



PLANNING AND ZONING COMMITTEE

Meeting Agenda

August 5th, 2021 at 7:00 PM

Arlington Community Center — Council Chambers

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Approve the Minutes
 - a. July 1, 2021
5. Discussion of the CUP for Peeps Repair
6. Discussion of the Zoning Map
7. Discussion of a Variance Process
8. New Business
 - a. None
9. Other/Updates
 - a. Update on Census Data Information
10. Adjournment



PLANNING AND ZONING COMMITTEE

Meeting Agenda

July 1, 2021 at 7:00 PM

Arlington Community Center — Council Chambers

1. Call to Order Roll call by Brandon Brinkman at 7:00 PM

Members Present

Jim Carlson
Brandon Brinkman
Joe Prasad

Member Absent

Janet Deno
Michelle Battcher

Staff Present

Phil Mangis
Amy Newsom

Guest Present

Jeanne Bearson
Galen Wills
Jonathan Wills
Pamela Roth
Matt Menzel
Peter Tuma
Rich Nagel

2. Pledge of Allegiance

3. Public Hearings at 7pm —

- a. Variance for a proposed Garage Addition Side Setback from 8' to 4' and Garage size in excess of 60% of principal structure— Peter Tuma

Peter Tuma stated to properly store his personal, he will need to have a bigger garage. He also suggested that the section of the code concerning garages should be changed

- b. Variance for a proposed fences within the side street setback— Pam Roth

During the hearing for the proposed fence Jeanne Bearson, stated that fences are not eligible for a variance per her dealings with the previous P & Z committee. The P & Z administrator told her that they will reach out to the City Attorney and City Council for better clarification

c. Variance for a proposed parking pad within the side easement setback — Matt Menzel

Only concern brought up during this hearing is would this affect the utility companies access to the alley, and the P & Z administrator stated it will not

Public Hearing ending at 7:43 p.m.

4. Approve Agenda

A few items were added to new business, EDA Director Amy Newsom wanted to added business containing EDA business. P & Z administrator added a few items to new business. A resident at 408 Adam St E asking would a resident need a variance under zoning code chapter 17 subdivision 6 (E), also another resident at 310 E Alden St wanted the P & Z administrator to ask the committee to see if the structure in the front of their property would be considered fence. Last the P & Z administrator wanted to see how the committee wanted to approach a permit for work on an antenna in town. Motion to approve agenda with addition by Prasad, second by Carlson.

Motion carried.

5. Approve the Minutes

a. June 3, 2021

Motion to approve June 3, 2021, by Prasad, seconded by Brinkman

Motion carried

6. Resolution 03-2021 Approving/Denying the Variance for a proposed Garage Addition Side Setback from 8' to 4' and Garage size in excess of 60% of principal structure at 307 Brooks St E

Motion by Brinkman to introduce Resolution 03-2021 Approving the the Variance for a proposed Garage Addition Side Setback from 8' to 4' and Garage size in excess of 60% of principal structure at 307 Brooks St E second by Carlson. Motion carried. Roll call was taken, two members were absent (Battcher and Deno) all committee members present voted in favor. Resolution was adopted.

7. Resolution 04-2021 Approving/Denying the Variance for a proposed fences within the side street setback at 312 W Douglas St

Motion by Morgan to introduce Resolution 03-2021 Approving the Variance for a proposed fences within the side street setback at 312 W Douglas St second by Carlson. Motion carried. Roll call was taken, two members were absent (Battcher and Deno) three committee members present voted in favor, with the condition that the fence will be done in two phases, that the fence in the line of sight will be 3ft, and that fence be place in a spot that will not affect the utility company. Committee member Brinkman voted no. Resolution was adopted.

8. Resolution 05-2021 Approving/Denying the Variance for a proposed parking pad within the side easement setback at 501 4th Ave SE

Motion by Carlson to introduce Resolution 05-2021 Approving the Variance for a proposed parking pad within the side easement setback at 501 4th Ave SE second by Morgan. Motion carried. Roll call was taken, two members were absent (Battcher and Deno) all committee members present voted in favor. Resolution was adopted.

9. Resolution 06-2021 Approving/Denying the Administrator Exception Policy

Motion by Brinkman to introduce Resolution 06-2021 Approving the Variance for a proposed parking pad within the side easement setback at 501 4th Ave SE second by Morgan. Motion carried. Roll call was taken, two members were absent (Battcher and Deno) all committee members present voted in favor. Resolution was adopted.

10. New Business

- a. EDA New Business-EDA Director ask if Committee would be okay with opening another gas station in town. Prasad voiced that he did not want the gas station in a residential area and the Committee agreed.
- b. Letter of Approval for Administrator Exception Process- P & Z administrator present the letter to the committee
- c. A resident at 408 Adam St E, is proposing to build a shed that is over 120 sq ft and was wondering if they would need a variance, given the zoning code states “accessory structures larger than one-hundred twenty (120) square feet shall be placed on a permanent foundation which shall be defined as a floating slab with a rodent inhibiting barrier extending to a depth of at least one (1) foot below the average grade”- the committee has concluded that in order to ask for relief of this requirement the applicant will need to go through a variance.
- d. The resident at 310 E Alden St was cited for building a front fence on the property, they ask if this would be defined as a fence under the code. The P & Z administrator presented the information to the Committee, and they have concluded that this structure was a fence.
- e. The P & Z administrator wanted to see how the committee wanted to approach a permit for work on an antenna in town. The committee concluded that as long as the company is not adding any new antenna towers, the applicant will not need to apply for a conditional use permit

11. Other/Updates

- a. Update on Census Data Information- Still waiting on the data.

12. Adjournment

Motion made by Morgan to adjourn the Meeting at 8:24 and was second by Brinkman
Motion Carried



PLANNING & ZONING COMMITTEE

Reetz introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2-2010

A RESOLUTION RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT FOR A HEAVY DUTY TRUCK, TRAILER, AND FARM EQUIPMENT REPAIR AND MAINTENANCE FACILITY WITH ANCILLARY RETAIL PART SALES AT 23315 STATE HIGHWAY 5.

WHEREAS, Mr. Paul Pieper (Applicant) has entered into a purchase agreement for the property at 23315 State Highway 5 in Arlington; and

WHEREAS, Mr. Paul Pieper has submitted a request for a conditional use permit to allow a heavy duty truck and farm equipment part sales, repair, and maintenance use at the subject property; and

WHEREAS, Section 9, Subd. 3 (1) of the Arlington Zoning Ordinance provides for conditional uses allowed in the I-1 Light Industrial District; and

WHEREAS, notice of a public hearing to accept input on the CUP request was published in the official newspaper on April 1, 2010 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 15, 2010 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 use of the subject property is consistent with the Future Land Use Map contained in the Comprehensive Plan and is currently zoned as Light Industrial. The property is currently zoned as I-1 Light Industrial.
2. The proposed use is listed as a conditional use under Section 9, Subdivision 3(1) of the Arlington Zoning Ordinance. The proposed use conforms to lot dimensional requirements of the Light Industrial Zoning District.
3. The proposed use directly abuts a single family residential dwelling unit contained in 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 of the abutting residential use. As such the Planning and Zoning Commission desires to lessen the potential impact of the proposed industrial use on the adjacent residential use to the extent reasonably possible.
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.

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 operate heavy duty truck and farm equipment part sales, repair, and maintenance facility at 23315 State Highway 5 subject to the following:

1. Use of the subject property shall be limited to the following:
 - a. Use of the property shall be limited to heavy and light duty truck and trailer repair and maintenance involving DOT inspections, breaks, tires, drive train, and custom fabricating of local and over the road trucks. Additional activity on site shall include the repair and maintenance of farm tractors and equipment. At no time shall the use consist of more than any combination of twelve (12) heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions or pieces thereof, except as described in 1(b) below. Trucks, tractors, trailers, and equipment being repaired/maintained shall be parked in an orderly fashion north of the existing building and, therefore, away from the abutting residence.
 - b. Storage and sale of parts/accessories related to heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions/pieces thereof shall be clearly subordinate to the principal use (1a above) and shall be completely enclosed.
 - c. Expansion of the existing structure not to exceed 8,000 square feet and/or an aggregate total of 10,400 square feet (2,400 existing structure plus 8,000 square foot addition).
2. Outdoor storage of heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions or pieces thereof shall be limited to twelve (12) items as the site exists, but may increase to twenty (20) items if/when the additional structure is erected. Trucks, tractors, trailers, and equipment being repaired/maintained shall be parked in an orderly fashion north of the existing building and, therefore, away from the abutting residence.
3. Unlicensed, junk, or scrap heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions or pieces thereof shall not be stored on the site, except that no more than twenty percent (20%) of any combination of the trucks, trailers, tractors, and equipment on site may consist of unlicensed vehicles. Regardless of this exception at no time shall an unlicensed vehicle be stored on site for more than ninety (90) days.
4. Outdoor storage is subject to an interim use permit (IUP) herein granted and which shall be subject to renewal five (5) years from the date of approval of this Conditional Use Permit. The interim use permit hereby specifies the outdoor storage shall consist of one (1) shipping container, one (1) fifteen (15) yard roll-off container to hold recyclable material, and one (1) commercial refuse container. All containers shall be located north of the principal structure and shall only be established after a site landscape plan is submitted and approved by the Planning Commission. The site landscape plan is intended to function as a buffer between the industrial use and abutting residence. A planting schedule shall be included in the site landscape plan along with details of landscape type/species to be employed. Any increase in the volume of outdoor storage and/or containers shall require

either an amendment of the interim use permit (IUP) or evaluation at the time of IUP renewal.

5. Access to the site shall be from State Highway 5 as illustrated on the site plan or through an agreed easement with the Hutchinson Co-op.
6. The applicant/property owner must submit details (i.e. location, type and volume) of signage to the City for approval prior to placing any signage on site. Signage must comply with the requirements of the I-1 Light Industrial District.
7. Hours of operation shall be limited to those between the 7 A.M. and 7 P.M. The intent of this standard is to reasonably limit the volume of noise generated by the industrial use.
8. A buffer consisting of residential fencing and/or vegetative landscaping and/or berming or some combination thereof shall be provided at the front property line. The intent of the buffering is to clearly define the boundary between residential and industrial property and to lessen the impact of the proposed use on the adjacent residential neighborhood. The buffer shall extend from the residential driveway to the west of the dwelling unit. A site landscape plan shall be submitted and approved by the Planning Commission prior to commencing of the proposed industrial use. A planting schedule shall be included in the site landscape plan along with details of landscape type/species to be employed.
9. The proposed use shall at all times comply with state standards relating to noise, dust, smoke, vibration, odor and the like. Noise decibel levels for frequency/duration during both day/night may not be exceeded. Avoidable dust from the use shall not be released into the air. Vibration shall not be detectible at the property line for more than six minutes of every hour.
10. Any/all exterior lighting shall be directed away from adjoining property.
11. The Building Official shall inspect the premises prior to establishment of the proposed use. Building Official review requirements shall be attained as a condition of approval of this permit.
12. Expansion of the existing facility shall not increase rate, volume or pollutant load released from the site.
13. Railway crossing as it relates to existing/proposed uses shall be investigated.
14. This conditional use permit does not excuse the property owner from obtaining building permits when required or complying with building code requirements.
15. This conditional use permit is in effect for the property at 23315 State Highway 5 and assigned to the current and/or any future owner of the property. 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.
16. 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 Grabitske and upon poll being taken thereon the following voted in favor thereof: Grabitske, Kreft, Mielke, Pinske, Councilmember Reetz; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Haggemiller, Nagel.

Adopted by the Planning & Zoning Committee of the City of Arlington this 15th day of April, 2010.

Signed: 
Vice Chairman Arden Kreft

Attest: 
Planning/Zoning Adm. Cynthia Smith-Strack

Whereupon the resolution was declared duly passed and executed.



Councilmember Reetz introduced the following resolution and moved for its adoption:

RESOLUTION 16-2010

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A HEAVY DUTY TRUCK, TRAILER, AND FARM EQUIPMENT REPAIR AND MAINTENANCE FACILITY WITH ANCILLARY RETAIL PART SALES AT 23315 STATE HIGHWAY 5.

WHEREAS, Mr. Paul Pieper (Applicant) has entered into a purchase agreement for the property at 23315 State Highway 5 in Arlington; and

WHEREAS, the property is legally described in Attachment A and has a property identification number of 310838000; and

WHEREAS, Mr. Paul Pieper has submitted a request for a conditional use permit to allow a heavy duty truck and farm equipment part sales, repair, and maintenance use at the subject property; and

WHEREAS, Section 9, Subd. 3 (1) of the Arlington Zoning Ordinance provides for conditional uses allowed in the I-1 Light Industrial District; and

WHEREAS, notice of a public hearing to accept input on the CUP request was published in the official newspaper on April 1, 2010 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 15, 2010 and accepted input on the CUP request; and

WHEREAS, the City Council has reviewed the CUP request and has made the following findings:

1. The proposed use of the subject property is consistent with the Future Land Use Map contained in the Comprehensive Plan and is currently zoned as Light Industrial. The property is currently zoned as I-1 Light Industrial.
2. The proposed use is listed as a conditional use under Section 9, Subdivision 3(1) of the Arlington Zoning Ordinance. The proposed use conforms to lot dimensional requirements of the Light Industrial Zoning District.
3. The proposed use directly abuts a single family residential dwelling unit contained in 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 of the abutting residential use. As such

the Planning and Zoning Commission desires to lessen the potential impact of the proposed industrial use on the adjacent residential use to the extent reasonably possible.

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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ARLINGTON THAT: The City Council of the City of Arlington hereby approves a conditional use permit to operate a heavy duty truck and farm equipment part sales, repair, and maintenance facility at 23315 State Highway 5 subject to the following:

1. Use of the subject property shall be limited to the following:
 - a. Use of the property shall be limited to heavy and light duty truck and trailer repair and maintenance involving DOT inspections, breaks, tires, drive train, and custom fabricating of local and over the road trucks. Additional activity on site shall include the repair and maintenance of farm tractors and equipment. At no time shall the use consist of more than any combination of twelve (12) heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions or pieces thereof, except as described in 1(b) below. Trucks, tractors, trailers, and equipment being repaired/maintained shall be parked in an orderly fashion north of the existing building and, therefore, away from the abutting residence.
 - b. Storage and sale of parts/accessories related to heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions/pieces thereof shall be clearly subordinate to the principal use (1a above) and shall be completely enclosed.
 - c. Expansion of the existing structure not to exceed 8,000 square feet and/or an aggregate total of 10,400 square feet (2,400 existing structure plus 8,000 square foot addition).
2. Outdoor storage of heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions or pieces thereof shall be limited to twelve (12) items as the site exists, but may increase to twenty (20) items if/when the additional structure is erected. Trucks, tractors, trailers, and equipment being repaired/maintained shall be parked in an orderly fashion north of the existing building and, therefore, away from the abutting residence.
3. Unlicensed, junk, or scrap heavy duty trucks, heavy duty trailers, light duty trucks, light duty trailers, farm tractors, farm equipment, or any portions or pieces thereof shall not be stored on the site, except that no more than twenty percent (20%) of any combination of the trucks, trailers, tractors, and equipment on site may consist of unlicensed vehicles. Regardless of

this exception at no time shall an unlicensed vehicle be stored on site for more than ninety (90) days.

4. Outdoor storage is subject to an interim use permit (IUP) herein granted and which shall be subject to renewal five (5) years from the date of approval of this Conditional Use Permit. The interim use permit hereby specifies the outdoor storage shall consist on one (1) shipping container, one (1) fifteen (15) yard roll-off container to hold recyclable material, and one (1) commercial refuse container. All containers shall be located north of the principal structure and shall only be established after a site landscape plan is submitted and approved by the Planning Commission. The site landscape plan is intended to function as a buffer between the industrial use and abutting residence. A planting schedule shall be included in the site landscape plan along with details of landscape type/species to be employed. Any increase in the volume of outdoor storage and/or containers shall require either an amendment of the interim use permit (IUP) or evaluation at the time of IUP renewal.
5. Access to the site shall be from State Highway 5 as illustrated on the site plan or through an agreed easement with the Hutchinson Co-op.
6. The applicant/property owner must submit details (i.e. location, type and volume) of signage to the City for approval prior to placing any signage on site. Signage must comply with the requirements of the I-1 Light Industrial District.
7. Hours of operation shall be limited to those between 7 A.M. and 7 P.M. The intent of this standard is to reasonably limit the volume of noise generated by the industrial use.
8. A buffer consisting of residential fencing and/or vegetative landscaping and/or berming or some combination thereof shall be provided at the front property line. The intent of the buffering is to clearly define the boundary between residential and industrial property and to lessen the impact of the proposed use on the adjacent residential neighborhood. The buffer shall extend from the residential driveway to the west of the dwelling unit. A site landscape plan shall be submitted and approved by the Planning Commission prior to commencing of the proposed industrial use. A planting schedule shall be included in the site landscape plan along with details of landscape type/species to be employed.
9. The proposed use shall at all times comply with state standards relating to noise, dust, smoke, vibration, odor and the like. Noise decibel levels for frequency/duration during both day/night may not be exceeded. Avoidable dust from the use shall not be released into the air. Vibration shall not be detectible at the property line for more than six minutes of every hour.
10. Any/all exterior lighting shall be directed away from adjoining property.
11. The Building Official shall inspect the premises prior to establishment of the proposed use. Building Official review requirements shall be attained as a condition of approval of this permit.

12. Expansion of the existing facility shall not increase rate, volume or pollutant load released from the site.
13. Railway crossing as it relates to existing/proposed uses shall be investigated.
14. This conditional use permit does not excuse the property owner from obtaining building permits when required or complying with building code requirements.
15. This conditional use permit is in effect for the property at 23315 State Highway 5 and assigned to the current and/or any future owner of the property. 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.
16. 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 Councilmember Pichelmann and upon vote being taken thereon the following voted in favor thereof: Pederson, Pichelmann, Reetz, Vrklan, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Adopted by the City Council of the City of Arlington this 19th day of April, 2010.

Signed:



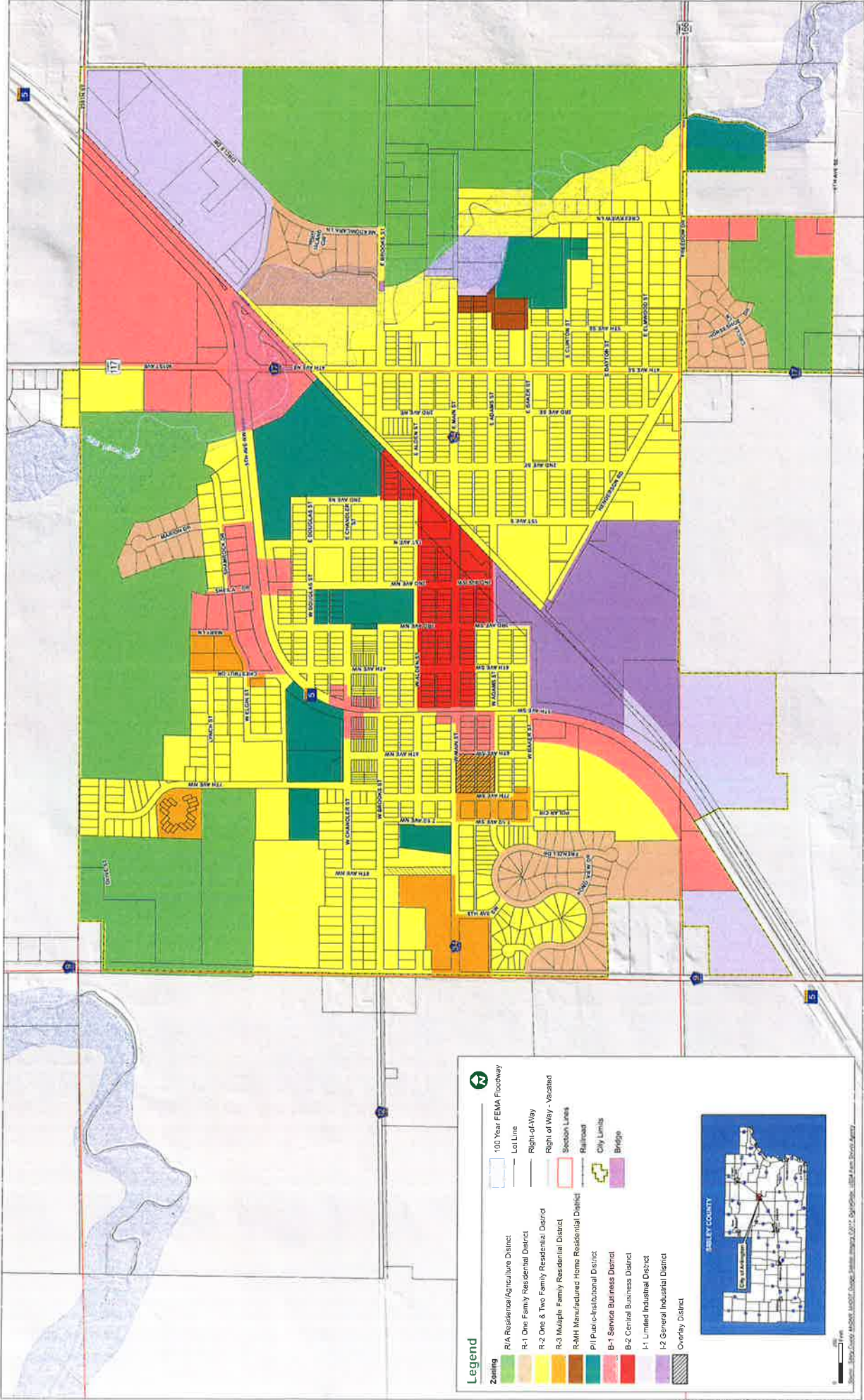
Mayor

Attest:



City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.



Legend

	R/A Residence/Agriculture District		100 Year FEMA Floodway
	R-1 One Family Residential District		Lot Line
	R-2 One & Two Family Residential District		Right-of-Way
	R-3 Multiple Family Residential District		Right of Way - Vacated
	RMH Manufactured Home Residential District		Stepback Lines
	P/I Public-Institutional District		Railroad
	B-1 Service Business District		City Limits
	B-2 Central Business District		Bridge
	I-1 Limited Industrial District		
	I-2 General Industrial District		
	Overlay District		



Source: Staley County Assessor, 10/2017; County Public Works, 10/17/17; Staley County, 10/17/17; Staley County Assessor, 10/17/17