



PLANNING COMMISSION MEETING AGENDA

Monday, February 27, 2023
Council Chambers, 705 Parkway Avenue
6:00 p.m.

CALL TO ORDER

APPROVAL OF THE AGENDA

APPROVAL OF MINUTES

NEW BUSINESS

1. Application for Planned Unit Development: Lot 1, Blocks 2, 3, & 6 of Fox Meadows
2. Application for Rezoning: Parcel ID# R121018201019
3. Application for Preliminary Plat: Parcel ID# R121018201019
4. Accept Notice of Resignation from Andrew Miller and Declare Vacancy
5. Application for Rezoning: 114 S. Agency Street
6. Discuss Possible Needed Zoning Code Amendments

OTHER

1. Monthly Building and Zoning Permit Activity
2. Land Use Training

ADJOURNMENT

If you have any comments, questions or information that has not yet been presented or discussed regarding an agenda item, please ask to be recognized by the Chairman during the agenda item. Please state your name and address for the record. All comments are appreciated.

CITY OF EAGLE LAKE
January 30, 2023
PLANNING COMMISSION MEETING

Call to Order

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

Approval of Agenda

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

Approval of Minutes

- Commissioner Beckel moved, seconded by Commissioner Miller to approve the Planning Commission meeting minutes from December 19, 2022. A roll call vote was taken with all in favor. Motion carried.

New Business

1. Welcome Newly Appointed Planning Commission Member Tom Paulson
2. Review a Planned Unit Development (PUD) Application for Fox Meadows Housing
 - Administrator Bromeland gave an overview of the PUD application received from Troy Schrom for Fox Meadows Housing Development. The developer is currently going through the Common Interest Community (CIC) process and will be submitted with the PUD application. The CIC is governed by MN Chapter 515B. In the PUD, Mr. Schrom will have two types of dwellings, twin homes and slab on grade single-family homes. Once a completed application is submitted the Planning Commission will review it and make a recommendation to the City Council. The Planning Commission will not need to schedule a Public Hearing. Once the recommendation is sent to the City Council, they will set a Public Hearing.
 - Commissioner Beckel asked if CIC translates into Homeowners Association. Administrator Bromeland stated that it will be a Homeowners Association and the City will not be responsible for enforcing covenants. Commissioner Beckel has concerns that the property owners will be bogged down with rules and regulations.

- Chairman Talle asked if the City has any say in the addressing of the properties and the street names. Administrator Bromeland confirmed that the city has say in the numbering, but the street names are typically decided by the developer with approval by the City during the platting process. Chairman Talle has concerns regarding the names of streets of Connie Lane, Thomas Drive, and Blace Avenue and the response times of first responders. The house numbering of Blace Avenue and Connie Lane go from east to west and Thomas Drive goes from west to east.
- Commissioner Hughes moved, seconded by Commissioner Beckel to postpone the recommendation to the City Council for further research and a complete PUD application is submitted. A roll call vote was taken with all in favor, motion carried.

3. Land Use Training Opportunity Through the League of Minnesota Cities

- Administrator Bromeland explained that the city has an opportunity to take a 60-minute course for basic land use. Discussion took place to either take the course all together or individually at your own pace and time. Commissioners Hughes and Miller both stated they would prefer to take the course at their own pace and time, however, Commissioner Hughes added that she would like to have the other Commission member's input. Administrator Bromeland stated she would send out the link to everyone and then at the next meeting the Planning Commission would discuss the first half of the training to get the input of others.

Other

1. Building and Zoning Permits

- Permit activity was presented for the months of December and January.
- Administrator Bromeland stated that there has been some interest in possible future development on the south side of town.

2. Motorsports Park Update

- Administrator Bromeland stated that the City received an appeal and is currently in litigation.

3. 100 Valley Lane Update

- Scott Wangen is currently working with Bolton and Menk on the subdivision requirements as outlined in Chapter 5.

4. Community Development Coordinator

- On February 14th the City will be interviewing four people for the position of Community Development Coordinator. Administrator Bromeland stated she would like one representative from both the Planning Commission and the EDA to sit on the interview panel. Commissioner Beckel said that he would be willing to sit on the panel.

5. Intern Update

- Administrator Bromeland stated that we are still waiting to find an intern but could possibly have one for summer but that by then we may already have a new staff person and no longer have the ability to bring on an intern.
- The next regular scheduled Planning Commission meeting is February 27, 2023, at 6:00 p.m. in City Hall Council Chambers, 705 Parkway Avenue.

Adjournment

- Commissioner Beckel moved, seconded by Commissioner Miller to adjourn. A roll call vote was taken with all voting in favor. Meeting adjourned at 6:31 p.m.

Chairman Talle

Mandy Auringer, Administrative Clerk



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

February 27, 2023

To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: Application for PUD – Fox Meadows


Attached as Exhibit A is a Planned Unit Development (PUD) application for Blocks 2, 3, 6 in Fox Meadows. The 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 shown as Units 18-33 in Exhibit B. 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 shown as Units 1-17 in Exhibit B. 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.

Also attached is an excerpt from Chapter 6 (Section 6.195) related to Planned Unit Developments. 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.

Troy Schrom with Fox Meadows will be at the meeting to answer any questions that you might have. The developer has submitted a copy of the declaration. 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 land owners, they will need to be recorded and the association will be responsible for enforcement, not the City.

Discussion should ensue. If it is determined that the application and preliminary plan meets the specifications of this ordinance, then a recommendation should be made to the City Council for its review.


Jennifer J. Bromeland
City Administrator

Jennifer Bromeland

From: Olson, Abbie <AOlson@fredlaw.com>
Sent: Monday, January 30, 2023 2:00 PM
To: Jennifer Bromeland; troymyschrom@gmail.com
Subject: PUD Application and Information Needed
Attachments: Declaration for Fox Meadows Townhomes_77047391(1)-c.DOCX; 21-1282CIC_77935188(1)-c.PDF

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Jennifer,

Here is the proposed CIC Plat to submit along with the PUD application and a statement to insert into the application.

The PUD is being sought in order to create a new common interest community (CIC) within the Fox Meadow development. A draft copy of the CIC Declaration is attached for review. The CIC will consist of two types of dwellings.

- The first type will be the twin homes located in Blocks 3 and 6 (highlighted in drawing attached to application) shown as Units 18 - 33. These will be built in accordance with the elevations/plans included in the application packet. 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 the single family homes located in Block 2 shown as Units 1 – 17. 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.

Let us know if you need any additional information. I hope you've had a nice vacation.

Thanks,
Abbie

Abbie S. Olson | Attorney | Fredrikson & Byron, P.A.
111 South 2nd Street, Suite 400 | Mankato, MN 56001
507.344.9006 (ph) | 507.344.9050 (fax)



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From: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Sent: Friday, January 20, 2023 2:28 PM
To: troymschrom@gmail.com; Olson, Abbie <AOlson@fredlaw.com>
Subject: PUD Application and Information Needed

CAUTION: EXTERNAL E-MAIL

Hi Troy and Abbie,



PLANNED UNIT DEVELOPMENT APPLICATION

PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax
www.eaglelakemn.com

Plat Name: Fox Meadows

Number of Units Proposed: 16 Zone: [] A-1 [x] R-1 [x] R-2 [] R-3 [] R-4 [] B-1 [] LI [] HI

Plat Address: NE 1/4 SW 1/4 and NW 1/4 SE 1/4 Section 18-T108N-R25W

Blue Earth County Parcel Number (s):

Applicant: (mandatory)

Name: Fox Meadows Townhomes Daytime Phone: 507-257-5110

Mailing Address: 704 Parkway Ave Fax Number:

City/State/Zip: Eagle Lake, MN 56024

Contact Person: Corey Cowdin (if different from applicant)

Details of Request. (attach additional sheets if necessary):

Include the items listed below:

- a. The location, dimensions, floor area, type of construction, and use of each proposed building or structure.
b. Floor plan showing specific uses within the building.
c. The number, the size and type of dwelling units in each building, and the overall dwelling unit density.
d. Architectural graphics, including typical floor plans and elevations, profiles, and cross-sections.
e. The location and dimensions of adjacent properties, abutting public right-of-ways and easements on the property.
f. Landscaping plans

The above signed property owners certify that the above information is true and correct to the best of our knowledge and under penalty of perjury each state that we are all of the legal owners of the property described above and designate the following party to act as our agent with respect to this application: Agent/Consultant/Attorney: (mandatory if primary contact is different from applicant).

Clear Form

Applicant's Signature: [Signature] Date: 1-9-23

Office Use Only:
Application Fee: \$200.00 pd.
Notice Fee: \$ (2.00 per notice of properties within 350 feet)
TOTAL: \$

FOX MEADOWS - PHASE 1

2023 STREET & UNDERGROUND UTILITIES IMPROVEMENTS

PART OF THE SE1/4 SECTION 18-T108N-R25W

EAGLE LAKE, BLUE EARTH COUNTY, MN

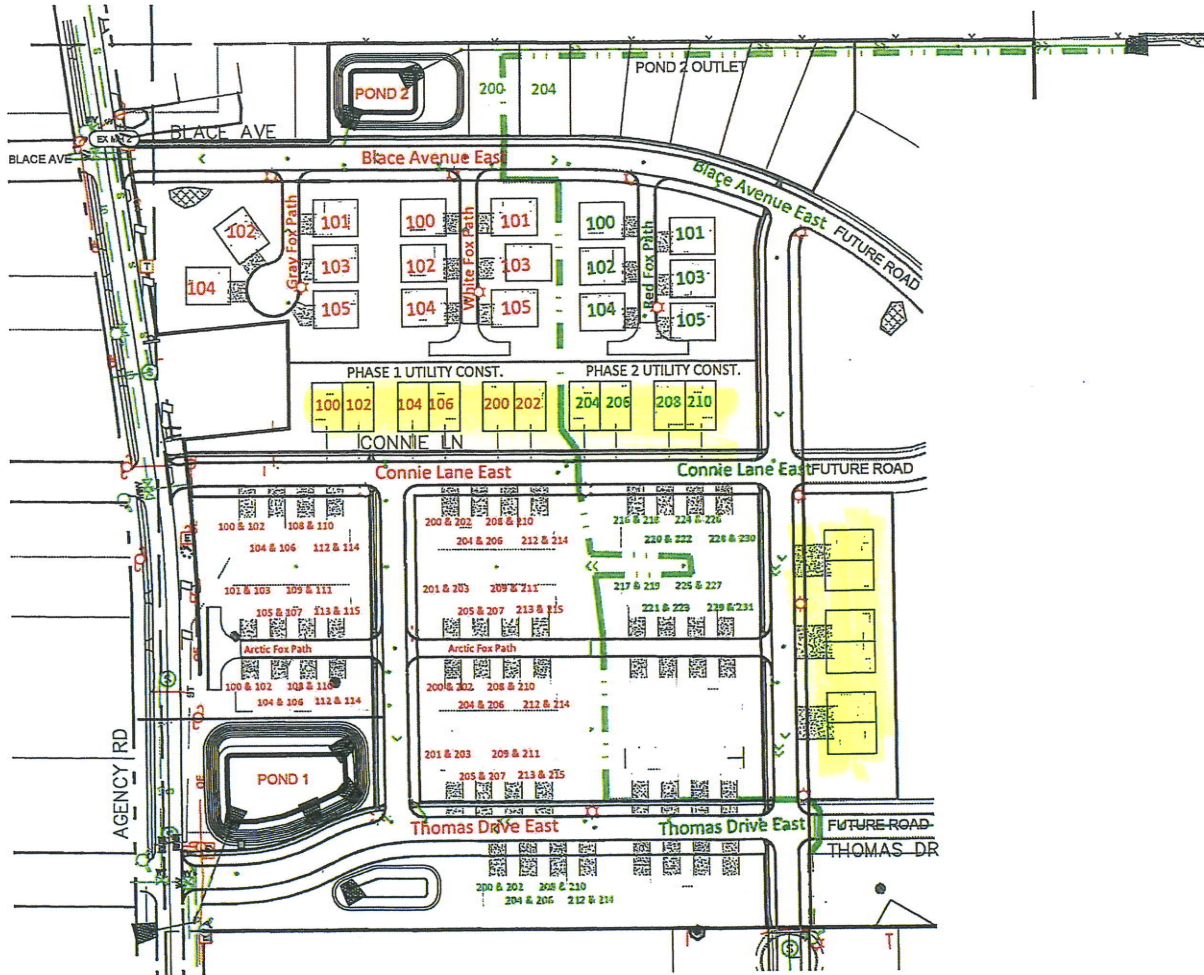
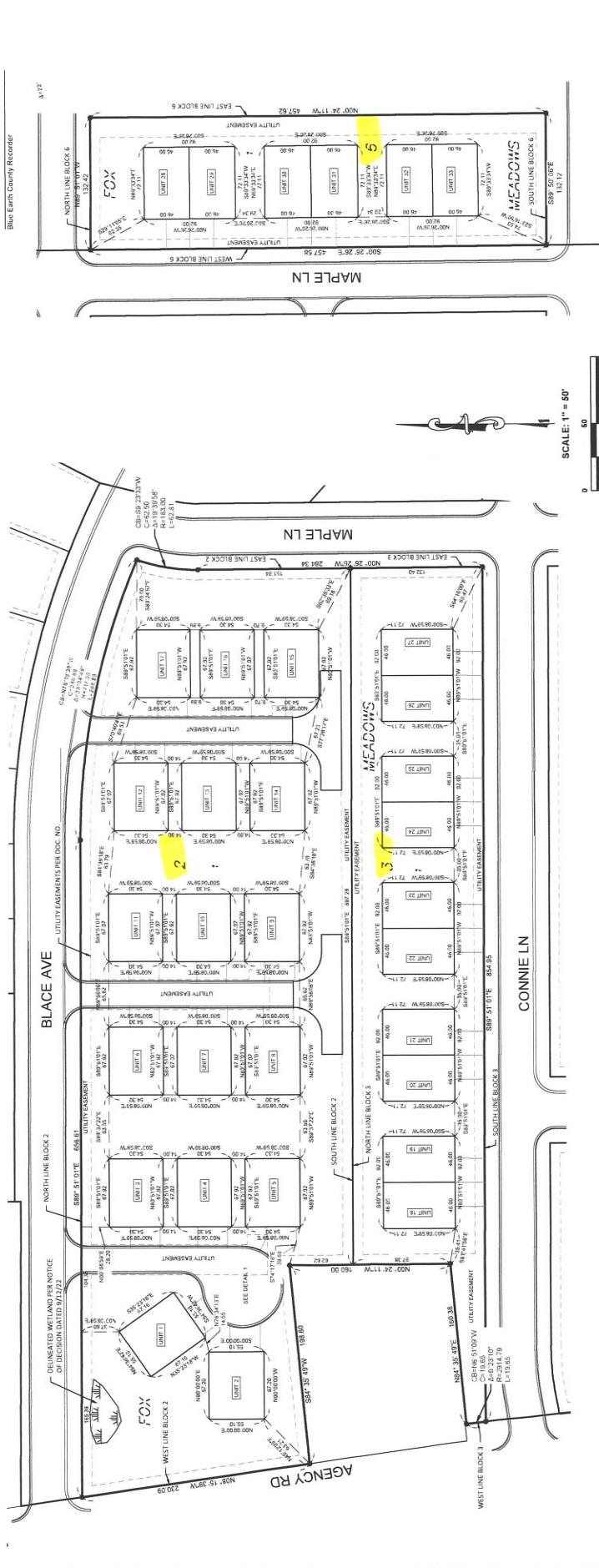


Exhibit B

COMMON INTEREST COMMUNITY NUMBER 123, BLUE EARTH COUNTY, MINNESOTA
FOX MEADOWS

This Common Interest Community Plan is part of the Declaration recorded as Document No. _____ on _____ day of _____, 20____.



LEGEND
○ = 666 ft. Iron Monument
● (capped SAT) = 2544 ft. Iron Monument
● = Iron Monument
L.C.E. = Limited Common Element
C.C.E. = Common Element

I, Scott A. Tuckenhagen, do hereby certify that the work was undertaken by, or reviewed and approved by, me for this C.C.E. plat of COMMON INTEREST COMMUNITY NUMBER 123, FOX MEADOWS, being located upon Lot 1, Block 2, Lot 1, Block 6, FOX MEADOWS and fully and accurately depicts all information required by Minnesota Statutes, Section 515B.2-110(6).

I, Scott A. Tuckenhagen, do hereby certify that the work was undertaken by, or reviewed and approved by, me for this C.C.E. plat of COMMON INTEREST COMMUNITY NUMBER 123, FOX MEADOWS, being located upon Lot 1, Block 2, Lot 1, Block 6, FOX MEADOWS and fully and accurately depicts all information required by Minnesota Statutes, Section 515B.2-110(6).

Scott A. Tuckenhagen, Licensed Land Surveyor
Minnesota License No. 5244
I was acknowledged before me this _____ day of _____, 20____, by Scott A. Tuckenhagen, a Licensed Land Surveyor.

John Henry Schulte, Notary Public, State of Minnesota
My Commission Expires January 31, 2020
I am a Notary Public for the State of Minnesota pursuant to Minnesota Statutes Section 515B.2-110(6). I do hereby certify that all structural components and mechanical systems, of all buildings containing any units thereby created, but not necessarily the units, are substantially completed consistent with the plat for COMMON INTEREST COMMUNITY NUMBER 24, OAKDALE COMMONS.

John H. Schulte V, PE
Minnesota License No. 44339
The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by John H. Schulte V, a Licensed Professional Engineer.

Andrew J. Smith, Notary Public, State of Minnesota
My Commission Expires January 31, 2020

I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the current taxes have been paid and that the transferor has been entered on _____ day of _____, 20____.

I hereby certify that this instrument was filed in my office for record this _____ day of _____, 20____ at _____, Minnesota, in Book _____ of P.M.S. Page _____.

Blue Earth County Property and Environmental Resources
Cristobal _____, M., in Book _____ of P.M.S. Page _____
County Recorder

Scale: 1" = 200'
BASIS OF BEARING SYSTEM
All bearings are in the clockwise sense unless otherwise noted.
Section 19-108H4-ES(9) using NAD 83 DATUM

Scale: 1" = 50'
SCALE IN FEET
0 25 50 100

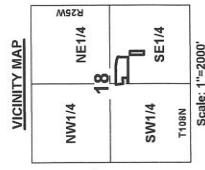
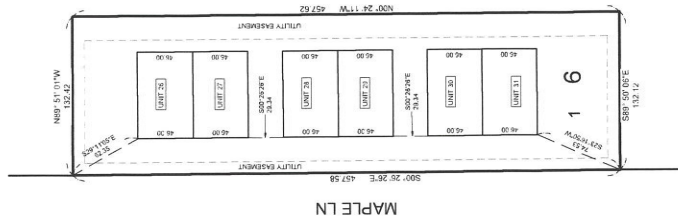
DETAIL 1
1" = 40'

TYPICAL L.C.E. DIMENSIONS
Units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Reverse facing units similar
Units 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33

JONES, HAUGH & SMITH
PROFESSIONAL ENGINEERS & LAND SURVEYORS

FOX MEADOWS
 PLANNED UNIT DEVELOPMENT OF LOT 1 BLOCK 2, LOT 1 BLOCK 3, AND LOT 1 BLOCK 6
 AUSTIN, TOWNE COUNTY, MINNESOTA
 UNITS PLAN

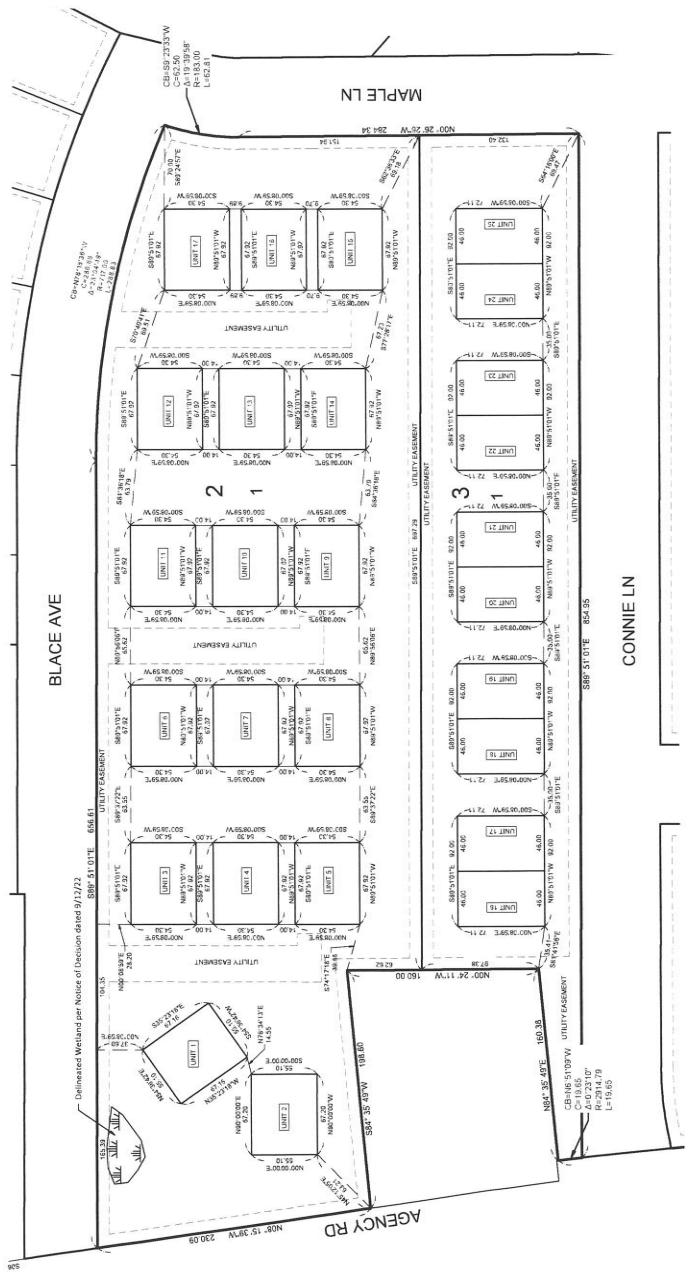
6-22'



BASIS OF BEARING SYSTEM
 All bearings are based on the west line of the SE 1/4
 Section 18-T108N-R25W being N00°24'11\"/>

Scale: 1"=2000'

SHEET NO. 1 OF 2 SHEETS

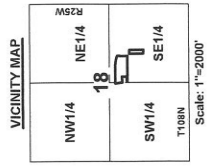
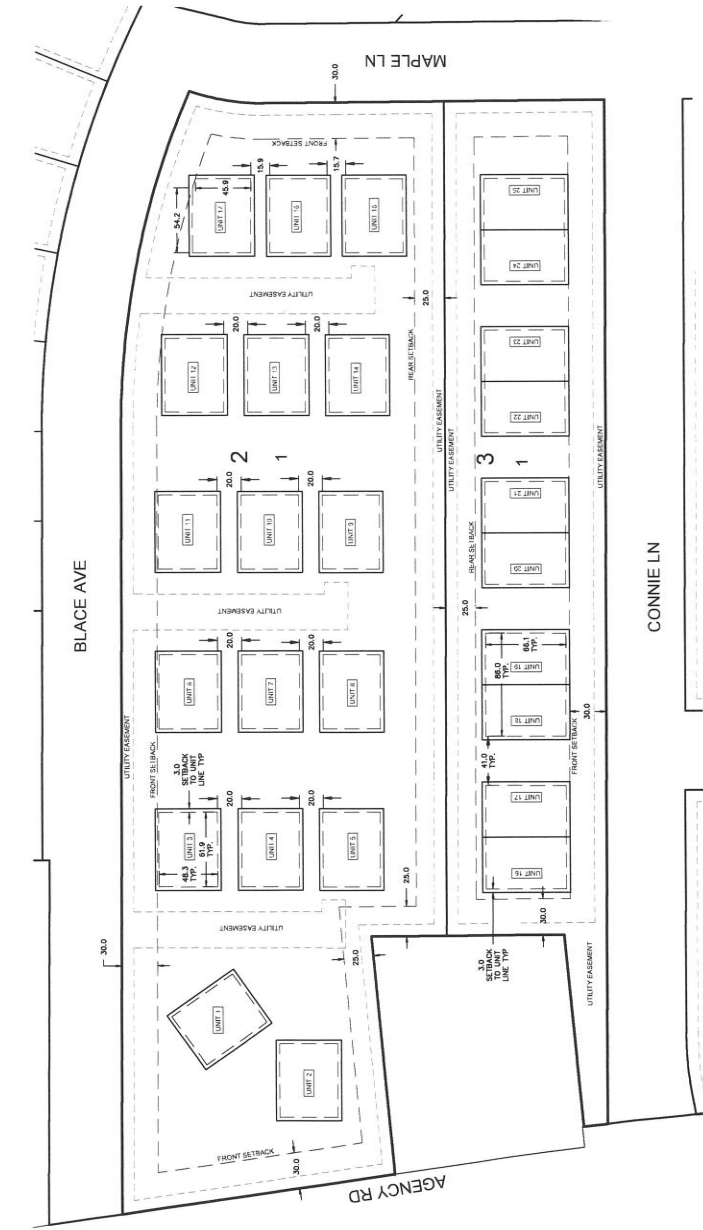


JONES, HAUGH & SMITH
 PROFESSIONAL ENGINEERS & LAND SURVEYORS

7

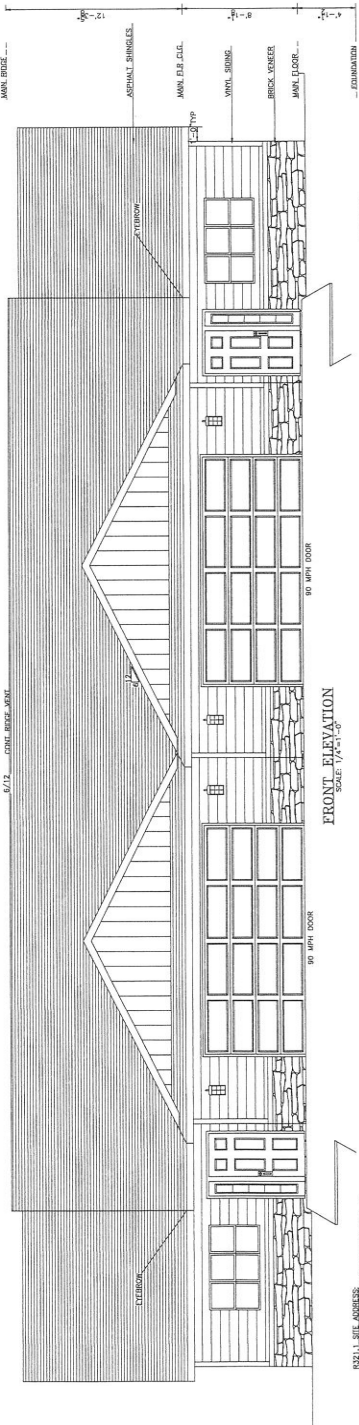
FOX MEADOWS

PLANNED UNIT DEVELOPMENT OF BLOCK 2, 3, AND 6
AUSTIN, MOWER COUNTY, MINNESOTA
SETBACKS PLAN



BASIS OF BEARING SYSTEM
All bearings are based on the west line of the SE1/4 Section 18-T108N-R25W being R00°24'11"W

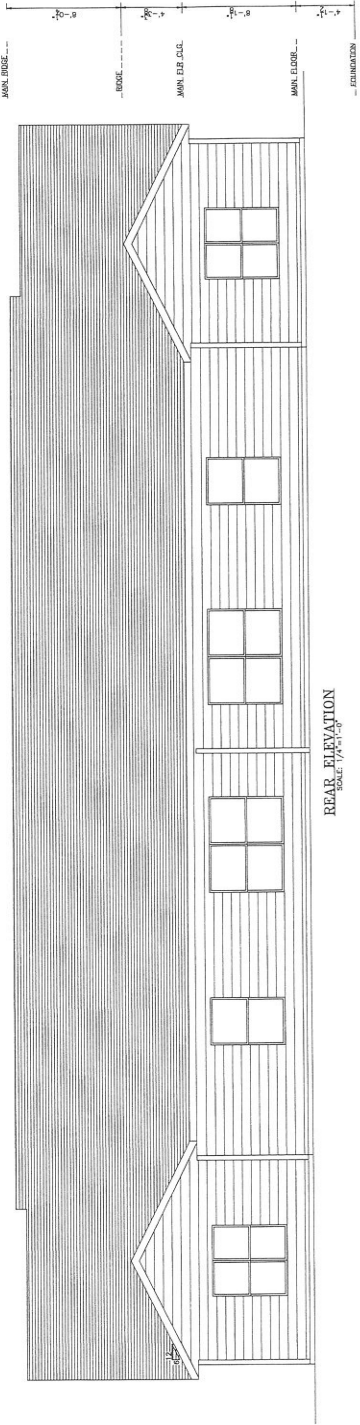
6/12 - CORN BRICE ARCH



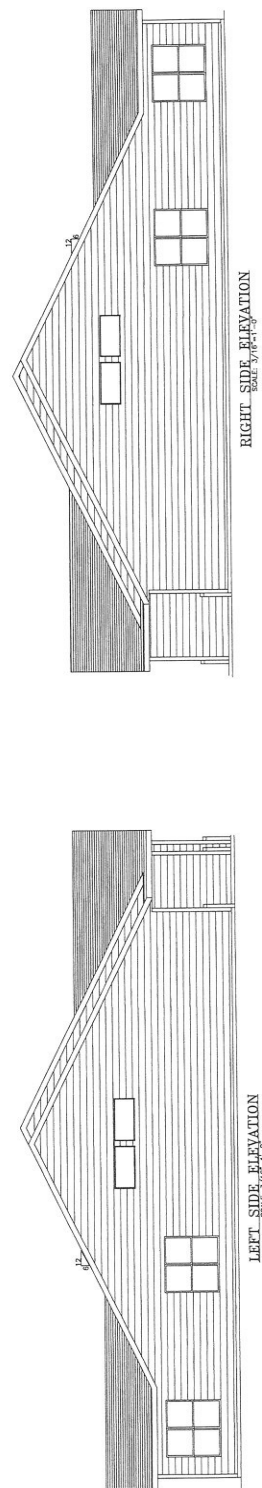
FRONT ELEVATION
SCALE: 1/4"=1'-0"

SMALL SITE ADDRESS:
 PROVIDED FOR ALL NEW BUILDINGS AS SUCH ARE
 LEGIBLE FROM STREET OR ROAD FRONTING
 THE PROPERTY

NOTES:
 1. SEE MAIN ELEV. DRAWING FOR COMMON NOTES
 2. BRICK VENEER SHALL BE MATCHED TO EXISTING
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REAR ELEVATION
SCALE: 1/4"=1'-0"



LEFT SIDE ELEVATION
SCALE: 3/8"=1'-0"

RIGHT SIDE ELEVATION
SCALE: 3/8"=1'-0"

Revision/Issue

These plans are intended as a guide for builders who are knowledgeable about standard building construction. We will review the plans to correct any errors discovered before start of construction. We assume no responsibility for any errors or improper construction thereafter.

SCHROM CONSTRUCTION, Inc.

704 Parkway Avenue
 Eagle Lake, MN 56024
 Nick Kraft
 (507)257-5104
 E-mail: nick@schromconstruction.com

Contractor:
 Schrom Construction, Inc.
 704 Parkway Ave
 Eagle Lake, MN 56024
 (507)257-5104

Project Name and Address

Project	Sheet
Date	Elevations
Scale	AS SHOWN

Revision/Issue

These plans are intended as a guide for builders who are knowledgeable in the construction practices and building codes. We will revise the plans to correct errors of construction but assume no responsibility for any errors or improper construction thereafter.

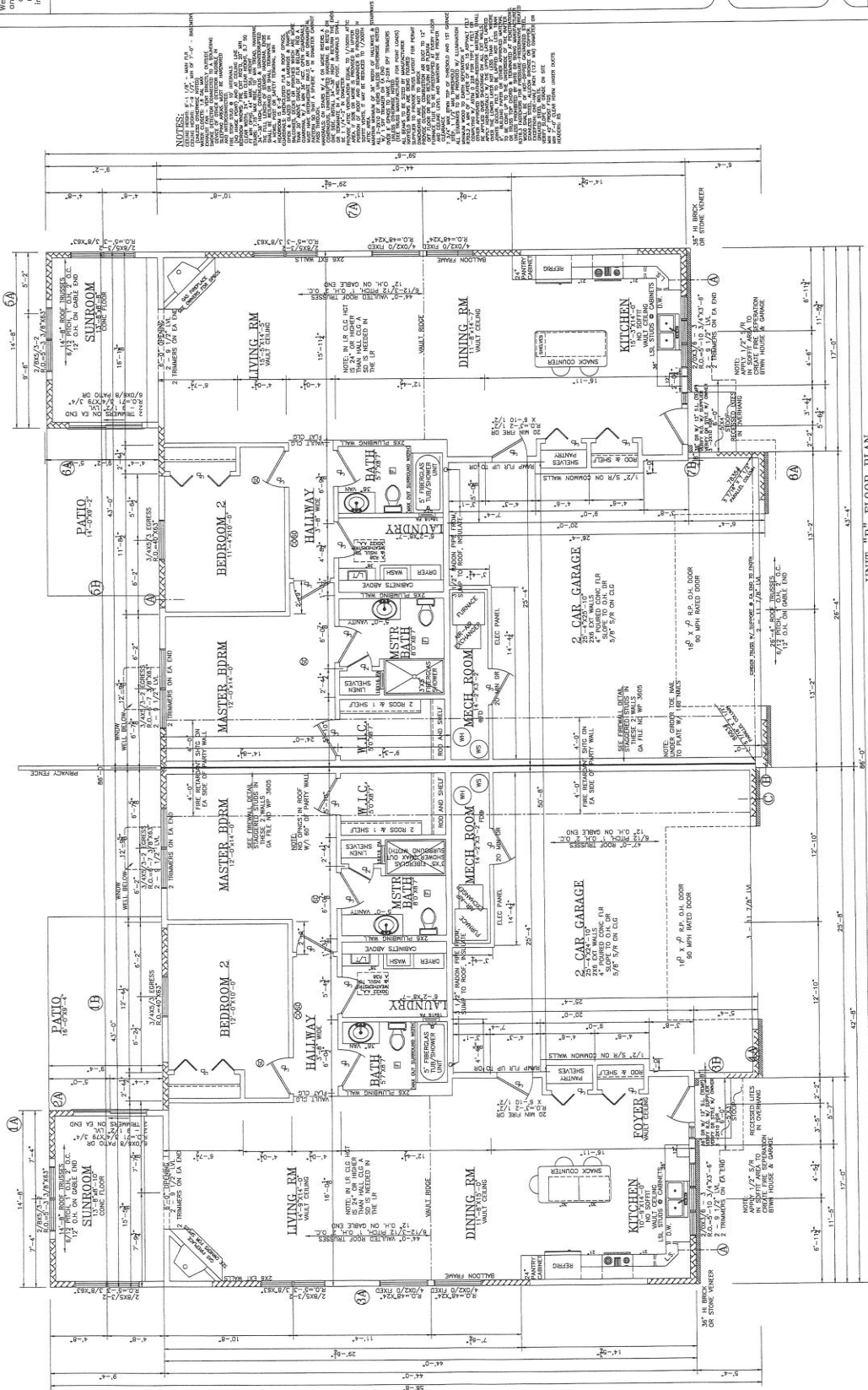
SCHROM CONSTRUCTION, Inc.

704 Parkway Ave
 Eagle Lake, MN 56024
 Ph: (507)257-5104
 E-mail: nick@schromconstruction.com

Contractor:
 Schrom Construction, Inc.
 704 Parkway Ave
 Eagle Lake, MN 56024
 (507)257-5104

Project Name and Address

Project	Sheet
Date	Main Floor
Scale	AS SHOWN



UNIT 10 FLOOR PLAN
 10'-0" x 28'-0" (Overall Dimensions)
 10'-0" x 28'-0" (Overall Dimensions)
 XXXXX BRICKED WALL PANELS

UNIT 11 FLOOR PLAN
 10'-0" x 28'-0" (Overall Dimensions)
 10'-0" x 28'-0" (Overall Dimensions)
 XXXXX BRICKED WALL PANELS

WINDOWS

VICTOR ENVISION

ALL 2-2X10 SP. DIMS UNLESS OTHERWISE NOTED
 DIMS AS SHOWN UNLESS OTHERWISE NOTED

Revision/Issue

These plans are intended as a guide for builders who are knowledgeable about standard building construction. We will revise the plans to correct any errors discovered before start-up. We accept no responsibility for any errors or improper construction thereafter.

SCHROM CONSTRUCTION, Inc.

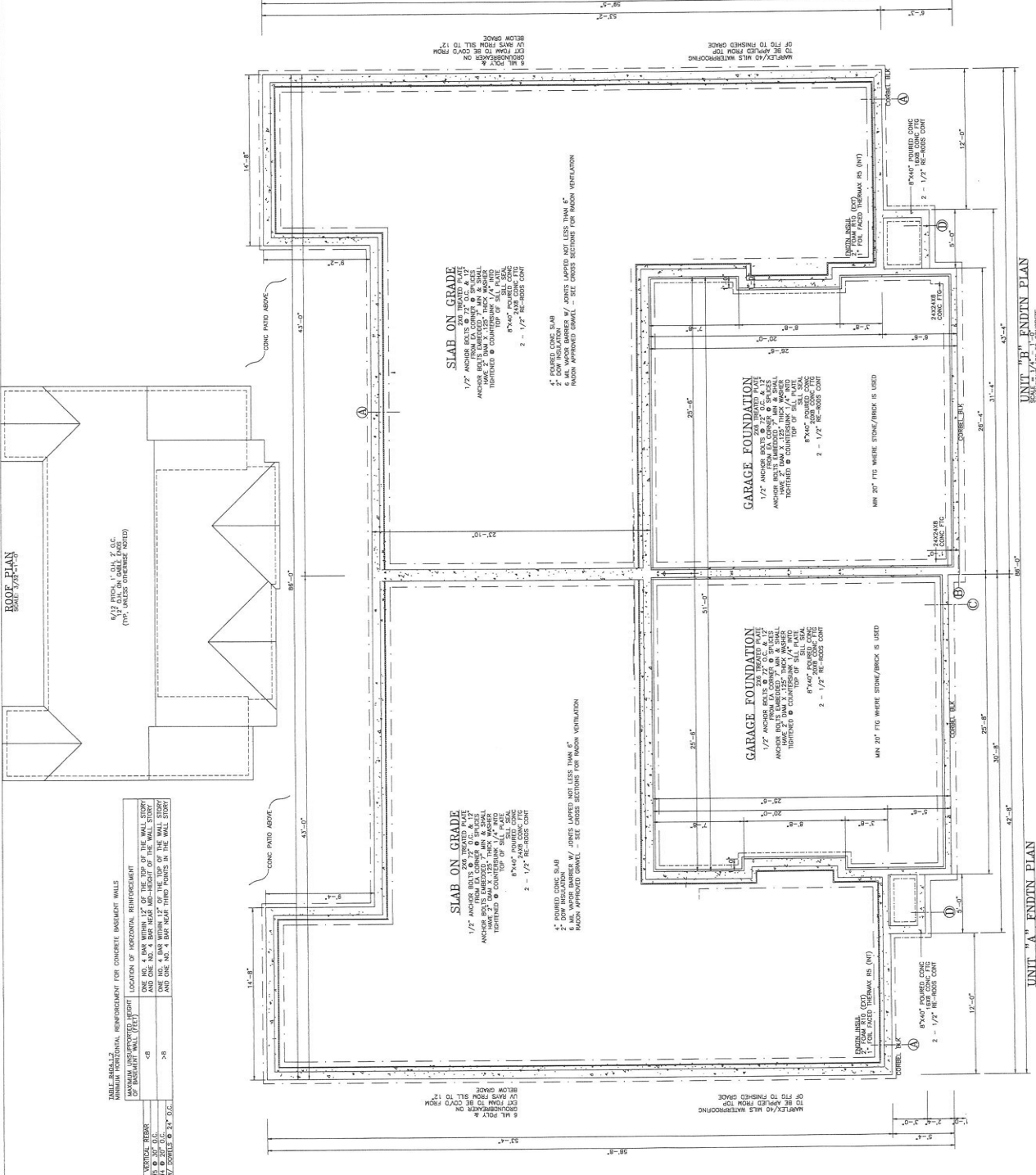
704 Parkway Avenue
Eagle Lake, MN 56024
Ph: (507)257-5104
E-mail: schromconstruction.com

Contractor:
Schrom Construction, Inc.
704 Parkway Ave
Eagle Lake, MN 56024
(507)257-5104

Project Name and Address

Project: _____
Title: _____
Scale: AS SHOWN

Sheet: _____
Foundation



ROOF PLAN

6/12 PITCH, 1" DIA. 2" O.C.
1/2" DIA. ON WALLS, 2" O.C.
(1/4" UNLESS OTHERWISE NOTED)

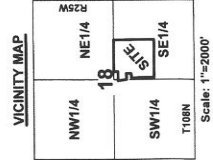
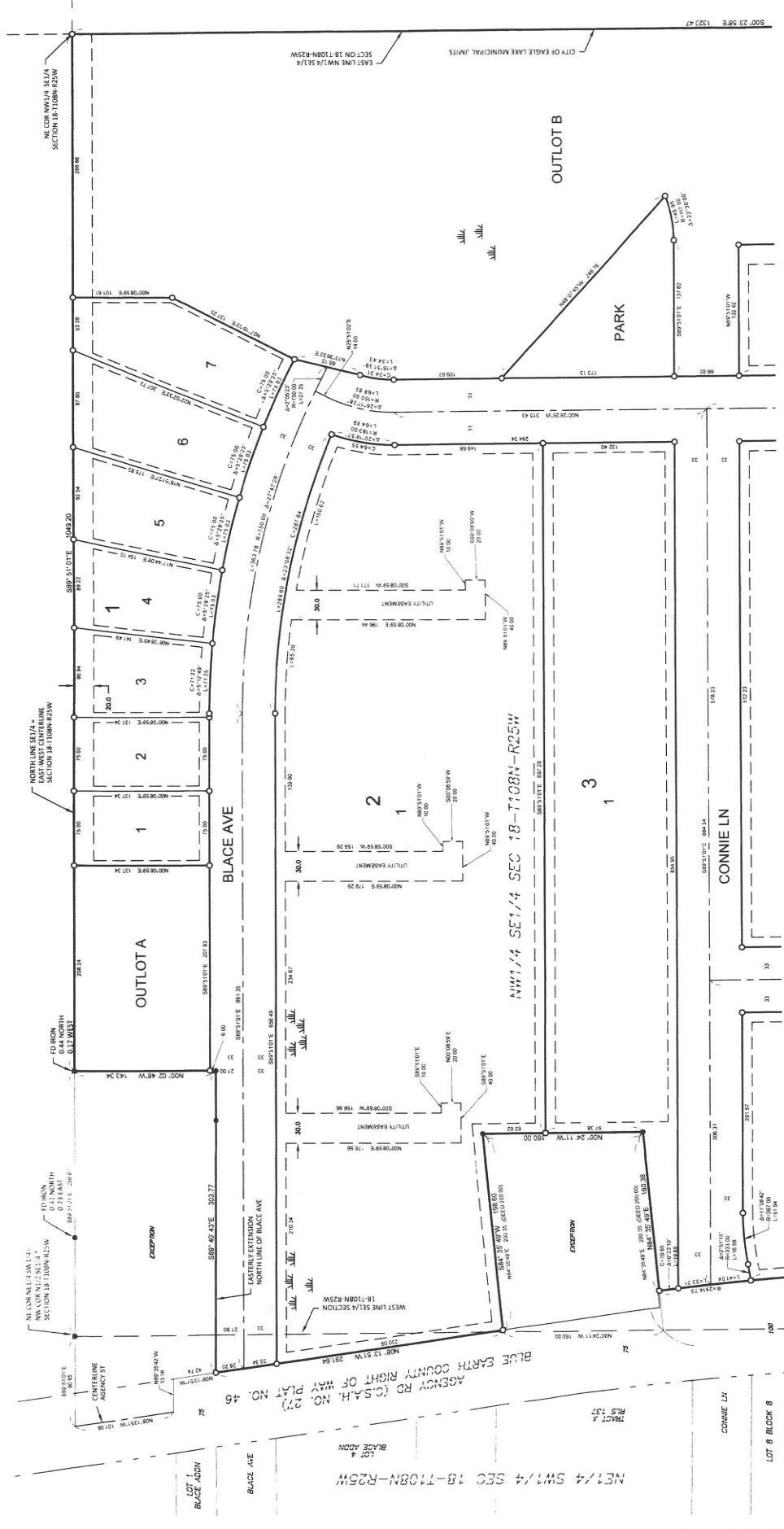
TABLE 1016.1.2
MINIMUM HORIZONTAL REINFORCEMENT FOR CONCRETE MASONRY WALLS

MINIMUM HORIZONTAL REINFORCEMENT (%)	LOCATION OF HORIZONTAL REINFORCEMENT
28	ONE NO. 4 BAR WITHIN 12" OF THE TOP OF THE WALL STORY
28	ONE NO. 4 BAR WITHIN 12" OF THE BOTTOM OF THE WALL STORY
28	ONE NO. 4 BAR WITHIN 12" OF THE TOP OF THE WALL STORY AND ONE NO. 4 BAR NEAR THIRD POINTS IN THE WALL STORY

UNIT "H" FNDTN PLAN
CONCRETE FOUNDATION
SET MAIN FLOOR PLAN FOR COMMON NOTES

UNIT "A" FNDTN PLAN
CONCRETE FOUNDATION
SET MAIN FLOOR PLAN FOR COMMON NOTES

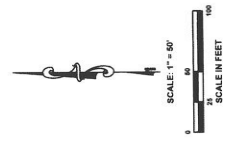
OFFICIAL PLAT
FOX MEADOWS



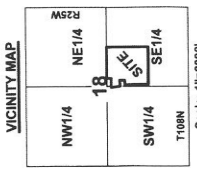
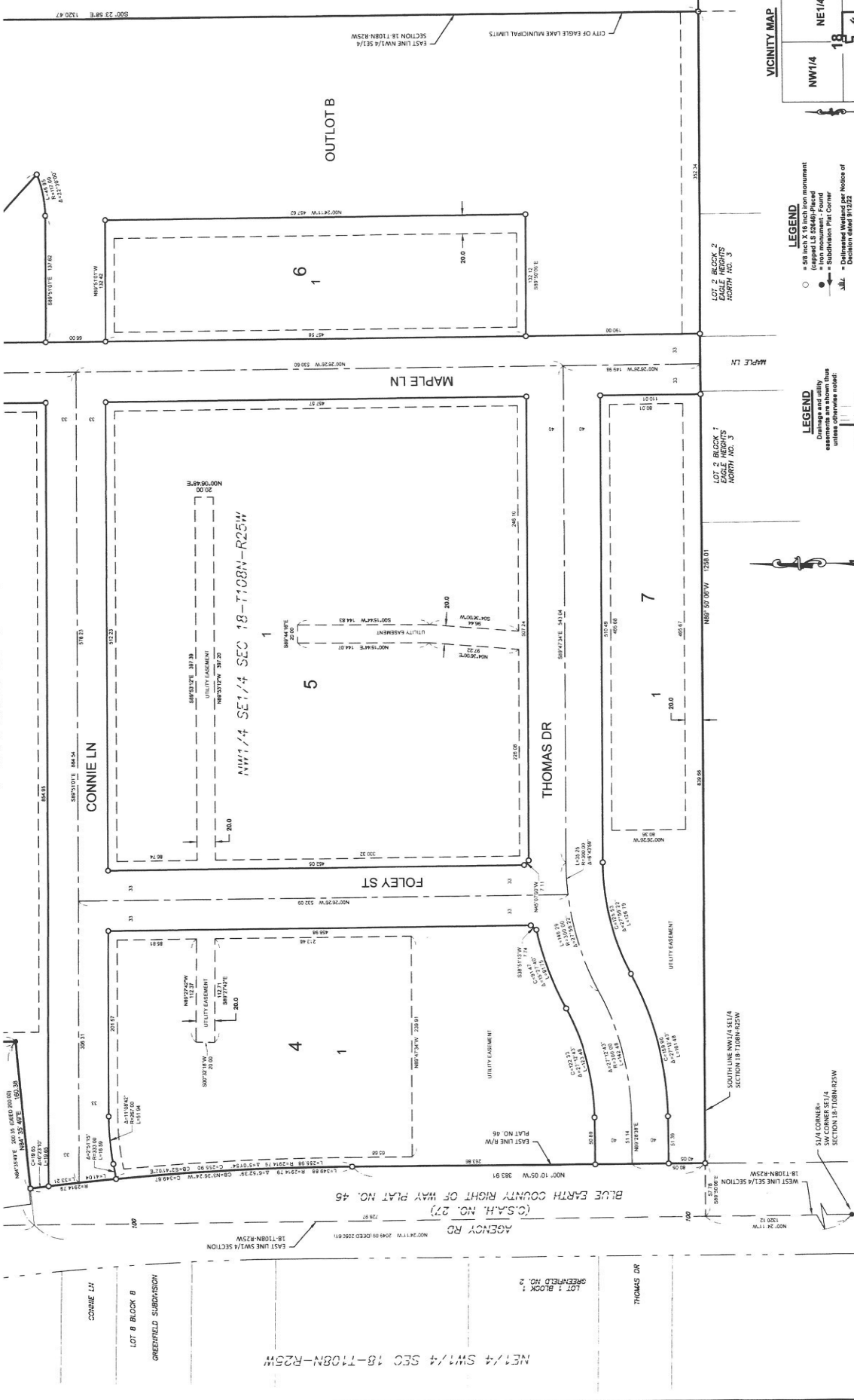
LEGEND
 ○ = 5/8 inch x 1/8 inch iron monument
 □ = 1/2 inch x 1/2 inch iron monument - Found
 □ = 1/2 inch x 1/2 inch iron monument - Not Found
 ● = Subdivision Plat Corner
 ○ = Dilapidated Wellhead per Notice of Decision dated 01/22/22

LEGEND
 Drainage and utility easements are shown this manner unless otherwise noted.

BASIS OF BEARING SYSTEM
 All bearings are based on the west line of the SE1/4 Section 18-T108N-R25W being N00°24'11"W



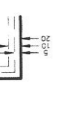
OFFICIAL PLAT
FOX MEADOWS



LEGEND
 ○ 5/8 inch X 5/8 inch iron monument (capped LS 2004) - Pinned
 ● Substation Pit Corner
 - - - - - Delimited Westland per Notice of Decision dated 9/19/22

LEGEND
 Drainage and utility easements are shown this unless otherwise noted.

BASIS OF BEARING SYSTEM
 All bearings measured from the SE 1/4 Section 18-T108N-R25W being N00°24'11"W
 Scale: 1"=200'



**OFFICIAL PLAT
FOX MEADOWS**

KNOW ALL PERSONS BY THESE PRESENTS THAT Fox Meadow Townhomes LLC, a Minnesota Limited Liability Company, owner of the following described property:

All that part of the SE 1/4 and NE 1/4 of the SW 1/4 of Section 18-T108N-R25W, east of Blue Earth County Highway Right of Way Plat No. 46

EXCEPT

All that part of the NE 1/4 SW 1/4 and NW 1/4 SE 1/4 Section 18-T108N-R25W, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SE 1/4, thence South 89°51'01" East a distance of 286.07 feet, on an assumed bearing on the north line said SE 1/4, thence South 00°02'48" East a distance of 143.34 feet,

thence North 89°49'47" West a distance of 303.77 feet to the east line of Blue Earth County Highway Right of Way Plat No. 46,

thence North 00°00'00" East a distance of 143.34 feet to the east line of Agency Street,

thence North 00°35'42" West a distance of 32.38 feet to the centerline of Agency Street,

thence North 08°13'31" West a distance of 101.04 feet, on said centerline to the north line said SW 1/4,

thence South 89°51'01" East a distance of 60.89 feet, to the point of beginning.

AND ALSO EXCEPT

All that part of the NW 1/4 SE 1/4 Section 18-T108N-R25W, City of Eagle Lake, Blue Earth County, Minnesota, described as

Commencing at the South Quarter Corner of Section 18, thence N60°00'00" (assumed bearing) on the west line of the SE 1/4 of Section 18 a distance of 200.00 feet to the point of beginning, thence continuing N00°00'00" E on said west line a distance of 180.00 feet, thence N80°00'00" E, 200.00 feet, thence S07°00'00" W, 160.00 feet, thence S85°00'00" W, 200.00 feet to the point of beginning.

Has caused the same to be surveyed and platted as FOX MEADOWS, and does hereby forever dedicate to the public for park, public ways and drainage and utility easements as created herein, as shown on this plat.

In witness whereof said Fox Meadow Townhomes LLC, a Minnesota Limited Liability Company, has caused these presents to be signed by its proper officer this

14th day of December, 2022.

Fox Meadow Townhomes LLC, a Minnesota Limited Liability Company

Troy M. Schrom, President

STATE OF MINNESOTA

COUNTY OF FREEBORN

This instrument was acknowledged before me this 14th day of December, 2022, by Troy M. Schrom, President of Fox Meadow Townhomes LLC, a Minnesota Limited Liability Company.

John Alan Schulte, Notary Public, State of Minnesota

My Commission Expires January 31, 2028

SURVEYOR'S CERTIFICATE

I, Scott A. Tuckershegen, hereby certify that this plat was prepared by me or under my direct supervision that I am a duly Licensed Land Surveyor in the State of Minnesota, that this plat is a true and correct representation of the boundary survey, that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be set within one year; that all water boundaries and wetlands are shown as required by Minnesota Statute, Section 502.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat, and all points, rays and lines are shown as labeled on this plat.

Dated this 14th day of December, 2022.

Scott A. Tuckershegen, Licensed Land Surveyor

Minnesota License No. 52646

STATE OF MINNESOTA

COUNTY OF FREEBORN

This instrument was acknowledged before me this 14th day of December, 2022, by Scott A. Tuckershegen, a licensed land surveyor.

John Alan Schulte, Notary Public, State of Minnesota

My Commission Expires January 31, 2028

JONES, HAUGH & SMITH

PROFESSIONAL ENGINEERS & LAND SURVEYORS

APPROVALS

Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota this 24th day of November, 2022.

Signed: *[Signature]* Commission Chair

Approved by the City Council of Eagle Lake, Minnesota, this 8th day of November, 2022.

Signed: *[Signature]* City Clerk

Attest: *[Signature]* City Clerk

TITLE OFFICER

I, Abbe S. Olson, Licensed Attorney, State of Minnesota, do hereby certify that the owner as indicated herein represents all ownership interest in the land encompassed by this plat.

Signed: *[Signature]* day of February, 2023.

Abbe S. Olson, Licensed Attorney

BLUE EARTH COUNTY PROPERTY AND ENVIRONMENTAL RESOURCES

I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the current taxes have been paid and that the transfer has been entered on the land described herein on the 14th day of February, 2023.

Witnessed: *[Signature]* Deputy

Blue Earth County Property and Environmental Resources

I hereby certify that the instrument was filed in my office for record this 7th day of February, 2023, at 4:03 P.M. in Book N of Plat, Number 1749.

Plat Recorder

[Signature] Deputy

County Recorder

14

SECTION 6.195 PLANNED UNIT DEVELOPMENT

(Adopted June 18, 2008)

Subd. 1. Purpose. The City Council of the City of Eagle Lake has determined that it is appropriate to encourage flexibility in the development of land in order to promote the most appropriate use, improve the design, character and quality standards and provide a harmonious mixture of land uses, facilitate the adequate and economic use of streets, utilities, and city services. When coordinated with the comprehensive plan, a Planned Unit Development can be an effective tool for guiding development. The City of Eagle

Lake has authorized the use of Planned Unit Developments for the following purposes:

- A. Encourage integration of new structures with existing structures;
- B. Facilitate the provision of housing, for all economic classes;
- C. Provide for improved residential environments; and
- D. Enhance the ability of the City of Eagle Lake to promote business and employment opportunities.

Planned Unit Development projects shall be developed in accordance with an overall design and an integrated development plan in accordance with the City subdivision regulations. Such projects shall be consistent with the intent and purpose of this Ordinance and shall not adversely affect the property adjacent to the land included in the project.

Subd. 2. Public Benefit. The City Council shall review each proposed Planned Unit Development and determine whether the planned use will be for the Public Benefit. The Council shall consider the following factors in determining whether a proposed use is for the Public Benefit:

- A. Preservation and enhancement of desirable site characteristics and open space.
- B. A pattern of development which preserves natural vegetation, topographic and geological features.
- C. Preservation and enhancement of historic and natural resources that significantly contribute to the character of the City.
- D. Use of design, landscape, or architectural features to create a pleasing environment or other special development features.
- E. Provision of a variety of housing types in accordance with the City's housing goals.
- F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
- G. Business and commercial development to enhance the local economy and strengthen

the tax base.

H. The efficient use of land resulting in more economic networks of utilities, streets, schools, public grounds, buildings, and other facilities.

In order to approve a proposed Planned Unit Development, the Council must find that the proposed use meets one or more of these requirements.

Subd. 3. Procedure. The following procedures shall govern application for Planned Unit Developments:

- A. An Application for Planned Unit Development and the development plan must be filed by the landowner or jointly by all landowners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approved final plan shall be binding on all owners.
- B. Upon the receipt of an application and preliminary plan for the establishment of a Planned Unit Development district, the Planning Commission shall review the application and preliminary plan and advise the City Council if the preliminary plan meets the specifications of this ordinance. The recommendations will then be sent to the City Council for its review.
- C. Within sixty days of receiving the application, the City Council shall hold one or more public hearings on such proposed preliminary plan and amendment. Notice of the public hearing will be published in the general newspaper at least ten calendar days in advance of the hearing. All adjoining property owners shall be given notice of the time and date of the hearing. The proposed preliminary plan for the Planned Unit Development shall be made available for the public to review prior to the time and date of the hearing, at the Office of the City Administrator, and will be available at the public hearing.
- D. After holding the public hearing, the City Council shall act to approve, approve the modifications and/or conditions, or deny the application. If the Council requests modifications, the applicant shall make the revisions to the plan and resubmit the matter to the Planning Commission, who will then review the proposed changes.
- E. A final Planned Unit Development plan shall be submitted to the City Council for its approval or denial.

Subd. 4. Time Limit on Approved Planned Unit Development. No Planned Unit Development plan approval shall be valid for a period longer than one (1) year unless a building permit is issued. However, upon written request of the applicant, the one (1) year period may be extended by the City Council for up to one (1) year, without a new application being submitted.

Subd. 5. Regulations During and Following Completion of Development. Following approval of the Planned Unit Development, the development site plan, including any modifications thereof, shall constitute the use, parking, loading, sign, bulk, space, and yard regulations applicable to the property, and no use, building or development, other than home occupations and temporary uses not allowed by the development site plan, shall be permitted within the area of the Planned Unit Development.

Subd. 6. Adjustments to the Development Site Plan. Adjustments to the development site plan shall be accordance with the requirements set forth below.

- A. New Application Required. No alteration or amendment shall be made in the construction, development, or use without a new application under the provisions of this section. However, minor alterations may be made subject to the written approval of the Zoning Administrator.

- B. Minor Adjustments. During build-out of the Planned Unit Development, the Zoning Administrator may authorize minor adjustments to approved development Site plans when such adjustments appear necessary in light of technical or engineering considerations. Such minor adjustments shall be limited to the following elements:
 - 1. Adjusting the distance as shown on the approved development site plan between any one (1) structure or group of structures, or any vehicle circulation element or any boundary of the site, as long as the adjustments do not require a variance. If a variance is required, the property owner must follow the applicable procedure.
 - 2. Adjusting the location of any open space.
 - 3. Adjusting the final grade.
 - 4. Altering the types of landscaping elements and their arrangement within the required landscaping buffer area.

Such minor adjustments shall be consistent with the intent and purpose of the Ordinance and development plans approved pursuant to this section shall be the minimum necessary.

Subd. 7. Standards.

- A. A Planned Unit Development may be established for any parcel or tract of land under single ownership or control. The property included in the Planned Unit Development shall be planned and developed or redeveloped as a single unit and in a manner consistent with the intent and purpose for which a Planned Unit Development may be permitted.

- B. The Planning Commission shall not recommend approval of, nor shall the City Council approve, a Planned Unit Development unless each shall make 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.

- C. The development of the Planned Unit Development shall conform to the approved development plan; including all proposed covenants, easements, conditions of approval, and other provisions relating to the bulk, location, and density of permitted structures, accessory structures, parking, and other public facilities.

- D. All land shown on the approved development plan as common open space must be conveyed to the City of Eagle Lake for the maintenance of the Planned Unit Development.
- E. Planned Unit Developments are allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land provided they are allowable per underlying district(s) standards.
- F. Specific allowed uses and performance standards for each Planned Unit Development shall be delineated in a development plan as approved by the City Council. The Planned Unit Development plan shall identify all the proposed land uses and those uses shall become permitted uses within the Planned Unit Development with the acceptance of the development plan. Any change in the uses presented in the development plan shall require the approval of an amendment to the Planned Unit Development by the City Council in the manner prescribed by this Chapter.
- G. The Planning Unit Development adheres to additional requirements, including but not limited to tree, water and woodland preservation, surface water, home occupation, parking, sign, and general district provisions as set forth within the appropriate chapters of the Ordinance, as may be amended.

Subd. 8. Design Standards.

- A. The number of principal use structures which may be constructed within the Planned Unit Development may be determined by dividing the net acreage by the required lot area per unit that is required in the district in which the Planned Unit Development is located. The net acreage shall be defined as the project area less the land dedicated for public streets or other public purposes. The project area includes all the land within the Planned Unit Development that is allocated for residential, institutional, commercial, or industrial uses, and for the common space required. The City Council of the City of Eagle Lake may waive this requirement upon finding that these standards will hinder the purposes of the proposed Planned Unit Development and the standards are not necessary for the project to provide a public benefit to the City.
- B. The development plan shall contain such proposed covenants, easements, and other provisions relating to the bulk, location, and density of permitted structures, accessory structures, and public facilities as may be necessary for the welfare of the Planned Unit Development and the City.
- C. The common open space, and other common properties, individual properties, and all other elements of the Planned Unit Development shall be so planned that they achieve a unified scheme of integrated planning and a harmonious selection and efficient distribution of uses.

- D. Common open space within a Planned Unit Development must be used for amenity or recreational purposes. Motor vehicle parking areas and traffic corridors shall not be considered an approved use of common open space. The uses authorized for the common open space must be approved to the scale and character of the Planned Unit Development, and consider the Planned Unit Development's size, density, topography, number and type of structures to be provided.
- E. Common open space must be suitably improved for its intended use. Common open space containing natural features worthy of preservation may be left unimproved. The development plan must coordinate the improvement of the common space and The construction of the permitted structures within the Planned Unit Development.
- F. Adequate access shall be provided for fire and emergency vehicles.



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

February 27, 2023

To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: Application for Rezoning

An application has been received from Kurt Matson (contract purchaser) and Scott Borgmeier and Rome Reichel Construction (owners), a copy of which is attached and shown as Exhibit A, 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. See attached Exhibit B for the concept plan. Maps showing proposed rezoning and existing zoning are shown on Exhibits C and D, respectively.

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.

Discussion should ensue.

City staff recommends that if there is an interest by the Planning Commission to consider the rezoning request, then a motion is necessary to schedule a public hearing for this purpose at the upcoming March 23rd meeting.


Jennifer J. Bromeland
City Administrator



APPLICATION FOR REZONING

705 Parkway Ave., PO Box 159
Eagle Lake, MN 56024
(507)257-3218
(507)257-3220 fax

Applicant's Name Kurt Matson (Contract Purchaser) Scott Borgmeier & Rome Reichel Const. (Owner)

Day Phone (_____) _____ Alternate Phone _____

Applicant's Address 433 South Brook Circle

Email Address Kurt.matson@yahoo.com

Property Address to be Rezoned NA - Parcel ID R121018201019

Current Zoning A-1 R-1 R-2 R-3 R-4 B-1 L-1 H-1

Proposed Zoning A-1 R-1 R-2 R-3 R-4 B-1 L-1 H-1

In detail, please describe the need for property to be rezoned:

The property has been zoned Industrial for many years with no development. The surrounding property is zoned residential, so we would like to re-zone the property to R-3 to develop the property into a townhome development.

Kurt Matson
Applicant's Signature

2/21/23
Date

Office Use Only

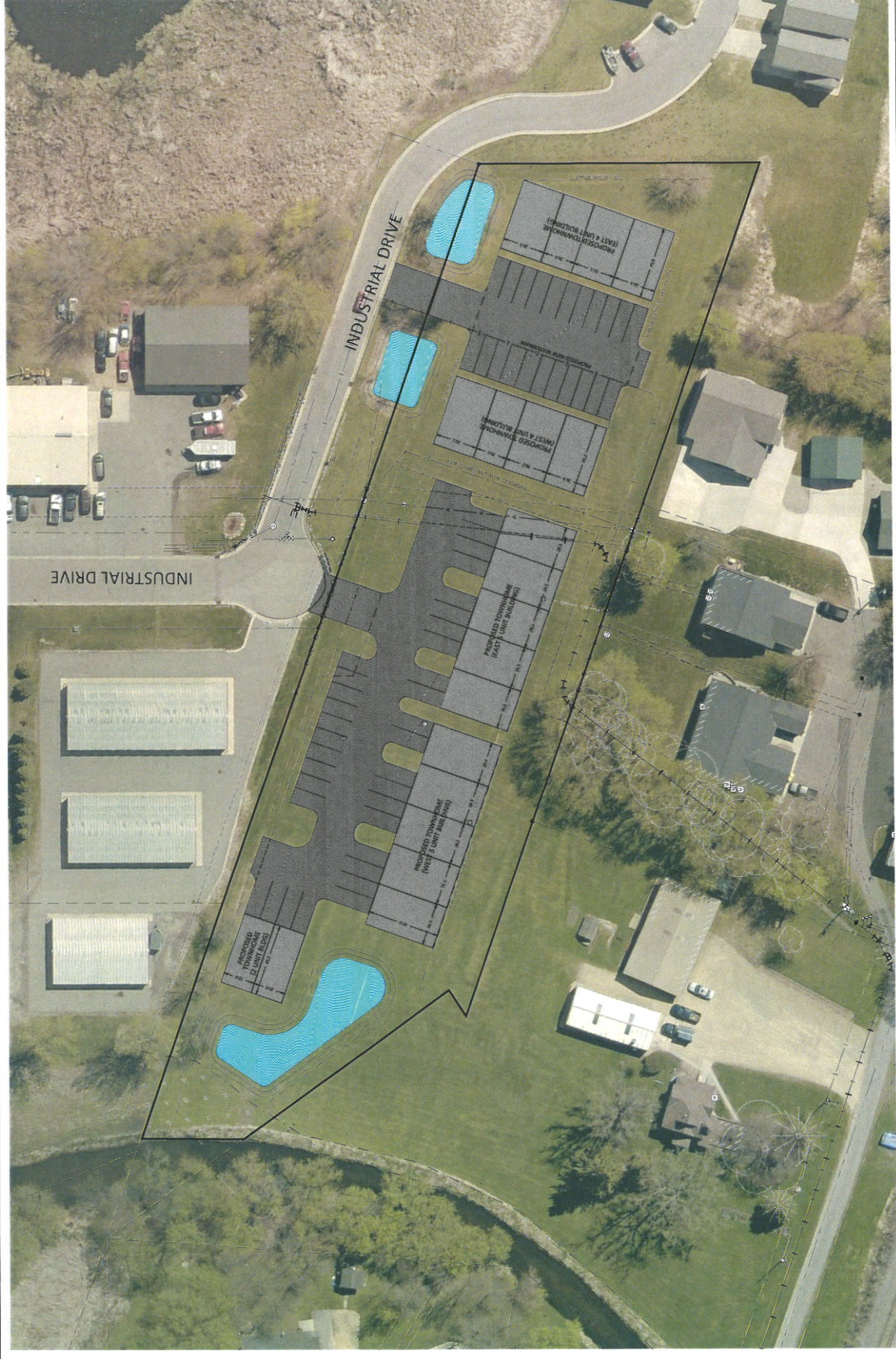
- Application Fee: \$100 Paid
- Notification Letter to Residents Sent
- Billing for Notification Sent 25 notices x \$2.00/notice = \$ 50 (properties within 350 feet)
- Billing for Notices Paid
- Planning Commission Hearing Held
 - Planning Commission Action Approved Denied Tabled
 - Planning Commission Comments _____
- City Council Meeting Held
 - City Council Action Approved Denied Tabled
 - City Council Comments _____

Exhibit B



Concept Plan
February, 2023

Eagle Lake Townhomes
Eagle Lake, Minnesota



\\HMA\KONFO_P\K0M3129700\CAD\G3D\129700_V.CON_3.dwg 2/15/2023 10:06:14 AM

Exhibit C



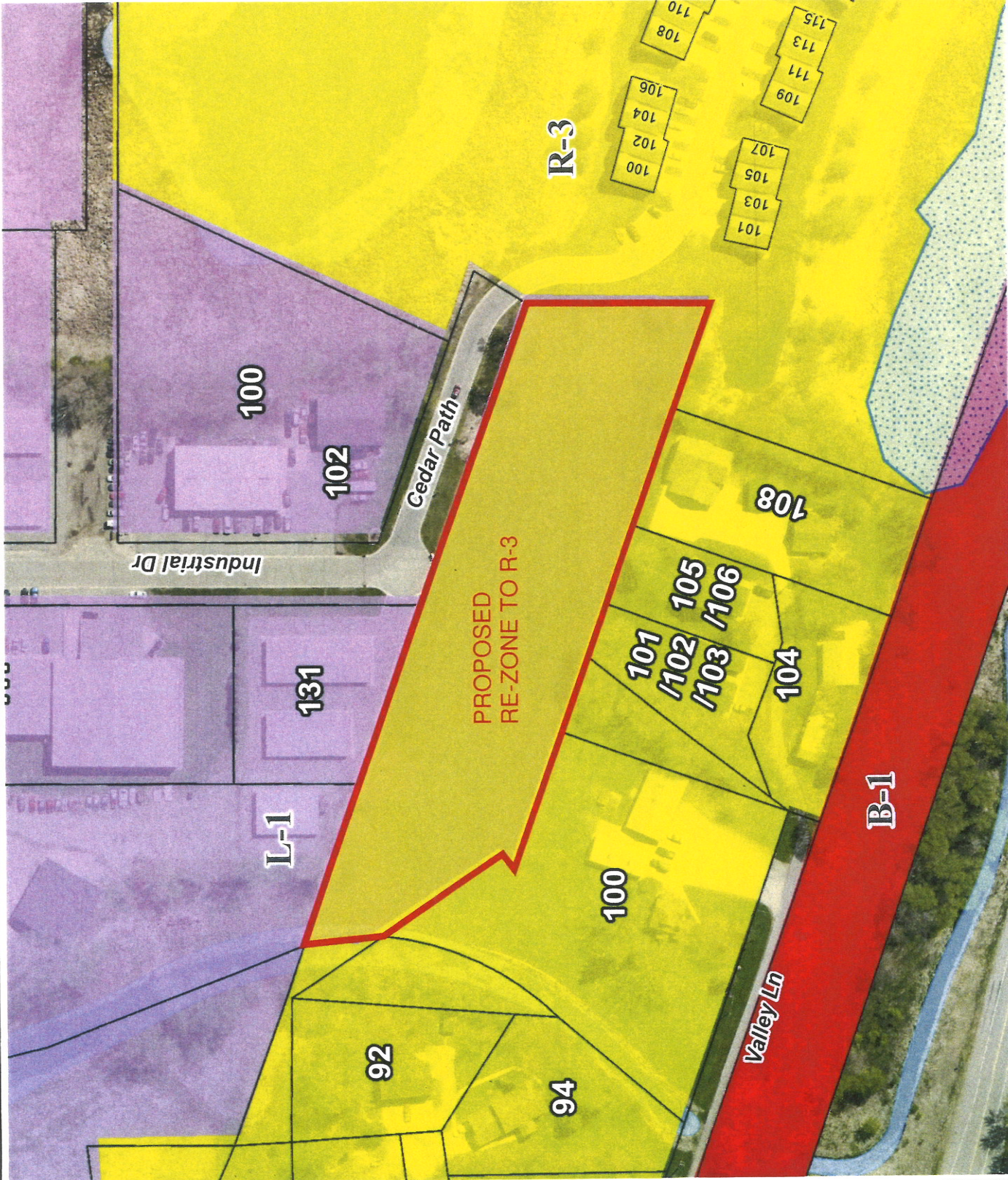
Legend

- City Limits
- Roads Layer
 - Trunk Highways
 - County Roads
 - Local Roads
- Parcels (01/07/2021)
- Buildings
- Protected Waters - Basins
- Public Water Basin
- Public Water Wetland
- Protected Waters - Watercous
- Zoning
 - A-1 Agricultural District
 - R-1 1 Family Residential District
 - R-2 1 & 2 Family Residential Dist
 - R-3 Limited Multi-Family Residen
 - R-4 Multi-Family Residential Distr
 - B-1 Community Business District
 - L-1 Light Industrial District
- Ponds
 - ELAK_2019.jp2
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



Proposed Re-Zoning Map

Disclaimer:
 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Eagle Lake is not responsible for any inaccuracies herein contained.



Real People. Real Solutions.

0 132 Feet

© Bolton & Menk, Inc - Web GIS 2/15/2023 4:08 PM

Exhibit D



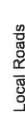
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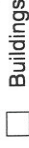
Roads Layer



County Roads



Parcels (01/07/2021)



Protected Waters - Basins



Public Water Wetland



Zoning

A-1 Agricultural District

R-1.1 Family Residential District

R-2.1 & 2 Family Residential Dist

R-3 Limited Multi-Family Residen

R-4 Multi-Family Residential Distr

B-1 Community Business District

L-1 Light Industrial District

Ponds

ELAK_2019.jp2

Red: Band_1

Green: Band_2

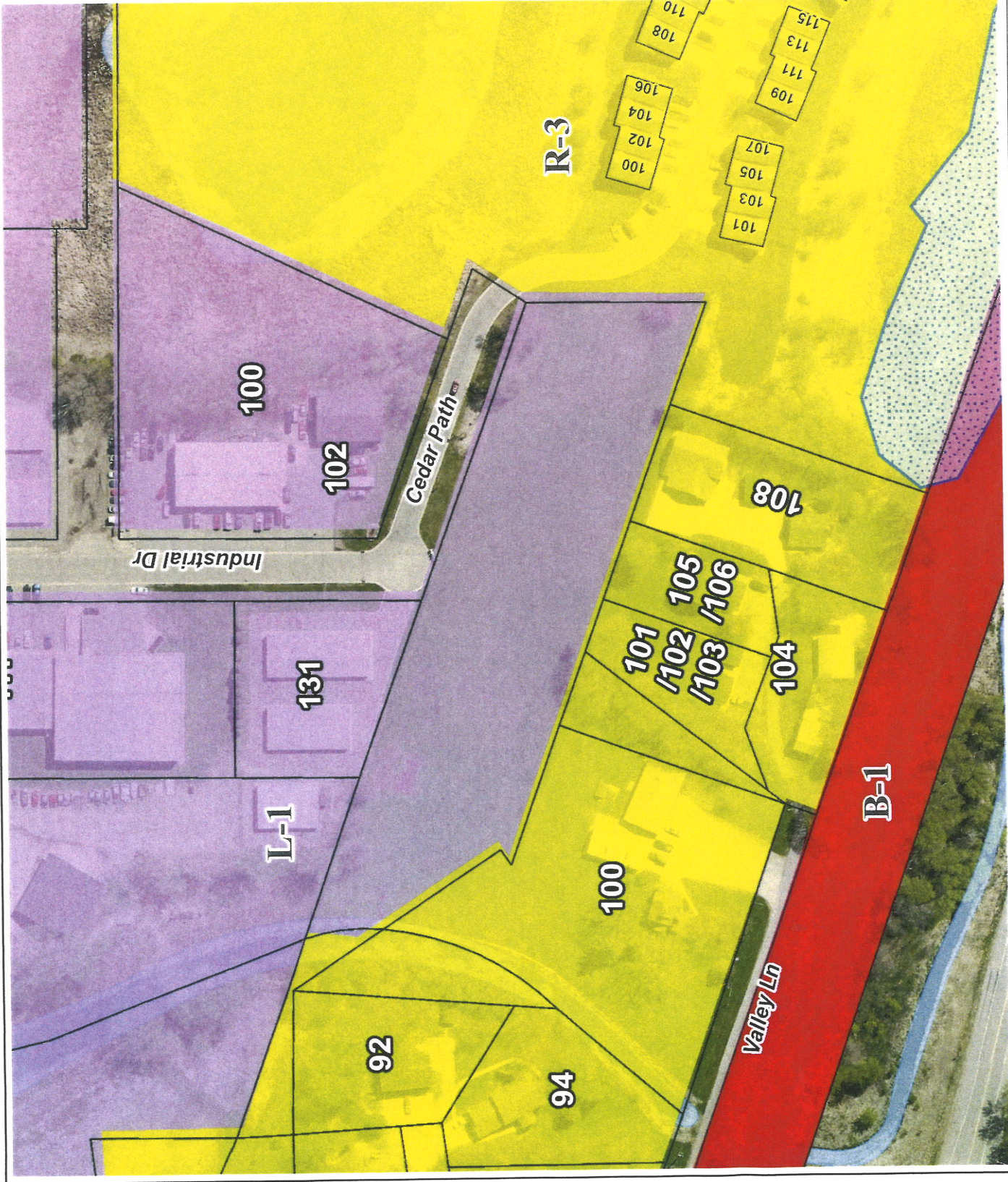
Blue: Band_3

Existing Zoning Map



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Eagle Lake is not responsible for any inaccuracies herein contained.



Real People. Real Solutions.

0 132 Feet

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705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

February 27, 2023

To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: Application for Preliminary Plat


An application for preliminary plat has been received from Kurt Matson (contract purchaser) and Scott Borgmeier and Rome Reichel Construction (owners), a copy of which is attached and shown as Exhibit A. 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. See attached Exhibit B for the preliminary plat.

Due to the timing of when the application was received at City Hall and tonight's meeting, 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.

A message was left with Mr. Matson's engineer that the "Utility and Site Data" section of the preliminary plat will need to be revised to reflect Eagle Lake zoning and setback information for an R-3 district.

Discussion should ensue.

City staff recommends that if the Planning Commission scheduled a public hearing for rezoning of the parcel, that a motion also be made to schedule a public hearing for the preliminary plat to take place at the March 23rd meeting.


Jennifer J. Bromeland
City Administrator

PRELIMINARY PLAT APPLICATION



705 Parkway Ave., PO Box 159
Eagle Lake, MN 56024
(507)257-3218
(507)257-3220 fax

Name Kurt Matson (Contract Purchaser) Scott Borgmeier & Rome Reichel Const. (Owner)
Address 433 South Brook Circle
Phone _____ Cell Phone _____
Email Address Kurt.matson@yahoo.com
Parcel ID # Parcel ID R121018201019
Street Address of Property to be Platted N/A

The preliminary plat shall include the items outlined in Chapter 5 of the City Code.

Kurt Matson
Applicant's Signature

2/21/23
Date

Office Use Only:

- Application Fee Paid \$100.00
- \$10 per Lot Paid _____ lots x \$10.00/lot = \$ _____
- Notification Letters Sent
- Billing for Notification Letters _____ notices x \$2.00/notice = \$ _____ (properties within 350 feet)
- Bill for Notices Paid
- Planning Commission Hearing Held
 - Planning Commission Action Approved Denied Tables
 - Planning Commission Comments
- City Council Meeting Held
 - City Council Action Approved Denied Tabled
 - City Council Comments

Exhibit B



UTILITY & SITE DATA
 All utility lines shown are based on the City of Phoenix Data. The
 accuracy of these lines is not guaranteed. The City of Phoenix
 does not warrant the accuracy of these lines. The City of Phoenix
 is not responsible for any errors or omissions in this information.
 Subject to survey, covering ground, and other data shown
 hereon, the surveyor has examined the site and the information
 presented hereon is true and correct to the best of his knowledge
 and belief.

REMARKS:
 1. This is a preliminary plat and is not to be used for construction.
 2. The surveyor has not inspected the site and is not responsible for
 any errors or omissions in this information.

DATE: 08/11/2010
TIME: 10:00 AM
BY: J. J. B. [Signature]
FOR: EASTGATE TOWNHOMES

SURVEYOR'S CERTIFICATION
 I, the undersigned, being a duly licensed and qualified surveyor in
 the State of Arizona, do hereby certify that the foregoing is a true
 and correct copy of the original survey as shown to me by the
 owner of the land shown on the face of this plan.

DATE: 08/11/2010
BY: J. J. B. [Signature]
FOR: EASTGATE TOWNHOMES

EASTGATE TOWNHOMES

BOLTON & MENK
 PRELIMINARY PLAT
 EASTGATE TOWNHOMES
 11000 W. BUCKLEBOURNE DRIVE
 PHOENIX, ARIZONA 85034

DATE OF MAP: 08/11/2010
 TIME OF DAY: 10:00 AM
 BY: J. J. B. [Signature]
 FOR: EASTGATE TOWNHOMES

New Business #4



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax


February 27, 2023

To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: Resignation of Andrew Miller

Attached is an email from Andrew Miller notifying the Planning Commission of his intent to step down, effective February 12, 2023. Mr. Miller was appointed to the Planning Commission on November 4, 2019.

A thank you letter will be sent to Andrew.

A motion is needed to accept Andrew Miller's resignation and declare a vacancy on the Planning Commission.


Jennifer J. Bromeland
City Administrator

Jennifer Bromeland

From: Andrew Miller <acmiller216@gmail.com>
Sent: Sunday, February 12, 2023 10:01 AM
To: Jennifer Bromeland
Subject: RE: Planning Commission

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the Planning Commission:

I, Andrew Miller, have chosen to resign from the Planning Commission effective February 12th, 2023. I appreciated serving with you all and for all you've taught me.

Respectfully,

Andrew Miller

On Feb 10, 2023, at 8:41 AM, Jennifer Bromeland <jbromeland@eaglelakemn.com> wrote:

Good Morning,

Sorry to hear that you will be stepping down from the Planning Commission but I also understand how busy you are and needing to eliminate this commitment. All I need is something stating that you are resigning and when you would like it to take effect. An email will suffice.

Thank you.

Jennifer J. Bromeland

City Administrator

City of Eagle Lake

705 Parkway Avenue

PO Box 159

Eagle Lake, MN 56024

P: (507) 257-3218

From: Andrew Miller <acmiller216@gmail.com>
Sent: Wednesday, February 8, 2023 2:01 PM
To: Jennifer Bromeland <jbromeland@eaglelakemn.com>
Subject: Planning Commission

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Jennifer,

I am deciding to resign from the Planning Commission. I have been getting involved in many other things along with family life, and I need to reduce some of my commitments. What is needed from me for a resignation?

Andrew Miller

New Business #5



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

February 27, 2023

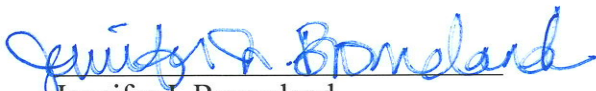
To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: Application for Rezoning

An application has been received from the property owners of 114 S. Agency Street -Jennifer and Dave Miller. The Miller's 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. Attached as Exhibit A is a copy of the application.

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.

Discussion should ensue.

If there is an interest by the Planning Commission to consider the rezoning request, then a motion could be made to schedule a public hearing for this purpose at the upcoming March 23rd meeting, or the matter could be tabled until the March 23rd meeting for further review given the date that the application was received at City Hall.


Jennifer J. Bromeland
City Administrator

Received 2/24/23 @ 1:45 pm.

CITY OF EAGLE LAKE WHERE OPPORTUNITY SOARS

APPLICATION FOR REZONING

705 Parkway Ave., PO Box 159 Eagle Lake, MN 56024 (507)257-3218 (507)257-3220 fax

Applicant's Name Jennifer Miller and Dave Miller as JD3 Properties LLC

Day Phone te Phone

Applicant's Address 4210 360th Ave Janeville MN 56048

Email Address dave@homeSweetHomeMankato.com

Property Address to be Rezoned 114 S. Agency St

Table with 2 rows and 9 columns: Current Zoning, Proposed Zoning, and various zoning codes (A-1, R-1, R-2, R-3, R-4, B-1, L-1, H-1).

In detail, please describe the need for property to be rezoned: We have been trying to lease the building for almost a year. At the advice of our realtor, the building would be more marketable as a residential property.

Applicant's Signature [Handwritten Signature]

Date 2/24/23

Office Use Only

- Application Fee: \$100
Notification Letter to Residents Sent
Billing for Notification Sent ___ notices x \$2.00/notice = \$ ___ (properties within 350 feet)
Billing for Notices Paid
Planning Commission Hearing Held
Planning Commission Action Approved Denied Tabled
Planning Commission Comments
City Council Meeting Held
City Council Action Approved Denied Tabled
City Council Comments

Jennifer Bromeland

From: Jennifer Bromeland
Sent: Friday, February 17, 2023 3:02 PM
To: jennifer@homesweethomemankato.com
Subject: 114 S. Agency Street
Attachments: B-1 Zoning Regulations.pdf

Hi Jennifer,

This email is a follow-up to our phone conversation regarding your inquiry about whether the south unit at 114 S. Agency Street could be converted into a rental housing unit. Attached is a copy of code regulations for the B-1 district. Apartments or dwelling units when located above the ground floor may be allowed by a conditional use permit. Per a review of code, what you are asking to do is not listed as a permitted use or as a use allowed by a conditional use permit in the B-1 District.

Have a good afternoon.

Sincerely,

Jennifer J. Bromeland

City Administrator
City of Eagle Lake
705 Parkway Avenue
PO Box 159
Eagle Lake, MN 56024
P: (507) 257-3218

of three (3) feet from the any property line.

- B. Not more than thirty-five percent (35%) of the required front, corner side yard, or rear yard setbacks shall be hard-surfaced or used for driveways and/or unenclosed motor vehicle parking. Motor vehicle parking shall not be allowed in the required side yard setback.

Subd. 11. Maximum Ground Coverage.

- A. The sum total of lot area that may be covered by all structures located on a zoning lot in the R-T, Residential Transition District, shall not exceed forty percent (40%) of the lot area.
- B. Accessory buildings shall occupy not more than fifty percent (50%) of the total area of a required rear yard.

Subd. 12. Maximum Building Height. The maximum building height in the R-T, Residential Transition District, is thirty-five (35) feet. Accessory structures shall not exceed a height of twenty (20) feet.

Subd. 13. Minimum Structural Requirements. The following shall be minimum structural requirements in the R-T, Residential Transition District:

All structures used for residential occupancy shall have a minimum width of twenty (20) feet at the structure=s narrowest dimension and the structure shall be affixed to a continuous permanent perimeter foundation constructed of wood, concrete block or poured concrete. All structures, either principal or accessory, shall be constructed in conformance with the Uniform Building Code.

SECTION 6.170 B-1 COMMUNITY BUSINESS DISTRICT

Subd. 1. Purpose. The B-1, Community Business District, is designed to provide for a broad range of commercial developments. The district will also accommodate office and institutional uses.

Subd. 2. Permitted Uses. Except as specifically limited herein, the following uses are permitted in the B-1, Community Business District. Every use, unless expressly exempted below 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:

- A. Antique shops
- B. Apparel stores

- C. Appliance stores
- D. Art galleries, including commercial display and sales
- E. Art schools and studios
- F. Art supply stores
- G. Auction rooms
- H. Automobile fuel service stations
- I. Automobile parts stores, not including accessory repair or servicing of motor vehicles or trailers
- J. Bakeries
- K. Banks and savings and loans
- L. Barber and beauty shops
- M. Book stores
- N. Bicycle stores
- O. Blue printing and Photostatting
- P. Business machine stores
- Q. Camera and photographic supplies
- R. Candy, ice cream, and confectionery stores
- S. Caterers
- T. Churches and other religious institutions
- U. Clubs and lodges, not including the accessory sale of food or alcoholic beverages, unless permitted by a conditional use permit
- V. Contractors: Electric, general, painting and decorating, and plumbing
- W. Dance halls, not including the accessory sale of food or alcoholic beverages, unless permitted by a conditional use permit
- X. Dental, medical, and scientific clinics and laboratories

- Y. Department, discount, and variety stores
- Z. Dressmakers, seamstresses, and tailors
- AA. Drive-in facilities, accessory to a principal use
- AB. Drug stores
- AC. Dry-cleaning, Laundromats, and diaper services
- AD. Exterminators
- AE. Floral sales
- AF. Food locker plants, including sales and home delivery, cutting, and packaging of meats and game, but not including slaughtering or eviscerating activities. (Lockers shall be provided for individual home rental and storage only).
- AG. Funeral homes
- AH. Furniture stores
- AI. Garden supply stores and landscape nurseries
- AJ. Gift and souvenir stores
- AK. Grocery stores
- AL. Gunsmiths
- AM. Hardware stores
- AN. Health clubs
- AO. Health equipment and sporting goods stores
- AP. Hobby stores
- AQ. Hotels and motels
- AR. Interior decorators
- AS. Janitorial services
- AT. Jewelry stores

- AU. Laundry, self-service
- AV. Liquor stores (off-sale)
- AW. Locksmiths
- AX. Medical appliance sales and fittings
- AY. Motorcycle sales
- AZ. Music stores, including the sale of instruments and recorded music
- BA. Optical goods and services
- BB. Paint and wallpaper stores
- BC. Parks and playgrounds
- BD. Photo studios and picture processing and equipment sales
- BE. Professional service offices
- BF. Radio and television broadcasting, including transmitters, and studios
- BG. Repair, rental, and service shops, provided the sale of the articles repaired, rented, or serviced shall be permitted in the District.
- BH. Schools, public and private elementary, middle, secondary, and post-secondary
- BI. Self Service Storage Facilities
- BJ. Shoe stores
- BK. Stationary and greeting card stores
- BL. Surface parking lots and parking structures or garages
- BM. Taxidermists
- BN. Theaters, excluding drive-ins
- BO. Ticket agencies and travel bureaus
- BP. Toy stores

BQ. Upholstery shops

BR. Veterinarians, including observation kennels for domestic pets, provided that all such kennels are within completely enclosed structures.

BS. Video rentals and sales

Subd. 3. Conditional Uses. Except as specifically limited herein, the following uses may be allowed in the B-1, Community Commercial District. Every use, unless expressly exempted below 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:

A. Any use that exceeds ten thousand (10,000) square feet of gross floor area

B. Apartments or dwelling units, when located above the ground floor

C. Automobile repair garage, including automobile glass, muffler, tire, and electronics installation

D. Bowling alleys

E. Collection areas for recyclable materials

F. Community convention centers

G. Drive-in facilities, accessory to the principal use

H. Indoor firing ranges

I. Restaurants, including drive-thru and carry out

J. Shopping malls

K. Surface parking lots and parking structures or garages, when not accessory to a permitted use

L. Theaters, excluding drive-ins

M. 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.

Subd. 4. All Buildings. Height, Yard, and Area Regulations.

A. Height Regulations: No building hereafter erected or altered shall exceed three (3)

stories or thirty-five (35) feet in height.

- B. Front Yard Regulations: There shall be a front yard having a depth of not less than fifteen (15) feet to an impervious parking or storage surface and/or any portion of a building or in line with any existing buildings located on abutting properties.
- C. Side Yard Regulations: There shall be a three (3) foot side yard setback to an impervious parking or storage surface and a six (6) foot setback to any portion of a building. Two (2) side yards are required.
- D. Rear Yard Regulations: There shall be a three (3) foot rear yard setback to an impervious parking or storage surface and six (6) feet to any portion of a building.
- E. Lot Area Regulations: Each lot in the district shall contain an area of not less than ten thousand (10,000) square feet.
- F. Transitional Yard: A transitional yard shall be provided anywhere a B-1, Community Commercial District abuts a Residential District. The yard shall conform to the following requirements:
 - 1. The dimensions of the required transitional yard on the property located in the B-1 District shall be equal to the dimensions of the required yard on the residentially zoned property which is located in closest proximity.
 - 2. The transitional yard shall extend the entire length of the abutting Residential District boundary.
 - 3. The transitional yard shall not be less than a yard required in the B-1 District.
 - 4. The transitional yard shall not be required to be more than twenty (20) feet in depth.
 - 5. The transitional yard shall be landscaped.

Subd. 5. Maximum Ground Coverage. The sum total of lot area that may be covered by all structures located on a zoning lot in the B-1, Community Commercial District, shall not exceed seventy-five percent (75%) of the lot area.

Subd. 6. Minimum Structural Requirements. The following shall be minimum structural requirements in the B-1, Community Commercial District:

- A. Exterior Wall Finish: All exterior wall finishes on any building or structures shall be of the following materials or combination thereof:
 - 1. Face brick.

2. Factory fabricated and finished metal framed panel construction, glass, pre-finished metal (except for unpainted galvanized iron), or plastic.
 3. Natural stone.
 4. Precast concrete panels or units if the surfaces have been integrally treated with an applied decorative material or texture.
 5. Other materials as approved by the Planning Commission and City Council.
- B. Additions and Accessory Buildings: All subsequent additions to a principal building and all accessory buildings and structures shall be constructed of the same materials as the principal building and shall be of the same architectural design and general appearance as the principal building.

SECTION 6.173 PARKWAY AVENUE DISTRICT

Subd. 1. Purpose. The Parkway Avenue District is designed to provide for a broad range of commercial developments and is flexible to development and redevelopment of properties along this corridor of Parkway Avenue. The district will also accommodate residential uses when located above or behind commercial development.

Subd. 2. District Boundaries. The Parkway Avenue District will include the properties that are zoned B-1, Community Business District from 598th Avenue to Agency Street.

Subd. 3. Permitted Uses. Except as specifically limited herein, the following uses are permitted in the Parkway Avenue District. Every use, unless expressly exempted below 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:

- A. Antique Shops
- B. Apparel stores
- C. Appliance stores
- D. Art galleries, including commercial display and sales
- E. Art schools and studios
- F. Art supply stores
- G. Auction rooms
- H. Automobile fuel service stations

New Business #6



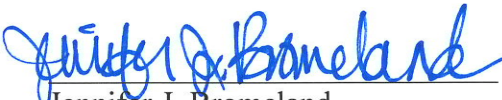
705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024
(507) 257-3218 Phone (507) 257-3220 Fax

February 27, 2023

To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: Possible Zoning Code Amendments

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. Attached are some excerpts from code with notes. We will plan to discuss in more detail at the meeting.

If there is an interest in amending code, then a motion is necessary to schedule a public hearing for this purpose.


Jennifer J. Bromeland
City Administrator

Standard of General Applicability

Subd. 4. General Yard, Bulk, and Height Limitations. All accessory uses permitted by this Section shall be subject to the following general requirements:

A. Location of Accessory Building in Yards.

1. When a garage is detached from the main building it is considered an accessory (building) use. The building shall be constructed on a concrete slab or footing. Roof and siding style shall be similar to the roof and siding style of the main building. Height restrictions shall conform to the district in which the building is located.
2. ~~Accessory Buildings are prohibited in any front or side yards.~~ ^{"required"}
3. No accessory building on a corner lot shall be located in the corner side yard.

B. The parking of vehicles is not allowed in the side setback area.

C. Maximum Coverage. In Residential Districts, an accessory building shall not occupy more than fifty percent (50%) of the total area of the required rear yard.

D. Maximum Height of Accessory Structures. The height of accessory buildings shall not exceed the limits set for the district. However, accessory utility structures shall comply with applicable Federal Communications Commission or Federal Aviation Administration height regulations.

Building Height Exceptions. The building height limits established herein for districts shall not apply to belfries, cupolas, domes, spires, monuments, roof houses, airway beacons, radio towers, windmills, flagpoles, chimneys or flues, not to bulkhead elevators, necessary mechanical appurtenances extending above the roof of any building and not occupying more than twenty-five percent (25%) of the total roof area. When permitted in a district having a building height limit of less than seventy-five (75) feet, public buildings, schools, churches, and other institutions, and semi-public buildings may be erected to a height not exceeding seventy-five (75) feet, provided the front yard depth, side yard widths, and rear yard depth shall each be increased by one (1) over and above the requirements for the district for each two (2) feet of building height above the building height limit for the particular zoning district.

Subd. 5. New Home on a Lot with an Existing Dwelling. No new dwelling shall be placed, built, or otherwise, on any lot which currently has a house or place of residency existing on the lot at the time of application for a building permit without first obtaining a Conditional Use Permit. The Conditional Use Permit shall state that the existing house or place of residency will be removed within sixty (60) days from the date of issuance of a Certificate of Occupancy for the new dwelling. The Conditional Use Permit shall also state the completion date of the new house/dwelling and any other requirements as determined by the city council in accordance with Section 6.070.

Subd. 6. Kennel, Private. Private dog kennels in residential zoning districts shall not be allowed in the front or side yards. Kennels may be located in the rear yard, provided all portions of the kennel are located at least fifteen (15) feet from any property line.

- D. The garage addition shall comply with all the other requirements of this Ordinance and the Minnesota Uniform Building Code.
- E. The existing garage and garage addition shall only be used as a private garage.
- F. Adequate drainage shall be provided and drainage shall be directed away from adjacent private property. This exception shall not apply to the corner side yard.

R1-R4

Subd. 6. Accessory Buildings.

- A. Accessory buildings shall not be allowed in the required front or side yards. Accessory buildings may be located in the rear yard, provided the building is located at least five (5) feet from any property line.

All accessory garage buildings that have an overhead door facing the alley (8-5-13) must be a minimum of twenty-five feet from any alley.

- M. Roof Materials. Metal roofs on structures are allowed, however corrugated metal is not an allowable roofing material.(8-5-13)

Subd. 7. Decks, Patios, Balconies, and Ramps in the R-1, R-2, and R-3 Zoning Districts. The following regulations shall apply to accessory decks, patios, balconies, and ramps in R-1, R-2, and R-3 Zoning Districts.

- A. The following shall not be considered as encroachments in required front yards:
 - 1. Uncovered ramps constructed for the purpose of providing handicap access, provided that the ramp has a railing no higher than thirty-six (36) inches and does not extend nearer than five (5) feet to the front lot line.

(5) feet, the City Administrator shall determine the average front yard setback based upon the location of existing structures on improved lots within 200 feet of each side.

- C. Side Yard Regulations: There shall be a here (3) foot side yard setback to an impervious parking or storage surface and a six (6) foot setback to any portion of a building. Two (2) side yards are required. Shared parking may have a zero (0) foot side yard setback.
- D. Rear Yard Regulations: There shall be a three (3) foot rear yard setback to an impervious parking or storage surface and six (6) feet to any portion of a building. Shared parking may have a zero (0) foot side yard setback.
- E. Lot Area Regulations: Each lot in the district shall contain an area of not less than ten thousand (10,000) square feet.
- F. Transitional Yard: A transitional yard shall be provided anywhere the Parkway Avenue District abuts a Residential District. The yard shall conform to the following requirements:
 - 1. The dimensions of the required transitional yard on the property located in the B-1 District shall be equal to the dimensions of the required yard on the residentially zoned property which is located in closest proximity.
 - 2. The transitional yard shall extend the entire length of the abutting Residential District boundary.
 - 3. The transitional yard shall not be less than a yard required in the B-1 District.
 - 4. The transitional yard shall not be required to be more than twenty (20) feet in depth.
 - 5. The transitional yard shall be landscaped.

Subd. 6. Maximum Ground Coverage. The sum total of lot area that may be covered by all structures located on a zoning lot in the Parkway Avenue District shall not exceed seventy-five percent (75%) of the lot area.

Subd. 7. Minimum Structural Requirements. The following shall be minimum structural requirements in the Parkway Avenue District.

- A. Exterior Wall Finish: All exterior wall finishes on any building or structures shall be of the following materials or combination thereof:
 - 1. Face brick.
 - 2. Factory fabricated and finished metal framed panel construction, glass, pre-finished metal (except for unpainted galvanized iron), or plastic.
 - 3. Natural stone.
 - 4. Precast concrete panels or units if the surfaces have been integrally treated with an applied decorative material or texture.

*ADD:
no corrugated
Metal ?*

2. Application received for Planning Commission Vacancy.

- An application was received from Lisa Norton for the vacant Planning Commission seat. Administrator Bromeland gave an overview of her application. She has had experience on the Lent Township Planning and Zoning and as Supervisor of Lent Township.
- Chairman Talle stated that he believes she would be a good fit if she is willing, able, and has good attendance.
- Commissioner Rose moved, seconded by Commissioner Hughes to recommend to the Council to appoint Lisa Norton to the Planning Commission. A roll call was taken with all in favor. Motion carried.

3. Development Plans for 404 S. Agency Street.

- Justin Bauer attended the February 28, 2022 Planning Commission meeting to give an overview of his proposed development plans for 404 S. Agency Street – the construction of three duplexes. The duplexes would be one level, patio style, and rental property. Discussion took place at that time about the current parcel being zoned B-1 and the need for the parcel to be rezoned for residential use. No formal applications for rezoning, platting, etc. have been submitted by the developer.
- Administrator Bromeland stated that the city should be concerned with this parcel currently zoned as B1 since it is in a residential area. The parcel should be rezoned before any variances.
- Commissioner McCarty stated he believes that Mr. Bauer can make his project conforming to setbacks by changing the plans to two duplexes instead of three. He stated he would like to know the reasons why Mr. Bauer feels he absolutely needs a variance. Commissioner Miller agreed with Commissioner McCarty that 2 units was too many for this parcel. Commissioner Hughes asked if there was a way to make the duplexes smaller to fit them within the setback requirements.
- Mr. Humpal, with SCSC, suggested looking to see if other properties similar to this project required variances for setbacks.
- Commissioner McCarty asked if this project fits into the character of the neighborhood. Commissioner Miller stated he looked at a view from above and it looks like it would fit in with the character of the rest of the neighborhood.

Other

1. Building and Zoning Permit Activity: Permit activity was presented for the months of April and May.
2. Chapter 6 City Code Update and Next Steps.
 - Administrator Bromeland shared with the Planning Commission a few items in city code that has caused some issues for city staff. A few of the items in code are the pictures of corrugated metal for roofing and siding in residential, the need to clearly define what each yard definition is, and

where an accessory structure can be located. Administrative Clerk Mandy Auringer stated that code in R1- R4 reads that you cannot place an accessory structure in the required side yard, which is the 8-foot setback, and the required front yard, which is the 25–30-foot setback, and in Standard of General Applicability it reads an accessory structure is prohibited from the side yard or front yard. City staff would like clarity if an accessory structure is allowed in the front or side yards by either adding “required” in Standard of General Applicability or removing it from the R1-R4 sections.

- Chairman Talle stated that this was talked about a while ago and it should read “required” yards in both R1-R4 and Standard of General Applicability. Commissioner Miller and Commissioner McCarty agreed that the word “required” should be stated as putting an accessory structure in your side yard, but not within the 8-foot setback, makes more sense.
- Chairman Talle stated that staff should put a note that it was discussed at the May 16, 2022 meeting that the word “required” should be in both areas of code.
- The next regular scheduled Planning Commission meeting is June 20, 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 6:49 p.m.

Trent Talle, Chairman

Mandy Auringer, Administrative Clerk

Other # 1

2023 Building Permits Issued

Back from
Dan
01/24/23

Month
Issued
Jan

Contractor
American Waterworks

<u>HOUSE #</u>	<u>STREET</u>	<u>VALUE</u>	<u>TOTAL PERMIT</u>	<u>Project Description</u>
110	Plainview St.	\$ 12,696.00	\$ 389.04	Foundation Repair
			\$ -	