

**PLANNING & ZONING COMMITTEE MEETING AGENDA
THURSDAY, JANUARY 5, 2012 @ 7:00 PM
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Oath Of Office (if needed).
4. Election of Officers: Chairperson, Vice Chairperson, Secretary.
5. Approve Agenda.
6. Approve the Minutes.
 - A. December 8, 2011.
7. Public Hearings.
 - A. CUP Amendment: Klehr - 23259 401st Avenue.
8. Unfinished Business.
 - A. Buffer Standards – Matrix.
 - B. Hansen Correspondence.
 - C. Residential Uses in Downtown.
9. New Business.
 - A. 2011 Work List Update.
10. Review Building Permit Reports.
 - A. December 2011.
 - B. Year End Report.
11. Other Business.
12. Adjourn.

**ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
JANUARY 5, 2012**

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

Members Present: Grabitske, Haggemiller, Kreft, Mielke, Chairperson Nagel, Pinske, Councilmember Reetz

Members Absent: None

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

PZ Adm. Smith-Strack administered the Official Oath of Office to members Arden Kreft and Darin Mielke.

Election of Officers was held.

Motion by Grabitske, seconded by Kreft, and passed by unanimous vote to re-elect Lowell Nagel as the Chairperson.

Motion by Grabitske, seconded by Reetz, and passed by unanimous vote to re-elect Arden Kreft as the Vice Chairperson.

Motion by Pinske, seconded by Kreft, and passed by unanimous vote to re-elect Dwight Grabitske as the Secretary.

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

Motion by Haggemiller, seconded by Pinske, and passed by unanimous vote to approve the minutes from the December 8th meeting as presented.

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

Conditional Use Permit: Jeff & Wendy Klehr, 23259 401st Avenue:

Chairperson Nagel called to order the public hearing regarding the application from Jeff & Wendy Klehr for an Amendment to a Conditional Use Permit at 23259 401st Avenue. It was noted that Jeff Klehr was present. Smith-Strack explained that the applicant proposes the use to be more for indoor storage, repair, and/or maintenance of heavy construction equipment such as snow plowing equipment, gravel hauling equipment and mowing equipment. In addition, the smaller building may be used for minor passenger automobile repair/maintenance which may be conducted by a lease tenant. She added that outdoor storage of heavy construction equipment would be limited on site and in operable condition. It was noted that miscellaneous equipment parts, brush, tree parts, horse trailers, campers, unlicensed passenger vehicles, buses, agricultural equipment, tires, batteries, used oil, or similar items will not be stored outdoors. Klehr commented that he would like to plant some arborvitae shrubs along the north side of the property and also have the property surveyed.

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

Kreft introduced the following resolution and moved for its adoption:

RESOLUTION NO. 1-2012

A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDED CONDITIONAL USE PERMIT TO ALLOW AN OWNER-OCCUPIED HEAVY CONSTRUCTION EQUIPMENT STORAGE, REPAIR AND MAINTENANCE FACILITY WITH ANCILLARY RETAIL MINOR PASSENGER AUTOMOBILE REPAIR/MAINTENANCE SERVICE FOR THE PROPERTY AT 23259 401ST AVENUE

WHEREAS, Mr. Jeff and Wendy Klehr have submitted a request to amend an existing Conditional Use Permit to allow an owner-occupied heavy construction equipment storage, repair and maintenance facility with ancillary retail minor passenger automobile repair/maintenance service for the property at 23259 401ST Avenue (PID 31.0835.000) and legally described as NW¼, NW¼, Sect. 10, Twp. 113, Range 27 DOC A177167 1.95 AC; and

WHEREAS, Proposed use(s) are the same as those currently allowed under an existing CUP, the amendment is sought to provide for the leasing of a portion of the property for minor passenger automobile repair/maintenance; as a result the proposed amendment results in a lesser volume of heavy construction equipment storage on site; and

WHEREAS, notice of a public hearing to accept input on the CUP request was published in the official newspaper on December 22, 2011 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 4, 2012 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 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 adjacent land uses within the same zoning district.
2. That with the conditions listed below the use will not be detrimental to detrimental to the public welfare, or injurious to property or improvements in the neighborhood since the use will be consistent with adjacent land uses within the same zoning district.

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 provide an owner-occupied heavy construction equipment storage, repair and maintenance facility with ancillary retail minor passenger automobile repair/maintenance service for the property at 23259 401ST Avenue subject to the following:

1. 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. Ancillary minor passenger automobile repair/maintenance by entities other than the property owner is allowed in the smaller of the two structures. The amount of passenger automobiles stored outdoors at the site in conjunction with the repair/maintenance shop is limited to a maximum of three (3) passenger vehicles. All passenger automobiles on site shall have current licenses.
2. 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.
3. The property shall at all times remain in a state that is tidy, clean, free of debris, and aesthetically pleasing.
4. This conditional use permit is in effect for the property at 23259 401ST Avenue 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.
5. 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.

6. 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 Mielke and upon poll being taken thereon the following voted in favor thereof: Grabitske, Haggemiller, Kreft, Mielke, Nagel, Pinske, Councilmember Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Adopted by the Planning & Zoning Committee of the City of Arlington this 5th day of January, 2012

Signed: /s/ Lowell Nagel
Chairperson Lowell Nagel

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

Discussion was held on stream bank and wetland buffer standards. The PZ reviewed two maps that showed various wetlands and sloping in and around (1 mile of) Arlington. Smith-Strack reviewed some (water and wind) erosion standards in conjunction with the possibility of creating buffer standards. Mielke commented that he thought it would be good to have a buffer system in place, but to what level he was unsure. Reetz agreed, but questioned how it would be enforced as each situation that presented itself would be unique. Mielke suggested maintaining existing vegetation where possible (keep stabilized). Various properties that abut the High Island Creek were reviewed. It was suggested to add some language pertaining to buffer standards to the subdivision ordinance.

Smith-Strack gave an update on the Hansen property. Correspondence from Mr. Hansen was reviewed, wherein he referenced a Minnesota Court Case that dealt with a variance in another City. It was noted that Attorney Arneson had responded to Mr. Hansen's letter and explained that the case was irrelevant to the situation at hand and re-iterated what the Planning Commission wanted him to do on his property. Smith-Strack commented that the Building Official had removed the stop work order tag on the property.

Smith-Strack explained that she was preparing language for the zoning ordinance pertaining to residential uses in the Commercial Business District, but needed clarification on a few items first. She questioned in the case where a building has both commercial and residential space in it, if a separate access should be required for each; and also if they should be allowed on the same floor and at what percentage (residential behind commercial). It was agreed that a separate entrance was needed preferably in the rear of the property. It was also suggested to require a minimum of 25' for commercial space when residential and commercial are on the same level and if other is needed a Conditional Use Permit will be needed. Smith-Strack questioned if single family detached dwelling units would be grandfathered in once the ordinance was updated (example: if it was damaged by fire would it be allowed to be reconstructed, etc.). It was the consensus of the Committee that they were not interested in regulating compatibility between commercial and residential uses (if a business should be allowed to have apartments attached to it or not). Smith-Strack questioned how parking should be handled. Reetz suggested that a parking plan be submitted at the time changes are being made by the property owner. Smith-Strack will bring sample language to the next meeting for the Committee to review.

The 2011 Work List was reviewed.

The December and Year-End Building Permit Reports were reviewed.

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

PZ Adm. Cynthia Smith-Strack

Chairperson Lowell Nagel