

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

March 2, 2021 – 5:30 p.m.  
City Center -- ZOOM

**AGENDA**

A. CALL TO ORDER AND ROLL CALL

B. APPROVAL OF THE AGENDA

C. APPROVAL OF MINUTES

a. February 2, 2021

D. PUBLIC HEARINGS

a. Preliminary Plat of Blazing Star No. 1

b. Zoning Amendment from Limited Industrial (I-1) to Planned  
Development (PD) for PID:

1) 34.007.2420

2) 34.007.2410

3) 34.007.2440

c. Interim Use Permit for Verizon Wireless- Temporary Communication  
Tower

E. NEW BUSINESS

F. COMMISSIONER COMMUNICATIONS

G. STAFF COMMUNICATIONS

H. ADJOURNMENT

# MINUTES OF THE ALBERT LEA PLANNING COMMISSION

**Regular Meeting**  
**February 2, 2021**  
**5:30 pm – ZOOM**

Call to order at 5:30 pm by Sorensen.

**MEMBERS PRESENT:** Colby Cunningham, Wyeth Anderson, Lucas Schuster, Matt Dorman.

**MEMBERS ABSENT:** Jared Dawson and Larry Baker.

**STAFF PRESENT:** Wayne Sorensen, Building/Zoning Administrator.

## **ELECTION OF OFFICERS**

A motion was made by Cunningham and seconded by Dorman to elect Schuster as Chairman and Anderson as Vice-Chair. Motion carried.

## **APPROVAL OF AGENDA**

A motion was made by Schuster and second by Cunningham to approve the agenda. Motion carried.

## **APPROVAL OF MINUTES**

A motion was made by Anderson and second by Schuster to approve the October 6, 2020 meeting minutes as presented. Motion carried.

## **PUBLIC HEARINGS**

### **a. Conditional Use Permit – 2440 Becker Drive for Expansion of a Retail Propane Plant**

Sorensen opened the hearing to the public at 5:43 pm.

No public input present or provided. Sorensen shared a phone question from a neighboring property owner concerning likelihood of the street being paved as they did not want to have assessments. Sorensen stated that was not being discussed at this time.

Motion by Schuster and second by Dorman to recommend approval of the proposed CUP at 2440 Becker Drive as written. Motion carried.

Sorensen closed the hearing to the public at 5:49 pm.

**b. Ordinance Amendment 50-0224 Conditional Permitted Uses in R-1**

**c. Ordinance Amendment 50-0345 Conditional Permitted Uses in R-P**

Sorensen opened the hearing to the public at 6:04 pm.

No public input present or provided. Sorensen gave general discussion on “private” versus “public and commercial”.

Sorensen closed the hearing to the public at 6:05 pm.

Motion by Schuster and second by Dorman to recommend approval of Ordinance Amendment 50-0224 Conditional Permitted Uses in R-1 and Ordinance Amendment 50-0345 Conditional Permitted Uses in R-P. Motion carried.

**NEW BUSINESS**

None.

**COMMISSIONER COMMUNICATION**

None.

**STAFF COMMUNICATION**

Sorensen shared information on current commissioner terms.

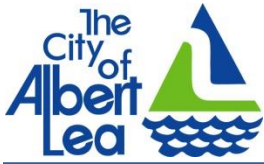
Motion by Cunningham and second by Dorman to adjourn the meeting at 6:10 pm. Motion carried.

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Wayne Sorensen, Building/Zoning Official

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Lucas Schuster, Chairman



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**TO:** Planning Commission Members  
**FROM:** Megan Boeck, City Planner  
**DATE:** February 24, 2021  
**RE:** Final Plat—Blazing Star No. 1

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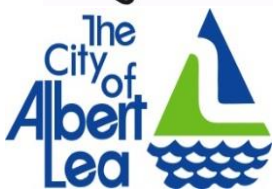
Over the past several months City staff has been working with Unique Opportunities, a developer proposing to build a 48 unit multi-family apartment building at 1000 E Main St or Blazing Star. The proposed development will work to fill the 110 to 140 unit rental housing shortage identified in the 2009 Housing Market and Demand Analysis (prepared by Maxfield Research, Inc.).

The overall development identifies a three-phase approach. If successful, two additional units could be constructed within the next 5-10 years. Preliminary Plat of Blazing Star No. 1 has been prepared with this development in mind and a site plan of the proposed three phase development is attached.

Preliminary Plat of Blazing Star No. 1 meets all the requirements of Chapter 53- Subdivisions and staff recommends approval.

Please let me know if you have any additional questions.

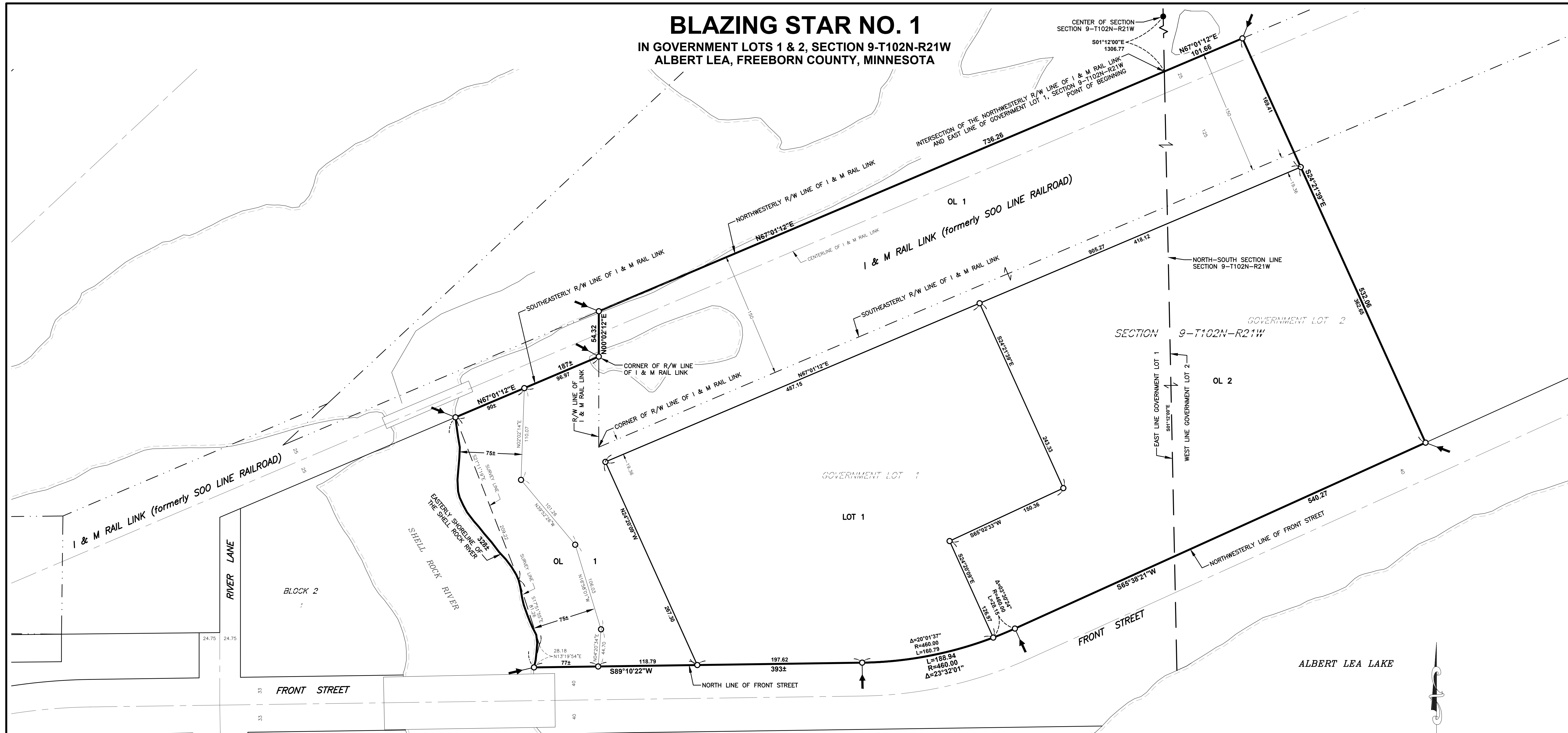
*Megan Boeck*



Megan N. Boeck  
City Planner  
City of Albert Lea  
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507-377-4349 [mboeck@ci.albertlea.mn.us](mailto:mboeck@ci.albertlea.mn.us)

OFFICIAL PLAT

BLAZING STAR NO. 1  
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:

All that part of Government Lots 1 & 2, Section 9-T102N-R21W, Freeborn County, Minnesota; described as follows:

Beginning at the intersection of the northwesterly right-of-way line of the I & M Rail Link and the east line of said Government Lot 1;

thence North 67°01'12" East a distance of 101.66 feet on said northwesterly right-of-way line, assuming the east line of said Government Lot 1 has a bearing of South 01°12'00" East;

thence South 24°21'39" East a distance of 532.06 feet, to the northwesterly right-of-way line of Front Street;

thence southwesterly and westerly on said northwesterly right-of-way line, described as follows:

South 65°38'21" West a distance of 540.27 feet;

West a distance of 188.94 feet on a tangential curve concave to the North with a radius of 460.00 feet and a central angle of 23°32'01";

South 89°10'22" West a distance of 393 feet more or less on a tangential line, to the easterly shoreline of the Shell Rock River;

thence Northerly and northwesterly a distance of 328 feet more or less on said easterly shoreline, to the southeasterly right-of-way of said I & M Rail Link;

thence North 67°01'12" East a distance of 187 feet more or less on said southeasterly right-of-way line, to a corner of said I & M Rail Link right-of-way;

thence North 00°02'12" East a distance of 54.32 feet, to said northwesterly right-of-way line;

thence North 67°01'12" East a distance of 736.26 feet on said northwesterly right-of-way line, to the point of beginning.

having caused the above described premises to be surveyed and platted as shown hereon, to be known as **BLAZING STAR NO. 1**, 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 \_\_\_\_\_, 2021.

STATE OF MINNESOTA  
COUNTY OF FREEBORN

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021 by Vern Rasmussen, Mayor of The City of Albert Lea, a Minnesota Municipal Corporation, on behalf of the Corporation.

\_\_\_\_\_, Notary Public

SURVEYOR'S CERTIFICATE

I, Steven J. Thompson, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designed on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated \_\_\_\_ day of \_\_\_\_\_, 2021.

Licensed Land Surveyor  
Minnesota Licensed No. 22705

STATE OF MINNESOTA  
COUNTY OF FREEBORN

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2021 by Tammy J. Gasner.

\_\_\_\_\_, Notary Public

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_ day of \_\_\_\_\_, 2021.

Deputy Freeborn County Surveyor

COUNTY AUDITOR & TREASURER CERTIFICATE

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 2021 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 \_\_\_\_\_, 2021.

County Auditor & Treasurer, Freeborn County, MN

COUNTY RECORDER'S CERTIFICATE

County Recorder, County of Freeborn, State of Minnesota

I hereby certify that this plat of **BLAZING STAR NO. 1** was filed in the office of the County Recorder for public record on this day of \_\_\_\_\_, 2021, at \_\_\_\_ o'clock \_\_\_\_ M., and was duly filed in Book \_\_\_\_ of Plats, Page \_\_\_\_ as Document Number \_\_\_\_\_.

County Recorder, Freeborn County, Minnesota

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

Deputy

BENCHMARK

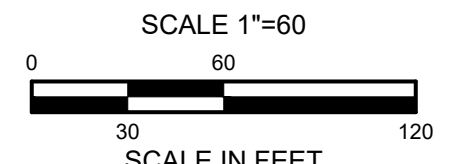
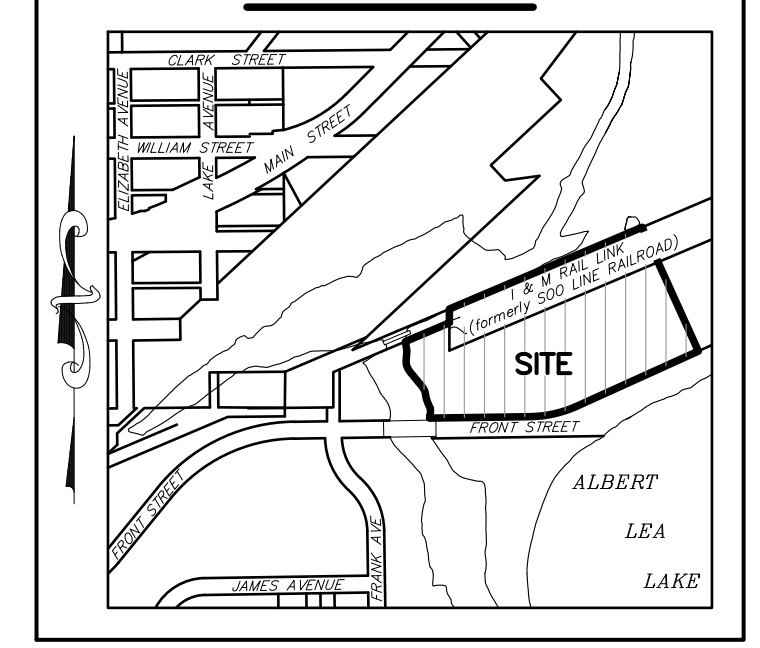
2405 F=1221.94

Highest known water Elevation=12.14.20 NAVD 88

AREA

12.16 ACRES± (529,647 Ft<sup>2</sup>)

VICINITY MAP



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

BASIS OF BEARING SYSTEM

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

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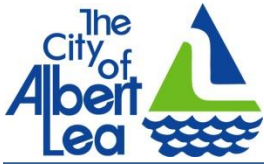
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JONES, HAUGH & SMITH INC.

CONSULTING ENGINEERS & LAND SURVEYORS
515 SOUTH WASHINGTON AVENUE ALBERT LEA, MINNESOTA 56007

FEBRUARY 2021

DRAWN BY ANDY MCGOWAN
20-204PP\_Rev4.dwg



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**TO:** Planning Commission Members  
**FROM:** Megan Boeck, City Planner  
**DATE:** February 24, 2021  
**RE:** Application to Re-Zone 423 Adams Ave from (I-1) to PD

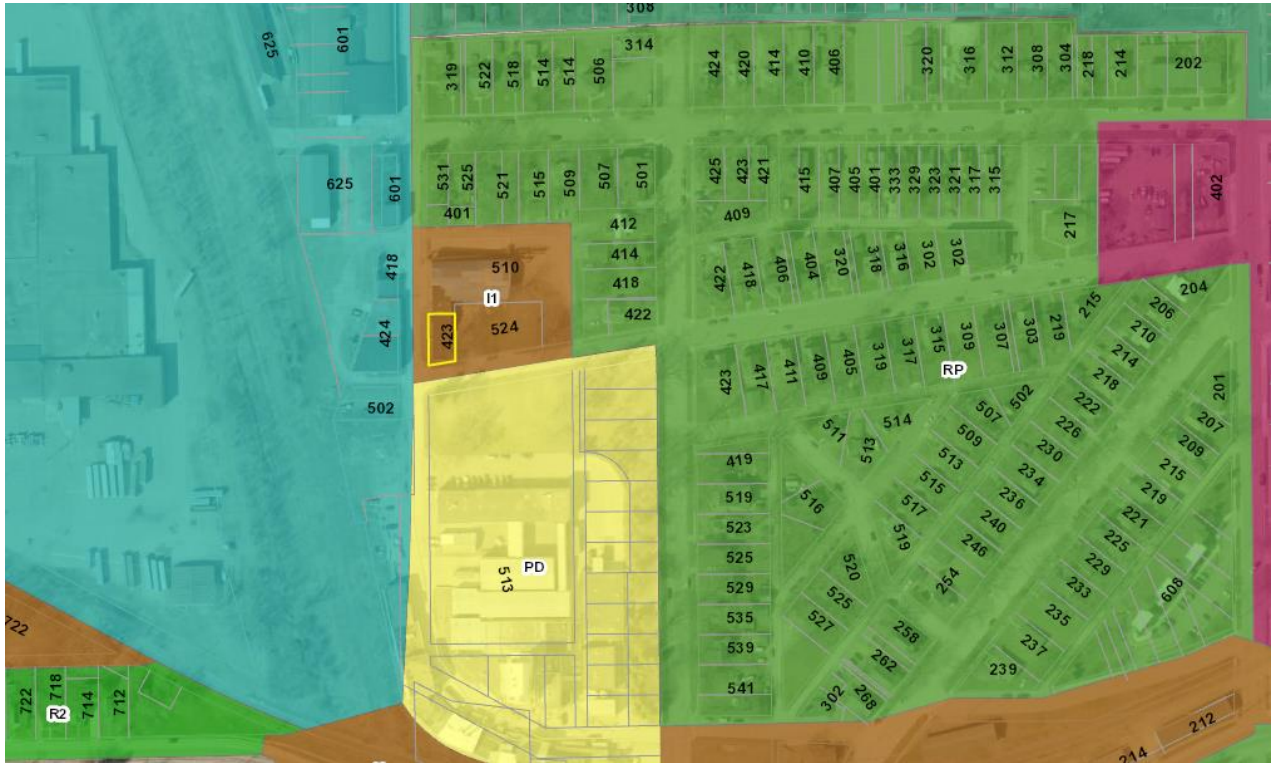
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Turning Point Real Estate has made application to re-zone the property at 423 Adams Ave (three separate parcels) from Limited Industrial (I-1) to Planned Development (PD) to accommodate an adaptive reuse housing development. The properties are currently situated between Residential Preservation, Planned Development and I-3 zones.

Section 50.0617 states that the purpose of the Planned Development District is to:

- 1) Further the public health, safety, morals and general welfare in an era of increasing urbanization.
- 2) Encourage innovations in residential, commercial and industrial development and renewal.
- 3) Stimulate opportunities for better housing and recreation.**
- 4) Provide for shops and industrial plants conveniently located near each other.
- 5) Accommodate changes in the technology of land development.
- 6) Encourage a more creative approach in the utilization of land which may be characterized by special features of the geography, topography, size or shape of a particular property.
- 7) Provide a compatible and stable environment in harmony with that of the surrounding area.

In addition, the existing 2030 Comprehensive Plan's Growth Management Policy (page 26) identifies the properties in question as Reinvestment and Redevelopment—which prioritizes new growth through redevelopment, reuse and infill.



Staff finds the application to Re-Zone the above mentioned properties from (I-1) to (PD) meets the general zoning requirements of the PD district and the intent of the 2030 Comprehensive Plan.

Please let me know if you have any questions.

*Megan Boeck*



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 City Planner  
 City of Albert Lea  
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 507-377-4349 [mboeck@ci.albertlea.mn.us](mailto:mboeck@ci.albertlea.mn.us)



**GENERAL INFORMATION**

Applicant: Verizon Wireless

Property Owner: City of Albert Lea

Purpose: Application for Interim Use Permit for construction of Temporary Communications Tower

Address: 105 Newton Ave N (adjacent), Albert Lea, MN

Parcel Number(s): 34.605.0020

File Date/Publication Date: February 2, 2021/February 20, 2021

Subject Site:

<b>Existing Land Use</b>	<b>Zoning</b>
Parking Lot	DCD

Adjacent Land Use and Zoning:

<b>Existing Uses</b>		<b>Zoning</b>
North	Right-of-Way	NA
South	Parking	DCD
East	Parking	B-3
West	Commercial	DCD

**BACKGROUND**

The City of Albert Lea is working to replace the Central Water Tower located at Fountain St and Newton Ave. Currently, Verizon’s communication antennas are installed on the top of the water tower. In order to avoid disruption of cellular service while the City removes the existing tower and constructs new, Verizon Wireless is proposing to build a 120-ft monopole communications tower west of the existing water tower.

The 120-ft monopole tower will be constructed within a 25'x25' leased area and stationed upon a concrete foundation. Verizon’s equipment building will remain in the existing location (see aerial image) and power/fiber optics will be rerouted to the temporary monopole.

**ANALYSIS**

**Zoning 50-0053 - Interim Use Permits** (a) states that an interim use may be allowed as a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer allow it and so long as the following conditions have been met:

- 1) The use shall conform to all zoning regulations.  
**Communications transmission are largely exempt from zoning but are required to**



comply with the maximum height limitation—which is 1400 MSL. The MLS of 105 N Newton is 1226 and the proposed monopole is 120 ft in height equaling 1346 MSL.

- 2) The use will not delay the permanent development of the site or prevent the orderly development of surrounding sites.  
The interim use is proposed to the west of the existing Central Water Tower and is required to ensure continued cell service while the Central Water Tower is decommissioned and rebuilt. As long as the temporary tower is constructed to a maximum MSL level of 1350 (as stated in the conditions provided), it will not interfere with crane operations or other construction aspects of the new Central Water Tower.
- 3) The use will not adversely impact implementation of the Comprehensive Plan.  
The proposed location is designated as commercial in the existing 2030 Comprehensive Plan.
- 4) The use will not be in conflict with any provisions of the zoning code.  
The proposed use meets the general requirements required in the Diversified Central District (DCC) Section 50.0199.
- 5) The use will not adversely impact nearby properties including but not limited to nuisance, noise, traffic, dust or unsightliness and will not adversely impact the health, safety and welfare of the community.  
As a utility, additional noise dust or traffic is not expected after construction is completed.
- 6) The date of event that will terminate the permit has been identified.  
Due to the uncertain timeframe for completion of the Central Water Tower, staff proposes that the Interim Use Permit be terminated within 30-days after completion of the new tower.
- 7) The use shall not cause or impose additional costs to the city or the public.  
Construction of the temporary tower, removal and restoration to pre-construction conditions will be the responsibility of the applicant.
- 8) The property owner shall not be entitled to compensation for any increase in value attributable to the interim use.  
The use is proposed on City property and would not result in an increase in value.

## **FINDINGS OF FACT**

1. The proposed use will not attract or promote any additional traffic.
2. The proposed use will not create additional population or density.
3. The proposed use as it pertains to noise will not result in higher than allowed levels.
4. The proposed use will not have a negative effect on adjoining land values.
5. As an appropriately zoned commercial property, the proposed use will not negatively impact the public health safety and welfare of the surrounding area.
6. The proposed use of a temporary communications will not alter the aesthetics of the current site.

## **STAFF RECOMMENDATION**

Staff recommends to the Planning Commission that they consider the testimony at the public hearing in addition to the report and findings of fact prepared City staff. Should the Planning Commission recommend approval and issuance of the Interim Use Permit, staff recommends the following conditions be applied:

- 1) Height of the temporary monopole is not to exceed 1350 MSL.
- 2) The temporary monopole is to be removed and restoration/repairs be made to the property within 30-days after completion of the new Central Water Tower.
- 3) The applicant provides a temporary easement agreement to the use for the duration of the Interim Use Permit.

## **Attachments:**

1. Applicants Statement
2. Aerial Image
3. Site Plan