



PLANNING COMMISSION MEETING
Tuesday, October 8, 2024
7 PM

1. CALL TO ORDER - ROLL CALL – ADOPT AGENDA

2. MINUTES

- a. August 14, 2024, Planning Commission Meeting Minutes (Pages 2-6)

3. PUBLIC HEARINGS

- a. Public hearing to consider an Ordinance amending the Albertville Zoning Code, Section 1000.22 Temporary Seasonal Sale pertaining to the number of allowed permits for a Single Property in a Calendar Year. (Page 7)
- b. Public hearing to consider an Ordinance amending the Albertville Zoning Chapter 1000 Section 1000.4 Accessory Building, Uses and Equipment pertaining to Accessory Building Setbacks and number of Garages and Accessory Buildings allowed on a Single-Family Lot. (Pages 8-9)

4. OTHER BUSINESS

- a. None

5. ADJOURNMENT



ALBERTVILLE PLANNING COMMISSION

WEDNESDAY, AUGUST 14, 2024

DRAFT MINUTES

ALBERTVILLE CITY HALL 7 PM

1. CALL TO ORDER – ROLL CALL – ADOPT AGENDA

Chair Buhrmann called the meeting to order at 7 pm.

Kris Luedke conducted roll call.

Present: Chair Buhrmann and Commissioners Anderson, Huggins, Smith, Pinski and Council Liaison Zagorski.

Others Present: City Planner Al Brixius and City Clerk Luedke.

Motioned by Anderson, seconded by Pinski to approve the agenda as submitted. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

2. MINUTES

Motioned by Huggins, seconded by Buhrmann to approve the July 6, 2024, Planning Commission meeting minutes as presented. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

3. PUBLIC HEARINGS

- a. **Public hearing to consider a development application from Larry Frase for a second accessory building exceeding 150 sq. ft. in floor area at 11760 57th Street.**

Brixius provided background information on the development application received from Larry Frase located at 11760 57th Street. He said the property owner would like to build a 192 sq. ft. second accessory building which would exceed the 150 sq. ft. limit that is permitted without a conditional use permit. He reported that the lot is unique in that it was 90 ft. width by 153 ft. in depth and backs up to the railroad tracks. Brixius presented the proposed building structure plan and added City staff recommended approval with the following conditions and answered questions from the Commissioners.

1. The shed shall have a color and exterior building to match the house.
2. The shed shall not be used for commercial and or home occupation.

Larry Frase answered questions from the Commissioners regarding the proposed building structure, the type of flooring to be used and the use of the building.

Motioned by Huggins, seconded by Smith to open the Public Hearing. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

There were no comments for the Public Hearing.

Motioned by Huggins, seconded by Pinski to close the Public Hearing. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

Motioned by Huggins, seconded by Anderson to approve a development application from Larry Frase for a second accessory building exceeding 150 sq. ft. in floor area at 11760 57th Street. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

- b. Public hearing to consider a development application from Gravity Dance Studio for an amendment to the Albertville Plaza 2nd Addition PUD and site and building plan for the construction of the 9,176 sq. ft. Commercial building on Lot 2, Block 1, Albertville Plaza 2nd Addition.**

Brixius provided background information on the application received from Gravity Dance Studio to allow for the construction of a 9,176 sq. ft. dance studio and tenant bay. He reported the area was zoned for commercial use and the dance studio falls under a recreational business classification which was allowed.

Brixius reported based on review, Staff recommended approval of PUD Development Site and Building Plans subject to the following conditions:

1. The property owner shall be required to be a member of a business property owners' association for the subdivision which is responsible for the maintenance and upkeep of the common elements.
2. The site plan shall demonstrate truck turning movements to accommodate trash handling and delivery vehicles moving through the site.
3. The City retains the right to require the proof of parking stalls be constructed if parking occurs outside of approved parking stalls or on the private street.
4. Disability parking stalls shall include proper signage.
5. The applicant shall be required to provide a detail of the trash enclosure demonstrating its exterior finish materials complement the principal building.
6. The Nannyberry Viburnum be shrubs rather than trees to be an effective screen.
7. The grading and erosion control plan subject to review and approval by City Engineer.
8. The utility plan shall be subject to review and approval by the City Engineer.
9. Applicant shall provide details on the exterior light fixture. All lights must be 90 degree cutoff fixtures with shielded light source to prevent glare toward the residential properties.
10. Freestanding light fixtures shall not exceed the maximum 30-foot height requirement of the Ordinance.

Ryland Rosenlund, project manager for Axys Construction, answered questions from the Commissioners regarding the proposed building height in regard to drainage. He reported

they would be utilizing a higher building on the south end and then sloping down the drainage towards the north side which he said was pretty standard for drainage.

Motioned by Anderson, seconded by Huggins to open the Public Hearing. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

There were no comments for the Public Hearing.

Motioned by Smith, seconded by Anderson to close the Public Hearing. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

Motioned by Smith, seconded by Anderson to approve a development application from Gravity Dance Studio for an amendment to the Albertville Plaza 2nd Addition PUD and site and building plan for the construction of the 9,176 sq. ft. Commercial building on Lot 2, Block 1, Albertville Plaza 2nd Addition. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

- c. Public hearing to consider a development application from Heidi Ortiz for an amendment to the Shoppes at Prairie Run PUD and site and building plan for the construction of a 7,227 sq. ft. commercial building, including a 4,832 restaurant with outdoor dining on Lot 2, Block 2, Shoppes at Prairie Run 2.**

Brixius provided background information on the development application from Heidi Ortiz for an amendment to the Shoppes of Prairie Run PUD to allow for the construction of a 4832 sq. ft restaurant and tenant bay. He provided the site history and discussed that the parking lot would have two accesses. He said by ordinance, the new development would require 98 parking stalls, but the site plan provides 93 parking stalls. Brixius added in the past, the City has approved a slight reduction in parking for outdoor dining recognizing that it was seasonal dining which would not create a full time demand for parking. Brixius said, therefore, staff recommended approval of PUD flexibility for 93 parking stalls. He answered questions from the Commissioners regarding the proposed parking and the radius of the turning of the delivery vehicle within the lot.

He said based on review of the Si Senor Mexican Restaurant building plans, Staff recommended approval of the amendment to the Shoppes at Prairie Run CUP/PUD with the following conditions.

1. The City approves the parking count as illustrated on the site plan as condition of the PUD.
2. The plan must be revised to accommodate garbage truck movements through the site without interfering with on-site parking stalls or travelling over parking lot curbs.
3. The Applicant shall establish cross-access easement between Lots 1 and 2, Block 1, Shoppes at Prairie Run 2 to provide shared access through these lots. Said cross-access easement shall be approved by the City Attorney and recorded with the County.
4. The outdoor dining area is approved as being 20% or less than the entire building's total floor area. This will be counted against any future outdoor dining areas requested for the building.
5. The outdoor dining areas must be segregated from the pathway to the main entrance. Access to the outdoor dining areas shall be provided only via the principal building if

the dining area is a full-service restaurant or tavern, including table waiting service. All exit gates from the outdoor dining area shall be marked "Exit Only" and shall meet all building codes.

6. The Applicant shall provide a detailed lighting and photometric plan including the number, location of all freestanding and wall mounted lights and details on the types of light fixtures and details of the pole design and height of freestanding lights.
7. Applicant shall provide documentation of WCA approval of the wetland mitigation for the site.
8. Grading, Drainage and Utility plans shall be reviewed and approved by the City Engineer.
9. Water services shall be divided outside the building for potable water supply and fire suppression.

Heidi Ortiz answered questions from the Commissioners regarding the proposed building which would include a restaurant and a tenant bay. She said they have two potential tenants and are hoping for a business that may be open before the restaurant was and before it started to get busy to make parking more convenient, but added they are open at this time. Ortiz reported that they currently have seven other restaurants, but this is the first one being built from the ground up. Ortiz said they are working on a shared access agreement with the building to the south.

Kris Thielen, architect on record, answered questions from the Commissioner regarding the restaurant seating both inside and on the patio, the delivery of the supplies and the route in which the deliveries would take, which was early in the morning. Thielen said they would change the location of the garbage refuse container to aid in the delivery radius and added that the refuse enclosure would look similar to the restaurant. When asked by the Commissioner if there would be access between the restaurant and the tenant bay, he reported no there would not be.

Motioned by Anderson, seconded by Pinski to open the Public Hearing. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

There were no comments for the Public Hearing.

Motioned by Smith, seconded by Pinski to close the Public Hearing. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

The Commissioners discussed the proposed restaurant and the possible tenants for the additional bay, along with the parking and refuse enclosure.

Motioned by Huggins, seconded by Smith to approve a development application from Heidi Ortiz for an amendment to the Shoppes at Prairie Run PUD and site and building plan for the construction of a 7,227 sq. ft. commercial building, including a 4,832 restaurant with outdoor dining on Lot 2, Block 2, Shoppes at Prairie Run 2. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

4. OTHER BUSINESS

None.

5. ADJOURNMENT

Motioned by Anderson, seconded by Pinski to adjourn the meeting at 7:41pm. Ayes: Anderson, Buhrmann, Huggins, Smith and Pinski. Nays: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kris Luedke, City Clerk

CITY OF ALBERTVILLE
COUNTY OF WRIGHT
STATE OF MINNESOTA

ORDINANCE NO. 2024 – _____

**AN ORDINANCE AMENDING THE ALBERTVILLE ZONING CODE, SECTION
1000.22 TEMPORARY SEASONAL SALE PERTAINING TO THE NUMBER OF
ALLOWED PERMITS FOR A SINGLE PROPERTY IN A CALENDAR YEAR**

THE CITY COUNCIL OF THE CITY OF ALBERTVILLE, MINNESOTA ORDAINS:

SECTION 1. Section 1000.22 of the Albertville Zoning Code is hereby amended to repeal the strikeouts and add the following underlined text as follows:

1000.22: TEMPORARY OUTDOOR SEASONAL SALES:

Temporary outdoor seasonal sales may be permitted in any business zoning district; provided, that the following minimum criteria are complied with: A permit application form, ~~and~~ fee, as established in section 3-1-3 of the city code, and a site plan illustrating the location and compliance with the following criteria shall be submitted to the city administrator who is hereby authorized to review and approve permits for temporary outdoor seasonal sales, provided the following criteria are established:

A. The maximum term of operation shall be sixty (60) consecutive days, with a maximum of two (2) permits per calendar year for each use a property.

THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY FOLLOWING ITS PASSAGE AND PUBLICATION.

Approved by the Albertville City Council this _____ day of _____ 2024.

Jillian Hendrickson, Mayor

ATTEST:

Kris Luedke, City Clerk

CITY OF ALBERTVILLE
COUNTY OF WRIGHT
STATE OF MINNESOTA

ORDINANCE NO. 2024-_____

AN ORDINANCE AMENDING THE ALBERTVILLE ZONING CHAPTER 1000 SECTION 1000.4 ACCESSORY BUILDING, USES AND EQUIPMENT PERTAINING TO ACCESSORY BUILDING SETBACKS AND NUMBER OF GARAGES AND ACCESSORY BUILDINGS ALLOWED ON A SINGLE-FAMILY LOT

THE CITY COUNCIL OF THE CITY OF ALBERTVILLE ORDAINS:

SECTION 1. CHAPTER 1000, GENERAL BUILDING AND PERFORMANCE STANDARDS, SECTION 1000.4.B ACCESSORY BUILDING, USES AND EQUIPMENT is hereby amended to repeal the strikeouts and add the following underlined text:

B. Single-Family Accessory Uses:

1. Setbacks:

- a. Front Yard: No accessory use, building, structure, or equipment shall be allowed within a required front yard, except by conditional use permit.
- b. Side Yard: As required by zoning district. —10 feet and 20 feet for side yard abutting a street.
- c. Rear Yard (Includes Side Yard Within Rear Yard): Allowed to encroach into the required setback, but not less than ten feet (10').
- d. Alley: Private garages having direct access onto an alley shall be set back twenty feet (20') from the alley lot line.
- e. Encroachment: No accessory building may encroach on a required easement. or in a required side yard setback abutting a street on a corner lot.
- f. Detached accessory buildings and structures shall be setback a minimum of a (5) five feet from all other buildings and structures on the same lot.

2. Size:

- a. Minimum Size: An attached or a detached garage shall not be less than five hundred thirty (530) square feet in floor area.
- b. Maximum Size: An attached or a detached garage shall not:
 - (1) Exceed one thousand (1,000) square feet of floor area, except by conditional use permit.
 - (2) Exceed the ground coverage of the dwelling, except by conditional use permit.
 - (3) Occupy more than twenty five percent (25%) of the area of the rear yard; or
 - (4) A second accessory storage building may not exceed one hundred fifty (150) square feet in floor area, when accompanied by an attached garage on the same lot, except by conditional use permit.
- c. Cumulative Area: The total floor area of all accessory buildings and garages shall not exceed one thousand one hundred fifty (1,150) square feet, except by conditional use permit.

3. Size Exception: An exception to the size requirements may be granted through an administrative permit, provided the following requirements are met:

- a. The parcel is one acre or greater in size;
- b. Any accessory building does not exceed the ground coverage of the dwelling;
- c. Any accessory building shall be screened from adjacent residential property;
- d. Any accessory building shall be constructed of the same or similar design and material as the principal building; and
- e. Commercial and home occupation uses are prohibited in any accessory building.

4. Number: The total number of accessory buildings shall be limited to the following

~~a. Storage Buildings Or Garages: No more than two (2) accessory storage buildings or garages shall be allowed on one or more single family lots under common ownership.~~

a. One (1) attached garage and one (1) detached accessory building; or

b. Two (2) detached accessory buildings

~~b.c.~~ Exception: An exception for a third accessory building may be granted, provided the following requirements are met:

(1) Third accessory structure qualifies as an "outdoor living space", as defined in section 200.2 of this ordinance; and

(2) The cumulative floor area of all three (3) accessory structures does not exceed the maximum allowed floor area (1,150 square feet).

THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY FOLLOWING ITS PASSAGE AND PUBLICATION.

Approved by the Albertville City Council this ____ day of _____ 2024

Jillian Hendrickson, Mayor

ATTEST:

Kris Luedke, City Clerk