

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

Regular Meeting  
September 6, 2022  
5:30 pm – City Center

Chairman Lucas Schuster called the meeting to order at 5:40 pm.

## **MEMBERS PRESENT**

Wyeth Anderson, Vice-Chair  
Leon Axtman  
Larry Baker, Ex-Officio  
Jared Dawson  
Matt Dorman  
Lucas Schuster, Chair

## **MEMBERS ABSENT**

Chuck Paczowski  
Steve Thompson

## **STAFF PRESENT**

Wayne Sorensen, Building/Zoning Official

## **APPROVAL OF AGENDA**

Motion by Axtman and second by Dorman to approve the agenda. Motion carried.

## **APPROVAL OF MINUTES**

Motion by Dorman and second by Axtman to approve the July 5, 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- APPLICATIONS

### **a. Amending Conditional Use Permit – 2021 Main Street West (CU2022-002)**

Sorensen stated that the applicant has applied to amend the existing Conditional Use Permit at 2021 Main St W to remove the existing lilac bushes. Records indicate that the CUP was amended in 1977, 1979, and 1991. A condition of the amendment in 1979 was the planting of deciduous and coniferous trees along the north and east sides. Those lilac bushes are now overgrown and difficult to maintain and therefore the applicant wishes to remove them.

Sorensen also noted that the applicant, the Albert Lea Family Y, has requested that since they are a non-profit that we recommend to City Council the refund of the \$500 application fee.

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

Chris Cords, applicant on behalf of the Albert Lea Family Y, read aloud the letter he sent along with his application to the commission.

**Schuster closed the hearing to the public at 5:51 pm.**

Motion by Dorman and second by Schuster to recommend to City Council approval of the proposed amendment to the existing Conditional Use Permit at 2021 Main Street West with the following condition:

1. Screening currently in place to the east and to the south is to be left in place to protect neighboring residential properties.

Motion passed on a 5-0 voiced vote.

The Planning Commission also unanimously recommended the application fee of \$500 be refunded to the Albert Lea Family Y.

## PUBLIC HEARING- ORDINANCE AMENDMENTS

The Planning Commission chose to vote on all the following amendments with one motion after discussion.

### **a. Amending Section 50.0934 Performance, Locational and Site Development Standards as it pertains to above ground storage tanks.**

This amendment will permit above ground fuel tanks with different maximum size restrictions for commercial and industrial districts. Right now, Albert Lea has a blanket prohibition; there is no zone where an above ground fuel tank is permitted. The Minnesota Pollution Control

Agency recommends above ground fuel tanks at the maximum sizes as written in the proposed amendment.

Sorensen explained that there was a variance request earlier this year for an above ground fuel tank that was ultimately denied. Staff researched other ordinances in surrounding areas and spoke with the MPCA and the Deputy Fire Chief; the conclusion was that the initial prohibition of storage tanks was not really a safety factor if it was not a very large tank, it was largely an aesthetic consideration.

**b. Amending Chapter 50, Division 8 B-2 Community Business District as it pertains to building design standards.**

Sec. 50.0402 Building Design Standards (2) and (3) – This amendment will erase language that considers any building surface that faces a street to be the front of the building. In the B-2 Community Business District there are additional design standards that are imposed on more than one side of the building when the building abuts more than one street.

Sorensen gave an example of a recent business, Scooters Coffee, located at 810 Marshall Street. The property sits on three frontages. With the existing ordinance, the building design standards would have required them to have a minimum of 10 feet of clear, see through glass on all three sides of those frontages. The proposed amendment states that if the building abuts more than one street, the Zoning Official will determine what is the front for purposes of window placement. The amendment also removes the requirement of the windows to be see through.

Sec. 50.0402 Building Design Standards (5) and (6) – This ordinance will require exterior trash enclosures and accessory buildings to be designed with like building materials. The B-2 district is a highly visible commercial district along main thoroughfares such as Bridge Avenue and Main Street.

Sorensen gave examples of different businesses around town that do not have trash enclosures. He noted that there is a large improvement in aesthetics when trash enclosures are required. Staff feels this is an important amendment for the overall aesthetics of the community, especially when it pertains to the storage of trash.

Baker questioned if any of these amendments will affect existing properties that do not conform to the proposed amendments. Sorensen stated that with any ordinance amendments that are passed it only applies from that day forward.

**c. Amending Chapter 34, Article II as it pertains to garbage storage  
Sec. 34.021 Solid Waste Storage**

This amendment works to further define the appropriate size for a refuse container for a single-family residence and where it is appropriately stored when not at the curb for pick up. Trash/garbage continues to be the most popular complaint in residential neighborhoods. Staff believes that this ordinance is more consistent with the size of trash enclosures that are used today.

**d. Amending Section 50.0018 Accessory buildings, fences, and site appurtenances as it pertains to durable fencing materials.**

This amendment defines materials that are allowed for constructing a fence. Staff can point to many circumstances where drywall, plywood, and scrap metal have been used as fencing material because the ordinance currently does not define what is an appropriate building material. Staff anticipates that defining these materials will help reduce the number of nuisance complaints as it pertains to fencing.

**e. Amending Section 50.0018 Accessory buildings, fences, and site appurtenances as it pertains to the maximum size for accessory structures.**

After many months of thought and discussion on increasing the maximum size allowed for accessory structures, staff is proposing an overall increase in size and number allowed due to the size of 21<sup>st</sup> century vehicles, the recreational nature of Albert Lea, and harsh weather conditions in Minnesota that often require indoor storage.

**Schuster opened the hearing to the public at 6:30 pm**

No one was present to speak.

**Schuster closed the hearing to the public at 6:31 pm.**

Motion by Schuster and second by Axtman to recommend to City Council approval of the proposed amendments to the following city ordinances:

1. Section 50.0934 Performance, Locational, and Site Development Standards as it pertains to above ground storage tanks.
2. Chapter 50, Division 8 B-2 Community Business District as it pertains to building design standards. Sec. 50.0402
3. Chapter 34, Article II as it pertains to garbage storage.
4. Section 50.0018 Accessory buildings, fences, and site appurtenances as it pertains to durable fencing materials.
5. Section 50.0018 Accessory buildings, fences and site appurtenances as it pertains to the maximum size for accessory structures.

Motion passed on a 5-0 voiced vote.

NEW BUSINESS

None.

COMMISSIONER COMMUNICATION

None.

STAFF COMMUNICATION

None.

ADJOURNMENT

Motion by Axtman and second by Anderson to adjourn the meeting at 6:33 pm. Motion carried.

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Wayne Sorensen, Building/Zoning Official

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Lucas Schuster, Chairman