

# **MINUTES OF THE ALBERT LEA PLANNING COMMISSION**

Regular Meeting

July 5, 2022

5:30 pm – City Center

Chairman Lucas Schuster called the meeting to order at 5:34 pm.

## **MEMBERS PRESENT**

Larry Baker, Ex-Officio

Wyeth Anderson, Vice-Chair

Matt Dorman

Lucas Schuster, Chair

Steve Thompson

## **MEMBERS ABSENT**

Leon Axtman

Jared Dawson

Chuck Paczowski

## **STAFF PRESENT**

Megan Boeck, City Planner

## **APPROVAL OF AGENDA**

Motion by Anderson and second by Thompson to approve the agenda. Motion carried.

## **APPROVAL OF MINUTES**

Motion by Dorman and second by Anderson to approve the May 24, 2022 meeting minutes as presented. Motion carried.

Staff report prepared by Megan Boeck, City Planner, is to become part of these minutes by reference.

## **PUBLIC HEARINGS**

- a. Conditional Use Permit – 1311 Front Street West

Boeck stated that the applicant has applied for a Conditional Use Permit (CUP) at 1311 Front St W to redevelop a vacant convenience store property into a construction contracting office. The property was part of a 6-lot CUP approval in 1987 that allowed a convenience store on the lot and prohibited drive-in banks, drive-through food establishments or similar facilities, outdoor merchandise display and sales, and outdoor storage of vehicles and equipment.

**Schuster opened the hearing to the public at 5:49 pm.**

Dorman questioned landscaping requirements. Boeck stated that twenty percent landscaping or green space is required in all zoning districts including PD but that the planning commission could recommend additional requirements if warranted.

Schuster questioned the outdoor storage language within the staff report. Boeck stated it is similar to the language used for the previous use which was that there was not to be outdoor storage of any kind.

The applicant, Matthew Johnson, clarified that there will be no outdoor storage on the property but there will be equipment that comes and goes. He also stated that he would apply for fencing at a later date.

**Schuster closed the hearing to the public at 5:54 pm.**

Motion by Thompson and second by Dorman to recommend to City Council approval of the Conditional Use Permit at 1311 Front Street West with the following conditions:

1. At least twenty (20) percent of the site shall be landscaped.
2. Exterior lighting on site shall be adequate to provide security and shall be compatible in design and character with surrounding residential areas. Lighting shall be directed toward the site or contained on the site and shall not be directed toward adjoining residential areas.
3. All off-street parking areas shall be developed with concrete or asphalt surfaces.
4. All refuse shall be enclosed in a 3-yard or smaller dumpster container and screened with like building materials.
5. No outdoor merchandise display or sales are allowed.
6. No outdoor storage of construction equipment or materials including vehicles, trailers, lawn mowers, snow blowers, and other recreational vehicles is allowed on site.

Motion passed on a 4-0 voiced vote.

**b. Application to Rezone from (R-1) to (I-1) – 904 Spark Avenue**

The City of Albert Lea sought development proposals for different city-owned properties. Broadway Home Designs submitted a proposal to develop 904 Spark Avenue into a new warehousing and office facility. The property is currently zoned (R-1) Single-Family Residence

and in order to accommodate a warehouse and facility it would need to be rezoned to 9i-1) Limited Industrial.

### Schuster opened the hearing to the public at 5:59 pm

Boeck read aloud three written public comments:

1) Yvette Guerra.

"Regarding re-zoning 904 Spark Avenue from Single Family Residence (R-1) to Industrial (I-1) we respectfully decline this re-zoning. We feel that adding a business zone to our neighborhood would have a negative impact. With this change there would be added traffic, noise, and added stench to a neighborhood that is already being negatively impacted by the businesses in the area. Some areas that we feel would be affected by this change would be:

- Children's safety due to added traffic
- The inconvenience of noise and traffic to residential homes
- Other added inconveniences such as odors and further disruption to a peaceful neighborhood

Thank you for understanding our concerns."

2) Jerry and Elizabeth Latham.

"Regarding re-zoning 904 Spark Avenue from Single Family Residence (R-1) to Industrial (I-1) we respectfully decline this re-zoning. We feel that adding a business zone to our neighborhood would have a negative impact. With this change there would be added traffic, noise, and added stench to a neighborhood that is already being negatively impacted by the businesses in the area. Some areas that we feel would be affected by this change would be:

- Children's safety due to added traffic
- The inconvenience of noise and traffic to residential homes
- Other added inconveniences such as odors and further disruption to a peaceful neighborhood

Thank you for understanding our concerns."

3) Robert Johnson.

"Hi, I would like clarity as to the difference between commercial and industrial please. Considering that there is now essentially commercial business on the east side of Spark Ave. I personally would be ok with a building/ commercial on 904 space, but industrial sounds like it could be open to a business that could be less than desirable/ noise or other nuisance. And also, considering the land directly across the street from 904 could be developed before encroaching on the residential side. And being a long time resident of this neighborhood, I appreciate the buffer between us and Lou Rich. I hope prudent sound rational is foremost in all aspects and considerations involving this proposal. Thank you."

Robert Johnson, a neighboring property owner, asked if the property to the east could sell for this use. Boeck stated she is unaware of that property being for sale.

Schuster noted that sometimes property taxes are impacted by demand and site improvements do increase values.

Raymond Fuentes, neighboring property owner, questioned if the traffic would be semi traffic. Boeck stated there is a potential for that but access to the property will be off Spark Avenue, not Belmont Street.

**Schuster closed the hearing to the public at 6:22 pm.**

Motion by Schuster and second by Anderson to recommend to City Council approval of the request to re-zone 904 Spark Avenue from (R-1) Single-Family Residence to (I-1) Limited Industrial District with the following condition:

1. Vegetational screening measures be added to the development agreement.

Motion passed on a 4-0 voiced vote.

#### **NEW BUSINESS**

None.

#### **COMMISSIONER COMMUNICATION**

The board asked for an updated commissioner list and Boeck stated it will be provided at or before the next scheduled meeting.

#### **STAFF COMMUNICATION**

Motion by Dorman and second by Schuster to adjourn the meeting at 6:25 pm. Motion carried.

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Megan Boeck, City Planner

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Lucas Schuster, Chairman