



## **PLANNING COMMISSION MEETING AGENDA**

Monday, May 17, 2021

Council Chambers, 705 Parkway Avenue

6:00 p.m.

### **CALL TO ORDER**

### **APPROVAL OF THE AGENDA**

### **APPROVAL OF MINUTES**

### **NEW BUSINESS**

1. Public Hearing for Variance: 112 Parkway Avenue
2. MVCOG Planning Commission Presentation: Jessica Steinke, Program Director

### **OTHER**

1. Monthly Building and Zoning Permit Activity

### **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**  
**April 19, 2021**  
**PLANNING COMMISSION MEETING**

**Call to Order**

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

**Approval of Agenda**

- There were no additions to the agenda.

**Approval of Minutes**

- Commissioner McCarty moved and seconded by Commissioner Rose to approve the Planning Commission meeting minutes from March 15, 2021. A roll call vote was taken, all voted in favor. Motion carried.

**New Business**

1. Conditional Use Permit Application: Administrator Bromeland gave an overview of a conditional use permit application that was received from Mark Fromm for the building he owns at 112 Parkway Avenue which is the former Uncle Albert's Café. Mr. Fromm has a buyer interested in converting the restaurant area into four apartments. Per a review of Section 6.173 of the Zoning Code, the Parkway Avenue District will accommodate residential uses via a conditional use permit when located above or behind commercial development. The proposed use of 112 Parkway Avenue does not involve a commercial component. Mr. Fromm was invited to attend the meeting to discuss his proposed use of the property to determine if there is any interest in entertaining the notion of a conditional use permit for residential housing only for the property. The intent of the district, which was established in March 2016, is described in Section 6.173, subdivision 1. There are currently some properties along Parkway Avenue that are solely used for residential but appear to have been in existence prior to March 2016 when the Parkway Avenue District regulations were adopted. The Parkway Avenue District runs from 598<sup>th</sup> Avenue to Agency Street.
- Chairman Talle asked the applicant, Mark Fromm, if he had any additional information he would like to share. Mr. Fromm stated that his property has been for sale since before they closed the restaurant and has been vacant for more than a year. They have had a few people look at the property but have not had anyone actively interested. He stated they were looking into converting

it into apartments themselves but now are looking at selling to Scott Wangen to convert into 4 apartments.

- Commissioner McCarty asked if the house on the property would be removed. Mr. Wangen said it will remain. Commissioner McCarty also was concerned about there being enough parking and the growth of future potential businesses surrounding the proposed residential property. Mr. Wangen stated they would have plenty of parking on the street and he was not concerned with potential businesses building next to him. Commissioner McCarty asked how many floors and if there would be any structural changes to size and or additions. Mr. Wangen stated there would be 3 main floor apartments with one possibly being handicapped accessible and one in the basement. The only structural changes would be adding egress windows. Commissioner Rose asked if the roof line would stay the same. Mr. Wangen stated that it would stay the same.
- The other residential properties were brought to the attention of the commission by Mr. Fromm. Administrator Bromeland stated that those properties were all in existence as residential before the Council adopted the regulations for the Parkway Avenue District in 2016.
- Commissioner Talle asked if this was more of a variance request than a conditional use permit. Commissioner McCarty stated he believed it should be a variance since there is no commercial component.
- Commissioner McCarty stated concerns with the possibility of not being able to meet all the zoning conformities within the Parkway Avenue District. He stated that being there are 4 parcels to this property, they may want to look into the possibility of combining the parcels in order to meet some of the zoning setback conformities.
- Chairman Talle asked if they could set the Public Hearing for the next Planning Commission meeting and look into the other items before the next meeting. Commissioner Beckel stated he would like city staff to contact the city attorney and get their input. He stated he would like a lot more information and does not think we should move ahead with scheduling a public hearing.
- Commissioner Beckel made a motion to set a Public Hearing while city staff investigates whether this application requires a Conditional Use Permit or a variance, meeting zoning conformities within the Parkway District, the possibility of combing the 4 parcels, and contacting the city attorney. Commissioner Rose seconded the motion. A roll call vote was taken with Chairman Talle, Commissioners Beckel, Hughes, Rose, and McCarty voting in favor. Motion carried.

### **Other**

2. **Building and Zoning Permit Activity.** Permit activity was presented for the months of March and April.
  - The next regular scheduled Planning Commission meeting is May 17, 2021 at 6:00 p.m. in City Hall Council Chambers, 705 Parkway Avenue.

### **Adjournment**

- Commissioner Rose moved to adjourn, seconded by Commissioner Beckel. A roll call vote was taken with Chairman Talle and Commissioners Beckel, Hughes, Rose, and McCarty voting in favor. Meeting adjourned at 6:42 p.m.

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**Trent Talle, Chairman**

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**Mandy Auringer, Administrative Clerk**





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

May 17, 2021

To: Planning Chair Trent Talle and Commission  
From: Jennifer J. Bromeland, City Administrator  
Re: May 17, 2021 Planning Commission Meeting

### New Business

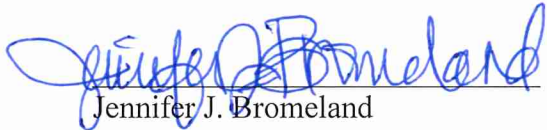
1. Public Hearing for Variance: 112 Parkway Avenue. A public hearing has been scheduled for 6:00 p.m. this evening to consider a variance application from Mark and Rolene Fromm, owners of the property located at 112 Parkway Avenue in Eagle Lake. The property is in the "Parkway Avenue Business District" that includes properties that are zoned B-1 Community Business District, from 598<sup>th</sup> Avenue to Agency Street. The owners are seeking a variance to convert an existing commercial building into multi-family apartments. The Parkway Avenue District will accommodate residential uses when located above or behind commercial development. The proposed use does not include a commercial use for the property. The owners are seeking a variance for a property use that otherwise is not allowed in a B-1 Community Business District. Attached is a copy of the public notice that was mailed to all property owners within 350 feet of the subject property and a copy of the proof that was published in the City's legal newspaper. The Planning Commission will need to make findings that show why the subject property meets the practical difficulties test. Section 6.080, subdivision 13, states that no variance shall be granted to establish a use not permitted in the zoning district where the subject property to the application is located. Also attached you will find excerpts from City Code (Section 6.080, Section 6.170, and Section 6.173) related to variances and zoning regulations for a Business District and the Parkway Avenue District. A variance once approved runs with the land and not with a particular property owner. Per an inquiry to the City's legal counsel, if the property has not been platted that is an action that will need to be taken at some point and that will require the property to be surveyed and a plat prepared. If there is a legal description that allows the property to be transferred that is not an action that needs to occur at this time. Also, legal counsel advised that the existing structure is a non-conforming use and that it may be maintained, and the interior remodeled, as long as construction does not increase the size of the building or modify a load bearing wall.

➤ **Action Needed:** A motion is necessary to recommend to the City Council that the variance be granted, granted with conditions, or denied.

2. Planning Commission Presentation. Jessica Steinke, Program Director for the Minnesota Valley Council of Governments (MVCOG) will be in attendance to give a presentation on the role of the planning commission. This is intended as a refresher for experienced planning commission members and an orientation for newer members.

Other

1. Building and Zoning Permit Activity. Attached you will find recent building and zoning permit information. No action is needed as this is included for informational purposes.



Jennifer J. Bromeland  
City Administrator

New Business  
#1



705 Parkway Ave, PO Box 159, Eagle Lake, MN 56024  
(507)257-3218 Phone (507) 257-3220 Fax  
[www.eaglelakemn.com](http://www.eaglelakemn.com)

May 3, 2021

**PUBLIC NOTICE  
PLANNING COMMISSION OF EAGLE LAKE**

Notice is hereby given that the Planning Commission of the City of Eagle Lake, Blue Earth County, Minnesota, will meet and hold a Public Hearing on **Monday, May 17, 2021 at 6:00 p.m.** to consider a variance application from Mark and Rolene Fromm, owners of the property located at **112 Parkway Avenue** in Eagle Lake. The property is in the "Parkway Avenue Business District" that includes properties that are zoned B-1 Community Business District, from 598<sup>th</sup> Avenue to Agency Street. The owners are seeking a variance to convert an existing commercial building into multi-family apartments. The Parkway Avenue District will accommodate residential uses when located above or behind commercial development. The proposed use does not include a commercial use for the property. The owners are seeking a variance for a property use that otherwise is not allowed in a B-1 Community Business District.

Upon considering the Planning Commission's recommendation, the City Council may grant the variance subject to conditions or deny the variance.

**You are receiving this notice as an owner of property located within 350 feet of the property seeking a variance. Please contact me with any questions and/or concerns. Thank you.**

Jennifer J. Bromeland

City Administrator

(507) 257-3218

Email: [jbromeland@eaglelakemn.com](mailto:jbromeland@eaglelakemn.com)

# The Free Press

# THE LAND

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DATE 05/04/21

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CITY OF EAGLE LAKE  
PO BOX 159  
EAGLE LAKE, MN 56024-0000  
(507) 257-3218

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ACCOUNT REP: DANNY CREEL  
ACCOUNT REP PHONE: (507) 344-6351  
ACCOUNT REP EMAIL:  
[DCREEL@MANKATOFREEPRESS.COM](mailto:DCREEL@MANKATOFREEPRESS.COM)

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### Publications:

The Free Press  
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### Public Notice

May 6, 2021

#### PLANNING COMMISSION OF EAGLE LAKE

Notice is hereby given that the Planning Commission of the City of Eagle Lake, Blue Earth County, Minnesota, will meet and hold a Public Hearing on Monday, May 17, 2021 at 6:00 p.m. to consider a variance application from Mark and Rolene Fromm, owners of the property located at 112 Parkway Avenue (Parcel ID R12.10.18.130.006) in Eagle Lake. The property is in the "Parkway Avenue Business District" that includes properties that are zoned B-1 Community Business District, from 598th Avenue to Agency Street. The owners are seeking a variance to convert an existing commercial building into multi-family apartments. The Parkway Avenue District will accommodate residential uses when located above or behind commercial development. The proposed use does not include a commercial use for the property. The owners are seeking a variance for a property use that otherwise is not allowed in a B-1 Community Business District.

Upon considering the Planning Commission's recommendation, the City Council may grant the variance subject to conditions or deny the variance.

*Jennifer J. Bromeland*

City Administrator

(507) 257-3218

Email:

[jbromeland@eaglelakemn.com](mailto:jbromeland@eaglelakemn.com)



in question, rather than the owner or operator of such lot.

**Subd. 13. Other Requirements.** Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the Conditional Use Permit issued, shall require an amended Conditional Use Permit and all procedures apply as if a new permit were being issued. The Zoning Administrator shall maintain a record of all Conditional Use Permits issued including information on the use, location, and conditions imposed by the City Council. Also, time limits, review dates, and such other information as may be appropriate.

A. No application for a conditional use permit shall be resubmitted for consideration by the Planning Commission for a period of one-year following a denial of such request, except the Planning Commission may permit a new application, if in the opinion of the Planning Commission, new evidence or change of circumstances warrant it.

**Subd. 14. Fees.** An applicant for a conditional use permit shall pay a non-refundable filing fee in connection with the submittal of the application in accordance with a fee schedule as established, from time to time, by the City Council.

## SECTION 6.080 VARIANCES

**Subd. 1. Authority.** In accordance with the procedures and standards set forth in this Section, the City Council shall have the authority to grant variances from the provisions of this Ordinance in instances where their strict enforcement would cause a practical difficulty because of circumstances unique to the individual property.

**Subd. 2. Purpose.** The variance procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this Ordinance that create practical difficulties to a particular property.

**Subd. 3. Parties Entitled to Seek Variances.** Applications for variances may be filed by the owner of, or any person having contractual interest in, the property.

**Subd. 4. Procedure.** An application for a Variance shall be filed with the Zoning Administrator on a form provided by the City and shall contain at least the following information: To defray administrative costs of processing of requests for variances, a fee as set by the City Council from time to time, to include postage for each public hearing notice sent out, shall be paid by the petitioner.

A. The applicant's name, address, and proof of interest in the property.

B. The owner's name and address, if different than the applicant, and owners signed consent to the filing of the application.

C. The street address and legal description of the property.

- D. The present use and zoning classification of the property.
- E. A site plan showing existing lot lines and dimensions as well as lot area, all easements, all public streets and private right-of-ways bordering and adjacent to the site, the use and location of all adjacent property.
- F. The specific feature or features of the proposed use, construction, or development that requires a variance.
- G. The specific provisions of this Ordinance from which a variance is sought and the precise variance there from being sought.
- H. Statement of the characteristics of the property that prevent compliance with the provisions of this Ordinance.

**Subd. 5. Action of Zoning Administrator.** Upon receipt of a properly completed application for a variance, the Zoning Administrator shall forthwith transmit to the Planning Commission the application with all documents attached thereto.

**Subd. 6. Public Hearing.** Upon receipt of a properly completed application for a variance, the Planning Commission shall set a date for a public hearing.

**Subd. 7. Public Hearing Notice.** The Planning Commission shall hold a public hearing on the variance application within sixty (60) days after receiving the application by the Zoning Administrator. Notice of said public hearing shall be given in the City's official newspaper a minimum of ten (10) days prior to the hearing date and a maximum of thirty (30) days prior to the hearing. Notice shall be given by first class mail to all owners of property within three hundred fifty (350) feet from the proposed location of the conditional use.

The Planning Commission may require notice be given to property owners of an area greater than three hundred fifty (350) feet. The notice shall describe the particular variance and shall contain a brief description thereof. County records and street addresses shall be deemed sufficient for the location or certification of ownership for notification purposes

**Subd. 8. Action of City Council.** Upon considering the Planning Commission's recommendation, the City Council may grant the variance, grant the variance subject to conditions, or deny the variance.

**Subd. 9. Standards.** In considering an application for a variance, the City Council may approve such variance only upon the finding that the application complies with the following standards:

- A. No variance shall be granted unless the applicant establishes that conforming to the



strict letter of the provisions of this Ordinance would create a practical difficulty. Practical difficulties as used in connection with the granting of a variance means that the property owner proposes to use the property in a reasonable manner that is not permitted by the zoning ordinance; the plight of the landowner is due to circumstances that are unique to the property and that were not created by the landowner; and the variance if granted will not alter the essential character of the neighborhood. The practical difficulty shall amount to more than a mere inconvenience to the owner and the practical difficulty shall relate to the physical situation of the lot rather than the personal situation of the current owner of the lot. Economic conditions alone do not constitute a practical difficulty.

- B. The unique physical condition and hardship shall not be the result of any action or inaction of the property owner or its predecessors in title. The unique physical condition shall have existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Ordinance.
- C. The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by the owners of other property subject to the same provisions.
- D. The practical difficulty shall not include the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision. The alleged hardship shall not include the inability of the property owner to realize a greater profit than if the variance were not granted.
- E. There are no means other than the requested variance by which the practical difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the lot.
- F. A variance less than or different from that requested may be granted when the record supports the applicant's right to some relief but not to the relief requested.
- G. The variance would not result in a development on the lot that:
  - 1. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property or improvements permitted in the vicinity.
  - 2. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity.
  - 3. Would substantially increase congestion in the public streets due to traffic or parking.

4. Would unduly increase the danger of flood or fire.
5. Would unduly tax public utilities and facilities in the area.
6. Would endanger the public health or safety.
7. Would not be in harmony with the general and specific purposes of this Ordinance and the comprehensive planning policies and objectives of the City.

**Subd. 10. Conditions on Variances.** The City Council may impose specific conditions and limitations upon the granting of a variance as are necessary to achieve the purpose and objectives of this Ordinance. Such conditions and limitations may include, but are not limited to, those concerning the use, construction, character, location, landscaping, screening, parking, and other matters relating to the purpose and objectives of this Ordinance and shall be expressly set forth in the resolution granting the variance. Violation of any such condition or limitation shall be a violation of this Ordinance and shall constitute grounds for revocation of the variance pursuant to Section 6.200.

**Subd. 11. Effect of Grant of Variance.** The approval of a proposed variance by the City Council shall not authorize the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for such permits or approvals as may be required by the regulation of the City, including, but not limited to, a Building Permit.

**Subd. 12. Limitations on Variance.** Subject to an extension of time granted by the City Council, no variance shall be valid for a period longer than twelve (12) months unless a Building Permit is issued and a use commenced within that period of time.

**Subd. 13. Prohibited Variances.** Notwithstanding any other provision in this Section, no variance shall be granted to establish a use not permitted in the zoning district where the property subject to the application is located.

**Subd. 14. Fees.** An applicant for a variance shall pay a non-refundable filing fee in connection with the submittal of the application in accordance with a fee schedule as established, from time to time, by the City Council.

## SECTION 6.090 BUILDING PERMITS

**Subd. 1. Authority.** The Zoning Administrator shall have authority to review Building Permit applications in order to determine compliance with this Ordinance.

**Subd. 2. Purpose.** For purposes of this Ordinance, a Building Permit authorizes the development on a lot in conformance with applicable Sections of this Ordinance and other City codes, including special approval conditions.



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 there of:
  - 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 598<sup>th</sup> 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

- 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, 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
- AJ. Gift and souvenir stores
- AK. Grocery stores
- AL. Gunsmiths
- AM. Hardware stores
- AN. Health clubs
- AO. Health equipment and sporting good 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. Shoe stores
- BJ. Stationary and greeting card stores
- BK. Surface parking lots and parking structures or garages
- BL. Taxidermists
- BM. Theaters, excluding drive-ins
- BN. Ticket agencies and travel bureaus
- BO. Toy stores
- BP. Upholstery shops
- BQ. Veterinarians, including observation kennels for domestic pets, provided that all such kennels are within completely enclosed structures.

**Subd. 4. Conditional Uses.** Except as specifically limited herein, the following uses may be allowed 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. 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. Apartments or dwelling units located in the rear half of the first floor of a commercial and office building.
- D. Automobile repair garage, including automobile glass, muffler, tire, and electronics installation
- E. Bowling alleys
- F. Community convention centers
- G. Drive-in facilities, accessory to the principal use
- H. Restaurants, including drive-thru and carry out
- I. Shopping malls
- J. Surface parking lots and parking structures or garages, when not accessory to a permitted use
- K. Theatres
- L. Other commercial uses determined by the City Council to be of the same general charge 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. 5. All Buildings, Height, Yard, and Area Regulations.**

- A. Height Regulations: No building hereafter constructed or altered shall exceed three (3) stories or thirty-five (35) feet in height.
- B. Front Yard Regulations: The following shall be allowable front yard setbacks:
  1. Front Yard Parking Lot Setback: Shall be at least 3 feet from the front property line if there is one row of off street parking in front of the building parallel with the street. The front property setback shall be 10 feet if there are two or more rows of parking located in front.
  2. Front Yard Building Setback: The building may be as close as 3 feet from the front property line if the property owner wishes to provide off-street parking stalls behind the building, otherwise the building shall be at least 10 feet from the front property line.
  3. Front Yard Exception: In a block where the average of the front yard of existing improved lots within a distance of two hundred (200) feet on both sides of a lot is not more than five (5) feet or not less than five (5) feet than the required front yard, the required front yard for the lot shall be the front yard average of the improved lots. Where the average is greater than five (5) feet or less than five

(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.



BUILDING PERMITS 2021

OTHER  
#1

<u>Month Issued</u>	<u>Contractor</u>	<u>HOUSE #</u>	<u>STREET</u>	<u>VALUE</u>	<u>TOTAL PERMIT</u>
Apr		21588	598th Ave	\$	\$ 900.00
Apr	Self	46	Country Manor	\$ 3,000.00	\$ 139.84
Apr	Heyn Brothers	220	LeRay Ave	\$ 9,400.00	\$ 81.00
Apr	Heyn Brothers	442	Thomas Dr.	\$ 19,580.00	\$ 81.00
Apr	Schwickert's	425	Pebble Ct.	\$ 4,650.00	\$ 81.00
Apr	Schwickert's	1008	Timberidge Trl	\$ 8,365.00	\$ 81.00
Apr	SRP Heating, A/C, & Refrigeration	209	Lakeview Dr.	\$ 3,000.00	\$ 81.00
Apr	Heyn Brothers	200	Diane Dr.	\$ 11,135.00	\$ 81.00
Apr	Ron Boelter	110	Plainview St.	\$ 9,737.50	\$ 81.00
Apr	Ron Boelter	117	N. Third St	\$ 8,230.00	\$ 81.00
Apr	Self	224	Ann Dr.	\$ 12,000.00	\$ 147.00
Apr	Schmidt Siding & Windows	101	LeSueur Ave.	\$ 6,589.00	\$ 81.00
Apr	Prange's Heating and A/C	417	Thomas Dr.	\$ 3,800.00	\$ 81.00
Apr	Self	116	Oak Ct	\$ 4,000.00	\$ 217.46
Apr	Window World	419	LeRay Ave	\$ 3,845.00	\$ 81.00
Apr	Self	328	Blace Ave.	\$ 8,064.00	\$ 295.46

Contractor	Address	Value	Zoning Fee	Admin Fee	Total Fee	Type
ProShed Buildings	280 Oak Dr	\$ 6,500.00	\$ 40.00	\$ 15.00	\$ 55.00	Shed
Dakota Sheds	439 Thomas Dr.	\$ 4,000.00	\$ 40.00	\$ 15.00	\$ 55.00	Shed
Brad Wilson	133 N. Second St.	\$	\$ 40.00	\$ 15.00	\$ 55.00	Fence
Brad Wilson	212 Blace Ave	\$ 2,720.00	\$ 40.00	\$ 15.00	\$ 55.00	Fence