

Pursuant to due call and notice thereof a meeting of the Planning Commission in and for the City of Albany, Stearns County, Minnesota, was called to order by Chairman Adam Rushmeyer at 6:30 o'clock in the evening on Thursday, April 13, 2017 in the Council Room at 400 Railroad Avenue for the said City.

Other Planning Commission members present for the meeting were: Jon Stueve, Joseph Wedel and Todd Horton. Will Seiler was absent. Councilor John Greer, Planning Commission Liaison, was present for the meeting.

Chairman Adam Rushmeyer called for any additions or corrections to the minutes of February 28, 2017 and hearing none declared them approved.

Present for the meeting were: Jeremy Mathiasen, City Engineer with Stantec, Inc., Allison Dudek, Stearns County Public Health, Amy Schiffler, Nick Schiffler, Adam Silvers, Diane Schleicher and her daughter.

Pursuant to due notice, at 6:35 PM, Chairman Adam Rushmeyer called a public hearing into session on a request by Bryan Schiffler, 34658 225th Avenue, Albany, MN for a variance to relax the side yard requirement of ten (10) feet to allow for the construction of a 32' x 48' addition to an existing commercial building in a C3 Zone. A proper notice was published in the Albany Enterprise on March 29th. Amy Schiffler appeared before the Commission to inform the Commission that the purpose of the addition is to add a paint booth, body shop, and spray bed liner service to support the operations of the Albany Chrysler Center. Ms. Schiffler noted that two or three employees will be hired for the services. Mr. Schneider informed the Commission that a letter was received by John and Mary Luethmers, 34596 225th Avenue, Albany, objecting to the request due to the following past unauthorized disturbances on their land by Bryan Schiffler: parking of vehicles, snow plowing, and rocks piled around a light pole. Mr. Schneider noted that none of the aforesaid disturbances will increase or decrease in occurrence as a result of the variance, but when the variance for a building addition was approved in 2014, the Luethmers property was disturbed which it may not have been if the variance had not been granted. Ms. Schleicher, daughter of John and Mary Luethmers, questioned if the property line is two (2) feet or four (4) feet from the existing building because her parents have a 2015 survey. Mr. Schneider presented to the Commission a certificate of survey (2010) prepared by Engelmeyer Surveying, Melrose, MN that depicts the building to be four (4) feet from the property line. Nick Schiffler informed the Commission that efforts will be taken to make sure the contractor does not go beyond the property line and if the existing storm water retention pond needs to be relocated due to the building addition, the northern boundary of the said pond will be excavated accordingly. Mr. Mathiasen noted that the property line adjacent to the building should be clearly marked prior to construction. Mr. Greer recommended that Bryan Schiffler submit to the City a damage deposit in the event the Luethmers property is damaged from the construction so it can be restored to its original condition. Mr. Horton noted that if the building addition is closer than four (4) feet to the property line, no construction is to commence without considering another public hearing, application, publication, etc. Ms. Schleicher informed the Commission that the 2015 certificate of survey can be given to the City prior to the April 19th Council meeting. After due discussion, a motion was made by Jon Stueve and seconded by Joseph Wedel to recommend to the Council that the request by Bryan Schiffler, 34658 225th Avenue, Albany, MN for a variance to relax the side yard requirement of ten (10) feet to allow for the construction of a 32' x 48' addition to an existing commercial building in a C3 Zone be approved subject to the following conditions:

1. The addition shall not extend beyond the existing rear building line.
2. The variance will not be detrimental to the public welfare.
3. The landowner has demonstrated that the variance is in keeping with the spirit and intent of the ordinance and the comprehensive plan.
4. The variance is not sought solely for reasons of increased financial gain.
5. The location of the building addition is already impervious. No detailed or comprehensive drainage analysis is required. If the existing storm water retention pond is to be relocated, it should be reconstructed and not reduced in square footage.

6. The building is legal non-conforming as it was constructed prior to being annexed to the City. The building addition does not expand on the encroachment and is a reasonable use of the property.
7. The construction shall be completed without disturbing the adjacent property.
8. Contractor shall not go beyond the Schiffler property line.
9. The variance request be approved to relax the side yard setback from 10' to 4' to allow for the building expansion.
10. Engelmeyer Survey, Melrose, MN, verify property pins between the Luethmers and Schiffler properties adjacent to building addition.
11. Silt fence is required to be installed on property line.
12. Mr. Schiffler to deposit \$1,000 with City to be used to repair any damage to the Luethmers property caused by the construction.

All voted for the motion and it carried.

Ms. Dudek appeared before the Commission to present the following Blue Cross Blue Shield (BCBS) Active Places Demonstration proposed projects: 1) temporary bicycle/pedestrian path on the east side of 6th Street from Linden Avenue to Soo Line Avenue, 2) bicycle/pedestrian path on the south side of Aliva Avenue from 6th Street to 8th Street, and 3) develop Forest Avenue as a primary bicycle and pedestrian route by installing 4-way "Stop" signs at specific intersections on Forest Avenue. Ms. Dudek informed the Commission that Active Places demonstration projects are low cost temporary projects that help influence long-term community changes which make a community more accessible to any type of physical activity, including walking and biking. Mr. Dudek noted the total budget requested by the City from BCBS for the three (3) projects is \$7,947 and in-kind funding is \$1,370, a total budget of \$9,317. Ms. Dudek noted that the application was submitted April 4th and funding will be announced April 25th. Mr. Schneider noted that the "Stop" signs installed on Forest Avenue would become permanent upon installation being the Council was supportive of the idea at previous Council meetings. Mr. Schneider also noted that if the grant is approved, properties abutting the proposed projects would be provided mailed notice of the temporary bicycle/pedestrian paths. Mr. Wedel informed the Commission that he supports the idea of installing "Stop" signs on Forest Avenue having witnessed vehicle accidents and excessive speeds. Chairman Adam Rushmeyer, with the consensus of the Commission, had no objection to the aforesaid proposed Active Places Demonstration Projects.

Mr. Mathiasen appeared before the Commission to present the preliminary engineering report for the 1st Street and Railroad Avenue Intersection Improvements (State HWY #238). Mr. Mathiasen presented average traffic volumes, crash history, mini-roundabout design, and free right turn concept layout/comparisons, estimated project costs, traffic operation analysis, and general conclusions. Mr. Mathiasen noted that the Minnesota Department of Transportation (MnDOT) would pay for the majority of the improvements being the street is designated as State HWY #238. Mr. Mathiasen noted that the Intersection Control Evaluation (ICE) report showed a roundabout would provide the highest level of service compared to other "Stop" conditions, both now and for the study year 2037. Mr. Mathiasen also noted that southbound semi-truck traffic would not be able to access the fuel pumps at Albany Oil Company, 110 Railroad Avenue. Mr. Mathiasen noted that the location of the roundabout is only conceptual and that the final location will be determined by MnDOT at that time the City moves forward with the construction of a roundabout. Mr. Mathiasen also noted that MnDOT is planning to reconstruct State Highway #238 north of this intersection in 2018. Mr. Schneider noted that if the aforesaid intersection can be reconstructed in 2018, the City would receive better bids because the same contractor would more than likely bid both projects. Mr. Schneider noted that the Council scheduled a public hearing at 6:30 PM or as soon thereafter as possible on Wednesday, April 19th at City Hall to consider the 1st Street and Railroad Avenue Intersection Improvements. Mr. Stueve informed the Commission that last year a roundabout was constructed adjacent to the Cold Spring Brewery in the City of Cold Spring which is performing really well and has been generally accepted by the citizens. Chairman Adam Rushmeyer, with the consensus of the Commission, had no objection if a roundabout were constructed, but recognized that large semi-trucks traveling southbound on 1st Street to this intersection would have difficulty accessing the fuel pumps at Albany Oil Company.

Mr. Schneider informed the Commission that a business owner on Railroad Avenue is considering installing a projecting (Pylon) sign that is greater than five (5) feet in length, but less than forty (40) square feet in size as per the Zoning Ordinance regulation. Mr. Schneider noted a projecting (Pylon) sign is normally a lighted neon sign anywhere from two or three feet in width and eight to ten feet in length, but less than forty (40) square feet. Mr. Schneider questioned if anyone had an objection if an amendment to the Zoning Ordinance would be considered to allow a projecting (Pylon) sign to be greater than five (5) feet in length. Chairman Adam Rushmeyer directed Mr. Schneider to inform the business owner to complete an application for a Zoning Ordinance amendment if he wishes to proceed; whereby a public hearing will then be scheduled before the Commission.

Mr. Schneider presented to the Commission a report showing the number of lots sold in the Whispering Oaks at Two River subdivision. Mr. Schneider noted that twenty (20) of the thirty-four (34) vacant lots that had been forfeited to the State of Minnesota for failing to pay property taxes remain under the ownership of the State of Minnesota and can be purchased from the Stearns County Auditor for \$25,000, assessments included.

Chairman Adam Rushmeyer adjourned the meeting at 7:55 PM.

Tom Schneider
Clerk/Adm.