

ARLINGTON CITY PLANNING & ZONING BOARD  
MEETING MINUTES  
JANUARY 4, 2007

The meeting was called to order at 7:00 p.m., Chairman Nagel presiding.

Members present: Chairman Lowell Nagel, Darin Mielke, Dwight Grabitske, Tim Haggemiller, Dan Hislop, Wayne Kramer, Arden Kreft, Jeff Pinske, Councilmember Curt Reetz

Members absent: None

Also Present: Mayor Kreft, P&Z Administrator Jenness, Steve Trocke, Jeff Hennen, Curt Kallie, Bruce Pinske, Paul Wiemann

Motion by Kramer, seconded by Reetz, and passed by unanimous vote to approve the minutes from the December 7, 2006 meeting as presented.

P&Z Administrator Jenness explained that he had received a letter from Peter & Karen Archer that stated they were withdrawing their variance request to construct a garage addition on their property located at 102 West Chandler Street.

Chairman Nagel recessed the regular meeting to hold a public hearing.

Chairman Nagel called the public hearing to order to discuss the variance request from Steve Trocke, Trocke Construction to construct a well and holding tank on his property located on 6<sup>th</sup> Avenue SE. Jenness explained that Trocke was applying for a variance because Ordinance No. 133 requires property owners within 500 feet of the public sewer system to hook up to it, which his property is 465 feet from the public sewer system. Trocke explained that his shop is basically a warehouse (no employees on site during the day) with no running water or sewer, but is planning to add an office and bathroom facility on to it. He currently has a port-a-potty on site for his employees and has been allowed to get water from Cemstone, but understands that changes may be coming and he won't be allowed to continue doing this. He explained that he had obtained some estimates to hook up to city utilities, but found that it is not financially feasible for him at this time (over \$25,000), whereas drilling a well and installing a 1,500 gallon holding tank with an alarm would cost him approximately \$8,000. Reetz questioned if there were any other properties that would benefit if the city utilities were brought in. Trocke said there were none at this time. The surrounding property is owned by his family and is used for agriculture, but if it would get developed, he could hook up then.

Jenness stated that he had enclosed a copy of Ordinance No. 200 which regulates the use of private water and sewer systems and enforcement thereof within city limits. He stated that the Council has not approved this ordinance yet; a second reading needs to be held. The P&Z Board reviewed the ordinance. It was understood that the City could attach specific conditions (from Ordinance No. 200 even though it was not enacted yet) to the variance request if it chose to. Reetz was of the opinion that the variance should be granted because of the distance and cost to hook up and the fact that no other parties would benefit from bringing city utilities to the Trocke property.

Motion by Hislop, seconded by Reetz, and passed by unanimous vote to accept and recommend to the City Council to approve the variance request from Steve Trocke, Trocke Construction to construct a well and install a 1,500 gallon holding tank on his property located on 6<sup>th</sup> Avenue SE with the following conditions:

- 1) When (if) city water and sewer service is extended down 6<sup>th</sup> Avenue SE or through the Trocke Development, the property must connect to city water and sewer;
- 2) When (if) the property is sold or transferred, the property must connect to city water and sewer;
- 3) The private well shall be tested bi-annually and results of said testing submitted to the City;
- 4) A sewage holding tank pumping agreement and pumping verification shall be submitted to the City.

Chairman Nagel adjourned the public hearing.

Chairman Nagel called the public hearing to order for the Preliminary Plat of Polar Circle Second Addition as proposed by Jeff Hennen, which is a PUD. Hennen stated that the layout had been modified slightly from the sketch plan. Some of the lot sizes were changed and the wetland that covers Lot 7, Block 6 will be mitigated to another location within the development. Jenness questioned if Hennen had received written authorization from the State (MNDot) for the proposed access onto Hwy 5. Hennen stated that he did not have anything in writing, but could get it if it was needed. He commented that the State had shown him some preliminary plans for putting an intersection in the same area to connect to the south side of the road. Jenness commented that the triangular piece at the southern edge of the property (where proposed Hwy 5 access is) has not been annexed into city limits at this time. Mielke questioned if the Hwy 5 access was really necessary. Hennen explained that without it there would be a lot of traffic on Polar Circle, the only other access to the proposed development. Reetz stated that he had spoken with a resident who currently lives on Polar Circle and expressed concern that if the plat goes in as presented that the street (Polar Circle) would become a drag strip. Jenness suggested contacting the owners of the High Island Creek Development to see if they would consider putting in a connecting street between the 2 developments to provide another access to the proposed development. Hennen explained that there is a lot of wet land in that area (next to other development) and putting a roadway in would not work.

Hennen explained (for the new P&Z members) that he was working on a program with the State called "Building Better Neighborhoods". These types of developments consist of affordable housing (\$130,000-\$150,000) with homes that have approximately 1,000 sq. ft., unfinished basements, attached or detached garages, smaller lots, boulevards, sidewalks, alleys and narrower roads. He explained how the program works and that it comes with Restrictive Covenants. Various questions were asked such as who maintains the boulevards and alleys, how wide the streets and alleys would be, etc. Jenness stated that most of the concerns could be addressed in the Developer's Agreement. Hennen stated that the neighborhood is kept looking respectable and has some market rate homes in it which gives it a nice blended look.

Seneca Foods representatives Bruce Pinske and Paul Wiemann expressed their concerns about having a residential development across the road from them. They would prefer to see a commercial or light industrial area instead. Seneca is zoned as industrial and they have a lot of truck traffic during the summer months, operate around the clock which means there are loud noises and odors from the plant, and they leave their exterior lights on during the canning season. Wiemann suggested that the development should put in a tree line or some type of barrier/buffer to separate the 2 areas from each other (industrial from residential). Hennen commented that in other towns he is currently working in where the development abuts an agricultural area, the buyers are given a copy of the Restrictive Covenants plus a "farming ordinance" document that explains there will be smells, noises, etc. from the farming operations at different times of the day or night and they must sign it. He stated that a similar document could be drafted pertaining to the canning factory's operations and used here. Some discussion was held on possibly splitting the property up and re-zoning the southern portion (along Hwy 5) as commercial.

Motion by Hislop to accept and recommend to the City Council to approve the Preliminary Plat for Polar Circle Second Addition as proposed by Jeff Hennen pending MNDot's written approval of the access to Hwy 5 and also with the strong suggestion that a buffer zone is put in. Motion was withdrawn pending the outcome of the City Engineer's report and also the report from MNDot.

Mayor Kreft stated that Hennen had approached the EDA about using TIF to help with infrastructure costs, which the EDA did endorse and submitted a letter of support to the State. He gave a brief summary on how TIF works. He further stated that within the Housing Study that was just recently done, it was recommended to have an affordable housing development put in.

Motion by Hislop, seconded by Grabitske, and passed by unanimous vote to table the Preliminary Plat for Polar Circle Second Addition as proposed by Jeff Hennen until the next regular meeting in order to obtain reports from the City Engineer and MNDot.

Chairman Nagel adjourned the public hearing and reconvened the regular meeting.

Motion by Grabitske, seconded by Hislop and carried (Nagel abstained) to re-appoint Lowell Nagel as the Chairman of the Planning & Zoning Board.

Motion by Grabitske, seconded by Haggemiller, and carried (Kreft abstained) to re-appoint Arden Kreft as the Vice Chairman of the Planning & Zoning Board.

Motion by Hislop, seconded by Reetz, and carried (Grabitske abstained) to appoint Dwight Grabitske as the Secretary of the Planning & Zoning Board.

Mayor Kreft reviewed the Planning & Zoning Board's role within the City. He explained that the Board is to consist of 9 members and each term is for 3 years. Mayor Kreft addressed the "conflict of interest" issues that could arise at meetings in the future. The Subdivision and Zoning Ordinances were reviewed briefly.

Discussion was held on the meeting schedule and whether or not there was a need to continue meeting monthly. Jenness stated that he had cancelled a few meetings as he did not always have pressing matters for the Board to review, otherwise monthly meetings were held. Mayor Kreft commented that he would like to see the monthly schedule continue as the Planning & Zoning Board's role within the city will become more involved in the near future with putting a Comprehensive Land Use Plan together. Jenness talked about the need to codify all the city's ordinances as some things do not exist and/or apply anymore or there are discrepancies/conflicts within them or with State statutes. It was suggested to have the Planning & Zoning Board look over the ordinances and make the necessary changes and have the City Attorney review them before they go to the Council for approval/adoption. Hislop suggested that if there is a month where there really isn't anything on the agenda, the Board should still meet and have some training or review sessions. Mayor Kreft suggested reviewing the Zoning & Subdivision Ordinances section by section to become more familiar with them. Jenness encouraged the members to talk to him anytime they have questions or concerns.

Kreft commented that he wants to see the industrial park expanded and have a truck route established. Mayor Kreft commented that this would be part of the Comprehensive Land Use Plan that is to be put together. Jenness presented a map of Arlington and the outlying areas (County Engineer Darin Mielke drafted) that showed some concepts for possible future growth (industrial/commercial/residential areas, roadways/truck routes, etc.). The feeling from the group was they liked what they saw and it made sense. Jenness commented that the City should consider taking over the zoning of the outer area around Arlington from the Township and County to help ensure that it gets developed correctly (in conjunction with the Comprehensive Plan). He explained that this had been suggested at a previous meeting and both the County and Arlington Township were for it, but the City (at that time) did not have the resources (staffing) to do it, where it does now. Hislop suggested contacting Seneca Foods (Bruce Pinske) just as a courtesy and show the proposed concepts to get some feedback on how they perceive the future growth around their facility to be.

Hislop expressed his concerns about the design flaws of the intersection of Hwy 5, West Douglas Street, Chestnut Drive and 4<sup>th</sup> Avenue NW (right where Hwy 5 starts curving to the south near the Community Center's west parking lot). He would like to see something done to alleviate the problems at this intersection (verify who has the right-of-way). Mielke commented that MNDot would be willing to contribute some funds towards the traffic study portion of the Comprehensive Land Use Plan.

Motion by Hislop, seconded by Haggemiller, and passed by unanimous vote to authorize P&Z Administrator Jenness to put some options together on how to fix the design flaws at the intersection of Hwy 5, West Douglas Street, Chestnut Street and 4<sup>th</sup> Avenue NW where it curves by the Community Center parking lot and bring them back to the P&Z Board for review.

A. Kreft commented that he would like to see the section of the zoning ordinance changed that allows commercial vehicles to park on public streets. He expressed concern that commercial trucks are being parked in areas that they shouldn't be or for extensive periods of time without being moved. Reetz commented that this is something the City is working on with the police department (enforcement of the City's ordinances). Kreft suggested contacting the Fair Board to see if an agreement could be worked out to allow commercial vehicles to be parked on the fairgrounds.

A. Kreft questioned if Arvid Soeffker had been contacted about becoming the City's Forester. Jenness stated that he had not made contact with him.

The year-end building permit report was reviewed. Nagel questioned if there has been much opposition from the public about the fees. Jenness stated that he has not as he usually explains how the fees are determined and breaks them down for the applicants. Jenness stated that the number of permits were down slightly from last year, but still did well as far as the number of new construction permits. He stated that surrounding communities did not have any or very few.

Jenness commented that he and the EDA had been working with the Cell Tower Company that had applied for a variance a meeting or so back and were told to find a better location. They have been looking at different sites within the city and have determined that the best location would be in the northwest corner of the city on or near the fairgrounds property or on the EDA property (f/k/a Nickel farm). Jenness stated that they have not talked directly to the Fair Board about this yet, but were planning to. He stated if the Fair Board does not have an interest in this; it will be up to the City and best located in the upper most corner of city limits. Jenness highlighted some of the details/rates of the proposed Lease Agreement. Hislop suggested adding an inflationary clause to the agreement. It was suggested to contact other communities with cell towers to see what fees that are collecting via lease agreements.

It was agreed to keep the monthly meeting scheduled for the first Thursday evening of each month at 7:00 pm.

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to adjourn the meeting.

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P&Z Administrator Harry Jenness

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Chairman Lowell Nagel