

**Mankato Planning Commission
Regular Meeting
July 24, 2024**

1. CALL TO ORDER.

Chair Zehnder called the meeting to order at 6:00 p.m.

Commissioners Present: Chair Zehnder, Ms. Johnson, Mr. Wilke, Mr. Meister, Mr. Dieken, Mr. Iddings, Ms. Surdy

Staff Present: Mark Konz – Director of Community Development, Molly Westman-Planning Coordinator, Sydney DePrenger-Planner, Bennett Hanson – Economic Development Specialist, Travis Johnson- Permit Technician.

2. APPROVAL OF AGENDA.

Ms. Johnson made a motion to approve the agenda. Mr. Meister seconded the motion. The motion carried unanimously.

3. APPROVAL OF MINUTES.

Mr. Dieken made a motion to approve the minutes from June 26, 2024. Ms. Johnson seconded the motion. The motion carried unanimously.

4. OLD BUSINESS

5. NEW BUSINESS

CY28-24 Request of Thomas Ponce, on behalf of the property owner, Mesenbrink Construction, for a conditional use permit to allow wetland sequencing and replacement of 7.10 acres of wetland impacts. The subject property is described as part of the West 30 acres of the SW $\frac{1}{4}$, Section 15-108-26, except the South 330 feet of the West 330 feet thereof, AND The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; The S. $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Except the West 30 acres thereof; all in Section 15, Township 108, Range 26, Blue Earth County, Minnesota, with some exceptions. (Blue Earth County PID R430915400003 and R430915400009).

(CY28-24 continued)

Ms. Westman presented the staff report and reported the following recommended findings:

1. The proposed request, sequencing and replacement for wetland impacts, is considered a Conditional Use Permit in Mankato City Code section 10.82 subd. 11.
2. The request is in keeping with the comprehensive planning policies of the City as the underlying land use plan identifies this parcel as having the uses that are proposed in the overall development plan.
3. The proposal does not interfere with or diminish the use of property in the immediate vicinity.
4. The development will be served by public facilities and services.
5. The proposal, wetland impacts, does not cause undue traffic congestion.
6. There are no known historical or architectural resources on the site.
7. The proposal seeks to preserve the unnamed lake wetland basin located on the northerly side of the parcel. The wetlands proposed for impact and replaced are wetlands that have historically been in crop rotation and have been heavily degraded by the removal of wetland hydrology and hydrophytic plant communities.
8. It will not cause a negative cumulative effect and effect on the City as a whole.
9. To the extent known, the development, when considered with the recommended conditions, conforms with all other applicable regulations of the district, and other applicable ordinances.
10. The proposal will not jeopardize the public's health, safety, or general welfare.
11. The proposal conforms to the Wetland Conservation Act.

Ms. Westman reported that based on the findings staff recommends approval of the conditional use permit to allow wetland sequencing and replacement for 7.10 acres of wetland impacts with the following conditions:

1. The final DNR approved site plan that includes the hydrologic capacity shall be provided to the City of Mankato.
2. If modeling through the DNR Public Waters permit process, or for other reasons, requires different or additional wetland impact(s), additional review and approval by an amended conditional use permit and review and approval through the City of Mankato Technical Evaluation Panel (TEP) will be required.
3. The preliminary plat conditions of approval shall be adhered to, and those conditions are as follows:

(CY28-24 continued)

1. At the time of submission for a final plat, the applicant shall provide a complete draft copy of the proposed property owners association documents and deed restrictions, covenants, and permanent easements or other instruments. The documents shall address, but are not limited to, private streets, private utilities, current and future building envelopes, future additions, and how this will be privately managed. Membership in the property owners association shall be mandatory and in accordance with all applicable shoreland standards. The deed restriction shall properly address future vegetative and topographic alterations, construction of additional buildings, and shall ensure the long-term preservation and maintenance of open space in accordance with the shoreland and DNR criteria.
2. The applicant shall enter into a subdivision agreement addressing public improvements within the subdivision including Hoffman Road, 211th Lane, and public storm water facilities within the subdivision.
3. The applicant will be responsible for all required permitting and authorization for the proposed improvements associated with the natural gas easement. Written authorization from the easement holder acknowledging the proposed development, and providing consent for the proposed improvements, shall be in place prior to the submission of a final plat.
4. Block configuration shall be modified to achieve Mankato City Code standards of not more than 1,200 feet.
5. Prior to the submission of a final plat or planned unit development request for the parcel, a Notice of Decision shall be in place authorizing the proposed wetland impacts.
6. Prior to submission of a final plat or a planned unit development, the applicant shall have applied for and obtained all necessary Public Waters Work Permit(s) from the Department of Natural Resources, DNR, for the proposed project.
7. Applicant shall install signs at the required open space area at intervals acceptable to the DNR, and other applicable parties.
8. The applicant shall submit a request for the desired residential rental density within the new low-density residential areas, and this shall proceed for review along with the ordinance amendment for rezoning, platting, etc. for the development.
9. Bulk, height, setback, density, coverage, parking and other underlying zoning district criteria will apply to the subject lots and blocks.
10. Approval of this preliminary plat does not imply future approval of wetland replacement plans or planned unit developments or other future zoning requests.

(CY28-24 continued)

Mr. Wilke inquired what is the cost per credit for the wetland bank

Ms. Westman indicated that the city does not get involved in the cost rather we make sure it conforms to the standards and that the credits are being purchased in the same bank service area. She also indicated that the applicant would be able to answer that question more directly.

Mr. Wilke also indicated that this appears to be farmland currently. He inquired if they were truly wetlands or simply low spots.

Ms. Westman indicated that wetlands are evaluated based on their type. These are type 1 or type 2. This means seasonally flooded basins meaning they will have water in them when it rains or in the spring.

Mr. Wilke also questioned if there was any tiling in the parcel.

Ms. Westman stated that she would let the applicant answer that question.

Dan Donayre, Bolten & Menk, Natural Resources Project Manager. Dan was present to answer the commissions questions in relation to this project. He indicated this was considered a type 1 seasonal flooded basin meaning that it only has a water-table within 12 inches of the surface for 14 days consecutively. He also indicated that this field has been tiled.

Chair Zehnder opened the public hearing for public comment, with no one wishing to speak, the public hearing was closed.

Ms. Johnson made a motion to approve the conditional use permit to allow wetland sequencing and replacement for 7.10 acres of wetland impacts. The motion was seconded by Mr. Meister. The motion passed unanimously.

City Council Agenda Date: August 12, 2024.

CY29-24 Request of APX Construction Group for a certificate of design compliance for exterior modifications to a structure located in the Highway Gateway Overlay district. The subject property is described as Lot D, Block 1, except the north 15' of right of way, Scheurer's Sunray Addition. (1531 Madison Avenue, Blue Earth County PID R010916101004).

Ms. DePrenger presented the staff report and reported the following recommended findings:

1. The request is in keeping with the comprehensive planning policies of the City as the underlying land use plan identifies this parcel as "commercial."
2. The proposal does not interfere with or diminish the use of property in the immediate vicinity.
3. The proposal is currently served by public facilities and services and will continue to be.
4. The proposal does not cause undue traffic congestion as there are no changes in the number of employees which would require additional parking, and no other changes are proposed to the site access, or traffic patterns.
5. There are no known historical or architectural resources on the site.
6. There are no known natural or environmental features on the site.
7. It will not cause a negative cumulative effect and effect on the City as a whole as the current and future use will need to comply with city code.
8. To the extent known, the development conforms with all other applicable regulations of the district, and other applicable ordinances.
9. The proposal will not jeopardize the public's health, safety, or general welfare.
10. The property is located in the Highway Gateway Overlay District and the proposed value of the project does not exceed \$500,000 by Mankato City Code Chapter 10.48, this project only requires review of the Planning Commission.

Ms. DePrenger reported that based on the findings staff recommends approval of the certificate of design compliance with the following conditions:

1. The elevations shall conform to the submitted elevations approved by the Planning Commission.
2. A sign permit will be required for all proposed exterior signage and shall adhere to Mankato City Code Section 10.87.
3. All new lighting fixtures shall conform to Mankato City Code Section 10.89.
4. All new exterior finishes shall conform to the Mankato City Code. Exterior architectural metal panels shall have concealed fasteners and shall not be exposed.

(CY29-24 continued)

Chair Zehnder opened the public hearing for public comment, with no one wishing to speak, the public hearing was closed.

Ms. Johnson made a motion for approval of the certificate of design compliance. The motion was seconded by Mr. Wilke. The motion passed unanimously.

CY30-24 Request by HDR, on behalf of the property owner, Mayo Clinic Health System, for amendments to the Institutional Overlay District and the approved campus plan. The subject properties are described as Lots 7-22, Block 4, Oaklawn Addition including vacated alley; Lots 7-15 and the easterly 29.84 feet of Lot 16, Block 5 Oaklawn Addition, including vacated Plum Street and vacated alley; Lots 1-7, Block 7, Oaklawn Addition including vacated Hawthorn Avenue and Fair Street and vacated alley; Lots 1-20, Block 8, Oaklawn Addition, Lots 7-21; Lots 2-6, 7, 8, 10 and 12, Block 6, Oaklawn Subdivision and Agency Heights Subdivision; commencing at the northwest corner of the southeast quarter of the northwest quarter, Section 17, Township 108 N, Range 26 W, then south 514.8', west 198' to beginning; West 60 feet of the south 175 feet of the west six acres of the southeast quarter of the northwest quarter north of road, Section 17, Township 108 N, Range 26 W; All area north of road and west six acres of the southeast quarter of the northwest quarter except 3.16 acres; East 52' of the south 150' of the west six acres of the southeast quarter of the northwest quarter north of the road, Section 17, Township 108 N, Range 26 W; Lots 2-20 Saylor Addition; Lots 13-16 Dickinson's Subdivision; Lots 1-12 Thielges Addition; .146 Acres in the northeast quarter of the northwest quarter, Section 17, Township 108 N, Range 26 W, Record Book 156, Page 496; .12 acres in the northeast quarter of the northwest quarter, Section 17, Township 108 N, Range 26 W, Record Book 156, Page 509; Tract 48' X 90' directly rear of the west 48' of Lot 4, Thielges Addition; .094 acres directly in the rear of Lot 5, Thielges Addition, east 2' of Lot 4, Thielges Addition; and west 2' of Lot 6, Thielges Addition; .07 acres directly rear of Lot 6, Thielges Addition; .02 acres directly in rear of Lot 7, Thielges Addition, etal. (1025 Marsh Street). (Blue Earth County PID R010813101049).

Ms. DePrenger presented the staff report and reported the following recommended findings:

1. The proposed use conforms with the goals of the Mayo Clinic Campus Plan,
2. The proposed use is determined to be in conformance with the overall intent of the campus plan in the IO, Institutional Overlay District.

(CY30-24 continued)

Ms. DePrenger reported that based on the findings staff recommends approval of the Institutional Overlay amendment and the amendment of the Campus Plan:

1. Landscaping shall be installed in accordance with Mankato City Code. A conforming landscaping plan shall be submitted for review and approval prior to installation.
2. The temporary driveway on Garden Blvd and Mulberry Street will not be permitted and therefore will need to be removed.
3. The conditions from the previous approvals for the Mayo Clinic Health Systems Institutional Overlay District shall remain in effect unless amended in the conditions listed below.
4. All exterior lighting shall adhere to Mankato City Code Section 10.89. The applicant shall provide lighting cut sheets for all exterior lighting fixtures. All fixtures shall be full cut, fully shielded style.
5. The applicant shall provide a photometric plan at the time of building permit submission that depicts no more than 1/2 foot candle lighting levels at the property lines. Field lighting shall conform to section 10.89 Subpart 3A.
6. Screening for the Bulk Oxygen relocation shall be screened in accordance with Mankato City Code Section 10.88.
7. Applicant shall have a pre-construction meeting with the neighborhood 30 days prior to construction of the facilities. The meeting shall address timing, staging areas, and contractor parking.
8. Any changes to the approved campus signage plans for the development will require additional review and approval of the overall campus plans.
9. Building elevations and materials of the proposed new structures shall be similar to the existing structure.

Ms. Surdy inquired about the reasoning behind the signs needing to be taller.

Ms. DePrenger stated that the applicant had a wayfinding study conducted that indicated higher signs makes it easier for people to find their way, especially in emergency situations.

Chris Roeder, Mayo Clinic project group. Mr. Roeder stated that in relation to the height of the signs, prior suggestions from consultants indicated that the signs needed to be big and visible especially at entrances.

(CY30-24 continued)

Chair Zehnder inquired if there is further parking expansion planned to the southwest of the campus area and why the shift from parking ramps to surface lots.

Mr. Roeder stated that based on prior parking studies this would be enough stalls for the next several years. The move away from the parking ramps is purely a cost driven factor. They currently have the space for surface parking and have planned it that way.

Chair Zehnder also questioned whether there would be issues from drainage and if the city storm sewers are able to handle that increase from new impervious surfaces.

Alec Pietz, Bolton & Menk, Inc. Alec indicated that with every new project they try and integrate more storm water BMPs as required by city ordinances.

Ms. Johnson stated that the rain gardens that are mentioned in this project are something that hopefully will become more popular with future projects.

Mr. Wilke thanked Mayo Clinic for the continued investment in the community and appreciated them trying to balance the needs of the clinic and the neighborhood.

Chair Zehnder opened the public hearing for public comment

Greg Albers, 306 Dane Street. Greg was present at the meeting to express his concerns in relation to this project. With the relocation of the oxygen tanks, he wanted to make sure proper noise mitigation was taking place. Greg also stated that the height of the signs was obnoxious and could diminish the value of his property by having one at the end of his driveway.

Chair Zehnder requested to have the applicant address some of the concerns brought forth by Greg.

Mr. Roeder stated that with the sign that is currently in place it is easy to miss and not always visible to people coming to the hospital. They want the sign to really jump out and direct people where to go. He also stated in relation to the noise they are in the process of running tests to establish where the noise is coming from. The oxygen tanks will create a hiss but the system itself is quiet. The additional noise may be stemming from cooling towers that have large fans moving air

(CY30-24 continued)

through them. IEA is currently running tests to see what is driving the additional noise.

Chair Zehnder questioned if there would be places where additional noise screening could be placed if the noise study finds the levels unacceptable.

Mr. Roeder stated he thinks this is the intent of the study. If they do find that it is too high, they will be looking at what they can do to mitigate that sound.

Ms. Surdy questioned if they would consider putting some of these mitigation processes in place even if the study doesn't reveal significant noise levels.

Mr. Roeder stated that he believes that they would be open to doing that but can't guarantee anything.

Chair Zehnder asked if there was a previous noise baseline to compare to.

Mr. Roeder stated that during their process of testing they will shut down a certain number of fans and record measurements and times to compare noise levels to when all 6 fans are operational.

Mr. Konz stated that when Mayo initially installed those cooling tanks, they conducted a sound study and encouraged Mayo to look through their files to determine if they had those studies.

A resident questioned where the new helicopter pad would be located.

Chair Zehnder indicated that it was his understanding it would be located on top of the new bell tower and was confirmed by Mr. Roeder.

With no one else wishing to speak, Chair Zehnder closed the public hearing.

Chair Zehnder raised a motion to add the condition that at the completion of the sound study, the study findings be provided to the City. If the sound is found to be above the state defined threshold more mitigation would be added. This was seconded by Ms. Surdy. The amended condition passed unanimously.

Ms. Surdy stated that she had an objection to the monument and wayfinding signage.

Mr. Wilke made a motion for approval with the amended condition of the Institutional Overlay amendment and the amendment of the Campus Plan. The motion was seconded by Mr. Meister. The motion passed unanimously with the objection from Ms. Surdy.

(CY30-24 continued)

City Council Agenda Date: September 9, 2024

CY31-24 Request of Cohen Esrey Development Group for an amendment to the current planned unit development to decrease the parking plan from the previously provided 87 stalls to 82 stalls at Lewis Lofts. The subject property is described as Lots 1A, 1B, and 1C of The Neighborhood subdivision (Blue Earth County PID R010813256009, R010813256010, R010813256008, 209 Dewey Lane).

Mr. Hansen presented the staff report and reported the following recommended findings:

1. Parking flexibility for Lewis Lofts is sought as a result of the project being a senior housing development and to assist with the project affordability.
2. The proposed decrease in the number of on-site parking stalls does not exceed the minimum 1.25 parking stalls per-unit rate that was approved by the council.
3. A decrease in the number of on-site parking stalls will not cause a negative cumulative effect on the city as a whole.
4. To the extent known, the property conforms with all other applicable regulations of the district, and other applicable ordinances.
5. The proposal will not jeopardize the public's health, safety, or general welfare.
6. It is in keeping with the comprehensive planning policies of the City and this Chapter as amended from time to time.

Mr. Hansen reported that based on the findings staff recommends approval of the request to amend a planned unit development to decrease the parking plan from the previously provided 87 stalls to 82 stalls at Lewis Lofts with the following conditions:

1. Bicycle parking will be required at a rate of 5% of parking stalls for a minimum of 5 stalls, based on the 82-stall amended proposal.
2. The applicant shall provide common open space amenities conducive to a senior development, such as an outside patio or gathering area or areas with benches or other seating within the development.
3. The applicant shall provide a parking plan that details the management of on-site parking. This includes, but is not limited to, the dedication of parking stalls to tenants, and reservation of stalls to allow for guest parking.

(CY31-24 continued)

4. Conditions and recommendations from the previously approved Planned Unit Development that was approved on 02/14/2022 will continue to apply. The aforementioned conditions are as follows:
 1. A loading and unloading plan shall be provided for the development that contemplates all associated activities on private property and not utilizing the public streets, obstructing parking stalls or disrupting ingress/egress to the site.
 2. Signage for the development shall conform to Mankato City Code standards and a sign permit shall be obtained for any proposed signage prior to fabrication and installation.
 3. All lighting shall conform to Mankato City Code including full-cut, fully shielded light fixtures and a photometric plan demonstrating a lighting level of no more than 1/2-foot candle at the property line.
 4. A City of Mankato rental license for the premise shall be secured prior to occupancy.
 5. The landscaping, as per the approved landscaping plan, shall be installed prior to occupancy.
 6. The applicant shall provide a snow removal plan, *in conjunction with the building permit*.
 7. The applicant shall provide common open space amenities for gathering for a senior development.

Chair Zehnder questioned if the upcoming study that is being conducted on the Stoltzman and Riverfront intersection would include the area where Dewey Street ends.

Mr. Konz explained that the intersection is what is being studied. They may go a little beyond the intersection but typically would not go a full block beyond the intended area of study.

Nate Myhra, Project Manager, Bolton & Menk, Inc. Mr. Myhra was present at the meeting to address any questions the Planning Commission may have.

Mr. Dieken inquired if there would be assigned parking per unit.

Mr. Myhra advised that every tenant provides their license plate number and make and model of vehicle. They govern it themselves with the management team at the property making sure the cars are parked appropriately. If the need for additional parking, the Sinclair Flats across the street can be used.

(CY31-24 continued)

Mr. Dieken questioned if the parking requirements would need to be changed if the facility were to become market rate housing.

Mr. Myhra advised that they are limited by the amount of parking that they currently have.

Chair Zehnder asked if Cohen Esrey had some type of provision for guest parking if residents have visitors

Mr. Myhra advised that with 82 parking stalls and only 66 units there would be some additional stalls if every resident only had 1 vehicle.

Chair Zehnder opened the public hearing for public comment, with no one wishing to speak, the public hearing was closed.

Mr. Meister made a motion for approval of the request to amend a planned unit development to decrease the parking plan from the previously provided 87 stalls to 82 stalls at Lewis Lofts. The motion was seconded by Ms. Surdy. The motion passed unanimously.

City Council Agenda Date: August 12, 2024

CY33-24 Request of David Hruska for a conditional use permit to allow for a restaurant in the CBD-F, Central Business District-Fringe. The subject property is described as Lot 5, Lewis and Meaghers Subdivision (609 S. Front Street, Blue Earth County PID R010918152003).

Mr. Konz presented the staff report and reported the following recommended findings:

1. The proposed use, a restaurant, in the Central Business District-Fringe, CBD-F, zoning district is considered a Conditional Use Permit in Mankato City Code.
2. The request is in keeping with the comprehensive planning policies of the City as the underlying land use plan identifies this parcel as "Central Business District", which is in keeping with this request.
3. The proposal does not interfere with or diminish the use of property in the immediate vicinity.
4. The primary structure will continue to be served by public facilities and services, and no utility service provider changes are proposed with this proposal.

(CY33-24 continued)

5. The proposal does not cause undue traffic congestion as the proposed project. No changes are proposed to the public street system. The property was previously used as a restaurant.
6. There are no known historical or architectural resources on the site.
7. There are no known natural or environmental features on the site.
8. It will not cause a negative cumulative effect and effect on the City as a whole.
9. To the extent known, the development, when considered with the recommended conditions, conforms with all other applicable regulations of the district, and other applicable ordinances.
10. The proposal will not jeopardize the public's health, safety, or general welfare.

Mr. Konz reported that based on the findings staff recommends approval of the conditional use permit with the following conditions:

1. Prior to the occupancy of the structure, the applicant/property owner shall provide a lease for the off-street parking stalls or have petitioned and received approval to join the Downtown Parking District.
2. The applicant shall obtain a license to encroach on all proposed private encroachments on the public right of way.
3. No outside storage of any material is allowed.
4. All refuse containers shall be fully enclosed in conformance with Mankato City Code, or stored entirely within the buildings. This includes all grease collection containers, recycling containers and other associated containers.
5. The applicant shall obtain a separate sign permit, and the proposed signage must conform to Mankato City Code.
6. If the applicant proposes to serve alcohol in the future, the applicant shall work with the Department of Safety on a liquor license agreement. The agreement will require City Council approval prior to serving alcohol.

Ms. Surdy commented that she was very excited and felt as though it was a good fit and location for the restaurant. One iconic Mankato restaurant being replaced by an iconic restaurant from Blue Earth County was a great fit.

Mr. Dieken questioned if when the property was the Wagon Wheel were they apart of the downtown parking district

(CY33-24 continued)

Mr. Konz explained they were not previously part of the parking assessment district. They had parking stalls on the rear side of the property and had agreements with the adjacent properties to use their stalls. Other adjustments such as angled parking stalls did provide additional parking.

Chair Zehnder opened the public hearing for public comment, with no one wishing to speak, the public hearing was closed.

Ms. Surdy made a motion for approval of the conditional use permit. It was seconded by Mr. Wilke. The motion passed unanimously.

City Council Agenda Date: August 12, 2024

MISCELLANEOUS

Mr. Konz introduced Kelly Miller as the new alternate for the Planning Commission. Mr. Iddings has moved into a permanent position.

Mr. Konz announced that Ms. Westman has been promoted to the Planning and Zoning Administrator for the City of Mankato.

There were no other miscellaneous business items.

ADJOURNMENT

There being no further business, Mr. Wilke moved to adjourn the meeting. The motion was seconded by Mr. Meister and carried unanimously.

The meeting adjourned at 7:31 pm

MINUTES APPROVED.

Chair, Mankato Planning Commission