

**Barnesville Planning Commission Meeting
Monday, October 02, 2023
City Hall Council Chambers**

Meeting was called to order at 6:30 p.m. by Brent Berg

Present: Brent Berg, Ben Schumann, Michael Harbin, Nathan Stokka, Dan Swenson, Joshua Schroeder

Absent: Dawn Stuvland

Others Present: Mary Ann Scheffler, Jeremy Burnside, Tammy Grommesh, Nate Samarzja, Dwight Berg, Floyd and Diane Copple, Blair Hodge, City Zoning Administrator Jeremy Cossette, Planning staff member Karen Lauer,

Approval of Agenda:

10-02-2023-01 Motion by Harbin, second by Schumann to accept the agenda with changes. Changes were to #6 which should read “Variance to extend into the side yard setback” along with a new business item: **b. Rezoning Request by Mary Ann Scheffler to rezone her property to a C-2 zone.** Motion approved.

10-02-2023-02 Approval of Minutes: motion by Swenson, second by Stokka to accept minutes as presented.

Public Hearing

A public hearing was published to consider a request from the Jeremy and Chandler Burnside for a Conditional Use Permit (CUP) for outside storage on a commercial lot at the location of Barnesville Commercial Park, Blk 3, S159.97’ feet of Lot 7 with the address of 1701 4th Ave NE Unit 10.

10-02-2023-03 Open Public Hearing- Motion by Schroeder, second by Harbin to open the Public Hearing at 6:32 pm. Motion approved.

Cossette did an overview of the Jeremy and Chandler Burnside request on a Conditional Use Permit for outside storage on a commercial lot. Cossette indicated that the reason for a CUP for outside storage on a commercial lot was indicated within the PUD which specifically states that outdoor storage shall not be allowed in the PUD development except for the south 155 feet of Block 3, Lot 7 by a CUP only. Cossette went over the CUP application and informed the commission that it wasn’t fully filled out but after speaking with Jeremy Burnside that he just wanted a one-year extension. However, during the public hearing Burnside stated that his intention was for a 2-year extension on the CUP with the same conditions as the prior CUP from July. Burnside did speak at the public hearing about owning a business in Barnesville and not being able to keep this equipment at his residence, his business office on front street, so that was the reason he purchased the lot. Burnside did state that COVID impacted the prices of building a new building along with the increase in interest rates this year. Berg asked about the prior CUP and the building configuration at that time. Burnside stated that he would be building on the south side of the property but will have to look at the market if he will be building one on the north side of the property also. Nate Samarzja asked a question directly to Burnside and not the planning commission and was about his intent of building. Burnside said it is his intention to have a building built but due to the unforeseen circumstances of not being able to get construction materials to know the loan rates being so high, he will be doing something soon. After Samarzja spoke, Karen Lauer gave an overview of the EDA Board and their stance on this issue since they are property owners within 350 feet of this property. Lauer stated that the EDA would like to have discussion on the types and how many pieces of equipment will be placed on this property. Lauer stated that the EDA is not in favor of or opposed to the one-year extension and is not making a recommendation on a decision for the extension to the council. Schumann asked Burnside about a fencing option that was included in the

previous CUP. Burnside said a 12-foot fence is “ridiculous” and that he hasn’t seen or heard of any 12-foot fences anywhere. Berg had asked Cossette if there were any complaints on the property and Cossette indicated he received two (2) complaints previously on this property. The first was about a vehicle on a trailer and other was a trailer type camper on the property and that parking of these items would not be allowed under the current CUP. Cossette indicated that he spoke with Burnside about them, and they were removed in a reasonable amount of time. Lauer was asked the same question and Lauer stated that she had some complaints but due to Burnside having the CUP she had sent them over to City Staff, Cossette, to address. Lauer mentioned to the Commission that the EDA Board had recently made changes to their covenants for the commercial park for clarification of parking and storage along with allowing parking on front sides of buildings in the future. Lauer did state that parking would be anything that is less than 21 days and that there would be restrictions. However, parking wouldn’t have been allowed on a vacant lot without a building already being built. Lastly, Berg asked Lauer about this specific lot in question and why there was an exception in the PUD requirements. Lauer stated that this lot is in the commercial park but was included in the Shops and Storage PUD requirements since the only way to get to this lot is to go through the roadways in the Shops and Storage. Berg asked if there were any more comments from the public, which there were none.

10-02-2023-04 Close Public Hearing- Motion by Swenson, second by Stokka to close the Public Hearing at 6:54 pm. Motion approved.

Action: CUP for outside storage on a commercial lot- Jeremy and Chandler Burnside

After the public hearing was closed, Schumann asked Cossette what the staff recommendation was in which Cossette indicated that this would be a commission recommendation. Schumann again asked about the fence in which Cossette reminded the board of the current change in commercial fences and that if a commercial fence in the future was going to be done, that the Development Control Board would have to approve. Berg asked if there were any comments or concerns from any citizens prior to the public hearing, in which Cossette indicated he didn’t get anything. Lauer indicated she got one complaint about how many extensions on a CUP would Burnside get along with a safety issue as kids have been seen playing on the equipment within Burnside’s property.

After discussion Schroeder stated that his motion would be for a 1 year “extension” on the outside storage and that everything else, conditions from the prior CUP, should stay the same.

10-02-2023-05 Recommend to the City Council to approve the CUP application for outside storage on a commercial property at the location of Barnesville Commercial Park, Blk 3, S159.97’ feet of Lot 7 with the address of 1701 4th Ave NE Unit 10. Motion by Schroeder, second by Harbin for approval, Voting in Favor: Berg, Harbin, Stokka, Schroeder, Swenson, and Berg. Voting against: Schumann. Motion carried. The Conditions for the CUP that were approved for recommendation above are:

Conditions:

1. The project will be completed by December 31, 2024.
2. No building material except the building material used for the building of the shop/storage would be stored on the property. Erecting the south building first would be preferred. The south building would need to be erected no later than December 31, 2024, as specified in the building plans. Or a 12-foot fence would need to be erected by December 31, 2024. If there is no building or 12-foot fence by December 31, 2024, on January 1, 2025, all items stored outdoors need to be removed, and there will be no outdoor storage.

Before constructing the south building, only Jeremy Burnside’s construction trailers will be permitted to be stored on the premises. At all times before and after the buildings are built, the outdoor storage cannot be more than 12 feet high.

Once both the buildings are erected, there are no requirements for an east gate or a west fence between the buildings at the commercial property located

3. The building is subject to all other zoning ordinances and building code regulations.
3. The City of Barnesville reserves the right to add, delete, or amend these conditions if health, safety, or welfare considerations warrant. No action to add, alter, or amend conditions will occur except after mailed and published notice and a public hearing before the Planning Commission to consider such addition, deletion, or alteration of these conditions.
4. The applicant agrees to revocation of the conditional use permit upon verifiable evidence of a violation of any of the terms and conditions herein. Said revocation for other violations not listed in the CUP will not occur except after a mailed and published notice and a public hearing before the Planning Commission to establish a record of said violations and to give the petitioner a right to enter into the record any mitigating or contradicting evidence.

Public Hearing

A public hearing was published to consider a variance request by the Farmer's Cooperative Oil Company (Cenex) to install a new fuel station canopy that will extend 6.83 feet into the 15-foot side yard on the north side of the property located at the First Railway Addition, Blk 1 with an address of 619 Front St N.

10-02-2023-06 Open Public Hearing- Motion by Harbin, second by Schumann to open the Public Hearing at 7:15 pm. Motion approved.

Cossette did an overview of the application from the Farmer's Cooperative Oil Company (Cenex) and that the only thing that was to be spoken about tonight was a variance for a fuel canopy overhang that would extend into a side yard setback in which this fuel station was located on the northeast side of the property, west of Hwy 9 and south of Co Rd 2. Mary Ann Scheffler gave a letter to the commission, which will be attached to the meeting minutes, and read the letter out loud. Scheffler's position is not to be in favor of the Variance request for the canopy due to the pending possible sale of her property. Tammy Grommesh that spoke to the Commission and indicated that if Cenex didn't purchase the Scheffler property that they would have to rework their plan to include tearing down the old store and building at that location. Then this variance wouldn't be necessary, but this variance was to be done so that if they do purchase the Scheffler property, that they would be able to fast track a building permit to get going on the project. Dwight Berg then asked if he could see the location of where this location for the canopy is at. Grommesh then showed D. Berg the location. D. Berg then indicated that he had no questions. Grommesh then spoke to the commission. First, Grommesh stated that she didn't realize that this building project along with a variance request would cause so much commotion and that they have been working on this project for over 3 years. Grommesh stated that plan "a" was to purchase the Scheffler property but if that falls through, then they would go to plan "b" which would include building in their current location and that at that point the variance wouldn't be necessary or needed. However, to facilitate the process to get this project going, it is the reason for the variance so that they would apply sooner than later for a building permit.

10-02-2023-07 Close Public Hearing- Motion by Schroeder, second by Stokka to close the Public Hearing at 7:34 pm. Motion approved.

Action: Variance to extend into a side yard setback for a fuel station canopy- Farmer's Cooperative Oil Company

Schumann stated that if this request conforms to the MNDOT standards that he would be ok with it. Berg said that we the city has approved variances prior to help facilitate the timelines for a building permit. Berg said this is a minor thing in terms the large economic benefits for Cenex to build a new building and fuel stations.

10-02-2023-08 Recommend to the City Council to approve the Variance request by the Farmer's Cooperative Oil Company to extend the canopy of the fuel station to extend into the 15-foot side yard setback by 6.83 feet. Motion by Schumann, second by Harbin for approval, Motion approved

NEW BUSINESS

- a. **VFW Sign CUP-** The Barnesville VFW contacted Lauer about the LED sign that was approved by the City Council in September 2023. They wanted to clarify if they would be able to post messages on behalf of for-profit businesses. Scheffler was asked if this would allow VFW to have some income on this sign, and she indicated that it would. Harbin had asked about offensive types of advertising, and it was found that any advertising that deals with anything offensive would not be acceptable. Harbin stated that he didn't have any issues with this request. No other discussion was held and unanimously the commission approved that they be allowed to advertise on the sign that deals with for profit organizations.

- b. **Rezoning Request-** Mary Ann Scheffler submitted a formal request on September 29, 2023 to have her property rezoned from R-2 Urban Residential to C-2 Highway Business to facilitate the possible sale of her property to Famer's Cooperative Oil Company (Cenex) Cossette went over all information to include that the City Council will hold a special meeting on October 16, 2023 at 7am to hold a Public Hearing on the request to amend the Zoning Map by rezoning this property. It was noted that this would only be needed if Scheffler sold the property to Cenex for the development of their new building. This request was put forward so that a building permit may be issued if the parties could come into agreement on the sale of the property. If the sale wouldn't happen, then Scheffler would rescind her request. Berg had stated that he believed that this lot within the same block that Cenex owns the rest of it made sense into include that it is a good fit for the C-2 candidate. The commission made the recommendation to the City Council to approve the rezoning request.

10-02-2023-09 Rezoning Request- Motion by Swenson, second by Schroeder to recommend to the City Council to approve the rezoning request. Motion approved.

- c. **Building Permits:** Permits were reviewed, and no issues noted

- d. **Other Zoning Concerns:** None

Next meeting is scheduled for Monday, December 4, 2023 at 6:30 pm.

10-02-23-10 Motion by Harbin, second by Swenson to adjourn the meeting at 8:04 pm.

Minutes prepared by Jeremy Cossette, 10/03/2023