

## NOTICE OF ALBANY CITY COUNCIL MEETING

There will be a meeting of the City Council in and for the City of Albany, Stearns County, Minnesota at 6:30 o'clock in the evening on Wednesday, July 2, 2014, in the Council Room at 400 Railroad Avenue for the said City.

### AGENDA

1. Convene meeting
2. Audit Bills
3. Act on regular Council meeting minutes held on June 18th
4. Open Forum/Public comment
5. John Greer, Planning Commission Liaison – rezoning request by Mother of Mercy Campus of Care and related Resolution 2014-15
6. Molly Thompson, CPA, the City Auditor – present the 2013 Comprehensive Audited Financial Statements of the government activities, the business-type activities, and each major fund of the City of Albany
7. Jeremy Mathiasen, City Engineer
  - update on 2013 Railroad Avenue (T.H. #238) Reconstruction Improvements
  - present Resolution 2014-16 approving plans and specifications and ordering advertisement for bids 2014 Church Avenue Improvements (5<sup>th</sup> to 8<sup>th</sup> Street)
8. Public Hearing on proposed drainage and utility easement vacation in Trails Edge subdivision (Mark Olson/Kevin Spohn)
9. Joseph Mergen, Public Works Supervisor
10. Laurie Dingmann, Park Board and Community Education Liaison
11. John R. Harlander, Street Department and Albany Township Liaison
12. Tom Kasner, Fire Department, EDA Board, and Equipment
13. Ozzie Carbajal, Police Chief
14. John Greer, Police Department and Planning Commission Liaison
15. Daron Gersch, Utility Department and Golf Club
16. Tom Schneider, Clerk/Adm. – request by Albany Chamber of Commerce to consider approval of a Large Gathering Permit and Fireworks Permit for Heritage Day, August 2<sup>nd</sup>.
  - Recommendation to approve the nonbinding Letter of Intent, as revised by the City Attorney, for the sale of City owned property at 740 Railroad Avenue formerly Albany Antique Center for \$350,000
  - present Resolution 2014-17, modification number two (2) to add Mother of Mercy Campus of Care to Tax Increment Financing District No. 14.
17. Mayor's announcements and letters
18. Announce next meeting date and adjourn

Tom Schneider  
Clerk/Adm.

**CITY OF ALBANY  
COUNTY OF STEARNS  
STATE OF MINNESOTA**

**RESOLUTION NO. 2014-15**

**RESOLUTION GRANTING REZONING APPROVAL TO MOTHER OF  
MERCY CAMPUS OF CARE**

WHEREAS, Mother of Mercy Campus of Care (hereinafter referred to as the "Developer") has submitted a proposal for a Rezoning from R-2 and R-3 to Planned Unit Development (PUD) (hereinafter referred to as the "Application") for development of the property located at 220 Church Avenue and 230 Church Avenue and legally described as:

**TRACT A**

That part of Lots 5 and 6, AUDITOR'S SUBDIVISION NUMBER 3, according to the plat thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota described as follows: Commencing at the northwest corner of Section 22, Township 125, Range 31, Stearns County, Minnesota; thence South 89 degrees 38 minutes 00 seconds East, assumed bearing, along the north line of said Section 22 for 1309.70 feet to the point of beginning of the tract to be described; thence South 0 degrees 22 minutes 00 seconds West for 172.55 feet; thence South 40 degrees 31 minutes 00 seconds East for 651.95 feet to the south line of said Lot 6; thence South 89 degrees 24 minutes 22 seconds East along said south line of Lot 6 to the southwesterly line of said Lot 5; thence South 62 degrees 57 minutes 03 seconds East along said southwesterly line of Lot 5 for 28.74 feet to Line A described below; thence northerly along said Line A to its point of beginning; thence North 19 degrees 09 minutes 30 seconds West for 77.17 feet; thence North 5 degrees 37 minutes 30 seconds West for 281.09 feet to the north line of said Section 22; thence North 89 degrees 38 minutes 30 seconds West for 356.83 feet to the point of beginning.

Line A: Commencing at the point of beginning of the above described tract; thence South 0 degrees 22 minutes 00 seconds East for 172.55 feet; thence South 40 degrees 31 minutes 00 seconds East for 664.70 feet; thence North 11 degrees 42 minutes 00 seconds East for 167.90 feet; thence North 19 degrees 09 minutes 30 seconds West for 167.83 feet to the point of beginning of the line to be described; thence South 88 degrees 11 minutes 11 seconds East for 66.00 feet; thence South 36 degrees 19 minutes 40 seconds West for 74.79 feet to a point that is South 19 degrees 09 minutes 30 seconds East from the point of beginning of this line; thence South 19 degrees 09 minutes 30 seconds East for 44.55 feet; thence South 55 degrees 24 minutes 40 seconds East for 200.98 feet; thence South 34 degrees 35 minutes 20 seconds West for 132.07 feet to the southerly line of said Lot 5 and there terminating.

Less and except that part of said Lot 6 of AUDITOR'S SUBDIVISION NUMBER 3, described as follows: Commencing at the northwest corner of Section 22, Township 125, Range 31, Stearns County, Minnesota; thence South 89 degrees 38 minutes 00 seconds East, assumed bearing, along the north line of said Section 22, 1309.70 feet to the point of

beginning of the exception to be described; thence South 00 degrees 22 minutes 00 seconds West, 172.55 feet; thence South 40 degrees 31 minutes 00 seconds East 339.76 feet; thence North 34 degrees 24 minutes 37 seconds West 175.74 feet; thence North 23 degrees 24 minutes 37 seconds West 97.14 feet; thence North 10 degrees 01 minutes 30 seconds West 199.45 feet to the north line of said Section 22, thence North 89 degrees 38 minutes 00 seconds West along said north line 47.00 feet to the point of beginning.

AND

That part of the following described tract that lies westerly of Line B described below: That part of Lots 5 and 6, AUDITOR'S SUBDIVISION NUMBER 3, according to the plat thereof on file and of record in the office of the Stearns County Recorder, Stearns County, Minnesota, described as follows: Commencing at the northwest corner of Section 22, Township 125, Range 31; thence South 89 degrees 38 minutes 00 seconds East, assumed bearing, along the north line of said Section 22 a distance of 1666.53 feet; thence South 05 degrees 37 minutes 30 seconds East 281.09 feet; thence South 19 degrees 09 minutes 30 seconds East 77.17 feet; thence South 88 degrees 11 minutes 11 seconds East 66 feet to the point of beginning of the parcel to be described; thence South 36 degrees 19 minutes 40 seconds West 74.79 feet; thence South 19 degrees 09 minutes 30 seconds East 44.55 feet; thence South 55 degrees 24 minutes 40 seconds East 146.48 feet; thence North 07 degrees 40 minutes East 168.37 feet to the point of intersection with a line which bears South 80 degrees 40 minutes 17 seconds East from the point of beginning; thence North 80 degrees 40 minutes 17 seconds West along said line 114.88 feet to the point of beginning and there terminating.

Line B

Commencing at the point of beginning of the above described tract; thence South 80 degrees 40 minutes 17 seconds East, along the north line of the above described tract, 30.07 feet to the actual point of beginning of said Line B; thence South 09 degrees 27 minutes 30 seconds West 125.86 feet to the southerly line of the above described tract and said Line B terminating thereat.

Together with an appurtenant non-exclusive easement for access, parking and utility purposes over the following described parcel:

That part of said Lots 5 and 6, AUDITOR'S SUBDIVISION NUMBER 3, described as follows: Commencing at the northwest corner of Section 22, Township 125, Range 31, Stearns County, Minnesota; thence South 89 degrees 38 minutes 00 seconds East, assumed bearing, along the north line of said Section 22 for 1309.70 feet; thence South 0 degrees 22 minutes 00 seconds West for 172.55 feet; thence South 40 degrees 31 minutes 00 seconds East for 664.70 feet; thence North 11 degrees 42 minutes 00 seconds East for 167.90 feet; thence North 19 degrees 09 minutes 30 seconds West for 245.00 feet to the point of beginning of the tract to be described; thence South 19 degrees 09 minutes 30 seconds East for 77.17 feet; thence South 88 degrees 11 minutes 11 seconds East for 77.00 feet; thence North 09 degrees 20 minutes 53 seconds East for 285.00 feet; thence South 81 degrees 27 minutes 03 seconds East for 110.00 feet; thence North 09 degrees 20 minutes 53 seconds East for 50.00 feet to the southerly right of way line of the Burlington Northern Railroad; thence North 81 degrees 27 minutes 03 seconds West along said right of way line for 274.00 feet to the north line of said Section 22; thence North 89 degrees

38 minutes 00 seconds West along said north line for 22.07 feet to a line drawn North 5 degrees 37 minutes 30 seconds West from the point of beginning; thence South 5 degrees 37 minutes 30 seconds East for 281.09 feet to the point of beginning.

**TRACT B**

That part of the following described tract that lies easterly of Line B described below: That part of Lots 5 and 6. AUDITOR'S SUBDIVISION NUMBER 3, according to the plat thereof on file and of record in the office of the Stearns County Recorder, Stearns County, Minnesota, described as follows: Commencing at the northwest corner of Section 22, Township 125, Range 31; thence South 89 degrees 38 minutes 00 seconds East, assumed bearing, along the north line of said Section 22 a distance of 1666.53 feet; thence South 05 degrees 37 minutes 30 seconds East 281.09 feet; thence South 19 degrees 09 minutes 30 seconds East 77.17 feet; thence South 88 degrees 11 minutes 11 seconds East 66 feet to the point of beginning of the parcel to be described; thence South 36 degrees 19 minutes 40 seconds West 74.79 feet; thence South 19 degrees 09 minutes 30 seconds East 44.55 feet; thence South 55 degrees 24 minutes 40 seconds East 146.48 feet; thence North 07 degrees 40 minutes East 168.37 feet to the point of intersection with a line which bears South 80 degrees 40 minutes 17 seconds East from the point of beginning; thence North 80 degrees 40 minutes 17 seconds West along said line 114.88 feet to the point of beginning and there terminating.

**Line B**

Commencing at the point of beginning of the above described tract; thence South 80 degrees 40 minutes 17 seconds East, along the north line of the above described tract, 30.07 feet to the actual point of beginning of said Line B; thence South 09 degrees 27 minutes 30 seconds West 125.86 feet to the southerly line of the above described tract and said Line B terminating thereat.

(hereinafter referred to as the "Property"); and

WHEREAS, the City staff studied the matter, reports were issued, and information was provided to the Planning Commission and City Council regarding the Application; and

WHEREAS, the City Planning Commission at its June 24, 2014, meeting held a public hearing regarding the Application; and

WHEREAS, the City Council at its July 2, 2014 meeting has considered the Application; and

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council for the City of Albany makes the following:

## FINDINGS

- A. The Developer has submitted an application for an rezoning to Planned Unit Development for the construction of 24 units of assisted/memory care units and daycare facility. The Developer has submitted, for the City's review and approval, site plan, survey, floor plans, elevation and landscape plans drafted by Trossen Wright Plutowski Architects (dated May 2014) which is on file with the City (hereinafter referred to as the "Rezoning Application Plans").
- B. The plans contain necessary detail for the PUD rezoning.
- C. Minnesota Statutes Section 462.357 grants to the City, for the purpose of promoting the public health, safety, morals and general welfare, the authority to regulate use of land within the City through zoning regulations.
- D. The PUD provides for additional flexibility for both the City and Developer regarding existing standards and regulations, beyond what is established by the underlying zoning district, which in this case will be a combination of R-2 and R-3. The purpose of using the PUD is to provide for flexibility to the Developer while achieving other public benefits for the City and future residents. The additional assisted/memory care units and day care facility are a public benefit to the community.
- E. The PUD serves as overlay zoning and replaces previously approved site plan and variance approvals.
- F. Deviations to the underlying zoning requirements may be considered as part of the PUD approval, which deviation in the Plans include:
  - 1. Reduction in setbacks from the underlying R-2 and R-3 standards to support the building addition.
  - 2. Increase building height beyond the maximum 35 feet (a roof pitch) to allow the Developer to take advantage of grades while including the daycare use and necessary number of assisted living and memory care units.
  - 3. Reduction to the minimum unit size to support a studio design with community dining.
  - 4. Slight reduction (12 spaces) in overall campus parking with the use of future shared parking campus wide.
- G. The use of a PUD for this development is appropriate due to campus style nature of the existing uses. The Developer has carefully positioned the addition to allow for convenient access and parking, and use of shared parking if necessary. The addition of assisted living/memory care units and daycare will be a nice addition and is considered a public benefit to the

community. Minnesota Statutes Section 462.358, grants the City, for the purpose of protecting and promoting the public health, safety and general welfare, the authority to adopt subdivision regulations providing for the orderly, economic and safe development of land within the City.

- H. The developer has submitted a USDA Survey and legal description to split "Tract B" from "Tract A" and that such split be recorded with the County in the name of the Developer.

### DECISION

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Albany and based upon the information received and the above Findings:

1. That the City Council does hereby conditionally approve the Plans, subject to the conditions set forth in Paragraph 2 below that must be met, to the satisfaction of the City, prior to release unless otherwise expressly stated.
2. The following conditions must be met to the satisfaction of the City prior to release of a building permit, unless otherwise expressly stated:
  - a. A final landscape plan including all proposed species shall be submitted and approved prior to issuance of a building permit.
  - b. All final building elevations shall be approved by City Staff prior to issuance of a building permit.
  - c. A lighting plan shall be submitted for review and approval prior to installation of light fixtures.
  - d. All proposed final grading, stormwater, utility plans and other engineering requirements shall be submitted and reviewed prior to issuance of any grading or building permits.
  - e. Any proposed signage shall comply with City ordinances and shall not be installed without the issuance of a permit.

Adopted this 2<sup>nd</sup> day of July 2014, by the City of Albany.

\_\_\_\_\_  
Daron Gersch, Mayor

\_\_\_\_\_  
Tom Schneider, Clerk/Adm.

**Insert pre plat drawing**

NOTICE  
DRAINAGE AND UTILITY EASMENT VACATION  
CITY OF ALBANY, MINNESOTA

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council of Albany, MN, at 400 Railroad Avenue, the Albany City Hall, on the 2nd day of July, 2014, at 6:30 o'clock in the evening or as soon as thereafter to hear all persons present upon action taken by the City Council for the vacation of an existing 5.00 foot drainage and utility easement over, under and across the easterly 5.00 feet of Lot 8, Block 5, TRAILS EDGE, according to the recorded plat thereof, Stearns County, Minnesota and the westerly 5.00 feet of Lot 9, Block 5, said TRAILS EDGE, Except that part of said Lots 8 and 9 lying 10.00 feet northerly of and parallel with the northerly right of way of 1st Avenue, said TRAILS EDGE and except that part of said Lots 8 and 9 lying northerly of the following described line:

Commencing at the northwest corner of said Lot 9; thence North 89 degrees 15 minutes 00 seconds East, plat bearing, along the north line of said Lot 9, a distance of 93.64 feet, to the northeast corner of said Lot 9; thence South 01 degrees 03 minutes 48 seconds East, along the east line of said Lot 9, to the point of beginning of the line to be described; thence North 78 degrees 33 minutes 10 seconds West, 94.74 feet; thence North 89 degrees 19 minutes 10 seconds West, 80.09 feet, to the west line of said Lot 8 and said line there terminating.

Dated this 4th day of June, 2014.

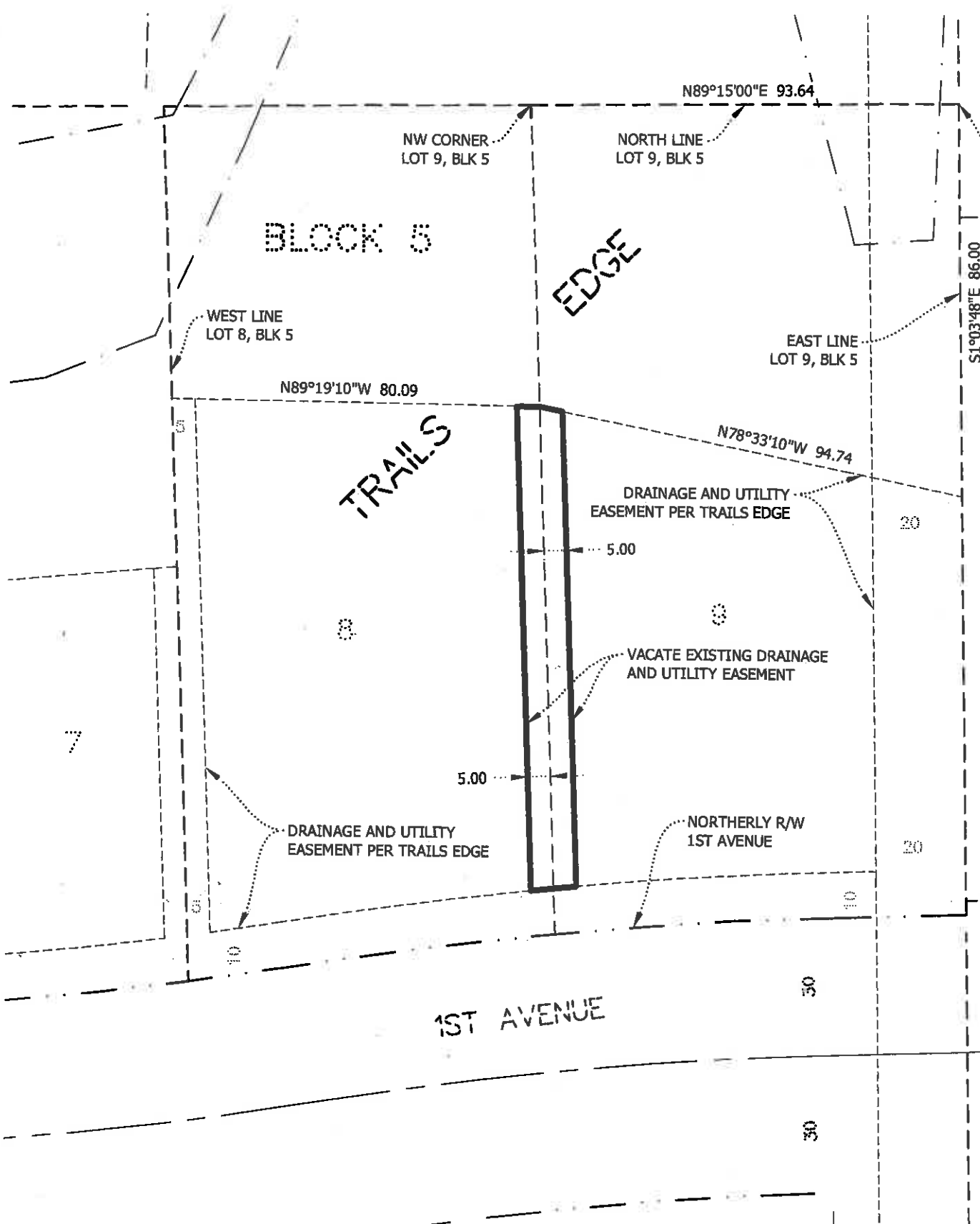
Tom Schneider  
Clerk/Adm.

Published in the Albany Enterprise on June 11<sup>th</sup> and June 18, 2014.



# Certificate

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON THIS DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO STARRS WITHOUT DELAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR ANY WORK TO BE PERFORMED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR ANY WORK TO BE PERFORMED.



Plot Date: 06/05/2014 - 10:20am  
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User: cao

## **MEMORANDUM**

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**Date:** June 25, 2014

**To:** Mayor and City Council

**From:** Tina Goodroad, AICP, Loucks Associates

**RE:** Mother of Mercy Campus of Care-request for rezoning from R-2 and R-3 Residential to Planned Unit Development (PUD)

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### **BACKGROUND**

The applicant, Mother of Mercy Campus of Care, is requesting a rezoning of the current 4.4 acre campus from R-2 and R-3 residential to Planned Unit Development (PUD) in order to develop 24 units of assisted living. The PUD zoning allows for flexibility and deviations to the strict interpretation of the underlying zoning districts. The PUD is best applied in areas where new development can better meet the community's needs. Applying the PUD in this case is appropriate as the subject property has developed as a campus with shared parking, uses, etc. The PUD will allow the campus to provide healthcare and housing to the elderly which is an essential need and public benefit to the community.

The applicant is proposing to develop a two-story (walk-out style), 24 unit assisted living/memory care units with a lower level child daycare adjacent to and directly east of the existing memory care facility.

The request for rezoning to PUD is the first step in the necessary approvals for this building addition. The application for PUD will focus on the zoning aspects of the approvals while the final engineering plans will be completed and reviewed upon approval of the PUD rezoning.

### **EXHIBITS**

The following exhibits are attached for your review:

- Exhibit A: Certificate of Survey
- Exhibit B: USDA Survey
- Exhibit C: Site Plan

- Exhibit D: Enlarged Site Plan
- Exhibit E: Floor Plans (3)
- Exhibit F: Elevations
- Exhibit G: Zoning Summary
- Exhibit H: Resolution
- Exhibit I: Lot split

### **Facility Summary**

76 bed- skilled nursing facility  
 32 assisted living  
 12 unit memory care  
24 unit new memory care/assisted living addition  
**144 total bed/units**

The proposed addition is designed as a walk-out with the lowest level being used by the day care. Access will be from the parking lot grade on the east side where stairs or an elevator can be used to access the daycare (lower level) or the first level of assisted living/memory care units.

The daycare center will include an office, kitchen facilities, classrooms, large activity room, storage and outdoor playground on the south end of the space.

The two floors of assisted living/memory care units will be an identical layout and contain a total of 12 units on each floor. Community dining, living and attendant services will be provided on each floor.

### **Zoning Analysis**

The subject property is zoned R-2 and R-3 which allows the existing and proposed uses. The rezoning to PUD will serve as an overlay zoning approval to the underlying R-2 and R-3 zoning. Once approved, the final zoning is Planned Unit Development (PUD). A resolution will outline specific deviations and conditions for the rezoning approval.

The request for rezoning to PUD allows the review based on the entire campus with consideration of all uses and shared elements such as setbacks and parking.

The site plan illustrates current conditions with the existing care facility, Church of Seven Dolores, parking areas and proposed building addition on the east end of the existing care facility.

The underlying zoning allows a maximum of 16 units per acre. The proposed site includes 4.4 acres with a proposed total of 144 units for a proposed density of 33 units per acres. A deviation to the underlying density is requested for this facility. This is certainly appropriate considering total number of beds does not have the same density implications as individual family units would. Staff supports the deviation.

The underlying R-2 and R-3 districts include a minimum unit size for dwellings of 672 sq. ft. This requirement is to ensure multiple family dwellings are constructed of an adequate size. The applicant is requesting a deviation to this square footage requirement as the proposed memory care units (375 sq. ft.) are not designed as individual dwellings. Each unit has its own living, sleeping space and bathroom but no kitchen facilities. All dining is done as a community therefore the dwelling unit square footage requirements should not apply. Staff supports a deviation to this requirement.

Also within the underlying R-2 and R-3 is a requirement for a 3:12 roof pitch, whereas the applicant is proposing a 4:12 pitch. Staff is supportive of the proposed roof design.

Minimum Yard Requirements- building addition:

The underlying R-2 and R-3 zoning requirements are applied; however, deviations are requested for the addition on the exiting building.

**Front Yard:** 25 feet where 7'-2" are proposed

**Rear Yard:** 20 feet where 8'-3" is proposed

**Side Yard:** 10 feet where a 0' side yard is proposed as it is an addition to the existing building.

**Maximum Building Coverage:** 40% permitted and 30.5% proposed with the building addition.

As the site is developed as a campus setbacks are typically overlapping other uses, property lines or zoning district boundaries. The subject property is essentially land locked therefore without a deviation to setbacks an addition to the existing building could not be considered. The applicant has done a very effective job at positioning the addition and taking advantage of the grade to provide the walk-out space as the proposed day care use. Staff is supportive of the deviations to setbacks to accommodate the addition.

The ordinance allows a maximum building height of 35 feet. The proposed building addition is designed as a walkout to take advantage of existing grades. The east entry (main building entry) is 2 ½ stories at 38'-3" with a 4:12 pitch

roof. The southern elevation (full walkout) is 3 stories with a maximum height of 45'-2". The building elevations include a variety of materials, windows, porch elements that break up the appearance of the additional height. Staff supports the deviation to the overall building height.

### **Streets**

Access to the site is proposed from 2<sup>nd</sup> Street and Church Street on the north portion of the site. As a campus the drive areas and parking areas are shared.

### **Parking**

As a campus, parking is currently and will continue to be shared. As the addition is serving assisted living and memory care units little additional parking will be necessary to support the existing and proposed uses. Below is a summary of required parking by current and proposed uses:

#### **Church:**

1 stall for each 3 seats in assembly areas  
Seven Dolors seats 700 seats / 3 = 233.33

#### **Nursing Home:**

1 stall per 6 beds - plus - 1 stall for each 2 staff @ max shift  
(76 beds x .167 = 12.69) + (49 staff @ max shift x .5 = 24.5)

#### **Existing Assisted Living (AL)**

1/3 stall per unit  
32 units x .33 = 10.67 stalls

#### **Existing Memory Care (MC)**

1/3 stall per unit  
12 units x .33 = 4.00 stalls

#### **Proposed MC/AL**

1/3 stall per unit  
24 units x .33 = 8.00 stalls

#### **Parish School**

1 stall per each classroom  
8 classrooms x 1 = 8 stalls

1 stall per office  
2 offices x 1 = 2 stalls

1 stall per each 50 students  
154 students / 50 = 3.08 stalls

Child Daycare

1 stall per 6 participants

35 participants x 1.67= 5.84 stalls

Recap – Maximum Parking:

233.33 + 12.67 + 24.5 + 10.67 + 4.00 + 8.00 + 5.84 + 8 + 2 + 3.08 + =

312.09

**313 stalls required**

**301 stalls available**

Shared parking is currently utilized with success as the church and care facility have parking needs at opposing times. Cross access parking easements are currently in place between the facility and church and these agreements will be updated. In the event peak parking needs occurred at the same time (i.e. large funeral on a weekday), on-street parking would be available. Staff does not anticipated this conflict, therefore shared parking is assumed and staff supports the deviation to overall parking required.

Development of the new assisted living/memory care units would be impossible without consideration of the deviations. While the applicant has made every effort to reduce the deviation requests, the review of this property as a campus is an effective use of a PUD. Staff is supportive of the proposed use and deviations to the underlying ordinances.

### **LANDSCAPING**

A preliminary landscape plan has been submitted by the applicant. Upon rezoning approval and final landscaping plan will be submitted that will include additional plant details. Landscaping is proposed along the building perimeter on north, east and south elevations. A combination of coniferous and over-story trees are proposed. The outdoor play area is proposed to be enclosed with landscaping at the edges.

### **BUILDING ELEVATIONS**

The proposed elevations include a combination of brick, stucco cement siding, decorative metal, and glass as the primary building materials. Each elevation wall is divided well with the mix of materials, windows and decks. The east elevation features the main entry while the south elevation includes additional windows and exits for the daycare facility. Overall the mix of material and overall design work together to reduce the appearance of the overall height. Staff supports the proposed building elevations.

### **LOT SPLIT**

For financing purposes the applicant needs to separate or split the proposed lot area of the addition from the remaining MOM site. A USDA survey and legal description was prepared to show the proposed separated parcel (Tract B). A Lot Split document that can be recorded with the county has been prepared and the split has been addressed in the resolution.

### **PLANNING COMMISSION**

The Planning Commission held a public hearing on the proposed rezoning on June 24, 2014. The Commission unanimously recommended approval.

### **RECOMMENDATION**

Staff recommends approval of Resolution granting rezoning approval of Mother of Mercy Campus of Care. The Resolution includes the following conditions:

1. A final landscaping plan including proposed species shall be submitted and approved prior to issuance of a building permit.
2. A lighting plan shall be submitted for review and approval prior to installation of light fixtures.
3. All final building elevations shall be approved by City Staff prior to issuance of a building permit.
4. All proposed final grading, storm water, utility plans and other engineering requirements shall be submitted and reviewed prior to issuance of any grading or building permits.
5. Any proposed signage shall comply with City ordinances and shall not be installed without the issuance of a permit.

# City of Albany- Planning Commission

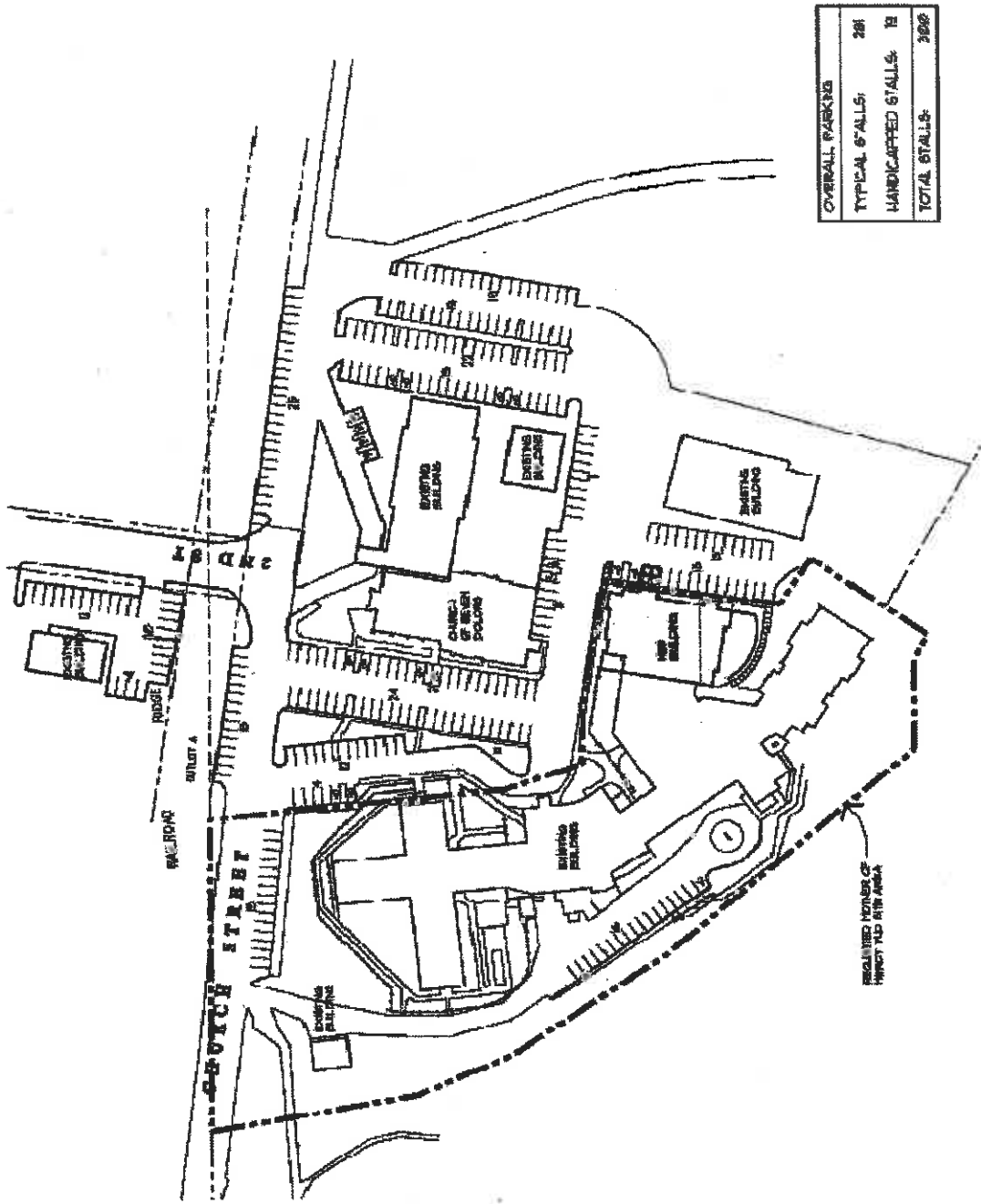
June 24, 2014



## Mother of Mercy Campus of Care

- Mother of Mercy Campus of Care, is requesting a rezoning of the current 4.4 acre campus from R-2 and R-3 residential to Planned Unit Development (PUD) in order to develop 24 units of assisted living.
- The PUD zoning allows for flexibility and deviations to the strict interpretation of the underlying zoning districts.
- The PUD will allow the campus to provide healthcare and housing to the elderly which is an essential need and public benefit to the community.
- The applicant is proposing to develop a two-story (walk-out style), 24 unit assisted living/memory care units with a lower level child daycare.

# MOM Campus of Care



# MOM Campus of Care

- **Facility Summary**

76 bed- skilled nursing facility

32 assisted living

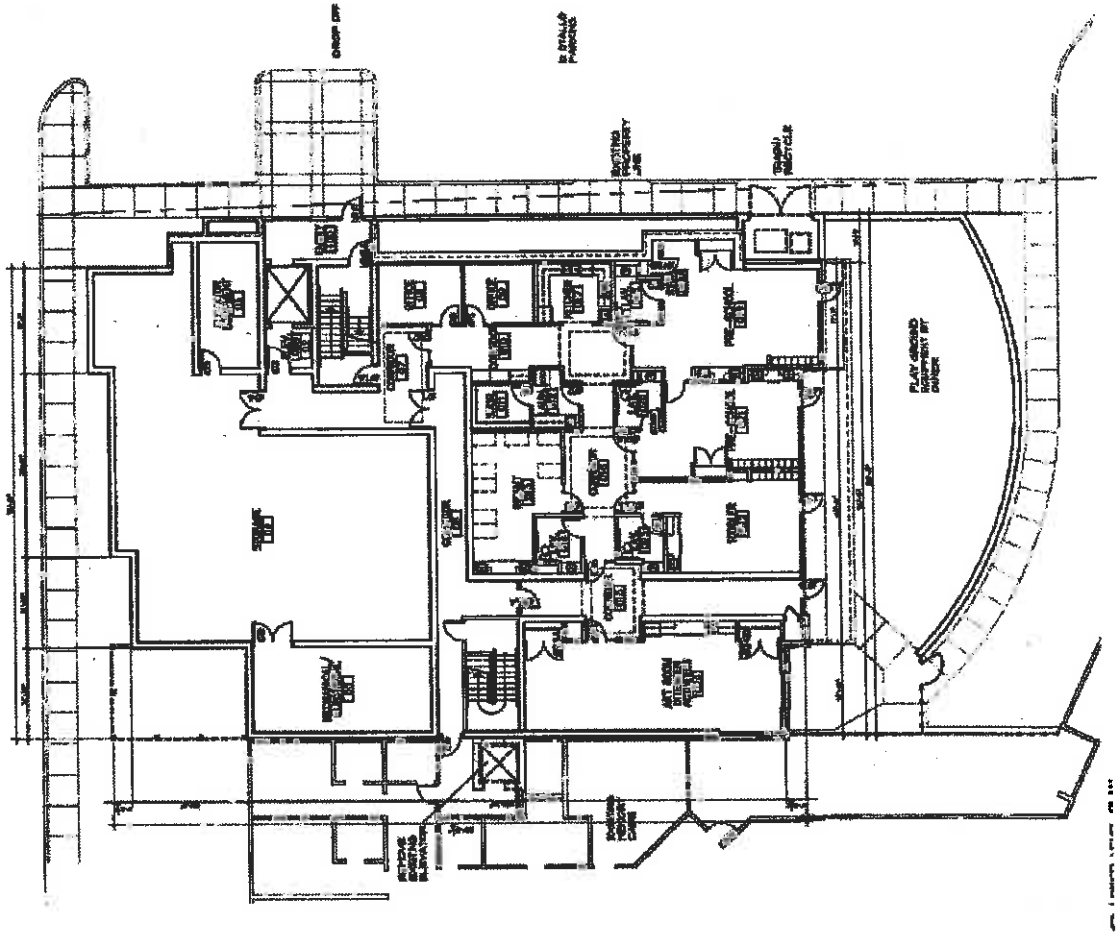
12 unit memory care

24 unit new memory care/assisted living addition

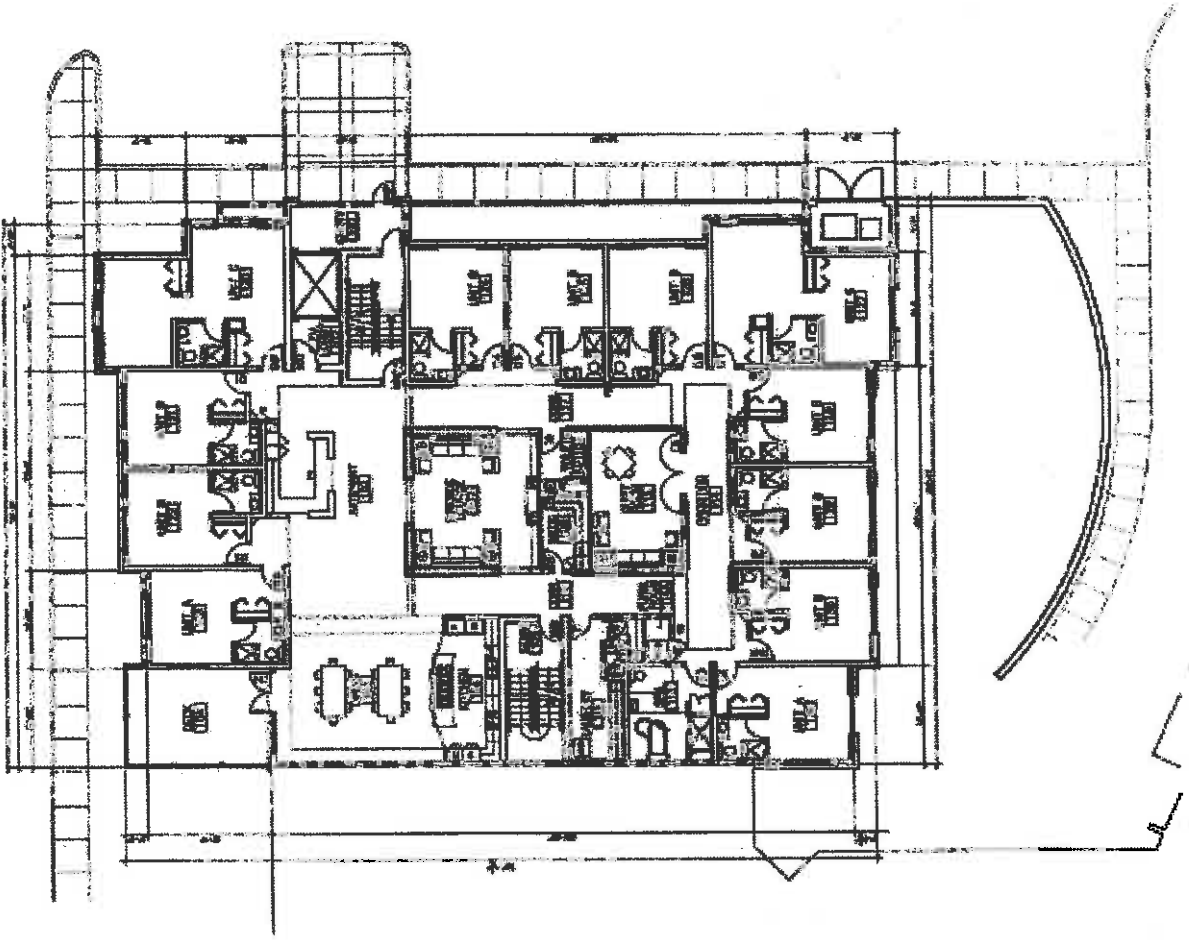
## **144 total bed/units**

- The proposed addition is designed as a walk-out with the lowest level being used by the day care.
- Access will be from the parking lot grade on the east side where stairs or an elevator can be used to access the daycare (lower level) or the first level of assisted living/memory care units.

# Lower level-day care



# Assisted Living Floors



## PUD Deviations

- The underlying R-2 and R-3 zoning requirements are applied; however, deviations are requested for the addition on the exiting building.

**Front Yard:** 25 feet where 7'-2" are proposed

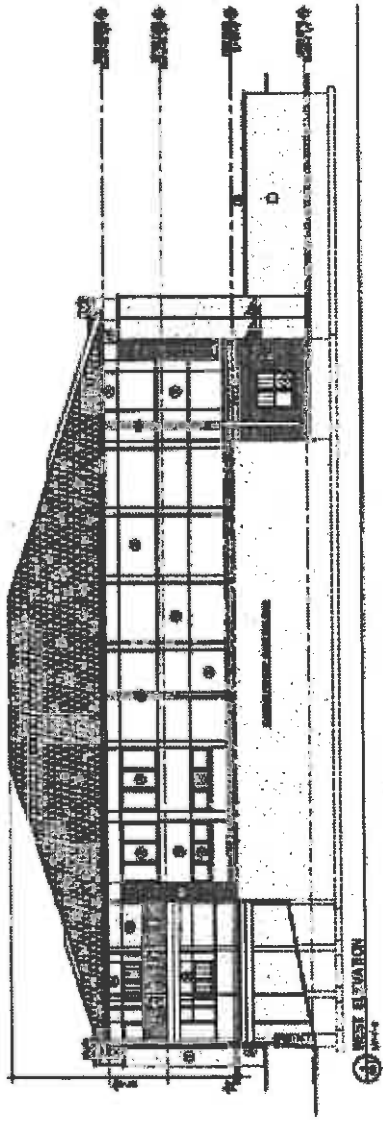
**Rear Yard:** 20 feet where 8'-3" is proposed

**Side Yard:** 10 feet where a 0' side yard is proposed as it is an addition to the existing building.

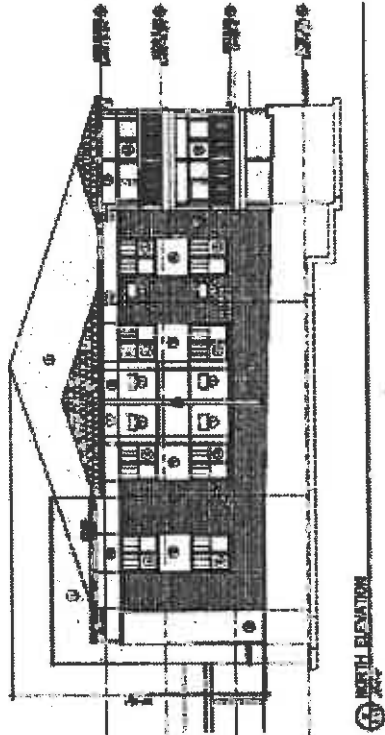
- The subject property is essentially land locked therefore without a deviation to setbacks an addition to the existing building could not be considered. The applicant has done a very effective job at positioning the addition and taking advantage of the grade to provide the walk-out space as the proposed day care use.

## PUD Deviations

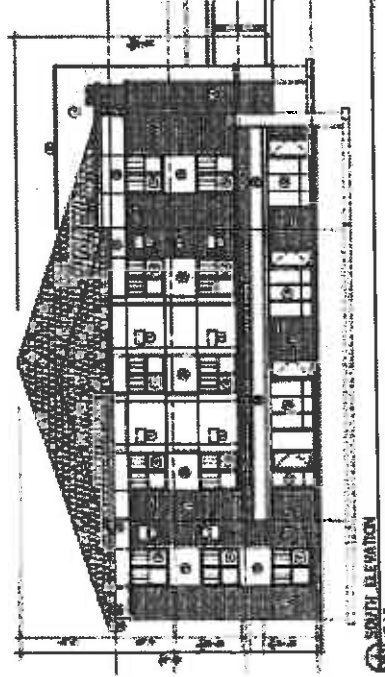
- The ordinance allows a maximum building height of 35 feet.
- The east entry (main building entry) is 2 ½ stories at 38'-3" with a 4:12 pitch roof. The southern elevation (full walkout) is 3 stories with a maximum height of 45'-2".
- The building elevations include a variety of materials, windows, porch elements that break up the appearance of the additional height. Staff supports the deviation to the overall building height.
- Materials include a combination of brick, stucco cement siding, decorative metal, and glass as the primary building materials. Each elevation wall is divided well with the mix of materials, windows and decks. The east elevation features the main entry while the south elevation includes additional windows and exits for the daycare facility.



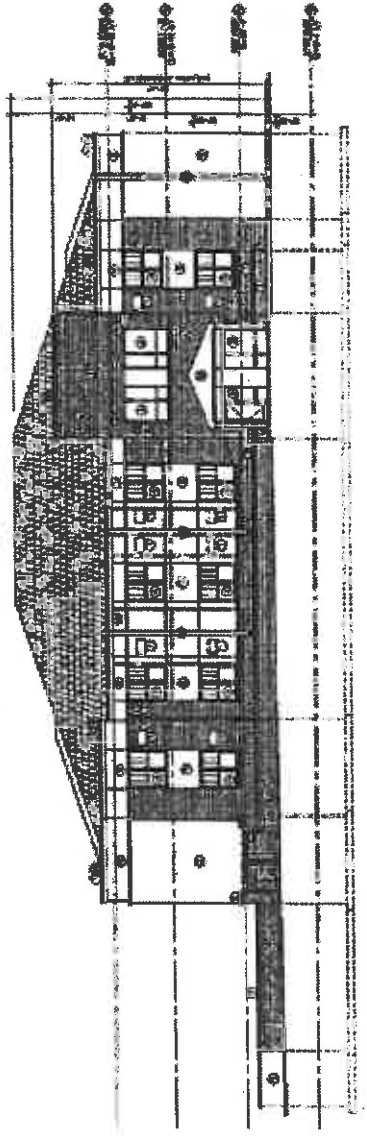
WEST ELEVATION  
1



NORTH ELEVATION  
2



SOUTH ELEVATION  
3



EAST ELEVATION  
4

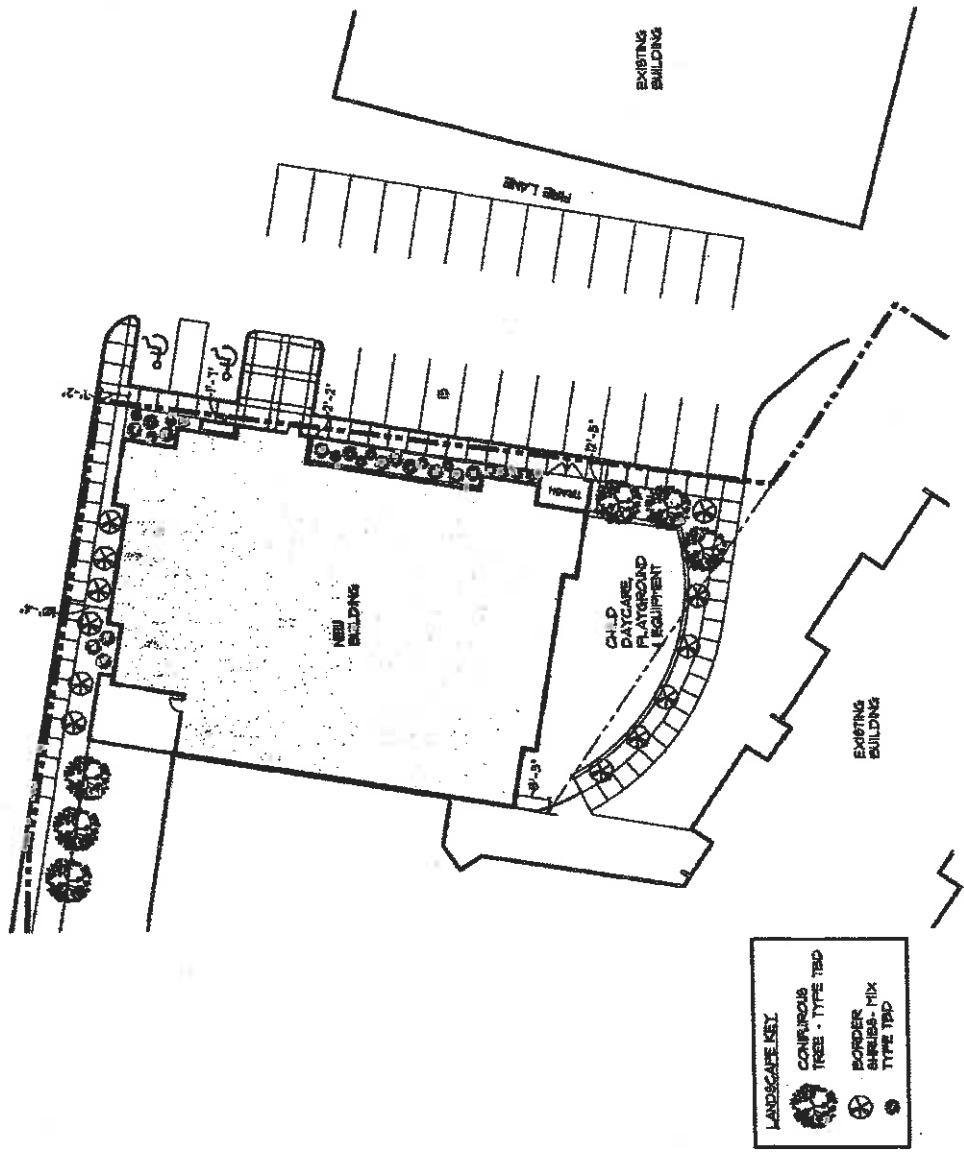
- NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
  2. FINISHES ARE AS SHOWN ON THE DRAWINGS.
  3. ALL MATERIALS TO BE APPROVED BY THE ARCHITECT.
  4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS.
  5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LOCAL CODES.
  6. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE.
  7. ALL WORK TO BE DONE IN ACCORDANCE WITH THE INTERNATIONAL FIRE CODE.
  8. ALL WORK TO BE DONE IN ACCORDANCE WITH THE INTERNATIONAL PLUMBING CODE.
  9. ALL WORK TO BE DONE IN ACCORDANCE WITH THE INTERNATIONAL MECHANICAL CODE.
  10. ALL WORK TO BE DONE IN ACCORDANCE WITH THE INTERNATIONAL ELECTRICAL CODE.



# Parking

- As a campus, parking is currently and will continue to be shared. As the addition is serving assisted living and memory care units little additional parking will be necessary to support the existing and proposed uses.
- Based on all existing and proposed uses a total of 313 stalls are required and 301 are provided. Deviation of 12 spaces is necessary.
- Shared parking is currently utilized with success as the church and care facility have parking needs at opposing times. In the event peak parking needs occurred at the same time (i.e. large funeral on a weekday), on-street parking would be available.

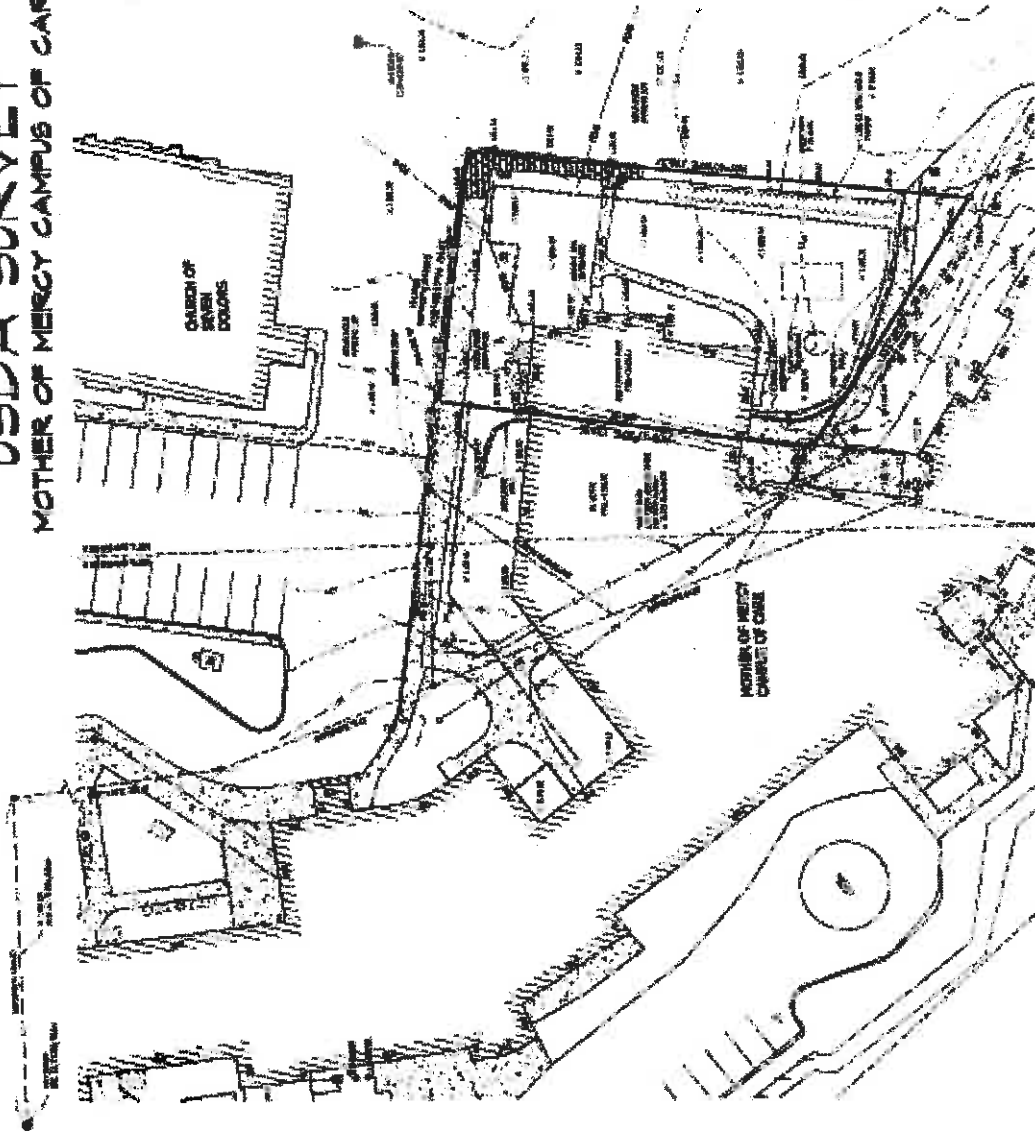
# Landscaping



## Lot Split

- For financing purposes the applicant needs to separate or split the proposed lot area of the addition from the remaining MOM site.
- A USDA survey and legal description was prepared to show the proposed separated parcel (Tract B).

USDA SURVEY  
MOTHER OF MERCY CAMPUS OF CARE



# Recommendation

- Staff recommends approval of the rezoning to Planned Unit Development, subject to the following conditions:
  - A final landscaping plan including proposed species shall be submitted and approved prior to issuance of a building permit.
  - A lighting plan shall be submitted for review and approval prior to installation of light fixtures.
  - All final building elevations shall be approved by City Staff prior to issuance of a building permit.
  - All proposed final grading, storm water, utility plans and other engineering requirements shall be submitted and reviewed prior to issuance of any grading or building permits.
  - Any proposed signage shall comply with City ordinances and shall not be installed without the issuance of a permit.

\* RESOLUTION 2014-17  
CALLING FOR A PUBLIC HEARING ON  
MODIFICATION #2 OF TAX INCREMENT FINANCING DISTRICT NO. 14  
AND THE ADOPTION OF MODIFIED TAX INCREMENT FINANCE PLAN RELATING THERETO

BE IT RESOLVED by the City Council (the "Council") of the City of Albany, Minnesota (the "City"), as follows:

1. Public Hearing. The City Council shall meet on Wednesday, August 20, 2014, at 6:30 p.m. or as soon as possible thereafter to hold a public hearing on the following matter; (a) the proposed modification #2 of Tax Increment Financing District No. 14, and (b) the proposed adoption of the modified Tax Increment Financing Plan relating thereto, both pursuant to and in accordance with Minnesota Statutes, Sections 469.174 through 469.1794, inclusive, as amended (the "Act").

2. Notice of Hearing. Filing of Program and Plan. The Administrator is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto as Exhibit A, to be published as required by the Act and to place a copy of the Tax Increment Financing Plan, as proposed to be adopted, on file in the Administrator's Office at City Hall and to make such copies available for inspection by the public.

Adopted by the City Council this 2<sup>nd</sup> day of July, 2014.

\_\_\_\_\_  
Daron Gersch, Mayor

\_\_\_\_\_  
Tom Schneider, Clerk/Adm.

( S E A L )

**EXHIBIT A**

**CITY OF ALBANY  
COUNTY OF STEARNS  
STATE OF MINNESOTA**

**NOTICE OF PUBLIC HEARING  
ON MODIFICATION #2 OF TAX INCREMENT FINANCING DISTRICT NO. 14  
AND THE ADOPTION OF A MODIFIED TAX INCREMENT FINANCE PLAN RELATING THERETO**

NOTICE IS HEREBY GIVEN that the City of Albany, Stearns County, Minnesota, will hold a public hearing on Wednesday, August 20, 2014, at 6:30 p.m. or as soon as possible thereafter at the Council Chambers in City Hall, 301 Railroad Avenue, Albany, Minnesota, relating to (a) the proposed modification #2 of Tax Increment Financing District No. 14 and (b) the proposed adoption of the modified Tax Increment Financing Plan relating thereto, all pursuant to and in accordance with Minnesota Statutes, Sections 469.174 through 469.1794, inclusive, as amended (the "Act"). Copies of the Modified Tax Increment Financing Plan for Modification #2 of Tax Increment Financing District No. 14, as proposed to be modified and adopted, will be on file and available for public inspection at the office of the City Administrator at City Hall.

The properties proposed to be affected by modification #2 of Tax Increment Financing District No. 14 are described in the Tax Increment Financing Plan on file in the office of the City Administrator. A map of the modified Tax Increment Financing District is set forth below:

(INSERT MAP)

All interested persons may appear at the hearing and present their view orally or in writing.

BY ORDER OF THE CITY COUNCIL

/s/ Tom Schneider  
City Administrator