

**CITY OF EYOTA  
PLANNING COMMISSION MEETING MINUTES  
JUNE 29, 2017**

**Present:** Members: Lief Hughes, Janet Hughes, Casey Johnson, John Chesney and Franklin Merchant  
Secretary: Marlis Knowlton

**Absent:** Council Reps: Bryan Cornell and Ray Schuchard

**Call to Order:** Chair Lief Hughes called the meeting to order at 7:00 p.m.

**Approve Agenda:** Motion was made by Lief Hughes and seconded by Merchant to approve the agenda as presented. Ayes 5, Nays 0. Motion carried.

**Minutes:** Motion was made by Merchant and seconded by Johnson to approve the May 17, 2017 regular meeting minutes and the May 24, 2017 special meeting minutes as presented. Ayes 5, Nays 0. Motion carried.

**PUBLIC HEARING Rezoning:** Public hearing to receive comments on the Little Eagles Childcare Center (approximately 1 acre of Tax parcel #62.14.22.028643) to rezone the described premises from AG (Agricultural) to R-2 (High Density Residential).

Motion was made by Lief Hughes and seconded by Johnson to close the regular meeting and open the public hearing. Ayes 5, Nays 0. Motion carried.

Dale Jech, of Dale Jech Construction, handed out revised limited site and building plans. Jech explained the building will be stick built and roughly 6,000 square feet. The plans have not gone in front of an architect yet for requirements for sprinklers, etc.

Lief Hughes asked to verify that these are preliminary plans, so there are still requirements needed for the number of toilets, etc. Jech stated these plans should be pretty close but there will be some minor adjustments once the architect verifies requirements. There were no other comments or questions about the building design.

Jech said engineers are currently surveying the elevations for the parking lot and building; they are concerned about the flood plain. The lot should be out of the flood plain and the elevations should be close to the elevations of the adjacent apartment building to the east (Eyota Manor). The building is situated on the east side of the lot to leave room to the west for future expansion and for green space for the children.

Jech did question what stage the bike path is at; and if there already is an easement for it. Knowlton explained there is a twenty foot utility easement on the east side of the lot and pedestrian easements can go on top of a utility easement; but a pedestrian easement has not been established yet. Lief commented the path plans are still preliminary.

Jech asked if a septic system could be proposed because the sanitary sewer main is across the street (Second Street to the south).

There are no leads or service lines from across the street and Lief Hughes suggested directional boring would be needed. Jech asked if the city could ask the engineers if it is mandatory to hook into the bottom of the manhole. There is no need to plan for future buildings to hook up to this main and the sanitary sewer is very deep there, probably twenty feet. Would we entertain going in to the side of the manhole to avoid a big crater and disrupting the neighbors with all the digging. Knowlton verified the water mains are twelve inch on Second Street and ten inch on the east lot line.

Chesney questioned how many employees they will have. Tracy Krucker estimated fifteen at maximum capacity; they will probably be at ninety percent most of the time. Comment was made that the conversation should get back to rezoning.

Jech said it makes sense to rezone it from AG to avoid variances and it will end up being a cleaner product.

Heath Lawrenz (227 Jefferson Avenue SW) questioned why rezone it to high density with a conditional use permit and not to commercial. Lief Hughes explained a daycare can go in any zoning district; and the building would not fit in AG zoning.

Lawrenz said the water table is very high in that area. Lief Hughes agreed and said the parcel will be built up. Lawrenz questioned if the city would be addressing the drainage issues; it was confirmed that the city would be dealing with it in the final plans.

Lawrenz questioned if these issues shouldn't be addressed before the parcel is rezoned. There are other underlining issues in the area that need to be dealt with. The city cannot continue to rebuild without proper improvements.

Jech explained the architect designs will include pervious areas so it drains properly. It will drain to the wetlands. Lief Hughes said you can not allow runoff from the parking lot to go into the wetlands; it would need to go to the road. The DNR (Department of Natural Resources) would not allow runoff from a parking lot to go in wetlands because it could be contaminated with oil, etc.

Lawrenz questioned what size is being rezoned. Lief Hughes clarified it is only one acre; not the entire wetland area.

Lawrenz asked if we shouldn't see the complete plans before it is rezoned.

Krucker explained the issue they had is the cost to draw it up before rezoning because the zoning requirements are so different (AG versus R-2). Jech confirmed that they could have done plans before the rezoning but the building just would not work in an AG zoning.

There were not any more detailed comments regarding the zoning, so Lief Hughes suggested closing the public hearing and discuss other project questions and concerns in an open forum.

Motion was made by Janet Hughes and seconded by Merchant to close the public hearing and open the regular meeting. Ayes 5, Nays 0. Motion carried.

Merchant commented that the construction plans will not change the land that much regarding zoning and if it is rezoned to R-2 it would not be considered spot zoning. The conditional use permit process will cover all the issues that the zoning does not. R-2 zoning will make it possible for the building to fit better on the parcel.

Lawrenz questioned the difference between the AG and commercial zoning; and a few details were explained. He also questioned if R-2 isn't more lenient than commercial. R-2 protects the neighborhood in case the daycare does not succeed; it will limit what the building could be used for in the future, no business like a bar. The elevations were discussed and Knowlton had verified with the DNR that the daycare building would need to be at least 1248.5 elevation to be out of the floodplain, this is per their new maps. Jech said the apartment building (Eyota Manor) elevation is estimated to be at 1250.

Motion was made by Leif Hughes and seconded by Janet Hughes to recommend to the Council to rezone the parcel from AG to R-2. Ayes 5, Nays 0. Motion carried.

**PUBLIC HEARING Variance:** Public hearing to receive comment on the Little Eagles Childcare Center (approximately 1 acre of Tax parcel #62.14.22.028643) variance to the AG (Agricultural) lot line setbacks. Seeing that the Planning Commission is recommending the parcel to be rezoned, the consensus was a variance from the setbacks in an AG zone is no longer required. No public hearing was held.

**PUBLIC HEARING Conditional Use Permit:** Public hearing to receive comment on the Little Eagles Childcare Center (approximately 1 acre of Tax parcel #62.14.22.028643) required conditional use permit for property in an AG (Agricultural) or R-2 (High Density Residential) zoning district. Little Eagles did not have detailed enough plans submitted for a conditional use permit application. No public hearing was held due to the lack of required detailed plans. A public hearing will need to be scheduled at a later date; possibly at the regular August Commission's meeting.

**Schedule Future Meetings:** The next meetings are scheduled for July 19 and August 16.

**Other Business:** It was mentioned that Chesney had attended zoning training and Knowlton had forwarded the training materials to the Commissioners for their reference.

**Adjourn:** Motion was made by Merchant and seconded by Janet Hughes to adjourn. Ayes 5, Nays 0. Motion carried. Meeting was declared adjourned at 7:40 p.m.

  
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Marlis Knowlton, Clerk/Treasurer