

ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
JANUARY 6, 2011

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

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

Members Absent: Mielke

Also Present: PZ Adm. Smith-Strack, Chris Neisen

PZ Adm. Smith-Strack administered the Official Oath of Office to members Lowell Nagel and Dwight Grabitske.

Chairperson Nagel took over running the meeting.

Election of Officers was held.

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

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

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

Motion by Pinske, seconded by Grabitske, and passed by unanimous vote to approve the minutes from the October 7th meeting as presented.

It was noted that there were no public hearings scheduled.

Smith-Strack gave an update on the Neisen CUP and reviewed a memo from Attorney Arneson regarding same. She stated that the Neisen property was not in compliance in October and a citation was issued. Neisen appeared in Court in December and was fined \$285, plus was told he had to have the property in full conformity within 30 days. Smith-Strack commented that she, along with Police Chief Rovinsky and Chris Neisen, did a site visit earlier in the day and found that the property still was not in compliance and noted the various violations. She added that the snow on site hinders some of the necessary cleanup. Smith-Strack stated that she advised Chris to meet with Attorney Arneson regarding the non-compliance issues (now court violations) and ask the Court for an extension (tentatively May 1st) so the property could be brought into compliance. She added that she would like to see something put in writing (through the City Attorney) and signed by Mike Neisen acknowledging the non-compliance issues and how they were going to be taken care. Reetz expressed his strong opposition to any further extensions and gave several reasons for said opposition. Chris Neisen was present to discuss the CUP/violations and asked for leniency. He stated that they have brought some items into compliance and are continuing in their efforts to try to get the remaining property into compliance. Neisen commented that he feels the City is being to 'restrictive' (regarding number of vehicles allowed), which is hindering the business' growth. Neisen noted what they had done (cleaned up) on site since the Court date. Reetz stated that he does not want to see anyone do jail time, nor does he want to see the CUP revoked, his only objective is to get the property into compliance and stay there. Kreft questioned the future intended use of the property. Neisen stated that with the CUP currently in place (limiting number of vehicles), it does not fit their needs and they will have to move the business. It was noted that maybe the CUP needs to be amended to take into consideration the correct number of vehicles being used for the business. Smith-Strack will draft a letter to Attorney Arneson listing the continuing violations and also note the items that have since become compliant.

Smith-Strack presented a 2011 Planning Commission Work List (Goals). She stated that she had put it together based on a review of the Comprehensive Plan. The following Comp Plan Policy Recommendations were reviewed at length:

1. The City should consider employing wetland and shoreland buffer zones.
Discussion: Smith-Strack explained that this would pertain to High Island Creek boundaries and other wetlands and/or stormwater retention ponds. She stated that the purpose of having buffer zones is to preserve water quality and stabilize the stream-bank. She stated that most common buffer zones include a 30 ft. setback with natural vegetation/grasses (non-mowed) and no structures within it. Reetz commented that this topic ties into one of Mayor Kreft's 2011 goals: to join the Greenstep (Minnesota) Program. It was the consensus to look at this in 2011.
2. The City should consider amending the Subdivision Ordinance to allow for conservation subdivision design.
Discussion: Smith-Strack commented that this deals with preserving a larger area (open space) on a site and transferring or increasing density in another area on the same site. It was the consensus that this topic could be pushed off a year or so.
3. Prior to authorizing site plans and/or subdivision developments, the City should consider changes in relation to storm water quality and quantity resulting from the proposed activity.
Discussion: Smith-Strack commented that other cities have language within their zoning ordinances regulating this and explained why it is important to have. Reetz wasn't opposed to this but, expressed concern about having language that will be too restrictive. It was the consensus to look at this in 2011.
4. The City should consider the adoption of tree preservation and replacement ordinance as a part of the zoning ordinance to protect valuable trees in areas which will be developed in the future.
Discussion: Those present liked the idea of preserving/replacing trees. It was the consensus to look at this topic in 2011.
5. The City should examine specific requirements for environmental protection that may be incorporated into the City's Subdivision regulations such as identification of subdivision landscaping standards and identification of existing trees of a substantial size as part of the preliminary plat required data.
Discussion: It was noted that this topic was very closely related to item 4 above and should be looked at in 2011.
6. The City should require construction projects implement Best Management Practices (BMP's) as defined in the publication "Protecting Water Quality in Urban Areas" Handbook from the Minnesota Pollution Control Agency.
Discussion: Smith-Strack handed out some information regarding BMP's. She stated that this topic supports the Greenstep Program. It was noted that there are several different areas within BMP's, but the Planning Commission would be mainly concerned with Ordinances and Regulations (more specifically erosion control both during and after construction, land use control and landscaping to reduce runoff). It was the consensus to look at this more in 2011.
7. The City should protect the integrity of neighborhoods by providing for home occupations but limiting potential negative consequences posed by such occupations. The City should restrict home occupations to businesses customarily found in homes which employ only household residents and that do not sell products or services to customers at the premises.
Discussion: It was noted that the City currently does not have any regulations regarding home occupations. Smith-Strack stated that since she has been working with the City, she has not received any complaints, but some regulations should be in place. She added that there are some State requirements for certain occupations that should be followed. Those present thought this was a good topic to look at, but could wait until 2012.

8. The City should work with the County and the Township to provide for orderly transition of areas within the Orderly Annexation Agreement in a means that allows for use of property and future urban development (urban reserve district).
Discussion: Smith-Strack commented that this had been looked at last year initially, but was not completed. It was the consensus to look at this topic in 2011.
9. The City should work with the County to provide for implementation of ISTS management ordinances.
Discussion: Smith-Strack commented that this pertains to private wells and septic systems within city limits and/or the Orderly Annexation Area (OAA). Reetz stated that the City's Ordinance 200 regulates these systems within city limits and the City is currently monitoring them. Smith-Strack will discuss this topic with the City Administrator. It was the consensus that this topic could be pushed back on the schedule.
10. The City should amend the zoning ordinance to provide for mixed uses within the Central Business District so as to support increased population density within the downtown, recognize existing land uses, and allow access to increased revenue streams needed to support long term revitalization/redevelopment opportunities.
Discussion: Smith-Strack stated that the (B-2) Central Business District ordinance could be amended to allow for mixed uses versus going through the lengthy CUP process. It was noted that this does currently affect quite a few properties. It was the consensus to look at this closer in 2011.
11. The City should review allowable uses within the vehicular oriented commercial zoning classification (B-1) and the Central Business District (B-2) so as to differentiate between the intended uses of the corridor as opposed to allowing similar types of commercial uses in both areas.
Discussion: It was agreed to push this topic off a year or so.
12. The City should deliberately strive to establish and retain government/social services, the post office, the library, educational facilities, and other places of assembly within the CBD.
Discussion: It was agreed to push this topic off a year or so.
13. The City should work with the Historical Society and downtown property owners to catalog existing sites of significance within the downtown. The entities could also research and consider the establishment of architectural policy suggestions regarding roof lines, entry ways, window placements/designs/treatments, building exteriors, signage, etc.
Discussion: Grabitske commented that the Historical Society has been working on identifying historical buildings and prioritizing their significance, which has been an on-going process for at least 3 years. It was the consensus that this could be pushed off.
14. The City should work with property owners adjacent to Highway 5 to consolidate driveways and provide internal access between parcels so as to limit the volume of access points onto Highway 5.
Discussion: Smith-Strack commented that this is something the City should work with MnDOT on in an effort to reduce the effects on the highway traffic. It was agreed that this could be looked at later.
15. When reviewing site plans, the City should require entrances to sites be an adequate distance from intersection corners and turn lanes.
Discussion: Smith-Strack commented that the City currently does not have any setback standards in place regarding distances driveway accesses should be from intersections (both commercial and residential). It was agreed to push this topic off another year or so.
16. The City should consider updating the Subdivision Ordinance to require the placement of sidewalks or pedestrian ways adjacent to one or both sides of collector streets.

Discussion: Smith-Strack stated that the ordinance currently has considerable negotiating room when it comes to sidewalks and the placement thereof. She feels it should be more defined. It was agreed that this was not an 'urgent' issue and could be pushed off a year or so.

17. The City should consider the establishment of typical sections for collector roadways as part of a development manual. The typical sections would visually represent requirements for roadway, curbing, boulevard treatment, and sidewalks.

Discussion: Smith-Strack stated that this would be a guide given to developers, surveyors, engineers, planners when they are drawing up subdivisions. It was agreed that this could be pushed off a year or so.

18. The City should review park land dedication standards contained in the Subdivision Ordinance.

Discussion: It was noted that the economy was down and there was no urgency at this time, so this topic could be pushed off.

The October, November, December and Year-end Building Permit Reports were reviewed.

Kreft talked about the Baseball signs in Memorial Park. He would like to review the sign ordinance at the next meeting. He would like to see the signs moved.

Reetz talked about the need to consolidate the nuisance ordinances. He expressed his dissatisfaction with how things continue to get drug out when it comes to nuisance properties (Neisen, Scharpe, etc.). Haggemiller agreed.

Brief discussion was held on requiring property owners to attend meetings if their property is being discussed (example used: require Neisen to be present when discussing the CUP violations).

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

PZ Adm. Cynthia Smith-Strack

Chairperson Lowell Nagel