



PLANNING COMMISSION MEETING AGENDA

Monday, November 15, 2021

Council Chambers, 705 Parkway Avenue

6:00 p.m.

CALL TO ORDER

APPROVAL OF THE AGENDA

APPROVAL OF MINUTES

NEW BUSINESS

1. Future Possible Re-Zoning Request for Parcel R391019251008
2. Follow-Up Regarding Discussion about Non-Conformities
3. Review of Chapter 6 for Possible Changes

OTHER

1. Monthly Building and Zoning Permit Activity

ADJOURNMENT

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

CITY OF EAGLE LAKE
October 18, 2021
PLANNING COMMISSION MEETING

Call to Order

- Meeting was called to order at 6:00 p.m. by Chairman Talle.
Present: Chairman Talle, Commissioners Beckel, Hughes, Rose, Scheurer, McCarty, and Miller.
Absent: Commissioner Norton.
Staff Present: City Administrator Bromeland and Administrative Clerk Mandy Auringer.
Others in Attendance: Mark Fromm

Approval of Agenda

- There were no additions to the agenda. Commissioner Rose moved, seconded by Commissioner Miller to approve the agenda. A roll call was taken with all in favor. Motion carried.

Approval of Minutes

- Commissioner Hughes moved, seconded by Commissioner Rose to approve the Planning Commission meeting minutes from May 17, 2021. A roll call vote was taken with all in favor. Motion carried.

New Business

- 237 Oak Drive: Review Hard Surface in Front Yard and Building Permit Application for Construction of Detached Garage: Administrator Bromeland shared that an application was received from 237 Oak Drive to construct a detached garage. She gave background information to the Planning Commission on the process of approving a building or zoning permit. Included on a site plan submitted for a detached garage for Mark Fromm, 237 Oak Drive, there appeared to be a hard surface more than 40 feet at the garage. Administrator Bromeland met the contractor and homeowner at the residence where it was discovered the hard surface was already constructed and in violation of code. An email was sent to the homeowner and contractor following the meeting informing that the hard surface more than 40 feet at the front of the garage was considered non-conforming. Administrator Bromeland shared that a building permit was submitted in 2017 for new home construction and included on the application were plans for a driveway measuring 39 feet at the garage line. It was noted that Mr. Fromm approached the Planning Commission in April of 2018 requesting that the driveway width at curb be increased from 24 feet to 32 feet. A public hearing was held, and a recommendation made from the Planning Commission to the City Council to increase the driveway width at curb and allow more flexibility for hard surface parking. The City Council tabled taking any action at their initial meeting due to concerns with allowing up

to 35% of a front yard to be surfaced. Ultimately, the City Council voted to widen the driveway width at curb to 32 feet but did not take any action on increasing the amount that a front yard could be hard surfaced.

- Mr. Fromm stated he thought he was able to put the slab in and still be within the 35% of the front yard coverage. He also stated that there will not be anymore hard surface poured with the detached garage project.
- Commissioner Miller stated he would not be comfortable approving the permit for the detached garage unless a variance was applied for and approved for the non-conforming cement slab.
- Commissioner McCarty stated he didn't think he could apply for a variance since there was no permit pulled for the extra driveway slab. He also stated the city has an obligation to enforce city code and shouldn't allow the building permit with an illegal non-conforming driveway.
- Commissioner Beckel asked if there was a separate permit pulled for the slab. Administrator Bromeland stated that it was included with the building permit pulled with the construction of the home. He also inquired if it's a misdemeanor to violate city code and if so, Mr. Fromm should be ticketed, fined, and required to remove the illegal non-conforming slab.
- Commissioner Hughes asked if they could separate the two issues, allow the garage, and address the slab later? Commissioner Beckel stated that it is part of the same issue since the detached garage aligns with the slab. Commissioner McCarty added that the illegal non-conforming issue still needs to be addressed.
- Commissioners Scheurer and McCarty asked what is considered the side yard and whether the proposed structure could be placed where indicated on the site plan. Administrator Bromeland stated that she would review definitions in code for front, side, and rear yards and perform a review to ensure compliance with code before approving a permit. It was noted that the lot is an odd shape and not rectangular.
- Commissioner McCarty made a motion, seconded by Commissioner Beckel to deny the permit application for the detached garage until the property is brought up to compliance. A roll call was taken with Chairman Talle, Commissioners Beckel, Hughes, Rose, Scheurer, McCarty, and Miller voting in favor. Motion carried. Chairman Talle stated it will go before the City Council on November 1, 2021.

Other

- Chairman Talle suggested scheduling a few work sessions to go over and recommend changes to Chapter 6 to the City Council.
- Building and Zoning Permit Activity: Permit activity was presented for the months of September and October.
- The next regular scheduled Planning Commission meeting is November 15, 2021 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 6:44 p.m.

Trent Talle, Chairman

Mandy Auringer, Administrative Clerk

UNOFFICIAL MINUTES

November 15, 2021

To: Planning Chair Trent Talle and Commission
From: Jennifer J. Bromeland, City Administrator
Re: 11-15-21 Planning Commission Meeting

New Business

1. Future Possible Re-Zoning Request for Parcel R391019251008. A petition for annexation, a copy of which is attached, has been received from the property owners of parcel R391019251008. A developer, Justin Jackson, would like to purchase this parcel for a housing development. See attached concept design. The petition for annexation will be presented to the City Council at a special meeting on November 22nd. The developer will attend this evening's meeting to discuss with you a future possible re-zoning request for this parcel. As was explained to the developer, the purpose of tonight's meeting is informational only - to talk about a future possible request for re-zoning. This is an opportunity for the developer to talk with you about his plans and for you to have an opportunity to ask questions. When land is annexed, it is placed in an agricultural district until re-zoning occurs. Per City Code, a preliminary plat is needed with a re-zoning application. After reviewing the petition for annexation at its upcoming special meeting, the City Council will have the opportunity to schedule a public hearing under Minnesota Statutes 414.033, Subdivision 2(3). Notice will be provided to LeRay Township and affected landowners 30 days in advance of the hearing. The City Council will evaluate how the annexation will affect residents, landowners, and property in the area to be annexed, what additional costs will the City incur when providing services to the annexed area, how much revenue can and will the City obtain through taxes and other charges against the annexed area, what is the present status of the land available in this area and outlook for future development, and what impact, if any, will annexation have on development in this area. A developer's agreement will also need to be developed outlining the responsibilities of the developer and the city. The Planning Commission's role in this process is to provide a recommendation about re-zoning when an application is received for this purpose. Once an application is received for re-zoning, a public hearing is scheduled, and notice published in the newspaper and mailed to all property owners within 350 feet of the area proposed to be rezoned. While re-zoning can occur concurrent to an annexation, in this situation it is not possible without the developer putting together and supplying a preliminary plat. The development is proposed to be completed in phases with the first phase consisting of market rate twin homes and the later phase(s) being market rate multifamily apartment complexes. Attached for references purposes is an excerpt from a Mankato Area Housing Study Update that was completed in 2020 in which rental housing demand was studied.

- **Action Needed:** No action is needed this evening – this item is being included for discussion and informational purposes only.

2. Follow-Up Regarding Discussion about Non-Conformities. Following last month's discussion about non-conformities, discussion took place at the November 1st City Council meeting regarding the hard surface more than what is allowed by code at 237 Oak Drive. The consensus of the City Council was for the matter to go back to the Planning Commission to determine if changes are needed to be made to code related to maximum width at the garage line. Some questions that arose at the meeting included how many stalls are allowed for a garage and how would the city handle a request for an addition to a three-stall garage as the property owner has expressed that he may add on to the existing garage. Some of these questions will require time for staff to research. The lot at hand is unusually shaped and most existing lots would not allow for a four-stall garage. The property owner at 237 Oak Drive has informed me that he knows of other properties in his subdivision that are more than 40 feet in width at the garage line. Per my review of the properties in this area, only two other properties in the subdivision have been identified as possibly having driveways more than 40 feet in width at the garage line. All three properties were constructed in 2017 and there is nothing indicated on any of the site plans in the property files that there was proposed to be hard surface more than what is allowed by code. Prior to the driveway width at curb language being widened and amended in 2018, it was noted that there were driveways around town more than 24 feet in width at curb. It seems like this matter will require further research and time. The City does address issues when non-conformities are identified or if work is being observed and no permit has been pulled. It appears that there are a couple properties in this same subdivision that may have installed sheds without obtaining a zoning permit. Letters will be generated to those properties informing of next steps. Another recent example of a non-conformity involves a fence that was installed with one side in the City's right of way. On the site plan and application submitted, it was noted that the fence would be 3-4 feet inside the property line. The property pins were exposed but apparently there was some misunderstanding by the property owner and contractor as to the area from the curb to the property line. The property owner was asked to remove the fence from the right of way and has since complied. Shortly after I began working for the City in 2018, the building and zoning permit application was updated to include language informing the applicant that the property owner is responsible for locating property lines, easements and determining lot square footage and that the city does not provide surveying services. Most recently, a cover sheet has been added to all permits with this same information. When applications come in, most often, staff will provide pertinent excerpts from code to applicants to ensure that they comply with setbacks and other requirements. While the City does not require a property survey, applicants are strongly encouraged to obtain one if they do not know where their property lines are located. I am currently in the process of surveying other area cities to learn more about the staking and inspection process employed in other cities to see if there are ways that we can improve our process if appropriate. From what I have collected to date, Eagle Lake's process is in line with other jurisdictions. If an applicant is providing misinformation whether intentional or not at any time during the building and zoning permit process, the City is not at fault if a survey is later completed by a neighboring property owner, and it is found that a structure such as a fence or shed is placed over a property line. The applicant is ultimately responsible for knowing where their property lines and any easements are located. The City is not responsible for property owners failing to take the proper steps

to know where their property lines are located and if there are any utility easements on their property or where the City's right of way is located. Property owners are also responsible for adhering to zoning code regulations.

- **Action Needed:** The Planning Commission has been asked by the City Council to review code relative to driveway width allowed at garage line to determine if any changes should be made to code.
3. Review of Chapter 6 for Possible Changes. Please review Chapter 6 of City Code and be prepared to discuss possible changes needed to code. This process will likely span over a few meetings. If you need a printout of Chapter 6, please let me know and we can get you a copy for the meeting. Otherwise, you can access the code on the City of Eagle Lake website at: https://eaglelakemn.com/download_file/force/1043/271.

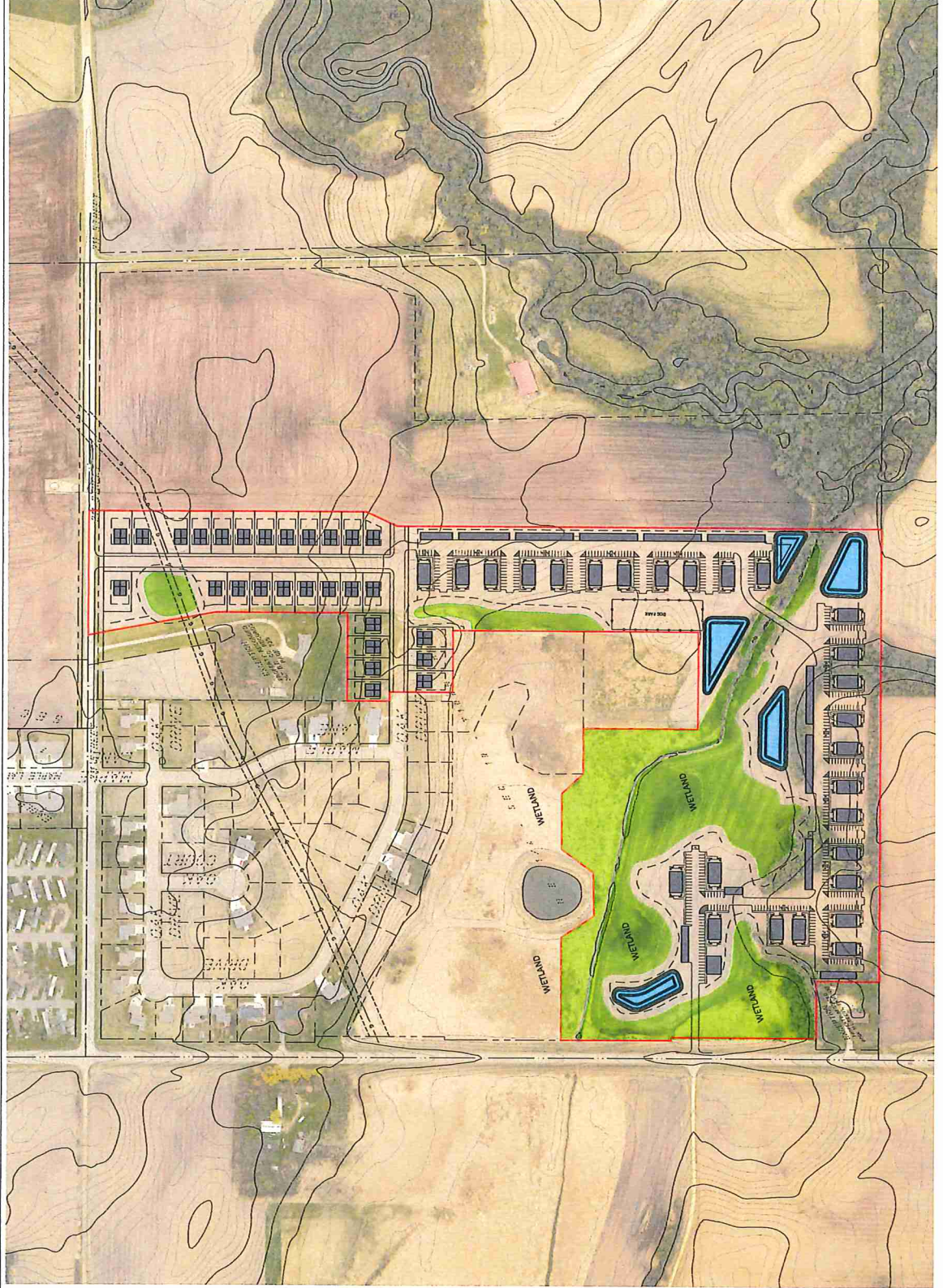
Other

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



Jennifer J. Bromeland
City Administrator

New Business - #1



PROPERTY OWNER PETITION TO MUNICIPALITY
FOR ANNEXATION BY ORDINANCE - 120 Acres or Less

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE
ANNEXATION OF CERTAIN LAND TO THE CITY OF Eagle Lake, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

TO: Council of the City of Eagle Lake, Minnesota

PETITIONER(S) STATE: All of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 2(3).

It is hereby requested by:

- the sole property owner; or
 all of the property owners (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)

of the area proposed for annexation to annex certain property described herein lying in the Township of LeRay to the City of Eagle Lake, County of Blue Earth, Minnesota.

The area proposed for annexation is described as follows:

***INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION.
DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS.***

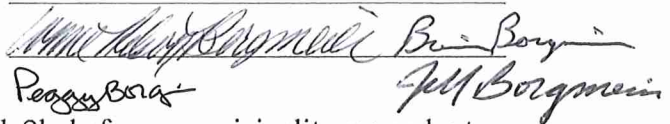
1. There are 4 property owners in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2. The land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.

Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property previously annexed under this clause within the preceding 12 months if the property is owned by the same owners and annexation would cumulatively exceed 120 acres.

3. Said property is unincorporated, abuts on the city's N S E W (circle one) boundary(ies), and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is 47.72 acres.
5. The reason for the requested annexation is FUTURE DEVELOPMENT OF HOME

PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of Eagle Lake, Minnesota.

Dated: 11/5/21

Signatures: 

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 2b, before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), a municipality must hold a public hearing and give 30 days' written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 11, when a municipality declares land annexed to the municipality under subdivision 2, clause (3), and the land is within a designated floodplain, as provided by section 103F.111, subdivision 4, or a shoreland area, as provided by section 103F.205, subdivision 4, the municipality shall adopt or amend its land use controls to conform to chapter 103F, and any new development of the annexed land shall be subject to chapter 103F.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 12, when a municipality annexes land under subdivision 2, clause (2), (3) or (4), property taxes payable on the annexed land shall continue to be paid to the affected town or towns for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the municipality may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the municipality may not levy on the annexed area until the following levy year.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd 13, at least 30 days before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), the petitioner must be notified by the municipality that the cost of electric utility service to the petitioner may change if the land is annexed to the municipality. The notice must include an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

Municipal Boundary Adjustment Unit Contact
Star Holman star.holman@state.mn.us 651-361-7909
(July 2019)

We request that if the developers plan is not approved that the parcel would revert to the township.

EXHIBIT A

That part of the Northeast Quarter of Section 19, Township 108 North, Range 25 West, Blue Earth County, Minnesota, described as:

Commencing at the North Quarter corner of Section 19; thence South 89 degrees 51 minutes 02 seconds East (assumed bearing) along the north line of the Northeast Quarter of Section 19, a distance of 1182.54 feet; thence continuing South 89 degrees 51 minutes 02 seconds east, along said north line, 214.96 feet to the northeast corner of the property recorded in 267 B.E. Co. Records page 725; thence South 10 degrees 11 minutes 02 seconds East, along the easterly line of said property; 429.50 feet; thence South 00 degrees 08 minutes 58 seconds West, along the easterly line of said property, 339.00 feet to the southeasterly corner of said property; thence North 89 degrees 51 minutes 02 seconds West, along the southerly line of said property, 292.00 feet to the southwesterly corner of said property; thence South 00 degrees 08 minutes 58 seconds West, 812.47 feet; thence North 89 degrees 51 minutes 02 seconds West, 1117.38 feet to a point on the easterly line of the Blue Earth County property acquired for roadway purposes recorded in 296CR167; thence South 00 degrees 02 minutes 18 seconds East, along the easterly line of said property along a line parallel with and distant 60.00 feet easterly of the North – south center line of Section 19, a distance of 367.16 feet; thence North 89 degrees 57 minutes 42 seconds East, along the easterly line of said property, 10.00 feet; thence South 00 degrees 02 minutes 18 seconds East, along the easterly line of said property, along a line parallel with and distant 70.00 feet easterly of the north-south center line of Section 19, a distance of 479.78 feet to the point of intersection with the north line of the property recorded in Book 174 of Deeds, page 430; thence South 89 degrees 50 minutes 37 seconds East, along the north line of said property, 188.70 feet to the northeasterly corner of said property; thence South 00 degrees 02 minutes 18 seconds East, along the easterly line of said property, 208.70 feet of the southeasterly corner of said property, said point being on the south line of the Northeast Quarter of Section 19; thence South 89 degrees 50 minutes 37 seconds East, along said south line, 1494.42 feet; thence North 00 degrees 08 minutes 58 seconds East. 1606.07 feet; thence North 24 degrees 24 minutes 51 seconds East, 112.41 feet; thence North 00 degrees 08 minutes 58 seconds East, 921.26 feet to a point on the north line of the Northeast Quarter of Section 19; thence North 89 degrees 51 minutes 02 seconds West, 410.44 feet to the point of beginning. Also, subject to an easement for roadway purposes over and across the northerly boundary; Also subject to any other easements of record.

EXCEPTING THEREFROM: Outlot C, Outlot D and Outlot E, Eagle Heights, Blue Earth County, Minnesota.

ALSO EXCEPTING THEREFROM: The South 100 feet of the following described property: All that part the Northeast Quarter (NE1/4) of Section Nineteen (19), Township One Hundred North (108), Range Twenty-five (25), Blue Earth County Minnesota described as follows:

Commencing at the North Quarter corner of Section 19; thence South 89 degrees 51 minutes 02 seconds East (assumed bearing) along the north line of the Northeast Quarter of Section 19, a distance of 1182.54 feet; thence South 89 degrees 51 minutes 02 seconds

East, along said North line, 214.96 feet of the northeast corner of the property recorded in 267 B.E. Co. Records page 725; thence South 10 degrees 11 minutes 02 seconds East, along the easterly line of said property, 429.50 feet; thence South 00 degrees 08 minutes 58 seconds West, along the easterly line of said property, 339.00 feet to the southeasterly corner of said property; thence continuing south 00 degrees 08 minutes 58 seconds West, along the southerly extension of the easterly line of said property, 100.00 feet; thence North 89 degrees 51 minutes 02 seconds West, along a line parallel to and 100.00 feet south of the southerly line of said property, 292.00 feet, to the point of intersection with a line which bears South 00 degrees 08 minutes 58 seconds West from the southwesterly corner of said property; thence North 00 degrees 08 minutes 58 seconds East along the southerly extension of the westerly line of said property and along the westerly line of said property 439.00 feet to a northwesterly corner of said property; thence South 89 degrees 51 minutes 02 seconds East along a northerly line of said property, 192.00 feet, thence North 10 degrees 11 minutes 02 seconds West, along a westerly line of said property 429.50 feet to the north line of the Northeast Quarter of said Section 19, thence South 89 degrees 51 minutes 02 seconds East, along said north line, 100 feet to the point of beginning.

414.033 ANNEXATION BY ORDINANCE.

Subdivision 1. Unincorporated property. Unincorporated property abutting a municipality may be annexed to the municipality by ordinance as provided for in this section.

Subd. 2. Conditions. A municipal council may by ordinance declare land annexed to the municipality and any such land is deemed to be urban or suburban in character or about to become so if:

(1) the land is owned by the municipality;

(2) the land is completely surrounded by land within the municipal limits;

(3) the land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality receives a petition for annexation from all the property owners of the land. Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property either simultaneously proposed to be or previously annexed under this clause within the preceding 12 months if the property is or has been owned at any point during that period by the same owners and annexation would cumulatively exceed 120 acres; or

(4) the land has been approved after August 1, 1995, by a preliminary plat or final plat for subdivision to provide residential lots that average 21,780 square feet or less in area and the land is located within two miles of the municipal limits.

Subd. 2a. [Repealed, 1997 c 202 art 5 s 9]

Subd. 2b. Notice, hearing required. Before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), a municipality must hold a public hearing and give 30 days' written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed.

Subd. 3. 60 percent bordered and 40 acres or less. If the perimeter of the area to be annexed by a municipality is 60 percent or more bordered by the municipality and if the area to be annexed is 40 acres or less, the municipality shall serve notice of intent to annex upon the town board and the chief administrative law judge, unless the area is appropriate for annexation by ordinance under subdivision 2, clause (3). The town board shall have 90 days from the date of service to serve objections with the chief administrative law judge. If no objections are forthcoming within the said 90-day period, such land may be annexed by ordinance. If objections are filed with the chief administrative law judge, the chief administrative law judge shall conduct hearings and issue an order as in the case of annexations under section 414.031, subdivisions 3 and 4.

Subd. 4. [Repealed, 1978 c 705 s 33]

Subd. 5. Petition by property owners; objections; procedure. If the land is platted, or, if unplatted, does not exceed 200 acres, a majority of the property owners in number may petition the municipal council to have such land included within the abutting municipality and, within ten days thereafter, shall file copies of the petition with the chief administrative law judge, the town board, the county board and the municipal council of any other municipality which borders the land to be annexed. Within 90 days from the date of service, the town board or the municipal council of such abutting municipality may submit written objections to the annexation to the chief administrative law judge and the annexing municipality. Upon receipt of such objections, the chief administrative law judge shall proceed to hold a hearing and issue an order in accordance with section 414.031, subdivisions 3 and 4. If written objections are not submitted within the time specified in this section and if the municipal council determines that property proposed for the annexation is now or

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|-----|--------------------------------------|
| R-3 | Multiple-Family Residential District |
| R-T | Residential Transition District |
| B-1 | Community Commercial District |
| L-I | Light Industrial District |
| H-I | Heavy Industrial District |

Subd. 2. Zoning Map. The location and boundaries of the districts established by this Ordinance are hereby set forth on the Zoning Map and said Map is hereby made a part of this Ordinance; said Map shall be known as the “City of Eagle Lake Zoning Map.” Said Map and all notations, references, and data shown thereon are hereby incorporated by reference into this Ordinance and shall be as much a part of it as if all were fully described herein. It shall be the responsibility of the Zoning Administrator to maintain the Zoning Map and update within thirty (30) days after official publication of any and all amendments. The official Zoning Map shall be kept on file at the City Office.

Subd. 3. District Boundaries. The boundaries between districts are, unless otherwise indicated, either the center lines of streets, alleys, or railroad rights-of-way, or such lines extended or lines parallel or perpendicular thereto. Where figures are shown on the Zoning Map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated, unless otherwise indicated.

Subd. 4. Future Annexations.

- A. Any land annexed to the City of Eagle Lake in the future shall be placed in the A-1, Agricultural District, until placed in another district by action of the City Council after recommendation of the Planning Commission. Annexed land may be zoned other than A-1, Agricultural District if another use is applied for by the property owner. The Planning Commission will review the request with the annexation and make a recommendation to the City Council.
- B. When any land is classified pursuant to this Section, it shall remain so classified unless and until an application to amend is filed pursuant to this chapter. An application to amend may be filed prior to the annexation of the land in question; provided a preliminary plat of the land is submitted with the amendment application.

SECTION 6.110 A-1 AGRICULTURAL DISTRICT

Subd. 1. Purpose. The purpose of the A-1, Agricultural District is to preserve the present agricultural lands and maintain other lands in a natural state while permitting low-density residential development where municipal utilities are economically available.

Summary of Housing Market Opportunities: Overall Rental Housing Demand

At the time of the 2016 Housing Study we had expressed concern about a potential overproduction of rental housing in the Mankato area. In 2014 and 2015, an average of more than 500 new rental units was permitted per year within the Cities of Mankato, Eagle Lake and North Mankato.

New rental production was lower for the four-year period from 2016 through 2019. An average of fewer than 185 new units per year were produced during this time, and much of this was in either affordable or senior-oriented housing.

With a lower level of recent production, the estimated vacancy rates in all types of rental housing appeared to be relatively low within most of the specific market segments.

Looking forward over the next five years, the combination of demand-generators used for this 2020 Update expect rental housing demand for approximately 180 to 200 rental units in a typical year in Greater Mankato.

These findings generally apply to market rate forms of rental housing, including student-oriented units, which have continued to see development activity over time. The very affordable rental segment, typically provided through subsidized housing, has not expanded in many years, and additional production would be needed if resources exist.

It is important to state that this annual unit recommendation is based on a balance between supply and demand. It is not based on competitive positioning between projects. New projects that can offer a competitive market advantage can still be built and succeed, but they may negatively impact less competitive projects in the area.

Rental Rate Distribution Based on Renter Household Income

On the previous page, an overall demand-based projection was made for rental unit absorption. Information from the American Community Survey can be analyzed to better define an ideal distribution of units, based on the ability to pay of area renters.

Please note that this is largely a theoretical discussion. Based on household income, most renters in the Mankato area would need a lower-priced unit. However, production of lower-priced units is less practical, given the economic considerations of new construction. But restrictions on the ability to pay do help to define some of the limitations that apply as the area attempts to address rental demand and add to their supply of affordable rental housing.

According to the 2018 income distribution information for Greater Mankato contained in the American Community Survey:

- ▶ Approximately 29% of all renter households have an annual income below \$20,000 and an affordable unit would be defined as a gross rent below \$500 - this would include many student renters that may have limited incomes while attending school
- ▶ Approximately 9% of renters would need an affordable unit priced between \$500 and \$650 per month
- ▶ Nearly 15% of renters would need a moderately-priced unit between \$650 and \$900 per month - this range is often consistent with the older market rate rental inventory
- ▶ Approximately 47% of renter households can afford \$900 or more for rent, although many choose to apply a smaller percentage of their income for housing - this higher-rent group would also be expanded by student households that elect to pay a disproportionately large share of income for student-oriented housing while attending school

Recognizing the income limitations of area renter households has an impact on the number and type of units that can be constructed. Even though more overall demand may exist, the predicted income distribution of household growth would generally be similar to these established income patterns.

Market Rate Rental Housing Development Findings and Recommendations

The large majority of the rental housing in the Greater Mankato area can be classified as market rate housing which is open for general occupancy. These units are free of any specific restrictions, such as age, financial status, or student enrollment. Market rate housing does not have any form of rent controls, other than those imposed by the competitive marketplace.

Over the past decade, approximately half of the new rental construction in Mankato has been in the conventional market rate rental segment. In the 10-year period from 2010 through 2019, an estimated 1,042 market rate units were built. This total excludes housing targeted to specific segments such as students or seniors needing services.

Nearly all of the conventional rental production in the Mankato area in the 2010s has served the higher-rent segment of the local market. Some of the larger projects do not necessarily market themselves as “luxury” rental housing, but the economics of new construction tends to result in gross monthly rents that are substantially higher than older market rate options. Newer projects may incorporate amenities and features such as in-unit laundry and access to garage parking. Luxury projects will often add even more amenities.

New market rate rental units continue to be introduced in different unit styles, from traditional multistory apartment buildings, units in four-plex configurations, and single family-style rentals in town houses or twin homes.

The research completed in 2020 was not successful in contacting some of the newest market rate projects that have been constructed, including Woodside VI and VII, or Clubhouse@161 Roosevelt. However, the website for the management company did show a high rate of occupancy in these newest projects.

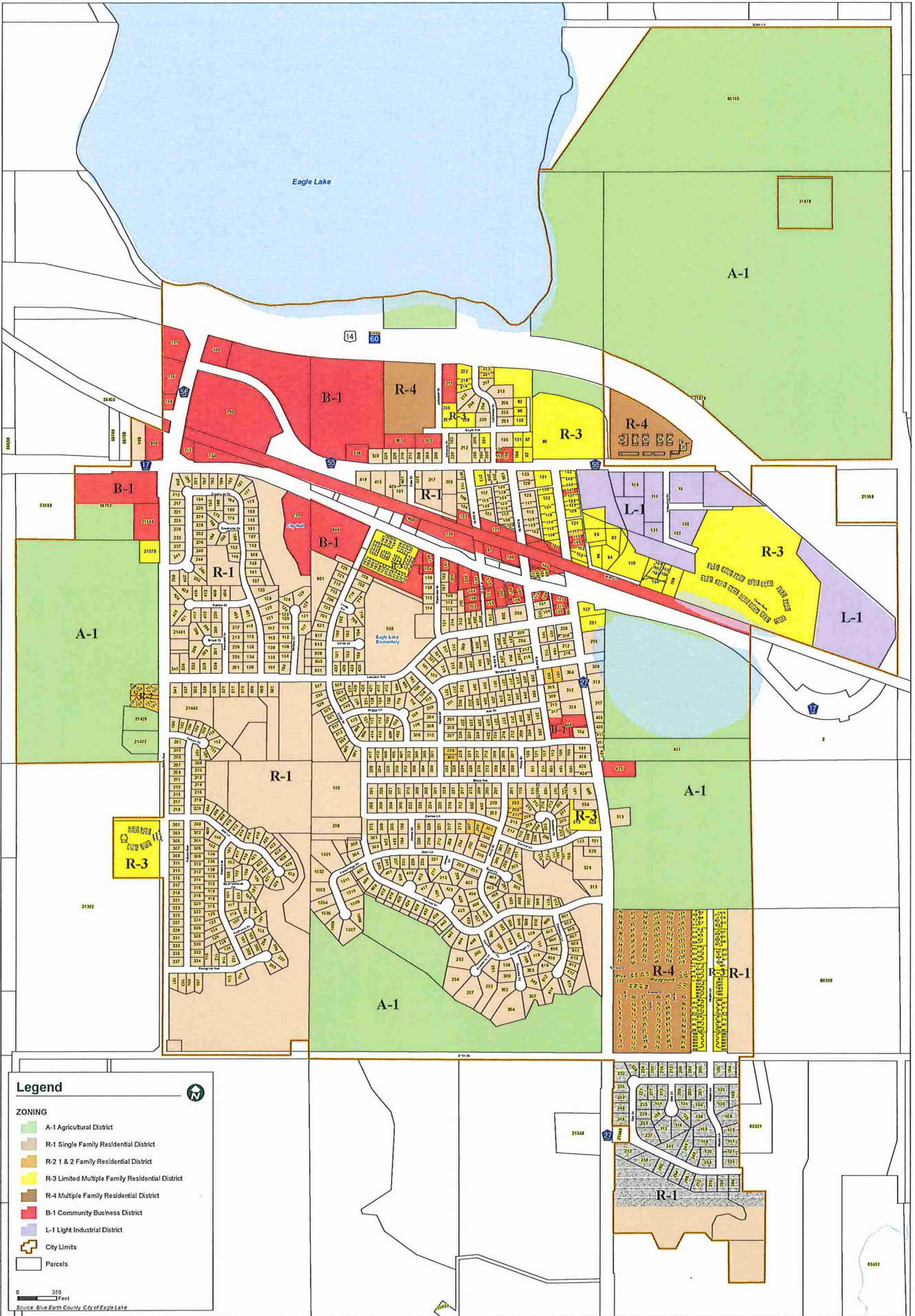
Among market rate properties that were contacted, a generally high rate of occupancy was reported. The estimated vacancy rate was only 1.3% in market rate projects.

However, many of the properties were surveyed before the full impact of the global pandemic was evident. It is possible that occupancy patterns have changed due to economic conditions or tenant movement patterns.

The rental demand calculations presented earlier in this section have used an annual average absorption of up to 200 total rental units in all market segments in an average year going forward. This is based on an assumption that total household growth for the Greater Mankato area will average up to 350 households per year.

Over the next five years, ongoing annual production of conventional market rate housing is recommended. With the expectation that between 50% and 70% of all new units will be within the traditional market rate segment, an annual average of between 100 and 140 units in an average year would be indicated. Over the five-year period, between 500 and 700 total market rate units would be needed to keep pace with expected demand.

This forecast of future unit needs is only based on supply and demand. It is not based on the competitive positioning of any single project. Developers that have an attractive site or project design may construct even more units than recommended. However, this would potentially have a negative impact on less competitive properties.

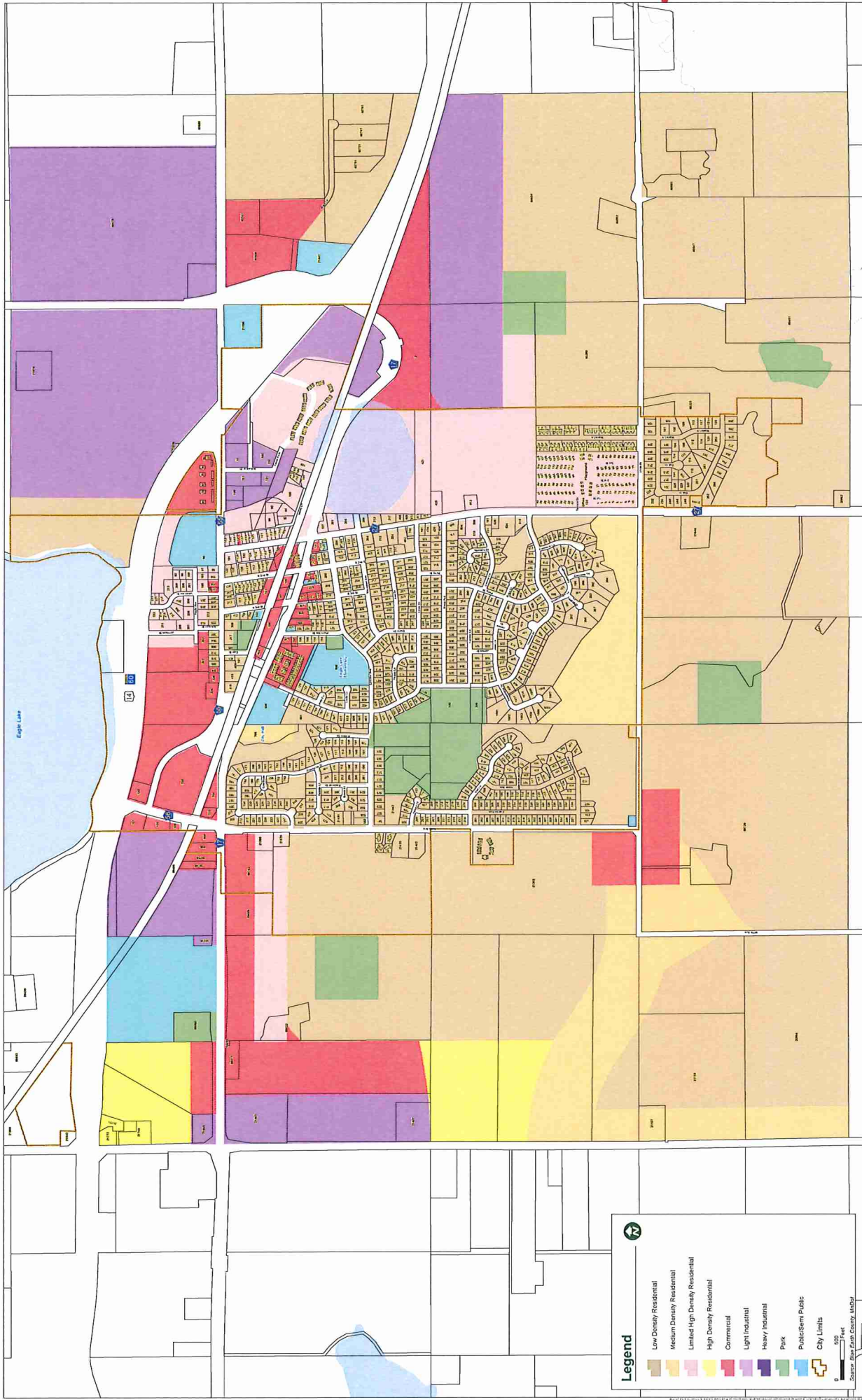


Legend

ZONING

- A-1 Agricultural District
- R-1 Single Family Residential District
- R-2 1 & 2 Family Residential District
- R-3 Limited Multiple Family Residential District
- R-4 Multiple Family Residential District
- B-1 Community Business District
- L-1 Light Industrial District
- City Limits
- Parcels

0 350 Feet
 Source: Blue Earth County, City of Eagle Lake



4. Brian Sarff with Bolton and Menk: CSAH 27 (Agency Street) Project Update and Recap of Water Regionalization Meeting

- Brian Sarff with Bolton and Menk stated the CSAH 27 project is substantially complete and that the initial punch list including sidewalks, signage and grading have been complete. The remaining items include concrete repairs, evaluation of grass and the final lift of blacktop will be completed in 2022.
- In recapping the water meeting with Mankato, which staff attended, to discuss regionalization of water resulted in Mankato expressing two concerns which include the concern of water quality and the potential contamination of Mankato's water. The other concern is that of capacity and the difficulty for Mankato to expand their capacity, making this option much more challenging. Mankato indicated they would need financial reimbursement from Eagle Lake for this to be further explored.
- The next step for Eagle Lake would be to secure a site for a water treatment plant. And to pursue preliminary designs for a plant. Funding for such a project would be available in 2023 with the new manganese threshold. A new well would also need to be constructed.
- The timeline to submit a funding request is March 2023. Mr. John Graupman, with Bolton and Menk, would be available to attend the December's Council meeting to go into more detail and to answer questions.
- Discussion included asking that research be done to ensure that the American Rescue Plan (ARP) funds can be used for the design work of the treatment plant and long-term planning is needed for such a project.

NEW BUSINESS

1. Planning Commission Recommendation for 237 Oak Drive

- Mark Fromm, owner of 237 Oak Drive, has submitted an application for the construction of a new detached garage. As the zoning administrator, Jennifer Bromeland explained that she reviews permit applications for dimensions and setbacks and carefully reviews the site plan. Included on Mr. Fromm's site plan appeared to have a hard surface of more than 40 feet at the garage line. A response was sent to Mr. Fromm and his contractor indicating that the existing driveway for the three-stall garage was already at the maximum allowed per code. Mrs. Bromeland's response prompted a request from the owner and contractor to meet on site. When she met with the property owner and his contractor, it was apparent that the additional hard surface needed for the proposed new detached garage was already constructed and in violation of code. An email was sent to the owner and contractor following that meeting informing that the hard surface more than 40 feet at the front garage line was considered illegal and non-conforming.
- A building permit was approved in 2017 for the new construction of a home of which the driveway was included with a measurement of 39.4 feet at the garage line. The property owner approached the City in the spring of 2018 asking how wide the driveway could be at curb. This inquiry prompted discussion at the April 2018 Planning Commission meeting which resulted in a public hearing being scheduled to consider widening the driveway width at curb and eliminating the 40-foot driveway width at the garage line. A public hearing was scheduled, and a recommendation made from the Planning Commission to the City Council to increase the driveway width at curb and to allow more flexibility for hard surface parking. The City Council tabled taking any action at their initial meeting in which the recommendation was made, due to concerns with allowing up to 35% of a front yard to be hard surfaced. Ultimately, the City Council voted to widen the driveway width at curb to 32 feet but took no action on increasing the amount that a front yard could be hard surfaced and left the 40-ft driveway width at curb language as written.
- When an application comes in, the zoning administrator reviews against code and if everything look good on the application and site plan, it is approved, and then public works goes on site to complete a staking inspection. At the conclusion of the project, public works goes back on site for a final staking inspection to verify that the result is consistent with what was approved according to code. The permit was approved in 2017 and a final inspection should have occurred when the permit was finalized. According to the permit, no driveway inspection occurred or was initialed on the permit form.
- Discussion took place at the October 18th Planning Commission meeting and a recommendation made to deny the permit application for a detached garage until the property is brought into compliance with code.
- City staff informed the applicant that upon reviewing definitions of front, rear, and side yards, it was noted that the detached garage could not be placed where proposed as doing so would mean placement of an accessory structure in the "side yard". The lot is odd shaped and not rectangular creating some confusion as to what is considered the front, side, and rear yard. An accessory structure can be placed in a rear yard so long a five-foot setback is maintained from all property lines.

- Section 6.260 of Chapter 6 of City Code states, upon finding the existence of a violation of the ordinance, corrective action may be required. The hard surface of more than 40 feet in width at the garage line will need to be removed to bring the property into compliance with code.
- Discussion included that the existing concrete at the garage line is approximately 56 feet. Possible actions of recourse could include removing side parking pad or applying for a variance. Council indicated they are not interested in issuing variances after the fact. Discussion also included if 4 stall garages are something that should be addressed in city code, that this parcel is unique in shape.
- It was also noted that once the city receives a complaint or is made aware of a violation, it needs to act upon it. Violations of city code are considered a misdemeanor and a citation could be issued.
- City Council asked that the Planning Commission review city code to determine if any code changes are needed.

2. Pricing for New Air Compressor for Fire Department

- Fire Chief Dan Ruschmeyer stated he has received two quotes for an air compressor. The quote from Alex Air Apparatus is for \$36,550 and includes a 5-year warranty and has a local presence for service and the quote from Sandry Fire Supply is for \$31,643.55, the extended warranty would need to be purchased separately, and service would come out of Iowa. An electrician would need to be contracted to do the electrical hook up. The fire department requested authorization to purchase the air compressor from Alex Air Apparatus utilizing the American Rescue Plan (ARP) funds.
- Discussion included that the lowest cost is not necessarily the best purchase option. There is \$21,700 set aside in capital outlay for this purchase which leave a balance of approximately \$15,000 that has not been set aside at this point.
- Council discussion included the desire to utilize the ARP funds for water situations and that this purchase is not eligible for ARP funds per the city's auditors and that gambling funds held with the City would be an appropriate option to pay the remaining balance.
- Chad Witte with the fire department stated that he feels the city should be responsible for this purchase and that gambling is an unreliable income source. He stated he does not want to be disrespectful of what the city provides but he feels the gambling funds could be used elsewhere.
- Council Member Rohrich moved, seconded by Council Member Steinberg, to approve the purchase of an air compressor from Alex Air Apparatus in the amount of \$36,550. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.
- Discussion continued stating there is approximately \$91,000 in the gambling fund and those funds would be used to cover the remaining \$15,000 of this purchase. This purchase will be order now with delivery and payment coming in 2022.

3. Pricing for New Microphones for Council Chambers

- The updated proposal for the purchase of nine used microphones for the Council Chambers from Video Services, Inc. (VSI) is \$4,857. Per an inquiry to the City's auditor, the use of American Rescue Plan (ARP) funds to purchase microphones to complement the new live stream equipment in the Council Chambers that was purchase in 2020 using CARES Act funding, so it seems logical that additional funding made available because of COVID be used to finish outfitting the Council Chambers for this purpose.
- In 2021, \$163,329 has been received in ARP funds and to date, no expenditures have been made using these funds.
- Discussion included whether this is a desired purchase and if so that the purchase should come out of general government capital outlay and not use ARP funds.
- Council Member Rohrich moved, seconded by Council Member Whittington, to purchase nine microphones from VSI. The motion carried with Council Members Steinberg, Rohrich, Whittington, and Mayor Auringer voting in favor.

OTHER

1. Recap of Recent Meeting about Water Regionalization Concept

- This was covered under presentations.

2. Mayor for a Day Essay Contest

- The League of MN Cities is holding another Mayor for a Day essay contest. To enter, 4th, 5th, and 6th graders can answer the prompt, "What would you do if you were mayor for a day?" for a chance to win \$100 and recognition in the Minnesota Cities magazine. The deadline for submission is Monday, December 6th. Essays can be submitted online or through email. Winners will be notified in early January.
- In addition to the LMC contest, Eagle Lake can provide additional recognition for local participants.

CITY OF EAGLE LAKE

705 Parkway Ave, P.O. Box 159, Eagle Lake MN 56024 (507) 257-3218

Date _____

Permit Number _____

BUILDING PERMIT APPLICATION

ZONING PERMIT APPLICATION

| | | | | |
|---|--|--|--|--|
| 1. OWNER (Name) (Address) (Tel. No.) | | | Building Inspector Fees | |
| 2. SITE ADDRESS EMAIL ADDRESS | | | Permit Fee _____ | |
| PROPERTY I.D. NUMBER _____ | | | Plan Check Fee _____ | |
| ZONING DISTRICT (check one) <input type="checkbox"/> R1 <input type="checkbox"/> R2 <input type="checkbox"/> R3 <input type="checkbox"/> R4 <input type="checkbox"/> B1 <input type="checkbox"/> L1 <input type="checkbox"/> H1 <input type="checkbox"/> A1 | | | Penalty Fee _____ | |
| 3. GENERAL CONTRACTOR LICENSE NO. | | | Surcharge Fee _____ | |
| (Address - include city) (Tel. No.) | | | Fireplace _____ | |
| 4. PLUMBING CONTRACTOR LICENSE NO. | | | Plumbing Fee _____ | |
| (Address - include city) (Tel. No.) | | | Mechanical Fee _____ | |
| 5. MECHANICAL CONTRACTOR LICENSE NO. | | | City Fees | |
| (Address - include city) (Tel. No.) | | | Water Meters _____ | |
| 6. TYPE OF WORK | | | State Sales Tax _____ | |
| <input type="checkbox"/> A/C <input type="checkbox"/> Addition <input type="checkbox"/> Alterations <input type="checkbox"/> Basement Finish <input type="checkbox"/> Deck <input type="checkbox"/> Demolition <input type="checkbox"/> Fence <input type="checkbox"/> Fireplace <input type="checkbox"/> Garage <input type="checkbox"/> Heating <input type="checkbox"/> Porch <input type="checkbox"/> Reroofing <input type="checkbox"/> Residing <input type="checkbox"/> Shed <input type="checkbox"/> Sprinkler System <input type="checkbox"/> New Construction <input type="checkbox"/> Wall <input type="checkbox"/> Window(S) - (#) _____ <input type="checkbox"/> Misc. _____ | | | County Sales Tax _____ | |
| 7. SIZE OF STRUCTURE (Height) (Width) (Depth) | | | Water Fee _____ | |
| 8. NO. OF STORIES | | | Sewer Fee _____ | |
| 9. VALUE OF PROJECT | | | Admin Fee _____ | |
| 10. ESTIMATED COMPLETION DATE | | | Other _____ | |
| 11. USE OF PROPERTY | | | Total Fees _____ | |
| 12. Front Yard Set Back Feet: | | | Code Analysis | |
| 13. Rear Yard Set Back Feet: | | | Type of Construction _____ | |
| 14. Side Yard Set Back Right Side: Left Side: | | | Use of Building _____ | |
| 15. EXTERNAL SIDING, ROOFING, FENCING MATERIAL: | | | Occupancy Group _____ | |
| Site plan must be attached to application in order to be processed. | | | Occupancy Load _____ | |
| | | | Variance Approval Date _____ | |
| Notes (Office Use): | | | CUP Approval Date _____ | |
| | | | Zoning Approvals | |
| Total Sq Footage: _____ | | | Zoning Check _____ | |
| 35% Usage: _____ | | | Public Works Inspections | |
| Sq Footage Used: _____ | | | Staking Inspection _____ | |
| Sq Footage Balance: _____ | | | Sump Pump Inspection _____ | |
| Sq Footage Needed: _____ | | | W/S Hookup Inspection _____ | |
| | | | Final Zoning Inspection _____ | |
| | | | Driveway Inspection _____ | |
| | | | All Construction Projects: | |
| | | | Contact City Hall for staking, sump pump, water/sewer hookup and final zoning inspections at 507-257-3218. | |

For Building Permit Inspections Call: 1-877-333-5620 Twenty-four hour notice

ACKNOWLEDGEMENT AND SIGNATURE: This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work has commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. **Please give 24 hour advance notice on all inspections. Submission of this application does not constitute a permit being issued. Property owner is responsible for locating property lines, easements and determining lot square footage. The City does not provide surveying services.**

Updated April 2020

Signature of Applicant _____

Date _____

Approved by Building Inspector/City Administrator _____

Date _____

cover sheet

IMPORTANT INFORMATION – PLEASE READ CAREFULLY

This permit shall become null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work has commenced.

I hereby certify that I have read and examined this application and know the same to be true and correct.

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The City does not provide surveying services.

To access Eagle Lake City Code, please visit: <https://eaglelakemn.com/city/city-code>.

Zoning Permits 2021

| | | | | | | | | |
|-------|------------|-----------------------------|------------------|-------------|----------|----------|----------|--------------------------|
| 21-40 | 11/8/2021 | Brady's Concrete and Const. | 125 Creekside Dr | \$ 500.00 | \$ 40.00 | \$ 15.00 | \$ 55.00 | Widening end of driveway |
| 21-41 | 11/9/2021 | Daschner Construction | 450 Parkway | \$ 1,500.00 | \$ 40.00 | \$ 15.00 | \$ 55.00 | Replacing side parking |
| 21-42 | 11/10/2021 | Premier Portable Buildings | 229 Oak Dr | \$ 6,300.00 | \$ 40.00 | \$ 15.00 | \$ 55.00 | Shed |