimously carried.

Karen Lauer reported that Barnesville Daycare wants to put up an addition. The daycare thought their facility was located in a commercial zone but they are in a R-2 zone. Currently the daycare is a non-conforming use and thus changes are not allowed. Karen Lauer indicated that the best way to handle it is to allow the use under a Conditional Use. If the Commission would recommend approval to the City Council, the Council could have the first reading on Monday. The Daycare can apply for the CUP and the public hearing on the CUP could be held in June.

05-01-06-08 Motion by Fraedrich and seconded by Osten to close the public hearing at 7:48 p.m. Unanimously carried.

05-01-06-09 Motion by Berndt and seconded by Schell to recommend to the City Council to add Daycare facilities serving over 12 people as a conditional use in R-2 Urban Residential District. Unanimously carried.

DISCUSSION ON RESIDENTIAL FENCES

Karen Lauer reported she received a call questioning the allowable height of fences in a front yard. She noted that the current ordinance does not specify the front yard height of fences. Possible language would be: Fences in required front yards shall not exceed twenty four inches (24") in height except that fences that are at least seventy five percent (75%) open may be forty eight inches (48") in height.

05-01-06-10 Motion by Strom and seconded by Berndt to call a public hearing on June 5 on residential fences. Unanimously carried.

TRAINING OPPORTUNITIES

Commission members reviewed upcoming training sessions.

MANUFACTURED HOUSING UPDATE

Roland Holm reviewed information from a manufactured housing workshop he attended. Anything prior to July 1, 1972 is pre-code and there is no way of knowing what the structure is like. Currently, after installation an inspector must review for structural integrity. He also learned that there have been some problems with leakage in brass fittings. If more than three leaks are discovered, the structure must be replumbed. Roland noted that the manufactured home dealers must be licensed and the installer must be licensed. Soon the sales people will also need to be licensed. For older manufactured homes being moved in, owners may need to go back to the dealer/manufacturer for the inspection certification.

OTHER ZONING CONCERNS – HARD PIPING SUMP PUMPS

Karen Lauer reported that investigation is being done on hard piping sump pumps. Dilworth has been doing two procedures.

1. New housing – the rear yard is graded to the property line and has a catch basin that is tied to the storm sewer.

2. An edge drain of corrugated pipe is laid under the curb and drains into the storm sewer. The homeowner trenches a sump pump drain to the corrugated pipe. This removes the sump pump hose from the yard.

Planning Commission members felt the sump pump issue needs to be addressed. They believe home owners are looking for a solution but don't necessarily know what to do. One idea was for the City to put together a fact sheet on burying the sump pump line. Karen Lauer indicated she would look into the cost of options and bring results to the June meeting.

The next Planning Commission meeting is June 5 at 6:30 p.m.

05-01-06-11 Motion by Fraedrich and seconded by Mortenson to adjourn at 8:50 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary