

**CITY OF EAGLE LAKE  
PLANNING COMMISSION MEETING  
February 27, 2023**

**Call to Order**

- Meeting was called to order at 6:02 p.m. by Chairman Talle.

Present: Chairman Talle, Commissioners Hughes, Beckel, and Norton.

Absent: Commissioners McCarty and Paulson.

Staff Present: City Administrator Bromeland and Administrative Clerk Mandy Auringer.

Others Present: Kurt Matson, Dave and Jennifer Miller, Richard Garvey, and Troy Schrom.

**Approval of Agenda**

- Chairman Talle added Commissioner Terms to the agenda.
- Commissioner Norton moved, seconded by Commissioner Beckel to approve the agenda with the addition of Commissioner Terms. A roll call was taken with all in favor. Motion carried.

**Approval of Minutes**

- Commissioner Hughes moved, seconded by Commissioner Beckel to approve the Planning Commission meeting minutes from January 30, 2023. A roll call vote was taken with all in favor. Motion carried.

**New Business**

1. Application for Planned Unit Development: Lot 1, Blocks 2, 3, & 6 of Fox Meadows
  - Administrator Bromeland explained that a PUD is being sought to create a new Common Interest Community (CIC) within the Fox Meadow development. Per the applicant, the CIC will consist of two types of dwellings. The first type will be twin homes located in Blocks 3 and 6. Each half of a twin home will become a separate lot and will eventually be sold to a homeowner. The greenspace and driveways will be owned by a homeowner's association. The second type will be single family homes located in Block 2. Each of the single-family homes will become a separate lot and will eventually be sold to a homeowner. The greenspace and driveways will be owned by the same homeowner's association as the twin homes.
  - CIC plats are governed by Minnesota Statute Chapter 515B. At the local level, a CIC can be approved as a Planned Unit Development, allowing some flexibility from regular zoning standards as to size and location. To approve a proposed Planned Unit Development, the Council must find

that the proposed use meets one or more of the requirements listed in Section 6.195, Subdivision 2. Per staff's review, the proposed use appears to meet Subdivision 2(D) and (E).

- Per Section 6.195, Subdivision 7B, the Planning Commission shall not recommend approval of, nor shall the City Council approve, a Planned Unit Development unless each shall make a written findings of fact that the Planned Unit Development satisfies the intent of this ordinance and/or does not jeopardize the public health, safety, or welfare. Following a recommendation by the Planning Commission, the City Council may schedule a public hearing and provide notice to affected property owners.
- Per legal counsel, the City should have a copy of the covenants for informational purposes but in order for them to be enforceable against future landowners, they will need to be recorded and the association will be responsible for enforcement, not the City.
- Administrator Bromeland stated that this development offers an opportunity for different types of housing for Eagle Lake. She explained that Block 2 would be slab on grade single family homes in a Home Owners Association (HOA) that will offer a new type of housing for people who are looking to move out of their home and away from maintenance involving lawn mowing or snow removal. With an HOA the residents would not have to worry about plowing driveways and mowing lawns. Commissioner Norton stated that the available housing for seniors is lacking in Eagle Lake. Mr. Schrom stated that these homes will mainly be promoted to 65 years old and up, but realizes this type of housing is also appealing to those who don't spend a lot of time at home and like the minimum maintenance with the HOA.
- Commissioner Beckel asked who makes up the HOA. Mr. Schrom stated the homeowners will elect a board and a management company will take care of the daily maintenance. The management company that Mr. Schrom uses has many years of experience. Commissioner Norton asked where the HOA meeting take place. Mr. Schrom stated they usually take place in a spec home, office, or can also take place online or over the phone. They try and make it flexible for the homeowners.
- Commissioner Hughes asked Mr. Schrom if the patio homes and twin homes will all look the same. Mr. Schrom stated that they are going to be the same except with different colors and styles of siding, windows, doors, and roofs.
- Chairman Talle asked if the addressing was set in stone as he has concerns with duplicate numbering (i.e.. 100 Connie Lane and 100 E. Connie Lane) and the emergency personnel response times. Administrator Bromeland stated that the street names were included in the platting process but said that staff can investigate the addressing and adding north or south or east or west to the streets.
- Administrator Bromeland asked Mr. Schrom what his timeline is for starting the dwellings in the proposed PUD, pending approvals. Mr. Schrom stated he would like to get permitting started in early summer.
- Commissioner Beckel moved, seconded by Commissioner Norton that the Planned Unit Development satisfies the intent of this ordinance and/or does not jeopardize the public health, safety, or welfare and to recommend to the City Council to set a public hearing. A roll call vote was taken with all in favor. Motion carried.

2. Application for Rezoning: Parcel ID# R121018201019

- Administrator Bromeland stated that an application has been received from Kurt Matson (contract purchaser) and Scott Borgmeier and Rome Reichel Construction (owners) to rezone parcel R121018201019 from “L-1 Light Industrial” to “R-3 Limited Multiple Family Residential”. The applicant is seeking to develop the property into a townhome housing development consisting of a 2-unit townhome, two 5 unit townhomes, and two 4 unit townhomes on the parcel. The applicant’s request to rezone the parcel from L-1 to R-3 is not consistent with the City’s land use map as this parcel is shown as L-1. However, as the applicant indicates in the rezoning request, the parcel is directly adjacent (on the east, south, and west sides of the property) to R-3. If the subject parcel were to be rezoned, it would eliminate the single remaining lot available for L-1. To develop the property, the applicant will need to go through the platting process as the parcel has not yet been platted. The property should be zoned correctly for use when platted.
- Mr. Matson explained the space between the 2-unit and 5-unit townhomes is due to the elevation and the space between the 5-unit and 4-unit townhomes is for watermain looping that he is working on with Bolton and Menk. Administrator Bromeland stated that this would benefit as the city has been trying to get an easement for the watermain looping in this area.
- He also stated that he has hopes of placing a sidewalk that will connect his development to the main part of town for a safer walking route for the residents.
- Chairman Talle asked if he has looked at the flood plains in that area. Commissioner Hughes stated that she has seen the area with the 2-unit townhomes completely flooded. Mr. Matson stated that he is working with Bolton and Menk and if they discover that it doesn’t work when they do soil boring, that they will remove the 2 unit townhomes from the development.
- Commissioner Hughes moved, seconded by Commissioner Beckel to schedule a public hearing for rezoning. A roll call vote was taken with all in favor. Motion carried.

3. Application for Preliminary Plat: Parcel ID# R121018201019

- Administrator Bromeland stated that an application for preliminary plat has been received from Kurt Matson (contract purchaser) and Scott Borgmeier and Rome Reichel Construction (owners). The applicant is seeking to develop the property into a townhome housing development consisting of a 2-unit townhome, two 5-unit townhomes, and two 4-unit townhomes on the parcel.
- Administrator Bromeland explained that due to the timing of when the application was received at City Hall, City staff has not yet had an opportunity to schedule a meeting with the applicant and appropriate City reps (public works, engineer, etc.). Informal discussions with the City’s engineer with Bolton and Menk have occurred related to utilities available and the need for a utility easement. The applicant is aware of the City’s need for a utility easement related to watermain looping to improve redundancy in the system and challenges encountered obtaining an easement from the previous owner of the subject parcel.
- Commissioner Beckel moved, seconded by Commissioner Hughes to schedule a public hearing for the Preliminary Plat. A roll call vote was taken with all in favor. Motion carried.

4. Accept Notice of resignation from Andrew Miller and Declare Vacancy

- Commissioner Hughes moved, seconded by Commissioner Beckel to accept Commissioner Miller's resignation and to declare a vacancy. A roll call vote was taken with all in favor. Motion carried.

5. Application for rezoning: 114 S. Agency Street

- Administrator Bromeland stated that an application has been received from the property owners of 114 S. Agency Street -Jennifer and Dave Miller. The Millers are seeking to have their parcel rezoned from B-1 to R-2 so that they can convert the existing building from commercial to residential. The applicant's request to rezone the parcel from B-1 to R-2 is consistent with the City's land use map as it appears that this parcel is shown as low density residential.
- Mrs. Miller stated that they have been trying to rent out half the building since they purchased it in August of 2021. They were using the other half as their home office until they purchased a building in Janesville where they have since relocated their office. They have tried unsuccessfully to rent out the building and are looking at converting one side into a studio apartment and the other side into a 2-bedroom apartment. Both can be handicapped accessible.
- Commissioner Norton asked about parking. Mrs. Miller stated that there is only on street parking that fits 3 cars. Commission Norton and Commissioner Hughes stated concerns regarding the lack of off-street parking and snow emergencies. Mrs. Miller stated there can still be parking issues for a business with customers and employees. Commissioner Norton stated that a business is usually only open during the day, where residents would have no other location for parking during a snow emergency. Administrator Bromeland stated that the city has rental parking regulations requiring off street parking.
- Commissioner Norton stated concerns with losing a business location. Administrator Bromeland stated that most of the remaining area for B-1 development is out by Highway 14.
- Chairman Talle stated he was interested in learning more and was in favor of moving forward to schedule a public hearing.
- Commissioner Beckel moved, seconded by Commissioner Hughes to schedule a public hearing for rezoning. A roll call vote was taken with all in favor. Motion carried.

6. Discuss Possible Need Zoning Code Amendments

- Administrator Bromeland explained as we get closer to spring, it may be worthwhile for the Planning Commission to consider amending code now to address language that continues to pose issues instead of waiting until a comprehensive review of code can be completed. Two topics that surface frequently are accessory structures in side yards and allowable building materials on Parkway Avenue. In the section for Standard of General Applicability the code states "Accessory buildings are prohibited in any front or side yard", but in sections R-1 to R-4 code states "Accessory buildings shall not be allowed in the required front or side yards". City staff would like code to be amended to make the wording consistent throughout code by adding the word "required" and adding the definition for "required yard".

- Administrator Bromeland asked if “no corrugated metal” should be added to the minimum structural requirements in the Parkway Avenue District.
- Chairman Talle noted that the intent was to not allow aged tin that is shiny and eventually turns rusty. Chairman Talle note that the pictures in R1-R4 of code are of painted corrugated metal but the intent was to prohibit aged tin.
- Discussion took place and it was determined to not make any changes at this time to building materials language. City staff noted that it is a balancing act of not being too restrictive with what’s allowed for building materials but also ensuring that the community looks nice in determining what’s allowed.
- Commissioner Beckel moved, seconded by Commissioner Hughes to schedule a public hearing to add the definition for “required yard” and add the word “required” in Standard of General Applicability. A roll call vote was taken with all in favor. Motion carried.

### **Other**

#### 1. Building and Zoning Permits

- Permit activity was presented for the months of January and February.

#### 2. Land Use Training

- Administrator Bromeland stated that the Planning Commission member are able to do the training on their own time and the Planning Commission will discuss it at a future meeting.

#### 3. Commissioner Terms

- Chairman Talle stated that the Commissioners used to have terms and he would like those terms to be reinstated. When new members come on, they will be aware of what the length of a term and be able to fulfill their full term. A term is 3 years.
- Commissioner Norton stated that it seems to be a struggle to have a full Planning Commission and maybe it’s due to people not knowing too much about it. She also stated that it is being discussed by the City Council to compensate the Planning Commission members.
- Chairman Talle stated he would like to keep working on long term goals and looking for resources to help develop a long term goal plan.
- The next regular scheduled Planning Commission meeting is March 20, 2023, at 6:00 p.m. in City Hall Council Chambers, 705 Parkway Avenue.

### **Adjournment**

- Commissioner Beckel moved, seconded by Commissioner Hughes to adjourn. A roll call vote was taken with all voting in favor. Motion carried. Meeting adjourned at 7:21 p.m.

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**Chairman Talle**

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**Mandy Auringer, Administrative Clerk**

UNOFFICIAL MINUTES