



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031  
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**To:** Planning Commission  
**From:** Peter Bode, Planner & Zoning Official  
**Subject:** Agenda – Regular Meeting  
Tuesday, October 1, 2024 at 5:30 p.m.  
City Council Chambers, City Hall, 100 Downtown Plaza

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- 1) Approval of Agenda
- 2) Approval of Minutes – June 4, 2024

New Business

- 3) Public Hearing – CUP – 211 Budd St

Old Business

None

- 4) Adjournment

## MINUTES OF THE FAIRMONT PLANNING COMMISSION

### Regular Meeting

June 4, 2024 at 5:30 p.m.

City Council Chambers, City Hall, 100 Downtown Plaza

**Members present:** Tyler Benschoter, Angie Grafstrom, Tom Mesich, Doug Pederson, Rin Porter, Council Liaison Britney Kawecki

**Members absent:** *None*

**Staff present:** Planner & Zoning Official Peter Bode

Chair Mesich called the meeting to order at 5:30 p.m.

**Approval of Agenda:** Motion by Porter and second by Benschoter to approve the agenda as presented. Motion carried.

**Approval of Minutes:** Motion by Benschoter and second by Pederson to approve the May 21, 2024 meeting minutes as presented with the correction that the year of the minutes should state 2024. Motion carried.

**Public Hearing – HOP Request – 175 W Interlaken Rd:** Chair Mesich opened the public hearing. Bode presented a Home Occupation Permit request by Ben Hoppe at 175 West Interlaken Road to operate firearms dealing and transfers business out of his home. Bode stated that staff's findings support approval of the HOP with conditions.

Ben Hoppe, applicant, spoke in favor of the request.

There were no further public comments.

Motion by Porter and second by Pederson to close the public hearing. Motion carried.

Members discussed the proposal.

Motion by Benschoter and second by Porter to approve Planning Commission Resolution 2024-3 approving the request with the staff-prepared conditions and two additional conditions:

1. That the applicant obtain and maintain all required federal and state licenses that apply to the occupation.
2. That if the applicant sells or no longer owns the home, the Home Occupation Permit shall become void.

On roll call: Benschoter: yes, Grafstrom: yes, Mesich: yes, Pederson: yes, Porter: yes. Motion carried.

**Old Business:** *None*

**Adjournment:** There were no additional agenda items. Chair Mesich adjourned the meeting at 5:55 p.m.

*Respectfully submitted,  
Peter Bode*



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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Peter Bode, Planner & Zoning Official  
**DATE:** October 1, 2024  
**RE:** 211 Budd St – CUP for a Childcare Center

### Background

St. Paul Lutheran Church has applied for a conditional use permit to operate a childcare center at 211 Budd Street in Fairmont. The property is zoned for R-1 Single Family Residential and childcare centers are conditional uses in the district. The lot is surrounded by single family homes and currently supports a church and elementary school. The applicant's proposal is to extend the hours of students staying on the site and receiving care from 7:00am to 5:30pm, past the hours of the school day. No changes to the building or property are proposed, nor would there be significant changes in traffic patterns.

Child care centers are licensed by the Minnesota Department of Human Services (DHS). DHS has notified the City of the proposed childcare center license and the City's role is to confirm for DHS that the use is legal at the property at which it is proposed to be located.

### Conditional Use Standards

Under the R-1 Single Family Residential district, childcare centers are a conditional use.

The following specific standards of City Code Section 26-152(d)(7) apply to the use:

1. *Only the rear yard is used as a play area. The play area is to be fenced.*

**The proposal complies with this requirement. The property is split into three segments including the main church and school buildings in the northeast, parking lots in the southeast and northwest, and a dedicated play area in the northwest. The play area already exists in the northwest of the lot and is fenced along the its boundary with the public way.**

2. *The site is a minimum of 10,000 square feet.*

**The proposal complies with this requirement. The play area itself is approximately 26,500 square feet in size.**

3. *Adequate off-street parking exists.*

**The proposal complies with this requirement. Approximately 42,000 square feet of off-street parking area is provided to meet the need for both the church and school.**



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The following standard conditions apply:

4. *That the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area so as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.*

**The proposal complies with this requirement. The architectural appearance and functional plan of the site is not proposed to change.**

5. *That the entire site other than that taken up by a building, structure, or plantings shall be surfaced with a material to control dust and drainage. This surfacing is subject to approval by appropriate city staff.*

**The proposal complies with this requirement. All surfaces on the lot are properly provided.**

6. *That the lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from a public right-of-way.*

**The proposal complies with this requirement. No additional lighting is proposed and the extended hours do not extend into the night.**

7. *That vehicular access points shall create a minimum of conflict with through traffic movement and shall comply with the requirements of this chapter.*

**The proposal complies with this requirement. No change to traffic patterns are proposed and the site adequately routes traffic adequately.**

8. *That open storage and refuse from the use shall be adequately continued and controlled on-site.*

**The proposal complies with this requirement. No additional open storage or refuse is proposed.**

Staff recommend approval of the conditional use permit.

Staff have prepared a resolution for the Commission's consideration. The Commission may approve or deny the resolution by motion, or amend it.

*Respectfully submitted,  
Peter Bode, Planner & Zoning Official*

**Attachments:** Planning Commission Resolution 2024-4  
Application for CUP



# PLANNING APPLICATION

**NOTE TO APPLICANT:** All fields below must be completed with fee paid. See list of submission requirements for each type of application at the back of this packet. All items required to be submitted must be received for your application to be reviewed.

Name of Applicant: St. Paul Lutheran Phone No: [REDACTED]

Email Address: [REDACTED]

Mailing Address: **PUBLIC ADDRESS IS 211 BUDD ST**

Street Address of Proposal: 201 Oxford St, Fairmont Parcel ID: \_\_\_\_\_

Description of Application: Request extension-hours of operation

Check One	Type of Application	Fee	Submission Requirements
	Administrative Appeal	\$ 50.00	1. All fields on this form completed with signatures for every involved property owner (may use extra paper for more signatures). 2. Fee payment made to City of Fairmont. 3. All documents listed for your type of application at the back of this packet.
	Code Amendment	\$150.00	
	<b>Conditional Use Permit</b>	\$250.00	
	Home Occupation Permit	\$150.00	
	Major Subdivision (Preliminary Plat)	\$300.00	
	Minor Subdivision	\$ 90.00	
	Planned Unit Development	\$250.00	
	Rezoning	\$300.00	
	Variance Request (Residential)	\$150.00	
	Variance Request (Commercial)	\$250.00	

I HEREBY CERTIFY THAT THE INFORMATION AND EXHIBITS HERewith SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Owner's Name (Printed) St. Paul Lutheran School Owner's Signature: Blaise Lieder  
Principal & Authorized Agent

Applicant's Name (Printed) Elaine Lieder Applicant's Signature: Blaise Lieder

**CITY STAFF USE ONLY**

Check No: \_\_\_\_\_ Date Paid: \_\_\_\_\_

Date Received as Final and Complete: \_\_\_\_\_

60-Day Rule Deadline: \_\_\_\_\_

Date of Final Decision: \_\_\_\_\_

# St. Paul Lutheran School

Elaine Lieder, Interim Principal

August 29, 2024

City of Fairmont  
Planning and Zoning Commission  
100 Downtown Plaza  
Fairmont, MN 56031

Dear Mr. Bode and Members of the Commission:

On behalf of St. Paul Lutheran School I am requesting a Conditional Use Permit to expand the hours of operation for the school. In response to the need for convenient and affordable daycare in the community the school has applied to the Minnesota Department of Human Services for a license to provide extended care on school days for our school families.

We plan to open our doors to students at 7:00 a.m. and to close at 5:30. There would be no structural changes to our buildings or property, nor would there be any significant changes in traffic patterns as parents drop off and pick up their children. We would not be infringing on any other daycare in town as our hours and days would be limited to before and after school.

Enclosed you will find the legal descriptions of the properties involved as well as an aerial view and the required \$250.00 payment.

Thank you for your consideration. I look forward to your response.

Sincerely,



Elaine Lieder, Interim Principal  
St. Paul Lutheran School



**CITY OF FAIRMONT  
PLANNING COMMISSION  
RESOLUTION 2024-4**

**RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT FOR A CHILDCARE CENTER AT  
211 BUDD STREET**

**Whereas**, St. Paul Lutheran Church has applied for a conditional use permit to operate a childcare center at 211 Budd Street (PIN 23.199.0760), and;

**Whereas**, City staff recommend the request be approved with the conditions contained in their report, and;

**Whereas**, the Fairmont Planning Commission held a public hearing on the topic October 1, 2024.

**Now therefore**, be it resolved by the Fairmont Planning Commission that the Commission hereby adopts the findings of fact contained in the staff report regarding the request, which is attached hereto and incorporated herein by reference as Exhibit A.

**Be it further resolved** by the Fairmont Planning Commission that the Commission recommends to Fairmont City Council the approval of the requested conditional use permit to operate a childcare center at 211 Budd Street contingent upon the following:

1. Only the rear yard is used as a play area. The play area is to be fenced.
2. The site is a minimum of 10,000 square feet.
3. Adequate off-street parking exists.
4. That the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area so as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
5. That the entire site other than that taken up by a building, structure, or plantings shall be surfaced with a material to control dust and drainage. This surfacing is subject to approval by appropriate city staff.
6. That the lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from a public right-of-way.
7. That vehicular access points shall create a minimum of conflict with through traffic movement and shall comply with the requirements of this chapter.
8. That open storage and refuse from the use shall be adequately contained and controlled on-site.



Passed and adopted by the Planning Commission of the City of Fairmont on this 1<sup>st</sup> day of October, 2024.

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Planning Commission Chair

Attest:

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Planner