

**CITY OF ALBERT LEA
PLANNING COMMISSION
ADVISORY BOARD**

*7/1/2014, 5:30 p.m.
City Council Chambers*

AGENDA

- A. CALL TO ORDER AND ROLL CALL
- B. APPROVAL OF THE AGENDA
- C. APPROVAL OF MINUTES
 - 1. PC Minutes from May 20, 2014
- D. NEW BUSINESS
 - 1. Discussion of the proposed changes to the animal regulations
- E. PUBLIC HEARINGS
 - 1. An interim use permit request to allow a gravel parking lot as a principal use on the property located at 2340 Crossroads Boulevard.
 - 2. A conditional use permit request to allow for the construction of semi-detached housing in an R-1 Residential district on the property generally located at the southwest corner of Keystone Drive and Crystal Drive.
 - 3. The vacation of the following easements for drainage and utility purposes, generally described as 907 Sykes Street ad 904 Plaza Street
- F. OLD BUSINESS
 - 1. Update on Housing Market Study
- G. COMMISSIONER COMMUNICATIONS
- H. STAFF COMMUNICATIONS
- I. ADJOURNMENT

CITY OF ALBERT LEA
PLANNING COMMISSION
ADVISORY BOARD
MEETING MINUTES

5/20/14 5:30 pm
City Center - Council Chambers

Members Present

Rick Mummert
John Severtson
Pam Schmidt
Thayne Nordland
Doug Olson
Jon Murray
David Gross
Larry Baker, Ex-Officio

Members Absent-None

Staff in Attendance

Chad Adams, City Manager
Breanne Rothstein, Planner
Jennifer Nelson, Office Assistant

Interested Parties

Clint Jayne, Cohen-Esrey Development Partner
Scot Spates, Administrator St. John's Lutheran Homes

Chairman, Jon Murray 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 John Severtson to approve the minutes from May 6, 2014 and David Gross seconded the motion. The minutes were approved unanimously on a voice vote.

Public Hearing

Staff Report prepared by Breanne Rothstein, Planner WSB & Associates, Inc. becomes part of these minutes by reference.

This public hearing is to consider the Comprehensive Plan consistency of the dispensation of public land located at the Jacobsen Building and Freeborn Bank Building (Lot Nine (9) and the North One-Third (N 1/3) of Lot Ten (10), Block Twenty-Two (22), and the South 22 feet of Lot Ten (10), Block Twenty-Two (22) Original Plat, City of Albert Lea, Freeborn County, Minnesota).

Chad Adams introduced Clint Jayne, Cohen-Esrey Development Partner. Jayne advised the Art Center would serve as an ambassador to take care of the first floor room rentals for parties and receptions. The City would have at least 80 hours annually of use at no charge or more time if needed. It is tax dollars paying for the project and he wants to make sure the public is provided access to the first floor. This is a \$5,000,000 renovation.

Larry Baker asked if the rent would be subsidized. Jayne advised affordable housing is not subsidized housing. Jayne cited Section 42 of the tax code which provides for a credit for investment in certain low-income housing buildings. Affordable housing means rents are income based. Jayne gave a ball park figure of \$34,000 (single family household) \$38,000 (two person household).etc. He figured the rents would be \$540.00 for a two bedroom unit, \$460 for a single. There will be a total of 21 units.

John Severtson asked about the parking situation. Jayne responded there will be a little over one parking stall per bedroom. The coffee shop has a few designated parking stalls.

The first floor space should be flexible and utilized. The Art center has a flexible space and gives the community access to first floor. Larry Baker commented the building has been used by the community and people are used to this space being available for meetings/events. Baker also asked if they had thought about putting some flowers out front to give people some green to look at. Jayne advised landscaping would be in the plan.

Jon Murray asked what plans the firm has to invest in the community being they are from Kansas. Jayne mentioned they are not in the business to be "carpet baggers" and have been involved in a non-profit group called Preserving US which focuses on maintaining the beauty and façade of historic buildings and provides affordable housing to families and seniors. They have been involved in a community garden project. Being there is not the space for this type of project downtown, he would be focused on the community having access to the first floor of the building and having a flexible environment to invite the public in.

Rick Mummert commented he is not sure if the Art Center is the best fit and how long of a contract would Jayne sign with the Art Center and asked if the lease would be \$1.00 per year. Jayne advised the commitment for the tax credits would be to have this used as affordable housing for the first 15 years. They may sign a lease with the Art Center for 3-5 years at \$1.00 a year. If it doesn't work out with the Art Center there would be a "Plan B" in place. Rick Mummert advised a 2 year contract with the Art Center would be his recommendation.

Jayne explained the state of MN has available funds of 12 million dollars, 6 million is allocated for the metro area and the other 6 million is available for greater Minnesota. To maximize a score you can commit to a longer term that 15 years, you can go 20, 25, 30 years. He is going to commit to 15 years, after the 15 year obligation has been satisfied they would have the option to contract out. He feels confident this would end up being a market rate project 15 years from now.

John Severtson asked if families would be welcome. Yes they would be welcome as long as it meets the occupancy code. Severtson commented a family of four would probably be the max. Jayne advised any person/family would be welcome as long as they meet the guidelines. Pets would probably not be allowed.

Doug Olson questioned whether the purchase of the building depended on being awarded the tax credits. Jayne advised not necessarily as they would continue trying for the credits. They will try in June and then January if necessary then again in June until they are able to get them. He would keep trying.

Jayne also stated Albert Lea is positioned well for this award. Albert Lea has a low capture rate number which is really good. The lower the number the better and anything under a 10 is good and Albert Lea is a 4. Albert Lea has not been awarded for 6-7 years. He feels this number is a home run.

Doug Olson asked when they would plan to close and when the ownership would change hands. Jayne said the application is due June 10th and they may find out in September or October. They can't close until they get the okay from Minnesota Housing.

Doug Olson inquired about the tax credits. Jayne advised 70% of tax credits would cover the costs and also historic tax credits would be available for this project. The Bank Building is already registered as an historic building.

Jon Murray, Chairman opened up the public hearing at 6:10 p.m.

No comments.

Jon Murray, Chairman closed the public hearing at 6:10 p.m.

John Severtson asked Chad Adams if the City would continue to own the parking lot. Chad answered yes.

David Gross believes this project is consistent with the Comprehensive Plan and is in support of this project.

Jon Murray is not in support of this project citing 2.4 *Support various uses and businesses that are complimentary, that provide a vital function for downtown and that together keep downtown active throughout the entire day, 7 days a week.* Also believes it doesn't meet the policies. Also cited 2.11 of the Comprehensive Plan *Support the inclusion of housing opportunities for all income and age groups.* This would not allow housing to be available for everyone.

Doug Olson is not in support of the project stating this will be a non-revenue project with the Art Center being on the first floor and this would not draw people to the downtown area.

Staff recommends that the Planning Commission find the proposal sale of the Freeborn Bank Building and the Jacobsen building and their intended uses as a mixed use, multi-family housing development consistent with the comprehensive plan, based on the following findings;

- 1) The proposed use supports uses that keep downtown active throughout the day (housing);
- 2) The proposed use supports the inclusion of housing opportunities for all;
- 3) The proposed use retains iconic elements of downtown and historic resources.

A motion was made by David Gross and seconded by Pam Schmidt to recommend approval to the City Council for proposed sale of the Freeborn Bank Building and the Jacobsen building and their intended uses as a mixed use, multi-family housing development consistent with the comprehensive plan. (based on the above findings). Approved on a 5-2 roll call vote.

Old Business-None

New Business:

1. Consider Final Plat for St John's Lutheran Home on the property located generally on the southwest corner of Richway Drive and 740th Avenue.

Staff Report prepared by Breanne Rothstein, Planner WSB & Associates, Inc. becomes part of these minutes by reference.

Breanne Rothstein reviewed the staff report.

Breanne advised the ring road would be a private road. The City will have drainage and access to utilities if necessary.

Scot Spates advised the Watershed approved their easement the other day. The Watershed was given an easement off Lakeview Blvd for dredging equipment. The Country Club road doesn't exist; it was on a preliminary plat that was never recorded. The utilities are a public improvement project and will come in from the west.

Scot Spates advised they have obtained permission to work around the eagle's nest, this area will be roped off.

Staff is recommending that the Planning commission recommend approval of the final plat, subject to the following contingencies:

- 1) The submittal of a revised plan set, prior to review by the City Council, that indicates the following changes:
 - a. Final designs for the street construction and utility installation of Crescent Drive for review and approval by the city Engineer;
 - b. Final designs for the sewer and water construction of the off-site improvements for review and approval by the city engineer;
 - c. Final design and drainage calculations for the storm water management system (and all ponds and conveyances shown in drainage and utility easements);
 - d. Final design indicating construction of at a minimum a gravel access road connecting the terminus of the proposed cul-de-sacs to provide adequate emergency access;
 - e. Relocation of hydrants, as outlined in the staff report;
 - f. A dedication page that dedicates all drainage and utility easements, as indicated on the final plat;
 - g. A revised easement exhibit and final plat sheet that indicates a drainage and utility easements all over Lot 4 and Outlot A;
 - h. A revised final plat sheet showing the lot sizes for each lot;
 - i. A trail easement document for any trail proposed as public (subject to the recommendation of the Parks Commission);
 - j. A street easement document for Crescent Drive, signed by the property owner and for the ring road, signed by the Applicant;
 - k. A revised site plan that shows the building location in relation to the lot line. It is against building code to allow a building to extend across a property line. While there is flexibility from setbacks in a development zoned PD, it is unclear how building code will apply.

- 2) Legal documents conveying all public street and trail easements (where Applicable in the subdivision).

A motion was made by Doug Olson and seconded by Rick Mummert to recommend approval of the final plat for St. John's Lutheran Home on the property located generally on the southwest corner of Richway Drive and 740th Avenue subject to the above contingencies. Approved on a 7-0 roll call vote.

2. Discuss Draft Redevelopment Plan

Staff Report prepared by Breanne Rothstein, Planner WSB & Associates, Inc. becomes part of these minutes by reference.

The redevelopment map would be a strategic plan to take on foreclosed properties. Although the City would not facilitate. The City would work with ALEDA, HRA and other stakeholders to develop this map and bring back a draft plan. The City would have this map available to provide to a developer to attempt to start a conversation regarding identifying areas for potential redevelopment.

Breanne reviewed the nine areas that staff had identified so far.

Comments included;

IV. East Main Street- Rail line?

V. Eberhart Street Look at properties as businesses close and want to sell

VI. Bridge Ave-Road expansion

VII. South Broadway - Home adjacent to industrial tend to lose value and there are foreclosures in the area.

VIII. Blazing Star Site - Comprehensive Plan shows would like to see mixed use and public uses in this area including public/private partnership.

IX. I-35 Gateway - Pizza Hut is a recent example of a business closing in this area in need of redevelopment. If these areas can be identified grant funding may be available to help repurpose buildings. This may make the areas more inciting to if there was grant money available to apply for.

John Severtson though it would be a good idea to add flood plain to the identified areas.

David Gross mentioned adding the old Walmart building that has been sitting empty for several years.

Rick Mummert brought up the ideas of prioritizing the areas and ranking them all. He believes South Broadway should be priority.

Larry brought up the Broadway-Ridge grant renewal, he has had citizens approach him about having similar grants available to businesses located on South Broadway.

Larry Baker brought up Fountain Street. The Mayo Clinic owns lakefront property and is concerned they may want to use this property at a parking lot. Jon Murray brought up the possibility of Mayo gifting the Leland house back to the City, especially if they go ahead with the Fountain Centers project.

Doug Olson would like to highlight waterfront areas and asked about railroad funds and brought up the trail from Blazing Star landing to Hartland. May be a good idea to add trail corridor to the map.

Larry Baker also commented on the area of Clark St, there could be a trail where the old railroad tracks went through between Clark St W and Fountain (parallel with Ermina). He though a restaurant on Clark St would be a good idea in this area.

Commissioner Communications:-None

Staff Communications -

Adjournment -The meeting was adjourned at 7:03 p.m. on May 20, 2014 motion by Thayne Nordland and seconded by Rick Mummert.

Respectfully submitted,



Breanne Rothstein, Planner

Approved:



Thayne Nordland
Planning Commission Secretary



Memorandum

*To: Planning Commission, City of Albert Lea
Doug Johnson, Building Official*

*From: Breanne Rothstein, Planner
WSB & Associates, Inc.*

Date: July 1, 2014

*Re: Request for an Interim Use Permit at Schipp's Pro Power Wash Inc. property
located at 2340 Crossroads Blvd. - Application from John and Danielle Schipper to
allow for a roadstone surfaced parking lot*

Background

The city has received a request for an interim use permit (IUP) from John and Danielle Schipper to allow for a roadstone surfaced parking lot, rather than concrete. The IUP is being requested for a minimum of 5 years. The property is zoned IDD (Interstate Development District) and the current building on the property to the south is used for Schipp's Pro Power Wash Inc, a truck car washing facility. The applicant would like to expand their parking area to allow for the queuing of trucks to be serviced at the business.

Analysis

Section 74-1050 of City Code requires "parking areas, loading areas, and access drives" to be "covered with asphalt or concrete on a suitable base subject to approval by the city engineer" in all zoning districts. However, this is not currently enforced in any zoning district, therefore, staff has directed the applicant to apply for an interim use permit to allow the installation of a gravel parking surface as a principal use on the subject property. The justification for directing the applicant to do so is primarily based on the need to re-examine the city code requirement for parking areas to be paved, since the city has widespread non-compliance with this standard.

In December of 2013, the City adopted an interim use permit ordinance that allows the establishment of any use within any zoning district on an interim basis. The ordinance requires findings to be established, and allows for uses that don't otherwise conform to the zoning standards, as long as they are permitted on an interim basis. This tool is an alternative to permitting a variance, where a permanent allowance for such deviations may not be appropriate. Below is an analysis of the request, as it relates to the findings in city code:

The use will not delay the permanent development of the site or prevent the orderly development of surrounding sites. Allowing a temporary, gravel parking lot on the subject property will not otherwise delay the establishment of a permanent, paved parking area. The site will need minimal grading and establishment of a base for the eventual paving of the site, and the proposed gravel parking lot will serve as an interim step to eventual paving.

The use will not adversely impact implementation of the comprehensive plan. This property is guided in the Comprehensive Plan as “corridor”, which establishes goals of improving function and safety of the roadway, providing for a memorable travel experience, leaving a favorable impression on users of the corridor, and creating an environment where businesses and residents can co-exist. While the long-term use of this site as a gravel staging area for semi-trucks is not consistent with the intent of this land use district, the temporary nature of this use can be justified, given the industrial zoning.

The use will not be in conflict with any provisions of the code. The IUP ordinance allows uses that are not consistent with certain provisions of the zoning code, as long as those uses are temporary in nature. The applicant is requesting five years to allow time to bring their parking area in conformance with Section 74-1050, which requires paving. In the meantime, staff will be examining the requirement to determine the applicability in certain zoning districts. The proposed use meets all other provisions of the code, assuming it complies with contingencies of the Interim Use Permit.

The use will not adversely impact nearby properties through characteristics including but not limited to, nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety and welfare of the community. Given the temporary nature of the proposed use, it will not adversely impact nearby properties in the long term. Furthermore, many of the immediately adjacent businesses currently use gravel parking lots and staging areas, which is not consistent with city code (see location map).

The date or event that will terminate the use has been identified. The permit will be valid for no more than 5 years.

The use shall not cause or impose additional costs to the City of Albert Lea. The request does not pose any financial burden to the city.

Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. The request does not impose additional public costs.

Recommendation

Staff recommends approval of the Interim Use Permit for John and Danielle Schipper to allow for a roadstone surfaced parking lot at 2340 Crossroads Blvd, subject to the following conditions:

1. The site shall be paved before the Interim Use Permit expires, or no later than August 1st, 2019;
2. A landscaping plan is submitted and approved by staff that indicates 20% of the lot to be landscaped, and according to the requirements of Section 74-1096;
3. A landscaped buffer is installed along US Highway 69 to provide screening from the road, as reviewed and approved by city staff;
4. The city reserves the right to access its easement across the property at any time, and that the applicant will be responsible for replacing/re-establishing any disturbed area;
5. A plan for truck flow is submitted and approved by the City Engineer;
6. A stormwater pollution prevention plan (SWPPP) is submitted and approved, in accordance with state regulations;
7. In accordance with the provisions of city code, in the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.

Requested Motion

Motion to recommend that the City Council approve the Interim Use Permit for John and Danielle Schipper, subject to the conditions listed in the staff report, and direct staff to re-examine Section 74-1050 that requires paving in all zoning districts.

If you have any questions, please contact me at 763-231-4863.



Overview



Legend

- Parcels
- County Limits
- Building Footprints
- Lot Lines-Albert Lea
- Townships
- Railroad
- Roads and Highways
 - <all other values>
 - County Hwy
 - Interstate Hwy
 - State Hwy
 - US Hwy
- Cities
- Street Names
- Highway Labels
- Address Numbers
- Streams
- Lakes

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Schipp's

Pro Power Wash Inc.

2340 Crossroads Blvd / PO Box 1032

Albert Lea, MN 56007

507-320-7220 Office / 507-320-7221 Fax

City of Albert Lea

221 East Clark St

Albert Lea, MN 56007

May 30, 2014

Schipp's Pro Power Wash, Inc. is hereby requesting an Interim Use Permit for a period of five years. This permit would allow us to create a roadstone surfaced parking lot, rather than concrete. Upon reviewing quotes to roadstone versus concrete, it is obvious that the option to concrete this large space is not cost effective. The quote to concrete the surface is \$262,690, while the quote to roadstone the surface is \$82,668. This is a significant cost difference and one that Schipp's Pro Power Wash, Inc. does not find financially feasible at this time. Currently, we do not have the parking available to successfully park and stage trailers for our customers. Obtaining this permit will allow Schipp's Pro Power Wash, Inc. to continue to grow and service our customers. In return, this allows us to continue to increase employment and provide stable jobs for employees in the area. This also results in an increase in state and local sales tax in order to benefit our local community.

In order to be compliant with the Albert Lea Watershed, a retaining pond will be created on the north end of the property. This will reduce the speed of the water coming off the impermeable surface. In addition to the pond, landscaping will be completed around the perimeter. There will be berms on both the west and east sides, which will be seeded and planted with spruce trees.

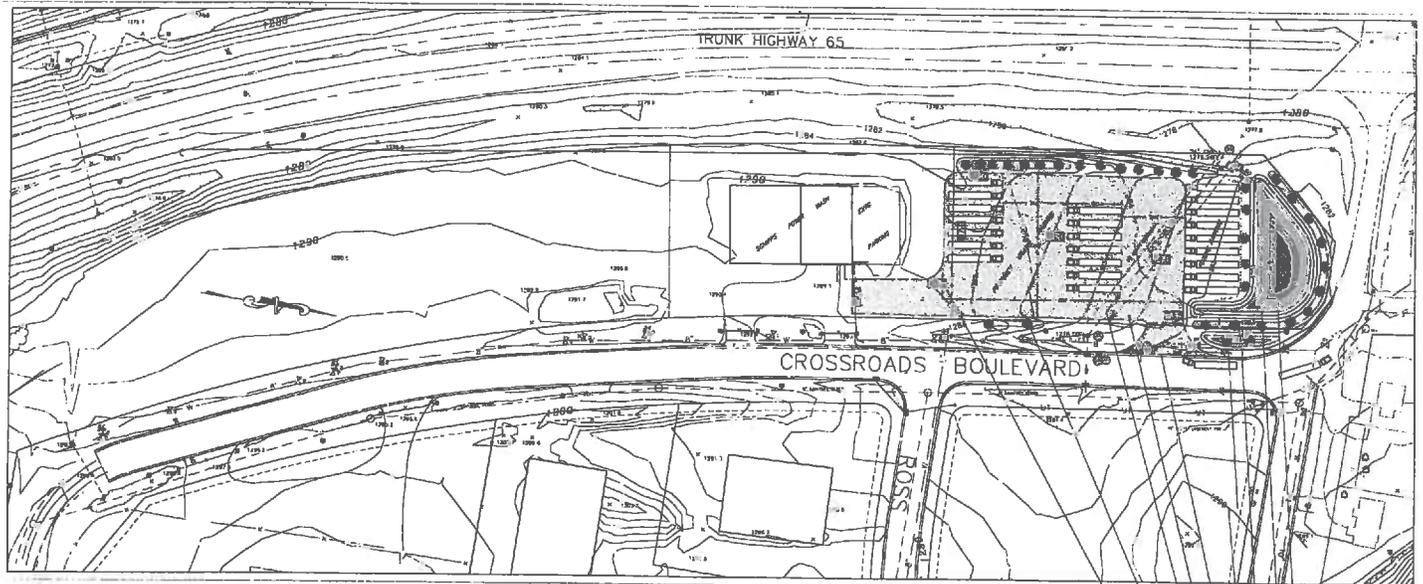
Thank you for your consideration.

Sincerely,



John and Danielle Schipper

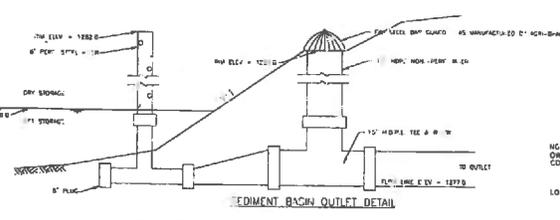
Owners



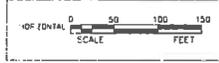
PROJECT NAME: SCHIPPS POWER WASH PARKING LOT EXPANSION
 PROJECT LOCATION: CROSSROADS BOULEVARD, ALBERT LEA, MN
 PROJECT SITE: 125 CROSSROADS BOULEVARD
 PROJECT TYPE: PARKING LOT CONSTRUCTION
 MAJOR USE: CLAY
 CAPITAL IMPROVEMENTS SUMMARY:
 - 1.0 ACRES OF CONSTRUCTION - 1.0 ACRES
 - 1.0 ACRES OF LAND FROM ADJACENT 1.0 ACRES OF ACRE
 NEEDS SUMMARY:
 - 1.0 ACRES OF CONSTRUCTION - 1.0 ACRES
 DATES OF CONSTRUCTION: SUMMER 2014
 OWNER: SCHIPPS POWER WASH
 UNDERGROUND UTILITY CONTRACTOR TO BE DETERMINED
 PARTY RESPONSIBLE FOR LONG TERM O&M: SCHIPPS POWER WASH

- SWPPP (LF GEN)**
- ⊗ = LOCK CONSTRUCTION ENTRANCE
 - ⊙ = SILENT PROTECTION
 - = SILT FEN - PERIMETER CONTROL - AS - EOTO
 - ⊕ = TOPSOIL, LAWN LINES, FERTILIZER & MULCH TYP. TO ALL GREEN AREAS - CATEGORY 1 ELEMENT ON SLOPES & ON STREETS
 - ⊗ = CLIPS IN WRAP

- QUANTITY**
- 1 EA
 - 3 EA
 - AS REQD
 - 1 ACRE
 - 200 LF
 - 5 CY



NOTE: OWNER & CONTRACTOR SHALL APPLY FOR CONTAMINANT RAIN COEFFICIENT TO CONSTRUCTION COMPLY WITH ALL PRELIMINARY PERMITS.
 LOT AREA: 52,000 SQ. FT.



We warrant that the information on this drawing was prepared by us or on our behalf by a duly licensed professional engineer or architect in the State of Minnesota. We warrant that the information on this drawing was prepared by us or on our behalf by a duly licensed professional engineer or architect in the State of Minnesota.

DESIGNED BY: J. H. ...
 DRAWN BY: J. H. ...
 CHECKED BY: J. H. ...
 DATE: 10/1/14

PARKING LOT EXPANSION
 IN EVIDENCE SECTION 22-1000-1000
 STORM WATER POLLUTION PREVENTION PLAN
 FOR: SCHIPPS POWER WASH

DATE: 10/1/14	BY: J. H. ...
DATE: 10/1/14	BY: J. H. ...
DATE: 10/1/14	BY: J. H. ...
DATE: 10/1/14	BY: J. H. ...

Memo

To: Doug Johnson
From: Steven Jahnke 
cc: Chad Adams, Breanne Rothstein
Date: May 12, 2014
Re: Schipp's Power Wash Inc. – Draft Plan Review

On May 4, 2014, John and Danielle Schipper submitted a draft plan and requested an Interim Use Permit for five years for the Schipp's Pro Power Wash Inc. property located at 2340 Crossroads Blvd. Although they have since put this project on hold I am giving you my initial plan review comments so we are ready prior to the final submission. Although there may be additional comments my initial comments are as follows:

- 1) The plan sheet does not show the grading plan. It just shows the area to be graded. Contours must be provided.
- 2) The City has a two foot utility easement across this property. The owners need to be aware that the City may need to disturb this area if there is ever an issue with the storm sewer.
- 3) The letter indicates that there will be berms on the property. These berms must be identified and contours shown on the plan set. The planting plan must also be provided for approval.
- 4) Because the entrance is closer to the intersection of Crossroads Boulevard and Betha Larson Lane than the City would typically approve, the truck flows must either be described in detail or shown on a plan sheet. If semi's will ever be exiting from this driveway, it must be shown that there is adequate room for the semi to turn and completely get into the eastbound lane without blocking the westbound lane before the semi reaches the stop sign.
- 5) On the last e-mail from Mr. Schipper he indicated that they may want to disturb more than one acre of property. This would require additional review of the stormwater management. A stormwater plan would need to be completed and approved if the project disturbs more than one acre.

Please let me know if you have any questions or need any additional information.



Memorandum

*To: Planning Commission, City of Albert Lea
Doug Johnson, Building Official*

*From: Breanne Rothstein, Planner
WSB & Associates, Inc.*

Date: July 1, 2014

Re: Public hearing to consider a conditional use permit request to construct a total of eight twinhome units on the property located generally on the southwest corner of Keystone Drive and Crystal Drive

Background

The proposal before the Planning Commission is for consideration of an application from Jared Dawson for a conditional use permit request to allow eight semi-detached twinhomes in the R-1 single-family zoning district. The applicant is also seeking an administrative survey to re-plat the northernmost lots to re-adjust the property line and will be applying for a preliminary plat to re-plat the remaining six lots.

Summer Dale Addition was originally platted in July 1959 and has been reconfigured by Jared Dawson to develop a neighborhood of for-sale twinhomes. The reconfiguration has not significantly increased the number of lots or the density of residential development. It is expected that the applicant will be submitting a preliminary plat to re-configure the remaining lots on the west side of Keystone Drive, just south of Crystal Drive (see location map). The conditional use permit request to allow for "semi-detached" twinhomes in the R-1 district applies to existing Lots 2 through 6, Block 6 of Summerdale Addition.

Analysis

Section 74-253 (4) of city code allows the issuance of a conditional use permit to develop two-family semidetached and clustered dwelling within the R-1 district, as long as each of the lots "shall be equal in area or as near equal in area as is reasonably possible" and that each lot contain "no less than one-half of the minimum land area requirements for a two-family dwelling. While a formal application for preliminary plat has not yet been made, in the analysis of the proposed plat, it is anticipated that all lot size and depth requirements will be met.

The minimum setbacks set forth in code are as follows: 25 foot front yard; 25 foot rear yard; 12.5 foot side corner; variable for side yard (maximum of 8 feet). Setbacks will be reviewed at preliminary plat and verified at the time of building permit.

Given that this is a re-plat of existing single family lots, the proposed development meets city code requirements for landscaping, utility installation, access, driveways, and all other

applicable code standards. All streets and utilities are in place and no dedication is required for rights-of-way.

The current policy is to pay the sanitary sewer and water development fee at the time the building permit is issued. A fee is also required in lieu of parkland dedication and that is paid prior to the City Clerk signing the plat. This fee will be calculated at the time of plat review.

Recommendation

Staff recommends the following findings related to the conditional use permit request:

- a. The population and density of the proposed project is consistent with the intent of the R-1 Zoning District.
- b. The proposal will not generate any unusual noise that is not common to residential development.
- c. The proposed development will not have a negative impact on land values.
- d. There are no unacceptable public health, safety, and welfare issues.
- e. The aesthetics are not detrimental to surrounding property.

Staff recommends that the Planning Commission recommend approval of the conditional use permit to allow semi-detached twinhomes in the R-1 district on the subject property, subject to the following conditions:

- 1) Approval of a plat that indicates satisfaction of the following items:
 - Each lot is equal in area or as near equal in area is reasonably possible;
 - Each lot contains no less than one half of the minimum land area requirement for a two-family dwelling;
 - Except for setbacks along the common property line all other setbacks and yard requirements are provided in accordance with the requirements of the R-1 District;
 - The subdivision of the lots is being accomplished in accordance with Chapter 54 of the City Code (Subdivision Ordinance);
 - The development will not increase traffic congestion.
- 2) A resolution approving the Conditional Use Permit to allow for semi-detached twin homes within the subdivision shall be recorded with the Plat.

Requested Motion

Motion to recommend that the City Council adopt a resolution approving a conditional use permit to allow semi-detached twinhomes in the R-1 district, subject to the conditions listed in the staff report.

If you have any questions, please contact me at 763-231-4863.



Overview



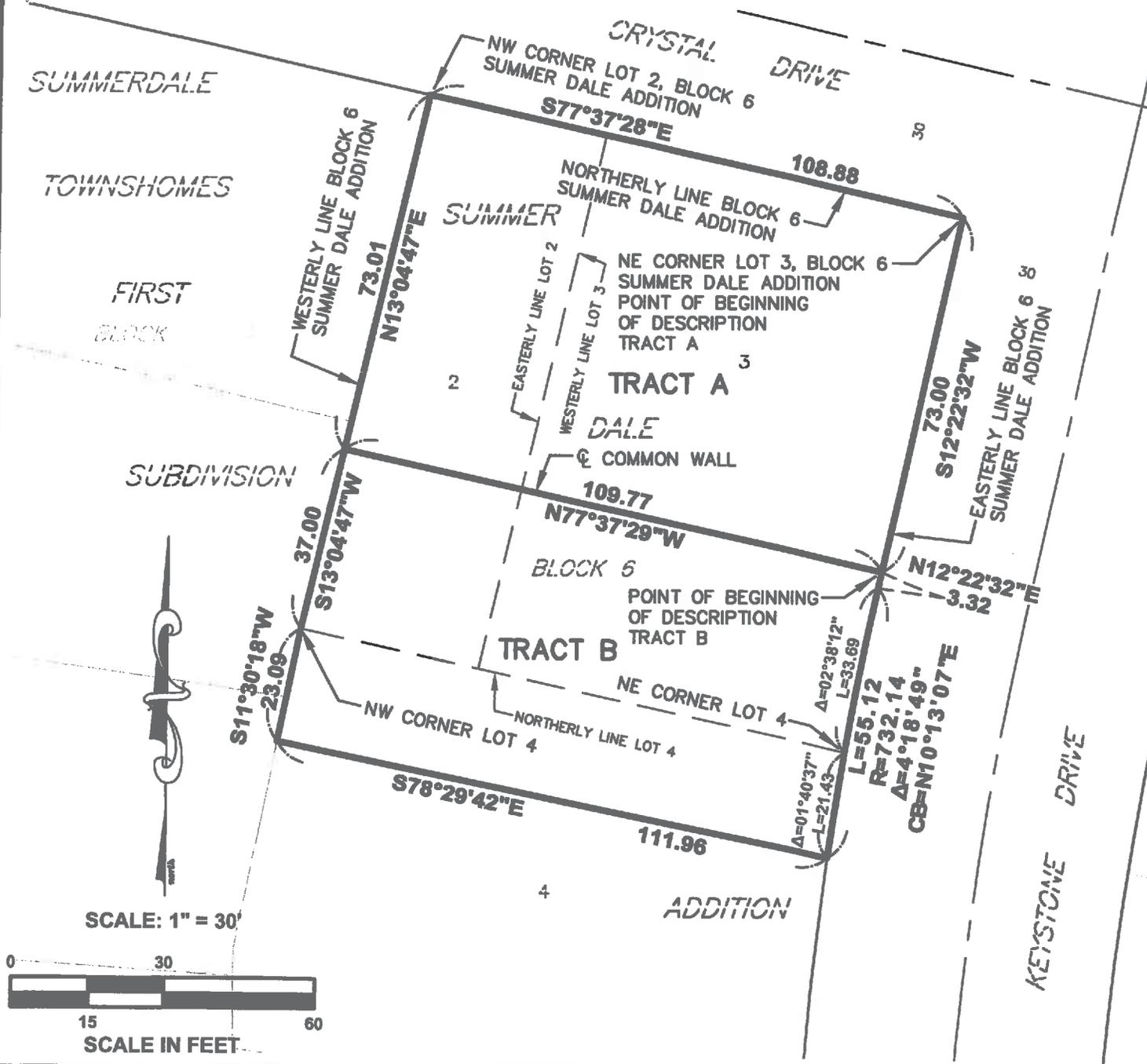
Legend

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 - State Hwy
 - US Hwy
- Cities
- Street Names
- Highway Labels
- Address Numbers
- Streams
- Lakes

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ADMINISTRATIVE SURVEY

LOTS 2, 3 & 4, BLOCK 6, SUMMER DALE ADDITION
CITY OF ALBERT LEA, FREEBORN COUNTY, MINNESOTA



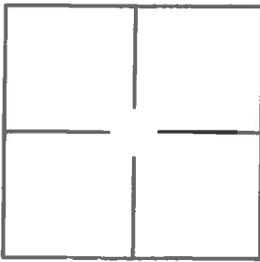
FOR: JARED DAWSON

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Steven J. Thompson

Steven J. Thompson
Date: 5-18-14 L.S. No. 22705

LOCATION MAP



Date: 5-9-14 Revised date:-
 Drawn by: ADM Survey:-
 Book: - Page: -
 Coord-System: MNDOT CO. NAD83 (96)
 Job No: 14-032ADMIN

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JHS  **Jones, Haugh & Smith Inc.**
 ENGINEERS SURVEYORS 515 SOUTH WASHINGTON AVE.
 ALBERT LEA, MN. 56007
 Established 1945 507-373-4876
 Albert Lea • Austin • Owatonna

Scale: 1 = 4000



Memorandum

To: *Planning Commission, City of Albert Lea
Doug Johnson, Building Official*

From: *Breanne Rothstein, Planner
WSB & Associates, Inc.*

Date: *July 1, 2014*

Re: *Easement vacation request, administrative survey review, and establishment of
two new easements along the western side of Ekko Avenue-between Plaza Street
and Sykes Street.*

Request:

The proposal before the Planning Commission for consideration is an easement vacation request from Kevin Poppel, who is interested in developing the land with a dental office. Accompanying this application is also an administrative survey request and the establishment of two new easements. They plan to re-plot two existing lots into three tracts and vacate an existing 10' wide easement drainage and utility easement and establish a new 10 foot easement along the new lot line between Tract B and Tract B-1.

Easements to be vacated:

The North 5 feet of Lot 2, Block 1, Community Development Plat #4, as the same platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota; less the East and West 10 feet thereof.

The South 5 feet of Lot 1, Block 1, Community Development Plat #4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota; less the East and West 10 feet thereof.

Proposed Easement #1:

The North 10 feet of the Southerly-most 111.37 feet of Lot 1, Block 1, Community Development Plat #4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota.

Proposed Easement #2:

The South 5 feet of the North 67.00 feet of Lot 2, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota.

The property is currently zoned B2 (Community Business District).

Analysis:

State Statute requires that the city must find any vacation of easement to be in the public's best interest. Staff has analyzed the request, reviewed the existing easement for the location of any utilities or drainage purposes, and notified the "affected" property owner (Hy-Vee). There are no existing utilities in the easement, and drainage will not be impacted by the vacation of this easement. In order to establish the new easement, however, an easement document will need to be executed prior to the vacation of the old easement. Easements cannot be dedicated without an easement document unless the property is platted.

Recommended Motion:

Staff has reviewed the administrative survey, easement vacation request, and establishment of new easements and recommends approval of all.

Staff recommends approval of the following motions:

- 1) Motion to recommend that the City Council approve the easement vacation for Kevin Poppel, subject to the condition that a new easement is granted and recorded, as described in the attached exhibit, contingent upon new easements being established along the newly established lot lines; and
- 2) Motion to recommend that the City Council approve the creation of the easement as described in the attached exhibit, subject to submittal and execution of an easement document.

If you have any questions, please contact me at 763-231-4863.



Overview



Legend

- Parcels
- County Limits
- Building Footprints
- Lot Lines-Albert Lea
- Townships
- Railroad
- Roads and Highways
 - <all other values>
 - County Hwy
 - Interstate Hwy
 - State Hwy
 - US Hwy
- Cities
- Street Names
- Highway Labels
- Address Numbers
- Streams
- Lakes

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Established 1945

JONES, HAUGH & SMITH INC.
PROFESSIONAL ENGINEERS & LAND SURVEYORS

515 South Washington
ALBERT LEA, MINNESOTA 56007
Telephone: 507/373-4876
Fax: 507/373-1839

June 2, 2014

John H. Schulte IV, P.L.S.
Steven J. Thompson, P.L.S.
Brian J. Johnson, P.E.
Steven J. Penkava, P.E.
John H. Schulte V, P.E.
Arthur W. Smith, P.E. - Retired

C.V. Jones, 1901-1990
Harold H. Haugh, 1925-2001

Mr. Kevin Poppel
2304 West 9th Street
Albert Lea, MN 56007

RE: Our Job 14-142

Dear Mr. Poppel:

Enclosed are the following for property located in Lots 1 & 2, Block 1,
Community Development Plat No. 4, Albert Lea, Freeborn County; completed in
accordance with your instructions:

1. Four (4) copies of our Administrative Survey showing Tract B and Tract B-1
2. Tract B description
3. Tract B-1 description
4. Proposed Easement Descriptions
5. Descriptions for the Easements To Be Vacated

If there are any questions, please let us know.

Yours very truly,

Steven J. Thompson, LS

Enclosures

June 2, 2014

DESCRIPTION
IN LOT 1, BLOCK 1, COMMUNITY DEVELOPMENT PLAT NO. 4
ALBERT LEA, FREEBORN COUNTY, MN

KEVIN POPPEL
Tract B

Lot 1, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota; less the southerly-most 106.37 feet thereof.

Our Job 14-142

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Steven J. Thompson

Date:

L.S. No. 22705

JHS

ENGINEERS
SURVEYORS



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ALBERT LEA, MN. 56007

507-373-4876

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June 2, 2014

DESCRIPTION

IN LOTS 1 & 2, BLOCK 1, COMMUNITY DEVELOPMENT PLAT NO. 4
ALBERT LEA, FREEBORN COUNTY, MN

KEVIN POPPEL

Tract B-1

The southerly-most 106.37 feet of Lot 1 and the North 67.00 feet of Lot 2, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota.

Our Job 14-142

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Steven J. Thompson

Date:

L.S. No. 22705

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June 2, 2014

PROPOSED EASEMENT DESCRIPTIONS
IN LOTS 1 & 2, BLOCK 1, COMMUNITY DEVELOPMENT PLAT NO. 4
ALBERT LEA, FREEBORN COUNTY, MN

KEVIN POPPEL

The North 10 feet of the southerly-most 111.37 feet of Lot 1, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota.

AND

The South 5 feet of the North 67.00 feet of Lot 2, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota.

Our Job 14-142

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June 2, 2014

EASEMENTS TO BE VACATED
IN LOTS 1 & 2, BLOCK 1, COMMUNITY DEVELOPMENT PLAT NO. 4
ALBERT LEA, FREEBORN COUNTY, MN

KEVIN POPPEL

The North 5 feet of Lot 2, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota; less the East and West 10 feet thereof.

AND

The South 5 feet of Lot 1, Block 1, Community Development Plat No. 4, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota; less the East and West 10 feet thereof.

Our Job 14-142

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Steven J. Thompson

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SURVEYORS



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& Smith Inc.**

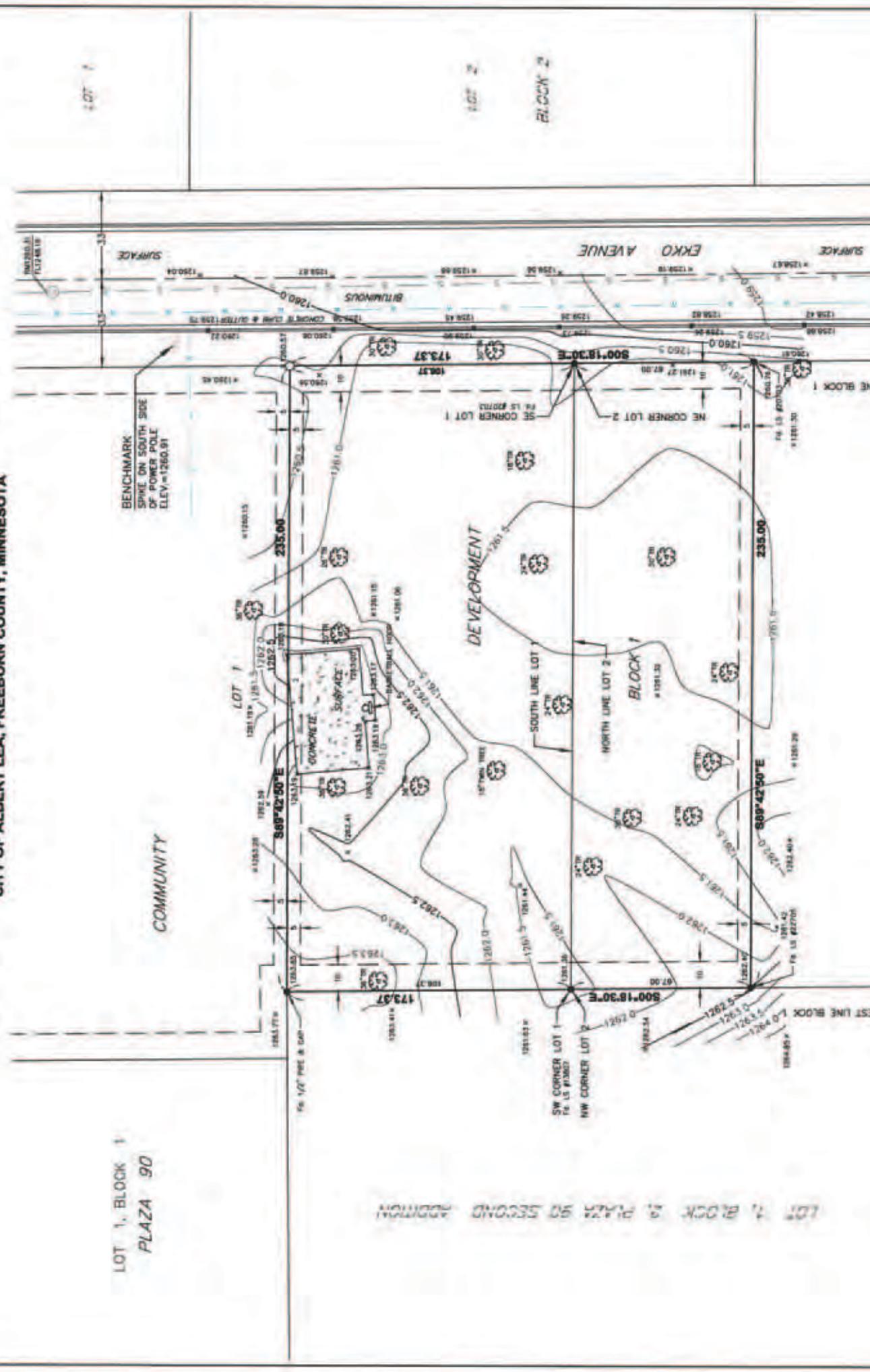
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TOPOGRAPHIC AND BOUNDARY SURVEY

IN LOTS 1 & 2, BLOCK 1, COMMUNITY PLAT NO. 4
CITY OF ALBERT LEA, FREEBORN COUNTY, MINNESOTA



LOT 1, BLOCK 1
PLAZA 90

LOT 1, BLOCK 2, PLAZA 90 SECOND ADDITION

BENCHMARK
SPIKE ON SOUTH SIDE
OF POWER POLE
ELEV. = 1260.91

COMMUNITY

DEVELOPMENT

EXKO AVENUE

BRUNNENUS

LOT 1

SOUTH LINE LOT 1

NORTH LINE LOT 2

BLOCK 1

SW CORNER LOT 1

NW CORNER LOT 2

EAST LINE BLOCK

LOT 1, BLOCK 2

PLAZA 90

SECOND ADDITION

CITY OF ALBERT LEA

FREEBORN COUNTY

MINNESOTA

COMMUNITY PLAT NO. 4

NOV 19 1900