

ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
APRIL 14, 2011

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

Members Present: Grabitske, Haggenmiller, Kreft, Pinske

Members Absent: Chairperson Nagel, Mielke, Reetz

Also Present: PZ Adm. Smith-Strack, High Island Creek Watershed members Leonard Eibs & Verne Schlueter, Galen Wills, Engineer Hawbaker, SE Ag Teacher Jeff Eppen

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

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to approve the minutes from the March 3rd meeting as presented.

Vice Chairperson Kreft recessed the regular meeting to hold a public hearing.

Conditional Use Permit – SE School High Tunnel/Greenhouse:

Vice Chairperson Kreft called to order the public hearing regarding the request for a Conditional Use Permit from Sibley East School District for the construction of a 48' x 30' permanent greenhouse/high tunnel grow house to be located at 203 3rd Avenue NW. Smith-Strack noted that the property is currently zoned R-1 (One & Two Family) and that structures of this type are not permitted within said district. SE Ag Teacher Jeff Eppen was present to talk about the high tunnel. He stated that it was intended to be used as a learning tool for students year round and it would not have heat or electricity. He added that it was their plan to run a garden hose from the main building for watering needs. Eppen explained that the School had been awarded a grant and the structure had been purchased already. He stated that any product grown in it would be used as part of the school's food program. Resident/neighbor Galen Wills was present to express his concerns about the structure. Various questions were asked/answered, including what type of materials it was made of, how it would be affixed to the ground and maintained (including rodent control and grass/weeds), could it be moved if a new school is built, etc. Smith-Strack noted that the City Office had received calls from concerned residents about the structure. Pinske commented that it wasn't the most appealing type of structure to have in a residential district, but liked the idea that the kids could learn from it. Smith-Strack acknowledged the benefits (educational feature and fresh product to be utilized within the food program) of having/using this type of structure; but commented it was not suited for a residential district and suggested moving it to the Nickel property, which is zoned R-1/Ag, where they had their garden last year. She also expressed concern about a 'temporary' structure being put up in a permanent setting as was being proposed (structure was designed so that it could be taken down, but was not going to be) and setting a precedence. Eppen commented that this was for the kids/school and for educational purposes and was hoping for some leniency to allow the structure.

Vice Chairperson Kreft adjourned the public hearing and reconvened the regular meeting.

Discussion was held on what alternatives, if any, there could be related to the SE High Tunnel/green house structure. It was suggested to place the structure on the Nickel property. It was also suggested to allow on site proposed (above) but as a temporary structure; it would have to come down for a couple of months at a time (during the winter). Eppen stated that the City owns the Nickel property and they do not want to put up a structure on property they do not own. He added that transportation to and from the Nickel site would be a problem. They were hoping to have the structure on the school grounds so the younger children could be involved. Eppen commented that he had spoken with several residents who have property either

immediately adjacent to the school or within the neighborhood and they were not opposed. Smith-Strack commented that if the structure were considered temporary, it would not be considered an accessory structure under the current zoning ordinance and would be allowed. It was noted that the structure would be used mostly during the months of March through November. Eppen stated that they were not putting up the structure to make money, but to educate students. It was commented that the Planning Committee has to treat everyone fairly whether they are an individual, business or the school.

Motion by Grabitske, seconded by Pinske, and passed by unanimous vote to recommend to the City Council to allow SE to construct a temporary high tunnel/greenhouse structure on their property. Temporary meaning that the structure may be used for no more than nine (9) months during the year.

Pinske introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2-2011

A RESOLUTION RECOMMENDING DENIAL OF A CONDITIONAL USE PERMIT FOR A HIGH TUNNEL ACCESSORY STRUCTURE AT 203 3RD AVENUE NW

WHEREAS, Sibley East Public School District (Applicant) has submitted a request for a conditional use permit to allow the placement of a "High Tunnel" (i.e. greenhouse/grow house) at the public school property at 203 3rd Avenue Northwest in the City of Arlington (PID 310012010); and,

WHEREAS, the subject property is legally described as: All of BLK 3, Original City; Lots 1-12 ex N 35 FT of W 45 FT of Lot 6, BLK 4 Scheer Bros Addn; 300 FT X 350 FT Parcel N of BLK 3 Orig City and S of BLK 4 Scheer Bros Addn of Sect 9-113-027; and,

WHEREAS, Section 3, Subd. 6 of the Arlington Zoning Ordinance provides for conditional uses for certain accessory structures; and

WHEREAS, notice of a public hearing to accept input on a conditional use permit (CUP) request was published in the official newspaper on March 31, 2011 and sent to property owners within 350 feet of the property; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the CUP request on April 14, 2011 and accepted input on the CUP request; and

WHEREAS, the Planning and Zoning Commission has reviewed the CUP request and has made the following findings:

1. The proposed permanent greenhouse is of a type of functional design that does not lend itself to the use of trim, wainscoting and lighting or other additional architectural detail to soften the impact of the bulk and height of the proposed structure(s) within a residential neighborhood as may be required under Section 13, Subdivision 6 of the Zoning Ordinance and has been required or other accessory structures in the City of Arlington.
2. The proposed permanent greenhouse is of a type of functional design that does not lend itself being architecturally designed/redesigned so as to be reasonably compatible with the architectural detail of the principal structure as required under Section 13, Subdivision 6 of the Zoning Ordinance and has been required or other accessory structures in the City of Arlington.
3. The proposed use is within the R-1 Single and Two Family Residential Zoning District and guided for continued residential use within the Comprehensive Plan. The proposed use has the potential to impact the quality of life and/or property value if allowed at this site, thereby, setting precedent for future permanent structures of this type throughout residential neighborhoods across the City.
4. The conditional use process as set forth in Section 15 of the Zoning Ordinance provides for evaluation and processing of conditional use permit requests. Section 15, Subd. 4 allows for the designation of conditions and setting of requirements/guarantees for the granting of a CUP. The proposed permanent greenhouse structure,

however, does not lend itself to the placing of conditions (i.e. permanent exterior building material, permanent foundation, increased setbacks, vegetative screening, architectural enhancements and the like).

5. The architectural appearance and functional design of the building is so dissimilar to the existing or potential buildings and area so as to cause impairment of property values or a blighting influence.

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 deny a CUP for a high tunnel greenhouse/grow house at 203 3rd Avenue NW.

BE IT FURTHER RESOLVED: The Planning and Zoning Commission recommends the City Council find that a temporary greenhouse structure used for educational purposes is acceptable at the aforementioned location. A temporary greenhouse structure shall be defined as one that is taken down on annual basis at a time that the structure is no longer used, but, at a minimum is completely removed from the site for at least three consecutive months of each year. The owner and/or operator of the temporary greenhouse shall ensure said greenhouse is used on a temporary basis as defined herein.

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: Grabitske, Haggemiller, Kreft, Pinske, and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Nagel, Mielke, Councilmember Reetz.

Adopted by the Planning & Zoning Committee of the City of Arlington this 14th day of April, 2011

Signed: /s/ Arden Kreft
Vice Chairperson Arden Kreft

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

High Island Creek Watershed (HICW) members Leonard Eibs and Verne Schlueter, along with City Engineer Hawbaker were present to discuss the collaboration efforts between the City and HICW regarding stormwater management and surface water improvements. The group reviewed extensive language/information that could be incorporated into the zoning/subdivision ordinances regarding storm water management, sediment control and erosion control. They also discussed partnering on some educational outreach activities such as: informing the public on avoiding spills/leaks from vehicles, use of fertilizers and pesticides, picking up after pets, not littering/dumping, planting trees/shrubs, addressing sump pump drainage, establishing effective rain gardens, using wetland protection buffers and reporting problems. Smith-Strack will combine the information into a document and have it ready for discussion at the next meeting.

It was agreed to move Sign Ordinance discussion (agenda item 7A) to the next meeting.

The March Building Permit Report was reviewed.

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

PZ Adm. Cynthia Smith-Strack

Vice Chairperson Arden Kreft