



PLANNING COMMISSION MEETING AGENDA

Monday, September 19, 2022
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: 104 Creekside Drive
(Parcel ID # R120913277010)
2. Public Hearing for Re-Rezoning: Fox Meadows Housing Development
(Parcel ID # R121018400013)
3. Public Hearing for Preliminary Plat: Fox Meadows Housing Development
(Parcel ID# R121018400013)

OTHER

1. Monthly Building and Zoning Permit Activity
2. Supplemental EAW for Mankato Motorsports Park Project

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
August 15, 2022
PLANNING COMMISSION MEETING

Call to Order

- Meeting was called to order at 6:00 p.m. by Chairman Talle.
Present: Chairman Talle, Commissioners Rose, McCarty, Hughes, Norton, Miller, and Beckel.
Absent:
Staff Present: City Administrator Bromeland and Administrative Clerk Mandy Auringer.
Others Present: Bruce and Julie Beyer, Rich Novak, Leo Schmitz, Denny Terrell, and Dan Terrell.

Approval of Agenda

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

Approval of Minutes

- Commissioner Rose moved, seconded by Commissioner Miller to approve the Planning Commission meeting minutes from July 18, 2022. A roll call vote was taken with all in favor. Motion carried.

New Business

1. Welcome New Planning Commission Member: Lisa Norton
2. Variance Application Received for 104 Creekside Drive
 - A revised application was received from 104 Creekside Drive for a variance to encroach two feet into the required eight-foot side yard setback. Administrator Bromeland advised that the Planning Commission must apply the legal standard of practical difficulties to the facts presented by the applicant. "Practical Difficulties" is a three-factor test including reasonableness, uniqueness, and essential character. The applicant must prove all three factors.
 - The homeowner, Mr. Beyer, stated that he is currently parking his work van in his driveway. He would like to have a parking pad in his side yard and encroach two feet into the side yard setback so when he opens his door he isn't stepping out on the edge of the concrete.
 - Chairman Talle stated that the Planning Commission should move ahead scheduling a public hearing for the September 19th Planning Commission meeting.
 - Commissioner McCarty stated that he does not see any uniqueness and therefore does not meet the criteria for practical difficulties and recommends not moving forward with the variance process.
 - Commissioner Norton stated that she could understand reasonableness but does not see any uniqueness.

- Commissioner Rose moved, second by Commissioner Norton to schedule a public hearing for September 19th. Chairman Talle, Commissioners Beckel, Hughes, Rose, Norton, and Miller voted in favor. Commissioner McCarty voted no. Motion carried.
3. Berm along 598th Avenue in Eagle Ridge Phase II.
- Administrator Bromeland shared that a request was received from a builder in Eagle Ridge Phase II to lower a berm on a corner lot along 598th Avenue. The lot is on the corner of Peregrine Avenue and Falcon Run. The potential buyer would like to have a sunroom in the back of the home and would like to have a view from the back windows. Administrator Bromeland stated that she consulted with the City Engineer and he did not think there would be issues with lowering the berm, however aesthetics could cause a problem. He did have concerns if more were removed. Aside from potential drainage issues, City staff requests discussion as it relates to aesthetics and what it might look like if some properties on this block choose to lower the berm and others do not and whether there is a desire for uniformity with the berm across the backside of this block.
 - The builder, Mr. Novak asked why the berm was put in. Administrator Bromeland said she reached out to the developer; KJ Walk who said that it was a separation between the development and 598th Ave. Commissioner McCarty stated that berms are sometimes used for a transition between high density roads and developments.
 - Mr. Novak stated the potential buyer, Mr. Schmitz, is retired and would be unable to maintain and mow the section of berm on the property.
 - Commissioner Norton asked if the berm was there when the development was approved, and if the people knew they were buying a property with a berm. Administrator Bromeland stated yes, the development was approved with the berm before any homes were built.
 - Commissioner Beckel asked if there could be any potential drainage issues if the berm was removed or lowered. Administrator Bromeland stated that there might not be any issues with removing one but is unsure if more than one was removed if there could be potential drainage issues.
 - Mr. Schmitz stated he is looking to build a patio home. He likes the location of the lot but does not like that 25% of the lot is taken up by the berm. He feels that if it's his property he should be able to remove the berm. He's also concerned with water running down the berm into the home. Currently Mr. Schmitz has not purchased the lot. Commissioner McCarty stated that removing the berm could ultimately cause more water to run down to the homes. The ditch could be higher than the berm which could send the ditch water down into the backyards. He recommended having a professional revise the grading plan.
 - Chairman Talle stated that the grading plan was sent to the City Council, and they approved it. The berm was on the original design of the development and if there are any changes to the grading, the City Council should have to approve it.
 - Administrator Bromeland said the Engineer has concerns if other properties removed the berm and that a revised grading plan would be needed.

- Mr. Schmitz and Mr. Novak said they just wanted to shave down the berm. Commissioner McCarty said that by looking at the grading plan, the berm would still be 6 feet about the back windows of the potential home and even removing the berm you would still have the view of 598th Ave. He does not believe the 5 feet of berm removal would be sufficient to accomplish the view Mr. Schmitz is after. Mr. Schmitz stated he wants a complete view out of the back of the house. Commissioner McCarty stated that what is being proposed would still be a 6-foot obstruction of view. Commissioner Hughes said she would like to know what the final elevation of the house would be and the elevation of 598th Ave.
- Commissioner McCarty recommended that if there are any changes in the grading plan that they hire a professional surveyor and licensed engineer to make sure there won't be any drainage or other types of issues that could arise with lowering or removing the berm.
- Chairman Talle stated that as the Planning Commission they have to take the whole development into account, not just this one property. He agrees that a professional needs to look at it before any grading changes can take place.
- Commissioner McCarty moved, seconded by Commissioner Beckel that the applicant must have a revised grading plan done by an engineer detailing the exact design and outcome that is desired. A roll call vote was taken with all members voting in favor. Motion carried.
- Chairman Talle suggested since we are doing a review of Chapter 6 city code, that they should look at adding in specifics about elevations, berms, and grading.

Other

1. Building and Zoning Permit Activity. Permit activity was presented for the months of July and August.
 2. Motorsports Park Project. Administrator Bromeland gave an update on the Motorsports Park project. A supplemental EAW was presented to the City Council at their Special Council Meeting on June 28th. The City Council deemed the supplemental EAW incomplete. The developer has since re-submitted a supplemental EAW to be presented to the City Council at its September 12th meeting with additional information including the greenhouse gas output of the existing agricultural field and the anticipated greenhouse gas output for the proposed buildings.
- Fox Meadows Housing Development. Schrom construction recently submitted an EAW to the City Council at their July 11th meeting. The City Council deemed the EAW to be a complete submittal. The EAW was published in the Environmental Quality Board (EQB) Monitor and a 30-day public comment period is taking place. A Special City Council meeting has been scheduled for Tuesday, August 30th at 6:00 p.m. at which time the City Council as the RGU will have the opportunity to determine the EIS need. It is anticipated that an application for rezoning will follow shortly after completion of the EAW process. Administrator Bromeland stated that the city has
 - The next regular scheduled Planning Commission meeting is September 18, 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



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

September 19, 2022

To: Planning Chair Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: September 19, 2022 Planning Commission Meeting

New Business

1. Public Hearing for Variance: 104 Creekside Drive. Attached is an application received from 104 Creekside Drive for a variance to encroach two feet into the required eight-foot side yard setback. Also attached is an excerpt from City Code related to the required side yard regulations and parking in the required side yard setback. When contemplating whether to grant a variance, the Planning Commission must apply the legal standard of practical difficulties to the facts presented by the applicant. "Practical Difficulties" is a three-factor test including reasonableness, uniqueness, and essential character (see attached summary sheet defining each of the three tests). A public hearing has been scheduled to consider the variance application. Notice of the public hearing was published in the newspaper and mailed to all property owners within 350 feet of the subject property.
 - Action Needed: If there is an interest in approving the variance request, then a motion is needed to recommend to the City Council that the variance be approved at its upcoming regularly scheduled meeting on October 3, 2022.
2. Public Hearing for Re-Zoning: Fox Meadows Housing Development. A public hearing has been scheduled to consider a request from Troy Schrom to rezone land that he owns (R121018400013) for the Fox Meadows Housing Development that is currently located in City limits. When parcel R121018400013 was annexed into City limits, it was placed in the A-1, Agricultural District, until placed in another district by action of the City Council after recommendation by the Planning Commission. Annexed land may be zoned other than A-1, Agricultural District, if another use is applied for by the property owner. Attached is a map showing areas to be re-zoned. The area to be re-zoned R-3 is for 8-plex structures. The area to be re-zoned R-2 is for twin homes. The area to be re-zoned R-1 is for single family homes. The area noted "PUD" will follow re-zoning and the preliminary and final plat process. Notice of the public hearing describing the area to be re-zoned was published in the newspaper and notice sent to property owners within 350 feet of the parcel. Mr. Schrom and his team were provided zoning code regulations for each of the zoning districts to ensure that proposed construction conforms with each zoning district's respective regulations for setbacks, lot coverage, etc. We will review in more detail at the meeting. A pdf of Chapter 6 of the City's Code is attached to the email sent out.

- Action Needed: If there is an interest in approving the re-zoning request, then a motion is needed to recommend to the City Council that the re-zoning be approved at its upcoming regularly scheduled meeting on October 3, 2022.
3. Public Hearing for Preliminary Plat. A public hearing has been scheduled for this evening to consider an application for preliminary plat from Troy Schrom for the Fox Meadows Housing Development. Notice was published in the newspaper and sent to property owners within 300 feet of the parcel (R121018400013). Attached is a copy of the application and supporting information. Bolton and Menk (City Engineer) has been involved with both the review of the concept plan and now the preliminary plat to ensure proposed street and utility infrastructure conform with City standards. Attached is a letter from Brian Sarff, engineer with Bolton and Menk, summarizing his findings after completing an engineering review. A developer's agreement has been drafted and sent to the developer. It is anticipated that the developer's agreement may be included on the October 3, 2022 City Council agenda for review and approval. Per an email from Blue Earth County, the wetland delineation has been completed and approved. The City Council issued a negative declaration for an EIS and the EAW process is now complete. We will discuss the preliminary plat in more detail at the meeting.
- Action Needed: If there is an interest in approving the preliminary plat, then a motion is needed to recommend to the City Council that the preliminary plat be approved at its upcoming regularly scheduled meeting on October 3, 2022.

Other

1. Building and Zoning Permit Activity. Attached is building and zoning permit information. No action is needed as this is included for informational purposes.
2. Motorsports Park Project. A supplemental EAW was presented to the City Council at their meeting on Monday (September 12th). The City Council deemed the EAW complete. It has been sent to the EQB, with the public comment period beginning September 20th and ending October 20th. A copy of the EAW is available for public viewing on the City's website at eaglelakemn.com.


Jennifer J. Bromeland
City Administrator

New Business
#1

APPLICATION FOR VARIANCE



\$100.00 fee, plus \$2.00/notice sent to properties within 350 feet of property for which the variance is being sought. Recording Fee of \$46.00. Applicant must pay all fees in advance of the public hearing.

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

Applicant Name Bruce Beyer
Day Phone 507-340-5955 Email Address _____
Applicant's Address 104 Creekside Eagle Lake, MN 56024
Address Requesting Variance _____
Legal Description _____
Parcel ID _____
Current Zoning ☐ A-1 ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ B-1 ☐ L-1 ☐ H-1

In detail, describe the proposed variance and the practical difficulty in making the variance necessary. Also, furnish a site plan on 8 1/2 x 11" paper showing size of lot, size of structure, and distance from lot lines.

I want to pour a 12' concrete pad. This will accomodate my van to open doors on driver side and step onto cement and still leave enough room on passenger side to open doors to restock supplies

Bruce Beyer
Applicant's Signature

2/22/22
Date

Clear Form

Office Use Only-----

Date of Application Notification: _____

Date Fee Paid: paid \$100 fee 7-11-22

Planning Commission Action

- ☐ Recommended
- ☐ Recommended with conditions
- ☐ Not recommended
- ☐ Tabled

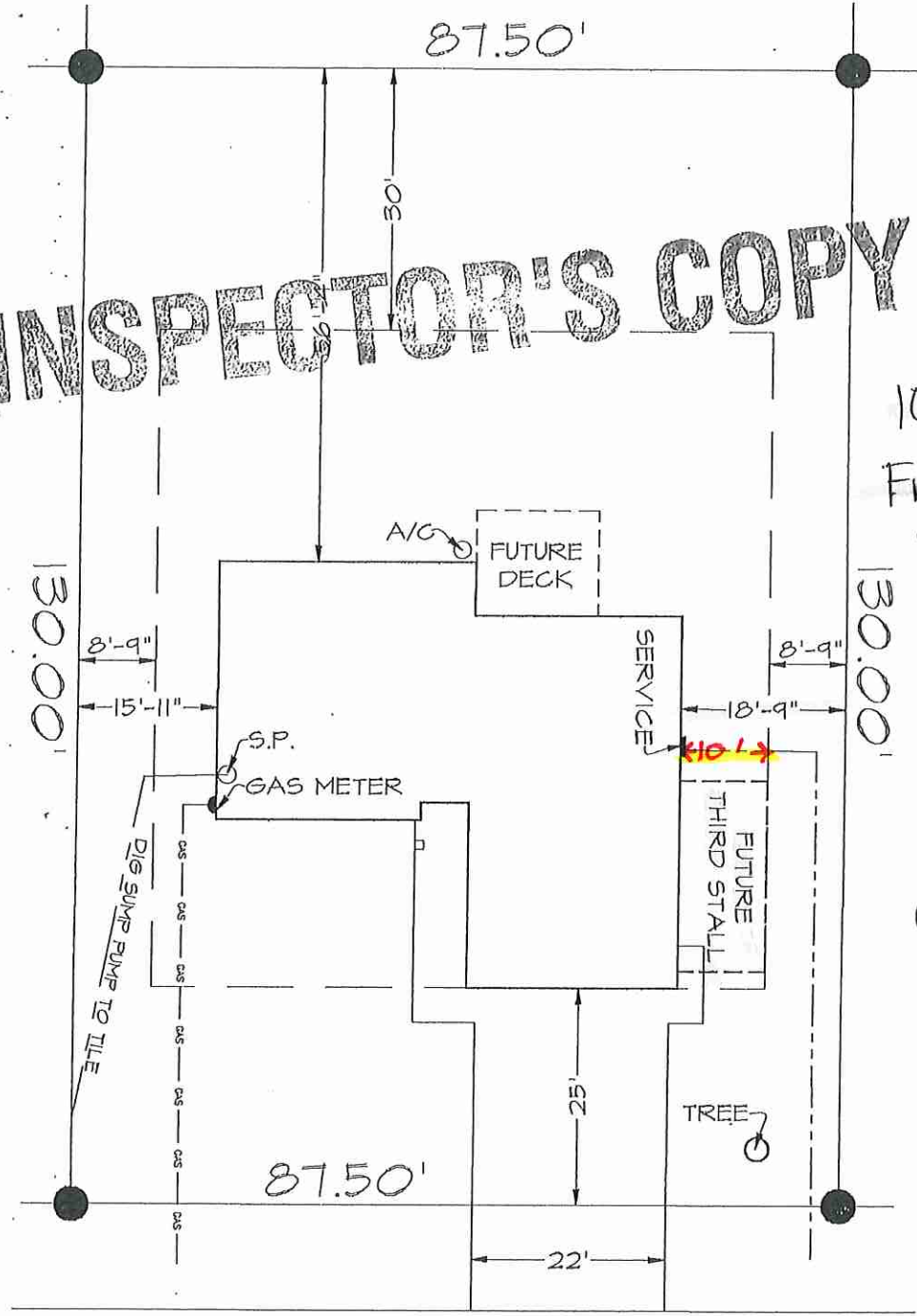
City Council Action

- ☐ Approved
- ☐ Approved with conditions
- ☐ Disapproved
- ☐ Tabled

City Administrator

Date

INSPECTOR'S COPY



104 Creekside Drive
From property file

original drawing
when home constructed

SITE PLAN
CREEKSIDE CROSSING
SCALE: 1" = 20'
LOT 5 BLOCK 2
DATE: 2/8/99
ADR: 104 CREEKSIDE DRIVE
TYPE: HASE 1250 SQ. FT.



August 24, 2022

**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 at City Hall, 705 Parkway Avenue, Eagle Lake, on **Monday, September 19, 2022 at 6:00 p.m.** to consider a variance application from Bruce and Judy Beyer, owners of the property located at **104 Creekside Drive** (parcel ID # R120913277010). The property is in a "R-1 Single Family Residential District", and the owners are seeking a variance to encroach two feet into the required eight-foot side yard setback for the purpose of adding a concrete pad to park a work vehicle.

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 because your property is located within 350 feet of the property that is seeking a variance.

Jennifer J. Bromeland
City Administrator
(507) 257-3218

Email: jbromeland@eaglelakemn.com

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www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Ad Proof

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(507) 344-6351 or email at dcreel@mankatofreepress.com.

DATE 08/24/22

Client:

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

ACCOUNT NUMBER: 110586
ACCOUNT REP: DANNY CREEL
ACCOUNT REP PHONE: (507) 344-6351
ACCOUNT REP EMAIL:
DCREEL@MANKATOFREEPRESS.COM

PUBLIC NOTICE

August 29, 2022
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, September 19, 2022 at 6:00 p.m. at City Hall, 705 Parkway Avenue, Eagle Lake, to consider a variance application from Bruce and Judy Beyer, owners of the property located at 104 Creekside Drive (parcel ID# R120913277010) in Eagle Lake. The property is in a "R-1 Single Family Residential District", and the owners are seeking a variance to encroach two feet into the required eight foot side yard setback for the purpose of adding a concrete pad to park a work vehicle.

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

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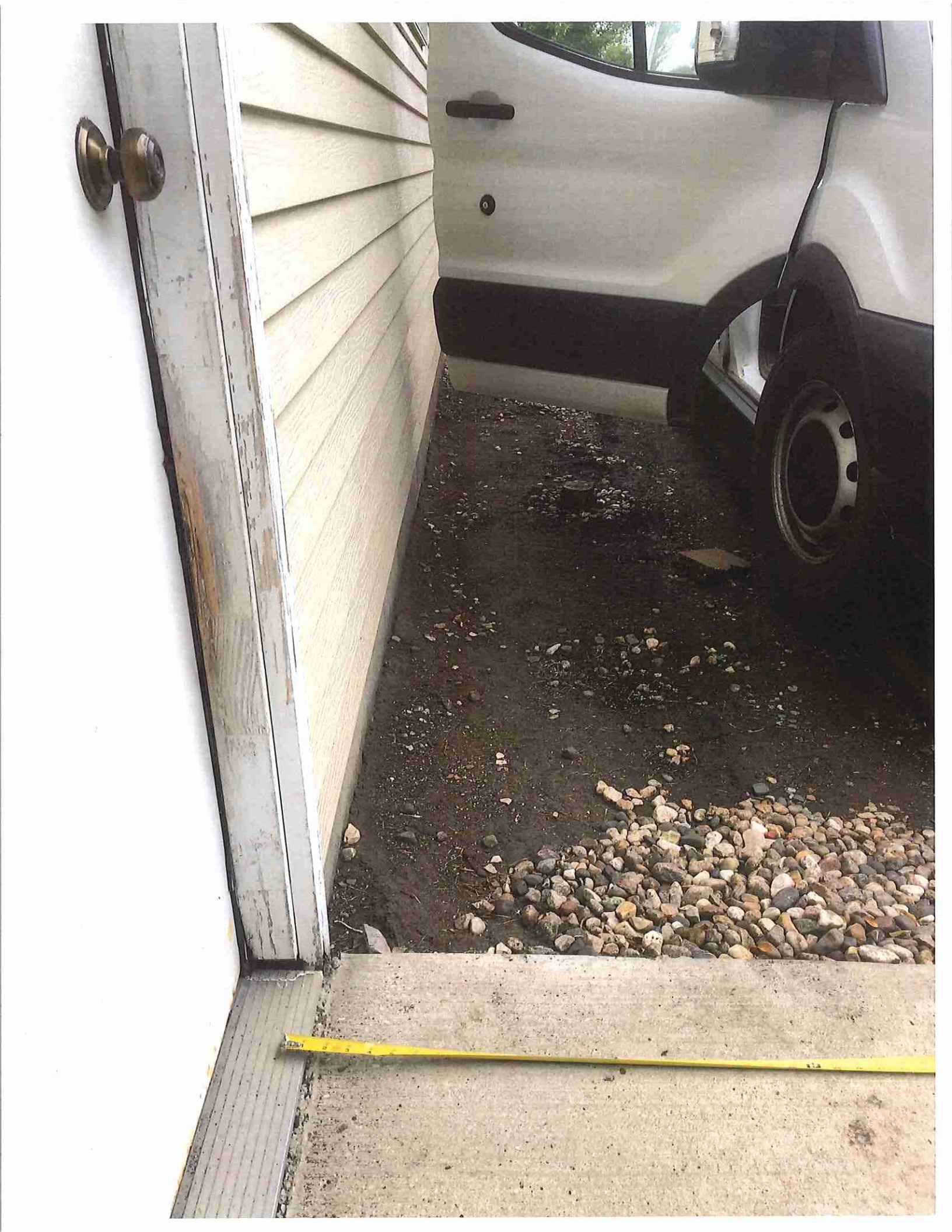
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Email: dcreel@mankatofreepress.com

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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.

than nine (9) feet in height. Refer to Section 6.210 for exceptions.

- B. Front Yard Regulations: Each lot in the district shall have a front yard having a depth of not less than thirty (30) feet from the street right-of-way. Lots that were approved by the City Council before June 6, 2005 shall be allowed to have a twenty-five (25) foot setback.
- C. Side Yard Regulations: Each lot in the district shall have two (2) side yards, on each side of the main building. Each side yard shall have a width of not less than eight (8) feet.
- D. Rear Yard Regulations: Each lot in the district shall have a rear yard of a depth of not less than twenty-five (25) feet for such yard.
- E. Rear Yard with Adjoining Alley: When computing the depth of a rear yard in a Residential District where the rear lot line adjoins an alley, one half (1/2) the width of the alley up to ten (10) feet may be included as part of the lot area. Unattached garages must be a minimum of twenty-five (25) feet from an alley.
- F. Lot Area Regulations: Each lot in the district shall contain an area of not less than nine thousand (9,000) square feet. The minimum lot areas of subdivisions approved by the City Council prior to August 2004 may be seven thousand (7,000) square feet.
- G. Corner Lots: All corner lots shall have a thirty (30) foot front yard setback and a minimum of thirty (30) foot setback on the side yard. Lots of subdivisions that were approved by the City Council previous to July 11, 2005 may have a fifteen (15) foot setback on the corner side yard.
- H. All Other Principal Buildings and Uses: Ten percent (10%) of the lot width provided the side yard width is a minimum of ten (10) feet or a maximum of thirty (30) feet. Two (2) side yards shall be required for each zoning lot.
- I. Adjacent to an Alley: In determining the setback for any building where the rear yard opens into an alley, one-half (1/2) the width of the alley, but not exceeding ten (10) feet may be considered as a portion of the rear yard.
- J. Minimum Lot Width. The minimum lot width shall be seventy (70) feet and measured at the street right-of-way. Lots recorded prior to the passage of this ordinance (August 2004) may have a minimum lot width of fifty (50) feet. The lot width requirement may be reduced to fifty (50) feet for a lot abutting a cul-de-sac radius when the lot is not rectangular in shape.
- K. Roof Materials. Metal roofs on structures are allowed, however corrugated metal (as shown below) is not an allowable roofing material.(8-5-13)
- L. Accessory Building Heights.

- B. The construction shall conform to the Minnesota Uniform Building Code as adopted by the City Council.
- C. The building shall be constructed on a concrete slab or footing and be secured down.

Subd. 9. Parking.

- A. Except for the property's driveway, all parking surfaces shall be set back a minimum of three (3) feet from any property line and parking surfaces shall not be allowed in the required side yard setback. (8-5-13) The paved driveway surface shall not exceed a width of thirty-two (32) feet measured at the curb line. (8-6-18)
- B. Not more than thirty-five percent (35%) of the required front yard or a maximum 40-foot-wide driveway from the front property line to the garage shall be hard-surfaced or used for driveways and/or unenclosed motor vehicle parking. Not more than thirty-five percent (35%) of the corner side yard or rear yard setback 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. An approved zoning permit is required before any hard surface can be constructed.

Subd. 10. Maximum Ground Coverage.

The sum total of lot area that may be covered by all buildings located on a zoning lot in the R-1, One-Family Residential District, shall not exceed thirty-five percent (35%) of the total lot area (8-5-13)

- A. Accessory buildings shall occupy not more than forty percent (40%) of the total area of a required rear yard.

Subd. 11. Maximum Building Height. The maximum building height in the R-1, One-Family Dwelling District, is thirty-five (35) feet. Accessory buildings shall not exceed a height of twenty (20) feet.

Legal standards

When considering a variance application, a city exercises “quasi-judicial” authority. This means the city acts like a judge in evaluating the facts against the legal standard. The city’s role is limited to applying the legal standard of practical difficulties to the facts presented by the application. If the applicant meets the standard, then the city may grant the variance.

In contrast, when the city writes the rules in the zoning ordinance, the city is exercising “legislative” authority and has much broader discretion.

Practical difficulties

“Practical difficulties” is a legal standard that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner.

This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance.

It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

Uniqueness

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner.

The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner.

When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular

piece of property, such as sloping topography or other natural features like wetlands or trees.

Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality.

Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

New Business
#2



APPLICATION FOR REZONING

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

Applicant's Name Troy Schrom

Day Phone (507) 257-5110 Alternate Phone (507) 390-5346

Applicant's Address 704 Parkway Ave Eagle Lake, MN 56024

Email Address troymschrom@gmail.com

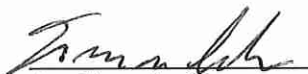
Property Address to be Rezoned R12101840013 R121018400013

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:

Single family and Multi-family housing


Applicant's Signature

8-31-22
Date

Office Use Only

- ☐ Application Fee: \$100 Paid
☐ 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

ENGAGEMENT OF OWNER:

<u>Tony M. Schum</u>	<u>July</u>
----------------------	-------------

DEPARTMENT OF PLANNING COMMISSION

Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota, this _____

2262 _____

Byline: Competition Chair

Date _____

A horizontal graphic scale bar. It is divided into two main sections. The left section is labeled 'HORIZ. SCALE' and contains a checkered pattern. The right section is a solid black bar. Below the checkered section, the number '0' is printed. Below the solid black section, the number '100' is printed. To the right of the solid black section, the word 'FEET' is printed vertically.

DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

REV.	BY	DATE
1	JCS	8/25/22



115 West North Street Owatonna, MN 56001
Ingram & Sonnet

DESIGNED:	JCS
DRAWN:	JCS
CHECKED:	SAT
DATE:	8/10/87

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
500 5TH AVENUE
NEW YORK 10017

I hereby certify that this plan, specially prepared by me or under my direct supervision, is a duly Licensed Professional Engineer at the State of Minnesota.

John H. Schulte V
Lawrence H. 648.38 Date 8/30/23

allies, or report any
spikes and falls
in the future.

1

SCHROM CONSTRUCTION
FOX MEADOWS
EAGLE LAKE

PRELIMINARY PLAT - ZONING MAP

	1	of

1	
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September 7, 2022

**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 on **Monday, September 19, 2022 at 6:00 p.m.** and hold a Public Hearing to consider a rezoning request from Troy Schrom with Fox Meadows Townhomes LLC for the property (parcel ID # R121018400013) described as part of the Northeast Quarter (NE1/4), Southwest Quarter (SW1/4), Section 18-T108N-R25W. The property is currently zoned "A-1 Agricultural District".

Tract 1 to be Re-Zoned R-1

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder; thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4 to the point of beginning;

thence South 89°50'06" East a distance of 385.35 feet on said south line to the southeast corner said SW1/4;

thence North 00°23'58" West a distance of 1320.47 feet to the northeast corner said SW1/4;

thence North 89°51'01" West a distance of 1049.03 on the north line said SW1/4;

thence South 00°01'10" West a distance of 143.34 feet;

thence North 89°40'50" West a distance of 303.77 feet to the east line said plat;

thence South 08°13'51" East a distance of 291.63 feet on said east line;

thence North 84°35'49" East a distance of 198.60 feet;

thence South 00°24'11" East a distance of 62.62 feet;

thence South 89°51'01" East distance of 730.29 feet;

thence South 00°26'26" East a distance of 165.41 feet;

thence South 89°51'01" East a distance of 165.45 feet;

thence South 00°24'11" East 530.62 feet;

thence North 89°50'06" West a distance of 165.10 feet;

thence South 00°26'26" East a distance of 150.01 feet to the Point of Beginning.

Tract 2 to be Re-Zoned R-2

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder, thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4; thence North 00°26'26" West a distance of 680.59 feet to the point of beginning;

thence North 89°51'01" West a distance of 884.54 feet to the east line said plat;
thence on said east line on a non-tangential curve, concave to the west, a distance of 52.86 feet, said curve having a chord bearing of North 6°31'33" West, a chord distance of 52.86 feet, a central angle of 1°02'21", and a radius of 2914.79 feet;
thence North 84°35'49" East a distance of 160.38 feet;
thence North 00°24'11" West a distance of 97.38 feet;
thence South 89°51'01" East a distance of 730.29 feet;
thence South 00°26'26" East a distance of 165.41 feet to the point of beginning.

Tract 3 to be Re-Zoned R-3

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder, being the point of beginning;

thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4;
thence North 00°26'26" West a distance of 680.59 feet
thence North 89°51'01" West a distance of 884.54 feet to the east line said plat;
thence on said east line on a tangential curve, concave to the west, a distance of 297.02, said curve having a chord bearing of South 3°05'14" East, a chord distance of 296.89 feet, a central angle of 5°50'19", and a radius of 2914.79 feet;
thence South 00°10'05" East a distance of 383.91 feet on said east line to the point of beginning.

Tract 4 to be Re-Zoned R-2

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat

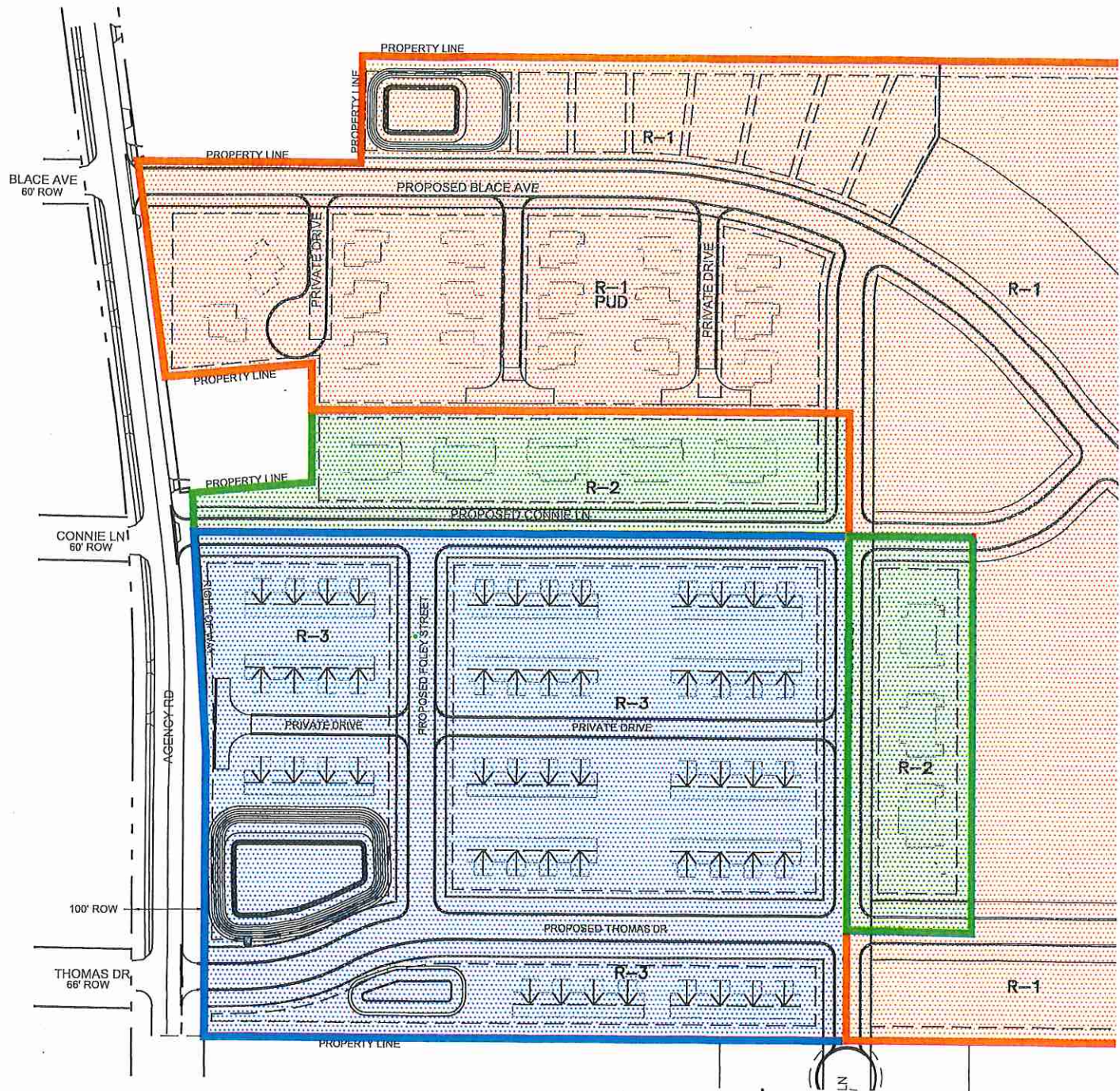
No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder;
thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4; thence
North 00°26'26" West a distance of 150.01 feet to the point of beginning;

thence North 00°26'26" West a distance of 530.58 feet;
thence South 89°51'01" East a distance of 165.45 feet;
thence South 00°24'11" East a distance of 530.62 feet;
thence North 89°50'06" West a distance of 165.10 feet to the point of beginning.

Enclosed is a map depicting the proposed re-zoning requests.

Upon considering the Planning Commission's recommendation, the City Council may approve, disapprove, or modify approval of the proposed zoning amendment.

Jennifer J. Bromeland
City Administrator
(507) 257-3218
Email: jbromeland@eaglelakemn.com



ZONING MAP

FOX MEADOWS

The Free Press

MEDIA

THE LAND

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Affidavit of Publication

STATE OF MINNESOTA, COUNTY OF BLUE EARTH, SS.

Steve Jameson, being duly sworn, on oath states as follows:

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:


The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 09/09/22, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: _____.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: 
Steve Jameson, Publisher

Sworn to and subscribed before me, this day
09/09/2022

Notary Public

Public Notice

September 9, 2022

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 on **Monday, September 19, 2022 at 6:00 p.m.** at City Hall, 705 Parkway Avenue, Eagle Lake, and hold a Public Hearing to consider an application for rezoning from Troy Schrom with Fox Meadows Townhomes LLC for the property described as part of the Northeast Quarter (NE1/4), Southwest Quarter (SW1/4), Section 18-T108N-R25W (parcel ID # R121018400013). The property is currently zoned "A-1 Agricultural District".

Tract 1 to be Re-Zoned R-1

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thence South 89°50'06" East a distance of 385.35 feet on said south line to the southeast corner said SW1/4;

thence North 00°23'58" West a distance of 1320.47 feet to the northeast corner said SW1/4;

thence North 89°51'01" West a distance of 1049.03 on the north line said SW1/4;

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thence South 00°26'26" East a distance of 165.41 feet;

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Tract 2 to be Re-Zoned R-2

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Tract 3 to be Re-Zoned R-3

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Tract 4 to be Re-Zoned R-2

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

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distance of 530.62 feet; thence North 89°50'06" West a distance of 165.10 feet to the point of beginning.

Upon considering the Planning Commission's recommendation, the City Council may approve, disapprove, or modify approval of the proposed zoning amendment.

Jennifer J. Bromeland
City Administrator

Adjustments and Appeals (City Council) shall have the following responsibilities:

- A. Act upon all questions as they may arise in the administration of this Ordinance, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with enforcing this Ordinance. Such appeal may be taken by any person firm or corporation aggrieved or by any officer, department, board or bureau of a town, municipality, county or state.
- B. Approve, approve with conditions, or deny variances, conditional use permits, or planned unit developments.
- C. Maintain a record of its proceedings, including the minutes of the meetings, its findings, and the action taken on each matter heard by it. The record shall be maintained in the City Clerk's office.
- D. Hear and decide applications for appeal of any administrative order or final decision made in the administration of this Ordinance.
- E. Approve or deny any application for an amendment to this Ordinance or the Zoning Map.
- F. Take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this Ordinance.

Subd. 4. Compliance with Regulations. Hereafter no person shall erect, alter, wreck, or move any building or part thereof without first securing a building permit therefore. No permit shall be required for an alteration costing less than two hundred (200) dollars if no structural alteration of the building is involved.

SECTION 6.060 ZONING AMENDMENTS

Subd. 1. Criteria for Granting Zoning Amendments. The text of this Ordinance and the Official Zoning Map may be amended from time to time by the passage of any ordinance duly adopted by the City Council in accordance with the procedures set forth herein.

Subd. 2. Purpose. The purpose of this Section is to provide standards and procedures for making amendments to the text of this Chapter and the Zoning Map that are of general significance or application. The amendment process is not intended to relieve particular hardships nor to confer special privileges or rights on any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.

Subd. 3. Parties Entitled to Initiate Amendments. An amendment to the test of this Ordinance and the Zoning Map may be initiated by the City Council, the Planning Commission, or by petition of any affected property owner, provided the petition meets

the requirements set forth in this Section. Any amendment not initiated by the Planning Commission shall be referred to the Planning Commission for review and may not be acted upon by the Council until it has received the Planning Commission's recommendations.

Subd. 4. Requirements for Amendment Petitions. Petitions for amendments to this Ordinance shall be in such form and accompanied by such information as shall be prescribed, from time to time, by the Planning Commission and shall contain at least the following:

- A. The petitioner's name, address, and interest in the petition and the name, address, and interest of every person, firm, corporation, or government agency represented by the petitioner in the petition.
- B. The precise wording of the proposed amendment, together with concise explanation of its presumed effect.
- C. A statement containing all the circumstances, factors, and arguments that the petitioner offers in support of the proposed amendment.
- D. In the event that the proposed amendment would result in the rezoning of any property, the following shall be supplied:
 - 1. A statement identifying the names of the owners of the land and any parties to the petition of the land proposed to be rezoned.
 - 2. The street address and legal description of the land proposed to be rezoned.
 - 3. The present zoning classification and use of the land proposed to be rezoned and a statement of purpose explaining the reasons for rezoning.
 - 4. A preliminary plat if the property is not currently subdivided into lots and blocks in conformance with Chapter 5 of the Eagle Lake City Code.
 - 5. A concept development plan for the property if the property is vacant or is intended to be redeveloped.

Subd. 5. Standards for Amendments. In making their determination, the Planning Commission and City Council shall consider the following:

- A. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Land Use Plan, as adopted and amended from time to time by the City Council.
- B. Whether the proposed amendment is compatible with the overall character of existing development in the immediate vicinity of the affected property.

- C. Whether the proposed amendment will have an adverse effect on the value of adjacent properties.
- D. The adequacy of public facilities and services.

Subd. 6. Procedure for Review and Decision of Proposed Amendments. A petition to amend the text of this Ordinance and the Official Zoning Map shall be processed in accordance with the following procedures:

- A. Public Hearing. After the filing of a petition for an amendment in the proper form, the Zoning Administrator shall set a date for a public hearing. 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 to the hearing.

Notice shall be given by first class mail to all owners of property within three hundred fifty (350) feet of the area proposed to be rezoned, or as otherwise provided by State Law. County records and street addresses shall be deemed sufficient for the location or certification of ownership for notification purposes. The City Council may waive the mailed notice requirement for a citywide amendment initiated by the Planning Commission or City Council.

- B. To defray administrative costs for processing requests for an amendment to this Ordinance or the Zoning Map, 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(s).
- C. A public hearing on the rezoning application shall be held by the Planning Commission within sixty (60) days after the request for the zoning amendment has been received. The Planning Commission shall make its report to the Eagle Lake City Council at its next regular meeting following the hearing recommendation approval, disapproval or modified approval of the proposed amendment.
- D. The Eagle Lake City Council must take action on the application within sixty (60) days following referral by the Planning Commission. The City Council shall either adopt or reject the recommendation of the Planning Commission or adopt some modification of the recommendation. No amendment shall be adopted except by the affirmative vote of at least a 2/3's of all members of the City Council. The Zoning Administrator shall notify the petitioner(s) making the application of the action taken by the City Council. The Zoning Administrator shall also maintain a record of amendments to the text of this Ordinance and/or Zoning Map.
- E. No application of a property owner for an amendment to the text of the Ordinance or the Zoning Map shall be considered by the Planning Commission within a one-year period 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. 7. Fees. An applicant for a zoning amendment 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 6.070 CONDITIONAL USE PERMITS

Subd. 1. Authority. The City Council, in accordance with the procedures and standards set out in this Section, may grant conditional use permits authorizing the development of uses listed as conditional uses in the regulations applicable to the zoning district in which the specific property is located. The City Council also reserves the right to review, modify, or terminate the approval of any conditional use permit.

Subd. 2. Purpose. The principal objective of this Ordinance is to provide for an orderly arrangement of compatible building and land uses, and for the proper locations of all types of uses required by the City. To accomplish this objective, each type and kind of use is classified as permitted in one (1) or more of the various zoning districts established by this Ordinance. However, in addition to those uses specifically classified and permitted in each district, there are certain additional uses which may be allowed because of their unusual characteristics or the service they provide to the public.

These conditional uses require particular considerations as to their proper location in relation to adjacent established or intended use and the planned development of the community; therefore, each application will be reviewed on a case-by-case basis and will be subject to a public hearing process.

Subd. 3. Procedure. The following procedures shall govern application for Conditional Uses Permits:

1. An application for a Conditional Use Permit shall be filed with the Zoning Administrator on a form provided by the City and shall contain at least the following information: The applicant's name, address, and proof of interest in the property.
2. The owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
3. The street address and legal description of the property proposed for the Conditional Use Permit.
4. The zoning classification and present use of the subject property.
5. A general description of the proposed conditional use.
6. A statement indicating whether the applicant will require a variance in

ZONING DESCRIPTIONS
PART OF THE NE1/4 SW1/4 SECTION 18-T108N-R25W
BLUE EARTH COUNTY, MINNESOTA

PREPARED DESCRIPTIONS

Tract 1 to be Re-zoned R-1

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thence South 89°50'06" East a distance of 385.35 feet on said south line to the southeast corner said SW1/4;
thence North 00°23'58" West a distance of 1320.47 feet to the northeast corner said SW1/4;
thence North 89°51'01" West a distance of 1049.03 on the north line said SW1/4;
thence South 00°01'10" West a distance of 143.34 feet;
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thence South 00°24'11" East a distance of 62.62 feet;
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Tract 2 to be Re-zoned R-2

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder; thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4; thence North 00°26'26" West a distance of 680.59 feet to the point of beginning;

thence North 89°51'01" West a distance of 884.54 feet to the east line said plat;
thence on said east line on a non-tangential curve, concave to the west, a distance of 52.86 feet, said curve having a chord bearing of North 6°31'33" West, a chord distance of 52.86 feet, a central angle of 1°02'21", and a radius of 2914.79 feet;
thence North 84°35'49" East a distance of 160.38 feet;
thence North 00°24'11" West a distance of 97.38 feet;
thence South 89°51'01" East a distance of 730.29 feet;
thence South 00°26'26" East a distance of 165.41 feet to the point of beginning.

PREPARED DESCRIPTIONS

Tract 3 to be Re-zoned R-3

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder, being the point of beginning;

thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4;
thence North 00°26'26" West a distance of 680.59 feet
thence North 89°51'01" West a distance of 884.54 feet to the east line said plat;
thence on said east line on a tangential curve, concave to the west, a distance of 297.02, said curve having a chord bearing of South 3°05'14" East, a chord distance of 296.89 feet, a central angle of 5°50'19", and a radius of 2914.79 feet;
thence South 00°10'05" East a distance of 383.91 feet on said east line to the point of beginning.

Tract 4 to be Re-zoned R-2

All that part of the NE1/4 of the SW1/4 of Section 18-T108N-R25W, east of Agency Street, Blue Earth County, Minnesota, described as follows:

Beginning at the southwest corner of said SW1/4; thence North 00°24'11" West a distance of 1320.12 feet, on an assumed bearing on the west line of said SW1/4; thence South 89°50'06" East a distance of 57.78 feet, to the east line of Blue Earth County Highway Right of Way Plat No. 46, as the same is platted and recorded in the office of the Blue Earth County Recorder; thence South 89°50'06" East a distance of 872.66 feet on the south line said NE1/4 SE1/4; thence North 00°26'26" West a distance of 150.01 feet to the point of beginning;

thence North 00°26'26" West a distance of 530.58 feet;
thence South 89°51'01" East a distance of 165.45 feet;
thence South 00°24'11" East a distance of 530.62 feet;
thence North 89°50'06" West a distance of 165.10 feet to the point of beginning.

FOR: SCHROM CONSTRUCTION

Date: 07/12/2022
Drawn by: SAT
Field Book:-
Coord-System: MNDOT CO. NAD83 (11)
Job No: 21-1282
Revised date:-
Survey:
Page 1 of 1
File: -

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I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Scott A. Tuckeyhagen
Date: 9/6/22

L.S. No. 52648

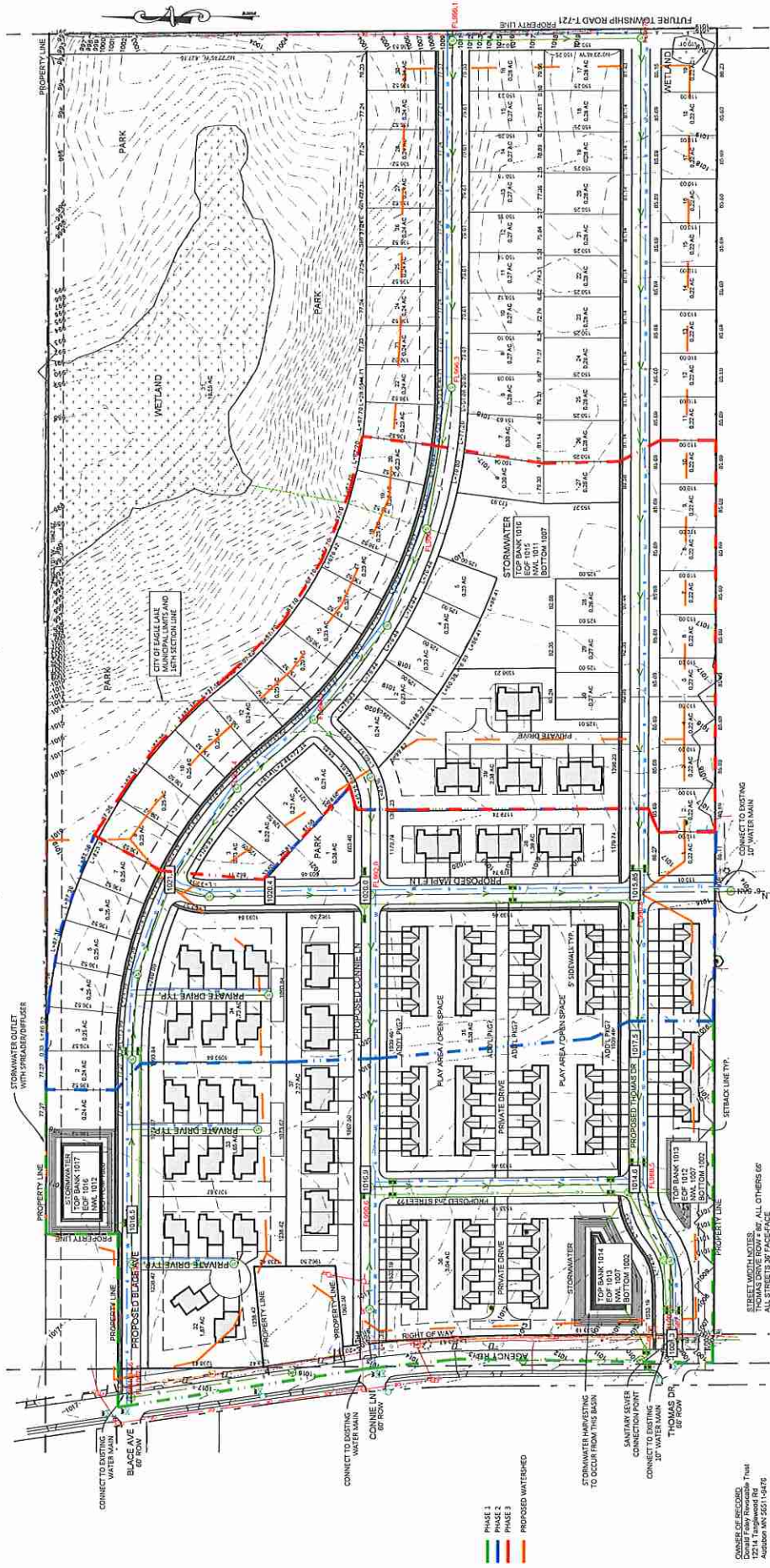


**JONES
HAUGH
SMITH**
Engineers + Surveyors
515 South Washington Ave.
Albert Lea, MN 58007
507-373-4876
415 West North Street
Owatonna, MN 55060
507-451-4598

FOX MEADOWS

CONCEPT PLAN

PART OF SW1/4 & SE1/4 18-T108N-R25W
EAGLE LAKE, BLUE EARTH COUNTY, MN



OWNER OF RECORD
Donald Foley Revocable Tr
12214 Tangletwood Rd
Audubon MN 56511-9476

APPLICANT
Schrom Construction
704 Parkway Ave
Eagle Lake MN 56024
507-267-5110

STREET WIDTH NOTES:
THOMAS DRIVE ROW = 80', ALL OTHERS 65'
ALL STREETS 26' FACE-TO-FACE

SETBACKS NOTE:
30' FRONT, REAR, AND CORNER SETBACKS

104	<u>PARK CALCULATION</u>
24	77.23 ACRES
17	REQUIRED PARK SPACE < 10 UNITS/ACRE
13	= 7% = 5.41 ACRES
	PARK AREA SHOWN = 18.93 ACRES

100

DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

REV.	BY	DATE



 Engineers • Surveyors
415 West North Street Oronotown, MN 55050

DISPATCHED: JMS
DRAIN: JMS
CHECKED: SAT
Date: 4/7/22

SCHROM CONSTRUCTION
FOX MEADOWS
EAGLE LAKE

SHEET
1 OF 1

New Business
#3

PRELIMINARY PLAT APPLICATION



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

Name Fox Meadows
Address 704 Parkway Ave Eagle Lake, MN 56024
Phone (507) 257-5110 Cell Phone (507) 390-5346
Email Address troymschrom@gmail.com
Parcel ID # R12101840013
Street Address of Property to be Platted R12101840013

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

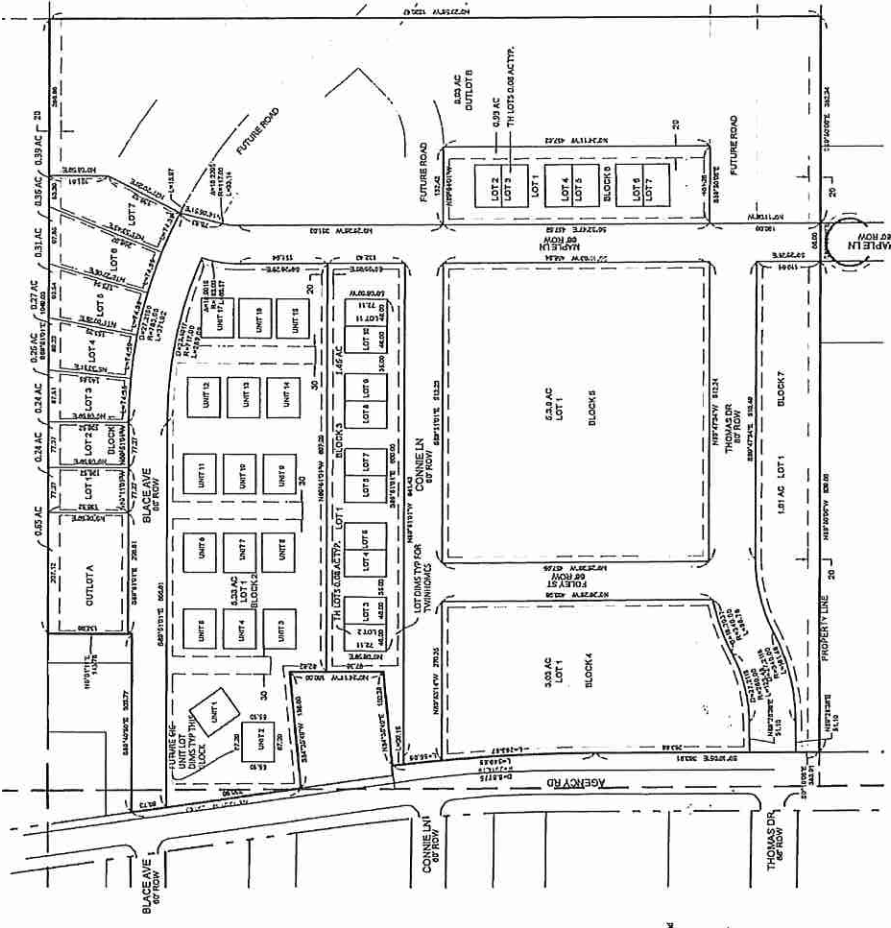
Applicant's Signature

8-31-22
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

FOX MEADOWS **PRELIMINARY PLAT - LOTS PLAN** **PART OF SW1/4 & SE1/4 18-T108N-R25W** **EAGLE LAKE, BLUE EARTH COUNTY, MN**



PARKLAND DEDICATION CALCULATION
 Gross Area of Dedicated Plt: 37.65 Acres
 Minimum Dedication: 1.00 Acres
 Park Requirement: 1.00 Acres
 1% of Gross Area = 0.38 Acres
 The Applicant understands that this dedication is not always
 sufficient to meet the minimum dedication required in either park
 land location or fee in lieu of park dedication.
 This dedication is intended to meet the minimum dedication
 required by the City of Eagle Lake, Minnesota.

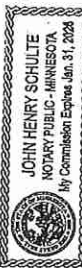
Dimensions and other measurements are
 shown on this plan unless otherwise noted.



I hereby certify that this survey, plat, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

John A. Thompson
 John A. Thompson, Licensed Land Surveyor
 Minnesota License No. 12345
 Date: 9/7/22

STATE OF MINNESOTA
 The foregoing instrument was acknowledged before me this 7th day of September, 2022 by John A. Thompson, a Licensed Land Surveyor.



ENDORSEMENT OF COMMISSION
 Troy M. Gorman
 Date: 9-7-22

ENDORSEMENT OF PLANNING COMMISSION
 Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota, this _____ day of _____, 2022.

Signature Commission Clerk



DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

REV.	BY	DATE



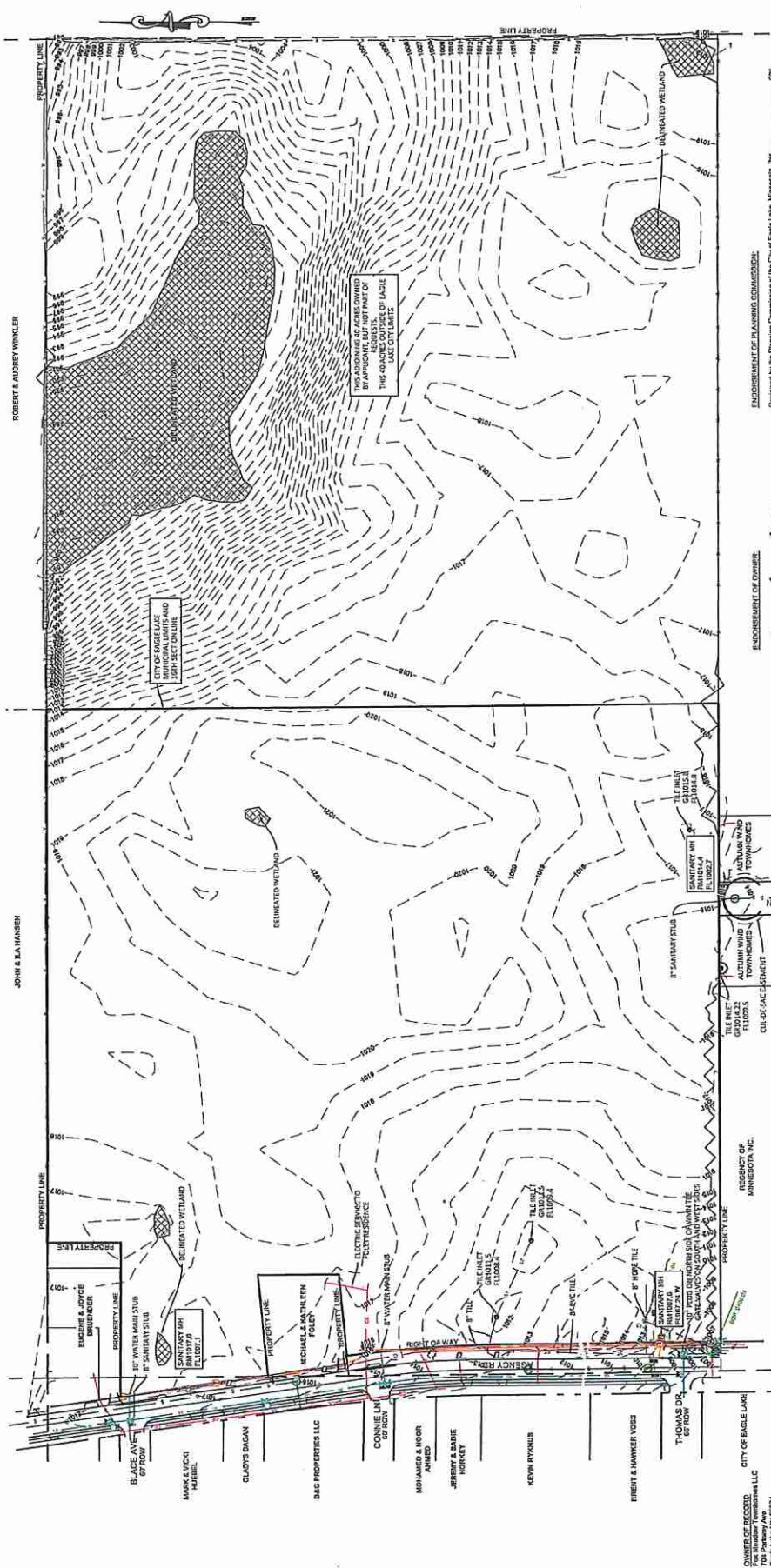
DESIGNED: JAS
 DRAWN: JAS
 CHECKED: JAT
 Date: 8/20/22
 Sheet: 2 of 2

SCHROM CONSTRUCTION
FOX MEADOWS
EAGLE LAKE
PRELIMINARY PLAT - LOTS PLAN

SHEET
 1 OF 1

ROBERT & AUDREY WINKLER

JOHN & ILA HANSEN



OWNER OF RECORD
Fox Meadow Townhomes LLC
701 Parkway Ave
Fond Du Lac, WI 54924

APPLICANT
Fox Meadow Tomatoes LLC
704 Parkway Ave
Eagle Lake MN 56024
907-257-5110

REGENCY OF
MINNEGOTA INC.

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5 made 8-31-22
Tina M. Schuman Date

Reviewed by the Planning Commission at the City of Eagle Lake, Minnesota, this _____ day
of _____, 2022.

General Commission Chair

Date _____

DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

[illegible]

JONES
HAUGH
SMITH

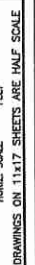
DISPOSED:	JCS
DRAWN:	JCS
CHECKED:	SAF
Date:	8/30/22

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

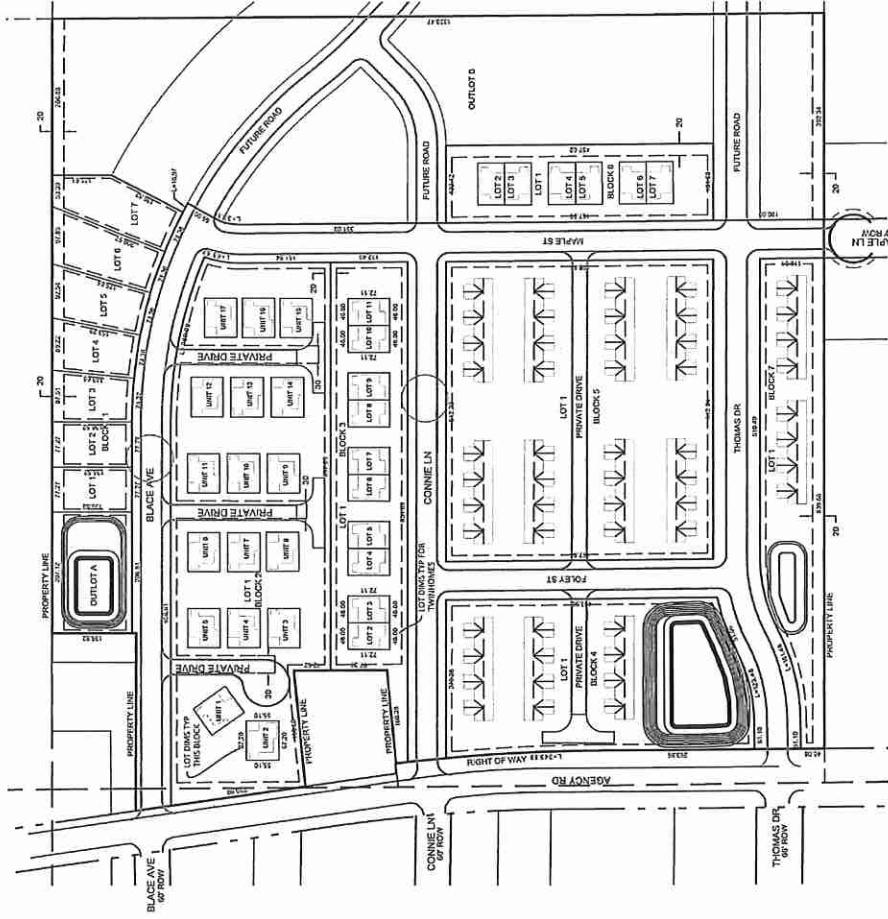
SCHROM CONSTRUCTION
FOX MEADOWS
EAGLE LAKE

of

Site plan for the proposed development at the intersection of Thomas Drive and Blaine Avenue. The plan shows a large rectangular lot with a green dashed line indicating a proposed street layout. The lot is bounded by Thomas Drive to the north, Blaine Avenue to the west, and a future road to the east. The plan includes labels for various streets, including Thomas Drive, Blaine Avenue, and Future Road. It also shows the location of a future road and a future road. The plan includes a north arrow and a scale bar.

[illegible]

FOX MEADOWS **PRELIMINARY PLAT - LOTS PLAN** **PART OF SW1/4 & SE1/4 18-T108N-R25W** **EAGLE LAKE, BLUE EARTH COUNTY, MN**



Outlines and utility easements are shown, but not shown otherwise noted.



ENDORSEMENT OF CONSUMER:

Signature 4-31-20

ENDORSEMENT OF PLANNING COMMISSION:

Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota, this _____ day of _____, 2022.

By _____

Signature, Commission Chair

DATE



DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

JONES
HAUGH
SMITH
 413 West Main Street, Suite 200, St. Paul, MN 55102
 651.451.4500
 www.jhsurvey.com



DESIGNED BY: JHS
 DRAWN BY: JHS
 CHECKED BY: JHS
 DATE: 4/20/22
 SCALE: AS SHOWN

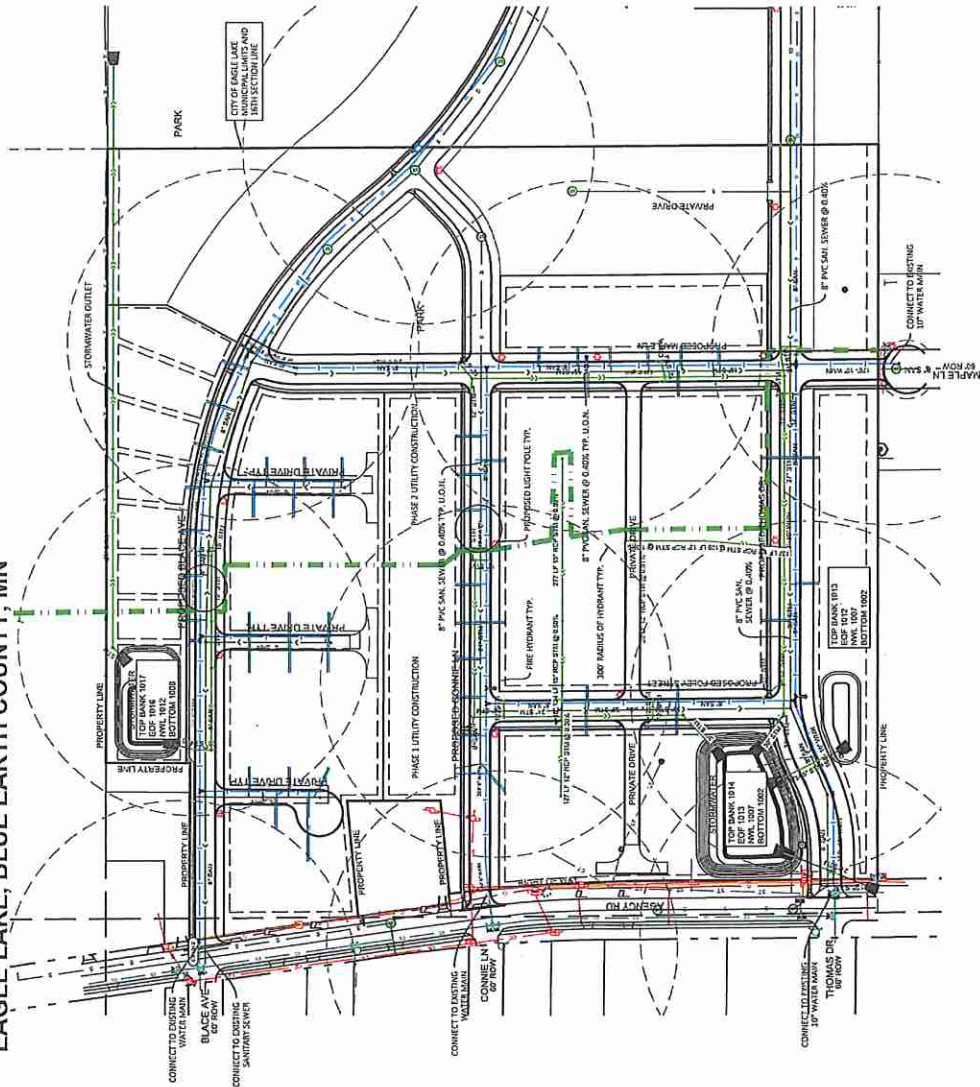
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SCHROM CONSTRUCTION
 FOX MEADOWS
 EAGLE LAKE
 PRELIMINARY PLAT - LOTS PLAN

SHEET
 1
 OF
 1

PLAT AND RECORDING INFORMATION
 Gross Area of Development: 120.00 Acres
 Number of Units Shown: 120
 Density: 1 Unit per 1.00 Acre
 The Applicant understands that this Preliminary Plat is part of a larger project and is subject to the previously submitted Concept Plan.

FOX MEADOWS **PRELIMINARY PLAT - OVERALL UTILITY PLAN** **PART OF SW1/4 & SE1/4 18-T108N-R25W** **EAGLE LAKE, BLUE EARTH COUNTY, MN**



ENDORSEMENT OF OWNER:

[Signature] 8-21-22
 Date

ENDORSEMENT OF PLANNING COMMISSION:

Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota, this _____ day of _____, 2022.

Signed Commission Chair _____ Date _____



DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

REV.	BY	DATE



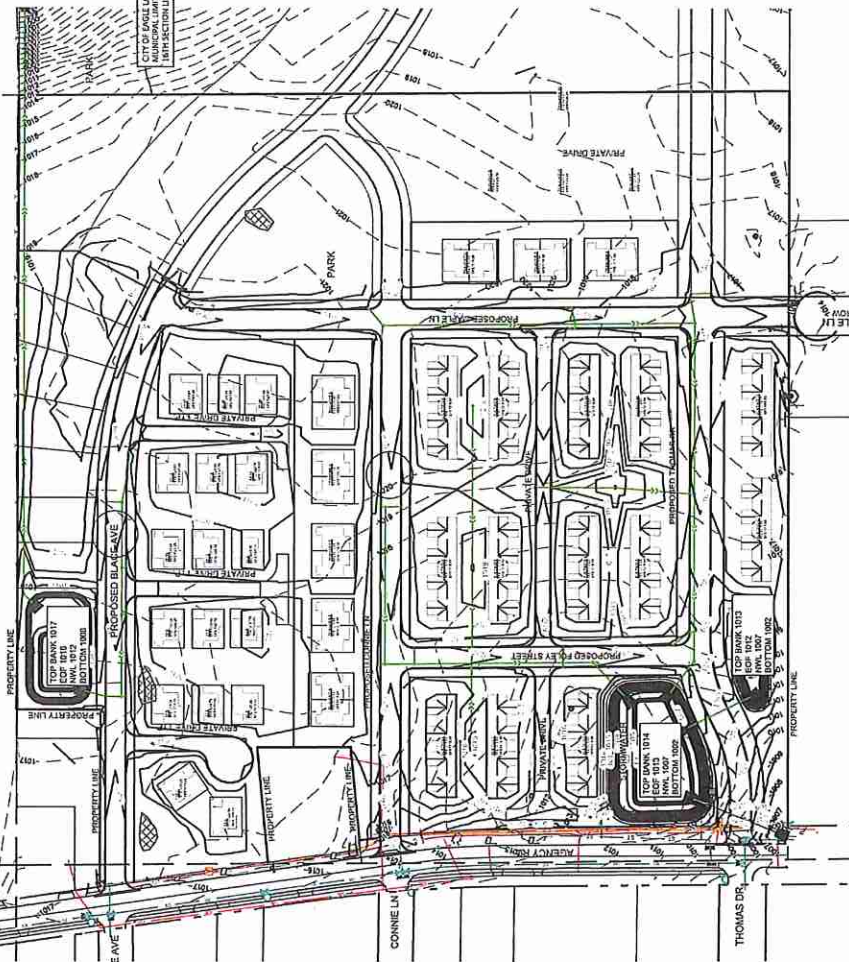
JONES HAUGH SMITH, INC.
 200 N. 1st Street, Suite 200
 Eagle Lake, MN 56525
 (218) 835-4200
 www.jhsinc.com

SCHROM CONSTRUCTION
 FOX MEADOWS
 EAGLE LAKE
 PRELIMINARY PLAT - OVERALL UTILITY PLAN

SHEET 1 OF 1

FOX MEADOWS

MINIARY PLAT - GRADING & STORM SEWER
PART OF SW1/4 & SE1/4 18-T108N-R25W
EAGLE LAKE, BLUE EARTH COUNTY, MN



ENDORSEMENT OF OWNER:

 Toni M. McQuinn
 8-31-22

Reviewed by the Planning Commission of the City of Eagan Lake, Minnesota. This

of 2022

Signed: _____
Conversation Chair



DRAWINGS ON 11x17 SHEETS ARE HALF SCALE

REV.	BY	DATE



JONES
HAUGH
SMITH

DESIGNED: JWS
DRAWN: JWS
CHECKED: SAT
Date: 5/30/22

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Tennessee.

SCHROM CONSTRUCTION
FOX MEADOWS
EAGLE LAKE

	SHEET
	1 OF 4



September 7, 2022

**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 at 6:00 p.m. on Monday, September 19, 2022 at City Hall, 705 Parkway Avenue, Eagle Lake, MN, and hold a Public Hearing to consider a preliminary plat from Troy Schrom with Fox Meadows Townhomes LLC for the property described as part of the Northeast Quarter (NE1/4), Southwest Quarter (SW1/4), Section 18-T108N-R25W (parcel ID # R121018400013).

The Planning Commission shall within a reasonable time, pass upon the preliminary plat as originally submitted or modified. If approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its reasons therefore. Such approval or disapproval shall be transmitted to the City Council and the City Council shall approve or disapprove the preliminary plat. Approval means the acceptance of the preliminary plat as the basis for preparation of a final plat.

You are receiving this notice because your property is located within 300 feet of the proposed subdivision.

Jennifer J. Bromeland

City Administrator

(507) 257-3218

Email: jbromeland@eaglelakemn.com

The Free Press THE LAND MEDIA

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Ad Proof

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DATE 09/07/22

Client:

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

ACCOUNT NUMBER: 110586
ACCOUNT REP: DANNY CREEL
ACCOUNT REP PHONE: (507) 344-6351
ACCOUNT REP EMAIL:
DCREEL@MANKATOFREEPRESS.COM

Ad ID: 637876

Start: 09/09/22

Stop: 09/09/22

Total Cost: \$45.83

of Lines: 39

Columns Wide: 1

of Inserts: 2

Ad Class: Legals

Phone #

Email: mthomas@mankatofreepress.com

Publications:

The Free Press
MankatoFreePress.com

Public Notice

September 9, 2022

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 at 6:00 p.m. on Monday, September 19, 2022 at City Hall, 705 Parkway Avenue, Eagle Lake, MN, and hold a Public Hearing to consider a preliminary plat from Troy Schrom with Fox Meadows Townhomes LLC for the property described as part of the Northeast Quarter (NE1/4), Southwest Quarter (SW1/4), Section 18-T108N-R25W (parcel ID # R121018400013).

The Planning Commission shall within a reasonable time, pass upon the preliminary plat as originally submitted or modified. If approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its reasons therefore. Such approval or disapproval shall be transmitted to the City Council and the City Council shall approve or disapprove the preliminary plat. Approval means the acceptance of the preliminary plat as the basis for preparation of a final plat.

Jennifer J. Bromeland
City Administrator



**BOLTON
& MENK**

Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

September 12, 2022

Jennifer Bromeland
City Administrator
City of Eagle Lake
705 Parkway Avenue
Eagle Lake, MN 56024-0159

RE: Preliminary Plat Engineering Review
Fox Meadows Development
City of Eagle Lake, MN
Project No.: 0M1.127423

Dear Ms. Bromeland,

As requested, I have completed an engineering review of the Preliminary Plat materials submitted by Fox Meadow Townhomes LLC. These documents were endorsed by the developer on August 31, 2022. Upon reviewing these documents, I have the following comments:

General Comments:

1. Hard copies of the Preliminary Plat documents submitted for review by the Planning Commission should be printed on 34-inch by 22-inch sheets such that the drawing scale is no more than 100 feet to an inch.
2. We recommend that the final plat be reviewed by the Blue Earth County recorder's office before securing final signatures.
3. The drawings show delineated wetlands on the property. Copies of the wetland reports and permits should be provided along with the proposed plan for wetland mitigation.

Streets and Right-of-Way:

4. It is noted that the proposed Thomas Drive lies within a proposed 80-foot-wide right-of-way which meets the minimum requirements for Urban Collectors.
5. It is noted that most proposed local streets are centered in 66-foot-wide platted right-of-way. This meets and exceeds the minimum required 60-foot width. Local street rights-of-way on all other surrounding subdivisions are 60-feet wide.
6. The westernmost block of Blace Avenue shows a right-of-way width of 59.64 feet. This should be increased at a minimum to 60 feet. Increasing this to 66-feet would allow the jog near Outlot A to be eliminated.
7. The Maple Lane right-of-way south of the development is drawn at 66-feet-wide but is labeled and exists as a 60-foot right-of-way. The location of the existing Maple Lane right-of-way should be verified and drawn correctly.

Name: City of Eagle Lake, MN

Date: 9/12/2022

Page: 2 of 3

8. It is noted that 5-foot-wide sidewalks are proposed on one side of all proposed public streets. A 6-foot-wide sidewalk is proposed on Thomas Drive.
9. A sidewalk along the east side CSAH 27 (Agency Street) should be considered to mitigate the need for pedestrians to cross the County's highway.
10. The westernmost block of Connie Lane should be adjusted to align with the existing street west of Agency Street.
11. Proposed centerline grades of all streets and private drives should be added to the Streets Plan and/or the Grading and Storm Sewer Plan.
12. I recommend that the existing temporary cul-de-sac on the north end of Maple Lane (just south of the proposed development) be removed and converted into a straight road segment to prevent motorist confusion.
13. Concrete curb returns should be included at the intersection of Agency Street and Thomas Drive.
14. The existing driveway in the Northeast quadrant of the proposed Agency Street and Blace Avenue intersection will need to be adjusted or relocated.
15. Specific comments on the provided typical street sections have been made on the enclosed plan redlines.

Sanitary Sewer and Watermain:

16. The proposed sanitary sewer on Thomas Drive should be 12-inch-diameter pipe laid at 0.22% according to the City's comprehensive infrastructure plan. Future sanitary sewer on Thomas drive will be 10-inch-diameter pipe.
17. The proposed sanitary sewer and watermain in the westernmost block of Thomas Drive should be realigned to be centered in the street.
18. Fire hydrants need to be provided at each intersection, including Thomas Drive & Maple Lane and Connie Lane & Maple Lane. Refer to enclosed plan redlines.
19. Flushing fire hydrants need to be provided at the end of each watermain located within the Private Drives of Lot 1, Block 2.
20. The sanitary sewer and watermain located within the Private Drives of Lot 1, Block 2 should be shifted so they are centered on the private road and utility easements.
21. Isolation valves should be provided for each leg of all watermain junctions.
22. All sewer and water services should be constructed perpendicular to the main pipeline.

Grading and Storm Sewer:

23. Summarized results of the drainage calculations certifying that all treatment and rate requirements are met should be provided along with information on how volume reduction measures were considered.
24. The grading plan shows back yard depressions and private storm sewers, which can create long term maintenance issues. Alternate grading should be used to eliminate back yard drains and convey stormwater to public streets and private drives.
25. Where private storm sewer is necessary, drainage and utility easements should be provided over all pipelines.
26. A drainage and utility easement should be provided over all stormwater ponds. All ponds should have a 8-foot-wide minimum flat maintenance access area around the entire pond (street boulevards are acceptable).

Name: City of Eagle Lake, MN
Date: 9/12/2022
Page: 3 of 3

27. There are concerns about increasing the stormwater discharge volume into the east ditch of CSAH 27 (Agency Street). These concerns stem from observations of previous heavy rain events where this ditch was inundated. We are also aware that the existing field is drained by a tile that crosses CSAH 27 and drains directly into the wetland to the west. Therefore, the outlet of the main stormwater pond should cross CSAH 27 south of Thomas Drive.

Please let me know if you have any questions regarding my engineering review of the Fox Meadows Development. I am happy to attend any upcoming Planning Commission meetings as needed.

Sincerely,

Bolton & Menk, Inc.



Brian J. Sarff, P.E.
Consultant City Engineer

Enclosure

SECTION 5.050 PRELIMINARY PLAT

Subd. 1. Plat Submission. Following the concept plan review, the owner may submit an application for approval of the preliminary plat, along with four prints of the preliminary plat, one of which shall be reproducible sepia. The owner shall file with the City Clerk at least fifteen (15) working days before a regular meeting date of the Planning Commission any required information, along with the appropriate application fee, which amount may be set from time to time by resolution of the City Council.

Subd. 2. Specifications for Documents to be Submitted. The preliminary plat shall be prepared by a licensed land surveyor at a convenient scale not more than one hundred feet to an inch; shall be prepared upon sheets or of such size as may be acceptable for filing in the office of the County Recorder, but not to exceed thirty-four inches by forty-four inches in size; and shall include the following information:

A. Identification and Description.

1. The name of the subdivision shall be lettered in prominent print at the top of the plat, together with the name of the city, township and county wherein the subdivision lies. The name of the subdivision shall be simple in nature, easy to pronounce and shall not duplicate in exact name any plat of record in the City of Eagle Lake or Blue Earth County.
2. Location by section, township and range, or by other legal description.
3. The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than owner, and the name of the land surveyor.
4. Graphic scale, not less than one (1) inch to one hundred (100) feet.
5. North point, designated as true north.
6. Date of preparation.
7. All information required on the concept plan shall also be shown on the preliminary plat, and the following notation shall also be shown:
 - a. Explanation of drainage easements, if any.
 - b. Explanation of site easements, if any.
 - c. Explanation of reservations, if any.
 - d. Endorsement of owner, as follows:

Owner

Date

8. Notarized certification by a registered land surveyor to the effect that the plat represents a survey made by him and that monuments and markers shown therein exist as located and that all dimensional and geodetic details are correct.
9. Notarized certification by owner, and by any mortgage holder of record of the adoption of the plat and the dedication of streets and other public areas.
10. Form for endorsement by the Planning Commission as follows:

Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota this _____ day of _____, 20____.

Signed: _____
Commission Chair

11. When there is more than one (1) sheet, an index sheet shall be attached, showing the entire Subdivision, including boundary and streets, at an appropriate scale. On each sheet, there shall be match lines for matching all adjoining sheets.

B. Existing Conditions.

1. Boundary line survey, including measured distances and angles, which shall close by latitude and departure with an error of closure not exceeding one (1) foot in ten thousand (10,000) feet.
2. Total acreage in said preliminary and individual lots, computed to one hundredth (.01) of an acre.
3. Location and names of existing or platted streets or other public ways, parks or other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.
4. If the proposed Subdivision is a rearrangement or a replat of any former plat, the lot and block arrangement of the original plat along with its original name shall be indicated by dotted or dashed lines. Also, any revised or vacated roadways of the original plat shall be so indicated.
5. Location and size of existing paved streets, railroads, sewers, water mains, quarries, gravel pits, culverts, or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract. Also such data as grades, invert elevations and location of catch basins, manholes, and hydrants.
6. Boundary lines of adjoining platted or unplatted land and owners of all tracts of land within one hundred (100) feet.

7. Complete topographic map with contour intervals not greater than two (2) feet, watercourses, marshes, rock outcrops, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, bridges, and other significant features; all superimposed on at least two (2) prints of the preliminary. United States Geodetic Survey Datum shall be used for all topographic mapping. Flood way and flood fringe zones shall be shown as delineated by current flood plain maps.
8. A separate copy of restrictive covenants, if any, of all adjoining subdivisions.

C. Design Features.

1. Layout of streets, showing right-of-way widths and names.
2. Locations and widths of alleys, pedestrian ways and utility easements.
3. Proposed centerline grades of streets and alleys, if any, showing both existing and proposed grade lines.
4. Location, size and approximate gradient of sewer lines.
5. Location, size and valving of water lines.
6. Location and size of drainage facilities and general grading plans.
7. Layout, lot and block numbers, and typical lot dimensions scaled to the nearest foot. Blocks shall be consecutively numbered. All lots in each block shall be consecutively numbered. Outlots shall be consecutively lettered in alphabetically order.
8. Areas other than those mentioned above intended to be dedicated for public use, including size.
9. A draft of proposed restrictive covenants, if any are contemplated.
10. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose of those set asides, and conditions, if any, on the dedication or reservation.
11. The location and width of proposed easements.
12. Indication of all other lot uses other than residential proposed by the subdivider.
13. Sufficient data acceptable to the City Engineer to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground.

Subd. 3. Incomplete Application. The lack of information under any item specified in this section or improper information supplied by the applicant shall be cause for disapproval of a preliminary plat.

Subd. 4. Public Hearing. Upon receipt of the above information, the City Clerk shall call a public hearing for the next scheduled meeting of the Planning Commission to be held at least fifteen (15) days after the date of the application. The City Clerk shall mail notices to the owners of all property within 300 feet of the proposed subdivision and shall submit notice for publication in the official newspaper at least seven (7) days prior to the public hearing.

Subd. 5. Review and Action. The Planning Commission shall within a reasonable time, pass upon the preliminary plat as originally submitted or modified. If approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its reasons therefore. Such approval or disapproval shall be transmitted to the Council and the Council shall approve or disapprove the preliminary plat. Approval means the acceptance of the preliminary as a basis for preparation of a final plat.

Subd. 6. Standards of Approval. No preliminary plat of a proposed subdivision shall be approved by the Planning Commission unless the applicant proves by clear and convincing evidence that:

- A. The proposed subdivision meets the design standards as set forth in Section 5.070 of this Code.
- B. The proposed subdivision will not result in the scattered subdivision of land that leaves undeveloped parcels of land lacking urban services between developed parcels.
- C. The proposed subdivision conforms with all existing zoning regulations applicable at the time that the proposed preliminary plat is submitted for approval.
- D. The subdivider has taken every effort to mitigate the impact of the proposed subdivision on public health, safety, and welfare.
- E. The required application fee has been paid.

SECTION 5.060 FINAL PLAT

Subd. 1. Plat Submission. Following the approval of the preliminary plat, the owner may submit an application for approval of the final plat, along with four prints of the preliminary plat, one of which shall be reproducible sepia. The owner shall file with the City Clerk at least fifteen (15) working days before a regular meeting date of the Planning Commission any required information, along with the appropriate application fee, which amount may be set from time to time by resolution of the City Council.

Subd. 2. Specifications for Submitted Final Plat. The final plat shall substantially conform to the preliminary plat as approved; shall be prepared by a licensed land surveyor at a convenient scale not more than one hundred feet to an inch; shall be prepared upon sheets or of such size as may be acceptable for filing in the office of the County Recorder, but not to exceed thirty-four inches by forty-four inches in size; and shall include the following information:

A. Identification and Description.

1. The name of the subdivision shall be lettered in prominent print at the top of the plat, together with the name of the city, township and county wherein the subdivision lies. The name of the subdivision shall be simple in nature, easy to pronounce and shall not duplicate in exact name any plat of record in the City of Eagle Lake or Blue Earth County.
2. Location by section, township and range, or by other legal description.
3. The name and address of the owner or owners of the land to be subdivided, the name and address of the subdivider if other than owner, and the name of the land surveyor.
4. Graphic scale, not less than one (1) inch to one hundred (100) feet.
5. North point, designated as true north.
6. Date of preparation.
7. The following notation shall also be shown:
 - a. Explanation of drainage easements, if any.
 - b. Explanation of site easements, if any.
 - c. Explanation of reservations, if any.
 - d. Endorsement of owner, as follows:

Owner

Date

8. Notarized certification by a registered land surveyor to the effect that the plat represents a survey made by him and that monuments and markers shown therein exist as located and that all dimensional and geodetic details are correct.
9. Notarized certification by owner, and by any mortgage holder of record of the adoption of the plat and the dedication of streets and other public areas.
10. Certification showing all delinquent taxes and special assessments due on the property have been paid in full.

11. Form for endorsement by the Planning Commission as follows:

Reviewed by the Planning Commission of the City of Eagle Lake, Minnesota this _____ day of _____, 20____.

Signed: _____
Commission Chair

12. Form of approval by the City Council as follows:

Approved by the City Council of Eagle Lake, Minnesota, this _____ day of _____, 20____.

Signed: _____
Mayor

Attest: _____
City Clerk

13. When there is more than one (1) sheet, an index sheet shall be attached, showing the entire Subdivision, including boundary and streets, at an appropriate scale. On each sheet, there shall be match lines for matching all adjoining sheets.

B. Existing Conditions.

1. Boundary line survey, including measured distances and angles, which shall close by latitude and departure with an error of closure not exceeding one (1) foot in ten thousand (10,000) feet.
2. Total acreage in said preliminary and individual lots, computed to one hundredth (.01) of an acre.
3. Location and names of existing or platted streets or other public ways, parks or other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.
4. If the proposed Subdivision is a rearrangement or a replat of any former plat, the lot and block arrangement of the original plat along with its original name shall be indicated by dotted or dashed lines. Also, any revised or vacated roadways of the original plat shall be so indicated.
5. Location and size of existing paved streets, railroads, sewers, water mains, quarries, gravel pits, culverts, or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract. Also such data as grades, invert elevations and location of catch basins, manholes, and hydrants.

6. Boundary lines of adjoining platted or unplatted land and owners of all tracts of land within one hundred (100) feet.
7. Complete topographic map with contour intervals not greater than two (2) feet, watercourses, marshes, rock outcrops, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, bridges, and other significant features; all superimposed on at least two (2) prints of the preliminary United States Geodetic Survey Datum shall be used for all topographic mapping. Floodway and flood fringe zones shall be shown as delineated by current flood plain maps.
8. A separate copy of restrictive covenants, if any, of all adjoining subdivisions.

C. Design Features.

1. Layout of streets, showing right-of-way widths and names.
2. Locations and widths of alleys, pedestrian ways and utility easements.
3. Proposed center line grades of streets and alleys, if any, showing both existing and proposed grade lines.
4. Location, size and approximate gradient of sewer lines.
5. Location, size and valving of water lines.
6. Location and size of drainage facilities and general grading plans.
7. Layout, lot and block numbers, and typical lot dimensions scaled to the nearest foot. Blocks shall be consecutively numbered. All lots in each block shall be consecutively numbered. Outlots shall be consecutively lettered in alphabetical order.
8. Areas other than those mentioned above intended to be dedicated for public use, including size.
9. A draft of proposed restrictive covenants, if any are contemplated.
10. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose of those set asides, and conditions, if any, on the dedication or reservation.
11. The location and width of proposed easements.

12. Indication of all other lot uses other than residential proposed by the subdivider.
13. Sufficient data acceptable to the City Engineer to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments.
14. The boundary line of the property to be included within the plat is to be fully dimensioned; all angles of the boundary to be indicated; all monuments and surveyor's irons to be indicated; each angle point of the boundary perimeter to be so monumented. Location and ties of monuments that cannot be set at proper location because of physical hardship shall be delineated on the outside boundary of the final plat. Pipes or steel rods shall be placed at each corner of each lot and at each intersection of street center lines.

All U. S., State, County, or other official bench marks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position and shall be recorded on the plat. All lot and block dimensions shall be shown on the plat and all necessary angles pertaining to the lots and blocks, as an aid to future surveys, shall be shown on the plat. No ditto marks will be permitted in indicating dimensions.

15. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, or for the exclusive use of property owners within the subdivision, with the purposes indicated therein.

Subd. 3. Incomplete Application. The lack of information under any item specified in this section or improper information supplied by the applicant shall be cause for disapproval of a preliminary plat.

Subd. 4. Public Hearing. Upon receipt of the above information, the City Clerk shall call a public hearing for the next scheduled meeting of the Planning Commission to be held at least fifteen (15) days after the date of the application. The City Clerk shall mail notices to the owners of all property within 350 feet of the proposed subdivision and shall submit notice for publication in the official newspaper at least seven (7) days prior to the public hearing.

Subd. 5. Review and Action. The Planning Commission shall within a reasonable time, pass upon the final plat as originally submitted or modified. If approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its reasons therefore. Such approval or disapproval shall be transmitted to the Council and the Council shall approve or disapprove the final plat.

Subd. 6. Signing and Recording of Plat. Following final approval or disapproval by the City Council, the Planning Agency shall notify the owner or subdivider of the Council's action and each final plat, when duly certified, signed and acknowledged by the Planning

Commission and City Council, shall then be recorded by the owner in the office of the Blue Earth County Recorder. After the final plat has been filed by the County Recorder, the owner shall provide the City Engineer with a Mylar copy of the final as executed.

Subd. 7. Partial Final Plat. The owner may file a final plat limited to such portion of the preliminary plat which he proposed to record and develop at the time, provided that such portion conforms to all requirements of this chapter.

Subd. 8. Lapse of Preliminary Approval. Approval of a preliminary plat shall become null and void if a final plat has not been submitted for all or part of the preliminary within one (1) year from the approval of the preliminary plat by the Council.

Subd. 9. Standards of Approval. No preliminary plat of a proposed subdivision shall be approved by the Planning Commission unless the applicant proves by clear and convincing evidence that:

- A. The proposed subdivision meets the design standards as set forth in Section 5.070 of this Code.
- B. The proposed subdivision will not result in the scattered subdivision of land that leaves undeveloped parcels of land lacking urban services between developed parcels.
- C. The proposed subdivision conforms with all existing zoning regulations applicable at the time that the proposed final plat is submitted for approval.
- D. The subdivider has taken every effort to mitigate the impact of the proposed subdivision on public health, safety, and welfare.
- E. The required application fee has been paid and all dedications and conveyances have been made.

SECTION 5.070 DESIGN STANDARDS

Subd. 1. General Requirements.

- A. The Planning Commission in its review of a preliminary plat, will take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention will be given to the arrangement, location and widths of streets, the general drainage situation, lot sizes and arrangement, as well as Comprehensive Development Plan requirements for parks, school sites and streets, but not limited to these.
- B. The preliminary plat shall cover all of the subdivider contiguous land, but the final plat may cover only a portion of the preliminary plat, provided it is in conformance with the approved preliminary plat and other requirements herein.

- C. Where the parcel is subdivided into larger tracts than for building lots, such parcels shall be divided so as to allow for the opening of major streets and the ultimate extension of adjacent minor streets.
- D. Drainage shall be provided for in the subdivision by adequate storm drains or by maintenance of natural drainage channels.
- E. Where surface water run-off will be increased because of proposed development, beyond the capacity of existing storm systems, storm water holding areas, ponds, or existing drainage channels shall be dedicated. The dedication may not be considered as part of the required public open space dedication.
- F. Subdivisions showing unplatted strips or private streets controlling access to public ways shall not receive approval.

Subd. 2. Streets.

- A. The arrangement, character extent, width and location shall conform to the Comprehensive Development Plan, the approved Standard street sections and all applicable ordinances, and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to run-off of storm water, to public convenience and safety and in their appropriate relation to the proposed uses of the area to be served.

- B. Street right-of-way widths shall be as shown in the Comprehensive Development Plan and where not shown therein, shall be not less than as follows:

FEET

Urban Principal Arterial.....	120
Minor Arterial.....	100
Urban Collector.....	80
Local.....	60

- C. Local streets in planned developments may have an approved right-of-way of forty (40) feet under the following conditions:

1. Ten (10) foot utility easements are provided on each side of the right-of-way.
2. Sidewalks and pedestrian paths are built as part of the initial development, off the street right-of-way.
3. Suitable off-street parking space is provided to compensate for ban of off-street parking.

Subd. 3. Easements.

- A. Easements at least twenty (20) feet wide centered on exterior lot lines and ten (10) feet wide centered on interior lot lines, shall be provided for utilities, where necessary. Easements shall have continuity of alignment from block to block and at deflection points.
- B. Where a subdivision is traversed by a water course, drainage way, channel or stream, storm water easement or drainage right-of-way conforming substantially with the lines of such water course shall be provided, together with such further width or construction, or both, as will be adequate for the storm water drainage of the area.

Subd. 4. Block Standards.

- A. The maximum length of blocks shall be twelve hundred (1,200) feet. Blocks over six hundred (600) feet long may require pedestrian ways at least ten (10) feet wide at their approximate centers.

The use of additional access ways to schools, parks and other destinations may be required.

- B. Residential blocks shall normally be of sufficient width for two (2) tiers of lots.
- C. Blocks intended for commercial and industrial use shall be designed as such.

Subd. 5. Lot Standards.

- A. Corner lots in residential districts R-1 and R- 2 shall have at least ten (10) feet extra width and sufficient depth for establishing building setback on both streets.
- B. All lots shall have at least the minimum of twenty-five (25) feet required frontage on a public dedicated street.
- C. Side lot lines shall be substantially at right angles or radial to the street line.
- D. Double frontage or lots with frontage on two (2) parallel streets shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome topographic or other conditions which render subdividing otherwise unreasonable. Such double frontage lots shall have an additional depth of at least twenty (20) feet in order to allow space for screen planting along the rear lot line.
- E. Lots intended for commercial, industrial and multiple dwelling unit use shall be designed as such and the lot must be of adequate size to allow off-street parking, loading areas, and such other facilities as are required to satisfy the requirements of Chapter 6 City Code.
- F. Lots abutting on a watercourse, drainage way, channel or stream shall have an additional depth or width, as required, to assure building sites that are not subject to flooding at the level of the one hundred (100) year flood, as determined by the U. S. Army Corp. of Engineers.

Subd. 6. Public Sites and Open Spaces.

- A. All new subdivisions shall dedicate land for public use such as parks, playgrounds or other open space use according to the following types of subdivision:
 - 1. Residential subdivision of up to ten (10) dwelling units per gross acre - seven (7%) percent of the total gross area.
 - 2. Residential subdivision in excess of ten (10) dwelling units per gross acre - ten (10%) percent of the total gross area.
 - 3. Commercial and industrial subdivision - five (5%) percent of the gross area.
- B. The term "new subdivision" shall not apply where property lines are being surveyed for the purpose of correcting previous descriptions, situations where individuals are buying and/or selling land only to increase their yard space for individual properties or the re-subdivision of an area where a previous dedication was made.

- C. When in the judgment of the Planning Commission and ultimately the City Council, a subdivision is of insufficient size to include an area for a park or park related facilities, or the subdivision is not designated as an area for a park or park related facilities in the City's Comprehensive Plan, the owner or subdivider, in lieu of property dedication, shall be required to pay to the City a sum of money equal to the required dedication percentage. Said amount shall be determined by multiplying the total gross area by the required dedication percentage. This amount shall then be multiplied by the market value of saleable non-platted property as set from time to time by the City Council.

Payment to the City of the required open space dedication, whether in dedicated property or monies, shall be accomplished by the property owner or subdivider at the time of the final platting. Where money in lieu of land is to be paid to the City, such monies may be paid in a manner established by the City Council. In no case shall the final plat be signed or a building permit issued for any lot within the subdivision until such transfer of property or payment in lieu of property has been completed. Any monies paid to the City shall be placed in a designated fund to be used for the acquisition of land for parks and park facilities and/or the continued development of the City's current parks, trails and facilities as determined by the City Council.

Subd. 7. Trunk Area Charges. All unplatted land shall pay a water and sanitary sewer area charge set forth by an annual fee determined by the City Council.

SECTION 5.080 BASIC IMPROVEMENTS REQUIRED

Subd. 1. General.

- A. Before a final plat is approved by the Council, the owner and subdivider of the land covered by the said plat shall execute and submit to the Council an agreement which shall be binding on his or their heirs, personal representatives and assigns, that he will cause no private construction to be made on said plat or file or cause to be filed any application for building permits for such construction until all improvements required under this chapter have been made or arranged for in the manner following as respects the streets to which the lots sought to be constructed have access.
- B. Said agreement shall provide that all of the required improvements will be made in accordance with standards established by the City Engineer, and shall include adequate provisions in the form of escrow deposits or other form of deposit acceptable to the City Council; to insure that all improvements accomplished by the subdivider will comply with such standards.
- C. Said agreement shall provide that the subdivider shall make an advance payment to the City of a percentage of the estimated total costs of those improvements which are to be accomplished by the City, the amount of such advance payment shall be determined by the City Council, terms for payment of the balance of the total cost shall be provided in the agreement.

- D. Approval of the final plat and agreement of the City Council shall be contingent on the deposit of those sums to the City required by the agreement. No signatures indicating the City's approval of the plat will be affixed to the plat until such sums have been deposited with the City Clerk.
- E. Before the subdivider makes any sale, conveyance or assignment of any lot or parcel in the subdivision, the City Clerk shall have on file a notarized copy of a concurrence document wherein the subsequent owner acknowledges that he has seen and accepted the basic improvements agreement and that he agrees to such improvements and the assessment of their cost. Said concurrence document shall be attached to and made a part of the subdivision basic improvements agreement made between the subdivider and the City.

Subd. 2. Sanitary and Storm Drains.

- A. Sanitary sewers shall be installed to serve all properties in the subdivision where a connection to the City sewer system is available at the boundary of the subdivision.
- B. Storm drains and sump pump lines shall be constructed to serve all properties in the subdivision.
- C. Both storm drain and sanitary sewer shall be installed by the City after City Council approval of a petition for the same by the owner. The cost shall be assessed against all lots in the subdivision according City Code.

Subd. 3. Water Supply.

- A. Where a connection to the City water system is presently available at the boundary of the subdivision, water distribution facilities, including fire hydrants, shall be installed to serve all properties within the Subdivision.
- B. Water mains shall be installed by the City after City Council approval of a petition for the same by the owner. The cost shall be assessed against all lots in the subdivision according to City Code.

Subd. 4. Street Improvements. Right-of-way grading, base preparation, curb and gutter, pavement and sidewalks, covering all streets in the subdivision shall be installed by the City after City Council approval of a petition for the same by the owner. The cost shall be assessed against all lots in the subdivision according City Code.

Subd. 5. Street Trees.

- A. If property owner desires and if space permits, a minimum of two trees shall be planted on each lot within the defined boulevard. For corner lots, a minimum of four

trees (two on each street side) shall be planted on each lot. Trees shall be planted a minimum distance of twenty-five (25) feet apart.

- B. No trees shall be planted within any utility easement.
- C. Trees shall not be planted within thirty (30) feet of street intersections.
- D. Trees will be a minimum size of one and one-quarter (1 1/4) inches to two (2) inches in diameter. Tree diameter is measured six (6) inches above ground level.
- E. Trees shall not be planted within three (3) feet of any private utility hook-ups, utility mains or services lines, and concrete drives or walks.
- F. Property owners will be responsible for the care of the trees.
- G. Trees used for street planting must be compatible with the local landscape conditions and not presently under disease epidemic. Prohibited tree species include all conifer, evergreen, poplar, box elder, elm, silver maple, fruit bearing trees and any others designed by the City.

Subd. 6. Private Utilities. All electrical distribution systems, natural gas distribution systems, telephone transmission systems and community cable television systems serving subdivisions which are platted pursuant to the provisions of this chapter shall be installed.

[illegible]

Zoning #	Issued	Contractor	Address	Value	Total Fee	Type
22-26	8/12/2022	Clint Adams	229 Linda Dr.	\$ 2,646.00	\$ 55.00	Hard surface
22-27	8/18/2022	Clint Adams	209 LeRay	\$ 7,500.00	\$ 55.00	Replace driveway
22-28	8/17/2022	Self	177 Creekside Dr.	\$ 800.00	\$ 55.00	Premade shed
22-29	9/9/2022	Brady's Conrete & Const.	300 Perry St	\$ 6,500.00	\$ 55.00	Replace driveway
22-30	8/24/2022	self	172 Creekside Ct.	\$ 4,000.00	\$ 55.00	Shed
22-31	9/9/2022	J Jensen Const.	403 Perry St	\$ 4,500.00	\$ 55.00	Fence
					\$ -	

Other #2

Supplemental Environmental Assessment Worksheet of Mankato Motorsports Park now available

Comments on the document will be accepted September 20 through October 20, 2022.

The City of Eagle Lake invites the public to review the Supplemental Environmental Assessment Worksheet (EAW) regarding the proposed Mankato Motorsports Park project located in the City of Eagle Lake. The project will be constructed on property currently in agricultural use, approximately 230 acres in size.

Copies of the Supplemental EAW, which provides additional information to the original Environmental Assessment Worksheet, are available for the public beginning September 20, 2022 during regular business hours at the following locations:

- Eagle Lake City Hall, 677 Parkway Ave, Eagle Lake, MN 56024
- Blue Earth County Library, 100 East Main Street, Mankato, MN 56001
- Minneapolis Public Library, Environmental Conservation Library, Government Docs., 2nd Floor, 300 Nicollet Mall, Minneapolis, MN 55401

Written comments will be accepted through October 20, 2022. Comments should be submitted to Jennifer Bromeland, City Administrator, 705 Parkway Avenue, PO Box 159, Eagle Lake, MN 56024, (507) 257-3218, or jbromeland@eaglelakemn.com.