

CITY OF EAGLE LAKE
March 15, 2021
PLANNING COMMISSION MEETING

Call to Order

- Meeting was called to order at 6:01 p.m. by Chairman Talle.
Present: Chairman Talle, Commissioners McCarty, Rose, Miller, and Scheurer.
Absent: Commissioners Norton, Hughes, and Beckel.
Staff Present: City Administrator Bromeland and Administrative Clerk Mandy Auringer.

Approval of Agenda

- Commissioner Rose moved and seconded by Commissioner McCarty, to approve the agenda.
Motion carried.

Approval of Minutes

- Commissioner Miller moved and seconded by Commissioner Rose to approve the minutes.
Motion carried.

New Business

1. Public Hearing: Conditional Use Permit for R120912476005. Administrator Bromeland stated that a public hearing was scheduled for this evening's meeting to consider an application for a Conditional Use Permit (CUP) for parcel ID# R120912476005. Angela J. DeMartini, owner of Bella's House of Doodles, attended the February 22, 2021 Planning Commission meeting and shared that her business plan would encompass designer Doodles, puppy training classes, grooming services, doggie daycare with boarding facilities, a show room filled with dog related products, and an on-staff veterinarian or vet technician with sleeping quarters. The parcel for the proposed use is in a B-1 Community Business District. Attached is an excerpt from code with zoning regulations for a B-1 District. While the proposed use does not expressly match one of the permitted uses listed in a B-1 District, it does appear that the proposed use would fall under Section 6.170, Subdivision 3M.: "Other commercial uses determined by the City Council to be of the same general character as the permitted and conditional uses listed above and found not to be detrimental to existing uses and to the general public, health, safety, and welfare". According to code, every use, unless expressly exempted or allowed by a conditional use permit, shall be operated in its entirety within a completely enclosed structure, including the storage of all materials, products, and equipment. What follows are two suggested provisions to consider incorporating into the CUP: (1) Sleeping Quarters - space could be allowed for a person to spend a night or two but would exclude the premises from being used for this purpose for an extended period or as a residence; and (2) Fencing – while a fence would be allowed, the entire business must be enclosed, however, there could be a provision allowing for use of the outdoor fenced area for limited use to walk or train the dogs. There may be additional provisions that the Planning Commission and/or City Council wishes to incorporate into the CUP. Notice of the public hearing

was published in the City's legal newspaper and mailed to all properties within 350 feet of the above-described parcel. No written comments have been received, but City staff did speak with an affected property owner that has property within the 350 feet buffer that expressed concern with the possibility of there being a component of the proposed use involving sleeping quarters.

- Jim Johnson, a neighboring property owner, had a concern of where the fencing would be going. His other concern was if they put in a fake outdoor turf, would there be drainage? Chairman Talle stated that that would be in the building permit phase and would be considered an impervious surface.
- Al Schuch (via phone), a neighboring property owner, expressed concern with the chemicals being sprayed on his fields and harvesting dust and debris blowing toward the business.
- Rick DeMartini stated that they will be putting up a privacy fence and is looking at 5 feet off the property line in order to maintain the lawn on the outside side of the fence. He also stated they live out in the country and would not have complaints due to harvesting debris or chemical spraying of the Schuch's farmland.
- Chairman Talle closed the Public Hearing.
- Chairman Talle stated he would like their CUP stipulations to be the same as used for 321 Le Sueur Ave. Sound proofing walls, weekly pick-up of fecal waste from site, odor proof containers, limit of 10 dogs per accessory building, ongoing fence repair and maintenance, rodent proof food containers, ventilation system installed, and unplanned inspections. Mr. DeMartini stated that his wife will be licensed with the state and they will have guidelines to follow and will also conduct unscheduled inspections.
- Commissioner Rose asked about the outdoor exercise area and what the ground coverage will be. Mr. DeMartini stated it will likely be artificial turf with proper drainage.
- There was some discussion on the sleeping quarters and how long someone would need to be there. Mr. DeMartini stated 2 days was likely the most consecutive days someone would need to be there unless problems arose. He also stated they will have surveillance cameras so they can monitor the dogs from home and could have people coming and going during the night. Commissioners McCarty and Miller stated they thought we should set a limit of 7 consecutive days that someone can stay in the building.
- Commissioner Miller moved to recommend to the Council to allow the Conditional Use Permit with the following provisions: sound proofing of walls, weekly pickup of fecal waste from site, odor proof containers for fecal waste storage, ongoing fence repair and maintenance, rodent proof food containers, ventilation system installed, surprise inspections, the sleeping quarters are not allowed to be used as a residence or for a period of time in excess of 7 consecutive days, and that the entire business must be enclosed with the exception of limited use to walk or train the dogs. Seconded by Commissioner Rose. A roll call was taken with Chairman Talle, Commissioners Rose, McCarty, Scheurer, and Miller voting in favor. Motion carried.

2. Possible Amendment to Chapter 31, Section 31.040 Subdivision 6. Administrator Bromeland explained that discussion took place recently regarding a possible amendment to Chapter 31,

Section 31.040, Subdivision 6, Building Standards: “No mobile home built prior to July 1, 1972 shall be moved into Eagle Lake. Any mobile home built after July 1, 1972 shall comply with the Minnesota Manufactured Home Building Code. Any alterations to mobile homes shall be in compliance with this code”. For purposes of providing background, a manufactured home was recently approved by the City Council to be moved into Eagle Lake that was built prior to 1972 and which conflicted with the date included in an agreement with Regency. City staff was directed to research modifying code.

What follows are two possible proposals for amending this subdivision:

(1) **Subd. 6. Building Standards.** No *manufactured* home built prior to *June 14, 1976* shall be moved into the City of Eagle Lake. Any *manufactured* home built after *June 14, 1976* shall comply with the Minnesota Manufactured Home Building Code. Any alterations to *manufactured* homes shall be in compliance with the code.

OR

(2) **Subd. 6. Building Standards.** All manufactured homes that shall be moved into the City of Eagle Lake must comply with the Minnesota Manufactured Home Building Code. No manufactured home that is twenty years or more shall be brought into the city without obtaining permission from the city after an inspection ensuring that the manufactured home is in good condition and will not pose an issue in regards to safety or blight.

- Chairman Talle stated he liked option 2. Commissioner McCarty stated that it needs to be up to code before being moved for safety reasons. Commissioner Scheurer stated that if it were older than 20 years, but still in good condition, they could apply for a variance.
- Commissioner McCarty moved to recommend to the Council to set a Public Hearing to adopt option # 2, setting the age at 20 years or older. Seconded by Commissioner Rose. A roll call was taken with Chairman Talle, Commissioners Rose, McCarty, Scheurer, and Miller voting in favor. Motion carried.

Other

1. Building and Zoning Permit Activity. Permit activity was presented for the months of February and March.
2. Upcoming Planning Commission Presentation by MVCOG Staff. Administrator Bromeland shared that Minnesota Valley Council of Governments (MVCOG) recently hired a new program director and that she has extended an invitation to the new program director to attend an upcoming meeting and give a presentation on the role of a planning commission and other important planning commission responsibilities. This would be geared as an intro for newer members and as a refresher for those with more experience serving on the commission. The City has an agreement

with MVCOG to obtain assistance with day-to-day general planning and zoning questions as needed. The Planning Commission agreed this would be a good presentation to schedule.

3. Review of Allowable Roofing and Siding Materials in an R-1 District. City staff was recently contacted by a resident inquiring about the possibility of installing a shed with corrugated roofing and siding. City code was reviewed with the resident. Per code, corrugated metal finishes are a prohibited roofing and siding material. Since City staff receives several questions about what is allowable for roofing and siding materials in an R-1 District each year, it might be worthwhile for the Planning Commission to review current wording and discuss if any modifications to wording should be considered to eliminate confusion with what is and what is not allowed for building materials.
 - Chairman Talle stated that this code was enacted to prohibit non-galvanized tin materials that rust quickly over time. He stated that a Public Hearing should be set to better define the code.

Adjournment

- Commissioner Rose moved to adjourn, seconded by Commissioner Miller. A roll call vote was taken with Chairman Talle and Commissioners Miller, Rose, McCarty, and Scheurer voting in favor. Meeting adjourned at 6:56 p.m.

Trent Talle, Chairman

Mandy Auringer, Administrative Clerk