

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 John Harlander at 6:30 o'clock in the evening on Wednesday, May 30, 2012 in the Council Room at 400 Railroad Avenue for the said City.

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

Chairman John Harlander called for any additions or corrections to the minutes of May 3rd and hearing none declared them to be approved.

Richard and Mary Kay Grabmeier, 721 5th Street, were present for the meeting.

Pursuant to due notice, Chairman John Harlander called the public hearing into session at 6:30 PM on a request by Richard Grabmeier, 721 5th Street, for a variance to relax the front yard requirement of twenty five (25) feet to allow for the construction of a 22' X 24' garage to be attached to the east side of a single family dwelling. Mr. Schneider noted that a notice was published in the Albany Enterprise on May 16th. No written comments were received from the public. Mr. Grabmeier appeared before the Commission to inform the Commission that the existing garage door height is only six feet prohibiting larger vehicles from being parked in the garage and the new garage height will be seven feet allowing adequate door clearance. Mr. Grabmeier noted that the distance from the new garage to the street curb is approximately 23 feet allowing ample off-street parking. Mr. Grabmeier also noted that a garage addition to the south is not practical being only a single stall may be constructed requiring a deep excavation due to the topography of the land and an unsightly lean-to-roof that would need to be constructed. Mr. Gilk questioned if a new detached garage in the rear yard been considered being the property width (100 feet) is adequate. Mr. Schneider informed the Commission that there is a sixteen foot "grass" alley right of way abutting the Grabmeier property, but currently not constructed for vehicle traffic and a dead end. Mr. Schneider noted in the past, the City has removed grass in an alley replacing it with a hard surface and the estimated cost for a hard surface for vehicle traffic is \$5,000. Mr. Horton noted that there are other options to construct a new garage on the property without the need for a variance, but may not be preferred by the homeowner. Mr. Schneider presented to the Commission for review an excerpt from the Zoning Ordinance (80.28-Variations) that relate to variance findings and noted that the State Legislature recently amended the statute related to the way cities review variance requests in determining findings of fact. Mr. Greer noted that a variance may be authorized if there are "Practical difficulties" in complying with the Ordinance requirements meaning the property owner proposed to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Mr. Grabmeier noted that an existing chain link fence and mature maple trees are located in his rear yard and if a detached shed is built in his rear yard, both would be in jeopardy of being removed and would not be in favor of constructing a detached garage in his rear yard. After due discussion, a motion was made by Joseph Wedel and seconded by Joseph Gilk to deny the request by Richard Grabmeier, 721 5th Street, for a variance to relax the front yard requirement of twenty five (25) feet to seven (7) feet to allow for the construction of a 22' X 24' garage to be attached to the east side of a single family dwelling as per the following:

1. Other options exist on the property to allow for the construction a new garage addition to the south side of the home or a detached garage in the rear yard.
2. The property can be used in a reasonable manner permitted under the conditions allowed by the zoning ordinance.
3. There are no unique circumstances on the property not created by the landowner.
4. The proposed eastern garage addition to the front yard will alter the essential character of the locality and is not consistent with the intent and purpose of the zoning ordinance.

All voted for the motion and it carried.

Mr. Schneider informed the Commission that Ordinance 80.21, Exterior Material Requirements, includes new and existing buildings within a C-1 and C-2 Zoning District, but would recommend that the

C-2 Zoning District south of Interstate 94 be excluded from the requirements. Mr. Harlander noted that a public hearing is required for a zoning amendment and does not object to the construction of metal exterior siding for buildings in the Industrial Park. Mr. Greer recommended that it would be much easier if the City were to create a C-3 Zoning District for that area south of the interstate rather than an amendment to Ordinance 80.21. Chairman John Harlander, with the consensus of the Commission, directed Mr. Schneider to prepare the necessary zoning ordinance amendment to create a new C-3 Zoning District and schedule a public hearing.

Mr. Schneider informed the Commission that City staff met with the City Engineer and other associates to consider the reconstruction of 8th Street between Railroad Avenue and Shamrock Lane that would include the following improvements, but not limited to: new curb/gutter/storm sewer, sanitary sewer, water main, left turn lanes, ornamental street lights, sidewalks, etc. Mr. Schneider noted that there are adjoining commercial properties that are proposed for redevelopment which include the proposed creation of a Tax Increment Redevelopment District that abut this section of roadway. Mr. Schneider also noted that the increments generated from the said District may be used to finance the street improvements including assessments to benefitted adjoining properties. Mr. Greer informed the Commission that MnDOT has approved a mill and overlay for the said roadway, but having knowledge of the potential redevelopment of adjoining properties, it may be prudent to consider a total street reconstruction. Mr. Greer noted that City Staff will be meeting with MnDOT next week to discuss improvement options for this section of roadway. Chairman John Harlander, with the consensus of the Commission, directed Mr. Schneider to inform the Council that the Planning Commission would like to recommend a total street reconstruction being the roadway is the main entrance to the City and the improvement would be a great benefit for adjoining properties.

Mr. Schneider also informed the Commission that the proposed 2012 Railroad Avenue (T.H. #238) reconstruction improvements may not begin in 2012 being that the soil boring lab analysis have not been reviewed by MnDOT and the timeframe to complete all the construction improvements is not adequate. Mr. Schneider noted that the improvements may begin in 2013.

Chairman John Harlander adjourned the meeting at 7:35PM.

Tom Schneider
Clerk/Adm.