

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

*7/7/2015, 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 5, 2015

D. PUBLIC HEARINGS

1. Consider a request for a Preliminary Plat for Buschbom 6th Addition from Dave and Jon Syverson to include one buildable lot and two outlots and dedicate an extension of Consul Street, a public right-of-way.

E. NEW BUSINESS

Consider the Comprehensive Plan consistency of the acquisition of public land located at 314 South Broadway.

F. OLD BUSINESS

G. COMMISSIONER COMMUNICATIONS

H. STAFF COMMUNICATIONS

I. ADJOURNMENT

CITY OF ALBERT LEA
PLANNING COMMISSION
ADVISORY BOARD
MEETING MINUTES

*5/5/15 5:30 pm
City Center - Council Chambers*

Members Present

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

Members Absent

Rick Mummert
Jason Willner

Staff in Attendance

Breanne Rothstein, City Planner
Jennifer Nelson, Office Assistant
Rebecca Rowe, Community Economic Development Intern

Interested Parties

Jason Howland, 1133 Plainview Ln. (ACT)
Lester Anderson, HPC
Warren Smith, Wedgewood Cove Townhomes, LLC
Troy Schrom, Wedgewood Cove Townhomes, LLC
Clayton Petersen
Hugh O'Byrne
Gerald Vogt
Dawn Schneider

Chair, Jon Murray called the meeting to order at 5:30 p.m.

Approval of the Agenda

Thayne Nordland made a motion to approve the agenda, and Pam Schmidt seconded the motion. The agenda was approved unanimously on a voice vote.

Approval of Minutes

A motion was made by Doug Olson to approve the minutes from Feb. 3, 2015, and David Gross seconded the motion. The minutes were approved unanimously on a voice vote.

Public Hearings

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

The first public hearing is to consider a request to amend Section 74-1004 Dynamic Signs of city code to change the duration of dynamic signage in the B-3 Business District and DCD District:

Breanne Rothstein gave the review and history of this request.

The current request is to increase the frequency of change in dynamic signs in the B-3 and DCD Districts to something more than once every 24 hours. The following options were presented to the Heritage Preservation Commission at their meeting on April 15, 2015:

1. No change to the existing ordinance
2. Message duration change every 4 hours
3. Message duration change every 10 minutes

The HPC recommended no change as this would degrade the intent of the Historic District. The question was asked “does this make sense for an ordinance change”.

Doug Olson asked when the sign went up at the Marion Ross Performing Arts Center. The sign went up right at the beginning of the year. It was mentioned some building owners had said they would sign a waiver or certificate advising they would not install a dynamic sign. Many of the business owners support the theater and feel it is beneficial to advertise upcoming events happening at the theater. The theater is being rented out more frequently and sometimes more than one event is occurring per day.

Opened public hearing 5:38 p.m.

Jason Howland from the Albert Lea Community Theatre (ACT) advised that they would like to follow the historic look and have created a “marquee look” to the sign. The theatre averages 120 events per year, and he advised that they would like to be able to promote their events. It would not scroll, but just change messages at a more frequent interval. The text would change every four hours.

Larry Baker mentioned Red Wing’s historical district does not allow dynamic signs in their district. The Albert Lea American Legion made a request for a dynamic sign, and they were denied. Baker advised it may be better to move slowly with this decision as it is easier to add time than to take it away.

Jason Howland advised that a dynamic sign has a negative image related to it and prefers to refer to it as a “visual marquee” as it is not acting as a continuously scrolling dynamic sign.

Howland advised they would like to be able to promote entertainment for Albert Lea. Larry Baker added the City Council is very pleased with what the theater has been doing and wanted to thank theater manager Neal Lang for their efforts. They hold events such as concerts, met opera live in H.D., ballet, ACT plays, rentals, weddings, preschool graduations and many more community-oriented events.

Howland also asked what type of sign would be suggested to fit the historic district, a protruding marquee sign possibly.

Public Hearing Closed at 5:49 p.m.

Breanne Rothstein advised that the HPC also voiced concerns regarding this change affecting the integrity of the district. The historical district has certified local government status which also includes access to possible grants. The HPC does not want to jeopardize losing this designation.

Lester Anderson also commented that not many businesses would be able to afford this type of sign as the cost can be around \$13,000.

A motion was made by Thayne Nordland and seconded by Pam Schmidt to recommend that the City Council approve the increasing the sign message duration change to every 4 hours. Approved on a 4-1 roll call vote.

Second public hearing is to:

Consider a request for a Re-zoning to Planned Development District No. 2 for Wedgewood Cove Townhomes, LLC;

Consider a request for a conditional use permit from Wedgewood Cove Townhomes, LLC for the townhome development;

Consider a request for a Preliminary Plat from Wedgewood Cove Townhomes, LLC for a total of 5 lots on 2 blocks to accommodate the townhome development;

Consider a request for final plat from Wedgewood Cove Townhomes, LLC for a total of 5 lots on 2 blocks to accommodate the townhome development.

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

Breanne Rothstein gave a review of the project proposal and advised that city staff recommends approval of requests along with contingencies.

Doug Olson asked how this project would impact surrounding land values. Rothstein advised vacant land has negative impact on values also and it is very hard to say if this would be a positive or negative.

Opened public hearing 6:07 p.m.

Warren Smith advised that he was unaware of the sidewalk on the eastside of the street after reviewing the contingencies. He did not feel it is necessary to have a sidewalk located on both sides of the street and was unsure if people would use them. The original planned unit development (PUD) did not show a sidewalk on both sides of the street. There was an adjustment to the park dedication fees, as they are planning on putting in a "tot play park" on the site in lieu of park dedication fees. He advised he will talk to city staff regarding the additional park dedication fees.

Warren also advised that he would like to add a gingerbread design to the front elevation to add to the attractiveness of the properties.

Jon Murray brought up concerns of Lot 2 Unit #3 and placement of the tot lot. He suggested that they may want to add some screen for golf balls that may enter into this area, Murray stated the nearby shed gets hit by golf balls often. This area is about 150 to 175 yards from the tee box. Smith said he would discuss options with the owner to ensure child safety by possible adding a natural buffer such as a berm or pine trees as to not take away from the views.

Clayton Peterson advised this will affect his property. He believes they should be part of the master association as this will reflect on the golf course. He is concerned about how this would cause him to have a hard sell of his properties as they will be surrounded by rental properties. Peterson asked how many has this group developed and how many do they own. He was advised they have 90 units in Eagle Lake and 47 units in Owatonna, and they have a project that will be ready in Humboldt, Iowa by June 1 of this year.

Troy Schrom assured the commission that his properties will have curb appeal and a higher rent. He is also looking at property management companies. Schrom is not ready to comment on being part of the association at this time as he is only a 1/3 owner of the project and would want the other two investors to be part of this conversation.

Dawn Schneider voiced concerns as her mother lives in the neighborhood. Schneider's mother is worried about who will be living next door and renting these properties. Schrom advised these are intended to be market rate rental properties. They are not allowed to discriminate. Rents will be between \$995 and \$1,050, and the rents will not be subsidized.

Clayton Petersen brought up the question the following question: what if the properties don't rent? Schrom advised that they feel confident; the housing study reflects that this type of housing is in demand and on paper it looks good. There will be guidelines in place for nonpayment of rent and also a thorough tenant screening process. They have only had to make three evictions from their properties out of all of his units.

Schrom advised the commission that they would like the first building to be completed by fall. They had looked at some other locations and this was the best fit; it also was the best choice as it is pad ready.

Doug Olson asked Gerald Vogt if he was in favor of this project. Vogt stated that he is in favor and believes the project is beneficial to Wedgewood and also the City of Albert Lea.

Larry Baker advised there is a shortage of housing for market rate rental properties and also for rural Minnesota. It would be appealing to have them part of the association. Baker also thanked Schrom for investing in Albert Lea.

Troy Schrom thanked Chad Adams and City of Albert Lea leaders. Schrom expressed appreciation for the many hours that have been put into this project. He also advised that he will be accommodating and try to use local contractors for this project.

Jon Murray also noted the sidewalks on both sides of the road would be good to have for walkability in the neighborhood.

Lester Anderson also mentioned he is a school bus driver and buses use this road a lot, and it would be safer to have sidewalks on both sides of the road.

Public Hearing closed at 6:37 p.m.

Doug Olson working as an employer for Lou Rich shared that he can see a need for this type of housing. Gerald Vogt is in favor of this project.

David Gross also stated the community is in need of this type of housing, and the housing is a good fit for this location.

Requested Motion:

Staff recommends approval of the below motions, subject to the following conditions:

1. Provision of a sidewalk to be located in the right of way of Wedgewood Road on both sides of that street for the full length of the project;
2. Development of the site in accordance with the approved plans, as outlined on the plan set dated April 14, 2015;
3. Submittal of the building elevations to indicate additional architectural features, to be discussed and agreed upon between the city and developer;
4. Approval by the City Engineer of drainage calculations and grading plans;
5. Approval by the City Engineer of the design of the sanitary sewer and water designs;
6. Addressing any additional comments outlined by the engineer;
7. A landscape plan shall be provided by the developer with approval from City staff;
8. Entering into a development agreement with the City of Albert Lea, including the payment of all required sewer and water trunk charges, park dedication, and sureties.

Motion to recommend approval of a request for a zoning amendment from Wedgewood Cove Townhomes, LLC to re-zone the property located generally at the corner of West Ninth Street & Wedgwood Road from PD-Planned Development District Wedgewood Cove Estates to PD-Planned Development District Wedgewood Cove Estates No.2:

Motion to recommend adoption of a resolution which approves a conditional use permit from Wedgewood Cove Townhomes, LLC to develop rental townhome in a PD-Planned Development District on the property located generally at the corner of West Ninth and Wedgewood Road;

Motion to recommend adoption of a resolution which approves a preliminary plat for Wedgewood Cove Estates 3rd Addition to replat the existing 10 single family lots into 5 lots to accommodate a townhome development on the property located at the corner of West Ninth Street & Wedgewood Road;

Consider a request for final plat from the Wedgewood Cove Estates 3rd Addition to be platted in accordance with their preliminary plat request.

The Planning Commission approved to recommend that the City Council approve the above requests along with contingencies, Approved on a 5-0 roll call vote.

Old Business: None

New Business:None

Commissioner Communications: None

Staff Communications: Reminder of the upcoming Preservation Fair being held on Wed., May 20, 2015

Adjournment

The meeting was adjourned at 6:47 p.m. on May 5, 2015 motion by Thayne Nordland and seconded by Doug Olson.

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 7th, 2015

Re: PUBLIC HEARING: Consider a request for a Preliminary Plat for Buschbom 6th Addition from Dave and Jon Syverson to include one buildable lot and two outlots and dedicate an extension of Consul Street, a public right-of-way.

Consider a request for final plat of Buschbom 6th Addition from Dave and Jon Syverson to include one buildable lot and two outlots and an extension of Consul Street.

Background

The proposal before the Planning Commission for consideration is an application from Dave and Jon Syverson for Buschbom 6th Addition. This proposal would replat Lots 1 & 2, Block 10 of Buschbom 5th Addition along with adjacent unplatted property (eastern portion of the NE ¼ of Sections 10 and 3). The property proposed for platting is located east of Syverson Auto. The property is zoned B-2.

This 6th addition would replat two existing lots of the 5th Addition into one lot to allow for a 19,200 square foot building along with surface parking and stormwater pond. Additionally, two outlots on previously unplatted portion of the property are proposed. Outlot 1 is proposed to be located at the corner of Blake Avenue and U.S. 16/Main Street. Outlot 2 would be just south of that. The extension of Consul Street would be platted separating these two outlots. The new public dedication of Consul Street would follow the existing gravel road which is not currently dedicated to the public connecting to Blake Avenue. The plat indicates that an existing alley between existing Lots 1&2, Baushbom 5th Addition (being replatted into one lot) would be vacated. Vacations must be reviewed and approved by the City Council, a process which has already been initiated.

Analysis

B-2 Zoning Requirements

Lot requirements for the B-2 district include minimum lot area of 7,200 square feet and minimum lot width of 60 feet. The proposed new developable lot 1 and both outlots meet these requirements.

Conformance to official map and comprehensive plan.

The land use plan shows this area planned for interchange/corridor type of use. The interchange use is commercial auto oriented and reliant on access to the regional highway system. The corridor designation is an overlay land use type identifying visible gateways into the community. The proposed plat is a continuation of adjacent development patterns of Buschbom 5th & Chadwick Marketplace Additions which are also of the same land use designation.

Drainage,

Proposed Lot 1 is the only proposed development site under this plat. Grading, surface treatment and a stormwater pond located at the southeast corner of the lot are shown on the preliminary plat. The City Engineer is reviewing to verify that the proposed stormwater facilities will meet all City requirements.

The preliminary plat illustrates the location of an existing drainage swale across the southern part of proposed Outlot 1 connecting the corner of Syverson Road & Consul Street to a drainageway in the Chadwick Marketplace Addition to the east. An easement is not being requested at this time, but will be re-examined upon re-platting of Outlot 1.

Streets, Access, and Parking

Proposed Lot 1 is located on the corner of the East Main Frontage Road and Syverson Road which is platted at 60 feet wide. Access to the site is shown at two access points from Syverson Road into both the middle and the south end of the proposed lot. Section 54-130 of the Subdivision ordinance requires a minimum of 66 feet wide for a collector street right-of-way and the extension of Consul Street meets this requirement. There is no development immediately proposed along Consul Street (only the two outlots) and it is not proposed to be developed beyond its current level as a gravel surfaced roadway. The City Engineer is reviewing the proposed alignment to ensure all existing roadways and ditches are located in the proposed right of way. Staff is recommending that the applicant sign a petition and waiver to agree to pay for their share of an assessment when Consul and/or Syverson Roads are improved.

A generalized parking plan is indicated in the preliminary plat however dimensions and other design requirements of Article V of the Zoning Code are not indicated. Specific parking plan indicating these requirements must be provided at the time of building permit application at which time they will be reviewed.

Pedestrian access

There are no sidewalks in adjacent developments and there are no pedestrian or alternative vehicle facilities indicated in the proposed plan. Section 54-129 Subsection (t) of the Subdivision Ordinance indicates that "All subdivisions shall be designed with complete streets." meaning that the streets system provide for auto, truck, pedestrian and alternate vehicle travel including bicycles, scooters, wheelchairs, and similar transport devices. The Comprehensive plan indicates that because those areas designated with the corridor overlay land use typically have a greater intensity of land use and a higher traffic volume, pedestrian circulation systems are of extreme importance and that sidewalks should provide connections to individual commercial stores, shopping centers or office destinations and should be continuous along both sides of major road corridors. Sidewalk connections from the street to individual businesses should be continuous either through direct connections or use of crosswalks.

Utilities

As indicated on the preliminary plan, an existing watermain is located at the corner of Syverson Road and Consul Street near the south corner of proposed Lot 1. Sewer is shown across Syverson Road approximately mid-block between existing developed lots. Prior development fees have been paid as part of Buschbom 5th Addition.

Park Dedication

Section 54-128 Subsection (b) indicates that for commercial or industrial zoned land, one acre of land for each nine acres of commercial or industrial land is required as park or public open space. Park dedication has been satisfied as part of Buschbom 5th Addition.

Alley Vacation

Section 12.06 of city code provides for the vacation of streets, alleys and other public ways by the City Council via a resolution. A vacation will have no negative effect on adjacent property as there currently is no alley within the platted right-of-way (no one is currently using it), the unplatted land adjacent (Outlot 1) is under the ownership of the petitioner, and there is ample opportunity for access to Outlot 1 from an extension of the service road, Blake Avenue or Consul Street in the future. No action from the Planning Commission is required on the vacation.

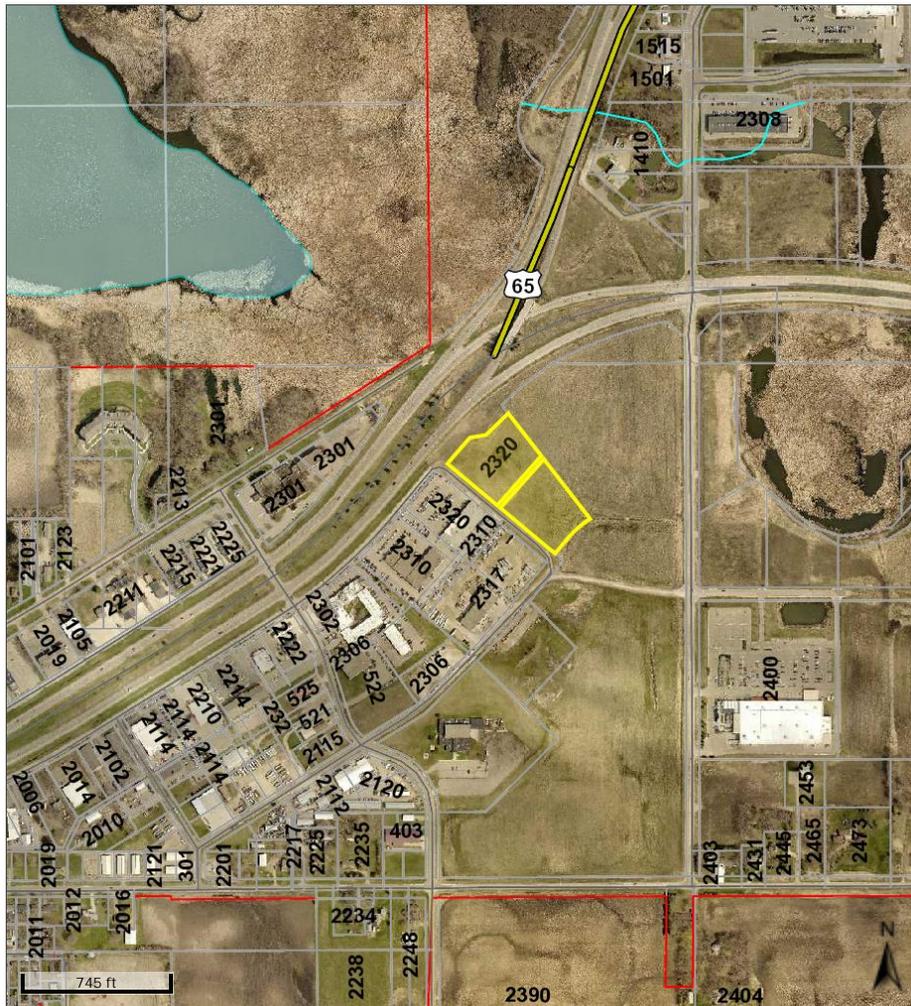
Staff Recommendation:

Staff recommends approval of the below motions, subject to the following conditions:

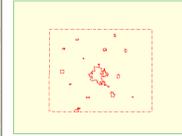
- 1) Approval of city Council for the vacation of the platted alley between Lots 1&2, Block 10 of Buschbom 5th Addition;
- 2) Final location of the driveways into Lot 1 as determined by the City Engineer;
- 3) Approval by the City Engineer of drainage and grading plans;
- 4) Approval by the City Engineer of the design of the sanitary sewer and water designs;
- 5) Execution of a Petition and Waiver for future improvements to Consul Street and/or Syverson Road.
- 6) Addressing any additional comments outlined by the City Engineer

Requested Motion:

Motion to recommend approval of the preliminary and final plat for Buschbom 6th Addition, replatting lots 1&2 of Block 10 of Buschbom 5th Addition into one lot, platting two outlots and dedicating an extension Consul Street, subject to the conditions listed in the staff report.



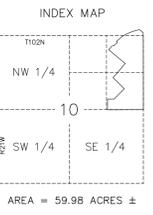
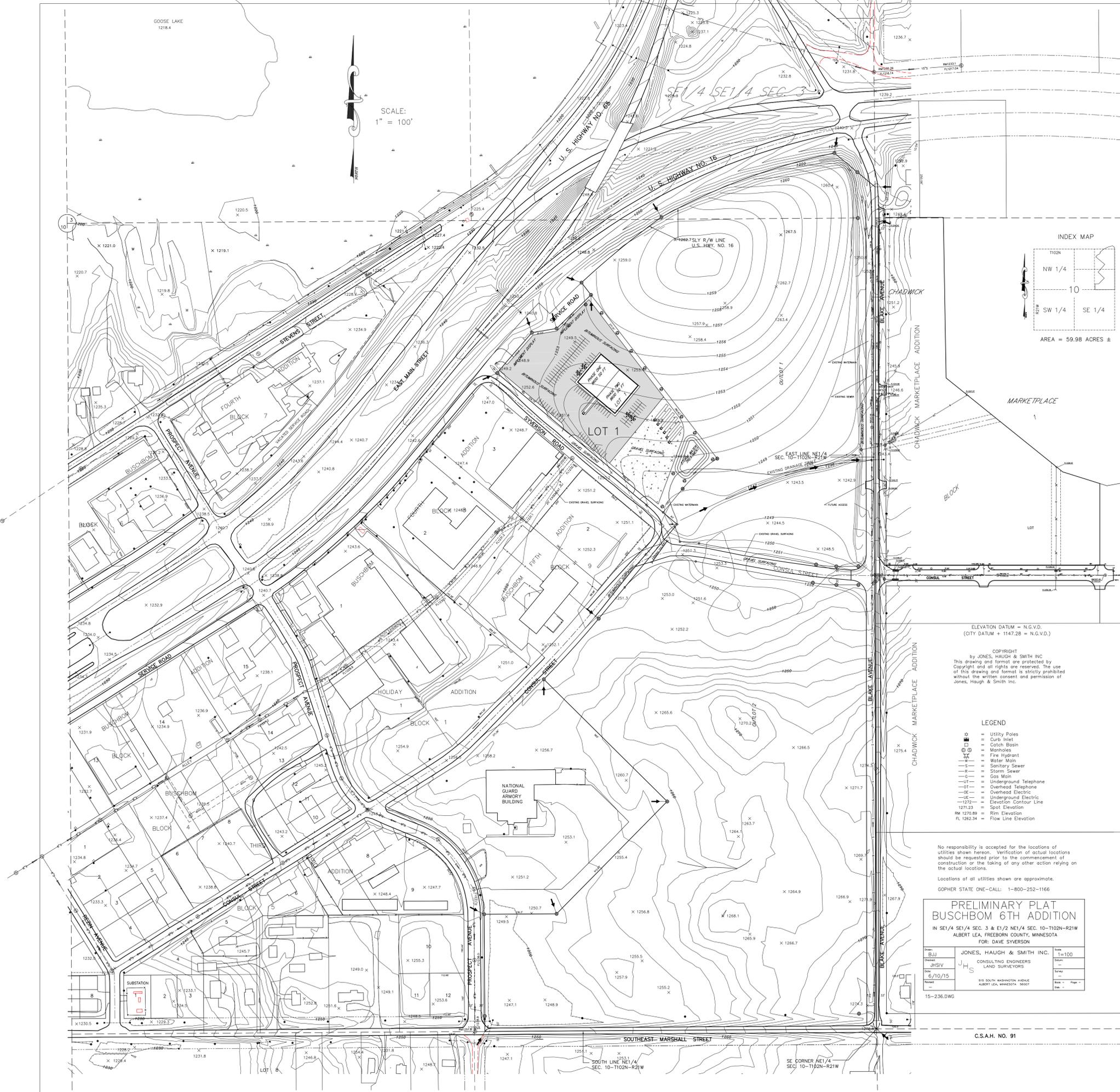
Overview



Legend

- Parcels
- County Limits
- 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

Last Data Upload: 7/1/2015 4:37:10 AM



ELEVATION DATUM = N.G.V.D.
(CITY DATUM + 1147.28 = N.G.V.D.)

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LEGEND

- ⊙ = Utility Poles
- ⊠ = Gully Inlet
- ⊞ = Catch Basin
- ⊙ ⊕ = Manholes
- ⊕ = Fire Hydrant
- W— = Water Main
- S— = Sanitary Sewer
- R— = Storm Sewer
- G— = Gas Main
- UT— = Underground Telephone
- OT— = Overhead Telephone
- OE— = Overhead Electric
- LE— = Underground Electric
- 1272— = Elevation Contour Line
- 1271.23 = Spot Elevation
- RM 1270.89 = Rim Elevation
- FL 1262.34 = Flow Line Elevation

No responsibility is accepted for the locations of utilities shown hereon. Verification of actual locations should be requested prior to the commencement of construction or the taking of any other action relying on the actual locations.

Locations of all utilities shown are approximate.
GOPHER STATE ONE-CALL: 1-800-252-1166

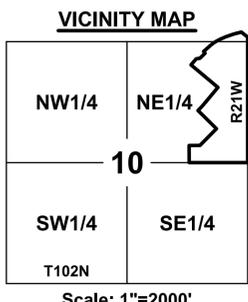
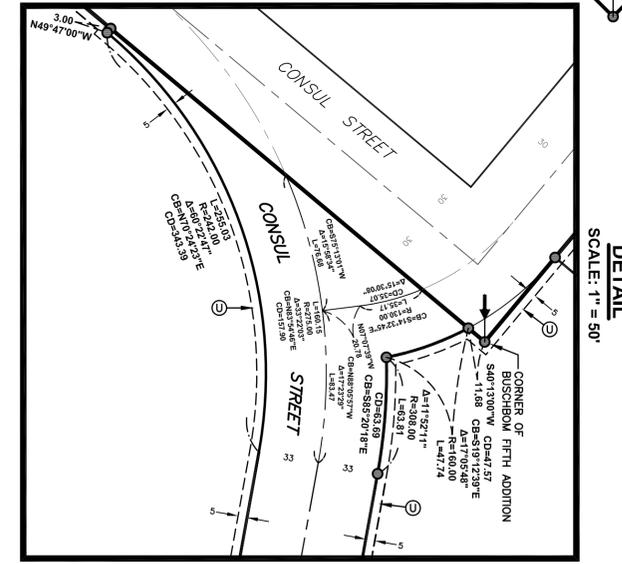
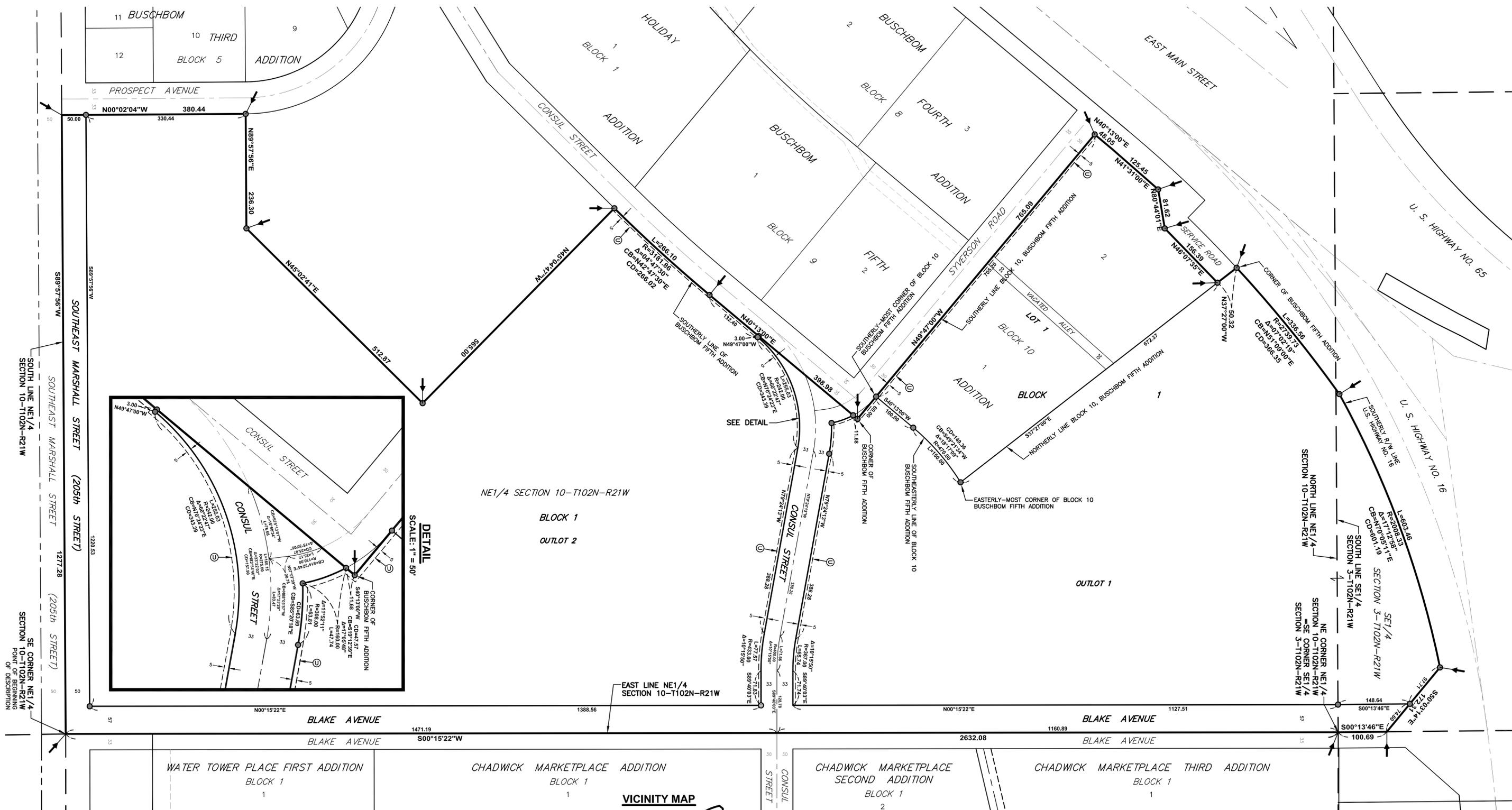
**PRELIMINARY PLAT
BUSCHBOM 6TH ADDITION**

IN SE 1/4 SE 1/4 SEC. 3 & E 1/2 NE 1/4 SEC. 10-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MINNESOTA
FOR: DAVE SYVERSON

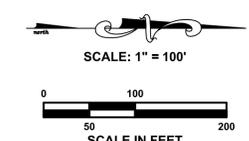
Drawn: BJJ	Checked: JHS	Date: 6/10/15	Scale: 1"=100'
JONES, HAUGH & SMITH INC. CONSULTING ENGINEERS LAND SURVEYORS			Sheet: 15-236.DWG
515 SOUTH WABERSTON AVENUE ALBERT LEA, MINNESOTA 56007			Block: - Page: 1

BUSCHBOM SIXTH ADDITION

IN BLOCK 10, BUSCHBOM FIFTH ADDITION AND NE1/4 SECTION 10-T102N-R21W AND SE1/4 SECTION 3-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MINNESOTA



- LEGEND**
- = 5/8" X 16" iron stake monument (capped LS22705)-Placed
 - = Iron stake monument - Found
 - ⊕ = Subdivision Plat Corner
 - Ⓢ = Utility Easement



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BASIS OF BEARING SYSTEM
All bearings are based upon the Plat of Buschbom Fifth Addition

JONES, HAUGH & SMITH INC.
CONSULTING ENGINEERS & LAND SURVEYORS
515 SOUTH WASHINGTON AVENUE
ALBERT LEA, MINNESOTA 56007
JUNE 2015

DRAWN BY ANDY MCGOWAN
15-236FP.DWG



Memorandum

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

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

Date: July 7, 2015

*Re: Consider the acquisition of property at 314 South Broadway and its consistency
with the city's Comprehensive Plan*

Background/Analysis:

State Statute 462.356 states the following:

Subd. 2. Compliance with plan.

After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, **no publicly owned interest in real property within the municipality shall be acquired or disposed of**, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the **municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan.** Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

In accordance with state statute, the city is asking the Planning Commission to review the consistency of the land purchase of the property at 314 South Broadway with the City's adopted Comprehensive Plan. The entire 300 Block of South Broadway is in the city's redevelopment plan, which has been added to the City's Comprehensive Plan in 2014. Most of the buildings on this block are in substandard condition, and it the city's plan to acquire and assemble most of these properties to facilitate re-development.

The comprehensive plan states the following goals for the downtown area:

- **G1 Establish a sense of vibrancy, ownership and critical mass that promotes active use and upkeep of downtown**
- **G2 Enhance the pedestrian experiences within downtown**
- **G3 Embrace history and tourism as an economic development tool**
- **G4 Expand the function of downtown to include the full mix of uses**

Specifically related to the proposal, the following policies in the comp plan apply:

- *2.12 Encourage redevelopment efforts to retain iconic elements of downtown, whether they are preserving long time establishments, key design/identity features or historical resources.*

Recommended Motion:

Staff recommends that the Planning Commission find the proposal acquisition of 314 South Broadway consistent with the comprehensive plan, based on the following findings:

- 1) The proposed acquisition is identified in the Redevelopment Plan in the Comprehensive Plan;
- 2) The proposed acquisition is part of a greater effort on behalf of the City to acquire through purchase and tax forfeiture most of the block to facilitate re-development.

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