

**PLANNING & ZONING COMMITTEE  
MEETING AGENDA  
THURSDAY, JANUARY 2, 2014 @ 7:00 P.M.  
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Agenda.
4. Approve the Minutes.
  - A. November 7, 2013.
  - B. November 14, 2013.
5. Public Hearings.
  - A. CUP Amendment: Jeff/Wendy Klehr - 23259 401<sup>st</sup> Avenue.
6. Unfinished Business.
  - A. None.
7. New Business.
  - A. None.
8. Review Building Permit Reports.
  - A. November 2013
  - B. December 2013.
  - C. Year End Report.
9. Other Business.
10. Adjourn.

**ARLINGTON PLANNING & ZONING BOARD**  
**MEETING MINUTES**  
**JANUARY 2, 2014**

The meeting was called to order at 7:00 p.m. by Chairperson L.Nagel.

Members Present: Battcher, Grabitske, Chairperson L.Nagel, R.Nagel, Pinske, Councilmember Curt Reetz

Members Absent: Vrklan

Also Present: PZ Adm. Smith-Strack, Jeff & Wendy Klehr

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to approve the agenda as presented.

Motion by Grabitske, seconded by Reetz, and passed by unanimous vote to approve the minutes from the November 7<sup>th</sup> and Special November 14<sup>th</sup> meetings as presented.

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

**Conditional Use Permit Amendment – Jeff Klehr, 23259 401<sup>st</sup> Avenue:**

Chairperson Nagel called to order a public hearing regarding an amendment request to a Conditional Use Permit (issued under Section 7, Subd. 3{1} of the Zoning Ordinance) from Jeff and Wendy Klehr, 23259 401<sup>st</sup> Avenue. If approved, the amendment would allow for the stock piling of certain materials on site; and also for the removal of the option for ancillary minor passenger automobile repair/maintenance by entities other than the property owner that is currently allowed on site. It was noted that Jeff and Wendy Klehr were present. It was noted that the Applicant's again intend to continue to keep the property "tidy, clean, free of debris, and aesthetically pleasing". The property was currently in conformance with lot dimension, parking, signage and use. PZ Adm. Smith-Strack commented that a public hearing notice had been published in the official paper and mailed out to property owners within 350'; and no written or oral comments had been received either for or against said amendment.

Jeff Klehr commented that there is a large dirt pile on site currently, which is for a project at the fairgrounds and only temporary. He added that he doesn't intend to have too much material on site at one time, but likes to have a little something available for emergencies or weekends when the pit is closed.

Chairperson Nagel adjourned the public hearing and reconvened the regular meeting at 7:07 pm.

R.Nagel commented that he has reviewed the property for aesthetics and would like to see shrubs inside the larger trees across the front of the property along the highway for screening. He didn't have a problem with the size/number of piles on site as long as they didn't infringe on property lines.

Reetz questioned the reference to 'temporary' piles, more specifically how big and how many there would be at one time. Jeff Klehr commented that the number of large stockpiles on site at this time was an unusual situation and he didn't foresee it happening again. He explained that the large sand pile previously removed from the site was left over from the Hwy 5 reconstruction project. J. Klehr noted he had allowed the State to pile sand on his property during the project. Klehr said he then had a special bid project come up right at the end of the year. The project was at the Sibley County Fairgrounds.

Reetz commented that he, as a Councilmember, had been receiving calls from residents not happy about seeing piles on the property which was the entrance to the City. He commented that bunkers could be

installed, which would help to control size and location of materials, keeping things orderly and more appealing to the public.

Wendy Klehr commented that they have been doing some landscaping already. She alluded to the planting of lilac bushes similar to what is adjacent to Highway 5 south of town. Jeff Klehr added that they have also been addressing some drainage issues on the property.

L.Nagel expressed concern that the shrubs could act as a snow fence and cause drifting along the highway.

Discussion was held on the number and size of piles that could be allowed. Reetz commented that if cement bunkers were used it would keep things organized and in a designated spot. It was noted that Klehr's had a few small piles on the property last year and no complaints had been received about them; it was when the piles started getting larger that the complaints started. Reetz commented that if large piles were allowed as 'temporary', a time limit would have to be set.

Smith-Strack stated that it would be good to define "temporary" as CUP's run with the property, not the owner.

Klehr commented that he won't let it happen again knowing there is such a concern and will keep the piles on site small and minimal. Mr. Klehr stated he has other property he can store material on. Reetz suggested that a maximum amount could be set per free-standing pile to be allowed on sight, for examples three truck loads which would equal about 14 yards and, anything over that amount could be required to be contained in a bunker.

Klehr commented that he could have up to a maximum of five different materials on site at one time. He added that he has to place the piles on north side of property because of drainage issues. Klehr commented that he'd rather have less material on site and stay away from bunkers; as they tend to be more work as weeds grow up and around them, plus he opined bunkers can make an area look and feel like a gravel pit.

It was suggested to allow up to 30 yards per pile and limit the number of piles to five (5) with a not to exceed total amount of 75 yards of material on site without bunkers. It was also suggested that a clause be added to allow Klehr's to request temporary storage of additional material on site. If more than 75 yards of materials was proposed, Klehr would need to secure permission from the Planning Commission and that such storage could not exceed 180 days. It was noted that the materials currently on site such as Class 5 gravel, red rock, and sand are processed. This means they are either crushed, washed, or sorted. If recycled concrete was to be stored on site it would also be processed, meaning crushed and sorted by aggregate size.

Klehr's noted that the property actually has two addresses: 23259 401<sup>st</sup> Avenue (large building) and 23320 State Hwy 5 (smaller building). The actual driveway to the property is the Hwy 5 address but they also have an easement from the adjacent property owner for the 401<sup>st</sup> address access.

R.Nagel introduced the following resolution and moved for its adoption:

#### **RESOLUTION NO. 1-2014**

**A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDED CONDITIONAL USE PERMIT TO ALLOW ACCESSORY OUTDOOR STORAGE OF PROCESSED AGGREGATES USED FOR ROAD BASES AND DRIVEWAYS, PROCESSED CONSTRUCTION SAND, AND RECYCLED CONCRETE IN**

**CONJUNCTION WITH AN EXISTING OWNER-OCCUPIED HEAVY CONSTRUCTION EQUIPMENT STORAGE, REPAIR AND MAINTENANCE FACILITY AT 23259 401<sup>ST</sup> AVENUE AND 23320 STATE HWY 5**

**WHEREAS**, Mr. Jeff and Wendy Klehr have submitted a request to amend an existing Conditional Use Permit to allow outdoor storage of Class 5 gravel, construction sand, and recycled concrete as an accessory use in conjunction with an owner-occupied heavy construction equipment storage, repair and maintenance facility at 23259 401<sup>st</sup> Avenue and 23320 State Hwy 5; and

**WHEREAS**, the Applicants propose abandonment of “ancillary minor passenger automobile repair/maintenance by entities other than the property owner” a use which is allowed under the Conditional Use Permit currently in effect; and

**WHEREAS**, notice of a public hearing to accept input on the CUP request was published in the official newspaper on December 19, 2013 and sent to property owners within 350 feet of the property; and

**WHEREAS**, the Planning and Zoning Committee conducted a public hearing on the CUP request on January 2, 2014 and accepted input on the CUP request; and

**WHEREAS**, the Planning Committee has reviewed the CUP request and has made the following findings:

1. That the abandonment of ancillary minor passenger automobile repair/maintenance by entities other than the property owner in exchange for limited outdoor storage of granular material results in a less intense use of the property.
2. That with the conditions listed below the use will not be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing in the neighborhood since the use will be consistent with the adjacent land uses which are primarily agricultural and industrial in nature.
3. That with the conditions listed below the use will not be detrimental to the public welfare, or injurious to property or improvements in the neighborhood since the use will be consistent with adjacent land uses which are primarily agricultural and industrial in nature.

**NOW, THEREFORE, BE IT RESOLVED BY THE ARLINGTON PLANNING AND ZONING**

**COMMITTEE THAT:** The Planning Committee does hereby recommend the City Council of the City of Arlington approve the CUP to allow limited outdoor storage of gravel, sand, and recycled concrete as a use accessory to an owner-occupied heavy construction equipment storage, repair and maintenance facility at 23259 401<sup>st</sup> Avenue and 23320 Hwy 5, Arlington, subject to the following:

1. This Conditional Use Permit supersedes and replaces Arlington City Council Resolution 12-2012 which is hereby repealed and replaced.
2. The proposed principal use of the property is limited to the indoor storage, repair, and/or maintenance of heavy construction equipment under the licensed ownership/lease of the property owner. Such heavy construction equipment will include snow plowing equipment, gravel hauling equipment, mowing equipment and the items reasonable similar to those identified.
3. The following is strictly prohibited onsite: ancillary minor passenger automobile repair/maintenance by either the property owner or entities other than the property owner.
4. A maximum of five (5) stockpiles of processed (e.g. crushed, washed, or sorted by size) granular material not exceeding 30 yards per stockpile or seventy five (75) yards combined may be stored on site at one time. Said processed granular material shall be strictly limited to that which is processed and sorted by material size and/or washed. Examples of such materials include Class 5 gravel, construction sand, and/or recycled concrete that is one inch or smaller. The property owner may request temporary storage of additional material on site provided: the storage is for less than 180 total days and the Planning Commission approves of each instance of temporary storage through an official action.
5. The amount of heavy construction equipment stored outdoors on site is limited to storage of ten (10) heavy construction items. Any/all construction equipment stored outdoors will be in operable condition. Items such as miscellaneous equipment parts, brush, tree parts, horse trailers, campers, unlicensed passenger vehicles, buses, agricultural equipment, tires, batteries, used oil, or similar items shall not be stored outdoors at the site.
6. The property shall at all times remain in a state that is tidy, clean, free of debris, and aesthetically pleasing.

7. This conditional use permit is in effect for the property at 23259 401<sup>st</sup> Avenue and 23320 State Hwy 5 and assigned to the current and/or any future owner of the property unless the use changes or the use is in violation of the conditions of this permit.
8. The conditional use permit may be revoked by the City following written notice to the property owner if the conditions of the permit as listed herein are not met and/or maintained. The conditional use permit will expire if/when the use of the property is changed.
9. The conditional use permit shall be recorded at the Sibley County Recorder's Office.

The motion for the adoption of the foregoing resolution was duly seconded by Grabitske and upon poll being taken thereon the following voted in favor thereof: Battcher, Grabitske, L.Nagel, R.Nagel, Pinske, Councilmember Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Vrklan.

Adopted by the Planning & Zoning Committee of the City of Arlington this 2<sup>nd</sup> day of January, 2014.

Signed: /s/ Lowell Nagel  
Chairperson Lowell Nagel

Attested: /s/ Cynthia Smith-Strack  
Planning & Zoning Administrator

The November Building Permit Report was reviewed.

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to adjourn the meeting at 8:47 pm.

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PZ Adm. Cynthia Smith-Strack

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Chairperson Lowell Nagel