

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 Monday, January 9, 2017 in the Council Room at 400 Railroad Avenue for the said City.

Other Planning Commission members present for the meeting were: Joseph Wedel, Todd Horton, Will Seiler, and Jon Stueve. None were absent. Councilor John Greer, Planning Commission Liaison, was absent for the meeting.

Chairman Adam Rushmeyer introduced Mr. Stueve as the new member of the Planning Commission. Mr. Schneider noted that a vacancy on the board was due to Keith Heitzman being elected to the City Council in the November Municipal Election. Mr. Schneider noted that a notice was published in the local newspaper for the vacancy on the board; whereby Mr. Stueve, 328 Golf View Drive, was the only applicant. Mr. Schneider noted the Council appointed Mr. Stueve to the Planning Commission board at the December 21st Council meeting.

Chairman Adam Rushmeyer called for any nominations for the position of Chairman and Acting Chairman on the Planning Commission for the year 2017. Commission member Todd Horton nominated Adam Rushmeyer for Chairman. Mr. Rushmeyer hearing no other nominations closed the nominations from the floor for the position of Chairman. After due discussion, a motion was made by Todd Horton and seconded by Will Seiler to appoint Adam Rushmeyer as Chairman of the Planning Commission. All voted for the motion and it carried.

Chairman Adam Rushmeyer called for any nominations for the position of Acting Chairman. Mr. Wedel nominated Will Seiler as Acting Chairman. Mr. Rushmeyer hearing no other nominations closed the nominations from the floor for the position of Acting Chairman. After due discussion, a motion was made by Joseph Wedel and seconded by Todd Horton to appoint Will Seiler as Acting Chairman of the Planning Commission. All voted for the motion and it carried.

Chairman Adam Rushmeyer called for any additions or corrections to the minutes of November 14, 2016 and hearing none declared them approved.

Matt Imdieke, Avon, MN, Jeremy Mathiasen, City Engineer, and Jason Selix, Albany, MN, were present for the meeting.

Pursuant to due notice, at 6:35 PM, Chairman Adam Rushmeyer called a public hearing into session on a request by Matt Imdieke, Albany, MN, for the consideration to approve a Preliminary and Final Plat named "Imdieke's Country Acres", east of the Albany Golf Course abutting Stearns County Road No. 54. The property to be zoned R1, Low Density Residential. A proper notice was published in the Albany Enterprise on December 21st and no written comments were received. Mr. Imdieke informed the Commission that his intention is to construct a new residential home this year or the next. Mr. Imdieke questioned if the hydrant can be relocated being his home may be as close as thirty-feet. Mr. Imdieke also questioned what the timeframe is to flush the hydrant being he will be on a dead-end water main. Mr. Mathiasen noted that the hydrant will be flushed on a regular basis similar to the schedule currently being used by the Public Works Department. Mr. Mathiasen also noted that the hydrant may be relocated at the property owner's expense. Mr. Mathiasen questioned if the Stearns County Highway Department had submitted any comments related to the driveway access on Stearns County Highway No. 54. Mr. Schneider noted that he did not give notice to Stearns County because the driveway access was already approved in 2005 when the original Whispering Oaks at Two River plat was submitted. Mr. Schneider also noted that there are no changes with the driveway access as shown on the new plat. Chairman Adam Rushmeyer closed the public hearing at 6:43 PM. After due discussion, a motion was made by Joseph Wedel and seconded by Todd Horton to recommend to the Council that Preliminary and Final Plat named Imdieke's Country Acres be approved contingent upon the following findings:

1. The City to retain utility easement for existing water main and sewer main.
2. No amendment to the original Subdivision Agreement is required being the request is for a new plat.

3. Water and sewer services provided to lot at time of home construction.
4. A Park fee of \$900 is to be paid to the City as per Ordinance 81, Section 81.13, Subd. 1.
5. Flushing of hydrant by City Public Works Department to be done in same manner as yearly maintenance schedule of water mains/hydrants.
6. City to maintain public pedestrian walkway to edge of Whispering Oaks at Two River plat. If Mr. Imdieke requests the installation of a sign that says "Trail Ends" at this point, cost for sign and installation shall be paid for by Mr. Imdieke.
7. Any future request for a lot split for a second home or more shall require patting, extension of municipal utilities and street constructed to City standards. A Developers Agreement shall be required.
8. Payment of fees per Development application.
9. Plat to be zoned R-1, Single Family Residential.

All voted for the motion and it carried.

Brian Sand, Albany, MN, was present for the meeting.

Pursuant to due notice, at 6:45 PM, Chairman Adam Rushmeyer called a public hearing into session on a request by Dennis Sand, 321 7th Street South, for a Conditional Use Permit (CUP) to construct a 2,424 sq.ft. building addition to an existing storage garage in a C2 Highway Commercial Zoning District and to request a variance to relax the front yard requirement from thirty (30) feet to twenty (20) feet to allow for the construction of the aforesaid addition. A proper notice was published in the Albany Enterprise on December 21st and no written comments were received. No members from the public were present for the meeting. Mr. Sand appeared before the Commission to inform the Commission that both lots will be combined into one lot. Mr. Sand noted that the proposed new construction will be attached to an existing storage shed. Mr. Sand noted that the five units facing east will not be constructed, but replaced with one large unit with the door facing north resulting in a total of seven (7) units. Mr. Sand also noted that grass will be planted between the two bituminous driveways and the area in front of the doorways of the storage units will be hard surfaced either with crushed granite or some other material. Mr. Horton questioned if a site plan application was received that showed the drainage patterns. Mr. Schneider noted that none was required because the entire site had been a miniature golf course consisting of gravel; whereby the applicant was going to install a swale north of the doorways to each storage unit directing the storm water to the east or 7th Street. Mr. Mathiasen recommended that at the very least directional arrows be incorporated in the site plan to show the direction of storm water runoff. Mr. Schneider recommended that the City obtain a quit claim deed for that portion of 7th Street that encroaches on the Sand property which provides for a vehicle turn around being the street is a dead-end. Mr. Sand informed the Commission that he was not in favor of providing the City with a quit claim deed and would be installing a fence along the property line eliminating vehicles from using private property as a turn around. Mr. Seiler recommended that the street issue be resolved prior to the issuance of the variance and conditional use permit. Mr. Sand recommended that the Commission consider reducing the setback requirement on the rear and side yard from ten (10) feet to five (5) feet in exchange to allow the street to encroach on the property as a vehicle turn around. Mr. Schneider informed the Commission that a variance to relax the side and rear yard was not included in the public notice and should not be considered. Mr. Mathiasen noted that being that portion of the street has been used for public purposes for quite some time it already may be dedicated to the public. Chairman Adam Rushmeyer closed the public hearing at 7:10 PM. After due discussion, a motion was made by Will Seiler and seconded by Jon Stueve to recommend to the Council that the request by Dennis Sand, 321 7th Street South, for a Conditional Use Permit (CUP) to construct a 2,424 sq.ft. building addition to an existing storage garage in a C2 Highway Commercial Zoning District and to request a variance to relax the front yard requirement from thirty (30) feet to twenty (20) feet to allow for the construction of the aforesaid addition be considered for approval as per the following:

1. The variance request is consistent with the comprehensive plan in that it encourages new construction and increased property tax base.
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 variance will allow public opportunity for additional off-site storage opportunities.
6. The proposed building addition is located on a dead-end street, no traffic issues, but no off-street parking spaces are available on the property meaning vehicles may park on the street. Semi-trucks will have difficulty turning around in the cul-de-sac if additional vehicles are parked on street.
7. Confirm on site plan a minimum of 1.5 off-street parking spaces, fence height, material, location on northern property boundary, parking lot hard surface material, and storm water flows off property.
8. Fence to be set back from front yard northeast property pin twenty (20) feet. Fence height not to exceed six (6) ft.
9. There shall be NO storm water runoff of sediment (crushed rock) from parking lot on to 7th St. No detailed or comprehensive drainage analysis will be required.
10. Steel siding and shingle roof to match existing storage shed.
11. Will snow piles be removed or where can snow be pushed on a pile on the site?
12. How will access be accomplished for storage unit #3, especially during winter months? Ground to bottom of billboard only 5'-5". Structural Post 4' from shed.
13. The alignment of the building addition will be aesthetically more appealing.
14. Applicant informed Planning Commission that no storage units (5) garage doors will face east or 7th Street; whereby there will be a total of seven (7) large storage units. Area between each driveway access to property will be "grass".
15. Rather than a detailed drainage plan, the City Engineer will meet on-site with Brian Sand to view the grade to confirm drainage will not cause any issues with Dairy Queen property and 7th Street. Drainage arrows to be added to the final site plan.
16. No variance or CUP shall be granted until that portion of 7th Street South that encroaches the Sand property is resolved and considered public right of way having maintained the roadway for many years as public right of way. The City Administrator is to contact the City Attorney for further clarification.

All voted for the motion and it carried.

Mr. Schneider informed the Commission of the following building permits issued year-end 2016:

- New home construction, seven (7).
- Commercial/industrial, sixteen (16).
- Number of other permits, thirty-one (31). 54 total permits

Chairman Adam Rushmeyer adjourned the meeting at 7:15 PM.

Tom Schneider
Clerk/Adm.