



**PLANNING COMMISSION MEETING**  
**Tuesday November 12, 2024**  
**7 PM**

**1. CALL TO ORDER - ROLL CALL – ADOPT AGENDA**

**2. MINUTES**

- a. October 8, 2024, Planning Commission Meeting Minutes (Pages 2-4)

**3. PUBLIC HEARINGS**

- a. Public hearing to consider a zoning code amendment establishing off-sale liquor as a permitted use in Albertville’s commercial zoning districts. (Pages 5-6)
- b. Public hearing to consider a zoning code amendment to Chapter 5200 Planned Unit Development District to include recent approved PUD district amendments. (Pages 7-43)

**4. OTHER BUSINESS**

- a. Consideration of an application from AVA for a preliminary and final plat entitled AVA 3<sup>rd</sup> Addition and a zoning map amendment changing the zoning for a certain property from I-1 Limited Industrial District to I-2 General Industrial District. (Pages 44-51)

**5. ADJOURNMENT**



## ALBERTVILLE PLANNING COMMISSION

TUESDAY, OCTOBER 08, 2024

### DRAFT MINUTES

ALBERTVILLE CITY HALL 7:00 PM

#### 1. CALL TO ORDER – ROLL CALL – ADOPT AGENDA

Vice Chair Anderson called the meeting to order at 7 pm.

Maeghan Becker conducted roll call.

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

**Absent:** Chair Buhrmann.

**Others Present:** City Planner Al Brixius, Building Permit Tech Maeghan Becker.

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

#### 2. MINUTES

***Motioned by Huggins, seconded by Anderson to approve the August 14, 2024, Planning Commission meeting minutes as presented. Ayes: Anderson, Huggins, Smith and Pinski. Nays: None. Absent: Buhrmann. MOTION DECLARED CARRIED.***

#### 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.**

Brixius went over the history of the temporary seasonal sales and gave examples to Commissioners of a few regular ones that we have per year.

Commissioners discussed how many permits would be allowed per lot.

Commissioners discussed other regulations that may be needed by the county or the state, depending on what the applicant is choosing to sell.

Brixius informed Commissioners the change is to help clarify that each property is allowed 2 permits per calendar year.

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

No comment.

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

***Motioned by Smith, seconded by Anderson to approve the 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 as listed in the October 8, 2024, Planning Commission Agenda. Ayes: Anderson, Huggins, Smith and Pinski. Nays: None. Absent: Buhrmann. MOTION DECLARED CARRIED.***

- 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.**

Brixius went over the proposed text amendment for accessory buildings and informed Commissioners that with this text change it allows staff to search for the information more effectively rather than having to go to the zoning district to find the information. There is a text amendment that is also being added which states detached accessory buildings and structures shall be setback a minimum of (5) five feet from all other buildings and structures on the same lot.

Brixius and Commissioners discussed another change for clarification on how many accessory buildings are allowed per residential lot. The total number of accessory buildings shall be limited to one attached garage and one detached accessory building; or two detached accessory buildings.

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

No comment.

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

***Motioned by Huggins, seconded by Smith to approve the 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 as listed in the October 8, 2024, Planning Commission Agenda. Ayes: Anderson, Huggins, Smith and Pinski. Nays: None. Absent: Buhrmann. MOTION DECLARED CARRIED.***

#### **4. OTHER BUSINESS**

None.

**5. ADJOURNMENT**

***Motioned by Huggins, seconded by Pinski to adjourn the meeting at 7:23pm. Ayes: Anderson, Huggins, Smith and Pinski. Nays: None. Absent: Buhrmann. MOTION DECLARED CARRIED.***

Respectfully submitted,

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Maeghan Becker, Building Permit Tech

DRAFT

**PLANNING REPORT**

TO: Adam Nafstad  
FROM: Alan Brixius  
DATE: November 6, 2024  
RE: Albertville Zoning Amendment – Off Sale Liquor  
FILE NO: 163.05 24.04

**BACKGROUND**

The Albertville Zoning Code has the following definitions for liquor sales, however, neither use is listed in the commercial zoning districts.

Liquor Sales, Off Sale: Licensed sale of intoxicating beverages for consumption off site.

Liquor Sales, On Sale: Licensed sale of intoxicating beverages for consumption at the premises where the beverage is purchased.

On Sale liquor has been limited to restaurants and not stand-alone bars. Staff is recommending that this practice continue. However, off-sale liquor should be listed as a use in the commercial zoning districts. The attached ordinance amendment lists off-sale liquor as a permitted use in each of the commercial zoning districts.

**Attachments**

Exhibit A: Zoning text amendment – Off Sale liquor

**CONCLUSION**

Staff recommends approval of the zoning code amendment.

Cc. Kris Luedke  
Megan Becker  
Mike Couri

**CITY OF ALBERTVILLE  
COUNTY OF WRIGHT  
STATE OF MINNESOTA**

**ORDINANCE NO. 2024-XX**

**AN ORDINANCE AMENDING THE ALBERTVILLE ZONING CODE RELATING TO  
THE REGULATION OF OFF-SALE LIQUOR WITHIN THE CITY'S COMMERCIAL  
ZONING DISTRICTS**

**The City Council of the City of Albertville, Minnesota hereby ordains:**

**Section 1.** Chapter 4300 B-2 Limited Business District in the Albertville City Code is hereby amended as follows

4300.2 Permitted Uses

Liquor Sales, Off Sale

**Section 2.** Chapter 4350 B-2A Special Business District in the Albertville City Code is hereby amended as follows

4350.2 Permitted Uses

Liquor Sales, Off Sale

**Section 3.** Chapter 4400 B-3 Highway Commercial District in the Albertville City Code is hereby amended as follows

4400.2 Permitted Uses

Liquor Sales, Off Sale

**Section 4.** Chapter 4500 B-4 General Business District in the Albertville City Code is hereby amended as follows

4500.2 Permitted Uses

Liquor Sales, Off Sale

**Section 5.** This amendment shall be in full force and effective upon its passage and publication.

**Adopted by the City Council of the City of Albertville this 18<sup>th</sup> day of November 2024.**

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Jillian Hendrickson, Mayor

ATTEST:

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Kristine A. Luedke, City Clerk

**PLANNING REPORT**

TO: Adam Nafstad

FROM: Alan Brixius

DATE: November 6, 2024

RE: Albertville Zoning Amendment – PUD District Summary

FILE NO: 163.05 24.04

**BACKGROUND**

In 2023, the City Council approved Chapter 5200 which summarized all the approved Planned Unit Development within the City. The individual PUD districts are illustrated on the updated zoning map. The summary is to identify the special conditions applied to each of these PUD districts. The purpose of the summary is to memorialize these PUDs within the zoning code so that future staff will not need to search through the files and/or development contracts to apply the performance standards applicable to the individual PUDs with each development application or zoning question.

Since 2023, the City has processed PUD amendments for the following projects.

Project	Amended PUD
Kix Dance School	Albertville Marketplace
Kinder Care daycare	Albertville Plaza 3rd
Gravity Dance School	Albertville Plaza 2 <sup>nd</sup>
Medart Industrial Building	Medart PUD Deleted Albertville Self-Storage PUD
Si Senor Restaurant	Prairie Run Commercial
Everbrook daycare	Shoppes at Town Lakes Two
Future commercial	Shoppes at Town Lake one

With each of these projects, the City imposed specific PUD performance standards that are documented in the Chapter 5200 amendment.

**ATTACHMENTS**

Exhibit A: Zoning text amendment – PUD Summary Ordinance.

**CONCLUSION.**

Staff recommends approval of the draft zoning code amendment to Chapter 5200.

**CITY OF ALBERTVILLE  
COUNTY OF WRIGHT  
STATE OF MINNESOTA**

**ORDINANCE NO. 2024 – \_\_\_\_**

**AN ORDINANCE CREATING ALBERTVILLE ZONING CHAPTER 5200,  
PUD-PLANNED UNIT DEVELOPMENT ZONING DISTRICTS SUMMARY,  
SUMMARIZING THE LAND USE AND PERFORMANCE STANDARDS  
FOR THE APPROVED PLANNED UNIT DEVELOPMENT ZONING  
DISTRICTS WITHIN THE CITY**

**The City Council of the City of Albertville, Minnesota hereby ordains:**

**Section 1.** Chapter 5200 PUD Planned Unit Development District, Section of the Albertville City Code is hereby amended and add the **underlined text and to repeal the ~~strikeout text~~**:

**5200.1 PURPOSE:** The summary is to memorialize the approved land uses and performance standard for each Planned Unit Development Zoning District within the City of Albertville, for easy reference and administration.

**5200.2 Albertvillas 1<sup>st</sup> Addition, 2<sup>nd</sup> Addition, 3<sup>rd</sup> Addition**

A. USES: All permitted uses permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	12,500 sq. feet	85 feet

PUD periphery: 35 feet

Wetland setback: 20 feet from ordinary high-water mark

**C. SPECIAL PUD CONDITIONS:**

Lot area: 12,500 square feet

Lot width: 85 feet

**5200.3 Albertvillas 4<sup>th</sup> Addition, 5<sup>th</sup> Addition, 6<sup>th</sup> Addition**

A. USES: All permitted uses permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**



Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	15 feet	20 feet	25 feet	15,000 sq. feet	90 feet

PUD periphery: 35 feet

C. SPECIAL PUD CONDITIONS:

Lot width: 90 feet

**5200.4 Albertville Medical Clinic**

A. USES: All permitted uses permitted accessory uses, conditional uses, and interim uses contained in the B-2 zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet	10 feet	20 feet	20 feet	10,000 sq. feet	100 feet

Building placement per development contract plan set dated 03/14/2006.

Principal building/structure height: Thirty five feet (35').

Maximum site coverage: Hard surface, including buildings, eighty percent (80%).

C. SPECIAL PUD CONDITIONS: Cross-parking and access easement which will allow mutual cross-parking and access between Lot 1, Block 1 in Said Plat and Lot 2, Block 1, Albertville Medical Building.

**5200.41 Albertville Plaza 1<sup>st</sup> and 2<sup>nd</sup> Addition.**

A. USES: All permitted uses permitted accessory uses, conditional uses, and interim uses contained in the B-3 zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet	20 feet / 35 feet abutting a R district	20 feet	20 feet / 35 feet abutting a R district	None	100 feet

C. SPECIAL PUD CONDITIONS:

All lots in the 1<sup>st</sup> and 2<sup>nd</sup> Addition shall be members of the Albertville Plaza Business Association responsible for the maintenance and management of the private street and common owned amenities.

**5200.42 Albertville Plaza 3<sup>rd</sup> Addition**

A. USES: All permitted uses permitted accessory uses, conditional uses, and interim uses contained in the B-2A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Setback from back of curb of the private street.	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
Building	35 feet	20 feet	10 feet / 35 feet abutting a R district	35 feet	20 feet / 35 feet abutting a R district	1 Acre	150 feet
Parking	10 feet	10 feet					

**C. SPECIAL PUD CONDITIONS:**

All lots in the 3<sup>rd</sup> Addition shall be members of the Albertville Plaza Business Association responsible for the maintenance and management of the private street and common owed amenities.

**5200.5 Albertville Self Storage**

A. USES: Self storage per plan set dated 07/12/2022 with special PUD conditions outlined below.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	20 feet	-	100 feet

1. Building A located on said Lot 1 as shown on the Plans and Specifications for AVA Second Addition, as prepared by Landform dated 07/12/2022 may be set back no less than 8 feet from the interior side yard property line.
2. All buildings on Lot 1, Block 1 shall be constructed in the locations shown on the Plans and Specifications for AVA Second Addition, as prepared by Landform dated 07/12/2022 unless otherwise approved by motion of the City Council.
3. The Plat shall be consistent with the Plans and Specifications for AVA Second Addition, as prepared by Landform dated 07/12/2022.

**C. SPECIAL PUD CONDITIONS:**

1. All leases for storage on said Lot 1 must prohibit the following:

- a. ~~Prohibited Storage:~~
  - 1. ~~Explosives~~
  - 2. ~~Hazardous materials~~
  - 3. ~~Toxic materials~~
  - 4. ~~Flammable materials such as fuels and accelerants~~
  - 5. ~~Materials that are subject to spoilage or deterioration.~~
- b. ~~Prohibited uses of the storage bays:~~
  - 1. ~~Residential living~~
  - 2. ~~Housing of animals~~
  - 3. ~~Conducting a business~~
  - 4. ~~Manufacturing or assembly of products.~~

**5200.6 Cedar Creek Golf Course**

A. USES: Golf course per plan set dated 11/17/1997 and per the Cedar Creek Golf Course Planned Unit Development Concept Plan Master Agreement recorded as document number 653050 at the Wright County Recorder’s Office, Wright County, Minnesota.

B. LOT REQUIREMENTS AND SETBACKS

C. SPECIAL PUD CONDITIONS:

Per plans dated 11/17/1997 and per the Cedar Creek Golf Course Planned Unit Development Concept Plan Master Agreement recorded as document number 653050 at the Wright County Recorder’s Office, Wright County, Minnesota.

**5200.7 Cedar Creek North 1<sup>st</sup> Addition, 2<sup>nd</sup> Addition, 3<sup>rd</sup> Addition**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	15,000 sq. feet	80 feet

C. SPECIAL PUD CONDITIONS:

Lot width: 80 feet

Maximum 25% lot coverage

Maximum building height: 35 feet

**5200.8 Cedar Creek South 1<sup>st</sup> Addition - 5<sup>th</sup> Addition**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	12,500 sq. feet	80 feet

**C. SPECIAL PUD CONDITIONS:**

Lot area: 12,500 square feet

Lot width: 80 feet

Maximum 25% lot coverage

**5200.9 Cedar Creek South 6th Addition**

A. USES: All detached townhomes plan set dated 10/05/2000.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	20 feet	6 feet	-	15 feet	5,000 sq. feet/unit	-

Minimum setback from CSAH 18: 35 feet

22 feet from internal private streets

20 feet from other parcel boundary lines

Building separation: 12 feet

**C. SPECIAL PUD CONDITIONS:**

Building placement per plans dated 10/05/2000.

**5200.10 Cedar Creek South 7<sup>th</sup> Addition**

A. USES: All detached townhomes plan set dated 07/30/2001.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	-	-	-	-	5,000 sq. feet/unit	-

Building separation: 9 feet

25 feet setback from internal private street

10 feet setback adjacent to golf course

**C. SPECIAL PUD CONDITIONS:**

Building placement per plans dated 07/30/2001 and revised 09/07/2001.

Detached accessory buildings prohibited.

**5200.11 Center Oaks**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	12,500 sq. feet	75 feet

**C. SPECIAL PUD CONDITIONS:**

Lot area: 12,500 square feet

Lot width: 75 feet

**5200.12 Center Oaks 2<sup>nd</sup> Addition**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	12,500 feet	80 feet

**C. SPECIAL PUD CONDITIONS:**

Lot area: 12,500 square feet

Lot width: 80 feet

**5200.13 Center Oaks 3<sup>rd</sup> Addition & 4<sup>th</sup> Addition**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	15,000 sq. feet	75 feet

**C. SPECIAL PUD CONDITIONS:**

Lot width: 75 feet

**5200.14 Federated Co-ops**

A. USES: All permitted, conditional and accessory uses allowed within the B-3 Zoning District. Any change of use from existing conditions shall be processed through the appropriate development applications called for by the Albertville Zoning Ordinance.

Farm supply sales and associated storage including fertilizer (dry and liquid), animal feed, seed, fuel and oil and related products per the approved site plan dated May 7, 2013.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
B-3	35 feet	20 feet*	20 feet*	20 feet*	-	100 feet

\*except not less than thirty five feet (35') when abutting an R district.

**C. SPECIAL PUD CONDITIONS:**

1. A zero-lot line setback shall be allowed along north property lines of Blocks 1 and 2. Along all other property lines, a minimum 10 foot structure setback shall be maintained.
2. The height of new buildings and building additions shall not exceed 35 feet in height.
3. The following PUD standards shall apply:
  - a. Any and all permitted conditional and accessory uses allowed within the B-3 Zoning District shall meet the architectural standards of Section 4400.8 of the Albertville Zoning Ordinance.
  - b. Proposed and expanded site structures must comply with building finish material requirements of the B-3 District.
  - c. The color of new and expanded buildings shall match the color of the principal building.
  - d. Off-street parking areas, related drive lanes and outdoor storage areas may be surfaced in gravel.
4. Proposed fuel storage improvements/modifications shall meet all applicable requirements of the Minnesota Pollution Control Agency and City Building and Fire Codes.
5. The above ground tank meets all building and fire code requirements per the Summit evaluation report.

6. Alarm: Federated Co-Op / property owner will train their employees and have the direct dial to the police station if the monitor ever shows an issue. The alarm will go off if the tank gets hotter than 100 degrees.
7. Monitor: Federated Co-Op staff will allow the Fire Department to have access to their tank monitoring software via a mobile app. This app, which is now in use by Federated Co-Op, would allow the Fire Department to virtually “see” the tank levels and temperatures in each of the individual tanks. Access to this application would be limited to the Fire Chief’s iPad and the Fire Department’s Engine 11 iPad.
8. Federated Co-Op employees, and their transport staff, will be trained in the use of the aforementioned applications and directions on when to call 9-1-1 should any tank show any level or temperature issues.
9. Security: Federated Co-Op will bring in additional gravel in the low spots and will anchor the fence in a manner that prevents trespass under the fence. The fence anchoring will be subject to the approval of City Staff.
10. Safety training: Federated Co-Op will donate money for some additional joint training of both the fire department and its employees in the establishment of an emergency management plan for the site.
11. Site Lighting: Federated Co-Op will install dusk/dawn lighting in the loading area to provide employees with a safer loading environment. The dusk/dawn lighting will be a deterrent to site entry from outsiders. Lighting will be 90 degree cutoff light fixtures consistent with current requirements.
12. Federated Co-Op will install motion detectors on both gate areas that will activate additional lighting to deter entry or tampering. Lighting will be consistent with current City lighting requirements.
13. Electrical power will remain locked out during all non-business hours via a padlocked breaker box. Federated Co-ops will explore pass code/key code power options to provide additional protection.
14. Federated Co-Op will work with the Fire Department on finding a third party vendor to construct an Emergency Action Plan for the facility allowing both Federated Co-Op staff and the Fire Department to train under one, unified, plan. Federated Co-Op has indicated they would be willing to make a monetary donation to fund this process. Federated Co-Op shall bear the expense for the development of the Emergency Action plan specific to the site. The Action plan shall be completed within 6 months of the PUD approval.
15. Federated Co-Op will remove one of the 1000-gallon gasoline tanks from the property with the installation of the 10,000 gallon gasoline storage tank.
16. Federated Co-Op will work with the Fire Department to secure extra firefighting foam to be used solely for any incidents at the Federated Co-Op facility. Currently our foam supply comes in 5-gallon buckets and is stored at the Fire Department. The Fire Department would be comfortable having 100 gallons of foam on hand for the Federated Co-Op facility. Federated Co-Op has indicated they would be open to purchasing foam for potential use at their facility.

17. The entire tank field shall be an interim use for the property and shall be removed from the site if the property changes ownership. Subsequent, landowners may pursue and PUD Amendment to retain the tank field subject to the tank field meeting all current building, fire, and zoning codes in place at the time of change in ownership and compliance with the conditions of this ordinance.
18. With this zoning amendment Federated Co-Op shall be limited to not more than 7 liquid fuel storage tanks having a storage capacity greater than 10,000 gallons and 2 liquid fuel storage tanks not to exceeding 1000 gallons storage capacity per the site plan approved on August 19, 2019, located on parcel PID# 101-500-012-131. Any additional storage tanks or site alterations for any of the Federated Co-Op holdings will require a separate PUD amendment.

**5200.15 Fehn Property**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the I-2 zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district, except for the following, which shall be permitted notwithstanding the provisions of the I-2 district:

Two principal buildings shall be allowed on Lot 1, Block 1 of Said Plat, provided such buildings are constructed in accordance with the Site Plan and the Building Plan set dated 12/23/2020 revised 03/15/2021. Setbacks for such buildings shall be as shown on the Site Plan dated 12/23/2020 revised 03/15/2021.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	20 feet	-	100 feet

All buildings on said Lot 1 shall be constructed in the locations shown on the Site Plan dated 12/23/2020 revised 03/15/2021 unless otherwise approved by motion of the City Council.

The minimum lot area within the I-2 District shall be determined by the criteria for parking, loading, minimum yards and setback requirements and building coverage described for this district.

Maximum site coverage: Hard surface, including buildings: Eighty five percent (85%).

Maximum building height shall not exceed forty-five feet (45') except by conditional use permit.

**C. SPECIAL PUD CONDITIONS:**

1. Outdoor storage of aggregate, sand, and soils (but not soils contaminated with hazardous substances) shall be permitted on Lot 2 of Said Plat, provided the following restrictions are complied with:
  - a. Lot 2, Block 1 of Said Plat shall not be further subdivided while it is being used for outdoor storage and crushing. If Lot 2 is further subdivided, the outdoor storage and crushing operations shall no longer be permitted.



- b. The use of said Lot 1 must be used for office/construction equipment storage and maintenance.
  - c. No stockpiles shall be located within 400 feet of 1) the west property line, or 2) the Barthel Industrial Drive right-of-way. Stockpiles shall not exceed 30 feet in height.
  - d. A dust control plan for the stockpiles which plan must be approved in writing by the City Engineer to prevent the creation of nuisance conditions.
  - e. On-site crushing of gravel, soil or concrete materials shall be limited to a two-week period between the dates of May 15th to June 15th of each year and a two-week period between the dates of October 15th to November 15th of each year. Applicant's Crushing shall be limited to the hours of 7:00 AM to 7:00 PM, Monday through Friday. Crushing on the weekend shall be prohibited. Crushing equipment shall be located east and south of the stockpiles to help mitigate noise and vibration for properties to the west and north. Applicant shall implement reasonable directives of the City Engineer to mitigate nuisance issues of noise, vibration and dust.
  - f. If vibration from Developer's crushing operations materially interferes with the manufacturing processes of the property adjacent to and to the north of the Subject Property, Developer agrees to work with the City to implement methods to mitigate the vibration impacts on the adjoining property including but not limited to smaller crushing equipment and increased setback from the north property line for crushing operations.
2. The number of parking stalls in the locations and dimensions shown in the parking lots to the west and south of the proposed office building located on said Lot 1 as shown on the plan set dated 12/23/2020 revised 03/15/2021. In the event the City reasonably determines that more parking is required for the proper operation of the use located on Lot 1, the City may require, and developer shall construct, additional parking in an amount required by the City in the location shown to the east of the proposed shop/storage building located on said Lot 1 and the ten parking stalls shown to the west of the parking lot located west of the Office Building as shown on the plan set dated 12/23/2020 revised 03/15/2021.

### **5200.16 Hunters Pass Estates**

A. USES: Single Family dwellings, permitted accessory use allowed in the R-1A Residential Low-Density Single Family zoning district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	Variable Not less than 30 feet	5/10 feet	20 feet	30 feet	Variable 7,852 – 26,863 sq. feet Average 13,837 sq. feet	**Variable 60 feet measured at the required front setback

C. SPECIAL PUD CONDITIONS:

1. The Hunters Pass Estates lot sizes shall comply with the approved final plat.
2. The Hunters Pass Estates is an approved covered design. Lot width is measured at the required front setback line. See the Hunters Pass Estates Phase 1 required front yard setbacks summary.
3. 5 foot side yard setback garage side / 10 foot side yard setback on the side for living space.
4. The rear lot line shall be the southeast lot line for all flag lots. (Lots 8,9 Block 1 and Lots 13,14 Block 3)
5. No building, deck, or other structure may encroach into the required 30 foot wetland setback.
6. No rear yard or side yard setback variances shall be approved.

**5200.17 Hunters Pass Estates 2<sup>nd</sup> Addition**

A. USES: Single Family dwellings, permitted accessory use allowed in the R-1A Residential Low-Density Single Family zoning district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	Variable Not less than 30 feet	5/10 feet	N/A	30/10 feet	Variable 8,220-14,510 sq. feet Average 10,725 sq. feet	Variable 60 feet measured at the required front setback

C. SPECIAL PUD CONDITIONS:

1. The Hunters Pass Estates 2nd Addition lot sizes shall comply with the approved final plat.
2. The Hunters Pass Estates 2nd Addition is an approved covered design. Lot width is measured at the required front setback line. See the Hunters Pass Estates 2nd Addition Phase 2 required front yard setbacks summary.
3. 5 foot side yard setback garage side / 10 foot side yard setback on the side for living space.
4. Rear setbacks for Block 1 lots are 30 feet, rear yard setbacks for Block 2 and 3, lots are 10 feet.

**5200.18 Hunters Pass 3<sup>rd</sup> Addition**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the R-1A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	5/10 feet	20 feet	25 feet	Variable 8,728 – 16,027 sq. feet Average 11,989 sq. feet	Variable 60 feet measured at the required front setback

C. SPECIAL PUD CONDITIONS:

1. The Hunters Pass 3rd Addition lot sizes shall comply with the approved final plat.
2. The Hunters Pass 3rd Addition is an approved coved design. Lot width is measured at the required front setback line.
3. 5 foot side yard setback garage side / 10 foot side yard setback on the side for living space.
4. Rear setbacks for lots abutting Hunters Lake shall meet the required shoreland setback from Ordinary High Water Level.
5. No building, deck, or other structure may encroach into the required 30 foot wetland setback.

**5200.19 Kingston Crossing**

A. USES: The uses on Said Plat shall be restricted as follows:

1. The uses on Lot 1 of Said Plat shall be limited to 26 residential townhome units in the configuration shown on the plan set dated 11/22/2021, including the construction and operation of the playground and dog run areas and the parking lot shown on site plan dated 11/22/2021.
2. Uses on Lot 2 of Said Plat shall be limited to a 74-unit residential apartment building constructed substantially as shown on plan set dated 11/22/2021, along with a pool, clubhouse and parking lot.
3. Uses on Lot 3 of Said Plat shall be limited to a 74-unit residential apartment building constructed substantially as shown on the plan set dated 11/22/2021.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks on Lots 1, 2 and 3 shall be as shown on the plan set dated 11/22/2021.

C. SPECIAL PUD CONDITIONS:

Lots 1, 2 and 3 of Said Plat shall be subject to an easement agreement which shall include provisions substantially accomplishing the following objectives:

1. Lots 1, 2 and 3 of Said Plat shall have full use of the private drive and parking areas on Said Plat extending from 53rd Street to CSAH 19 as shown on the approved plans dated 11/22/2021 (collectively, "Private Drive"), including a shared cross-parking easement for Lot 3 of Said Plat to use the parking lot to be built on Lot 2 of Said Plat. In addition, in the event the City Council deems it necessary, Developer shall allow Lot 1 of Heuring Meadows Commons to also use said Private Drive for ingress and egress, provided that said access shall be made in the location shown on the approved site plan dated 11/21/2021. At such time as Lot 1 of Heuring Meadows Commons connects to the Private Drive, said Lot 1 of Heuring Meadows Commons and the lots on Said Plat shall share the costs of maintaining the Private Drive. The Private Drive shall be maintained by the Developer in good repair at all times similar to the manner in which the City maintains its residential streets.
2. At the time the final plat is recorded, unless such an agreement has already been recorded and burdens the property in Said Plat, Developer shall record an easement agreement at the Wright County Recorder's Office that shall be binding upon Lots 1, 2 and 3 of Said Plat. Such easement agreement shall meet the approval of the City Attorney and the City Engineer, which approval shall not be unreasonably withheld, shall provide for access to the Private Drive by Lot 1 of Heuring Meadows Commons at such time as may be required by the City, and shall require the maintenance of said Private Drive in good repair at all times similar to the manner in which the City maintains its residential streets. Said Private Drive shall not be maintained by the City and shall remain a private road.

#### **5200.20 Marketplace**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the B-3 zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses.

~~The uses on Lot 4, Block 1 shall be limited to a restaurant using at least 4,000 square feet of enclosed building space, and other uses in the remainder of the building as are allowed under the City's B-3 zoning district.~~

If a motor fuel station (with or without a convenience store and car wash) is located on Said Plat, it may only be located on Lot 2, Block 1 of Said Plat.

B. LOT REQUIREMENTS AND SETBACKS:

Building locations per Marketplace Planned Unit Development/Conditional Use Agreement dated 08/07/2007.

C. SPECIAL PUD CONDITIONS:

Shared parking across Lots 1-4, Block 1.

#### **5200.21 Medart PUD**

A. USES: Uses are limited to use allowed in the I-2 General Industrial District

B. LOT REQUIREMENTS AND SETBACKS:

1. Lot area: The minimum lot area within the I-2 District shall be determined by the criteria for parking, loading, minimum yards and setback requirements and building coverage described for this district.
2. Lot width: One hundred feet (100')
3. Setbacks:
  - a. Front yard: Thirty feet (30').
  - b. Side yard:
    1. Corner lot: Twenty feet.
    2. Interior lot: Ten feet (10').
  - c. Rear yard: Twenty feet (20').
4. Maximum site coverage: Hard surface, including buildings: Eighty five percent (85%).
5. Maximum building height shall not exceed forty-five feet (45') except by conditional use permit.

#### C. SPECIAL PUD CONDITIONS:

1. The city approves PUD flexibility for a gravel fire lane around the north and east side of the building per the approved site plan. The gravel drive aisle shall be designed to meet the 2020 Minnesota State Fire Code, Fire Apparatus Access Road for all-weather access standards. The gravel fire land shall be improved to a paved surface by October of 2035 or with the future building addition whichever is sooner.
2. The City approves PUD flexibility to allow the initial construction of 73 parking stalls west of the building with the 141 proof of parking stalls provided the following conditions.
  - i. On-site parking shall be limited to approved parking stalls. Parking shall be prohibited on-street, within the drive lanes, loading areas, or unpaved surfaces.
  - ii. The applicant shall construct additional parking, meeting the city zoning standards upon notification from the city. Additional parking will be required if the on-site parking is insufficient to meet the parking demand.
  - iii. All parking shall be designed and constructed to meet City parking standards.
  - iv. The site plan shows a total of 214 parking stalls this requires 6 disability stalls. The site plan must be revised to show the location and design of the 6 disability stalls.

#### **5200.22 Outlets at Albertville (East & West)**

A. USES: Uses limited to the special PUD conditions below.

#### B. LOT REQUIREMENTS AND SETBACKS:

Setbacks per approved plan sets dated:

Phase 1            06/30/1998

Phase 2          06/30/1998

Phase 3          09/26/2002 revised 10/17/2002

C. SPECIAL PUD CONDITIONS:

The following uses shall be allowed on all lots and outlots of the Outlets at Albertville and the Outlets at Albertville Second Addition Plat:

1. Antique or gift shop.
2. Art and school supplies.
3. Auto accessory store.
4. Bakery goods and baking of goods for retail sales on the premises.
5. Bath and bedding sales.
6. Books, office supplies or stationary stores.
7. Camera and photographic materials.
8. Candy, ice cream, popcorn, nuts, frozen desserts and soft drinks.
9. Carpet, rugs and tile.
10. Coin and philatelic stores.
11. Computers and computer accessories sales and service.
12. Convenience store without gasoline sales.
13. Costume, clothes rental.
14. Delicatessen.
15. Department and discount stores.
16. Drug store.
17. Florist shop.
18. Furniture stores.
19. Furriers when conducted only for retail trade on premises.
20. Garden supply stores.
21. Gift or novelty store.
22. Hobby store.
23. Household appliance sales and repair.
24. Jewelry stores.
25. Kitchenware sales.
26. Leather goods and luggage stores.
27. Paint and wallpaper sales.
28. Record-music shops.
29. Restaurants and on and off-sale liquor.
30. Sewing machine sales and service.
31. Shoe stores.
32. Sports and exercise equipment sales.
33. Wearing apparel and clothing stores.
34. Hospitality Businesses are permitted as an Interim Use within the Lot 1, Block 1, Outlets of Albertville Second Addition Planned Unit Development with the following conditions:
  - a. Number: No more than two (2) Hospitality Businesses shall be located within Lot 1, Block 1 Outlets of Albertville Second Addition.

- b. Size: Individual Hospitality Businesses shall be limited to a maximum occupancy of three hundred (300) people at a single event.
- c. Hospitality Businesses shall obtain building permits and Certificate of Occupancy for building modifications needed to change the building occupancy from retail to assembly.
- d. The siting of the Hospitality Business within the Outlets Promenade shall demonstrate appropriate required parking and traffic patterns that do not interfere with Outlet Mall operations or negatively impact surrounding land uses.
- e. The term of the Hospitality Businesses interim use shall be limited to three (3) years from the date of Certificate of Occupancy. Said use may be renewed upon request of the applicant and approval of the City Council.

No overnight storage or display shall be allowed outside any building for any of the uses listed above.

**5200.23 Parkside Commercial Center**

A. USES: Uses outlined in special PUD conditions below.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet	10 feet	20 feet	20 feet	10,000 sq. feet	100 feet

Building placement per approved plans dated 03/15/2005.

C. SPECIAL PUD CONDITIONS:

Permitted uses:

1. The *Animal Veterinary Clinics* shall be allowed in all three buildings (#10904, #10900, and #11004) and shall read as followings: *Animal veterinary clinics (small animal) (with no overnight care) (no pet boarding), as regulated by chapter 2300 of this ordinance.*
2. The *Government and Public-Related Office Uses* shall be allowed in all three buildings (#10904, #10900, and #11004).
3. The *Service Business Uses (on-site services only)* shall be allowed in all three buildings and shall be limited to the approved (and excluded) list of onsite service businesses:

General Office, including the following:

- a. Insurance Agency
- b. Travel Agency
- c. Accounting/Bookkeeping firms
- d. Management companies
- e. Bank/Credit Union/Depository institutions
- f. Financial Planner
- g. Investment Banker
- h. Loan production office

- i. Appraisal Firm
- j. Title Insurance Company
- k. Mortgage Loan Company
- l. Small loan company
- m. Realty Company/Agency
- n. Real Estate development office
- o. Architectural firm
- p. Engineering firm
- q. Laboratory/Research offices
- r. Telemarketing
- s. Collection Agency

Medical Use, including the following:

- a. General practice physician
- b. Dental practice
- c. Medical specialty use
- d. Eye care offices/with associated retail products
- e. Orthodontist
- f. Chiropractic
- g. Psychiatric/Family Counseling
- h. Hearing aid examination with associated retail products
- i. Other medical or dental related use as may be approved by City

Professional Service Use, including the following:

- a. Hair & beauty salon (no nails only)
- b. Student Learning Center
- c. Physical Therapy
- d. Physical Fitness (limited to 2,000 square foot maximum)
- e. Occupational Therapy

Approved Service Businesses:

- a. Copy/printing services
- b. Event planning
- c. Photographic studio
- d. Appliance or electronic repair
- e. Tailor
- f. Travel agency or bureau
- g. Advertising/consultants or agency
- h. Personnel/Staffing service
- i. Bail Bonds
- j. Construction management offices
- k. Business consultants
- l. Computer/networking consultants
- m. Payroll services
- n. Credit counseling offices
- o. Electrologist/Skin care services



- p. Transportation logistical services
- q. Home inspection service
- r. Private investigation service
- s. Equipment leasing service
- t. Massage therapy
- u. Tax preparation service
- v. Video tape/DVD duplication transfer service

Service Businesses EXCLUDED from approved uses:

- a. Laundromat
- b. Dry cleaners
- c. Funeral home/mortuary
- d. Banquet Hall
- e. Conference center
- f. Prosthetic device fabrication
- g. Tattoo/body piercing establishment
- h. Tanning salon

4. *Assembly Uses* shall be subject to an Administrative Permit obtained prior to occupancy for Buildings #10904 and #10900, provided the following conditions are met:
- a. Leasehold occupancy only
  - b. Assembly use shall be accessory to a permitted office use
  - c. Assembly use floor area not to exceed 2,500 square feet for the entire Parkside Commercial PUD, located at Lot 2, Block 1, Parkside Commercial Center;
  - d. No outdoor activities allowed; and
  - e. The assembly use shall not conflict with or result in a parking shortage within the PUD site per Albertville’s parking requirements.

*A definition of assembly use: An accessory use to an office business where people come together, congregate or meet for the purpose of training, conducting business, education, or counseling.*

**5200.24 Parkside 3<sup>rd</sup> Addition & 4<sup>th</sup> Addition**

A. USES: Single family homes and permitted accessory uses, conditional uses, and interim uses contained in the R-1 zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	25 feet	12,500 sq. feet	90 feet

Maximum lot coverage: 25%

Maximum building height: 35 feet

Lots 6, 7, 8, Block 1, Parkside 4<sup>th</sup> Addition: may be 10 feet in front of setback line (may be at a point where lot width is less than 90 feet) if side yard setbacks can be met.

Parkside 4<sup>th</sup> Addition - Three lot width variances: Lots 6, 7 and 8 of Block 1. Structure locations on these lots must be placed at or behind the required front setback line which may be at a point where the lots are less than 90 feet wide, provided that minimum side yard setbacks can be met.

Corner lot width: 100 feet

**C. SPECIAL PUD CONDITIONS:**

None.

**5200.25 Particle Control**

A. USES: Land uses shall be limited to all permitted, conditional, and accessory uses allowed within the B-3 Zoning District. Any change of use from existing conditions shall be processed through the appropriate development applications called for by the Albertville Zoning Ordinance.

Industrial uses limited to industrial processing of dry food ingredients limited to milling, blending, air classifying, screening, packaging, warehousing, and storage per the approved site plan received December 2010 and civil plans dated 07/12/2022 and architectural plans dated 07/11/2022 shall be allowed on the site.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet	20 feet*	-	20 feet**	-	-

**C. SPECIAL PUD CONDITIONS:**

\*\*Rear yard setback: 12.8 feet

\*Side yard setback: 10 feet

All buildings shall not exceed 35 feet in height. This will limit the silo height to existing standards.

All permitted, conditional, and accessory uses allowed within the B-3 Zoning District shall meet the architectural standards of Section 4400.8 of the Albertville Zoning Ordinance.

Industrial processing of dry food ingredients buildings may have a metal exterior finish provided the color of any new building or structure matches the color and design of the principal building.

30 and 31.8-foot curb cut widths

**5200.26 Prairie Run**

A. USES: Single family dwellings and permitted accessory uses contained in the R-1 Residential Single Family District.

**B. LOT REQUIREMENTS AND SETBACKS:**

**LOTS 1-15 BLOCK 1 AND LOTS 1-13 BLOCK 2**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	20/25 feet	5/10 feet	N/A	50/10 feet	10,000 sq. feet	65 feet

1. 20 foot front yard setback to the principal structure / 25 foot front yard setback to the garage.
2. 5 foot side yard setback garage side / 10 foot side yard setback on the side for living space.
3. 50 rear yard setback from County Road 18 / 10 foot setback from wetland boundary.
4. Lot area and width as approved with Prairie Run final plat.

**LOTS 14-38 BLOCK 2**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	30 feet	10 feet	20 feet	50/10 feet	12,000/10,000 sq. feet	90 feet

1. 12,000 sq. feet minimum gross lot area / 10,000 sq. feet net buildable lot area.

**C. SPECIAL PUD CONDITIONS:**

None.

**5200.27 Preserves at Albertville**

A. USES: The purpose of the PAA/PUD district is to provide for single-family detached residential dwelling units and directly related complementary uses per approved PUD Final Stage development plans and Final plat dated 07/21/2021.

The following are permitted uses in a PAA/PUD district:

1. Single-family detached dwelling units
2. Neighborhood common ownership clubhouse, pool, Private Park/playground/recreation facilities.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	25 feet	5 feet	20 feet	25/50 feet*	6,000 sq. feet	Interior: 50 feet Corner: 65 feet

\*Rear setback for lots abutting 50<sup>th</sup> Street: 50 feet

Patios and decks shall meet the minimum building setbacks

Maximum building height: 35 feet

Maximum lot coverage: No structure or combination of structures or hard cover shall occupy more than fifty-five percent (55%) of the lot area.

C. SPECIAL PUD CONDITIONS:

1. Prohibited uses:
  - a. Detached accessory buildings.
  - b. Fences except fences as part of the buffer yard along 50th Street.
  - c. Outdoor storage as addressed in Section 1000.15
2. The houses within the PAA/PUD District shall meet the following minimum design standards.
  - a. House exterior finish materials match the home models approved with the Preserve at Albertville planned unit development.
  - b. Minimum garage size shall 480 sq. ft.
  - c. Each slab on grade house shall provide for a storm protection room.
3. The sale of individual lots within the subdivision shall be prohibited unless the developer first establishes a Common Interest Community (CIC) over all numbered lots within Said Plat and over Outlots A, B, and E with rules and maintenance requirements which will be applied to each lot, the private street (Outlot B) and the common areas of the plat (including Lot 21, Block 2, the clubhouse lot) and the ponds (Outlots A and E). The CIC and all rules, bylaws and recording documents shall be subject to the review and approval of the City Attorney prior to their recording. A change to allow individual lot ownership shall require the Developer to apply for and receive an amendment to the PUD zoning to ensure that issues related to outdoor storage, accessory structures etc. are addressed to the satisfaction of the City. The City may record at the Wright County Recorder's Office a separate notice against all lots in Said Plat detailing the requirements of this paragraph 2.N.
4. The Developer shall provide storm protection acceptable to the City for each home that does not have a basement.
5. Developer shall construct, operate and maintain a clubhouse and pool for the benefit of the residents of Said Plat for so long as Said Plat contains single family homes. Construction of Said clubhouse and pool shall be completed within one year of the date of this Agreement.
6. The streets, sidewalks, curb, gutter and storm sewer systems shall remain privately owned and privately maintained by the Developer in a manner similar to how the City maintains its public streets and sidewalks abutting single family homes. Developer shall maintain such roads, curb, gutter and sidewalk in a reasonably safe and passable manner at all times. Developer shall prepare and keep updated a 5-year road, curb, gutter and sidewalk maintenance plan and shall provide such plans to the City on request by the City but at least once every five years if the City has not requested such plan within the prior five years.

7. All lots shall have free access and use of the road and sidewalks located on Outlot B. Neither developer nor any future owner of Outlot B shall unreasonably obstruct or otherwise deny the use of the road or sidewalk to any resident living on any lot in Said Plat.

**5200.28 Shoppes at Prairie Run**

A. USES: The uses on all lots of Said Plat shall be limited to uses that are permitted under the City's B-2 zoning ordinance.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet	10 feet	20 feet	20 feet	10,000 sq. feet	100 feet

Lot 1 Block 1 shall be developed consistent with the site plan dated 07/16/2024 as may be amended.

Lot 2 Block 1 shall be developed consistent with the site plan dated 10/04/2004 revised 12/14/2004.

Lot 3, Block 1 shall be developed consistent with the site plan dated 07/30/2024.

C. SPECIAL PUD CONDITIONS:

Cross easement parking between Shoppes at Prairie Run 2 Lots 1, 2, 3 Block 1.

**5200.29 Shoppes at Towne Lakes One**

A. USES: All permitted uses permitted accessory uses, conditional uses, and interim uses contained in the B-2A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

~~Uses on Lot 1 of Said Plat shall be limited to a restaurant permitted under the City's B-2A zoning ordinance.~~

Uses on Lot 5 of Said Plat shall be limited to a "sit-down" (non-fast food) restaurant otherwise permitted under the City's B-2A zoning ordinance. No other type of use on said lot shall be allowed under this agreement without a modification to this agreement.

The use of Lot 6 shall be limited to a motel permitted under the City's B-2A zoning ordinance. No other type of use on said lot shall be allowed under this agreement without a modification to this agreement.

Uses on Lots 1, 2, 3, and 4 shall comply with the City's B-2A zoning ordinance except where flexibility from the provisions of such ordinance has been granted via this PUD.

B. LOT REQUIREMENTS AND SETBACKS:

All minimum building setbacks shall be as follows:

1. For Lot 2, a minimum building setback of 20 feet from West Lake Town Drive and Linwood Drive right of ways shall apply.
2. For Lot 3, a minimum building setback of 25 feet from Wright County State Aid Highway 19 shall apply, provided Developer constructs the building shown on the plan set dated 10/06/2003 and revised 09/17/2004 in the configuration and of substantially the same materials as shown.
3. For Lot 4, a minimum building setback of 20 feet from Langford Drive and all private streets shall apply.
4. For Lot 5, a minimum building setback of 25 feet from the private street along the west property line and 30 feet along the north property line shall apply.
5. For Lot 6, a minimum building setback of 29 feet, 4 inches from Langford Drive shall apply for the main portion of the building, provided that an attached structure as shown on the plan set dated 10/06/2003 and revised 09/17/2004, housing an indoor pool may be constructed at a minimum building setback of 20 feet from the right of way of Langford Drive.
6. For any of the lots on Said Plat, if a minimum setback along one of the private streets has not been otherwise specified, such minimum setback shall be at least 20 feet.

#### C. SPECIAL PUD CONDITIONS:

A reduction of 24 parking stalls in combined parking on Lots 5 and 6 based on the building square footages shown on the plan set dated 10/06/2003 and revised 09/17/2004 and based on the use of Lot 5 as a sit down restaurant and Lot 6 as a motel is hereby approved.

For Lots 1, 2, 3 and 4, the combined parking requirements shall exceed those required in the B-2A zoning district by a total of 7 parking spaces as shown on the plan set dated 10/06/2003 and revised 09/17/2004.

A conditional use is granted to allow impervious surfaces to exceed the 25% maximum allowed under the City's shoreland ordinance provided the property is developed in accordance with the terms of this Ordinance, and provided that the following requirements are implemented as to all development which occurs on Said Plat:

1. No building shall exceed 25 feet in height, except the building to be placed on Lot 6, which shall not exceed 40 feet and 1 inch in height (as defined under the City's zoning ordinance). A variance is hereby granted from the height provision of the City's shoreland ordinance to allow the building to be constructed on Lot 6 to a height not to exceed 40 feet and 1 inch.
2. The City may impose reasonable building requirements on any building not detailed on the plan set dated 10/06/2003 and revised 09/17/2004 in an effort to reduce visibility of the building from the public waters of adjacent shorelands by vegetation, topography, and building color.
3. For each lot upon which impervious surface will exceed 50% of the lot area, all buildings must be set back at least 300 feet from the ordinary high water mark of School Lake or must implement and maintain rain gardens, depressions, storage and filtration systems in a manner that reduces the storm water runoff for each such lot to a total volume that would be achieved if the impervious surface lot coverage were less than 50% of the lot area.

### 5200.30 Shoppes at Towne Lakes Two

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the B-2A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

The uses on Lot 2 and 3 Block 1 of Said Plat shall be limited to a restaurant under the uses allowed in City's B-2A zoning ordinance, subject to the following restrictions:

Developer agrees that the restaurant located on Lot 2, Block 1 of Said Plat shall be at least 4,000 square feet in size;

The restaurant located on Lot 2, Block 1 shall be a free-standing, single use building (i.e. the building shall be occupied by no more than one use and one user at any given time);

Lot 2 and 3 Block 1 shall be developed consistent with the architectural floor plan dated 03/13/2023, building elevations plan dated 02/01/2022 and civil plans dated 03/06/2024 as may be amended.

Lots 3 and 5, Block 1.

The use on Lot 3, Block 1 of Said Plat shall be limited to a restaurant permitted under the City's B-2A zoning ordinance, subject to the following restrictions:

Developer agrees that the restaurant located on Lot 3, Block 1 of Said Plat shall be at least 8,000 square feet in size and shall be restricted to a "sit-down" restaurant otherwise permitted in the City's B-2A zoning district. For purposes of this Agreement, a "sit-down" restaurant means a restaurant in which customers seated at individual tables order and are served food by waiters and/or waitresses and no more than a total of 15% of food sales are pick-up, delivery, and carry-out orders which are eaten at off-premise locations. The building constructed on this lot shall not be permitted to have a drive-up window where customers can order or pickup food from their cars;

The restaurant located on Lot 3, Block 1 of Said Plat may provide an outdoor dining area in direct connection to the sales within said restaurant.

Restaurants located on Lot 3, Block 1 and Lot 2, Block 1 shall be free standing, single use buildings (i.e. each building shall be occupied by no more than one use at any given time)

The exact locations, configurations and building designs of restaurants located on Lot 3, Block 1 and Lot 2, Block 1 are subject to approval by City Council.

B. LOT REQUIREMENTS AND SETBACKS:



Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
B-2A	35 feet	10 feet*	35 feet*	20 feet*	1 acre	150 feet

\*Except not less than thirty five feet (35') when abutting an R district or adjacent to a public street.

The B-2A zoning district minimum setbacks shall apply to all buildings in Said Plat, except as follows:

Lot 1, Block 1 a minimum building setback of 20 feet from Linwood Drive and all private streets shall apply

~~Lot 1, Block 1 a minimum building setback of 25 feet from County State Aid Highway ("CSAH") 19/Labeaux Ave. right of way shall apply~~

Lots 2 and 3, Block 1 a minimum building setback of 25 feet from CSAH 19/Labeaux Ave right of way shall apply

Lot 4, Block 1 a minimum building setback of 20 feet from Linwood Drive NE and all private streets shall apply

For any of the lots on Said Plat, if a minimum building setback along one of the private streets has not been otherwise specified, each minimum setback shall be at least 20 feet

**C. SPECIAL PUD CONDITIONS:**

No outdoor displays shall be permitted on any property within said plat, outdoor dining is allowed per City Code and shall not be considered an outdoor display.

**5200.31 Towne Lakes 1<sup>st</sup> Addition & 2<sup>nd</sup> Addition**

A. USES: Single family dwellings that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	15-20 feet*	5-10 feet**	15/20 feet***	25 feet****	-	-

\*Front setback to porch: 15 feet/Front setback to garage: 20 feet.

\*\*Side yard setback interior: 10 feet from living space/garage may be 5 feet from property line provided that there is 15 feet between structures on adjoining lot.

\*\*\*Side yard setback corner to garage: 20 feet

\*\*\*\*Rear setback to lakeshore: 50 feet

**C. SPECIAL PUD CONDITIONS:**



Lot area to match final plat.

Lot width to match final plat.

**5200.32 Towne Lakes 3<sup>rd</sup> Addition**

A. USES: Single family dwellings that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	15-24 feet*	5-10 feet**	15/20 feet	25 feet	-	-

\*Front yard setback to garage: 24 feet/ Front yard setback to porch: 15 feet

\*\*Side yard setback to garage: 5 feet/10 feet living space/15 feet between dwellings

Garage recessed a minimum of 9 feet from front of house

Side yard setback corner garage: 20 feet

C. SPECIAL PUD CONDITIONS:

The Towne Lakes 3rd Addition shall be subject to the master homeowner’s association established with the Towne Lakes 1st and 2nd Additions.

**5200.33 Towne Lakes 4<sup>th</sup> Addition**

A. USES: Townhomes per plan set approved (11/17/2003) that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Between Buildings)	Side (Corner)	Rear	Lot Area	Lot Width
	15/11 feet*	25 feet**	20 feet	25 feet***	-	-

\*\*Building separation: Units 22, 23, 27, 28 block 2 : 17 feet

\*\*Building separation: Units 4, 5, 10, 11, block 1 : 20 feet

\*\*\*Rear setback to alley: 20 feet

\*\*\*Rear setback to driveway off alley: 25 feet

\*Front yard setback from private driveway: 15 feet to garage/11 feet to porch

C. SPECIAL PUD CONDITIONS:

The Towne Lakes 4th Addition shall be subject to the master homeowner’s association established with the Towne Lakes 1st and 2nd Additions.

**5200.34 Towne Lakes 5<sup>th</sup> Addition**

A. USES: Single family dwelling uses that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	15-24 feet*	5-10 feet**	15/24 feet***	25 feet	-	-

\*Front yard to garage: 24 feet/15 feet to porch

\*\*Side yard to garage interior lot: 5 feet/10 feet dwelling/15 feet between houses

Garage recessed minimum of 9 feet from front of house

\*\*\*Side yard to garage corner lot: 24 feet

**C. SPECIAL PUD CONDITIONS:**

The Towne Lakes 5th Addition shall be subject to the master homeowner’s association established with the Towne Lakes 1st and 2nd Additions.

**5200.35 Towne Lakes 6<sup>th</sup> Addition**

A. USES: Townhomes per architectural plan set dated 06/01/2017 and site plan dated 06/02/2017.

Single Family dwellings permitted accessory use allowed in the R-1A Residential Low-Density Single Family zoning district on Lots 1-5, Block 2 Towne Lake 6th Addition.

**B. LOT REQUIREMENTS AND SETBACKS:**

LOTS 1-42 BLOCK 1. (Townhomes)

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	16/22 feet*	8 feet between buildings	12/8 feet**	N/A	Per the approved final plat	Per the approved final plat

\*16 foot setback from public street, 22 foot setback from the private drive.

The townhomes shall maintain a minimum of 8 foot setbacks between buildings.

\*\*12 foot side yard setback from public streets, 8 foot setback from private streets.

LOTS 1-5 BLOCK 2. (Single family homes)

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	15/24 feet*	5/10 feet**	N/A	25 feet	9,357 sq. feet	65 feet

\*15 foot front yard setback for porch or house, 24 foot setback between garage and the front lot line.

\*\*5 foot setback for garage and 10 foot setback for living space of the house, 15 feet between homes on adjoining lots.

**C. SPECIAL PUD CONDITIONS:**

1. Townhome building designs and exterior finish per building plans date 06/01/2007.
2. Private streets shall be signed “no parking / fire lane”.
3. Townhome units shall have a minimum garage size of 440 sq. ft.
4. The Towne Lakes 6th Addition shall be subject to the master homeowner’s association established with the Towne Lakes 1st and 2nd Additions.

**5200.36 Towne Lakes 7<sup>th</sup> Addition**

A. USES: All single family dwellings that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	15-24 feet*	5/10 feet**	15 feet	25 feet***	-	-

\*Front yard setback to garage: 24 feet/Front setback to porch 15 feet

\*\*Side yard setback to garage: 5 feet/10 feet living space/15 feet between dwellings

Garages recessed a minimum of 9 feet from front of house

\*\*\*Rear yard setback Lot 1, Block 4 & Lot 5, Block 5: 10 feet

**C. SPECIAL PUD CONDITIONS:**

The Towne Lakes 7th Addition shall be subject to the master homeowner’s association established with the Towne Lakes 1st and 2nd Additions.

**5200.37 Westwind 2<sup>nd</sup> Addition**

A. USES: All single family dwellings, permitted accessory uses, conditional uses, and interim uses contained in the R-3 zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

**B. LOT REQUIREMENTS AND SETBACKS:**

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	20 feet	10 feet	30 feet	30 feet	9,000 sq. feet*	80 feet

**C. SPECIAL PUD CONDITIONS:**

\*Minimum lot area 9,000 square feet

**5200.38 Westwind 3<sup>rd</sup> Addition**

A. USES: All townhomes per approved plans dated 02/14/2008 defined in this ordinance that are consistent with the comprehensive plan shall be treated as allowed uses within a PUD district.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet*	15 feet**	-	30 feet	-	-

\*35 foot front yard setback from frontage road

Side yard setback along public Right of Way (ROW): 20 feet

\*\*15 foot sideyard setback from west lot line

10 foot sideyard setback from east lot line

Building location shall be per approved site plan dated 02/14/2008

C. SPECIAL PUD CONDITIONS:

Use and site design limited to 02/14/2008 approved site plan.

**5200.39 6737 Labeaux Avenue**

A. USES: All permitted uses, permitted accessory uses, conditional uses, and interim uses contained in the B-2A zoning district defined in this ordinance that are consistent with the zoning performance standards shall be treated as allowed uses within a PUD district.

Light manufacturing/industrial permitted.

B. LOT REQUIREMENTS AND SETBACKS:

Setbacks	Front	Side (Interior)	Side (Corner)	Rear	Lot Area	Lot Width
	35 feet	10 feet	35 feet	20 feet	1 acre	150 feet

C. SPECIAL PUD CONDITIONS:

1. Within the approved PUD/B-2A shall follow the conditions set forth below:
  - a. All future tenant changes shall meet all building and fire code requirements for their building occupancy classification prior to occupancy.
  - b. The site shall abide by all B-2A zoning restrictions.
  - c. The applicant shall demonstrate adequate utility services for the proposed uses. If the private systems do not meet code, then connection to city utilities will be required.
  - d. The parking shall be consistent to the submitted site plan with the following conditions:
    - 1) The number of required parking stalls shall be determined by the tenant mix and use of floor space.

- 2) The parking area shall be dimensioned and striped per city code. Disability parking shall be designated and striped accordingly.
  - 3) The parking area on the east side of the building shall be designed and constructed in full compliance with city code. Without construction details, the parking area is not approved as of the date of passage of this ordinance.
  - 4) All areas beyond the approved parking areas shall be grassed and landscaped to define the boundaries of the approved parking area. Applicant shall provide a landscape plan that establishes a schedule for establishment of these turfing areas.
2. Within the approved PUD/B-2A, any future building expansions above and beyond the site plan must meet city code and follow the PUD/B-2A regulations.
  3. Within the approved PUD/B-2A, permitted land uses shall be limited to the following:
    - a. All permitted uses allowed within the B-2A Zoning District. Any change of use from existing conditions shall be processed through the appropriate development applications called for by the Albertville Zoning Ordinance.
  4. Within the approved PUD/B-2A, permitted accessory uses shall be limited to the following:
    - a. All permitted accessory uses allowed within the B-2A Zoning District. Any change of use from existing conditions shall be processed through the appropriate development applications called for by the Albertville Zoning Ordinance.
  5. Within the approved PUD/B-2A, permitted conditional uses shall be limited to the following:
    - a. All permitted conditional uses allowed within the B-2A Zoning District. Any change of use from existing conditions shall be processed through the appropriate development applications called for by the Albertville Zoning Ordinance.
    - b. Light Manufacturing or assembly of a wide variety of products, that will not produce exterior noise, glare, fumes, obnoxious products, byproducts or wastes or creates other objectional impact to the surrounding properties or street right of ways.
      - 1) Required parking for the use shall be of a paved surface.
      - 2) On-site loading and delivery shall meet the conditions of chapter 1300 of the Albertville Zoning Code.
      - 3) All trash and or recycling equipment shall be located within a trash enclosure or within the building.
      - 4) Proposed industries shall demonstrate that they will not produce exterior noise, glare, fumes, obnoxious products, byproducts or wastes or creates other objectional impacts or nuisances on the adjoining properties or the environment.
  6. Outdoor Storage Areas as an Interim Use Permit provided that:
    - a. The outdoor storage area shall meet all of the performance standards of Section 1000.7 of Albertville Zoning Code.
    - b. The outdoor storage area meets lighting standards set forth in Section 1000.15 B.5. of Albertville Zoning Code.

7. Prohibited Uses include all those set forth in Section 4350.5 of the B-2A Zoning District.
8. The minimum lot and setbacks of Section 4350.8 of the B-2A Zoning District shall apply.
9. The maximum building height shall follow the regulations in Section 4350.7 of the B-2A Zoning District.
10. Any and all permitted, conditional, and accessory uses allowed within the B-2A Zoning District shall meet the special landscaping requirements of Section 4350.8 of the Albertville Zoning Code.
11. Any and all permitted, conditional, and accessory uses allowed within the B-2A Zoning District shall meet the architectural standards of Section 4350.9 of the Albertville Zoning Code.
12. All new tenants will have to provide enough parking for their specific land use and follow all off street parking requirements set forth in Chapter 1200 of the Albertville Zoning Code.
13. Tenants shall meet all applicable requirements of the Minnesota Pollution Control Agency and City Building and Fire Codes.

**Section 2.** This Amendment shall be in full force and effective immediately following its passage and publication.

Approved by the Albertville City Council this \_\_\_\_ day of November 2024.

---

Jillian Hendrickson, Mayor

ATTEST:

---

Kris Luedke, City Clerk

**APPENDIX**

Hunters Pass Estates Phase I Approved Setbacks

Hunters Pass Estates 2<sup>nd</sup> Addition Phase II Approved Setbacks

**Hunter's Pass Estates-Phase I**  
**Minimum Lot Setback Summary**

**Minimum Setbacks are as follows:** Front-30, Rear-30, Garage Side-5, Home Side-10

(All dimensions are in feet, N-North, S-South, E-East, W-West, C-Center)



	Minimum Front Setback	Direction of Front Face of Home	Side of Lot for Garage and Drive
<b>Block 1</b>			
Lot 1	30	E	S
Lot 2	30	E	N
Lot 3	30	SE	N
Lot 4	30	SW	E
<b>Block 2</b>			
Lot 1	70	W	S
Lot 2	30	W	S
Lot 3	30	W	N
Lot 4	45	W	N
Lot 5	75	SW	N
Lot 6	30	SW	N
Lot 7	30	SE	N
Lot 8	30	E	N
Lot 9	38	NE	N
Lot 10	38	E	N
Lot 11	45	E	S
Lot 12	45	SE	C
Lot 13	65	S	C
Lot 14	55	SW	C
Lot 15	45	SW	C
Lot 16	32	W	S
Lot 17	32	NW	N
Lot 18	42	W	N
Lot 19	46	W	N
<b>Block 3</b>			
Lot 1	30	S	W
Lot 2	30	SW	E
Lot 3	30	SW	E
Lot 4	30	SW	E
Lot 5	30	SW	N
Lot 6	30	W	N
Lot 7	35	NW	N
Lot 8	65	NW	W
Lot 9	140	NW	W

	Minimum Front Setback	Direction of Front Face of Home	Side of Lot for Garage and Drive
<b>Block 4</b>			
Lot 1	67	E	N
Lot 2	60	E	N
Lot 3	58	E	N
Lot 4	58	E	N
Lot 5	57	E	S
Lot 6	48	E	S
Lot 7	42	NE	N
Lot 8	30	NE	W
Lot 9	30	NE	W
Lot 10	30	NE	E
	(Lot 10 has 30 side setback on west side)		
<b>Block 5</b>			
Lot 1	30	W	C
	(Lot 1 has 30 side setback on west side)		
<b>Block 6</b>			
Lot 1	50	W	S
Lot 2	50	NW	S
Lot 3	60	W	S
Lot 4	35	W	S
Lot 5	30	W	S
Lot 6	30	NW	E
Lot 7	30	N	W
Lot 8	30	NE	S
Lot 9	30	NE	S
Lot 10	30	E	S
Lot 11	31	SE	S
Lot 12	32	SE	S
Lot 13	35	SE	S
Lot 14	30	E	S
Lot 15	35	E	S
Lot 16	36	E	N
Lot 17	43	E	N
Lot 18	50	E	N
Lot 19	40	SE	N
Lot 20	32	SE	N
Lot 21	30	E	N
Lot 22	30	NE	W

**Hunter's Pass 2<sup>nd</sup> Addition-Phase II**

**Minimum Lot Setback Summary**

	Minimum Front Setback	Minimum Side Setback-House Side	Minimum Side Setback-Garage Side	Minimum Rear Setback
<b>Block 1</b>				
Lot 1	58	10	5	30
Lot 2	46	10	5	30
Lot 3	35	10	5	30
Lot 4	30	10	5	30
Lot 5	30	10	5	30
Lot 6	30	10	5	30
<b>Block 2</b>				
Lot 1	30	10	5	10
Lot 2	30	10	5	10
<b>Block 3</b>				
Lot 1	38	10	5	10
Lot 2	46	10	5	10
Lot 3	38	10	5	10
Lot 4	38	10	5	10

November 18, 2024

**SUBJECT: PLANNING - AVA 3<sup>RD</sup> ADDITION PRELIMINARY AND FINAL PLAT  
AND ZONING MAP AMENDMENT**

**RECOMMENDATION:** It is respectfully requested that the Mayor and Council consider the following:

**MOTION TO:** Adopt Resolution No. 2024-XX approving the preliminary and final plat entitled AVA Third Addition and Ordinance No. 2024-XX a zoning map amendment changing the zoning on parcel at 6748 Kadler Avenue NE from I-1 Limited Industrial district to I-2 General Industrial district.

**BACKGROUND:** On February 16, 2021, the Albertville City Council approved the final plat entitled AVA Addition to allow for the construction of Advanced Volumetric Alliance's (AVA) 137,000+ square foot manufacturing plant upon an approximate 33-acre site located in the extreme northwest corner of Albertville.

The AVA Addition isolated a 1.23-acre lot (6748 Kadler Avenue NE) along the south end of Kadler Avenue. At this time, AVA has purchased the lot and wishes it to combine it with the balance of the AVA property. To facilitate the lot combination the following applications have been requested.

1. Preliminary and final plat. To combine a platted property with metes and bounds property the subdivision must be processed as a preliminary and final plat.
2. Zoning Map Amendment: AVA is requesting to change the zoning on the newly acquired property from I-1 Limited Industrial District to I-2 General Industrial District to match the zoning of the larger AVA property.
3. Easement vacation. With the creation of the AVA Addition the plat established property line drainage and utility easements. At this time the applicant has not requested the easement vacation and will evaluate the need and time of the future vacation.

**KEY ISSUES:**

- The AVA Addition subdivision was approved in 2021 along with a zoning map amendment zoning the plat I-2 General to allow for the development of the AVA industrial building.
- The adjoining property 6748 Kadler Avenue NE is zoned I-1 Limited Industrial district. The lot contains a single-family home, a detached accessory building and a billboard. The site is non-conforming in use and in lot size. As a condition of the plat approval, Staff recommends that existing house and accessory building will not be occupied, and the existing house and accessory building be removed from the site by June 30, 2025.
- The preliminary and final plat and rezoning will eventually bring the combined site into full compliance with the City's zoning code.
- The change in zoning is consistent with the Albertville long range land use plan.

- Kadler Avenue is an unimproved gravel boundary line road. This street is shared with Otsego and may need to be improved to an urban street standard in the future. Kadler may remain unimproved and continued to be used by AVA with the following conditions.
  1. AVA shall be responsible for maintenance of gravel Kadler Avenue to city standards.
  2. When Kadler Avenue is improved to an urban street standard, AVA shall be responsible for their share of the street improvement costs.

**POLICY/PRACTICES CONSIDERATIONS:** Approval of the preliminary and final plat and changing the zoning from I-1 to I-1 will correct a legal non-conforming condition. The plat and zoning change are consistent with the City’s long range land use plan.

**FINANCIAL CONSIDERATIONS:** The plat and zoning change will further promote industrial development, creation of local job opportunities and expanding the City’s industrial tax base.

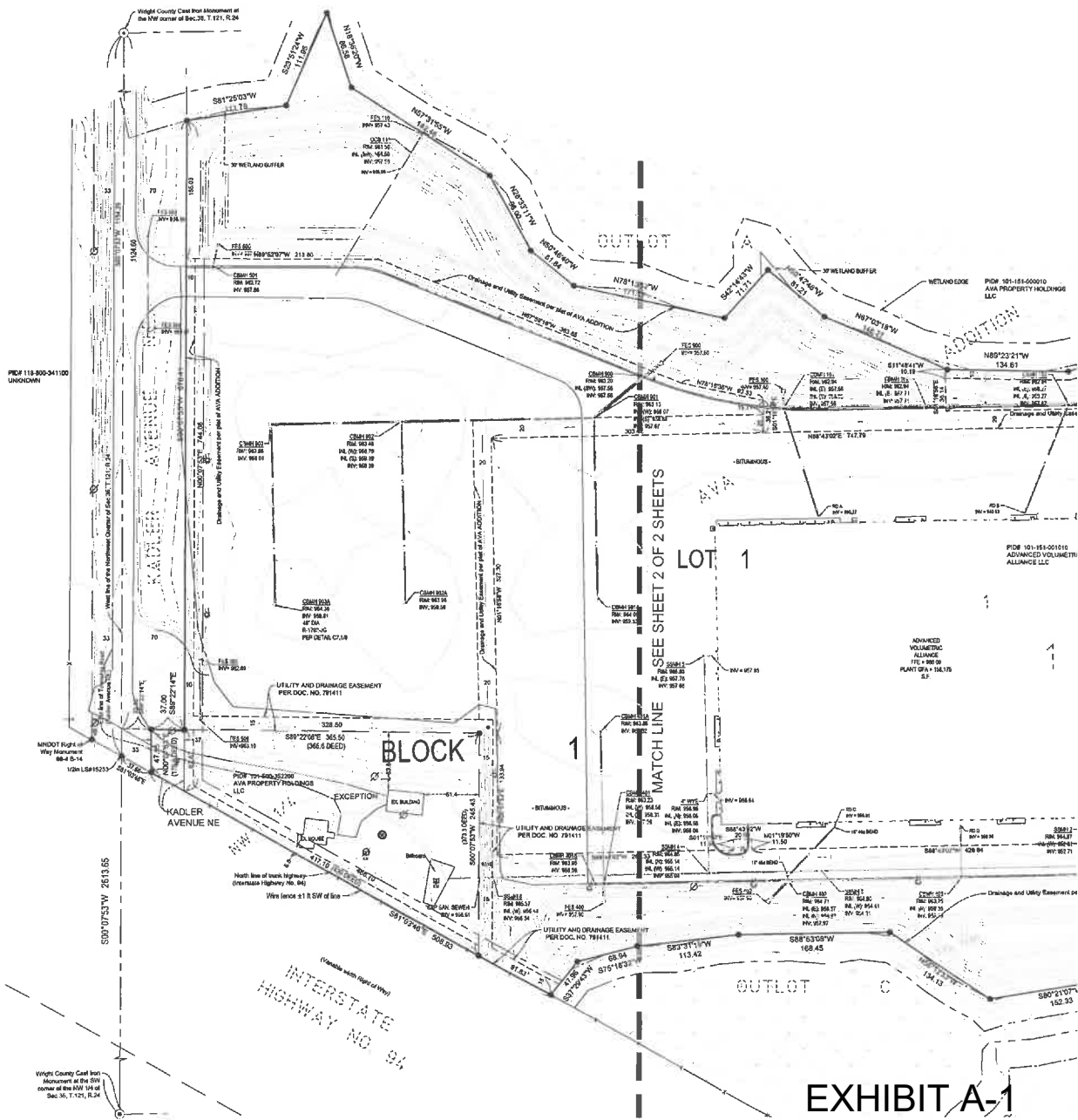
**LEGAL CONSIDERATIONS:** The plat and zoning change allow for the correction of a legal non-conforming condition.

**Responsible Person:** Alan Brixius, City planning

**Submitted Through:** Adam Nafstad, City Administrator-PWD

**Attachments:**

- Preliminary and Final Plat Exhibits
- City Council Resolution No. 2024-XX
- Ordinance No. 2024-XX



**AREA SUMMARY**

TOTAL SITE AREA: 1,088,022 S.F. = 25.23 AC.  
 EXISTING RIGHT OF WAY AREA: 0 S.F. = 0 AC.  
 RIGHT OF WAY AREA TO BE DEDICATED: 3,133 S.F. = 0.08 AC.  
 EXISTING NET AREA: 1,084,889 S.F. = 25.23 AC.  
 PROPOSED NET AREA: 1,088,888 S.F. = 25.18 AC.

**ZONING AND SETBACK SUMMARY**

THE PROPERTY IS CURRENTLY ZONED PLD, A-1 & L2  
 PROPOSED ZONING: PLD/A-1

**SETBACK INFORMATION:**  
 FRONT - 30 FT.  
 REAR - 30 FT.  
 SIDE (INTERIOR) - 30 FT.  
 SIDE (STREET) - 20 FT.

**MINIMUM LOT AREA -**  
 MINIMUM LOT WIDTH - 100 FT.  
 MINIMUM LOT DEPTH - Code does not require.  
 \*See Ordinance for additional details.

**LOT AREA TABLE**

LOT SIZE	LOT AREA
Lot 1, Blk 1	1,088,889 s.f. (25.18 Ac.)
Right of Way (To be Dedicated) (Other)	3,133 s.f. (0.08 Ac.)
<b>Total Area</b>	<b>1,092,022 s.f. (25.23 Ac.)</b>

**PROPERTY DESCRIPTION**

Lot 1, Block 1, AVA ADDITION, according to the recorded plat thereof Wright County, Minnesota.

AND

The part of the Northwest Quarter of Section 35, Township 121, Range 24, described as follows: Commencing at the Northwest corner of Section 35, thence South 72 degrees 18 minutes West, along the West line of said Section 112.6 feet thence South 87 degrees 15 minutes East, 33.1 feet to the East line of Township Road for a point of beginning; thence continuing on the same course 365.6 feet, thence South 72 degrees 18 minutes West, 373.3 feet to the North Right of Way line of Trunk Highway; thence Northwesterly along said North line of said Trunk Highway 420 feet to the East line of said Township Road; thence North 2 degrees 18 minutes East, along said East line of road, 170.1 feet to the point of beginning, subject to that part of the tract contemplated by the State Highway Department for Highway Number 94, Wright County, Minnesota.

**BENCHMARK**

**PROJECT BENCHMARK:**  
 MANDOT GRID STATION #6523  
 STATION NAME: FA 145818  
 IN ALBERTVILLE, 0.75 MILES WEST-NORTHWEST ALONG INTERSTATE 94 FROM JUNCTION OF INTERSTATE 94 AND COUNTY ROAD 27 IN ALBERTVILLE, AT INTERSTATE 94 MILE POST 201.30, 38.1 FEET NORTHWEST OF WESTERLINE INTERSTATE 94, 608.6 MILES SOUTHWEST OF COUNTY ROAD 14, 1.6 FEET SOUTHWEST OF A WITNESS POST.  
 ELEVATION = 878.588 (NAVDMS)

**SITE BENCHMARK:**  
 TOP-NUT FIRE HYDRANT  
 LOCATION IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF 87TH STREET AND NORTON AVENUE, 8.8 FEET BEHIND THE BACK OF CURB.  
 ELEVATION = 864.223 (NAVDMS)

**OWNER**

**ADVANCED VOLUMETRIC ALLIANCE LLC**  
 7535 ROVER ROAD NE  
 OTSEGO, MN 56320  
 TEL 763-441-3700  
 CONTACT: CASEY GARREHALL

**PROJECT CONTACTS**

<b>CIVIL ENGINEER</b> LANDFORM	<b>SURVEYOR</b> LANDFORM
166 SOUTH FIFTH AVENUE, SUITE 513 MINNEAPOLIS, MN 55401 TEL 612-252-8070	166 SOUTH FIFTH AVENUE, SUITE 513 MINNEAPOLIS, MN 55401 TEL 612-252-8070

**SURVEY NOTES (TO BE UPDATED)**

- Boundary information is shown per boundary survey performed by Landform on 03/24/15 in accordance with this project.
- Existing Conditions are shown per a combination of appropriate survey performed by Landform on 03/24/15, in accordance with notes attached hereto, and a combination of appropriate survey performed by Landform for Advanced Volumetric Alliance, dated 02/22/09.
- All other information shown on this plat was prepared by Landform for Advanced Volumetric Alliance, dated 02/22/09.
- The surveyor does not guarantee, in writing or otherwise, that the values shown are the actual values. No guarantee was performed to locate the underground utilities.
- For the purpose of this survey, the bearing system is based on the Wright County coordinate system.

**CLIENT**

**ADVANCED VOLUMETRIC ALLIANCE, LLC**  
 7535 ROVER ROAD NE  
 OTSEGO, MN 56320  
 TEL 763-441-3700

**MUNICIPALITY**



**PROJECT**

**ADVANCED VOLUMETRIC ALLIANCE**  
 ALBERTVILLE, MINNESOTA

**ISSUE / REVISION HISTORY**

NO.	DATE	DESCRIPTION
1	03/24/15	ISSUE

**SITE SYMBOLS/LEGEND**

EXISTING	DESCRIPTION
[Symbol]	BUILDING
[Symbol]	CONCRETE SURFACE
[Symbol]	GRAVEL
[Symbol]	CONCRETE CURB
[Symbol]	STORM SEWER
[Symbol]	WATER MAIN
[Symbol]	EXISTING SPOT ELEVATION
[Symbol]	EXISTING CONTOUR
[Symbol]	FENCING
[Symbol]	POWERPOLE
[Symbol]	QUY WIRE
[Symbol]	LIGHT POLE
[Symbol]	MANHOLE
[Symbol]	CATCH BASIN
[Symbol]	PILE HYDRANT
[Symbol]	WATER VALVE
[Symbol]	FLARED END SECTION
[Symbol]	ELECTRIC METER
[Symbol]	WELL
[Symbol]	WATERLAND
[Symbol]	IRON MOVEMENT FOUNE

**CERTIFICATION**

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Jamal Ouedraoui  
 License No. 9998 Date: 03/24/15

Signature must be a digital reproduction of original. This digital copy of this plan on file at Landform Professional Services, LLC will not be available for review.

If the drawing, plan, or report is altered after the date of issue, the user shall be responsible for the accuracy of the information. The user shall be responsible for the accuracy of the information.



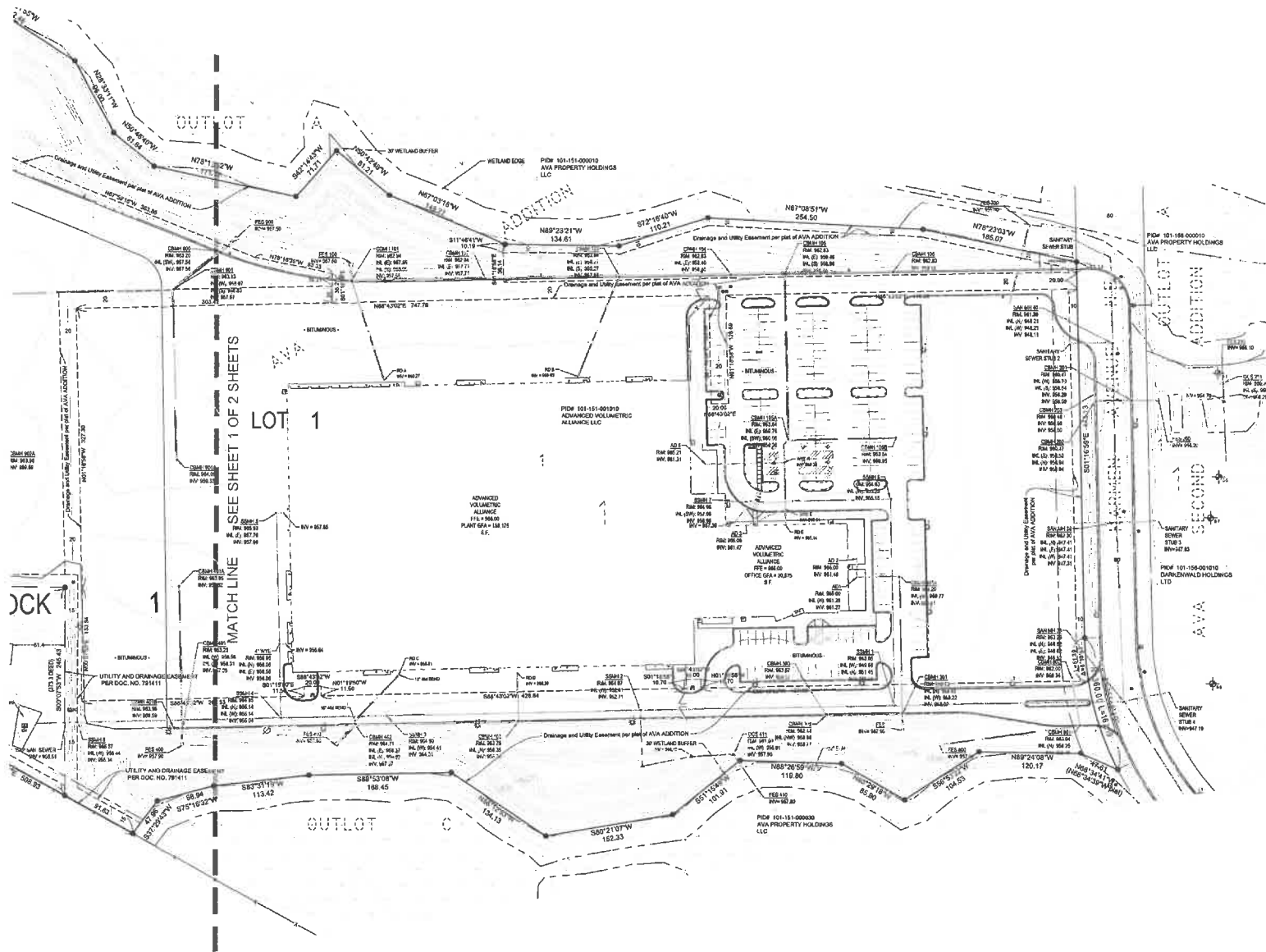
From Data to Finish

155 South Fifth Avenue Tel: 612-252-9070  
 Suite 513 Fax: 612-252-9077  
 Minneapolis, MN 55401 Web: landform.net

FILE NAME: C200LDP005 REPRNPLAT.dwg  
 PROJECT NO: LDP19905

**PRELIMINARY PLAT**

SHEET NO. 12



CLIENT  
**ADVANCED VOLUMETRIC ALLIANCE, LLC**  
 7535 RIVER ROAD NE  
 OTSEGO, MN 55330  
 TEL: 763-411-3130

MUNICIPALITY  
**ALBERTVILLE**  
 MINNESOTA

PROJECT  
  
**ADVANCED VOLUMETRIC ALLIANCE**  
 ALBERTVILLE, MINNESOTA  
 ISSUE / REVISION HISTORY

**SITE SYMBOLS LEGEND**

EXISTING	DESCRIPTION
	BUILDING
	CONCRETE SURFACE
	GRAVEL
	CONCRETE CURB
	STORM SEWER
	SANITARY SEWER
	WATER MAIN
	ELEVATED SPOT ELEVATION
	EXISTING CONTOUR
	FENCING
	POWER POLE
	GUY WIRE
	LIGHT POLE
	MANHOLE
	CATCH BASIN
	FIRE HYDRANT
	WATER VALVE
	FLARED END SECTION
	ELECTRIC METER
	WELL
	BOLLARD
	IRON MONUMENT FOUND

**CERTIFICATION**  
 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

John D. Lunde (LS) License No. 54988 Date: 2/25/10-14  
 Signature shown is a digital reproduction of original. Will signed copy of this plan to the Landform Professional Services, LLC office and is available upon request.

IF THIS PLAN OR REPORT IS FOR A PROJECT THAT IS NOT A PUBLIC WORK, THE USER OF THIS PLAN OR REPORT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

**LANDFORM**  
 From Site to Finish

105 South Fifth Avenue Tel: 612-253-9070  
 Suite 513 Fax: 612-253-9377  
 Minneapolis, MN 55401 Web: landform.net  
 FILENAME: C290LDPO05 R2prePLAT.dwg  
 PROJECT NO.: LDP19005

**PRELIMINARY PLAT**  
 SHEET NO. 2/2

**811**  
 Know what's Below. Call before you dig.

# AVA THIRD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS, That Darnewald Holdings Ltd., a Minnesota corporation, the owner of the following described property situated in the County of Wright, State of Minnesota, to wit:

Lot 1, Block 1, AVA ADDITION, according to the recorded plat thereof, Wright County, Minnesota.

AND

The part of the Northwest Quarter of Section 35, Township 17N, Range 24E, described as follows: Commencing at the Northwest corner of Section 35, thence South 2 degrees 15 minutes West, along the West line of said Section 35 to the North 87 degrees 15 minutes East, 20.1 feet to the East line of Township Road for a point of beginning; thence southeasterly on the same course 365.6 feet, thence South 7 degrees 15 minutes West, 373.3 feet to the North Right of Way line of Trunk Highway, thence Northwesterly along said North line of said Trunk Highway 425 feet to the East line of said Township Road; thence North 2 degrees 15 minutes East, along said East line of road, 179.3 feet to the point of beginning, subject to that part of the tract condemned by the State Highway Department for Highway Number 94, Wright County, Minnesota.

Has caused the same to be surveyed and plotted as AVA THIRD ADDITION, and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Darnewald Holdings Ltd., a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

DARNEWALD HOLDINGS LTD.

\_\_\_\_\_(Signature)

\_\_\_\_\_(Title)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ of Darnewald Holdings Ltd., a Minnesota corporation, on behalf of the corporation.

\_\_\_\_\_(Signature)

\_\_\_\_\_(First name)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

### SURVEYOR CERTIFICATION

I, Jeroed Gustafson LaSavage, 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 computed on this plat; that all mathematics employed on this plat have been, or will be correctly set within one year; that all water boundaries are well known, as defined in Minnesota Statutes, Section 65C 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 this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Jeroed Gustafson LaSavage, Licensed Land Surveyor  
Minnesota License Number 58995

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Jeroed Gustafson LaSavage.

\_\_\_\_\_(Signature)

\_\_\_\_\_(First name)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

PLANNING COMMISSION, CITY OF ALBERTVILLE, MINNESOTA

This plat of AVA THIRD ADDITION was reviewed by the Planning Commission of the City of Albertville, Minnesota, at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_(Chairperson)

\_\_\_\_\_(City Administrator)

CITY COUNCIL, CITY OF ALBERTVILLE, MINNESOTA

This plat of AVA THIRD ADDITION was approved and accepted by the City Council of the City of Albertville, Minnesota at a regular meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505 05, Subd. 2.

\_\_\_\_\_(Mayor)

\_\_\_\_\_(City Administrator)

WRIGHT 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 \_\_\_\_\_, 20\_\_.

\_\_\_\_\_(Wright County Surveyor)

WRIGHT COUNTY LAND RECORDS

Pursuant to Minnesota Statutes, Section 505 021, Subd. 5, taxes payable for the year 20\_\_ 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\_\_.

\_\_\_\_\_(Wright County Land Records Administrator)

WRIGHT COUNTY RECORDER

I hereby certify that this instrument was filed in the office of the County Recorder for record on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ o'clock \_\_\_\_ M. and was duly recorded in Cabinet No. \_\_\_\_\_, Sheet \_\_\_\_\_, as Document Number \_\_\_\_\_.

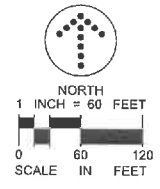
\_\_\_\_\_(Wright County Recorder)

## Exhibit B-1





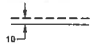
# AVA THIRD ADDITION



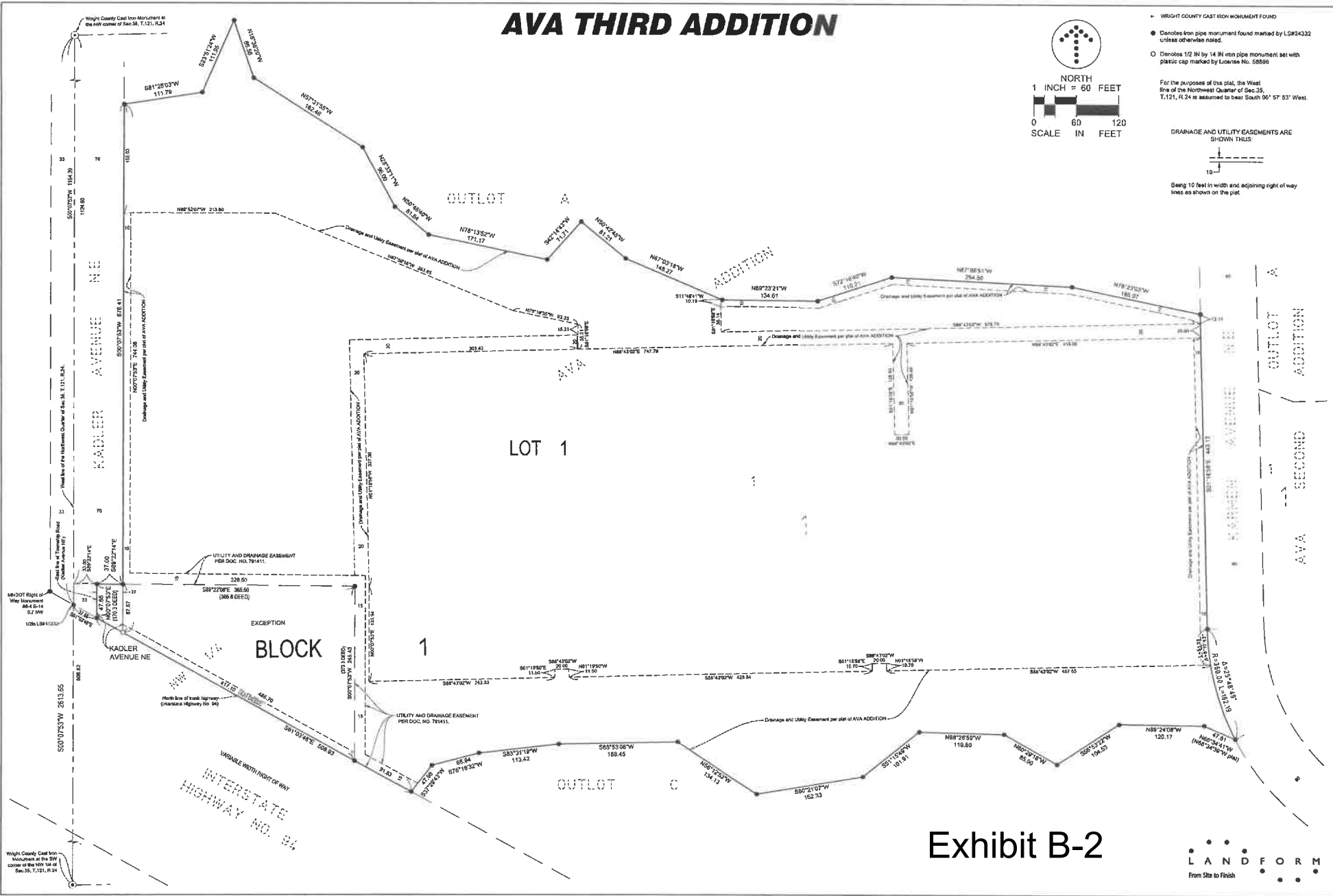
- WRIGHT COUNTY CAST IRON MONUMENT FOUND
- Denotes iron pipe monument found marked by L5934322 unless otherwise noted.
- Denotes 1/2 IN by 14 IN iron pipe monument set with plastic cap marked by License No. 58898

For the purposes of this plat, the West line of the Northwest Quarter of Sec. 35, T.121, R.24 is assumed to bear South 00° 57' 53" West.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Being 10 feet in width and adjoining right of way lines as shown on the plat.



## Exhibit B-2

LANDFORM  
From Site to Finish

SHEET 02 OF 02 SHEETS

**CITY OF ALBERTVILLE  
COUNTY OF WRIGHT  
STATE OF MINNESOTA**

**RESOLUTION NO. 2024-\_\_\_\_\_**

**RESOLUTION APPROVING A REQUEST FOR A PRELIMINARY AND FINAL PLAT  
ENTITLED AVA 3<sup>RD</sup> ADDITION WITHIN THE CITY OF ALBERTVILLE**

**WHEREAS**, Darkenwald Holdings has submitted application dated October 28, 2024, for a preliminary and final plat entitled AVA 3<sup>rd</sup> Addition; and

**WHEREAS**, City Staff has reviewed submitted plans and prepared a request for Council action of November 5, 2024; and

**WHEREAS**, the Albertville City Council met on November 18, 2024, to hold a public hearing and consider the Advanced Volumetric Alliance plat and zoning map amendment applications; and

**WHEREAS**, upon considering the application materials, the November 5, 2024, request for council action with City Staff recommendations the City Council agrees with the findings and recommendation of City Staff.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of Albertville, Minnesota, hereby approves the AVA 3<sup>rd</sup> Addition preliminary and final plat, with the following conditions.

**Preliminary and Final Plat: The AVA ADDITION Final Plat dated January 11, 2021, is approved with the following conditions.**

1. The existing house and accessory building will not be occupied.
2. The existing house and accessory building be removed from the site by June 30, 2025.
3. Kadler may remain unimproved and continued to be used by AVA with the following conditions.
  - a. AVA shall be responsible for maintenance of gravel Kadler Avenue to city standards.
  - b. When Kadler Avenue is improved to an urban street standard, AVA shall be responsible for their share of the street improvement costs.

**Adopted by the City Council of the City of Albertville this 18<sup>th</sup> day of November 2024.**

\_\_\_\_\_  
Jillian Hendrickson, Mayor

ATTEST:

\_\_\_\_\_  
Kristine A. Luedke, City Clerk

**CITY OF ALBERTVILLE  
WRIGHT COUNTY, MINNESOTA**

**ORDINANCE NO. 2024-\_\_**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING  
MAP FOR PROPERTY LOCATED AT 6748 KADLER AVENUE NE IN  
THE CITY OF ALBERTVILLE**

**The City Council of the City Of Albertville, Minnesota hereby ordains:**

**Section 1.** The Albertville Zoning Map shall be amended changing the zoning on the property legally describe as follows from I-1 Limited Industrial District to I-2 General Industrial District:

Legal Description:

Address: 6748 Kadler Avenue NE. Albertville.

PID: 101-500-352-200

**Section 2.** This Amendment shall be in full force and effective immediately following its Passage, Publication and the Recording of the Final Plat.

**Adopted by the City Council of the City of Albertville this 18<sup>th</sup> day of November 2024.**

\_\_\_\_\_  
Jillian Hendrickson, Mayor

ATTEST:

\_\_\_\_\_  
Kristine A. Luedke, City Clerk