

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

*10/6/2015, 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 September 1st, 2015

D. PUBLIC HEARINGS

None

E. NEW BUSINESS

Consider Proposal by Clayton Petersen to develop mini-storage in Wedgewood Cove Estates 2

F. OLD BUSINESS

G. COMMISSIONER COMMUNICATIONS

H. STAFF COMMUNICATIONS

I. ADJOURNMENT

CITY OF ALBERT LEA  
PLANNING COMMISSION  
ADVISORY BOARD  
MEETING MINUTES

*9/1/15 5:30 pm  
City Center - Council Chambers*

**Members Present**

Jon Murray  
Thayne Nordland  
David Gross  
Pam Schmidt  
Doug Olson  
Rick Mummert  
Jason Willner

**Members Absent**

Larry Baker, Ex-Officio

**Staff in Attendance**

Doug Johnson, Building Official  
Chad Adams, City Manager  
Molly Patterson-Lundgren, City Planner  
Jennifer Nelson, Office Assistant

**Interested Parties**

None

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 Rick Mummert seconded the motion. The agenda was approved unanimously on a voice vote.

**Approval of Minutes**

A motion was made by Rick Mummert to approve the minutes from July 7, 2015, and Doug Olson seconded the motion. The minutes were approved unanimously on a voice vote. \*Jon Murray commented the roll call vote regarding the Preliminary Plat for the Buschbom 6<sup>th</sup> addition from Dave and Jon Syverson should have read "Approved on a 5-0 roll call vote" not 7-0 due to Rick Mummert and Doug Olson had abstained from the vote.

**Public Hearings**

Staff reports prepared by Molly Patterson-Lundgren, Planner WSB & Associates, Inc. become part of these minutes by reference.

The public hearing is to consider a request for a Preliminary Plat for "T&M Seed House Addition" from E. Family C. LLC. To reconfigure an existing two parcels into three platted lots.

The public hearing was opened at 5:32 p.m.

Doug Johnson gave a review of the project. The proposed plat would create three separate parcels for Farmers Bank. Farmers Bank building would be lot #3, AL Seed House Lot would be #1 and #2 lots. Doug Gross commented on the zoning indication of the property. This area has split zoning including I1 and B2 zones. Doug advised this should have no effect on this request as lot requirements are similar. Molly advised the standards are similar and the existing structures meet the standards. The history of this

particular area maybe has to do with the way business was expanding at the time. The easement for access would be recorded with the final plat.

Public Hearing Closed at 5:38 p.m.

A motion was made by Rick Mummert and seconded by Thayne Nordland to recommend approval of the preliminary and final plat for T & M Seed House Addition creating three lots, subject to the conditions listed in the staff report;

- 1) A recorded easement providing ingress/egress to the site via the existing private street for lot 1 access.
- 2) Approval of a Development Agreement providing park dedication fee as required by City code and determined by the City Attorney.

Approved on a 7-0 roll call vote.

Old Business: None

**New Business:**

Consider the acquisition of property at 1002 Bridge Avenue and its consistency with the city's Comprehensive Plan.

Chad Adams advised this property is currently owned by the Albert Lea HRA who needs to sell the property. It is located at the northeast corner of Bridge Ave and Hawthorne St. The City would like to acquire this property to allow for future improvements to this intersection. The city will more than likely be applying for a grant for reconstruction of Bridge Street. The city would eventually like to acquire all the properties at the corner of Hawthorne St and Bridge Ave to allow lanes for existing roads.

Rick Mummert asked if there were any concerns regarding the shared driveway of the property to the north. Chad Adams advised Jon Ford and the City Attorney have been working with the owner. The property was appraised at \$56,000 and this is the amount the city settled on for a price on the property.

Doug Olson asked if the county was interested in purchasing these properties, Chad advised the county is not acting on purchasing the property at this time.

In accordance with state stature, the city is asking the Planning Commission to review the consistency of the land purchase of the property at 1002 Bridge Avenue with the City's adopted Comprehensive Plan.

A motion was made by Rick Mummert and seconded by David Gross to recommend approval of the proposal acquisition of 1002 Bridge consistent with the comprehensive plan, based on the following findings;

- 1) The proposed acquisition would provide room for addition right of way at a key intersection along Bridge Avenue which is identified as a recommended action on the Comprehensive Plan:
- 2) The proposed acquisition is part of a greater effort on behalf of the City to acquire property for the needed improvements along Bridge Avenue in an incremental fashion as opportunity arises.

Approved on a 7-0 voice vote.

Commissioner Communications: None

**Staff Communications:** Introducing Molly Patterson-Lundgren, Planner with the WSB & Associates, Inc. She will be taking on Planning for the City of Albert Lea. Molly has worked in Wabasha, Scott County and

has an educational background in American Studies, Heritage Preservation and Planning. Welcome Molly!

The City of Albert Lea is seeking grant funds from the Minnesota Department of Employment & Economic Development's (DEED's) Small Cities Development Program (SCDP) for downtown property owners interested in improving their commercial building as and residential rental properties. This has been a popular program for other communities in greater Minnesota and has shown to be successful.

Doug Johnson advised some items for a future work plan may include recommendation on ordinance changes and looking at cleaning up some conflicting zoning in certain areas.

**Adjournment:**

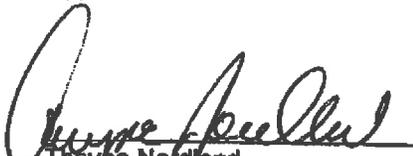
The meeting was adjourned at 5:57 p.m. on September 1, 2015 motion by Doug Olson and seconded by Thayne Nordland.

Respectfully submitted,



Doug Johnson, Building Official

Approved:



Thayne Nordland  
Planning Commission Secretary

## *Memorandum*

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

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

**Date:** *September 30<sup>th</sup>, 2015*

**Re:** *Consideration of a proposal for personalized (mini) storage business at  
Wedgewood Cove Estates 2*

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### **Background**

Clayton Petersen owns Lot 5 of Block 1 Wedgewood Cove Estates 2, a “flag lot” with access off both 9<sup>th</sup> street and Wedgewood Road. It is located west of Highway 69 and east of the Wedgewood Cove club house (see image). Mr. Petersen has approached the city to determine if a mini-storage facility may be constructed at this site and what the process would be for getting approvals to do so.

The property is currently zoned PDD, which was approved as part of the Wedgewood Estates 2 addition. The PDD site plan approved for the development indicates this property as future multi-family housing.



### **Analysis**

Uses allowed in the PDD zoning district are those that were approved as part of the preliminary development plan (PDP) when each PDD was rezoned and approved. As the approved PDP for this property indicates a multi-family use, the mini-storage, under this current zoning is not allowed. The property will need to be rezoned to allow the development of this proposed commercial use.

State statute indicates that zoning ordinances are “for the purpose of carrying out the policies and goals of the land use plan”<sup>1</sup>, therefore it is often policy or practice to heavily rely on the land use (comprehensive) plan when considering a change in zoning.

#### *Comprehensive Plan Land Use Designation*

The designated land use for this property in the comprehensive plan is Residential Edge. Characteristics of these areas in town include street patterns with larger block sizes, larger lot sizes, integrated park and open space patterns and diversity of single family attached and detached housing. Goals and policies of this district indicate a variety of residential uses along with “neighborhood commercial nodes ...developed at key intersections”.

As the property in question is not located at a “key intersection”, the Residential Edge land use designation does not support the rezoning of this parcel to a commercial zone. The City Planner is suggesting that an amendment to the Land Use Plan (a section of the Comprehensive Plan) should be considered prior to considering the possibility of rezoning the property for the proposed mini-storage use. This is not to suggest that an amendment of the comprehensive plan should be taken lightly; the process for determining and adopting the existing plan included considerable participation of the public and review by the city prior to its completion and adoption.

State Statute,<sup>2</sup> indicates that “before adopting the comprehensive municipal plan or any section or amendment of the plan, the planning agency shall hold at least one public hearing thereon. A notice of the time, place and purpose of the hearing shall be published once in the official newspaper of the municipality at least ten days before the day of the hearing.”

#### *Rezoning*

Based on the language of the land use plan, The B-1 zoning most closely aligns with commercial land use in the Residential Edge designated areas. “It is the purpose of the B-1 neighborhood business district to permit and to encourage the establishment of small convenience goods and personal service centers located as to be a functional and harmonious part of a residential neighborhood.”<sup>3</sup> There are no specified permitted or conditional uses for this zone, thus the purpose provides the guidelines for uses allowed. All uses in the B1 district require a CUP.

The process for rezoning requires the Planning Commission to hold a public hearing and report to the City Council, providing them with a recommendation on the proposed ordinance amendment. The City code indicates, “if a protest against a proposed zoning district amendment is presented duly signed by ... the owners of one-third or more of the area contiguous thereto, such amendment shall not be passed except by a five-sevenths affirmative vote of the members of the council.”

#### *Conditional Use Permit*

Rezoning the property to a B-1 district will allow for the development of the mini-storage units with the issuance of a conditional use permit. All elements of the site development in this zoning district are controlled within the CUP including but not necessarily limited to: building design and construction, site layout and development, parking and traffic flow, fencing and screening, paving and drainage, signs and canopies, waste collection and storage devices, and landscaping.

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<sup>1</sup> MNSS 462.357 Subd. 2

<sup>2</sup> 462.355 Subd. 2,

<sup>3</sup> City Zoning Code 74.451

**Staff Recommendation:**

Based on the analysis above, staff is recommending the following process for review and consideration of the proposed project. This recommendation does not assume an automatic movement forward through each step resulting in a final project approval, but rather it suggests that each step must be considered in orderly beginning with the need to determine if a proposed business at this location meets the goals established in the comprehensive plan.

1. Request an amendment to the Comprehensive Plan either changing the land use map modifying this property’s designation from Residential Edge to one that is suitable for the type of commercial activity proposed (storage units) and/or to the description of the Residential Edge district to clearly allow commercial at this location.
2. Request an amendment to the Zoning Ordinance to allow for commercial mini-storage to be developed at this site. B-1 zoning is preliminary recommended.
3. Apply for a Conditional Use Permit (assuming rezoning to B1 or other zoning district where a CUP is required)

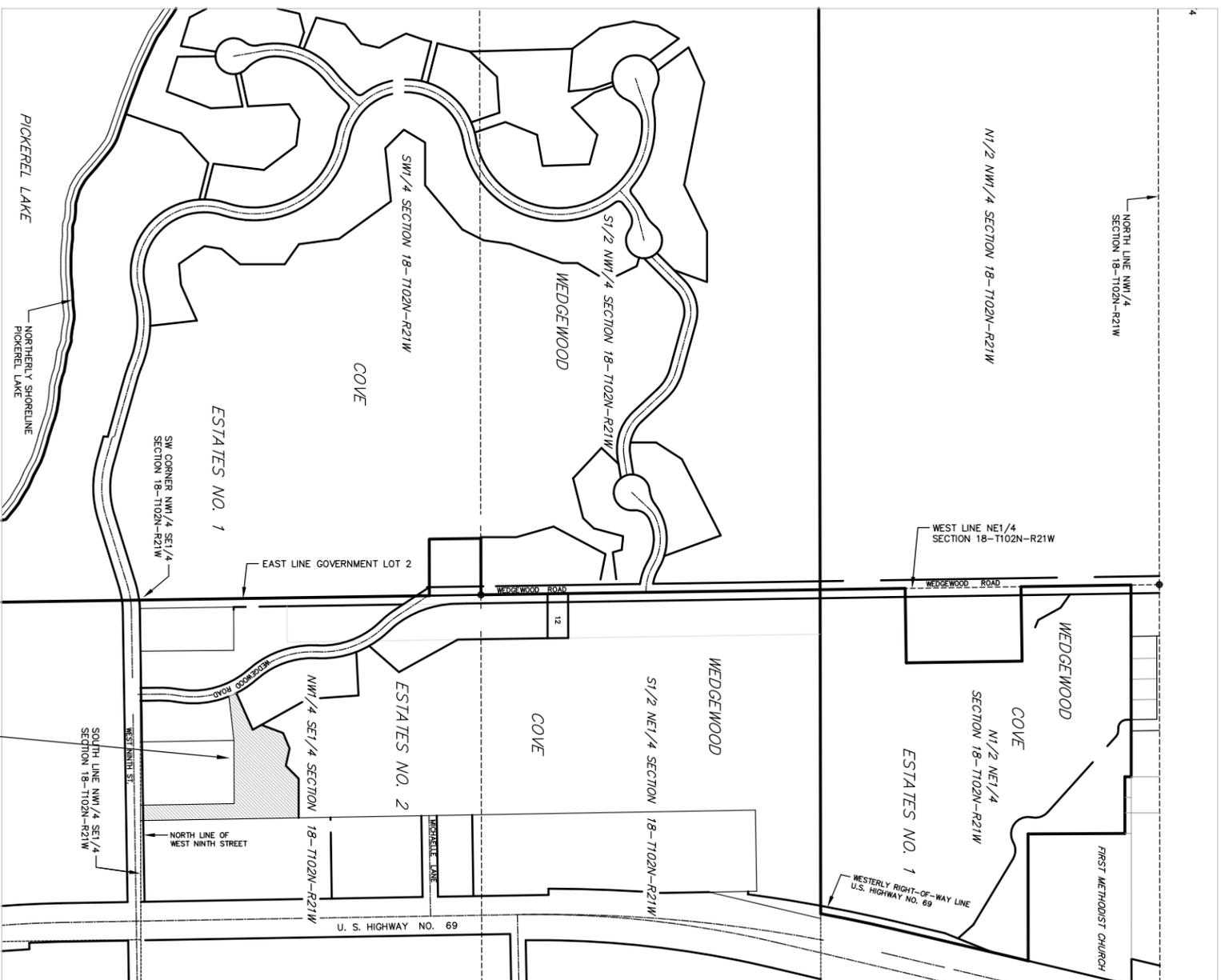
Public hearings require notification in the newspaper 10 days prior to the Planning Commission meeting and a notice to the newspaper must be submitted 3 days prior to publication. The City is provided 15 days under state statute for review of application completeness. Applications requiring a public hearing are typically required 4 weeks prior to the meeting when the hearing is held. The following provides a tentative timeline based on publication requirements and established meeting dates and deadlines.

	<b>Public hearing at Planning Commission</b>	<b>Application Due</b>	<b>Application Fee</b>	<b>Anticipated City Council meeting</b>
<b>Comprehensive Plan Amendment</b>	November 3 <sup>rd</sup>	October 14 <sup>th</sup> (noon)		November 23 <sup>rd</sup>
<b>Zoning Amendment</b>	January 5 <sup>th</sup>	December 8 <sup>th</sup>	\$500 plus \$700 escrow *	January 25 <sup>th</sup>
<b>Conditional Use Permit</b>	February 2 <sup>nd</sup>	January 6 <sup>th</sup>	\$500 plus \$700 escrow *	February 22 <sup>nd</sup>

\* Applicants will be responsible for submitting the escrow payment in addition to assuming all other city accrued costs on the application review.

**Requested Motion:**

No decisions are being sought at this time. Staff is providing this information to allow for initial questions of the applicant and seeking indication that the proposed process, in particular that the first step of land use plan consideration/amendment is correct.



<b>JONES, HAUGH &amp; SMITH INC.</b> CONSULTING ENGINEERS & LAND SURVEYORS PH. 507-373-4876 515 SOUTH WASHINGTON AVENUE ALBERT LEA, MINNESOTA 56007		DESIGNED: <i>BJU</i> DRAWN: _____ CHECKED: _____ DATE: 4/6/17 2015	I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota. Brian J. Johnson Reg. No. 42744 Date: _____	<b>PROPOSED MINI-STORAGE FACILITY</b> <b>LOT 5, BLOCK 1 WEDGEWOOD COVE ESTATES 2</b> <b>ALBERT LEA, MN</b> <b>FOR: CLAYTON PETERSON</b>	SHEET 1 OF 1
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**LOCATION MAP**

**SITE LOCATION**

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

GOFFER STATE ONE-CALL: 1-800-252-1186