

**BELLE PLAINE PLANNING & ZONING COMMISSION  
REGULAR MEETING  
MARCH 10, 2025**

**PLEDGE OF ALLEGIANCE**

Chair Romness led those present in the Pledge of Allegiance.

**1. CALL TO ORDER. 1.1. Roll Call.**

The Planning and Zoning Commission met in Regular Session on Monday, March 10, 2025 at City Hall 218 North Meridian Street, Belle Plaine, MN. Chair Romness called the meeting to order at 6:00 PM with Commissioners Crosby, Schmitz, Crapser and Petersen present. Commissioner Duklet was not in attendance.

Also present was Council Liaison Otto and Assistant Community Development Director Gerold.

**2. APPROVAL OF AGENDA.**

MOTION by Commissioner Petersen, second by Commissioner Schmitz, to approve the Agenda as presented. ALL VOTED AYE. MOTION CARRIED.

**3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of February 10, 2025.**

MOTION by Commissioner Schmitz, second by Commissioner Crapser, to approve the Regular Session Minutes of February 10, 2025. ALL VOTED AYE. MOTION CARRIED.

**4. RECOGNITION OF INVOLVED CITIZENS.**

*Persons may make statements to the Planning Commission pertaining to items **not** on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.*

No one stepped forward.

**5. PUBLIC HEARINGS.**

**5.1. Ordinance 25-03 Zoning Code Amendment Cannabis Cultivation Downtown.** The Planning Commission will hold a public hearing on Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District.

Assistant Community Development Director Gerold reviewed Ordinance 25-03 with a brief slideshow. Gerold reviewed the CUP conditions and noted a public hearing notice was published and posted with no comments received.

Commissioner Romness noted this is different than a variance. Assistant Community Development Director Gerold explained a variance is a performance where a CUP has to be allowed but the City can set conditions. Romness inquired the length of a CUP. Gerold explained once approved it's approved for the life of the use.

Commissioner Romness opened the public hearing at 6:06 PM and asked for public comment.

Jim Erickson, 115 S. Willow expressed concerns on a business a half block from his house who are advertising sales. Commissioner Romness explained at this point no licenses have been issued from the State. Assistant Community Development Director Gerold confirmed and noted the purpose of this hearing is for cultivation in the B-3 with conditional use permits. Erickson expressed concern regarding if growing would be allowed in backyards, green houses and the amount of cultivation businesses allowed.

Ryan Ladd, 221 S. Elk Street requested discussion on stipulations and how outdoor green houses are not allowed for growth. Assistant Community Development Director Gerold explained outdoor growth would not be allowed and strict standards are included. Ladd noted additional rules on storefronts and requested the square footage be highlighted. Gerold noted he believed the square footage was 5,000 square feet.

Jim Erickson stepped back up and inquired on the amount of grow rooms and if any are licensed. Commissioner Romness explained the City is only allowing one selling license at this time. Council Liaison Otto inquired what sort of issues do you see with more than one cultivation. Erickson explained if 12 grow rooms are allowed and only one selling point it could allow sales out the side door.

Commissioner Romness requested the amount allowed be permitted be put on the City website.

MOTION by Commissioner Petersen, second by Commissioner Schmitz, to close the public hearing at 6:17 PM. ALL VOTED AYE. MOTION CARRIED.

Council Liaison Otto noted do we put limits on breweries or bars. Commissioner Romness noted he thought the code mirrored alcohol licensing. Administrative Assistant Eyrich explained the limits on bar licensing is set by the State.

Commissioner Petersen noted State standards were reviewed previously. Commissioner Schmitz concurred noting tinting of window was also discussed.

**5.1.1 Resolution PZ 25-02 Recommending Approval of Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District.**

Commissioner Schmitz requested information be provided on the website in detail regarding the concerns brought up during the public hearing.

MOTION by Commissioner Schmitz, second by Commissioner Petersen, to approve Resolution PZ 25-02 Recommending Approval of Ordinance 25-03 An Ordinance Amending City Code Chapter 11, Zoning to Provide for Cannabis Cultivation as Part of a Microbusiness Operation in the B-3 Central Business District. ALL VOTED AYE. MOTION CARRIED.

**5.2. Variance Required Side and Rear Yard Setbacks.** The Planning Commission is to hold a public hearing on a variance to Section 1105.14, Subd. 6(3)(b) and (c) to allow side and rear yard setbacks of eight feet in the Public/Institutional District. Side and rear yard setbacks of 20 and 25 feet respectively are required.

Assistant Community Development Director Gerold reviewed the Variance for required side and rear yard setbacks with a slideshow. Gerold explained the 8-foot rear and side is requested but is not intended to be used on the side but wanted the flexibility. Gerold noted the Police Department was concerned about parking as the facility currently has parking issues which forces parking during events on Commerce. Gerold explained the applicant indicates they can maintain the current parking spaces and will add an additional 7 accessible stalls. Gerold noted Jeff Heine is in the audience for questions and stated no comments were received.

Commissioner Petersen inquired if the garage doors are on both sides and inquired if there is enough turn around room. Jeff Heine a representative for the school district stepped forward and noted the intent is to set the building at the 20-foot setback on the west side yard. Heine explained the facility will store high jump mats and gear along with being used for a football half time meeting area during that season. Heine explained 3 egress doors along the side of the building. Heine explained a donation is

paying for the facility and noted state code requires a 10-foot setback even with the drainage. Heine explained the district has no intention of parking vehicles in this facility.

Commissioner Schmitz inquired if there will be an area coordinated off for students. Heine explained plans for a coat rack and noted the intention was to have changing rooms and restrooms however that became cost prohibited.

Commissioner Romness inquired where is the equipment stored now. Heine explained equipment is stored all over the district noting the other shed gets mice which destroys the equipment.

Commissioner Crosby noted his concern with the 8-foot setback inquiring why the need for an 8-foot setback on the side. Assistant Community Development Director Gerold explained the district administration requested the set back on both sides just in case an unknown issue requires a last minute change noting the district's plan to keep the 20-foot side yard setback. Gerold noted the request is a time saving so as not to have to go back through the variance process again if it is needed. Crosby inquired on the door placement and water runoff. Heine explained they will have a gable end roof. Gerold explained the building will have to meet building code.

Commissioner Romness opened the public hearing at 6:34 PM and asked for public comment.

No one stepped forward.

MOTION by Commissioner Schmitz, second by Commissioner Crapser, to close the public hearing at 6:34 PM. ALL VOTED AYE. MOTION CARRIED.

Commissioner Petersen inquired on the side setback going to 8 feet. Assistant Community Development Director Gerold noted the intent is to meet the 20 feet but don't want to delay construction if the building needs to be moved. Gerold noted the neighboring property has a 50-60 foot drainage and utility easement abutting this property. Commissioner Crosby explained the district owns both lots and inquired how they could change drainage. Gerold explained it would need to be replatted and stated he was unsure of the process for changing an outlot.

The Commission held discussion on if they could increase the setback.

**5.2.1. Resolution PZ 25-03(A) Recommending the City Council Conditionally Approve a Variance to Allow Side and Rear Yard Setbacks of Eight Feet at Lot 1, Block 1 Belle Plaine High School.**

MOTION by Commissioner Schmitz, second by Commissioner Crapser, to approve Resolution PZ 25-03(A) Recommending the City Council Conditionally Approve a Variance to Allow Side and Rear Yard Setbacks of Eight Feet at Lot 1, Block 1 Belle Plaine High School. Commissioners Schmitz, Crapser and Romness VOTED AYE. Commissioners Petersen and Crosby VOTED NAY. MOTION CARRIED 3-2.

**6. BUSINESS.**

**6.1. Ordinance Repealing and Replacing Section 1107.08 (Outside Storage).**

Assistant Community Development Director Gerold explained the next few agenda items do not require any action but will be coming forward at the next meeting. Gerold reviewed the proposed changes for Section 1107.08 with a slideshow.

Commissioner Romness inquired the reasoning behind loosening the restrictions. Gerold explained it was discussed during work session. Council Liaison Otto explained it is for property rights noting a lot of people have discussed it and stating in current code a 9,000 lb truck is the max and shouldn't be there.

**6.2. Ordinance Amending Section 1107.12, Subd. 4,6 (Off-Street Parking Residential Parking Area).**

Assistant Community Development Director Gerold reviewed Amending Section 1107.12, Subd. 4,6 with a slideshow.

**6.3. Ordinance Amending Section 400.05 Public Nuisances Affecting Welfare and Visual Environment (Outside Storage).**

Assistant Community Development Director Gerold reviewed Amending Section 400.05 Public Nuisances Affecting Welfare and Visual Environment with a slideshow.

Ryan Ladd noted the license tabs were 90 days. Council Liaison Otto noted it was removed.

Commissioner Romness inquired if this means a lawnmower can be stored outside alongside the house.

Commissioner Crosby inquired on how enforcement is done. Assistant Community Development Director Gerold explained enforcement is reactive noting a written complaint must be received before it is addressed.

**6.4. Future Discussion – Accessory Structures.**

Assistant Community Development Director Gerold reviewed future discussion on accessory structures with a slideshow. Gerold noted shipping/storage containers currently are allowed for 180 days but it will be discussed further at an upcoming council meeting.

**7. ADMINISTRATIVE REPORTS.**

**7.1. Commissioner Comments.**

No comments were made.

**7.2. Director's Report.**

Assistant Community Development Director Gerold noted the Director's Report is in the packet. Gerold explained additional information was received today from the League of Minnesota Cities News Release regarding current zoning bills being reviewed that would preempt City Code if passed.

Minnesota House and Senate Zoning Reform Bills as reported are:

- Minnesota Starter Home Act.
- More homes, Right Places Act.
- Transforming Main Street Act.
- Preemption of Municipal design standards.
- Prohibition on minimum parking requirements for development.

**7.3. Upcoming Tentative Meetings.**

1. Regular Meeting, 6:00 p.m., Monday, April 14, 2025.

The Commission was reminded of the upcoming tentative meeting as listed.

**8. ADJOURNMENT.**

MOTION by Commissioner Petersen, second by Commissioner Schmitz, to adjourn the meeting at 7:00 PM. ALL VOTED A YE. MOTION CARRIED.

Respectfully Submitted,

Belle Plaine Planning and Zoning Commission  
Regular Session  
March 10, 2025  
APPROVED

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Renee Eyrich  
Recording Secretary