

**Mankato Planning Commission
Regular Meeting
January 22, 2025**

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 and Zoning Administrator, Sydney DePrenger-Planner, Travis Johnson- Permit Technician.

2. APPROVAL OF AGENDA.

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

3. APPROVAL OF MINUTES.

Mr. Wilke made a motion to approve the minutes from November 20th, 2024. Mr. Meister seconded the motion. The motion carried unanimously.

4. OLD BUSINESS

No old business

5. NEW BUSINESS

Land Acknowledgement

Chair Zehnder read the land acknowledgement statement.

CY01-25 Request of Habib Sadaka for an amended certificate of design compliance for a new structure located in the Highway Gateway Overlay District and for a review of a previously approved variance to reduce the front yard building setback on the Madison Avenue side of the property from 15 feet to .92 feet. The subject property is described as the north half of Lot 9, and Lot 10, Auditors Plat 27, (830 N. Broad Street, etal).

Ms. DePrenger respectfully submits the following findings of fact for the certificate of design compliance.

1. The proposed use conforms with the standards set forth in the B-1 Community Business District.
2. The proposal, when including the implementation of the required conditions, conforms to Mankato City Code section 10.48 Highway Gateway Overlay District.

Ms. DePrenger respectfully submits the following findings of fact relative to the variance:

1. The applicant has established that conforming to the strict letter of the provisions of this chapter would create a unique and particular hardship because of the size of the existing lot, the existing topography of the site, and the desire to achieve the Urban Design Guidelines for the Madison Avenue corridor.
2. Unique and Particular Hardship. Unique and particular hardship is defined as the property is exceptional as compared to other property subject to the same provisions by reason of a unique physical condition, including the presence of an existing use or structure, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot. The hardship shall amount to more than a mere inconvenience to the owner and the hardship shall relate to the physical situation of the lot rather than the personal situation of the current owner of the lot. The applicant has demonstrated the existing physical conditions on the lot having a narrow width, the topography, and the desire to achieve the general site development guidelines for the Madison Avenue corridor by having the building define the corridor edges .
3. Not Self-Created. The unique physical condition and hardship is not the result of any action or inaction of the property owner or its predecessors in title. The unique physical condition shall have existed at the time of the enactment of the provisions from which a variance is sought or was created by natural

forces or was the result of governmental action, other than the adoption of this chapter. The current structure on the site does not appear to achieve the required setback, a variance was previously issued which allowed a decrease in the setback, and the width of the lot and topography have not been created by the applicant.

4. **Denied Substantial Rights.** The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other property subject to the same provisions. The current width of the lot, topography and in order to achieve the City's adopted design standards of locating the building to define the corridor edge with all of the parking behind the structure, and in navigating the topography of the site achieving the desired provisions for this lot, is challenging.
5. **Not Merely Special Privilege.** The alleged hardship does not include the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision. The alleged hardship shall not include the inability of the property owner to realize a greater profit than if the variance were not granted.
6. **No Other Remedy.** There are no means other than the requested variance by which the alleged hardship can be avoided or remedied to a degree sufficient to permit a reasonable use of the lot. The development design strives to incorporate the urban design criteria, while navigating the existing site topography and width.
7. **Variance Less Than Requested.** There is no known variance that is less than or different from that requested, which would provide the applicant with the right to some relief but not to the relief requested.
8. **Essential Character of the Area.** The variance would not result in a development on the lot that:
 1. Would be detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity.
 2. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity.
 3. Would substantially increase congestion in the public streets due to traffic or parking.
 4. Would unduly tax public utilities and facilities in the area.
 5. Would unduly increase the danger of flood or fire.
 6. Would endanger the public health or safety.
 7. Would not be in harmony with the general and specific purposes of this chapter and the comprehensive planning policies and objectives of the City.

Ms. DePrenger reports that based on the findings staff recommends the approval of the certificate of design compliance subject to the following conditions:

1. Bicycle parking shall be provided in conformance with Mankato City Code.
2. The applicant shall provide a photometric plan showing lighting levels at the property line that conform to City of Mankato 10.89 standards.
3. The applicant shall provide lighting cut sheets for all proposed exterior light fixtures, and the fixtures shall conform to Mankato City Code standards.
4. The applicant shall provide a landscaping plan which achieves Mankato City Code sections 10.48 for screening and section 10.88. The plan shall be provided with the request for a building permit application.
5. Prior to the installation of any signage, a development sign plan shall be submitted for review and approval.
6. Prior to the fabrication or installation of any signage, a City of Mankato sign permit shall be in place.
7. Snow storage as proposed on the adjacent vacant lot shall not be located in the sight triangle.
8. The elevations shall conform to the submitted elevations approved by the Planning Commission.
9. All new exterior finishes shall conform to the Mankato City Code. Exterior architectural metal panels shall have concealed fasteners and shall not be exposed.

Ms. DePrenger reports that staff recommends approval of the variance requests subject to the following conditions:

1. If encroachments occur for permanent building components, a license to encroach shall be obtained prior to the subject encroachment occurring.
2. If temporary access for construction, window cleaning or any other means is necessary in the public way, the appropriate right of way permit, obstruction permit or others shall be obtained in accordance with City of Mankato standards prior to work occurring.
3. All mechanical and electrical equipment, venting, metering, and other related elements shall occur on the western side of the property and shall be screened in accordance with Mankato City Code.

Ms. Surdy questioned if there was any screening of the parking lot from the residential areas.

Ms. DePrenger stated that on the western side of the property a 6-foot fence will be installed, and landscaping will be in place along N. Broad Street.

Mr. Wilke thanked the applicant for continuing with the project and hopes it can be completed.

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 certificate of design compliance and variance request. The motion was seconded by Mr. Meister. The motion passed unanimously.

MISCELLANEOUS

There were no miscellaneous items

ADJOURNMENT

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

The meeting adjourned at 6:15 pm

MINUTES APPROVED.

Chair, Mankato Planning Commission