



**PLANNING COMMISSION  
ADVISORY BOARD**

December 3, 2024 – 5:30 p.m.  
City Center

**AGENDA**

- A. CALL TO ORDER AND ROLL CALL
- B. APPROVAL OF THE AGENDA
- C. APPROVAL OF MINUTES
  - 1. July 2, 2024
  - 2. August 20, 2024
- D. NEW BUSINESS
- E. PUBLIC HEARINGS – Ordinance Amendments
  - 1. Registered Land Survey No. 17 – Eagles Rest
  - 2. Registered Land Survey No. 18 – Blazing Star
  - 3. Preliminary Plat – Blazing Star No. 2
- E. COMMISSIONER COMMUNICATIONS
- F. STAFF COMMUNICATIONS
- G. ADJOURNMENT

*Disclaimer: This agenda has been prepared to provide information regarding an upcoming meeting of the Planning Commission of the City of Albert Lea. This document does not claim to be complete and is subject to change.*

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

Regular Meeting

July 2, 2024

5:30 pm – City Center

Chairman Lucas Schuster called the meeting to order at 5:31 p.m.

## **MEMBERS PRESENT**

Wyeth Anderson, Vice-Chair

Rachel Christensen, Ex-Officio

Jared Dawson

Matt Dorman

Matt Maras

Lucas Schuster, Chair

## **MEMBERS ABSENT**

Leon Axtman

Steve Thompson

## **STAFF PRESENT**

Megan Boeck, City Planner

Steve Jahnke, City Engineer & Director of Public Works

Cierra Maras, Development Services Administrative Assistant

John Ryther, City Environmental Engineer

## **APPROVAL OF AGENDA**

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

## **APPROVAL OF MINUTES**

Motion by Anderson and second by Schuster to approve the May 7, 2024 meeting minutes as presented. Motion carried.

## **NEW BUSINESS**

### **1. MPCA Stormwater Updates – John Ryther, City Environmental Engineer**

Ryther said the MPCA issued the city a new Construction Stormwater Permit on August 1, 2023. He explained that the MPCA expects local authorities to review and update their ordinance within 1 year

of issuance of the new 5-year permit cycle. He said the local ordinance shall be equal to or more restrictive than MPCA rules, but may not be less restrictive. He noted the last time Albert Lea updated their rules was in 2022. Ryther said there are amendments to four ordinance sections.

## **PUBLIC HEARINGS**

### **2. Amending Section 50.1036. – Stormwater management procedures.**

Ryther said this amendment includes changes to the application process in which property owners have seven days to amend the SWPPP if there is a change in design, operation, maintenance, or if weather and seasonal conditions have a significant impact on the discharge of pollutants to surface or ground waters.

### **3. Amending Section 50.1038. – Permanent stormwater management requirements.**

Ryther said this amendment adds the requirements that the SWPPP document must detail that at least three feet of the soil above where seasonally saturated soils or bedrock must consist of undisturbed soils.

### **4. Amending Section 50.1039. – Construction site erosion prevention and sediment control requirements.**

Ryther said this amendment adds the requirement that temporary soil stockpiles on construction sites must have an effective perimeter in place prior to commencing stockpiling activities. In addition, all dewatering discharges must be inspected and photographed at the beginning and once every four hours during operations.

### **5. Amending Section 50.1040. – Small construction sites.**

Ryther said this amendment adds the requirement that all stockpiles on small construction sites have an effective perimeter control in place prior to commencing stockpiling activities.

**Schuster opened the hearing to the public at 5:43 p.m.**

No one was present to speak.

**Schuster closed the hearing to the public at 5:44 p.m.**

Motion by Anderson and second by Dorman to recommend to City Council approval the ordinance amendments to Sec 50.1036 – Stormwater management procedures.

Motion passed on a 5-0 voiced vote.

Motion by Maras and second by Dorman to recommend to City Council approval the ordinance amendments to Sec 50.1038 – Permanent stormwater management requirements.

Motion passed on a 5-0 voiced vote.

Motion by Dorman and second by Schuster to recommend to City Council approval the ordinance amendments to Sec 50.1039 – Construction site erosion prevention and sediment control requirements.

Motion passed on a 5-0 voiced vote.

Motion by Anderson and second by Schuster to recommend to City Council approval the ordinance amendments to Sec 50.1040 – Small construction sites.

Motion passed on a 5-0 voiced vote.

### **COMMISSIONER COMMUNICATION**

None.

### **STAFF COMMUNICATION**

#### **1. Office of Cannabis Management – Updated Website and Model Ordinance**

Boeck explained that the state came out with an updated website and model ordinance for cities to use. She noted cities have waited several months for the state to provide more information – specifically a model ordinance. Boeck noted that it makes sense to match with the model that is being provided and city staff is reviewing the model ordinance to edit for our city code.

### **ADJOURNMENT**

Motion by Dorman and second by Maras to adjourn the meeting at 5:56 p.m. Motion carried.

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Cierra Maras, Planning Commission Secretary

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Lucas Schuster, Chairman

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

Regular Meeting  
August 20, 2024  
5:30 pm – City Center

Chairman Lucas Schuster called the meeting to order at 5:31 pm.

## **MEMBERS PRESENT**

Wyeth Anderson, Vice-Chair  
Leon Axtman  
Jared Dawson  
Rachel Christensen, Ex-Officio  
Matt Dorman  
Matt Maras  
Lucas Schuster, Chair

## **MEMBERS ABSENT**

Steve Thompson

## **STAFF PRESENT**

Cierra Maras, Development Services Administrative Assistant  
Wayne Sorensen, City Building & Zoning Official

## **APPROVAL OF AGENDA**

Motion by Axtman and second by Dorman to approve the agenda with a change that the July 20, 2024 meeting minutes will be presented at a later date. Motion carried.

**Ordinance amendments prepared by Cierra Maras are to become part of these minutes by reference.**

## **PUBLIC HEARINGS**

- 1. Amending Chapter 50: Zoning of Cannabis, Off-Sale Liquor, Tobacco & Sexually Oriented Businesses.**

Sorensen explained that the ordinance amendments being amended tonight are regarding new definitions, locations, prohibited uses in specific zones, and adding cannabis zoning. All of the amendments can be found in the documents provided to the commission as well as recorded audio of this meeting upon request.

### **Schuster opened the hearing to the public at 6:06 pm**

Colin Minehart, business located at 1811 Main St E, stated that him and his family have spent thousand of dollars pursuing a cannabis retailer license. He noted he is in the restaurant has been in business since 1983 and he would like to change and pursue a retailer cannabis license. He stated he is in an excellent location in the B-2 Business District and that the new cannabis ordinance would create large issues for him. He noted that having a cannabis retailer business would draw people off the interstate in to our community as well as people from other communities. He explained that he would need to apply for a variance as his business location is too close to a daycare. He said the cannabis industry is changing. He noted that he is happy to show anyone his proprietary business plans tonight.

Jerry Collins, owner of Big Dream Organics located at 1039 Broadway Ave S, stated that the cannabis is a changing, new industry and he encourages growth to the city as well as brining in others to our community. He noted the cannabis matrix presented should have retail portion provisions for the microbusiness and mezzobusinesses. He noted that generally speaking, the city is largely concerned about the number of retail locations allowed. He added that those in the cannabis industry are good at doing things under the radar, know the risks of the industry, and are good at mitigating it.

### **Schuster closed the hearing to the public at 6:19 pm.**

Sorensen explained that the setbacks added in the commercial and industrial districts regarding cannabis, liquor stores, and sexually oriented businesses are from structure to structure, not property line to property line. He added that people may always apply for variances, but it is a financial consideration. He noted that the administration portion of the ordinance is in charge of limiting the number of stores and it does not coincide with zoning.

Motion by Anderson and second by Maras to recommend to City Council approval of all ordinance amendments to Chapter 50 as written and discussed.

Motion passed on a 6-0 voiced vote.

### **COMMISSIONER COMMUNICATION**

None.

### **STAFF COMMUNICATION**

None.

### **ADJOURNMENT**

Motion by Dawson and second by Anderson to adjourn the meeting at 6:53 pm. Motion carried.

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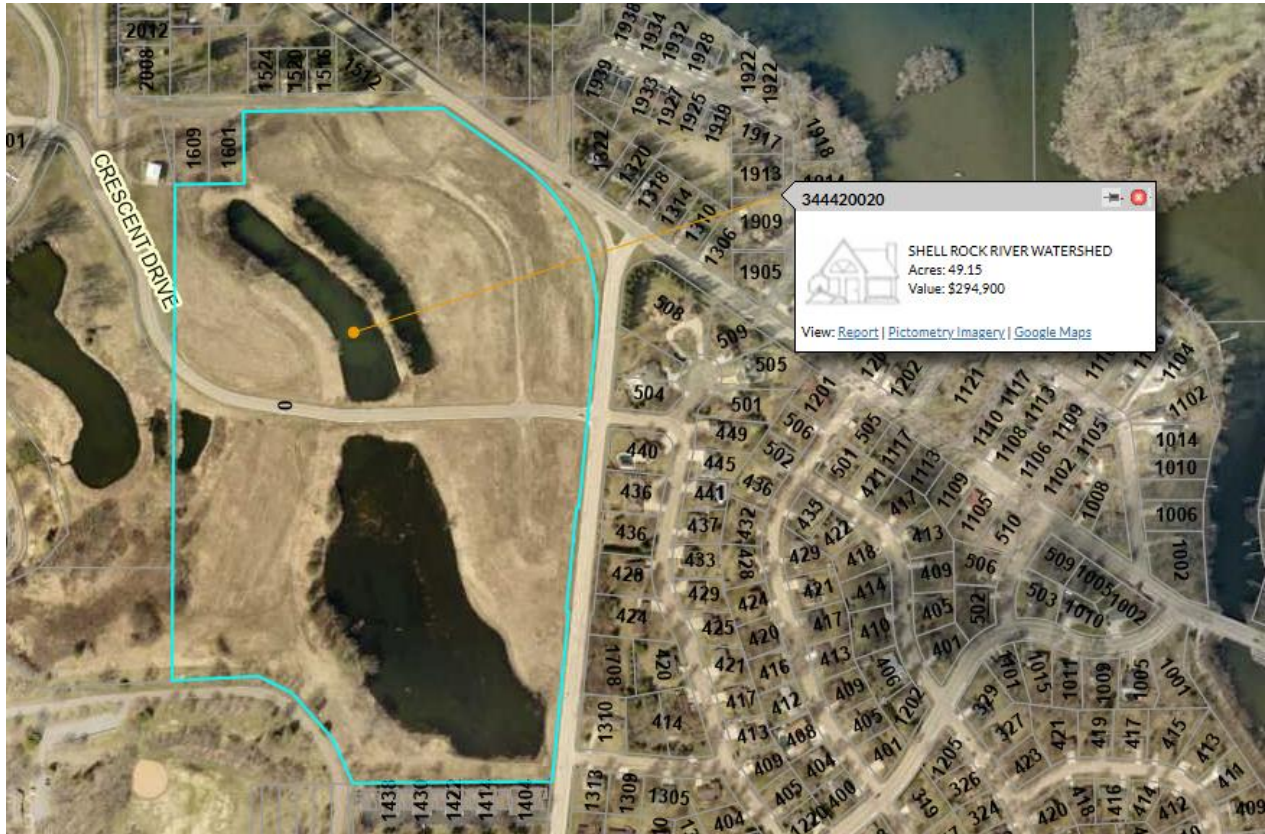
Cierra Maras, Planning Commission Secretary

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Lucas Schuster, Chairman

TO: Planning Commission Members  
FROM: Megan Boeck, City Planner  
DATE: November 27, 2024  
RE: Registered Land Survey No. 17

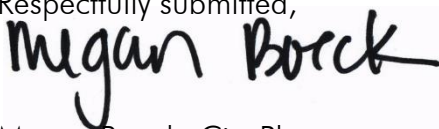
Attached is Registered Land Survey No. 17 which is of the property locally known as the Eagles Rest and currently owned by the Shell Rock River Watershed District (SRRWD).



The purpose of the survey is to subdivide the property in to four separate tracts of land to allow for future development. Tract C and Tract D, which are wetlands, will remain in the possession of the SRRWD for retention efforts. Tract A and Tract B, which is buildable land, will likely be sold to a housing developer.

Future platting of lots and blocks, proper roadways, and park dedication will be required upon the sale and development of Tract A and Tract B.

Respectfully submitted,

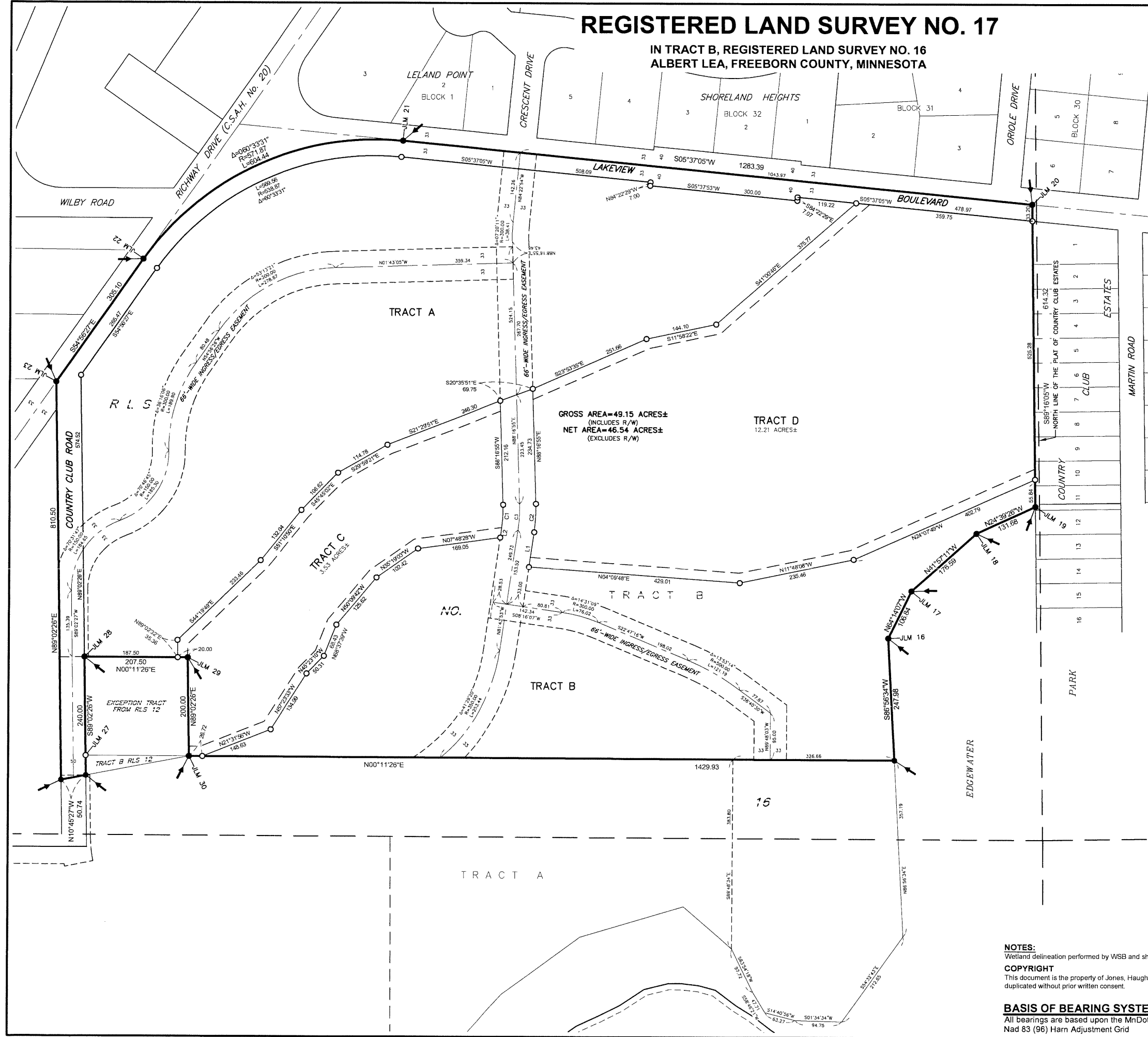


Megan Boeck, City Planner



# REGISTERED LAND SURVEY NO. 17

IN TRACT B, REGISTERED LAND SURVEY NO. 16  
ALBERT LEA, FREEBORN COUNTY, MINNESOTA



I hereby certify that, in accordance with the provisions of Chapter 508, Minnesota Statutes of 1949, as amended, I have surveyed the following described property in the City of Albert Lea, the County of Freeborn, State of Minnesota, to wit:  
Tract B, Registered Land Survey No. 16, as the same is platted and recorded in the Office of the County Recorder of Freeborn County, Minnesota;  
I hereby certify that this Registered Land Survey is a correct delineation of said survey, dated this 26<sup>th</sup> day of Nov, 2024.

*Steven J. Thompson*  
Steven J. Thompson, Licensed Land Surveyor  
Minnesota Registration No. 22705

This REGISTERED LAND SURVEY was approved and accepted by the City Council of the City of Albert Lea, Minnesota, at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
Clerk

I hereby certify that this Registered Land Survey has been checked and approved this 26 day of Nov, 2024.

*Steen J. Pankasa*  
Steen J. Pankasa  
Deputy Freeborn County Surveyor

No delinquent taxes due, and transfer has been entered this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
County Auditor, Freeborn County, MN

I, Kelly Hendrickson, County Auditor, Freeborn County, Minnesota, hereby certify that liens, if any, against the above described premises in any drainage proceedings have been apportioned to the respective lots, tracts and parcels situated in the described tract, pursuant to Minnesota Statutes 103E 625.

\_\_\_\_\_  
County Auditor, Freeborn County, MN

I hereby certify that on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024, the current taxes have been paid on the land described herein.

\_\_\_\_\_  
Treasurer, Freeborn County, MN

STATE OF MINNESOTA  
COUNTY OF FREEBORN  
DOCUMENT NUMBER \_\_\_\_\_

I hereby certify that this Registered Land Survey was filed in this office on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

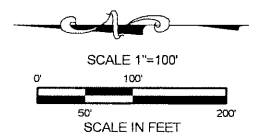
\_\_\_\_\_  
Registrar of Titles

By: \_\_\_\_\_  
Deputy

I hereby certify that I have carefully compared the within copy of the Plat of REGISTERED LAND SURVEY NO. 17 with the original, which was filed in this office for record this \_\_\_\_\_ day of \_\_\_\_\_, 2024 at \_\_\_\_\_ o'clock and find the same to be a true and correct copy thereof.

\_\_\_\_\_  
Registrar of Titles

By: \_\_\_\_\_  
Deputy



AREA  
49.15 ACRES± (2,141,119 Ft.<sup>2</sup>)  
VICINITY MAP

Curve Table			
Curve #	Length	Radius	Delta
C1	48.54	267.00	9°58'12"
C2	58.04	333.00	9°58'12"
C3	52.29	300.00	9°58'12"

Line Table		
Line #	Length	Bearing
L1	71.98	S81°43'53"E
L2	20.82	N81°43'53"W

**NOTES:**  
Wetland delineation performed by WSB and shown from drawing 02286-010 EX2.

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**BASIS OF BEARING SYSTEM**  
All bearings are based upon the MnDot Freeborn County Coordinate System Nad 83 (96) Harn Adjustment Grid

**JONES, HAUGH & SMITH INC.**  
CONSULTING ENGINEERS & LAND SURVEYORS  
515 SOUTH WASHINGTON AVENUE ALBERT LEA,  
MINNESOTA 56007  
NOVEMBER 2024  
DRAWN BY ANDY MCGOWAN



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TO: Planning Commission Members  
FROM: Megan Boeck, City Planner  
DATE: November 27, 2024  
RE: Preliminary and Final Plat – Blazing Star No. 2

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Attached is a preliminary and final plat of Blazing Star No. 2, which is a large 33-acre parcel previously home to Farmstead or Wilson Foods.

The layout of lots and blocks were largely based on areas on contamination, grade of the property, and the desires of potential developers. The property is currently zoned Planned Development (PD) of which the purpose is to encourage further development in housing, recreation, and commercial and industrial use.

Both Outlot A and Outlot B are platted as outlots due to the flood plain and the likelihood of those areas remaining parks and/or open space.

The railroad crossing is being platted as Outlot D until such time the railroad is willing to sign Right-Of-Way or crossing access. Lots and blocks are determined largely by areas of contamination and grade.

The Preliminary and Final Plat of Blazing Star No. 2 meets all the requirements of City Code Chapter 38 – Subdivisions and staff recommends approval.

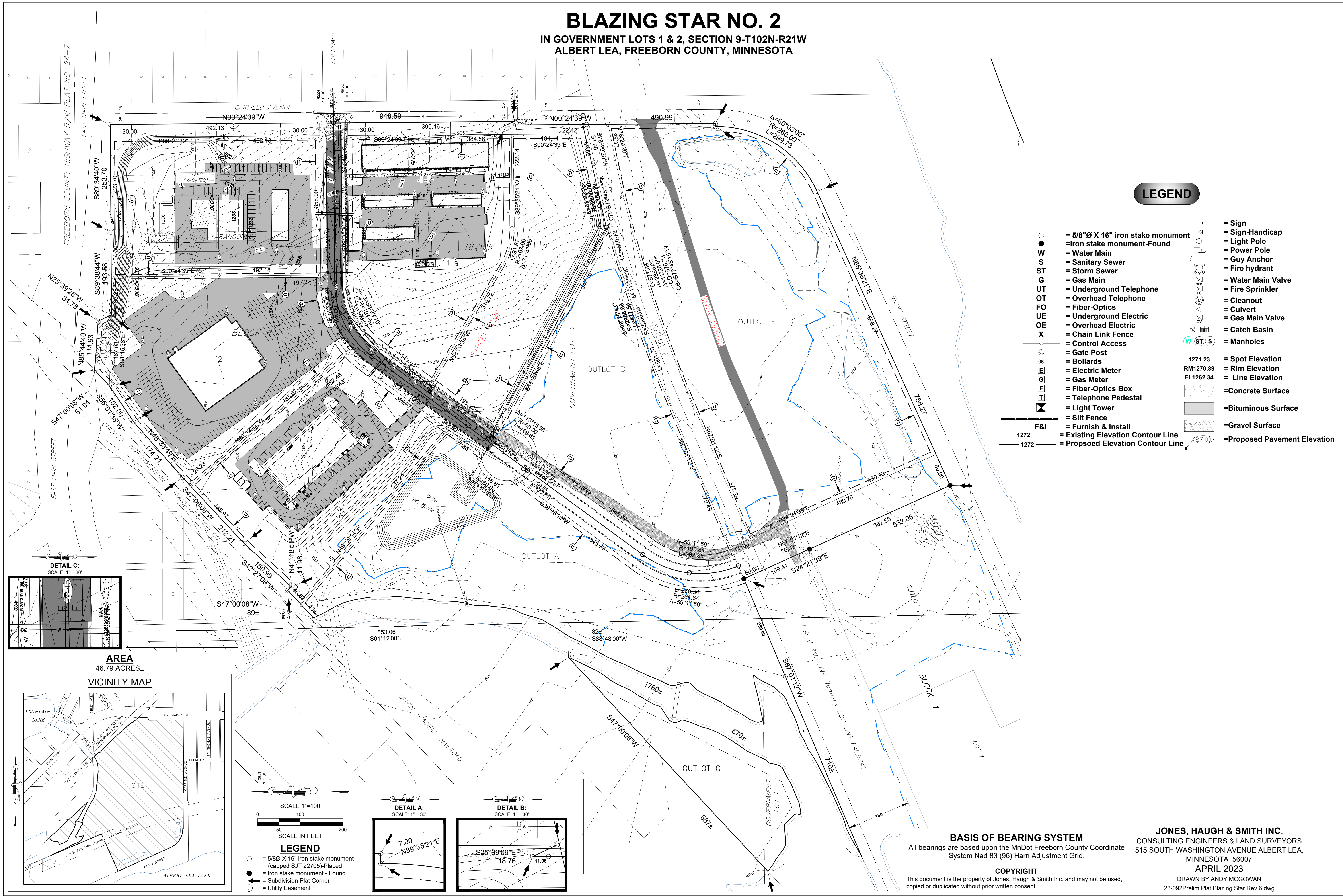
Respectfully submitted,

Megan Boeck, City Planner

PRELIMINARY PLAT

# BLAZING STAR NO. 2

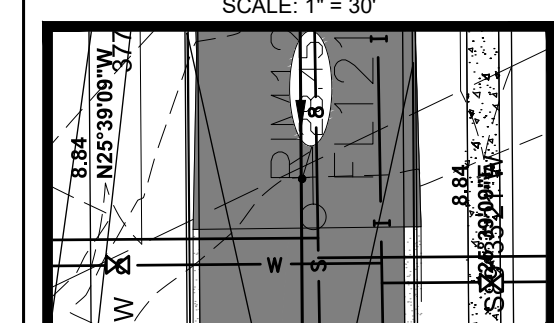
IN GOVERNMENT LOTS 1 & 2, SECTION 9-T102N-R21W  
ALBERT LEA, FREEBORN COUNTY, MINNESOTA



### LEGEND

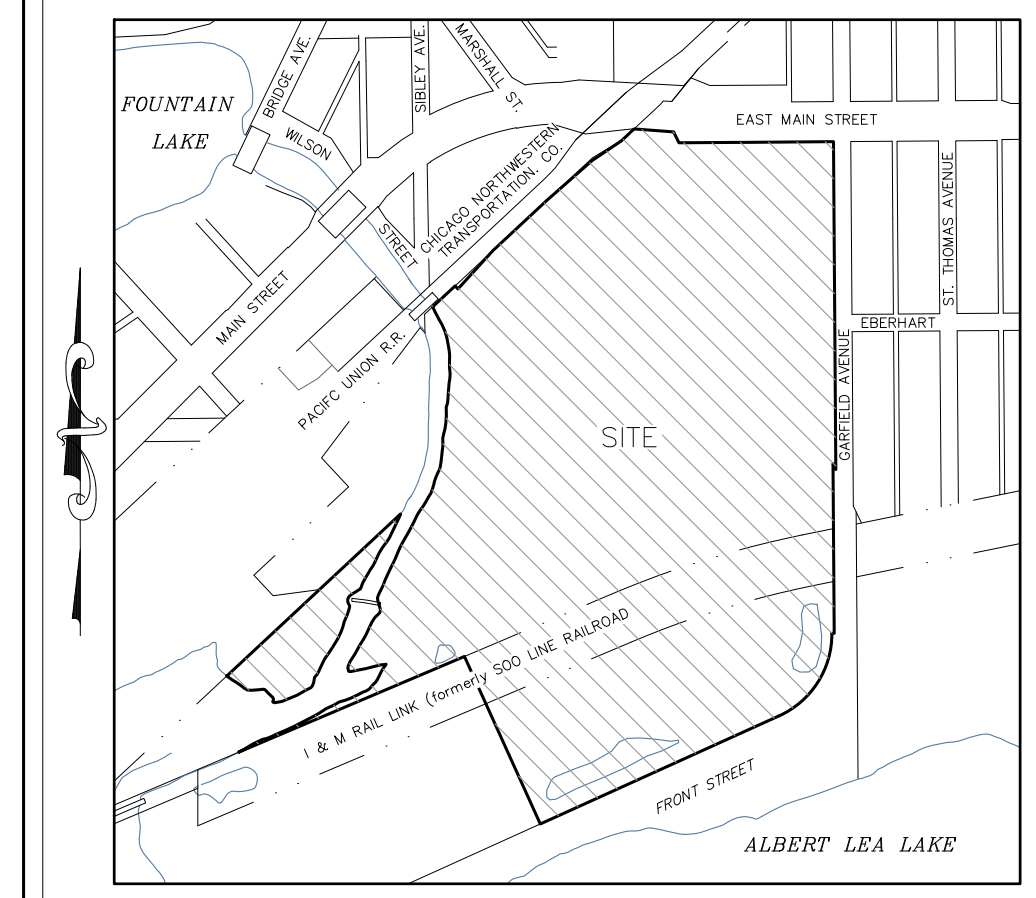
- = 5/8"Ø X 16" iron stake monument
- = Iron stake monument-Found
- W — = Water Main
- S — = Sanitary Sewer
- ST — = Storm Sewer
- G — = Gas Main
- UT — = Underground Telephone
- OT — = Overhead Telephone
- FO — = Fiber-Optics
- UE — = Underground Electric
- OE — = Overhead Electric
- X — = Chain Link Fence
- CA — = Control Access
- GP — = Gate Post
- EM — = Electric Meter
- GM — = Gas Meter
- FOB — = Fiber-Optics Box
- TP — = Telephone Pedestal
- LT — = Light Tower
- SF — = Silt Fence
- F&I = Furnish & Install
- 1272 = Existing Elevation Contour Line
- 1272 = Proposed Elevation Contour Line
- = Sign
- = Sign-Handicap
- = Light Pole
- = Power Pole
- = Guy Anchor
- = Fire hydrant
- = Water Main Valve
- = Fire Sprinkler
- = Cleanout
- = Culvert
- = Gas Main Valve
- = Catch Basin
- = Manholes
- 1271.23 = Spot Elevation
- RM1270.89 = Rim Elevation
- FL1262.34 = Line Elevation
- = Concrete Surface
- = Bituminous Surface
- = Gravel Surface
- = Proposed Pavement Elevation

DETAIL C:  
SCALE: 1" = 30'



AREA  
46.79 ACRES±

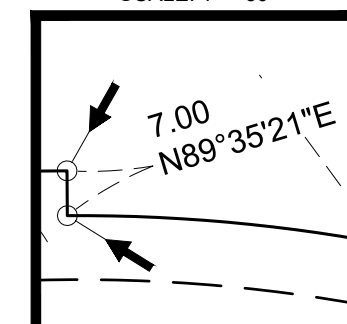
### VICINITY MAP



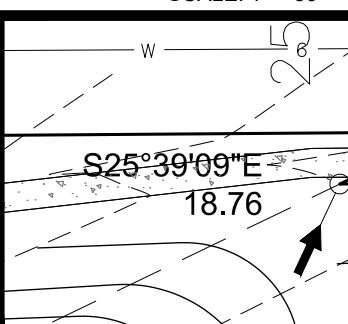
SCALE 1"=100  
SCALE IN FEET

- ### LEGEND
- = 5/8Ø X 16" iron stake monument (capped SJT 22705)-Placed
  - = Iron stake monument - Found
  - = Subdivision Plat Corner
  - = Utility Easement

DETAIL A:  
SCALE: 1" = 30'



DETAIL B:  
SCALE: 1" = 30'



### BASIS OF BEARING SYSTEM

All bearings are based upon the MnDot Freeborn County Coordinate System Nad 83 (96) Ham Adjustment Grid.

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

APRIL 2023

DRAWN BY ANDY MCGOWAN  
23-092Prelim Plat Blazing Star Rev 6.dwg

OFFICIAL PLAT

BLAZING STAR NO. 2

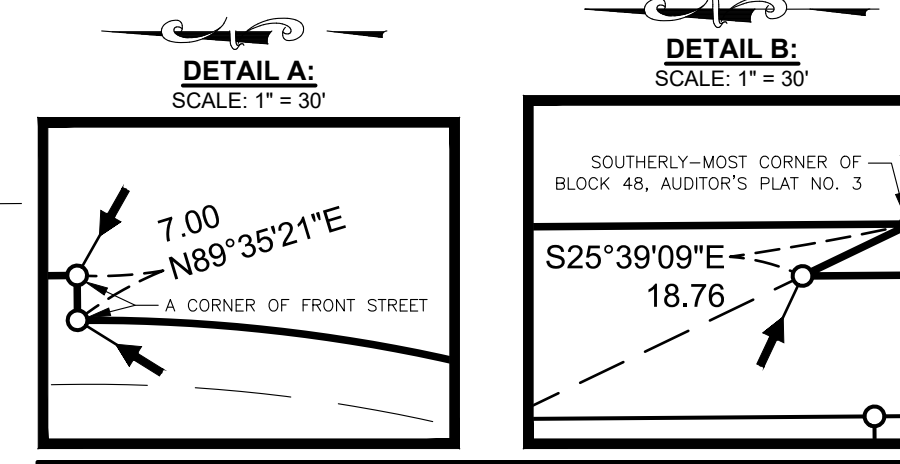
RE-PLAT OF BLOCKS 36 & 37, THIRD HOME ADDITION, BLOCK 37, AUDITOR'S PLAT NO. 3 (ABSTRACT) AND LOTS 10, 11 & 12, BLOCK 37, AUDITOR'S PLAT NO. 3 (TORRENS) AND IN GOVERNMENT LOTS 1 & 2, SECTION 9-T102N-R21W ALBERT LEA, FREEBORN COUNTY, MINNESOTA

CERTIFICATE OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That The City of Albert Lea, a Minnesota Municipal Corporation, owner and proprietor of the following described property situated in the City of Albert Lea, County of Freeborn, State of Minnesota, to-wit:

Re-Plat of Blocks 36 & 37, Third Home Addition, Block 37, Auditor's Plat No. 3 (Abstract) and Lots 10, 11 & 12, Block 37, Auditor's Plat No. 3 (Torrens) and all that part of Government Lots 1 & 2 in Section 9-T102N-R21W, Freeborn County, Minnesota, described as follows:

Commencing at the northerly-most corner of Blazing Star No. 1, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota, described as follows:
thence South 24°21'39" East a distance of 532.06 feet on the northeasterly line of said Blazing Star No. 1, to the easterly-most corner thereof;
thence North 65°38'21" East a distance of 758.27 feet on the northwesterly line of Front Street;



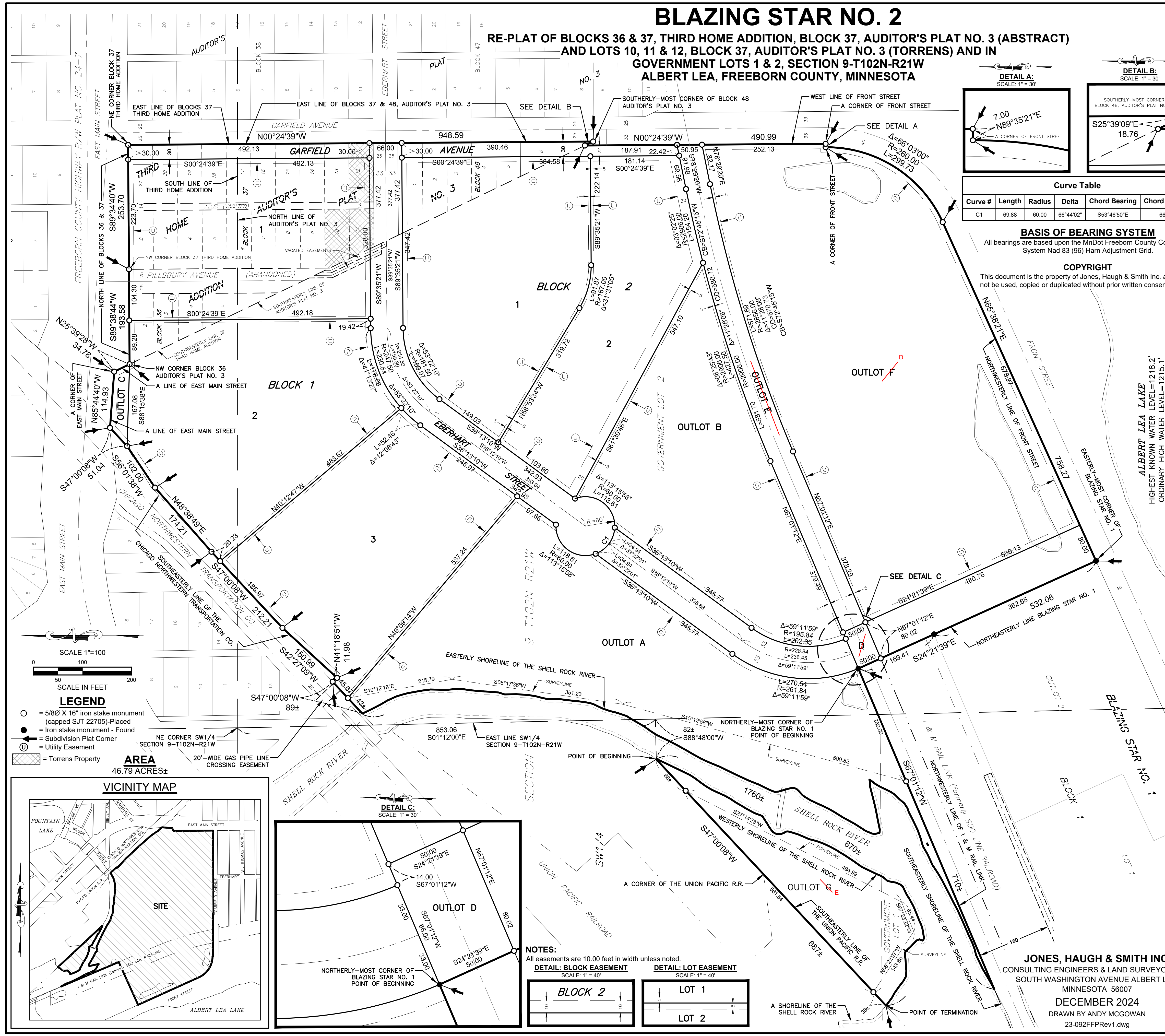
Curve Table with columns: Curve #, Length, Radius, Delta, Chord Bearing, Chord Length. Includes curve C1 with values: Length 69.88, Radius 60.00, Delta 66°44'02", Chord Bearing S53°46'50"E, Chord Length 66.00.

BASIS OF BEARING SYSTEM

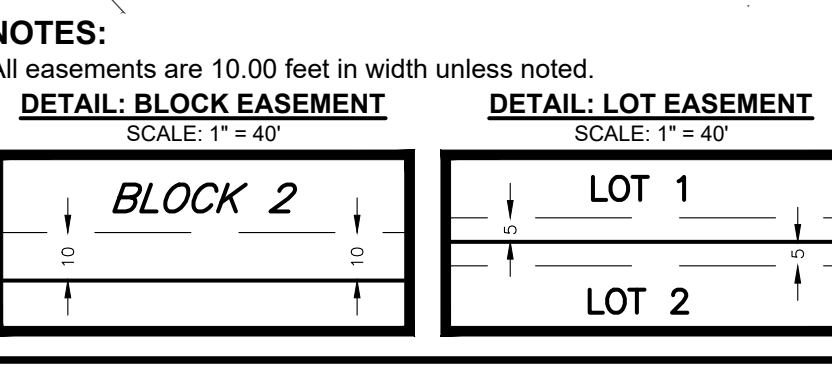
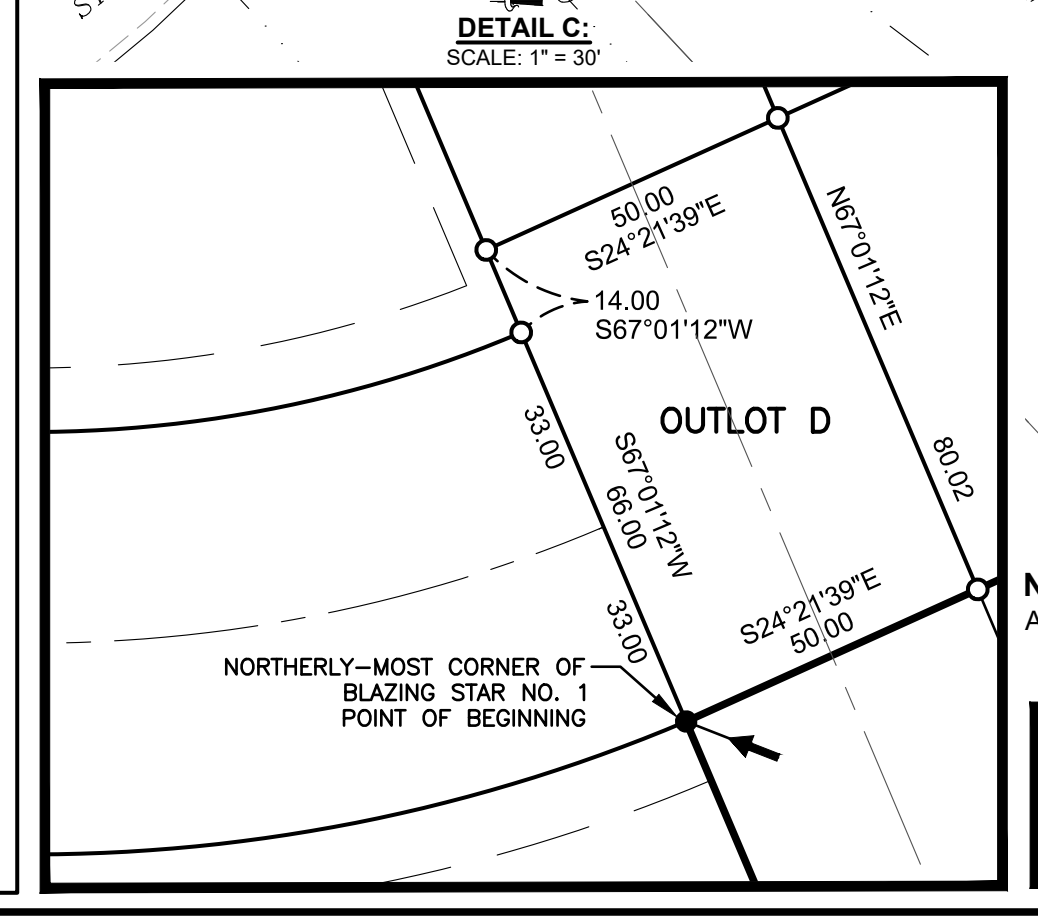
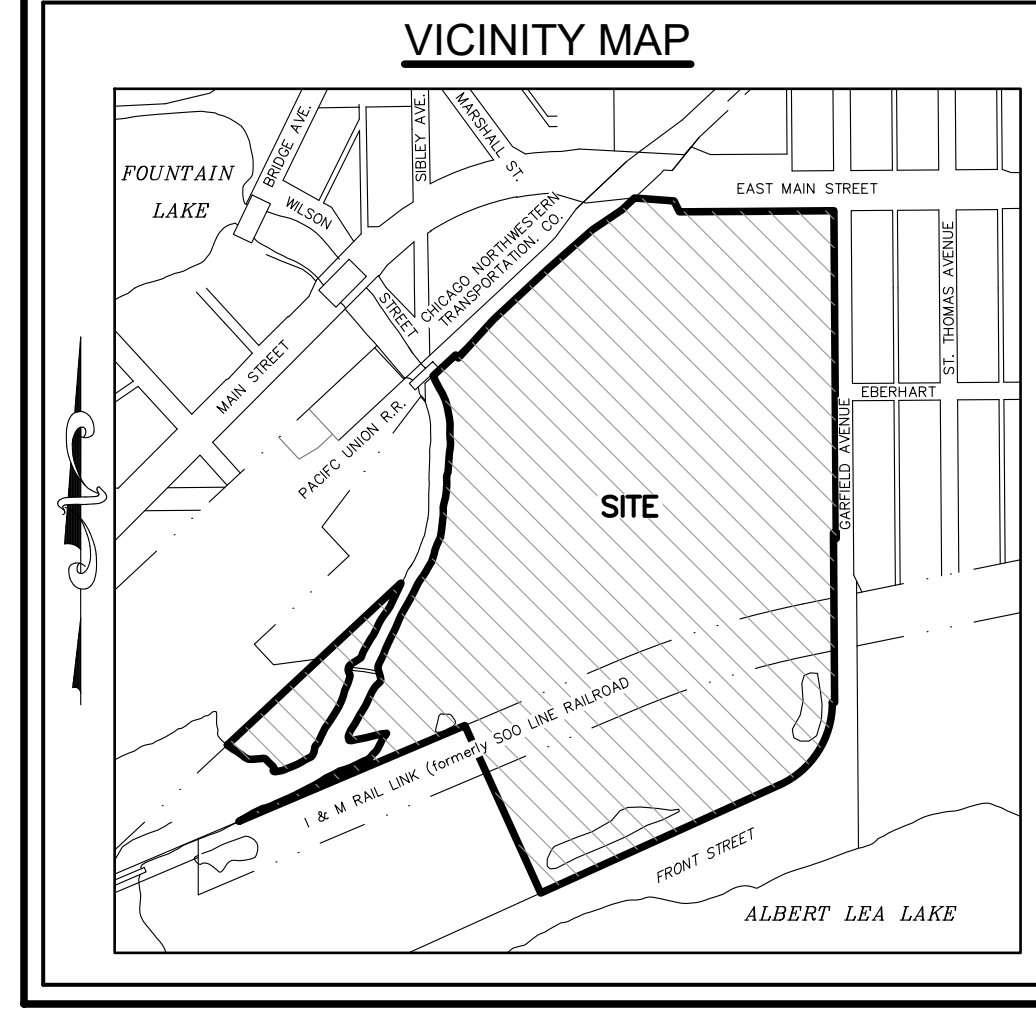
All bearings are based upon the Minnesota Freeborn County Coordinate System Nad 83 (96) Ham Adjustment Grid.

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SCALE 1"=100
SCALE IN FEET
LEGEND
5/8" X 16" iron stake monument (capped SJT 22705)-Placed
Iron stake monument - Found
Subdivision Plat Corner
Utility Easement
Torrens Property
AREA 46.79 ACRES±
20'-WIDE GAS PIPE LINE CROSSING EASEMENT



Having caused the above described premises to be surveyed and platted as shown hereon, to be known as BLAZING STAR NO. 2, do by these presents dedicate to the public for public use forever and for the use of the public utilities, the utility easements appearing hereon, for the installation and maintenance of facilities installed in and over said easements to serve adjacent or other premises in the vicinity.

Witness my hand this \_\_\_ day of \_\_\_, 20\_\_
Rich Murray, Mayor
STATE OF MINNESOTA
COUNTY OF FREEBORN
The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_, 20\_\_ by Rich Murray, Mayor of The City of Albert Lea, a Minnesota Municipal Corporation, on behalf of the Corporation.

Notary Public, My Commission Expires
STEVEN J. THOMPSON, Licensed Land Surveyor, Minnesota Licensed No. 22705

STATE OF MINNESOTA
COUNTY OF FREEBORN
This instrument was acknowledged before me on this \_\_\_ day of \_\_\_, 20\_\_ by Steven J. Thompson.
Notary Public, My Commission Expires
I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this day of \_\_\_, 20\_\_.

Deputy Freeborn County Surveyor
COUNTY AUDITOR & TREASURER CERTIFICATE
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 2023 on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this \_\_\_ day of \_\_\_, 20\_\_.

County Auditor & Treasurer, Freeborn County, MN
COUNTY RECORDER'S CERTIFICATE
I hereby certify that this plat of BLAZING STAR NO. 2 was filed in the office of the County Recorder for public record on this \_\_\_ day of \_\_\_, 20\_\_ at \_\_\_ o'clock \_\_\_ M., and was duly filed in Book \_\_\_ of Plats, Page \_\_\_ as Document Number \_\_\_\_\_.
County Recorder, Freeborn County, Minnesota
By: Deputy
REGISTRAR OF TITLE
I hereby certify that this plat of BLAZING STAR NO. 2 was filed in the office of the County Recorder for public record on this \_\_\_ day of \_\_\_, 20\_\_ at \_\_\_ o'clock \_\_\_ M., and was duly filed in Book \_\_\_ of Plats, Page \_\_\_ as Document Number \_\_\_\_\_.
Registrar of Titles
By: Deputy

JONES, HAUGH & SMITH INC.
CONSULTING ENGINEERS & LAND SURVEYORS 515
SOUTH WASHINGTON AVENUE ALBERT LEA,
MINNESOTA 56007
DECEMBER 2024
DRAWN BY ANDY MCGOWAN
23-092FFPRev1.dwg