

**PLANNING & ZONING COMMITTEE
MEETING AGENDA
THURSDAY, AUGUST 2, 2018 @ 7:00 P.M.
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Approve the Minutes.
 - A. July 5, 2018 – Regular Session.
5. Public Hearings.
 - A. Comprehensive Plan Amendment and Rezoning Request: B-1 Service Business to I-1 Limited Industrial (“Hotel” Property)
6. Business.
 - A. Discussion: Rental Code Framework.
 - B. Discussion: Applicable Zoning – Former Annexation Area.
7. Building Permit Report
 - A. June.
8. Updates/Open Discussion
9. Adjourn.

<p>A QUORUM OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING. NO OFFICIAL ACTION BY THE CITY COUNCIL SHALL OCCUR AT THIS MEETING</p>

**PLANNING & ZONING BOARD
MEETING MINUTES
AUGUST 2, 2018**

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

Members Present: Jim Carlson, Janet Deno, Dwight Grabitske, Jim Kreft, Jennifer Nuesse

Members Absent: Darnell Halverson, Councilmember Michelle Battcher

Also Present: PZ Adm. Cynthia Smith-Strack, Mayor Rich Nagel, City Adm. Pat Melvin,

Councilmember Tom Hatlestad, Mary Kistner, Jayne Melsha, Mark Melsha

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

Motion by Grabitske, seconded by Carlson, and passed by unanimous vote to approve the July 5, 2018 minutes as presented.

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

Comp Plan Amendment & Rezoning – B-1 Service Business to I-1 Limited Industrial (“Hotel Property”):

Mayor Kreft explained that the purpose of the public hearing was for a proposed Comprehensive Plan Amendment and rezoning request. Smith-Strack explained that the City was the fee owner of a 10.45 acre parcel commonly referred to as the ‘hotel’ or ‘Swenson’ property, which was located at the intersection of Hwy 5 and CSAH 9. The City was in negotiations with an entity to purchase the site for an industrial use (hydroponic hop growing operation). The purchase agreement was pending, not executed, and a formal site assessment had not been completed. Consulting engineering, building code, and planning staff had met with the intended user regarding the proposed facility development review process. It was noted that a site plan sketch had been provided; however a formal site plan (survey based) and associated civil plans and architectural plans were pending. Smith-Strack stated that formal use/site plan, variance, civil and building code review were still necessary.

Smith-Strack reviewed information from the 2014 Comp Plan with regards to the subject parcel’s future land use to be tiered highway commercial and mixed residential. The Plan supports managed growth and protecting the integrity of existing, stable residential neighborhoods. The Plan also identifies that City leaders made a conscious decision to identify a connection between economic development and quality of life, noting “A good standard of living for all residents can increase the tax base so as to allow the City of Arlington to provide the level of services residents expect.” The City furthermore found a balanced, healthy economy essential for the community’s well-being.

The parcel is currently zoned B-1 Service Business and proposed to be rezoned to I-1 Limited Industrial. Smith-Strack reviewed the definitions for both zoning classifications. She commented that the intended use of the property would be a conditional use with the I-1 District. The Planning Committee should consider the following when reviewing the rezoning request:

1. Consistency with the Comprehensive Plan and/or plan amendment. Comprehensive Plan amendment should be considered prior to rezoning.
2. Conformity with lot standards in the applicable zoning district. The subject parcel appears to meeting minimum lot area and minimum district area standards.

3. Service by municipal utilities – Extension of municipal utilities has been discussed. Currently City water and sewer main have not been extended to the subject property. It is not clear if sanitary and water main or service lines are proposed for the potential project.
4. Impact on adjacent properties.

Smith-Strack stated that the public hearing notice for the Comprehensive Plan Amendment and Rezoning had been posted, published and mailed to property owners within 350 feet of the subject property. The notice was also forwarded to Sibley County Public Works as it abuts CSAH 9 and MnDOT District 7 as it abuts Hwy 5. MnDOT had reviewed the sketch and requested review of the formal site plan when it was available. A letter from Al and Mary Kistner (neighboring property) had also been received.

Chairperson Kreft opened the hearing up to public comment. He questioned if the rezoning request was coming from the EDA. City Administrator Melvin stated that the EDA Director was in support of the rezoning. Mark Melsha (on his mother's behalf) asked questions about the building itself (height, type of structure, etc.). Kreft explained that they did not have the information needed to answer his questions about the building at this time. Melsha commented that they really didn't want industrial development at the proposed site as it hurt the value of their property. But, he added that if the development is approved, he would like to see it moved over from the property line and landscaping or screening required between properties. Melsha also expressed concern about having to connect their property to City utilities. Mayor Nagel commented that they would not have to connect. City Administrator Melvin commented that the proposed new owners were receptive to having some type of screening put in along the north property line. Melsha questioned what kind of timeline this project was under and what side of the building the fans were going to be located on. Administrator Melvin stated that the project was being planned for this fall. He thought the fans were going on the east/west sides, but was not positive.

Mary Kistner expressed concern about odors coming from the facility.

Kreft stated that he was in favor of this project. However, he expressed his concerns for how this particular rezoning request was being handled. He stated that the Planning Committee needed and had previously asked for specific information so that it could examine the concerns expressed by the public and then make a proper decision/recommendation to the Council. He did not want the Planning Committee to appear anti-development. Nuesse commented that the Planning members are supposed to perform due diligence as part of their appointment. She opined that wasn't possible without having access to more information.

Grabitske commented that he would have liked to see the intended users at the meeting so questions/concerns could have been addressed. Grabitske commented that industrial and residential districts don't mix.

Nuesse commented that she would be interested in reviewing information on similar sites, in order to learn about what impacts they have had to an area, such as noise and odor factors, etc.

Motion by Nuesse, seconded by Grabitske, and passed by unanimous vote to close the public hearing.

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

Motion by Kreft, seconded by Nuesse, and passed by unanimous vote to deny the recommendation to amend the Comprehensive Plan.

Commissioner Nuesse introduced the following resolution and moved for its adoption:

RESOLUTION NO. 08-2018

RESOLUTION DENYING AN ORDINANCE AMENDING THE FUTURE LAND USE MAP AND REZONING CERTAIN PROPERTY AT THE NORTHEAST QUADRANT OF TRUNK HIGHWAY 5 AND COUNTY STATE AID HIGHWAY 9 (“HOTEL PROPERTY”) TO PROVIDE FOR I-1 LIMITED INDUSTRIAL DEVELOPMENT

WHEREAS, the City of Arlington placed the 2014 Comprehensive Plan into effect under Ordinance 292; and,

WHEREAS, Chapter 31, Section 4, Subd. 1 of the City Code establishes an official zoning map for the City of Arlington; and,

WHEREAS, City Administrator Patrick Melvin on behalf of the City Council (the Property Owner) has submitted a request to amend the future land use map and the official zoning map related to property legally described as Sect-16 Twp-113 Range-027 10.45 AC TRACT 1 OF NW 1/4 SURV 692 and identified as Parcel No. 31.0884.000; and,

WHEREAS, the Planning and Zoning Commission on August 2, 2018 held a public hearing on the request; and,

WHEREAS, following the public hearing the Planning and Zoning Commission discussed the request and established the following facts: ___

NOW, THEREFORE, BE IT RESOLVED BY PLANNING AND ZONING COMMISSION OF THE CITY OF ARLINGTON THAT: The Commission recommends the City Council approve Ordinance No. ___, attached hereto as Exhibit A, amending the future land use map in the 2014 Comprehensive Plan and the Official Zoning Map applicable to the subject property to provide for limited industrial future use and rezoning from B-1 Service Business to I-1 Limited Industrial, provided the “Use” of the property is subject to all applicable codes, regulations and ordinances currently in effect.

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

Adopted by the Planning & Zoning Committee of the City of Arlington this 2nd day of August, 2018.

Signed: /s/ James R. Kreft
Chairperson James R. Kreft

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

Whereupon the resolution was declared duly passed and executed.

PZ Adm. Smith-Strack presented a summary of the written comments from the informational meeting that was held with rental property owners in regards to the preparation of a potential rental code framework. The comments were reviewed and given some consideration with regards to whether or not some of the language should be changed within the proposed framework. Kreft noted that one of the comments made was that there are some rental facilities that are already being inspected and questioned if the rental code inspections would be redundant. Smith-Strack stated they would not be as they are different types of inspections. The rental code inspections (proposed to be done once every 3 years) would be looking at maintenance and safety issues, whereas audit by a federal or state agency (done annually) would be looking at building code issues. Kreft questioned if an exemption should be considered for rental facilities that ‘voucher’ (are income-based). Smith-Strack commented that none of the eight cities they used as models to build the framework had exemptions.

Deno stated that she didn’t believe a rental code was needed in Arlington at this time. Nuesse was in favor of implementing a rental code, but it should be based on input from the rental property owners. Kreft commented that the idea behind the rental code was to maintain property and provide safety for the renters without creating undue hardship on the landlords. Grabitske commented that he liked the idea of a Landlord Association being formed that way they could provide input (what they would be agreeable to {excluding the cost}). Carlson commented a rental code was a good idea and necessary. Kreft made the suggestion to see if a few landlords would allow the Building Official to go through their rental properties

with the proposed rental code framework to see if their properties would pass or not (as a test and to provide feedback). Councilmember Hatlestad has talked with a few landlords about the proposed rental code and some of them would be willing to work with the Committee. Smith-Strack stated that rental codes benefit landlords also, not just renters. It was the consensus of the Committee to continue discussing the rental code; along with gathering input from some landlords.

Smith-Strack provided an update on the former Orderly Annexation Area (or transition area) and clarifying an approach to planning/zoning in this area. Smith-Strack stated that she had reached out to Sibley County Consulting Zoning Adm. Kurt Bearinger about this issue. Mr. Bearinger will be attending the September meeting. It was noted that the Sibley County Comp Plan designates zoning control to the City within the transition area. Smith-Strack commented that the City does not have zoning applicable to the area right now since the Orderly Annexation Agreement has expired. She stated that some items for discussion at the September meeting will include: how does the City approach a development agreement within the transition area, how does the City protect its interests in orderly growth and growth management. Kreft questioned what other cities within the County had in place. Smith-Strack explained that joint board, consisting of representatives from the City, Township and County, oversees activities within these types of areas when it is not being annexed to the City.

The June Building Permit Report was reviewed.

Motion by Deno, seconded by Grabitske, and passed by unanimous vote to adjourn the meeting at 8:22 p.m.

PZ Adm. Cynthia Smith-Strack

Chairperson Jim Kreft