CITY OF ALBERT LEA
PLANNING COMMISSION
ADVISORY BOARD

5/17/2016, 5:30 p.m.
City Council Chambers

AGENDA

A. CALL TO ORDER AND ROLL CALL

B. APPROVAL OF THE AGENDA

C. APPROVAL OF MINUTES

PC Minutes from April 5th, 2016

D. PUBLIC HEARINGS

Request to amend zoning designation of 1430 Highway 69 South from R-3 Multi-family Residential to B-2 Community Commercial

E. NEW BUSINESS

1. Acquisition 1016 Madison – conformance with comprehensive plan
2. Acquisition 1761 Pride Lane – conformance with comprehensive plan

F. OLD BUSINESS

Consider proposal to amend the comprehensive land use plan for the closed landfill site and call for a public hearing.

G. COMMISSIONER COMMUNICATIONS

H. STAFF COMMUNICATIONS

1. Date of July meeting
2. City Manager Updates

I. ADJOURNMENT

CITY OF ALBERT LEA
PLANNING COMMISSION
ADVISORY BOARD
MEETING MINUTES

4/5/16 5:30 pm
City Center - Council Chambers

Members Present:
Rick Mummert
Jason Willner
Thayne Nordland
David Gross
Larry Baker, Ex-Officio

Members Absent:
Pamela Schmidt
Doug Olson
Jon Murray

Staff in Attendance:
Chad Adams, City Manager
Jerry Gabrielatos, Assistant City Manager

Interested Parties: None

Acting Chair, David Gross called the meeting to order at 5:32 p.m.

Approval of the Agenda:
Thayne Nordland made a motion to approve the agenda and Rick Mummert seconded the motion. The agenda was approved unanimously on a voice vote.

Approval of Minutes:
A motion was made by Thayne Nordland to approve the minutes from December 22, 2015, and Rick Mummert seconded the motion. The minutes were approved unanimously on a voice vote.

Public Hearings: None

New Business:
City Manager Adams stated that the Minnesota Pollution Control Agency (MPCA) notified the City that state statute requires the local land-use plan to be consistent with adopted MPCA closed land-use plans.

Discussion:

City Manager Adams explained that public hearings would be necessary if there are any changes to the plan. Adams wanted to make the Commission aware that this item may require action in the future. He continued to detail that the Shell Rock River Watershed District (hereinafter referred to as the Watershed) is building a storm water retention pond in the area.

Gross asked Adams if the MPCA was coordinating with the city. Adams responded that the MPCA is.

Old Business: None

Commissioner Communications:
Councilor Baker asked about abolishing the restriction that requires detached structures, particular garages, to be built no higher than 15' .Baker mentioned that there are parts of the city in which a

detached garage could be built consistent with the design of to home to which it is adjacent. Adams responded that it would require a change in code and that staff would research and debate the issue.

Staff Communications: Chad Adams provided the following updates:

The City received two responses to an RFP for the redevelopment of the Freeborn Bank and Jacobsen Building. A decision was made to renew the contract with Cohen-Esrey through the rest of the year. The group plans to apply again for historic tax credits in June, awaiting a decision to be made in October. This is the third year that the City has worked with Cohen-Esrey. Adams expects that the project will score well with the Minnesota Housing Finance Agency and potentially be awarded, allowing for the redevelopment. Mummert commented that the group that submitted the other RFP would continue to work on the project.

The former Ramsey School building was recently purchased via auction. The buyer is seeking to repurpose the building for market rate rentals. This may require a zoning change.

ALEDA has been working with a site selector for a potential development that would bring 150-300 jobs. Should the selector choose Albert Lea, construction may begin in the fall.

Schrom Construction is beginning to build the fourth six-plex of townhomes near Wedgewood Cove. 75% of the existing units available are occupied.

The St. John's expansion, with independent and assisted living, will be open this spring.

Funding from the state may be awarded for the Stables project. Should that happen, Adams advised, that annexation and zoning issues may come before the planning commission. There are 60 homes in that area. There was discussion among the Commission about the public notification process for this issue.

Mummert asked about the status of the Blazing Star Landing in relation to the bonding bill. Adams answered that the item was not included in the Governor's bonding bill, but he is pitching it to Representative Peggy Bennett and State Senator Dan Sparks.

Despite continued promises from the Department of Natural Resources, the Blazing Star Trail project did not receive funding. Most of the projects selected for funding are located within the metro area.

Adjournment:
The meeting was adjourned at 6:16 p.m. on December 22, 2015 motion by Rick Mummert and seconded by Thayne Nordlund.

Respectfully submitted,

_____
Chad Adams, City Manager

Approved:

_____
Jerry Gabrielatos
Acting Planning Commission Secretary

WSB & Associates, Inc.
Infrastructure ■ Engineering ■ Planning ■ Construction
23 2nd Street South
Suite 200
Rochester, MN 55902
Tel: 507-218-3745
Fax: 507-289-3919

Memorandum

To: ***Planning Commission, City of Albert Lea***
Chad Adams, City Manager

From: ***Molly Patterson-Lundgren, Planner***
WSB & Associates, Inc.

Date: ***May 17, 2016***

Re: ***Request for Amendment to the Zoning Map***

Request

Larry Gensmer of Freeborn Properties, LLC and Clayton Petersen seek to rezone the property at the northwest corner of 9th Street West and State Highway 69 (address 1430 Highway 69) from R-3 to B-2. An R-3 zone is Multi-family Residential. A B-2 zone is a Community Business District. The property is currently owned by Freeborn Properties with Petersen having an agreement to purchase it.

Background

The property is over 5 acres in size with frontage on both Highway 69 and West 9th Street. The property adjacent and to the west is already owned by Mr. Petersen with the Wedgewood Golf Course abutting the northwest corner of the property and the Seventh Day Adventist Church directly to the north. The existing building on the south end of the site is vacant and was previously an auto repair shop. There is an existing billboard on the north end of the site visible from Highway 69. In May of 2014 the property was rezoned from B-2 to R-3 Residential as requested by the current owner, Freeborn Properties. According the minutes from the public hearing of May 6th, 2014, the plan was to develop townhouse style multi-family housing of 38 to 52 units. This development did not occur.

Clayton Petersen owns the adjacent property, Lot 5 of Block 1 Wedgewood Cove Estates 2, a "flag lot" with access off both 9th street and Wedgewood Road. This parcel is located west of the subject parcel and east of the Wedgewood Cove club house (see image to the right).

Mr. Petersen approached the City in fall of 2015 to discuss developing personalized storage or mini-warehousing on his property (adjacent to the subject property). Because his property is zoned PD and has a development plan approved only for Multi-family use, mini storage would not be permitted under the existing zoning.

During the discussions on his idea to develop personalized storage or mini-warehousing, staff explained to Mr. Petersen that the zoning of property is guided by the policies adopted in the City Land Use Plan (part of the Comprehensive Plan). Staff advised Mr. Petersen that goals and policies of the Land Use Plan only supported commercial uses developed at key intersections for neighborhood commercial uses in this part of the City. Mr. Petersen later discussed with staff the possibility of combining the two parcels (his current property and the subject property) and rezone both of these to allow for a veterinary clinic in the existing structure with a mix of uses, including mini storage, billboards, and future business and multi-family residential uses. Staff suggested combining the two parcel and rezoning the combined to a new Planned Development District (PD zone) so that multiple uses might be considered on a site plan for the development of the site. Alternatively, the B-1 business district was suggested. This zone allows any uses through a conditional use permit although it would not allow additional billboards/off-premise signs.

The application submitted is to rezone only the corner property from R-3 to B-2. Mr. Petersen is no longer asking for rezoning of the parcel he currently owns. No specific plans for development or use were included on the application. However, Mr. Petersen has stated that the Vet Clinic is still desired in the existing vacant building along with some additional off-premise signage on the parcel.

Analysis

While it may be difficult to consider the potential to rezone a parcel without knowing more details of the future plans for development, such details would have little to no bearing on what actually occurs on the property. Once a new zoning designation is given, all of the permitted uses in that district are allowed. The City does not have the option to approve a zoning amendment on a conditional basis. The Comprehensive Plan is the adopted City Policy to provide guidance for zoning decisions. State Statute 462.357 indicates that one purpose of zoning is to carry out the policies and goals of the land use plan in addition to promoting the public health, safety and welfare.

Comprehensive Plan Land Use Designation

The designated land use in the comprehensive plan for this property is "Residential Edge". Goals and policies of this land use district include a variety of residential uses along with "neighborhood commercial nodes …developed at key intersections." Goals also include improving walkability of the neighborhoods and management of traffic though them. Neighborhood commercial districts commonly allow for businesses that are smaller in nature and provide goods or services to nearby residents. Neighborhood zoning districts typically specific maximum size of development including building scale and massing (or how buildings fit in a three dimensional area). Conditions of approval that limit potential impacts of noise, traffic, or other commercial activity that may negatively impact the nearby residents are also typical for these districts.

This request is rezone the subject property B-2 Community Business. The purpose of the B-2 zone is to permit and encourage the establishment of commercial shopping centers and automotive oriented establishments in areas along major highways and thoroughfares and to provide for business uses of a community-wide scale. The B-2 zoning district allows as a permitted uses the following:

(1) Vocational and technical schools, industrial training centers, colleges and universities.
(2) Retail stores.
(3) Personal services and business services: Personal service establishments, Post offices and telegraph offices, General business services, Eating and drinking places, restaurants, cocktail lounges, including entertainment, Hotels.
(4) Processing. Bakery, catering establishment, laundry or dyeing and cleaning works.
(5) Ice storage and distribution station.
(6) Minor fabrication and repair. Appliance and television repair shops, muffler shops, radiator repair and similar services.
(7) Automotive service stations including auto repairing, tire repair shops, muffler shops, radiator repair and similar services.
(8) Drive-in uses. Drive-in banks, building and loan companies and similar financial institutions with drive-in or drive-up facilities, drive-in eating places, food sale shops, liquor stores, and similar automotive oriented retail sales.
(9) Advertising signs (billboards or posterboards).
(10) Mortuaries.
(11) Studios. Art, television, radio, music and dance, conservatories.
(12) Personalized storage or mini warehousing, provided no mini warehouse space shall be utilized for retail sales, processing, or manufacturing.
(13) Animal hospitals, veterinary clinics.
(14) Automotive, farm implement, and marine sales and services. Automobiles, trucks, trailers, farm implements, motor homes, manufactured homes, boats and marine

equipment, and associated repair facilities such as body and fender shops, paint shops, and radiator repair, but not including dismantling, parting, crushing or salvage.

(15) Nurseries, garden centers, agricultural supplies.
(16) Lumberyards, home improvement centers, and agricultural building supplies.
(17) Commercial parking garages and lots. Commercial parking garages and lots for passenger vehicles only, provided a reservoir space is provided within the garage or lot for holding cars awaiting entrance, which reservoir space shall have a capacity of no less than two vehicles.
(18) Collection, packaging, and shipping of light metals such as aluminum cans and other products such as newspaper and cardboard for the purpose of recycling. The actual processing of the materials is not permitted.
(19) Churches and religious buildings.
(20) Clubs.
(21) Clinics and hospitals.

While many of these uses may be appropriate for the corner lot in question, a change in zoning cannot be conditional. Once rezoning is approved, all of the permitted uses are allowed and there would be little oversight or regulation of the development to make it fit within the residential area. Site plans are required for approval by City staff for any proposed commercial or industrial use; however there would be no ability to impose any conditions related to business operations such as hours, management of waste or screening and this is an administrative and not public process.

Albert Lea has several zoning districts that do allow for commercial uses, including those which Mr. Petersen has discussed with staff. The B-1 "Neighborhood Business" and PD "Planned Development" districts allow for these commercial uses but also require a process that considers the impacts they will have on neighboring residents and allow for conditions to be placed on their approval in order to mitigate such impacts. There are no specified permitted or conditional uses for B-1 zone; all uses in the B-1 district require a CUP. Another zoning district appropriate for residential neighborhoods is the PD "Planned Development" zoning. The PD zone allows for the customization of a mix of uses but also requires a more intense and involved review process. The site plan approved as a Conditional Use Permit for a PD district becomes part of the zoning requirements for that land and uses as identified are the only ones allowed. Conditions are imposed at the time of approval of a PD which would help to mitigate potential negative effects of the commercial use on nearby residents.

Approval to B-2 is inappropriate because there is no provision to identify, plan for and mitigate potential negative impacts such as the needed provision for public services or to regulate traffic. The need to manage access to this site, in particular on the north end of the site when development occurs has been identified by both MnDOT and the City Engineer. This property currently has three access points. Two of the three access points are in less than ideal locations. The access on US 69 is located in the existing turn lane for West 9th Street. Depending on what develops at the property it may be recommended that this access be relocated to the north end of the property or eliminated. On West 9th Street the access points are located approximately 75 feet and 270 feet from US 69. Ideally in a commercial area, driveway access should be limited to 300 feet from the intersection. These access points should be reviewed prior to development of the property. With a rezoning to B-2 and the permitted uses allowed, there would be no opportunity to review site access for those uses.

The B-2 on its face does not blend with other parts of the neighborhood. For example, a commercial parking garage or metal recycling center are permitted uses in the B-2 district. These are not compatible with the current environment, which is primarily residential in nature. Changing the parcel to a B-2 district could create an island of uses that are inconsistent with the existing residential uses. While there is no conceptual plan required for a zoning amendment, the application fails to provide a compelling reason to rezone to B-2 when there are other zoning options that would provide for the uses desired. As a legislative action, the applicant should provide a compelling reason for the change requested.

Staff Recommendation:

The application to rezone the property to B-2 is inconsistent with the surrounding area and the guidance provided in the Comprehensive Plan. The B-1 zoning most closely aligns with commercial land use of neighborhood commercial in the Residential Edge designated areas with PD zoning being another option. Due to the inability for the City to place conditions of development and business operations on the commercial uses of the B-2 district to mitigate impacts on neighboring residents, the B-2 zoning district does not align with the land use plan designated Residential Edge land use.

Based on the analysis above, staff is recommending denial of the request to amend the zoning designation for the property at 1430 Highway 69 South from R-3 to B-2.

Recommended Motion:

to recommend to the City Council denial of the requested zoning amendment for the property at 1430 Highway 69 located at the northwest corner of 9th Street West and State Highway 69 based on the following findings of fact:

1. The property in question is currently zoned R-3 Multi-family Residential
2. The Land Use Plan calls for the area to be residential in nature, specifically designating it as a "Residential Edge" land use district.
3. Land Use Plan Goals and Policies for the residential districts are primarily centered on the provision of a wide variety of housing options and the development of quality neighborhoods.
4. Goals of the residential districts include maintaining property values, enhancing livability of existing neighborhoods, increasing walkability within and between neighborhoods and managing traffic through and between neighborhoods.
5. One policy for residential land use districts includes that Neighborhood commercial nodes should be developed at key intersections and development should support surrounding adjacent residential areas, promote active living and walkability and to serve as traffic management (reduction) strategy.
6. The B-2 zoning district allows for a multitude of commercial uses without the provision for considering their impact on neighboring residents or the ability to place conditions for the mitigation of these impacts on neighbors

7. Permitted uses in the B-2 district do not promote active living and walkability or provide for traffic management including access management to the site making the B-2 zoning inconsistent with the City Comprehensive Plan.
8. Appropriate zoning to allow for neighborhood commercial uses called for in the Land Use Plan are the B-1 and PD zoning districts. They require Conditional Use Permits which would allow for the consideration of potential impacts of commercial uses on neighboring residents and the mitigation of their impacts on neighbors.
9. A zoning amendment is a legislative change which should have a compelling reason which the applicant has not provided.
10. A potential result of granting the request to rezone to B-2 would be a proliferation of unorganized land uses, and potential traffic congestion in this residential neighborhood.

RZ2016-001

City of Albert Lea Request for Development Services

Type of Service		Fee
1.	Request to change zoning classification of land or zoning text	$500.00 + $700.00 escrow
2.	Request for a Conditional Use Permit	$500.00 + $700.00 escrow
3.	Request for a Planned Development District	$500.00 + $700.00 escrow
4.	Preliminary Plat	$500.00 + $100/lot
5.	Final Plat	$500.00 + $700.00 escrow
6.	Administrative Plat Survey	$500.00
7.	Planning and Zoning Certification	$100.00
8.	Variance from Zoning Ordinance	$500.00
9.	Street, alley, public way, or utility easement vacation	$500.00 + $700.00 escrow
10.	Orderly Annexation	$500.00 + $700.00 escrow
11.	Interstate Development District Review	No fee
12.	Administrative Site Plan Review	No fee
13.	Request for an Interim Use Permit	$500.00 + $700.00 escrow

Total _____

Address and general location: 1430 Hwy 69 South, Albert Lea, MN 56007

Legal Description: *(Attach)* _____ Parcel# _____

Applicant Name: Clayton Petersen Phone: (W) 507-402-0186 (H) _____

Email Address: clayton@prairiefarmclub.com

Address: 22108 320th Ave, Albert Lea, MN 56007

Owner's Signature [signature] Date: 4/18/16

Please Return to:

City of Albert Lea-Inspections/Community Dev.
Doug Johnson, Building official/Community Dev.
221 East Clark St
Albert Lea, MN 56007
Phone: 507-377-4340
djohnson@ci.albertlea.mn.us

For Office Use Only	
Check $200	#7437 JN
Cash	
Credit Card	

PAID

Fees Updated January 2016

City of Albert Lea
221 East Clark Street
Albert Lea, MN 56007

Clayton Petersen
22108 720th Avenue
Albert Lea, MN 56007

Dear Sirs,

I request a change in zoning for my property at 1430 Hwy 69 South, Albert Lea, MN 56007. I would like the City of Albert Lea to re-zoning the property back to its original state of Zoning B2.

Sincerely,

Clayton Petersen
507-402-0186

April 18, 2016

City of Albert Lea
221 East Clark St
Albert Lea, MN 56007
Phone: 507-377-4340

Dear Sirs,

Freeborn Properties, LLC gives Clayton Petersen the right to represent us on any matters pertaining to a zoning change.

Sincerely,

Larry Gensmer
President Freeborn Properties, LLC

City of Albert Lea Request for Development Services

Type of Service		Fee
1.	Request to change zoning classification of land or zoning text	$500.00 + $700.00 escrow
2.	Request for a Conditional Use Permit	$500.00 + $700.00 escrow
3.	Request for a Planned Development District	$500.00 + $700.00 escrow
4.	Preliminary Plat	$500.00 + $100/lot
5.	Final Plat	$500.00 + $700.00 escrow
6.	Administrative Plat Survey	$500.00
7.	Planning and Zoning Certification	$100.00
8.	Variance from Zoning Ordinance	$500.00
9.	Street, alley, public way, or utility easement vacation	$500.00 + $700.00 escrow
10.	Orderly Annexation	$500.00 + $700.00 escrow
11.	Interstate Development District Review	No fee
12.	Administrative Site Plan Review	No fee
13.	Request for an Interim Use Permit	$500.00 + $700.00 escrow

Total _____

Address and general location: 1430 Hwy 69 South, Albert lea, MN 56007

Legal Description: *(Attach)* See Exhibit "A" Parcel# R34.074.0220

Applicant Name: Freeborn Properties, LLC Phone: (W) 612-968-3805 (H) _____

Email Address: lrgensmer@integraonline.com

Address: P.O. Box 155, Prior Lake, MN 55372

Owner's Signature _____ Date: _____

Please Return to:

City of Albert Lea-Inspections/Community Dev.
Doug Johnson, Building official/Community Dev.
221 East Clark St
Albert Lea, MN 56007
Phone: 507-377-4340
djohnson@ci.albertlea.mn.us

For Office Use Only	
Check	
Cash	
Credit Card	

WSB & Associates, Inc.

Infrastructure ■ Engineering ■ Planning ■ Construction

23 2nd Street South
Suite 200
Rochester, MN 55902
Tel: 507-218-3745
Fax: 507-289-3919

Memorandum

To: ***Planning Commission, City of Albert Lea***
Chad Adams, City Manager

From: ***Molly Patterson-Lundgren, Planner***
WSB & Associates, Inc.

Date: ***May 17th 2016***

Re: ***Consider the acquisition of property located at 1016 Madison Avenue and the consistency of this action with the city's Comprehensive Plan***

Background/Analysis

The City is seeking to acquire the property at 1016 Madison Avenue to expand the Public Works Facility as identified in the City's Facilities Master Plan completed in summer 2015. Phase I would include a new administrative office space, lunchroom and locker rooms for employees who work at the garage. A Phase II expansion would occur in 5 to 10 years, involving an expanded fleet garage that would house equipment, much of what is presently storing outside.

As indicated in state statute 462.356 Subd. 2 this memo is to provide information and request consideration from the Planning Commission to determine the consistency of acquiring this land with the Comprehensive Plan.

Chapter four of the Comprehensive Plan provides goals and policies to address community systems including public facilities and government services. Regarding Public Works, the plan identifies the need for the City to have the ability to expand the Public Works Facility. The Comprehensive Plan identifies the potential to collaborate with state and/or county on new facilities. However, in 2015 a Facilities Master Plan was created for the City. Analysis was done for appropriate locations for the expanded facility. It was determined that the land adjacent to the existing facility, having a central location would provide for the most efficient operation of public works. One goal of the Comprehensive Plan for this area (designated as residential in the Land Use Plan) is to "sustain the cost (affordable/efficient) of service delivery" for residents of the City.

Recommended Motion:

Staff recommends that the Planning Commission find that acceptance of the proposed located at 1016 Madison Avenue is consistent with the Comprehensive Plan, based on the following findings:

1) The land proposed for acquisition is zoned I-2 Industrial.
2) The comprehensive plan includes a goal of sustaining the cost of service delivery in the City.
3) The Facilities Master Plan completed in 2015 identifies the location as the most efficient site for the expansion of the facility to provide the necessary services.

WSB & Associates, Inc.
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Odd Fellows Building
23 2nd Street Southwest
Rochester, MN 55902
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Fax: 507-289-7333

Memorandum

To: ***Planning Commission, City of Albert Lea***
Chad Adams, City Manager

From: ***Molly Patterson-Lundgren, Planner***
WSB & Associates, Inc.

Date: ***May 17th 2016***

Re: ***Consider the acquisition of property located at 1761 Pride Lane and the consistency of this action with the city's Comprehensive Plan***

Background/Analysis

1761 Pride Lane is located in the Tiger Hills development where it is one of several that are under tax forfeiture and the City has placed a "hold" on these parcels. The proposal is for the City to acquire this parcel and immediately sell it to a private buyer who plans to build a home on it this summer. The City's acquisition would facilitate this sale and home construction. Without the acquisition, the lot would not be available until fall at which time a public auction will occur. Additional details on this proposal will be provided at the meeting.

As indicated in state statute 462.356 Subd. 2 this memo is to provide information and request consideration from the Planning Commission to determine the consistency of acquiring this land with the Comprehensive Plan.

Chapter three of the Comprehensive Plan provides goals and policies to address Land Use and this lot as part of Tiger Hills development is planned for residential.

Recommended Motion:

Staff recommends that the Planning Commission find that acceptance of the proposed located at 1761 Pride Lane Avenue is consistent with the Comprehensive Plan, based on the following findings:

1) The land proposed for acquisition is planned for residential.
2) The acquisition of this lot would facilitate the development of a residential home this summer.

Building a legacy – *your* legacy.

Odd Fellows Building
23 2nd Street Southwest
Rochester, MN 55902
Tel: 507-218-3745
Fax: 507-289-7333

Memorandum

To: ***Albert Lea Planning Commission***

From: ***Molly Patterson-Lundgren, City Planner***

Date: ***May 17th 2016***

Re: ***Closed Landfill Site, Proposed Land Use Plan Amendment***

As discussed at previous meetings of the Planning Commission in March and April, the MPCA has informed the City that, per state law, the City Land Use Plan should be updated to make it consistent with the Closed Land Use Plan (CLUP) for the closed landfill site on the north end of City. The site, which was closed in 1994, is located north of Fountain Lake and accessed via County Road 20 from the west. The property is owned by the City of Albert Lea. The CLUP which was created by the Minnesota Pollution Control Agency (MPCA) allows only a limited number of uses due to environmental conditions at the site. Attached is a draft of the proposed Comprehensive Plan amendment.

Section 8.01 of the City Charter provides for the adoption and alteration of the Comprehensive Plan as follows:

> *The city council must, with the assistance of the city manager and the city planning commission, prepare and adopt a complete plan for the future physical development of the city. The plan may be altered from time to time. The plan may include provisions for zoning, for the platting and development of new areas, for the planning and location of public works of art, public buildings, parks, playgrounds, harbors, bridges, transportation lines, and other public facilities, and for the laying out, grading and improving of streets and public places, as well as for all other matters deemed essential to the plan. The adoption and enforcement of the plan must be accomplished in accordance with law.*

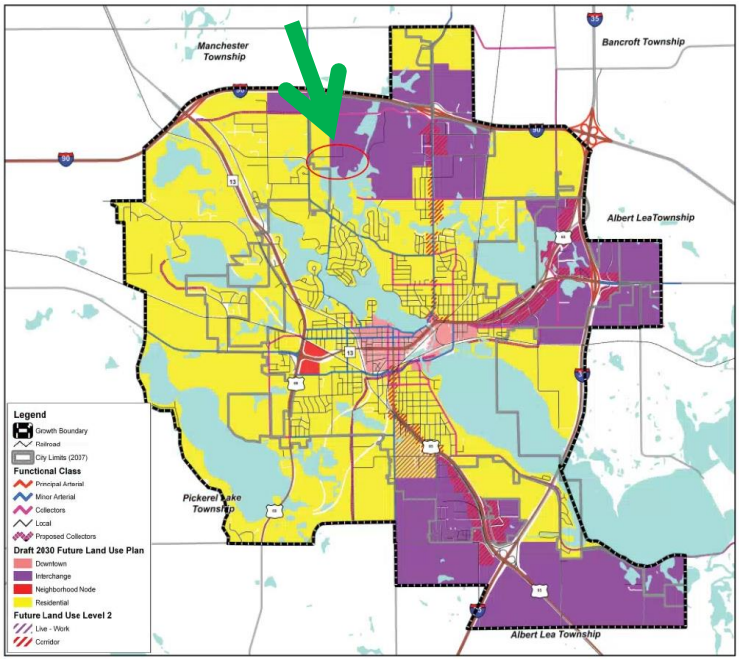
MN State Statute 462.355 requires that a public hearing be held by the Planning Commission prior to the adoption of the plan (or plan amendment) by the City Council.

Action Requested: Call for a public hearing on July 5th or a later date to consider the adoption of Appendix E as an amendment to the Comprehensive Land Use Plan.

Appendix E
Closed Landfill Site
Amendment to the Land Use Plan

As required by state statute (Minn. Stat. §115B.412, Subd. 9) this is an amendment to Chapter 3 of the City of Albert Lea Comprehensive Plan, "Community Patterns, Future Land Use Plan (2030)". This amendment changes the designated land use of the Closed Land Use facility, making it consistent with the Minnesota Pollution Control Agency's (MPCA's) Closed Landfill Use Plan (CLUP) dated April 8, 2013 and updated March 31, 2016

When adopted in 2008, the Closed Landfill Site was designated partially Residential and partially Interchange in Albert Lea Comprehensive Plan.



The new land use designation, Closed Landfill Restricted (CLR) District covers the entire Land Management Area as indicated in the MPCA's Closed Landfill Use Plan.

The Closed Landfill Restricted (CLR) District:
is an area applied only to the former landfill site Land Management Area, qualified to be under the Closed Landfill Program of the Minnesota Pollution Control Agency (MPCA). The purpose of the district is to limit uses of land within the closed landfill, both actively filled and related lands, to minimal uses in order to protect the land from human activity where response action systems are in place and, at the same time, protect human health and safety. This district shall only apply to the closed landfill's Land Management Area, the limits of which are defined by the MPCA in the CLUP.

The Closed Landfill Restricted (CLR) District Goals:

1. Protect the integrity of the landfill's remediation and monitoring systems;
2. Protect human health and public safety at the landfill; and
3. Accommodate local needs and desires for appropriate land use at the site with consideration for health and safety requirements

The Closed Landfill Restricted (CLR) District Policy:

1. Only those uses that are specifically allowed by the MPCA to be developed and operated in the designate Land Management Area of the closed landfill site will be permitted by the City. These include the following (as specified March 31, 2016 updated CLUP) or any additional uses specifically allowed by the MPCA in the future.
    a. Closed Landfill Management;
    b. Solar Energy Farm;
    c. Waste Transfer Station;
    d. Composting; and
    e. Surface Water Mitigation Use.
2. Locations of uses permitted in the LMA will be determined by the CLUP amended March 31, 2016 or any updated documentation provided by the MPCA.

This amendment to the Land Use Plan was approved by Albert Lea City Council on _____, _____ 2016