



PLANNING COMMISSION MEETING
Tuesday, January 8, 2019
7:00 PM

1. CALL TO ORDER - ROLL CALL – ADOPT AGENDA

2. PLANNING COMMISSION OATH OF OFFICE

3. ELECTION OF OFFICERS

4. MINUTES

September 11, 2018 Planning Commission Meeting (pages 1-4)

5. PUBLIC HEARINGS

- a. Public Hearing to Consider a Request from Outlets of Albertville and Crossing Church to amend the Outlets of Albertville 2nd Addition PUD Agreement to list Hospitality Businesses as a permitted use with the 2nd Addition PUD. (pages 5-13)

6. OTHER BUSINESS

- a. None

7. ADJOURNMENT



ALBERTVILLE PLANNING COMMISSION

TUESDAY, SEPTEMBER 11, 2018

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – ROLL CALL – ADOPT AGENDA

Chair Klecker called the meeting to order at 7:00 p.m.

Becker conducted roll call.

Present: Chair Klecker and Commissioners Buhrmann, Barthel, BremPELL, Halling, and Hudson

Absent: None

Others Present: City Planner Alan Brixius, Building Permit Technician Maeghan Becker, and Jacob Olson, Randy Lowe, Tom Fay, and Sheila Zachman.

Motioned by Buhrmann, seconded by BremPELL, to approve the agenda. Ayes: Klecker, Barthel, Buhrmann, BremPELL, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

2. MINUTES

Motioned by Buhrmann, seconded by BremPELL, to approve the August 16, 2018 Planning Commission meeting minutes. Ayes: Klecker, Barthel, Buhrmann, BremPELL, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

3. PUBLIC HEARINGS

- A. Public hearing to consider the request from Mr. Troy Crank for a conditional use permit to allow for the construction of a second accessory building exceeding 150 sq. ft. in floor area and allow the accumulative total garage and accessory floor area to exceed 1150 sq. ft. for property located at 4924 Kassel Avenue NE in Albertville.**

Brixius presented that a resident by the name of Troy Crank, who resides at 4924 Kassel Avenue NE, would like to construct a 350 square foot accessory building. This would be the second accessory storage building on this lot. Brixius went over the following issues and analysis:

- Lot Area
- Setbacks
- Building Type and Standards
- Conditional Use Permit

In conclusion, staff is recommending the approval based on the following conditions:

1. The accessory building must be located at least 10 feet from rear and side lot lines. Applicant shall identify the lot monuments to delineate the lot line and confirm the setbacks.
2. An accessory building exceeding 200 sq. ft. in area must obtain a building permit from the city prior to construction.
3. This CUP approval does not include any driveway access to the new building. Any future driveway access to the new building will require a site and grading plan to be approved as a separate application.
4. The building shall not be used for any commercial business or home occupation purposes.

Motioned by Buhrmann, seconded by Halling, to open the Public Hearing. Ayes: Klecker, Barthel, Buhrmann, Brempell, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

No one wished to speak.

Motioned by Barthel, seconded by Brempell, to close the Public Hearing. Ayes: Klecker, Barthel, Buhrmann, Brempell, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Motioned by Barthel, seconded by Halling, to approve the Request from Troy Crank for a conditional use permit to allow for the construction of a second accessory building exceeding 150 sq. ft. in floor area and allow the accumulative total garage and accessory floor area to exceed 1150 sq. ft. for property located at 4924 Kassel Avenue NE in Albertville with the Conditions Outlined in the September 6, 2018 Planning Report. Ayes: Klecker, Barthel, Brempell, Halling, and Hudson. Nays: Buhrmann. Absent: None. MOTION DECLARED CARRIED.

- B. Public hearing to consider a request from Samaritan Hills Lutheran Church for a CUP/PUD Amendment to the Shoppes at Towne Lakes 2 PUD establish a Church facility at 6826 Laketowne Drive NE in Albertville.**

Brixius went over the background of the partially built building at site location 6826 Laketowne Place NE. The application is looking to do minor renovations to accommodate the following:

1. Worship area
2. Ken's closet/storage
3. Storage closet
4. Open space for Sunday School
5. Restrooms
6. Four offices

Brixius went over the issues and analysis:

1. Zoning
 - a. Lot requirements and setbacks
 - b. Parking
 - c. Loading
2. Landscape Plan
3. Lighting
4. Trash Enclosure
5. Mechanical Equipment
6. Offsite Conditions

Brixius showed photographs of what the site currently looks like in regards to the weed growth, and street/parking conditions.

In conclusion, staff recommends approval of the request based on the answers to the conditions and the requests for additional information as follows:

1. The owner of the balance of Shoppes at Towne Lakes will perform necessary street repair and maintenance on the stormwater culvert. Additionally, the owner shall install "No Overnight" parking signs on all developed lots in the PUD.
2. The site's landscaping needs to be upgraded to current City standards including: weeding, mulching, re-establishment of turf, and pruning/replacement of shrubs. The applicant must provide a narrative on how and what maintenance will be performed.
3. A parking plan must include installing the second wear course of pavement, striping, stalls, striping of disability stalls, and a designated area for clothing drop-off and loading. It is required the applicant will address the parking deterioration with a second coarse paving.
4. The applicant will provide a narrative on how the Church will handle clothing drop-offs to ensure the outside area does not become unsightly.
5. The applicant shall submit a plan of the location of ground mounted, and or, roof mounted mechanical equipment and include screening plans.

Motioned by Buhrmann, seconded by Barthel, to open the Public Hearing. Ayes: Klecker, Barthel, Buhrmann, BremPELL, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Randy Lowe approached the podium. Lowe introduced himself and described what the church has to offer. He went over the Kens closet, MOPS program, and a marriage therapy program.

Klecker asked how many members are in the church currently, Lowe responded with 75 members.

Motioned by BremPELL, seconded by Klecker, to close the Public Hearing. Ayes: Klecker, Barthel, Buhrmann, BremPELL, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Klecker commented on the parking, Brixius informed him that there I no concern for the parking based on the current members.

Shelia Zachman, the listing agent, approached the podium and informed that commissioners that the applicant is already in contact with Omann regarding the road/parking repair.

Motioned by Buhrmann, seconded by Klecker, to approve the Request from Samaritan Hills Lutheran Church for a CUP/PUD Amendment to the Shoppes at Towne Lakes 2 PUD establish a Church facility at 6826 Laketowne Drive NE in Albertville with the Conditions Outlined in the September 6, 2018 Planning Report. Ayes: Klecker, Barthel, Buhrmann, BremPELL, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

4. OTHER BUSINESS

A. None

5. ADJOURNMENT

Motioned by Barthel, seconded by Buhrmann, to adjourn the meeting at 7:40 p.m. Ayes: Klecker, Barthel, Buhrmann, BremPELL, Halling, and Hudson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Maeghan M. Becker, Building Permit Technician



PLANNING REPORT

TO: Adam Nafstad
FROM: Alan Brixius
DATE: January 3, 2019
RE: Albertville – Premium Outlet Mall / Crossing Church PUD
Amendment
FILE NO: 163.06 – 19.01

BACKGROUND

Crossing Church and Albertville Premium Outlet Mall have approached the City to discuss allowing the church to lease two commercial tenant bays in the Outlots of Albertville Second Addition (the Promenade east of County Road 19). Currently, the Albertville Premium Outlet Mall is experiencing a high level of tenant vacancies in the Promenade, while the western outlet mall is thriving. In an effort to improve occupancy in the Promenade, the mall owners are open to allow a church as a tenant.

Crossing Church currently leases the St Michael Cinema. They are interested in leasing two tenant bays from the Outlet Mall at rent rates more favorable to the church.

The City of Albertville recently approved the Samaritan Hill Church in Shoppes at Town Lakes 2nd Addition to the north.

Attached for reference:

- Exhibit A: 2003 Outlets At Albertville Second Addition Uses
- Exhibit B: Proposed Church Location
- Exhibit C: Church Letter
- Exhibit D: Church Floor Plan

Zoning. The Outlet at Albertville Promenade was approved a B-3/PUD district in 2003. This PUD approved the site and building design as well as limited the range of land use within the PUD agreement. The list of allowed land uses is illustrated in Exhibit A of this report.

Currently, the list of allowed uses does not include commercial assembly uses such as conference centers, banquet halls, theaters, etc. That would also include church assemblies under the Religious Land Use and Institutionalized Persons Act (RLUAIPA).

In the previous Samaritan Hills Church application, the proposed site was zoned B-2A, which allowed hospitality business as a permitted use. Under RLUAIPA, the City found the church to be similar to the allowed commercial assembly uses allowed in the B-2A zoning district and approved the development application.

Albertville Premium Outlets is facing increasing vacancies in the Promenade portion of the mall and is looking for options to expand the range of uses for the Promenade. The Outlet Mall and Crossing Church is requesting an amendment to The Outlets at Albertville 2nd Addition PUD agreement to add “Hospitality Businesses” as defined by the Albertville zoning code to the list of permitted businesses allowed in the applicable PUD.

In review of this request, we offer the following findings:

1. The introduction of Hospitality Businesses to the PUD agreement will expand the range of commercial uses to the Outlet Promenade. This will give the property owner greater flexibility in attracting tenants to this part of the mall.
2. The amendment will apply only to the Promenade because the western malls are governed by a separate PUD agreement with its own list of allowed uses. In this respect, the requested amendment is geographically limited.
3. The Hospitality Businesses allow for commercial assembly land uses (i.e. conference centers, banquet halls) under RLUAIPA, these assembly uses would also permit a church.
4. The church wishes to lease two existing tenant bays. They offer Sunday services, Sunday kids ministry, Wednesday night group meetings and periodically fellowship groups and bible studies.
5. The chosen location within the promenade mall is the eastern edge of the northmost building. The location does not consume prime retail space. The site has sufficient parking to accommodate the proposed church.
6. The introduction of the church to the Promenade Mall will change the building use from a retail use to an assembly use. The building will require a building and fire code review to outline the building modifications required to accommodate this change in building occupancy. Building permits shall be obtained for all building modifications.

CONCLUSION

The promenade portion of the Albertville Outlet Mall is struggling to maintain tenant occupancy. The proposed PUD amendment will allow for an expanded range of commercial uses for this property. Through the addition of Hospitality Businesses, the church will be allowed.

Based on the aforementioned conditions, staff recommends approval of the PUD amendment to add Hospitality Businesses to the list of allowable uses within the Outlets of Albertville Second Addition.

The proposed church is approved under RLUAIPA subject to the following conditions:

1. Approval of the PUD amendment expanding the PUD zoning to include Hospitality Businesses.
2. The church obtains building permits and certificates of occupancy for building modifications needed to accommodate the change of building occupancy from retail to assembly.

c: Kim Olson
Mike Couri
Laurie Summerland
Ron Touchette
Amy Jones

EXHIBIT 7

PERMITTED USES FOR LOT 1, BLOCK 1 OUTLETS AT ALBERTVILLE SECOND ADDITION

The following uses shall be allowed on Lot 1, Block 1 of 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.

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



Exhibit B



THE CROSSING CHURCH
GUILT FREE. GRACE FULL.

889 School Street | Elk River, MN 55360
763.633.9708 | office@the-crossing-church.com
freegrace.tv

December, 18, 2018

City of Albertville, MN Mr.
Alan Brixius City Planner
5959 Main Ave NE
Albertville, MN 55301

RE: Crossing Church Use Permit Application

Dear Community of Albertville,

The Crossing Church is an outreach church affiliated with C3 Global, The Champions Network, and Converge. We currently have churches in Zimmerman, Elk River, St. Michael, St. Cloud, St. Paul, Milaca, Becker, and Minneapolis. We believe in loving people where they are in life; helping them experience the love, hope, and grace of Jesus. The mission of The Crossing Church is to help as many people as divinely possible cross to the line of faith and follow Jesus. We achieve this mission in part through reachable Church locations and opportunities situated right in the middle of the communities that we serve. We are blessed to be able to deliver Church opportunities for people that *don't do* Church!

The St Michael congregation today consists of a passionate group of 75-100 area residents. For the past 3 years we have been meeting in a temporary space, setting up and tearing down each week at the St Michael Cinema for our regular 10am Sunday morning service. In addition we have a small group bible study that meets in an area meeting room Wednesdays at 6:30pm. We hope to relocate to the Albertville premium outlet mall location, providing us with a more stable location to call home and continue to serve our community.

At the new location The Crossing Church plans to continue our current Sunday morning 10 am worship service, as well as the Wednesday evening small group meeting. In addition, on Sunday mornings we will be providing programming for our Kids Ministry (Sunday School) concurrent with services. It is possible that we would add small fellowship groups or bible studies from time to time, these would typically be held evenings mid-week, allowing and encouraging our congregants to grow in their faith.

Exhibit C

Our hope is to help people in our community find freedom in Christ, soar to new levels in faith and life, and to find help and support to conquer any hurt, habit, or personal challenge that may be holding them down!

God bless.

Pastor Ben Saffrin

