

CITY OF EYOTA  
CITY COUNCIL SPECIAL MEETING MINUTES  
JUNE 14, 2022  
7:00 PM

Members Present: Tony Nelson, Ray Schuchard, John Chesney, Tyrel Clark

Planning Commission Member (via Zoom): Su Spafford

Members Absent: Jamie Ward (Council) and Heather Tesdahl (Planning)

Staff Present: Brad Boice, Public Works Supervisor and Marlis Knowlton, Clerk/Treasurer

Guests: Jim Harrison (Eyota Mini Storage), Daren Sikkink (WHKS & Co)

Via Zoom: Jane Kansier (Bolton & Menk)

**Call to Order:** Mayor Nelson called the meeting to order at 7:00 p.m.

**Agenda:** Special meeting is to discuss planning and zoning issues that normally the Planning Commission would address. Agenda items are a public hearing for the Code of Ordinances change and the Jefferson Avenue SW and Fifth Street SW culvert/drainage project.

Motion was made by Chesney and seconded by Schuchard to set the agenda as presented. Ayes 4, Nays 0. Motion carried.

**Code of Ordinances Change for §153.076 Planned Unit Development: Standards of Development:**

The proposed ordinance changes were explained by Jane Kansier, basically changing the lot sizes allowed and making common open space not any different from open space. There will still be a fifty percent (50%) open space requirement, but it could be all privately owned. A homeowner's association is not a requirement for every planned unit development. Both ordinance changes are intended to provide more flexibility in development planning.

**Public Hearing:**

Motion was made by Schuchard and seconded by Clark to close the special meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Clark and seconded by Chesney to open the public hearing for the purpose of receiving public comment. Ayes 4, Nays 0. Motion carried.

Nelson asked for any public comments. There were none. Knowlton verified no written comments had been received.

Motion was made by Chesney and seconded by Schuchard to close the public hearing. Ayes 4, Nays 0. Motion carried.

Motion was made by Clark and seconded by Chesney to open the special meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Schuchard and seconded by Chesney to adopt ORDINANCE #182, AN ORDINANCE RELATING TO PLANNED UNIT DEVELOPMENTS; AMENDING THE PROVISIONS OF THE EYOTA CITY CODE, TITLE 15, CHAPTER 153, SECTION 153.076. Ayes 4, Nays 0. Motion carried.


See "Exhibit A"

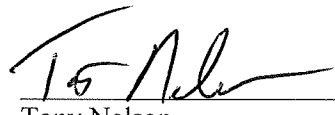
Motion was made by Clark and seconded by Chesney to authorize publishing Ordinance #182 in summary form as presented. Ayes 4, Nays 0. Motion carried.

**Jefferson Avenue SW and 5th Street SW – culvert/drainage project:** The drainage easement/swale has washed, eroded and a substantial amount of the reseeded grass is not growing due to heavy spring rains. Some areas will need to be regraded back to original grading. It was noted a substantial amount of the runoff causing issues is from west of Highway 42 and has increased since the field was tiled. The drainage swale is very flat, only a four percent grade, and future maintenance is expected. There are plans to adjust the height of the storm sewer discharge pipe under Jefferson Avenue, coming from 7<sup>th</sup> Street. Adjusting the height will help reduce ponding. Jim Harrison, owner of Eyota Mini Storage is also proposing constructing a new driveway into his facility on the far south side of the property, off Jefferson Avenue. All these projects complexity and timing were discussed.

Public Works was directed to regrade and reseed the drainage area right away. Jim Harrison’s engineers (SEH) will work with Daren Sikkink (WHKS) on the driveway design; including number of culverts, size of culverts, elevations, and overflow point on the driveway. Harrison’s plan is to bring the gravel base in yet this year for another building to be constructed next year. A grading plan was approved in 2021. The Jefferson Street improvement project construction start date has yet to be determined, completion date is early fall.

**Adjourn:** Motion was made by Schuchard and seconded by Chesney to adjourn the meeting. Ayes 4, Nays 0. Motion carried. Meeting was declared adjourned at 7:55 p.m.

  
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Marlis Knowlton  
Clerk/Treasurer

  
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Tony Nelson  
Mayor

**ORDINANCE #182**

**CITY OF EYOTA  
EYOTA, MINNESOTA**

**AN ORDINANCE RELATING TO PLANNED UNIT DEVELOPMENTS;  
AMENDING THE PROVISIONS OF THE EYOTA CITY CODE,  
TITLE 15, CHAPTER 153, SECTION 153.076.**

THE CITY COUNCIL OF THE CITY OF EYOTA, MINNESOTA DOES ORDAIN:

Section 1. The provisions of the Eyota City Code, Title 15, Chapter 153, Section 153.076, are amended to read:

**§ 153.076 STANDARDS OF DEVELOPMENT.**

(A) *PUD-R uses.* Residential building types, as specified in §§ 153.040 through 153.043, shall be permitted under the applicable residential zoning district regulations. Where a proposed PUD-R is located in two residential zoning districts, residential building types shall be conditionally permitted only in the district in which they are permitted under §§ 153.056 and 153.057.

(B) *PUD-M uses.* High density residential uses, servicing, merchandising, leisure, office, uses, and research and testing, as defined in the industrial uses as specified in §§ 153.040 through 153.043, shall be conditionally permitted under the applicable zoning district regulations. Only designated high density/mixed land use areas meeting all five locational criteria as shown in the land use plan, shall be allowed to use the PUD-M process.

(C) *PUD-M intent.* The PUD-M District is intended to fulfill the general purpose of PUDs by encouraging alternative developments containing a creative mix of commercial, limited light industrial, and/or residential uses. This district is intended to promote the grouping of commercial business uses, limited light industrial, together with optional residential uses, in an area large enough to establish harmonious relationships between structures, people, and the automobile. These districts should be sited and designed using parking access, pedestrian walkways, courtyards, and open space to connect the various uses and users. This district should offer a wide variety of goods and services and cater to employees, pedestrians, shoppers, and residents.

(D) *Minimum parcel size requirements.*

(1) *Minimum parcel size.* The minimum total amount of land required for a PUD-R shall be three acres and five acres for a PUD-M. The parcel(s) proposed for all PUD Districts shall not be divided by major roads; the area shall be one contiguous piece.

"Exhibit A"

(2) *Exceptions.* The City Council may waive the minimum parcel size requirement. When making the decision on whether or not to waive the minimum parcel size, the City Council shall consider the following criteria:

- (a) The proposed project is an infill development, surrounded by existing development on all sides.
- (b) The proposed project is on a parcel surrounded on all sides by existing roads or other right-of-way.
- (c) The proposed project meets all other criteria for a PUD except the minimum parcel size.
- (d) There are other unique circumstances prohibiting the applicant from assembling the required minimum parcel size.

(E) *Maximum lot coverage.* The maximum lot coverage of all structures shall not exceed 45% of the total lot or development site in all PUD Districts.

(F) *PUD-R project density.* For both the Low Density Residential (R-1) and High Density Residential (R-2) Districts, a density bonus of up to 25% maybe permitted where all other requirements of this subchapter are complied with. (In the R-1 District, using the density of 7.26 units per acre, a maximum of 1.8 additional housing units per acre may be permitted; and in the R-2 District, using the density of 20 units per acre, a maximum of five additional housing units may be permitted. Where the density figure is not a whole number, it shall be rounded to the nearest whole number.) Where the Planning Commission and City Council find that the proposed PUD-R density is incompatible with the surrounding uses and density, the City Council may require that the maximum project density bonus be modified to less than 25%.

(G) *Open space requirements.*

(1) *Definition.* **OPEN SPACE** shall consist of all land within a PUD District that is not covered by structures or accessory structures, with the exception of structures used for recreational purposes, and not covered by auto areas (roads, parking, loading/unloading areas) and is under private or common (homeowner's association) control.

(2) *Minimum area.* Required total open space shall comprise at least 50% of the total gross area of the proposed development site. Where a PUD abuts a city park for one-half of the distance of the abutting lot line of the development, but which shall not be less than 100 feet, the required open space may be reduced to 45% of the total gross area of the proposed development site.

(3) *Adequate amount of open space.* In PUD-R developments, an adequate amount of open space shall be provided for private open space based on housing type and style and number of units having immediate access to the development grounds.

(4) *Dimension.* No open space area shall be less than 625 square feet in area,

nor less than 20 feet in its smallest dimension. Any portion of open space that is to be common open space shall be contiguous to one another or be connected by walkways.

(5) *Physical characteristics.* Open space shall be equitably distributed within the development in relation to the number of dwelling units which will be served.

(6) *Usable open space.* At least 50% of the required open space shall be useable. This determination shall be made based on slope, wetness, and related soils limitations, amount of common open space used for natural drainageways, and access.

(7) *Remaining portion.* The remaining portion of the required open space may be improved or may be left in its natural state. Areas devoted to natural or improved floodplain or natural drainageways and swales, and those areas encumbered by flowage, or drainage easements may be applied toward satisfying the total open space requirement.

(8) *Required trees.* Any area identified as common open space shall be required to have, as a minimum, one deciduous shade tree per 1,600 square feet. Each tree shall be not less than one and one-half inches in diameter at ground level and six feet in height. Only Linden, Norway or sugar maple, thornless locust, seedless ash, hackberry, pin oak or ginkgo shall be planted. Additional landscaping may be required by the City Council along the site boundary to serve as a buffer, in the common open space and around the housing units based on surrounding land use, site characteristics, site design including common open space design and dwelling unit design.

(9) *Buffering.* The landscaping shall provide buffering where appropriate, shading of buildings and private and common open space, visual diversity, enhance existing natural features, and improve overall on-site aesthetics.

(10) *Landscaping plan.* A landscaping plan shall be submitted with other plans at the preliminary and final plat stages. The plan shall indicate plant varieties and numbers of each variety, location and spacing. Landscaping shall be completed in stages along with the construction of dwellings, where the sequence of construction is to occur in stages.

(11) *Appropriate buildings, structures, and improvements.* The buildings, structures, and improvements which are permitted in the open space must be appropriate to the uses which are authorized for the open space and must conserve and enhance the amenities of the open space having regard to its topography and unimproved condition.

(12) *PUD-R private space.* Private open space shall be provided for all residential dwellings with main floor levels within five feet of ground level for the following dwelling types: multi-family; multi-family limited; single-family attached; and two-family dwellings. This space shall be at least 300 square feet in size and made private by fencing or a combination of fencing and appropriate landscaping. All fences shall be between six and eight feet in height and be made of wood, cement block, brick,

stone or cement in such a way that the fence is visually solid. Where landscaping is used, no plant material shall be less than four feet in height at the time of planting and shall be a perennial, woody plant material. The location of the fencing or fencing and landscaping shall be along the entire perimeter of the private space, except along the exterior walls of dwellings.

(H) *Traffic circulation and road improvements.* Principal vehicular access points shall be located and designed to permit safe and efficient traffic flow. Local streets within the development shall not be connected to streets outside the development in such a way as to encourage their use by through traffic.

(I) *Streets within a PUD District.* All streets within a PUD District shall be designed to standards adequate to accommodate their anticipated uses. Public streets shall be developed to city standards. Private streets shall be developed to city standards, with the exception of right-of-way and surface width requirements and minimum radius for cul-de-sacs which may be modified by the City Council where the applicant is able to prove that there will be adequate ingress and egress, adequate off-street parking, safe pedestrian circulation facilities, and that emergency vehicles have adequate access to all structures within the development, and where such modifications are deemed by the City Council as consistent with the public interest.

(J) *Adequate pedestrian access.* Adequate pedestrian access shall be provided for each building in a PUD District. In no case shall designation of easements for pedestrian or vehicular access be acceptable. Access shall be provided by lot frontage or by private streets, drives, or parking areas and across common open space.

(K) *Parking requirements.* Parking requirements, as specified in § 153.127, shall apply to all PUD Districts. Parking areas shall:

(1) Screened from adjacent buildings and roads with hedges, dense plantings, trees, earth berms, or walls or fences;

(2) Limited in size and shall be landscaped in a manner so as to interrupt the expanse of parking where necessary;

(3) Arranged so as to prevent through traffic to other parking areas;

(4) Graded and drained so as to dispose of all surface water without erosion, flooding, and other negative effects; and

(5) A separate area will be designated for storage, indoors or outdoors, of occupants' recreational vehicles. Parking spaces shall be marked and suitably landscaped so as to be harmonious with the rest of the development.

(L) *Compatible development.* PUDs shall be designed to harmonize the scale, setback, and overall mass with existing adjacent development. Landscaped buffers, earth

berms, and fencing may be required where the City Council finds that the proposed building scale, mass or setback are not compatible with existing adjacent residential development.

This ordinance shall be effective from and after its publication.

Passed and adopted by the Eyota City Council this 14<sup>th</sup> day of June, 2022

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Tony Nelson  
Mayor

ATTEST:

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Marlis Knowlton  
Clerk/Treasurer