

ARLINGTON CITY PLANNING & ZONING BOARD
MEETING MINUTES
FEBRUARY 1, 2007

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

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

Members absent: Dan Hislop, Jeff Pinske

Also Present: Mayor Kreft, P&Z Administrator Jenness, Jeff Hennen, Curt Kallio, Paul Wiemann, Bruce Pinske, Wayne & Krista Kube

Motion by Kramer, seconded by Grabitske, and passed by unanimous vote to approve the minutes from the January 4, 2007 meeting as presented.

Discussion continued on the Preliminary Plat for Polar Circle Second Addition. Jenness reminded the Board that Mr. Hennen was working with the State on a program called "Building Better Neighborhoods", which includes work-force (affordable) housing. He reviewed what a Planned Unit Development (PUD) is and showed all the past and present concepts that had been considered for Mr. Hennen's property. He also handed out excerpts from the Housing Study that stated that affordable housing is needed in Arlington. The Board reviewed a letter from MNDot with regards to allowing Hennen access onto Hwy 5 and what would be required. They also reviewed an email from City Engineer Hawbaker that expressed various concerns about the proposed development of which most could be addressed in a developer's agreement. A letter from Seneca Foods was also reviewed that expressed concern about a residential development along the highway; they would prefer to see commercial or light industrial. Haggemiller commented that the alleys are only 20 ft. wide and expressed concern that the Fire Department would have some difficulty getting its equipment/trucks in if it had to. Jenness stated that the Fire Department has never brought any recommendations to him, but they could address this in the Developer's Agreement (request wider alleys). He stated that the alleys throughout the rest of the city are same width.

Jenness gave a few options for the Board to consider:

- 1) The preliminary plat could be approved with the following conditions:
 - a) entire property must be annexed into city limits prior to approval of the final plat;
 - b) City's engineer must sign off on everything before the final plat is approved; and
 - c) a Developer's Agreement is completed and approved before the final plat is approved.
- 2) The preliminary plat could be denied because the entire parcel is not in city limits.
- 3) A 60-day extension can be granted so more research could be done.
- 4) Send the Preliminary Plat to the Council with no recommendation.

He questioned if the plat is denied, is it then considered a "taking" because the property is zoned residential and essentially the City is denying Hennen the right to do what he is proposing (a residential development). Jenness added that Hennen could do a mixed development (some residential and some commercial) under the PUD rules. Mayor Kreft expressed his feelings that he would like to see a mixed development as the highway frontage is crucial for commercial development as the town grows, but understands that it has been previously platted 2 other times as a residential development and feels that it is unfair to Hennen for the City to want to change this now (especially without a Comprehensive Land Use Plan in place).

Wiemann questioned what the benefit was for the City to allow a PUD versus an R-1 (single-family) development. Jenness stated that the developer can be more creative and get more units within the development. He added that the main benefit for the City is the more houses in a development, the more tax dollars the City will get.

Considerable discussion was held on re-zoning the property and/or allowing a mixed (commercial and residential) development, along with how much a buffer zone is needed between a residential and commercial/industrial area. Mayor Kreft suggested putting a trail system in that would start at Frenzel Park and

run parallel to the highway as part of the buffer zone. Hennen was not in favor of developing any portion of the property for commercial development and expressed his dissatisfaction of having to deal with the City and its stalling tactics. Jenness commented that one last option available is if someone would offer to purchase the property from Hennen, petition to have it rezoned to commercial/light industrial and develop it as such.

Motion by Reetz, seconded by Mielke, and passed by unanimous vote to enact a 60-day extension regarding the preliminary plat as proposed by Jeff Hennen, to allow Hennen and Seneca Foods time to meet and possibly work some things out; with the understanding that they could be ready within 30 days, at which time the P&Z Board would put it on the next meeting agenda (March 1st) for action.

Considerable discussion was held on the public hearing process. Wiemann asked that some research be done to see when the property was annexed into city limits and when it was zoned residential and if Seneca Foods had been notified or was present at any meetings. He also requested that research be done regarding any platting of the property to again see if Seneca Foods had been notified or was present at any meetings. Jenness will check into this and report back. He stated that regardless if Seneca had been notified or not, all public hearing notices must be published in the newspaper, which covers the City as it has attempted to notify everyone that may or may not be affected.

Jenness presented the January Building Permit Report.

Jenness handed out the 2007 Land Use Planning Workshops for Local Government Officials and recommended to the members to attend some, if not all of them.

Considerable discussion was held on what the City can and cannot do regarding development. Reetz stated that the P&Z Board needs to decide if it is going to vote the proposed plat from Hennen down based on Seneca's letter of opposition or not, and if it does the Board had better be prepared for litigation. Grabitske commented that he lives fairly close to Seneca Foods and doesn't have much problem with smells or noise (both are minimal). Jenness commented that a land swap with the EDA (north of fairgrounds) or have someone buy the land from Hennen and rezone it would be 2 other alternatives to consider.

Jenness spoke on the orderly annexation. He presented a map showing the proposed annexation. He stated that back in 1997 the City, Township and County entered into an agreement on this annexation. He stated that it is time to start acting on this agreement and suggested sending letters out to the Township, County and affected property owners that the City is planning to do so as good public relations. Reetz suggested including in the letter the added benefits of being annexed. Jenness commented that the City should also take over the zoning of this area, plus further out (past the annexation area). Jenness commented that the City needs to re-address the Boerner Addition (north of city limits). He stated that properties are being sold within the subdivision and the new owners want city water and sewer. He also stated that wells and septic systems are failing in the subdivision.

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

P&Z Administrator Harry Jenness

Chairman Lowell Nagel