

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, November 14, 2016 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 Keith Heitzman. None were absent. Councilor John Greer, Planning Commission Liaison, was absent for the meeting.

Chairman Adam Rushmeyer called for any additions or corrections to the minutes of September 15th and hearing none declared them approved.

Pursuant to due notice, at 6:35 PM, Chairman Adam Rushmeyer called a public hearing into session on a request by the Albany Planning Commission to consider an interim ordinance providing for a moratorium on the construction or installation of solar panels or solar facilities within the City of Albany. A proper notice was published in the Albany Enterprise on November 2nd and no written comments were received. No members from the public were present for the meeting. Mr. Schneider informed the Commission that a member from the community informed him that he was considering erecting solar panels on his property within a C-3 Zone (Highway I94 Commercial); whereby there are no provisions in the Zoning Ordinance that permit or regulates solar panels. Mr. Schneider noted that construction and operation of Solar Energy Systems that convert solar energy to electricity are becoming more popular for property owners and several cities recently adopted ordinances that will protect the environment, public health, safety, and welfare. Mr. Wedel noted that language includes all alternative energy sources such as wind energy or other such energy systems. Mr. Seiler noted that solar energy systems are beneficial and recommended that other cities be contacted to review their ordinances. Mr. Schneider noted that currently solar panels or other systems are not permitted in the City and the duration of the moratorium is one-year. Chairman Adam Rushmeyer closed the public hearing at 6:45 PM. After due discussion, a motion was made by Todd Horton and seconded by Will Seiler to recommend to the Council that the interim ordinance providing for a moratorium on the construction or installation of solar panels or solar facilities within the City of Albany with the addition of wind energy and alternative energy sources be approved. All voted for the motion and it carried.

Pursuant to due notice, at 6:46 PM, Chairman Adam Rushmeyer called a public hearing into session on a request by the Albany Planning commission to consider an amendment to Zoning Ordinance 80 to prohibit tube lighting in an R-1, R-2, R-3, R-4, and C-1 Zoning Districts. A proper notice was published in the Albany Enterprise on November 2nd and no written comments were received. No members from the public were present for the meeting. Mr. Schneider informed the Commission that any installation of tube lighting within the aforementioned zoning districts on building exteriors, roof lines, and/or fascia would distract from the architectural character of each building and surrounding buildings. Mr. Schneider noted that in 2012 and 2016 several main street businesses within the C-1 District improved their storefront with the assistance of the City's Commercial Loan/Grant Rehabilitation Improvements Program and tube lighting on an exterior building would be a nuisance. Mr. Horton questioned if the buildings within the M-1 District be included due to the location to main street. Mr. Heitzman recommended that tube lighting be prohibited on buildings that face residential properties within the M-2 District. Chairman Adam Rushmeyer closed the public hearing at 6:50 PM. After due discussion, a motion was made by Will Seiler and seconded by Todd Horton to recommend to the Council that the amendment to the Zoning Ordinance 80 to prohibit tube lighting in an R-1, R-2, R-3, R-4, and C-1 Zoning Districts with the addition of the M-1 District and buildings that face residential properties within the M-2 District be approved. All voted for the motion and it carried.

Bryan Schiffler, owner of the Albany Chrysler Center, Albany, was present for the meeting.

Mr. Schneider updated the Commission members on an upcoming Safe Routes to School workshop that is planned for November 29<sup>th</sup> at the Albany City Hall. Mr. Schneider noted that the program helps kids walk and bicycle to school more often through infrastructure improvements, education, and promotional activities. Mr. Schneider noted that the Minnesota Department of

Transportation (MnDOT) informed the City that the drive lanes around North Lake on State HWY #238 will be striped at ten (10) feet and eleven (11) feet in width, three (3) foot shoulder on the east side, and five (5) foot shoulder on the west side. Mr. Schneider noted that the City requested a ten (10) foot shoulder on the west side of the roadway, but due to several unique environmental issues, it is the best outcome for the City. Mr. Schneider also noted that representatives from the Safe Routes to School Program were not in favor of identifying the shoulder of the roadway around North Lake as a safe route due to high traffic speeds, poor lighting, narrow shoulders, limited residential development, etc. Mr. Schiffler informed the Commission that this is a big mistake having a five (5) foot shoulder around North Lake and recommended that the City demand a wider shoulder to improve safety for pedestrians. Mr. Schneider noted that the City has exhausted all avenues to convince representatives from MnDOT to consider a wider shoulder and right-of-way. Mr. Schneider noted that there are wetland issues, encroachment to North Lake, storm water ditch on east side of roadway, future curb/gutter to include storm sewer system and lack of right-of-way width. Mr. Schiffler informed the Commission that he understands there are significant hurdles to overcome, but the benefits of a having a wider shoulder and right-of-way around North Lake is worth the efforts. Mr. Schiffler also informed the Commission that he is considering erecting a 14' x 160' solar panel structure in the parking lot on the south side of his dealership and would like to complete the project this fall. Mr. Schneider noted that the Zoning Ordinance does not address the construction of solar panels and no permits can be issued. Mr. Seiler informed Mr. Schiffler that the Commission already approved an interim ordinance providing for a moratorium on the construction or installation of solar panels or solar facilities within the City; whereby additional information needs to be researched and reviewed by the City before an ordinance can be considered. Mr. Schiffler questioned if he could submit a proposal at this point in time. Mr. Schneider noted a proposal may be submitted, but no permits may be issued. Mr. Horton questioned if there was any language in the Zoning Ordinance that would allow Mr. Schiffler to proceed this fall under a Conditional Use Permit. Mr. Schneider informed the Commission that he will contact the City Attorney regarding Mr. Schiffler's questions and report to the City Council at the November 16<sup>th</sup> Council meeting.

Mr. Schneider noted that interviews will be conducted this week with Stantec, Inc., and Houston Engineering, Inc., for the following proposed storm water improvements in North Park (east): 1) potential basin/water storage and pretreatment site north of the softball field, 2) wetland restoration opportunity south of the softball field, and 3) if funds remain, a second potential basin/water storage site has been identified in North Park (west).

Mr. Schneider informed the Commission that Mr. Heitzman was elected as a City Council member for the City of Albany at the November 8<sup>th</sup> Municipal Election. Mr. Schneider noted that Mr. Heitzman's term as a Planning Commission member expires on December 31, 2016 and recommended that a notice be published in the local newspaper soliciting a new board member. Chairman Adam Rushmeyer directed Mr. Schneider to prepare and publish a notice of the vacancy on the board in the local newspaper.

Chairman Adam Rushmeyer adjourned the meeting at 7:25 PM.

Tom Schneider  
Clerk/Adm.