

AUGUST 27, 2019

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,
GEORGIA
GOVT. CENTER – RM 100

PRESENT: Mayor Dorothy Hubbard
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher, Roger Marietta and Bob
Langstaff, Jr.
City Manager: Sharon Subadan
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 6:20 p.m., and, following a moment of silence and the Pledge of Allegiance, she instructed the audience on the policy to address the Commission, through either Citizen's Comments or Speaker's Appearance Forms.

Commissioner Marietta moved to approve the minutes of the previous meeting, seconded by Commissioner Howard; the motion unanimously carried.

PUBLIC HEARING

1. Zoning Case #19-054 - ALWLAW, LLC/Owner; Steve Chiariello, Inman Solar/Applicant; requests to rezone 73.77 acres located generally east and north of Augusta Dr. from C-R, R-2, & R-3 to AG.

Using a power point presentation, Paul Forgey, Planning Director, showed a map of the property's location and advised that the request will allow for construction and operation of a ground mounted solar power generating facility to sell energy to GA Power Co. He commented on the zoning history (showing a map of the surrounding zoning), discussed planning considerations (which included an aerial map of the property), traffic considerations, future land use map recommendations and advised that the Planning Commission recommended **conditional** approval as follows: **The use of the property is restricted to a 25-acre solar power facility shown on the Site Plan: Osochi Solar Farm, submitted by Inman Solar.**

Commissioner Howard questioned the tax digest and the cost of the 75 acres. Mr. Forgey stated that he did not have this information readily available.

Robert Hutchinson, 1214 August Dr., spoke in opposition to the application, especially as it relates to future apartments being built in the area and referenced a letter dated August 8, 2019 that was addressed to Mary Teter (copies on file), etc. He asked the Commission to not allow the sale of the property.

Commissioner Fuller clarified comments that pine trees would be planted and the request to not have apartments.

Dianne Wright, 1225 Augusta Dr., stated that she was speaking on behalf of the majority of Country Club Estates and spoke in opposition to the application. She distributed information (copy on file) pertaining to the research she conducted on solar power farms, which should not be in residential areas, this being costly for utilities companies and the owner not contacting the residents regarding the solar farm. She mentioned the eco system and asked that it remain as is, commented on the cost to maintain the farm, tax revenue, no creation of jobs, regulations on solar farms in destitute areas, i.e., deserts, etc., and asked the elected officials to look out for the well-being of the area.

Ron Tate, 2204 Glen Eagles Dr., stated that he had no comments.

Aaron Favors, 2311 Glen Eagles Dr., spoke in opposition to the application and thanked Ms. Wright for her comments and research, adding that he also researched this matter and found that it takes up a lot of land, wild habitat is lost, contains hazardous materials, such as those in electronics that are used daily by the population and added that no jobs will be created.

Bob Wesley, 111 Joel Dr., stated that he had nothing to add.

Dr. Judith Hatch, Country Club Estates, stated that she has lived in the area for 14 years and commented on the wildlife that is seen regularly in the area, i.e., deer and other animals. She said

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that children play outside and asked the Commission to consider the eco system and keeping it in place and to vote no on this matter.

Steven Chiariello, Applicant, spoke in favor of the application and stated that all that was asked of them at last month's meeting was completed. Regarding tax, he suggested that the City will get \$108,000, the County and school board will split over \$500,000. He admitted that the challenge is the interest of the neighborhood and countered that solar [energy] is different - but is safe; it is quiet and will not be seen by any of the neighborhood with minimal traffic associated with the project. He commented on the current C-R designation and mentioned that the owner is looking at developing the neighborhood, with this being the best use of the property. He referenced and distributed a letter from Mary Teter dated August 2, 2019 (copy on file) regarding the recommendation of the Planning Commission for conditional approval of the application.

Discussion followed with Commissioner Langstaff commenting on the current zoning designations, which will allow for apartments to be built (R-3) and single family (R-2) with the C-R designation allowing for apartments on the 43 acres. He suggested that the residents should be concerned about the C-R designation because of the number of apartments that could be constructed and asked Mr. Forgey if this would come back to the Commission for approval/vote. Mr. Forgey stated that the current C-R designation allows his department to process for apartments. Commissioner Langstaff stated that the Commission cannot stop apartments from being constructed at the current designation and related an issue in Ward 5 whereby property was zoned for a liquor store to be established, the zoning was never changed and a lot of years later, the liquor store was built to the dismay of the neighbors. In reply to Commissioner Langstaff, Mr. Forgey stated that 43 acres would allow 851 apartments.

Commissioner Fuller commented on the 25 acres for the farm and questioned buffers. Mr. Chiariello explained the process and buffering, adding that the property for the panels will be closer to 12 acres. Commissioner Fuller mentioned the planting of trees on the rest of the property with Mr. Chiariello stating that currently the area is heavily vegetated. In reply to Commissioner Fuller regarding comments made last month on the proximity to the airport, Mr. Chiariello advised that a letter was sent to Commissioner Langstaff from FAA that said it is approved.

Commissioner Fletcher stated that she has received calls when residential areas are involved with calls being 50/50 (for/against).

Commissioner Howard asked Mr. Davis about placing a moratorium to have time for research and discussion by the Commission, even though it will not help with this current case. Mr. Davis agreed that it would not affect the decision, but it will take time to research to provide objective information for a moratorium.

Ms. Wright spoke briefly again and stated that they are aware of the C-R designation, which allows for construction of apartments; however, she disagreed with Mr. Forgey's comment regarding 851 apartments being built.

Commissioner Langstaff suggested that the owner will choose solar because it will bring more revenue than apartments; however he said he feels the owner may sell to someone else to get tax credits, financing, etc., as is being done throughout the city.

2. Special Approval Case #19-055 - ALWLAW, LLC/Owner; Steve Chiariello, Inman Solar/Applicant; request Special Approval for property located generally east and north of Augusta Dr., South of 100' Georgia Power Easement; to construct and operate a ground mounted, solar power generating facility on 25 acres of a larger 73.77-acre tract in the AG District

Mr. Forgey stated that this application connects with the first application and, using a power point presentation (copy on file), explained that special approval is needed to construct and operate a ground mounted solar power generating facility on 25 acres of a larger 73.77 acre tract. He showed a map of surrounding zoning, discussed traffic considerations, planning considerations, future land use map and advised that the Planning Commission recommended approval.

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In reply to Commissioner Marietta regarding buffers, Mr. Forgey explained that the buffers are included and shown on other maps, etc.

There being no further comments, Mayor Hubbard closed the public hearing portion of the meeting.

REPORT OF THE COMMITTEE OF THE WHOLE

The Clerk advised that the zoning ordinance would have to be approved before the following item is voted on. (the zoning ordinance did not pass due to a 3-3 tie vote).

1. Special Approval Case #19-055 - ALWLAW, LLC/Owner; Steve Chiariello, Inman Solar/Applicant; request Special Approval for property located generally east and north of Augusta Dr., South of 100' Georgia Power Easement; to construct and operate a ground mounted, solar power generating facility on 25 acres of a larger 73.77-acre tract in the AG District

Commissioner Langstaff moved to approve the following purchase, seconded by Commissioner Fletcher; the motion unanimously carried.

1. Internet Bandwidth - GA Public Web
Total exp. \$381,378.00

Commissioner Langstaff moved to approve the following purchase, seconded by Commissioner Fletcher; the motion unanimously carried.

2. Soil Vapor Installation - Southern Enviro Const.; LLC; Columbia, MS
Total exp. \$293,500.00

APPOINTMENTS

1. One appointment to the Stadium Authority for four-year term ending June 2023

Commissioner Langstaff moved to appoint Foy Shemwell, seconded by Commissioner Fletcher; the motion unanimously carried.

ORDINANCE

Commissioner Langstaff introduced

AN ORDINANCE NO.

Amending the Zoning Ordinance and Map of the City of Albany to change the status of 73.77 acres located generally east and north of Augusta Dr. from C-R, R-2, & R-3 to AG (**conditional**)

Commissioner Langstaff then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Fuller, the motion tied 3-3 with Mayor Hubbard, Commissioners Howard and Marietta voting no.

RESOLUTIONS

Commissioner Marietta moved to approve the following resolutions, seconded by Commissioner Howard; the motion unanimously carried.

A RESOLUTION NO. 19-R162

Approving Installation of Traffic Calming Measures in the 3000 Block of Harvest Lane

A RESOLUTION NO. 19-R163

Approving Installation of Traffic Calming Measures in the 400 Block of Forest Glen Drive

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Commissioner Marietta moved to adopt the following resolution, seconded by Commissioner Langstaff; the motion unanimously carried.

A RESOLUTION NO. 19-R164

Accepting Grant Award from the US Dept. of Commerce, Economic Development Administration (EDA) re: Burial of critical Utility Infrastructure throughout the City of Albany; Approving the terms and conditions of the Financial Assistance Award; Authorizing use of SPLOST VII Funds for the local match

OTHER BUSINESS

Commissioner Howard stated that Ward 1 is unopposed and asked Ms. Subadan if something will be done for Commissioner Postell who is not seeking re-election due to his health. Ms. Subadan stated that this is being worked on and information will be forthcoming

There being no further business, the meeting adjourned at 7:23 p.m.

MAYOR

ATTEST

CITY CLERK