

**PLANNING & ZONING COMMITTEE
MEETING AGENDA
THURSDAY, JANUARY 4, 2018 @ 7:00 P.M.
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. ~~Oath of Office (Kreft & Hazelwood) (both absent)~~
4. Election of Officers
5. Approve Agenda.
6. Approve the Minutes.
 - A. December 7, 2017 – Regular Session.
7. Public Hearings.
 - A. Interim Use Permit: Outdoor Storage
Northland Drying, LLC, 100 Henderson Road.
8. Business.
 - A. Discussion: Garage Access for Building Proposed by David Schauer
 - B. Discussion: Rental Code.
9. Building Permit Reports
 - A. November.
10. Adjourn.

A QUORUM OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING. NO OFFICIAL ACTION BY THE CITY COUNCIL SHALL OCCUR AT THIS MEETING
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**ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
JANUARY 4, 2018**

The meeting was called to order at 7:00 p.m. by acting Chairperson Dwight Grabitske.

Members Present: Jim Carlson, Janet Deno, Dwight Grabitske, Darnell Halverson, Councilmember Michelle Battcher

Members Absent: Jim Kreft, Jon Hazelwood

Also Present: PZ Adm. Cynthia Smith-Strack, Mayor Rich Nagel, Richard Mueller, Councilmember Tom Hatlestad, Steve Deno, David Schauer, Lee Olmscheid & Josh Holwell for Northland Drying, Corey Fisher

It was noted that Oaths of Office were to be administered to returning member Jim Kreft and new member Jon Hazelwood; however neither were able to attend the meeting.

Election of Officers was held.

Motion by Grabitske, seconded by Deno, and passed by unanimous vote to appoint Jim Kreft as Chairperson.

Motion by Halverson, seconded by Battcher, and passed by unanimous vote to appoint Dwight Grabitske as Vice Chairperson.

Motion by Battcher, seconded by Halverson, and passed by unanimous vote to appoint Janet Deno as Secretary.

Motion by Battcher, seconded by Deno, and passed by unanimous vote to approve the agenda with the following change:

Move item 8A) Discussion: Rental Code to 8B) and add new item 8A) Discussion: Garage Access for a Building Proposed by David Schauer.

Motion by Deno, seconded by Carlson, and passed by unanimous vote to approve the minutes from the December 7th meeting as presented.

Interim Use Permit: Outdoor Storage – Northland Drying, LLC.:

Vice Chairperson Grabitske called the public hearing to order regarding the application for an Interim Use Permit for Outdoor Storage from Northland Drying, LLC. at 100 Henderson Road. Smith-Strack explained that the IUP, if approved, would allow ten (10) external grain and milk storage binds on site as provided under Chapter 6, Section 6.08 of the City Code. The bins would be used in conjunction with a pet food ingredient processing facility. The property is zoned I-2 General Industrial District. It was noted that the applicants represent:

- Ten bins are proposed to be placed external to structures on Lot 3, Block 2 Seneca Foods;
- The bins are integral to operation of a pet food ingredient process to be employed by Northland Drying;
- Inbound ingredients will be stored in the six bins proposed south of an existing structure;
- Finished product will be stored in the four bins proposed west of an existing structure;
- Materials to be stored in the bins are non-flammable, non-toxic, and not hazardous.

Smith-Strack commented that the planned use is consistent with the comp plan and zoning. She was recommending approval of the IUP with conditions. Smith-Strack stated that hearing notices had been

mailed out to adjoining property owners; and no oral or written comments, either for or against the proposed IUP had been received prior to the meeting.

Various residents were present to ask questions and/or express their concerns about the products being stored within the bins and traffic issues. Lee Olmscheid of Northland Drying answered their questions. Truck traffic will come off of Hwy 5 and use the gravel road (aka Seneca Road) running through the property; and should not be traversing through town. All products are food grade, must be contained within the bins and cannot be left outside. Brief discussion was held on screening.

Motion by Battcher, seconded by Halverson, and passed by unanimous vote to close the public hearing at 7:25 pm.

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

Battcher introduced the following resolution and moved for its adoption:

RESOLUTION NO. 1-2018

**A RESOLUTION RECOMMENDING APPROVAL OF AN INTERIM USE PERMIT
TO ALLOW OUTDOOR STORAGE AT 100 HENDERSON ROAD**

WHEREAS, Northland Drying, LLC (Fee Owner) has submitted a request to place ten (10) storage bins external to existing structures at 100 Henderson Road; and,

WHEREAS, The property is legally defined as Lot 3, Block 2 Seneca Foods, City of Arlington, Sibley County, Minnesota; and,

WHEREAS, the property identification number is 31.0674000; and,

WHEREAS, the property is zoned I-2 General Industrial District; and,

WHEREAS, the Applicants represent:

- Ten bins are proposed to be placed external to structures on Lot 3, Block 2 Seneca Foods.
- The bins are integral to operation of a pet food ingredient process to be employed by Northland Drying.
- Inbound ingredients will be stored in the six bins proposed south of an existing structure.
- Finished product will be stored in the four bins proposed west of an existing structure.
- Materials to be stored in the bins are non-flammable, non-toxic, and not hazardous.

WHEREAS, the proposed outdoor storage (grain bins) require issuance of an interim use permit pursuant to Chapter 6, Section 6.08 (F) of the City Code; and

WHEREAS, notice of a public hearing to accept input on the IUP request was published in the official newspaper on December 21, 2017 and sent to property owners within 350 feet of the subject property; and

WHEREAS, the Planning and Zoning Committee conducted a public hearing on the IUP request on January 4, 2018 and accepted input on the IUP request; and

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

- The planned land use and existing zoning are consistent with the proposed use.
- The Use is located in an area with primarily other industrial uses.
- The establishment, maintenance, or conducting of the use for which a permit is sought will not under the circumstances of the particular case be detrimental to the public welfare, or injurious to property or improvements in the neighborhood. The use is industrial in nature and involves the production of a non-flammable, non-toxic, and non-hazardous compound.

NOW, THEREFORE, BE IT RESOLVED BY THE ARLINGTON PLANNING AND ZONING COMMISSION THAT: The Planning and Zoning Commission hereby recommends approval of an interim use permit to provide for placement of ten (10) storage bins at 100 Henderson Road, subject to the following:

1. The 'Interim Use' is defined as ten (10) outdoor bulk storage tanks at 100 Henderson Road used in conjunction with a pet food ingredient processing operation. Inbound ingredient product and outbound finished product will be stored in the bins. The product being stored is non-flammable, non-toxic, and not hazardous.
2. The 'Site' is defined as and limited to Lot 3, Block 2 Seneca Foods, City of Arlington, Sibley County MN property identification number: 31.0674000 as existing on January 4, 2018 the date of public hearing.
3. The approved Use is limited to the Site defined above and at all times shall meet the conditions set forth herein.
4. This approval shall expire one year after date of approval unless the Applicant has placed the bins on-site.
5. The interim use permit shall expire upon: sale of the property, decommissioning of the storage bins, a change in property use, or a redefinition of processing at the site which renders the bins obsolete.
6. The bins shall be painted a uniform color with the color selection designed to minimize the presence of the bins on site. The bins shall be maintained in good condition suitable to minimize the presence of the bins on site.
7. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
8. The City may revoke the IUP upon violation of the interim use permit standards in the City Code or violation of the conditions of this resolution.
9. The interim use permitted under this Resolution shall expire with no further action of the City if the Use ceases for more than twelve (12) consecutive months.
10. Approval of the interim use permit does not approve any future expansion or associated improvements on-site.
11. Any modifications not defined as "minor" by the Zoning Administrator shall require separate site plan approval.

The motion for the adoption of the foregoing resolution was duly seconded by Halverson, and upon poll being taken thereon the following voted in favor thereof: Carlson, Deno, Grabitske, Councilmember Battcher; and the following against the same: None; and the following abstained from voting: None; and the following were absent: Halverson, Kreft.

Adopted by the Planning & Zoning Committee of the City of Arlington this 4th day of January, 2018.

Signed: /s/ Dwight Grabitske
Vice Chairperson Dwight Grabitske

Attested: /s/ Cynthia Smith-Strack
Planning/Zoning Adm. Cynthia Smith-Strack

Whereupon the resolution was declared duly passed and executed.

Smith-Strack stated that the City had received a building permit application for a property located at 707 W. Chandler St. She explained that the proposed garage would be accessed by a road running through Fairview Park, which is currently not a public street or public alley, but rather a private service drive that was supposed to be used for limited purposes for the property located at 711 W. Chandler St. Smith-Strack provided information obtained from the City Attorney and previous Planning Committee and Council meetings on this matter. Smith-Strack stated that she and PZ member Kreft had a conversation on this matter, as he was in a leadership position at the time of the original discussion. Kreft felt that if access were to be granted, that some type of legal document was needed, such as an access easement and the road should be brought up to current specifications for alleys at the adjacent property owners' expense. Grabitske commented that he vaguely recollected the original discussion. Battcher commented that the Park Board had also discussed this subject, and intended the hard-surfaced portion of the road to be a service entrance to the park only. A resident from the neighborhood stated that they road is not used much, the sheds currently in the rear yards are more for storage than garages. Concern was expressed about snow removal. Smith-Strack explained that because it is not a platted or defined alley/easement, the residents are trespassing on private property. It was the consensus to have the Parks Committee review this matter prior to the Planning Committee and/or Council making a decision.

Discussion on the proposed Rental Code continued from the previous meeting. Smith-Strack re-capped what has been talked about to-date. Tenant registration standards were reviewed from the eight sample cities. It was the consensus that tenant registration should be included (similar to Norwood's).

Tenant Conduct was discussed. Smith-Strack stated that this standard tends to be the most controversial, as landlords feel like they have to babysit their tenants. She stated that most of the sample cities had language within their Codes making the landlords responsible for their tenant's conduct. One reason for this was it was becoming a burden on law enforcement agencies within the communities. Battcher expressed opposition to including this type of standard. Grabitske commented that he would like some language included, as a preventative measure. It was commented that language about tenant conduct should be in the lease between the landlord and tenant. It was the consensus not to include language pertaining to tenant conduct within the Rental Code at this time.

Miscellaneous Standards were also discussed. Smith-Strack commented that North Mankato was the only city that had this type of standard included. It addressed where Level III sex offender transitional housing could be located. She noted that Gaylord had language pertaining to condemnation and unfit buildings. She stated that other cities have tried to include standards, but eventually remove them. It was the consensus not to include language for miscellaneous standards at this time.

Smith-Strack questioned if the Committee was ready for input from the public or wanted to review a draft of the standards they have decided on. Battcher commented that she would like to see a draft of the proposed Code at the next meeting and invite the Building Official to that meeting for his input.

The November Building Permit Report was reviewed.

Motion by Battcher, seconded by Deno, and passed by unanimous vote to adjourn the meeting at 8:10 p.m.

PZ Adm. Cynthia Smith-Strack

Acting Chairperson Dwight Grabitske