

CITY OF EAGLE LAKE
September 19, 2022
PLANNING COMMISSION MEETING

Call to Order

- Meeting was called to order at 6:00 p.m. by Chairman Talle.
Present: Chairman Talle, Commissioners Rose, McCarty, Hughes, Norton, Miller, and Beckel.
Absent:
Staff Present: City Administrator Bromeland and Administrative Clerk Mandy Auringer.
Others Present: John Schulte, Julie Beyer, Bruce Beyer, Brian Sarff, Dennis Terrell, Jerry Terrell, Beth Rohrich, Eugene Bruender, Robert Winkler, Perry Madden, Troy Schrom, and Mike Humpal.

Approval of Agenda

- Commissioner Beckel moved, seconded by Commissioner Rose to approve the agenda. A roll call was taken with all in favor. Motion carried.

Approval of Minutes

- Commissioner Norton made a correction to the minutes from the August 19th meeting. She abstained from the vote on minute approval.
- Commissioner Beckel moved, seconded by Commissioner Rose to approve the Planning Commission meeting minutes from August 19, 2022, with the one correction. A roll call vote was taken with all in favor. Motion carried.

New Business

1. Public Hearing for Variance: 104 Creekside Dr.
 - Administrator Bromeland gave a background for the variance application received for 104 Creekside Dr. The applicant is seeking a variance to encroach two feet into the eight-foot side yard setback. When contemplating whether to grant a variance, the Planning Commission must apply the legal standard of practical difficulties to the facts presented by the applicant. “Practical Difficulties” is a three-factor test including reasonableness, uniqueness, and essential character. Notice of the public hearing was published in the newspaper and mailed to all property owners within 350 feet of the subject property. The original site plan of the property shows a future parking pad on the side of the house with a width of 10 feet. Administrator Bromeland did not receive any comments or concerns from any residents. The applicant sent a video and pictures showing the edge of the garage with the passenger side and drive side doors open reaching 12 feet from garage to the open driver door.
 - Commissioner Miller stated that it looked like with the driver side door closed the van came to 10 feet from the side of the garage.

- Mr. Beyer stated that he wants the pad to be 12 feet, so he is not stepping out of his van onto the grass.
- Chairman Talle opened the public hearing. There were no comments. Chairman Talle closed the public hearing.
- Commissioner McCarty stated that it does not meet the legal standard of practical difficulties, stepping onto the grass is not a hardship. Commissioner Rose disagreed stating he thought stepping out on the grass posed a danger.
- Chairman Talle asked if there was anything unique about the property causing it to be a hardship. Administrator Bromeland stated there was none to her knowledge. Commissioner Norton stated that there is a parking pad at the neighbors across the street. Administrator Bromeland stated that per City staff's review of the property file for that address, when the home was constructed, the drawing in the file shows a third parking stall that is located 8'6" from the side property line. It was noted that physical measurements would need to be taken to verify that the parking pad is 8'6" from the property line. Commissioner Hughes asked if the city has granted a variance for any other side yard parking pads. Administrator Bromeland stated that the Planning Commission did grant one a few years ago for the property at 202 Cranberry Court for a parking pad that partially encroached into the side yard setback. Planning Commission members discussed that the lot was odd shaped and not rectangular.
- Commissioner Norton stated that she thought it does not conflict with the overall aesthetics of the neighborhood, there is no public safety issue, it gets a work vehicle off the road, it makes sense for practicality purposes, it meets the reasonableness and essential character aspects.
- Commissioner Hughes stated she does not believe it meets practical difficulties. She asked if we should look at changing code as this issue will continue to come up. Commissioner McCarty agreed that it does not meet the test of a variance and maybe changing code to 6-foot side yard setback. Commissioner Miller stated that if we change code to 6 feet, you will have homeowners who will want to encroach in that as well. Chairman Talle stated that it does not meet city code for no parking in a side yard setback. These are two separate issues and could possibly need another variance. He also stated that he believes it meets the reasonableness and essential character, but uniqueness is a hard one to pass.
- Commissioner Rose moved, seconded by Commissioner Norton to recommend to the City Council to approve the variance. A roll call was taken with Chairman Talle, Commissioners Rose, Norton, Hughes, Miller, and Beckel voting in favor, Commissioner McCarty voted no. Motion carried.

2. Public Hearing for Re-Zoning: Fox Meadows Housing Development.

- When parcel R121018400013 was annexed into the city it was zoned A-1, Agricultural District, until placed in another district by action of the City Council after recommendation by the Planning Commission. Annexed land may be zoned other than A-1 if another use is applied for by the property owner. The developer submitted an application for the area with the 8-plexes to be re-zoned as R-3. The area with twin homes is to be re-zoned R-2. The area with single family homes is to be re-zoned R-1. The area labeled "PUD" will follow re-zoning and the preliminary and final plat process. Mr. Schrom and his team were provided zoning code regulations for of the zoning

districts to ensure that the proposed construction conforms with each zoning district's respective regulations for setbacks, lot coverage, etc.

- Administrator Bromeland stated that in the review process it was noted that the 8-plexes would need to be placed on their own lot to be zoned R-3. Mike Humpal with SCSC suggested that it should go to the City Council as an R-4 instead of an R-3. If the developer leaves it as an R-3 they will need to provide a new plat showing each 8-plex on its own lot.
- Chairman Talle asked if it is re-zoned to an R-4 does it affect any of the other zoning districts. Mr. Humpal stated it will only affect the 8-plexes.
- John Schulte, an engineer with Jones Haugh & Smith, stated that if each 8-plex was located on its own lot the development would not meet density. They would ask for it to be zoned R-4.
- Chairman Talle opened the public hearing.
- Resident Robert Winkler stated his concerns of density, water runoff going into his wetlands and possibly losing some of his farmland, an increase for our water and sewer system, increased traffic on Agency Street, and green areas. Mr. Schulte stated that there is a proposed area for a park but were waiting for direction from the City Council. Brian Sarff with Bolton and Menk stated that the water runoff will be routed to a detention pond where treatment and rate control happens. It will discharge at the same rate as today. Mr. Humpal agreed and stated that the water runoff will be the same as now because the detention basins will regulate how much drains. The developer has not purchased any easements and all the runoffs will be discharged on property owned by the developer. Administrator Bromeland stated that after reviewing utility capacity with the City's engineer that at this time the City has the capacity for the water and sewer. Commission Norton asked why the park land was up for debate. Administrator Bromeland explained that the Park Board has some say with where there may be a need for a park. If they deem that area does not need a new park, then the developer would dedicate funds in lieu of park land.
- Commissioner Hughes asked if the school had been contacted and whether they could handle the increase in students. Administrator Bromeland stated that she has been staying in communication with the school superintendent when there are possible housing developments being contemplated. At the present time, the school is working to increase enrollment as it has decreased since pre-COVID.
- Resident Perry Madden stated he believes that the 8-plexes are too much in the area and does not fit the neighborhood. He would prefer to see the first section along Agency be zoned R-1. Commissioner Norton asked about the site design and why the R-1 district sits closer to Blace Avenue. Mr. Schulte explained that they placed the higher density closer to Agency Street while putting the single-family district in a quieter more desirable location. Troy Schrom stated that it is a transition from the mobile home park and Autumn Wind Townhomes.
- Mr. Humpal asked what Agency Street was designed for. Mr. Sarff stated that it is capable for 5000 vehicle per day. Commissioner McCarty added that in 2018 the amount of vehicle was around 2600 per day and a road like Agency could handle up to 7500 vehicles per day.
- Chairman Talle closed the public hearing.

- Chairman Talle asked how many acres this development is and if it were all single-family homes how many could be placed on it. Mr. Schulte stated it is 37 acres. Commissioner McCarty stated you could build around 92-93 single family homes, which would only be slightly less than the 120 units the developer is proposing.
- Commissioner McCarty asked if there could be some sort of tree/shrub buffer between Agency Street and the 8-plexes. Mr. Schrom stated that they could look into some sort of screening/trees. Administrator Bromeland stated that that is something that could be added to the Developers Agreement.
- Commissioner McCarty stated that re-zoning the portion of the development with the 8-plexes to an R-4 makes sense and the transition seems appropriate. Mr. Humpal agreed and stated that the higher density should be along Agency Street with a transition to less density.
- Administrator Bromeland asked the height of the structures. Mr. Schulte confirmed that they would be well below the 35 feet at 17 and 23 feet.
- Commissioner McCarty moved, seconded by Commissioner Beckel to approve the re-zoning but with a change of the portion with 8-plexes from an R-3 to an R-4. A roll call was taken with all in favor. Motion carried.

3. Public Hearing for Preliminary Plat: Fox Meadows Housing Development.

- Administrator Bromeland gave a background to consider an application for preliminary plat from Troy Schrom for the Fox Meadows Housing Development. Notice was sent out to residents within a 300-foot radius but notice for this project was sent out to residents within a 350-foot radius since the area to be rezoned required notice sent to properties within 350 feet for consistency purposes. Items for review are lot plan, existing conditions, street plan, utility plan, grading plan, and storm sewer plan which were all reviewed by Bolton and Menk.
- Administrator Bromeland asked about water looping. Mr. Sarff stated that the looping will be completed with the project from Thomas/Agency to Maple Lane. Commissioner Miller stated that the water looping would be a benefit to the city. Chairman Talle agreed and added that it would be a benefit for a fire call as it would increase the water pressure with the hydrants.
- Mr. Schulte explained that the sanitary sewer hookup at Thomas Drive will go as deep as possible to the East and to the township road. Mr. Sarff commented that there will be additional hookups that run north. It will be split to two different sewer sheds. There will be water hookups at each street. The water looping will go all the way through the development. There will be hammerheads for the firetrucks to turn around. Thomas Drive will be the main road with 6-foot sidewalks, all other streets will have 5-foot sidewalks. All streets will be 36 feet from curb to curb. Thomas will have a 14-foot boulevard, all other streets will have a 6-foot boulevard.
- Chairman Talle opened the public hearing.
- Mr. Winkler voiced his concerns about children crossing Agency Street and how busy it is. Chairman Talle asked him if he would like a sidewalk on his property. Mr. Winkler stated that he would be fine with a sidewalk on his property if it could save one child's life. He also voiced concerns with the speeds of the vehicles.

- Chairman Talle closed the public hearing.
- Administrator Bromeland stated that a pedestrian connectivity study is being done on this section of town. The study will look at the best side for a path or trail and crossing locations.
- Mr. Schrom gave a description for the timeline of the project. Phase 1 is currently out to bid, when they receive the bids back, they will have a more definitive answer for the timeline. Phase 2 is on a 3 year start time but will depend on the economy. Everything for both phases will be platted at the same time.
- The Planning Commission reviewed the letter from Bolton and Menk on their engineering review for the Preliminary Plat. Chairman Talle asked if the letter from Bolton and Menk would be addressed at a later date with the City Council. Administrator Bromeland confirmed that it would be included with any materials that are presented to the City Council for preliminary plat approval.
- Commissioner McCarty moved, seconded by Commissioner Rose to approve the Preliminary Plat with the recommendations from Bolton and Menk. A roll call was taken with all in favor. Motion carried.

Other

1. **Building and Zoning Permit Activity.** Permit activity was presented for the months of August and September.
 2. **Supplemental EAW for Mankato Motorsports Park Project.** Administrator Bromeland gave an update on the Motorsports Park project. A supplemental EAW was presented to the City Council at their Special Council Meeting on Monday, September 12th. The City Council deemed the supplemental EAW complete. It has been sent to the EQB, with public comment period beginning September 20th and ending October 20th. A copy of the EAW is available for public viewing on the City's website at eaglelakemn.com.
- The next regular scheduled Planning Commission meeting is October 17, 2022, at 6:00 p.m. in City Hall Council Chambers, 705 Parkway Avenue.

Adjournment

- Commissioner Rose moved, seconded by Commissioner Miller to adjourn. A roll call vote was taken with all voting in favor. Meeting adjourned at 7:46 p.m.

Trent Talle, Chairman

Mandy Auringer, Administrative Clerk