

**THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON NOVEMBER 21, 2016,
AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

The meeting was called to order at 7:00 P.M., by Jeff Reynolds. Members present were Faith Goenner, Jules Zimmer, and John Roxbury Jr. (Princeton Township Representative). Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

APPROVAL OF MINUTES FROM THE REGULAR MEETING ON OCTOBER 17, 2016

GOENNER MOVED, SECOND BY ZIMMER, TO APPROVE THE MINUTES OF OCTOBER 17, 2016. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:

GOENNER MOVED, SECOND BY ZIMMER, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #16-10 Conditional Use Permit at 1506 First Street

Community Development Director Memo:

BACKGROUND

Michelle Czech, on behalf of I.S.D. #477 is requesting a Conditional Use Permit to allow for the operation of an education facility that offers on-line and alternative learning options.

ANALYSIS

The subject parcel is located at 1506 1st Street Princeton. The legal description is South 300 feet of the East 200 feet of the West 17.1 acres of the Northeast Quarter of Section 32, Township 36, Range 26.

Conditional Use Permit:

The location is zoned MOR Medical Office Residential. The Medical/Office/Residential District use joins medical facilities, office parks and associated residential uses to form a cohesive development. Uses should include the Fairview Northland Medical Center, medical office facilities such as doctor/dentist offices, and assisted living and nursing home facilities and limited retail or commercial uses that support the medical facilities within the City. Educational facility is an allowed use with a Conditional Use Permit.

GENERAL CUP REVIEW STANDARDS

Subsection 3.B of Chapter IV outlines the standards for review of a Conditional Use Permit:

1. The proposed use does not violate the health, safety, or general welfare of Princeton residents.

Comment: No characteristics of the proposed use appear that they may violate the health, safety or general welfare of the Princeton residents.

2. The proposed use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution and sedimentation.
Comment: It appears the proposed use will have no negative impacts in regards to erosion, runoff, water pollution and sedimentation.

3. Adequate parking and loading is provided in compliance with the Ordinance.
Comment: Adequate parking and loading design is in compliance with the ordinance.

4. Possible traffic generation and access problems have been addressed.
Comment: The proposed use appears to have no negative impact on traffic generation or accessibility.

5. The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.
Comment: The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.

6. The proposed use conforms to the City's Comprehensive Plan and is comparable with present and future land uses of the area.
Comment: The proposed use conforms to the City's Comprehensive Plan and is comparable with present and future land uses of the areas.

It is Staff's recommendation to approve the Conditional Use Permit for the operation of an educational facility at 1506 1st Street.

*****End of Staff Memo*****

Reynolds opened the public hearing.

Quentin Schulte, lives at 302 ½ 12th Avenue North, asked if there is an age limit for the students.

Julia Espe, School District Superintendent said 3rd grade through 12th grade. This building will house special learning center along with several teachers and support staff. They will fill the 12,000 square foot building.

Frank Hartmann, said he is here to represent the Mille County Fairgrounds Ag. Society and wanted to remind the School District that the land on the west side of their building is owned by the Mille Lacs County Ag. Society and there is no parking there. They use that area to enter the fair grounds.

Espe said yes, she understands they own that land and they will not park vehicles there.

ZIMMER MOVED, SECOND BY GOENNER, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

Goenner asked how many people and students will be in the facility.

Espe said there will be 25 in the Learning Center and the Online Academy had 150 students. They will come and go. The Online Program requires the students have some time with the teacher. Special Educational Programs will be with the auxiliary personal. In a while they may move their Onward Program 18-21 year old students to this facility. That will not happen until next year.

Zimmer asked where the online training happened before.

Espe said at the District Office. Students come from all over. Mostly from the general area in Minnesota.

Zimmer does not see any reason not to grant this Conditional Use Permit.

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE ITEM #16-10 CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF AN EDUCATIONAL FACILITY THAT OFFERS ONLINE AND ALTERNATIVE LEARNING OPTIONS IN THE MOR (MEDICAL OFFICE RESIDENTIAL DISTRICT) LOCATED AT 1506 FIRST STREET. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Does the proposed use violate the health, safety or general welfare of the Princeton residents? No.
2. Has the proposed use been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation (if applicable)? Yes.
3. Is adequate parking and loading provided in compliance with the Ordinance? Yes.
4. Have possible traffic generation and access problems been addressed? Yes.
5. Can the proposed use be accommodated with existing public services and not overburden the City's service capacity? Yes.
6. Does the proposed use conform to the City's Comprehensive Plan and is compatible with present and future land uses of the area? Yes.

Are there conditions that could be attached to the granting of a permit that would mitigate any potential the adverse impact? No.

B. #16-11 Conditional Use Permit at 1101 5th Street North

Community Development Director Memo:

BACKGROUND

Cheryl Minx, on behalf of New Freedom Inc. is requesting a Conditional Use Permit to allow for the operation of a facility that offers treatment and services with housing for up to 15 adult men.

ANALYSIS

The subject parcel is located at 1101 5th Street North Princeton. The legal description is Outlots B and C, Great Northern Addition, City of Princeton, according to the plat thereof on file and of record in the office of the County Recorder, Mille Lacs County, Minnesota

AND

That part of Government Lot Three, Section 18, Township 37, Range 26, Mille Lacs County, Minnesota, described as follows: Commencing at the West Quarter Corner of said Section 18; thence East, assumed bearing, along the North line of said Government Lot 3 a distance of 982.78 feet to the point of beginning of the tract to be herein described; thence South 287.37 feet; thence East 156.48 feet; thence North 278.37 feet to the North line; thence West along the said North line 156.48 feet to the point of beginning and there terminating.

Conditional Use Permit:

The location is zoned R-3. Any state licensed residential facility serving from 7 through 16 persons or a licensed day care facility serving from 13 through 16 persons shall be considered a permitted multifamily residential use of property for purposes of zoning and requires a Conditional Use Permit.

GENERAL CUP REVIEW STANDARDS

Subsection 3.B of Chapter IV outlines the standards for review of a Conditional Use Permit:

1. The proposed use does not violate the health, safety, or general welfare of Princeton residents.

Comment: No characteristics of the proposed use appear that they may violate the health, safety or general welfare of the Princeton residents.

2. The proposed use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution and sedimentation.

Comment: It appears the proposed use will have no negative impacts in regards to erosion, runoff, water pollution and sedimentation.

3. Adequate parking and loading is provided in compliance with the Ordinance.

Comment: Adequate parking and loading design is in compliance with the ordinance.

4. Possible traffic generation and access problems have been addressed.

Comment: The proposed use appears to have no negative impact on traffic generation or accessibility.

5. The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.

Comment: The proposed use can be accommodated with existing public services will not overburden the city's service capacity.

6. The proposed use conforms to the City's Comprehensive Plan and is comparable with present and future land uses of the area.

Comment: The proposed use conforms to the City's Comprehensive Plan and is comparable with present and future land uses of the area.

*****End of Staff Memo*****

Memo from New Freedom, Inc. (Cindi Naumann, Cheryl Minks, and Mike Glenn)

We are requesting a Conditional Use Permit for a Triplex apartment building located at 1101 5th Street North, Princeton, MN for the following services to be added to the Mille Lacs County area. This request will allow treatment services with housing for adult men. New Freedom has received a letter of support from Mille Lacs County and Department of Human Services (DHS). We continue to meet this need for substance use and mental health services as we lost programs in 2013.

1. We will offer adult men ages 18 and up CD/MH residential treatment services.
2. We will provide room and board to 15 adult men in our facility.
3. We will offer comprehensive assessments for substance use.
4. We will offer diagnostic assessment for mental health issues.
5. We will offer prescribing and medication education as it relates to mental health concerns.
6. Relapse prevention for continuation of care.
7. Recovery coaching for ongoing support.

As you know, substance use dependence is a brain disease and the best treatment is long term care that supports the individual in their home community. We will offer a full array of services that include high, medium and low intensity with in this residential program.

We are excited to fill this need for Mille Lacs County as homelessness remains a barrier to long term management of addiction. Our county does not currently have a residential CD/MH program and often residents are sent away, returned to the area and without having resolved this vital need. It is our belief that as we expand our programming to include a CD/MH residential component we will be meeting the needs in Mille Lacs County and its surrounding

area. We have a solid reputation and are proud of the positive impact we are having on the communities we serve.

We are also collaborating with the development of the new Drug Court in Mille Lacs County. A vital part of any drug court is the ability to swiftly have one enter treatment. Our target population is our local five county area, referrals from Department corrections, and Mille Lacs County Probation.

We will create three full time professional positions, two full-time para-professional positions and six part-time support staff.

Description of the Business

With a target opening date of January 1, 2017, as we expand and grow the successful treatment services as detailed above, additional services may be added as community needs are identified. The business hours will be the standard in the industry, Monday through Friday 9 am-5 pm. We strive to improve the health of the communities we serve.

Location of Facilities and Improvements

The new business will located in a private location 1101 5th St. N, Princeton, MN. This Tri-plex apartment building was a previous residential program for substance use and it allows New Freedom services to be operational with no immediate remodeling needs. This building is a stand-alone building with one entrance, a paved parking area, and three apartments with three bedrooms in each unit. This program that will accommodate offices and group rooms on site.

Referrals sources

Lighthouse family services, Accurate Home Care LLC and Hoffman Counseling. Additional refer sources include Mille Lacs County, Fairview Health System, Allina Health Care and Mille Lacs Health Care.

Thank you for your consideration, Cindi Naumann, Cheryl Minks, and Michael Glenn

*****End of Memo*****

Email from Leslie Hennen
Date: November 21, 2016

Concerning November 21st hearing in regards to Conditional Use Permit for 1101 5th St. N. As owners of adjacent property to this proposed R-3 Multiple Family we DO NOT want that apt building given permission to house men with needs for treatment of any kind. That town home association does not want men with treatment issues next door. This is a neighborhood which is not the proper place for men of that nature. We vote NO to that Permit.

There are 12 properties in our Evergreen Crossing Townhouses Association, Inc. and we do not

want a treatment facility next door. Sincerely, Leslie Hennen, President of Evergreen Crossing Townhouses Association, Inc.

*****End of Email*****

November 21, 2016 this letter was dropped off at City Hall from a neighbor to the property.

To Whom It May Concern:

I am a resident living directly adjacent to this property and am completely against the use of this property for the proposed use. Many of the residents in the surrounding area are retired seniors and a couple families with either young children or teenagers. Many of the teenagers use the old rail bed as a shortcut to wherever they may be going and what a perfect opportunity for them to socialize with the clients to exchange cigarettes, etc. This building was previously used to house women going through treatment and the supervision left a lot to be desired when they were outside smoking, etc. There is also a small wooded area to the east of this property and could easily be used to hide items left by visitors and/or friends for the clients to retrieve at a later time.

I am also concerned about my own safety as the clients come from many different areas and also have a variety of past convictions, not just a simple DUI. What reassurance do I have if the clients happen to wander off the property and decide to watch mine or my neighbors activities or worse.... well there goes my sense of security! Now I get to constantly keep my windows and curtains shut because of the clientele and/or their visitors, the cigarette smoking billowing over to my area and the noise level at any given time.

The clients should be housed in a completely different area and not in a residential area where they are taking away mine and my neighbors sense of security, not to mention increased police presence if the clients have behavioral issues or decide to act out, most likely in the evening or middle of the night. I work at home and do not need that kind of distraction.

Operating costs of this facility would depend on monies coming from grants, insurance companies, taxpayers, etc. I personally think my tax dollars should be used in other ways.

These individuals chose to using alcohol, illegal substances, etc., and do need help, but not in a residential area where we now feel that our sense of security would be taken away. Yes, I do know people that have gone through treatment but were not housed/treated in a residential area.

Please deny this request for the conditional use, there are areas better suited for this. Unfortunately, if this does go through a solid fence should be put up around the property to keep it separate from the other residents.

*****End of Memo*****

Carol Gracik, property owner sent the following memo:

Dear Jolene Foss,

I own the property at 1202 5th St. N. in Princeton, MN, which is across the street from the proposed men's treatment center.

This property was purchased by me as an investment in Princeton; in a single family neighborhood where young families could live and raise their kids. I currently am leasing to a young family that leased the home for that specific reason.

My concerns are:

1. Property values.
 - a. Will taxed values in that neighborhood drop and affect the revenue for the city?
 - b. Will the resale value of neighboring homes be affected?
2. What is the history of the operation?
 - a. Is it a "startup" business?
 - b. Where has this business previously operated?
 - c. Has the operation had any previous complaints?
 - 1) If so, what were the complaints?
3. Will there be increased traffic in the neighborhood?
4. Are there enough bedrooms, bathrooms and living spaces to accommodate 15 adult men?
5. Are there enough parking spaces for both residents and employees?
6. Is there a background check performed on the residents?
 - a. Do the residents have felonies?
 - b. Are they drug offenders?
 - c. Are they sex offenders?
7. How will the residents contribute in a positive way to the neighborhood?
8. What is the average age of the residents?
9. How long does a resident typically live at the facility center?
10. Are the residents free to come and go as they please?
 - a. Is there some sort of monitoring of their activities?
 - b. Is there a live in person that over sees each resident?
11. If the city approves the conditional use permit will other similar businesses be attracted to the neighborhood?
 - a. Will the city give up its right to disapprove of other applications in the same neighborhood, if this conditional use permit application is approved?

In conclusion, I feel that the facility should be located in a neighborhood where a conditional use permit is not needed to operate a men's treatment center. Why not put it in a

neighborhood that is zoned for this type of living center? If this neighborhood was zoned for a live-in treatment facility then all of my concerns would have already been addressed.

Thank you, Carol Gracik

*****End of Memo*****

Reynolds opened the public hearing.

Bridget Anderson lives at 315 10th Avenue North, asked what the men's rehab is for.

Foss said a State licensed facility for men for chemical dependency and may have mental health issues.

Cheryl Minx, applicant, said the residential substance treatment programs will have high, medium, and low intensity with this residential program. They could have depression to anxiety and/or substance abuse. They could be there for 30 days to 90 days. This facility will be serving the five counties. They will be monitored with 24 hour staff. There will be guidelines and rules they will have to follow. These men are in need of treatment. They will walk to the AA building that is about three blocks away.

Quentin Schulte, lives at 302 ½ 12th Avenue North, is this a typical treatment facility.

Cheryl Minx said they are folks that are not doing well in the out treatment program and some are homeless where this living in facility could help. There is an epidemic of drug use and heroin is one of them. This is a public problem.

Quentin Schulte said you are saying this is a public problem for people who are not part of their world. Do you want to change their lives with children in the neighborhood. You say there are facts written for the use of this building, but if the men are under lock and key, and they are able to walk to the AA building, they will be walking by homes. What if they were on a drug. This is single family homes in this neighborhood and you are putting kids at danger.

Minx said she hears the concern, but does not see this population as a concern. We need to help them from their suffering. They are here now and we need to give them help.

Cindi Naumann said they are living here and want to bring them into a structured area.

Minx said they will go outside Mille Lacs County also for the residents. Mike Glenn owns the building and they are a business partner with him.

Bridgit Anderson said she is concerned. She has young boys and they play outside. What if one of the guys has a bad mental day and could hurt them.

Minx said not all of the men will be heroin addicts. She understands the concern. She has opened and ran programs in other towns. She runs structured programs. The people are ill and it is chronic conditions. They are not sex offenders. They could have had violent crimes. There is varied degrees on what that is termed at.

Nicholas Varner, lives at 303 12th Avenue North, and said that you cannot guarantee 100% that nothing will happen with these guys. He does not agree bringing this to his neighborhood.

Carol Gracik, 28353 Hwy. 169, Onamia, owns a house she rents out by this property and asked if they will have felons at this place.

Minx said yes.

Katie Schulte, owns the house at 302 ½ 12th Avenue North, and what type of visitors will they have.

Minx said yes they will get visitors. They want the men to deal with their families and want families to heal. It will be a family type program.

Katie Schulte said this would work better for a property in the country. This is a family area and there will be more traffic with their visitors. We need to look at the neighborhood safety. They could break into the homes. She asked the Planning Commission Board if they would like this facility by their homes or the schools.

Arnold Alferness, lives at 403 12th Avenue North, and asked what is the “we” Minx keeps talking about. Who is we and what is her background. Also, who is the owners of this place.

Minx said there are three owners for New Freedom; herself, Cindi Naumann, and Mike Glenn. She is in long term recovery and the business partners and staff have all been trained. We are licensed through the State and there will be professional positions and support staff at the residence.

Arnold Alferness asked if she has a brochure and who pays for this facility.

Minx said she does not have a brochure right now, she is working on making one. The insurance pays for the residents stay. This is just like a hospital stay, but residential stay. MN Department of Health and Human Services have approved this site for a residential treatment facility.

Alferness asked who owns the building.

Minx said Mike Glenn owns the building.

Brittney Berg, owns property at 1102 5th Street North, and said there are trees surrounding this property and if there is traffic coming in and out of the street there is a concern.

Minx said there should be less traffic, mostly staff.

Brittney Berg said she worked with individuals like this and if someone leaves the facility, the cops are called then they are knocking at your door at 2:00 AM, and you cannot go back to bed after that.

Minx said if someone leaves the facility, we do not call the police. We are not a locked facility. It is just treatment facility.

Brittney Berg said they can roam the neighborhood and can have a relapse, and we have young kids outside, it is a concern.

Minx said the program has group counseling during the day. There will be a total of 15 men. They will not be roaming around the neighborhood. It is structured. She has a different viewpoint of this because she has run other programs.

Brittney Berg said they will be outside for fresh air and she understands. She does not want to worry about if they snap.

Foss said the property value does not support a loss of property value with a group home in the neighborhood.

Minx said they bring a feeling of safety in the neighborhood. They hope to have a positive impact.

Carol Gracik asked if they will have a smoking area.

Minx said yes. They will put up a fence and a picnic area.

Carol Gracik does not like the thought of a group of men sitting outside smoking.

Donald Porter lives at 810 Second Street North, and asked what the screening process will be.

Minx said the State screens for substance abuse. We do not screen for criminal.

Foss said there will be no level three sex offenders.

Minx said there will be a minimum of one staff at the residence at all times.

Arnold Alferness said with 15 men in the residence and if something were to happen, they

cannot take care of them with one person on staff.

Foss said the Police Chief expressed his faith in this. The fencing was spoken off. All families have experience with mental illness or chemical dependency. We would have to have legitimate reasons for not allowing this. There will not be level three sex offenders housed here. We do not know if they will have sex offenders or residents with a criminal background. Foss thanked those that came and expressed their views on this. The Planning Commission Board has to follow the Ordinance.

Katie Schulte asked that they not allow the sex offenders to come to this facility.

Jeff Reynolds said they will not have any level three in this place.

Katie Schulte said there is still level one and level two sex offenders. Have you looked at other sites.

Minx said it would be a hardship not to have it here. Their concerns are no different than any others here. They need our help. We are not putting the neighborhoods at risk. We are looking at treating substance abuse. They do not talk about relapse, they call this a long term stability. The ratio for substance abuse is working.

Alyssa Swenson, lives at 313 10th Avenue North, questioned if those who have a drug abuse don't they have to take medicine to get off some of the drugs.

Frank Hartmann asked how many residential homes are nearby. They have an AA building next door to the fairgrounds and have not had any problems. If they fall off the wagon, that is a problem.

Minx said they do not prescribed drugs. They come with their prescription drugs.

Foss asked Minx if they can be there longer than 90 days.

Minx said yes. It is up to the insurance company. The residents do not get to come and go as they please.

Foss asked if they could be transported to their outings instead of walking.

Minx said yes.

Foss asked if there is a visitor's policy where there is a limit and how often they can visit.

Minx said the State requires they have evenings open for visitors and some hours on the weekends. There is no limit on visitors.

Foss asked if the client is accountable to the staff.

Minx said they are accountable to their counselor. They have to meet the rules otherwise they are discharged.

Foss said there would be a trickle effect if there is a number of police calls to this facility. The Police Chief said they would have to reduce the number of people at their facility.

Minx said she would be opened to discuss this if there were problems.

Foss said the transformation house on the north end of town houses a number of men and there are no problems. She spoke to the Department of Health on the housing and food service in the kitchen and they are okay with this facility and having a 24 hour staff.

Mandy Overfield lives at 1002 4th Street North and said their property is the backyard to this place. How many will be over night there.

Minx said one.

Mandy Overfield said they lived next to a place like what is being proposed and beer bottles were tossed over the fence.

Foss said there will be a privacy fence put in.

Minx said yes.

Mandy Overfield asked how long this permit would be good for if approved.

Foss said they are not set for an annual renewal, we could set a reasonable time bi-annually where it is reviewed. If the Planning Commission approves this and if there are any problems with this site, it would be addressed by herself, Cheryl Minx, and the Police Chief. Foss said this does not lower the house value. She looked at numerous sites on this. There has to be facts to not approve the conditional use permit. The finding of facts would have to be not met to not approve. She read the finding of facts. It is very hard at this point for the Planning Commission not approve this.

Mandy Overfield said to Foss that you are telling us that we have wasted our time coming here for this meeting.

Foss said this is being recorded so if there is an issue with a violation that has been brought up tonight, we could maybe take action.

Minx said the trickle effect is they are evaluated and have to take test to see where they

are at. It is a brain disease and they are not volunteering to go to treatment.

Allen Doebler lives at 1103 4th Street North, asked that there is three floors to the home and there will be five individuals on each floor.

Minx said yes, and offices in the home also.

Allen Doebler said how do they interact with each other where it does not go outside the building. They could have an anger attack and could go outside and hurt someone.

Mike Overfield lives at 1002 4th Street North, asked how one person can oversee all three floors.

Minx said they check the floors regularly. The commercial kitchen is on the second floor and the living space is on the first, second, and third floors. The Department of Health approved how many can be residents there.

Carol Gracik's fiancé David, 28353 Hwy. 169 Onamia said he is the Realtor who sold the house to Carol Gracik. He was an ambulance driver for years and had seen these facilities. It is a recipe for disaster. You have a three story house on a dead end road and it is not a good situation. He was a paramedic and seen it all and he said it would be best to have the facility outside the area. Not in a residential area. Carol bought this home as an investment and has a renter with young children living in the home. This is not a good idea.

Foss asked if there is any other questions.

Minx said the Surgeon General came out with a document and it talks about communities and how to take care of treatment programs. She is leaving a copy at City Hall.

ZIMMER MOVED, SECOND BY GOENNER, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

Zimmer thanked those in the audience for coming out and speaking their concerns. He finds it interesting that there is a treatment facility on the north end of town and he was not aware of that. He had 30 years of law enforcement. He has seen that people who want help go to these places if they are going on their own. If court ordered then there could be problems. He asked Minx where she had treatment sites before.

Minx said a few places in Anoka and Alexandria. They all were in residential neighborhoods. The biggest concern that had in the past was a guy that had a seizure and needed help. They have not had issues with the police.

Zimmer said the smoking area is an issue.

Minx would put a fence up where they could smoke. They are human beings that need dignity and respect.

Zimmer asked if they apply to be a resident of the facility and what is the process.

Minx said there is a process and they go through a screening. They have turned men away, maybe too many medical concerns where they cannot meet their needs. They don't take level three sex offenders.

Goenner said thank you for coming. How did they know they need a conditional use permit and why did they wait to apply for one.

Foss said that is her fault. When Minx called, she thought she was opening a facility for special development needs and that is allowed. She learned that it was chemical dependency needs and that has to have a conditional use permit.

Goenner said one of the conditions on the findings of fact says, "Does the use violate the health, safety or general welfare of the Princeton residents".

Foss said at this time we do not have anything that says this will affect their general welfare. If the Planning Commission does not approve this, it could be overturned by the State. If there are more calls the police wanted it could be looked at.

Goenner said the fence for smoking will have to be put in. The accountability piece needs to be looked at.

Foss said the fence for smoking area, transporting them to facilities like the AA Program or any other place, and evaluating the conditional use permit annually the first year and then bi-annually after that. She would meet with Cheryl Minx, and the Chief of Police for the review.

Minx said this facility will open at the first of the year.

Zimmer said they will take applicants from only the five county area surrounding Princeton.

Minx said she would have to check on that to make sure she is not discriminating.

Zimmer said 15 men is a lot of people.

Minx said the State of MN requires to do this process backwards. She has to follow how the State wants this done and then goes to the City for the conditional use permit after she is approved to setup the facility at the site. She has to get licensed through the State and then

comes to the city.

Zimmer likes the idea of meeting annually to review. If 15 men is too many, we would know at that time.

Foss said the Chief of Police and Cheryl Minx, and herself would meet annually.

Goenner asked how public concerns could get to the city.

Foss said if the Police are called we would see it on their records. If there is a concern, we could bring it back to the Planning Commission, and review it.

Zimmer said if there is a number of calls or violations that could be brought to the Planning Commission immediately and the conditional use permit could be revoked.

Foss said if there are factual instances.

Reynolds said the conditions of approval are a fence for the smoking area, transportation for the clients to meetings and other doctor visits, and annual reviews.

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE ITEM #16-11 CONDITIONAL USE PERMIT TO ALLOW A FACILITY THAT OFFERS TREATMENT AND SERVICES WITH HOUSING FOR UP TO 15 ADULT MEN IN THE R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT LOCATED AT 1101 5TH STREET NORTH, WITH THE FOLLOWING CONDITIONS:

1. A PRIVACY FENCE NEEDS TO BE INSTALLED FOR A SMOKING AREA.
2. PRIORITY ON REGIONAL SCREENING FOR LOCALS.
3. AN ANNUAL REVIEW WITH THE APPLICANT AND CITY STAFF.
4. TRANSPORTATION PROVIDED FOR THE RESIDENTS TO GO TO MEETINGS AND DOCTOR APPOINTMENTS.

UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Does the proposed use violate the health, safety or general welfare of the Princeton residents? No.
2. Has the proposed use been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation (if applicable)? Yes.
3. Is adequate parking and loading provided in compliance with the Ordinance? Yes.
4. Have possible traffic generation and access problems been addressed? Yes.

5. Can the proposed use be accommodated with existing public services and not overburden the City’s service capacity? Yes.
6. Does the proposed use conform to the City’s Comprehensive Plan and is compatible with present and future land uses of the area? Yes.

Are there conditions that could be attached to the granting of a permit that would mitigate any potential the adverse impact? Yes.

OLD BUSINESS:

A. Flag Lot Ordinance Amendment

Community Development Director Memo:

The Planning Commission has been informed of the topic of flag lots at the August, September and October Planning Commission meetings. After researching the topic and requesting information from surrounding communities, it has been found that there is no general consensus on this topic. The October Planning Commission chose to wait until November when the full Commission is in attendance to move forward on a decision.

Staff is recommending that we allow flag lots only when there are conditions that prevent meeting the lot width requirement such as existing structures, preserve a natural feature or avoids a natural feature that may cause problems in the future (steep slopes, wetlands, water courses).

Ordinance Amendment:

	One Family	Accessory Buildings³	Other Buildings⁴
A. Lot area minimum square feet	12,500 sq. ft.		
B. Lot width minimum feet	80 feet ^{1.5}		
C. Maximum lot coverage	30%	0	
D. Front yard minimum setback	30 feet ²	---	
E. Side yard minimum setback	10 feet	5 feet	
F. Street side yard minimum setback	20 feet	20 feet	
G. Rear yard minimum/alley setback	30 feet	5 feet	*15 feet
H. Maximum height	30 feet	15 feet	

- 1 Lot width shall be taken at building setback line.
- 2 If, at the time of an application affecting the front yard setback, 50% or more of the then existing dwellings having frontages on the same side street or road for three (3) blocks have an

average front yard setback different from that specified herein, then all buildings thereafter erected, altered, or moved may conform to that average front yard depth as a minimum.

3 No accessory structures shall be allowed prior to the construction of the principal structure. No more than one principal building may be located on one lot in a residential district.

4 See Conditional Use conditions Chapter 4.

5 Lot width could be subject to variance by Planning Commission when there are conditions that prevent meeting the lot width requirement such as existing structures, preservation of a natural feature or to avoid a natural feature that may cause problems in the future (steep slopes, wetlands, water courses).

*****End of Staff Memo*****

Goenner questioned if a flag lot were to come up and does not fit the criteria, it would come to the Planning Commission for a variance.

Foss said yes.

Zimmer said an existing structure could be part of the reason to approve a flag lot.

GOENNER MOVED, SECOND BY ZIMMER, TO APPROVE STAFF TO HAVE A PUBLIC HEARING FOR AN ORDINANCE AMENDMENT FOR FLAG LOTS FOR THE DECEMBER 19, 2016 PLANNING COMMISSION MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

B. Residential Rear Yard Setback

Community Development Director Memo:

In the case that was brought to Zoning Administrator the property owner felt that in order to best use his space he would prefer to have an attached garage at the rear of the new home that he is building on the lot. Due to the setback requirements, he would have to build the attached garage to leave a 30 foot setback.

	One Family	Accessory Buildings ³	Other Buildings ⁴
A. Lot area minimum square feet	12,500 sq. ft.		
B. Lot width minimum feet	80 feet ¹		
C. Maximum lot coverage	30%	0	
D. Front Yard minimum setback	30 feet ²	---	
E. Side yard minimum setback	10 feet	5 feet	
F. Street side yard minimum setback	20 feet	20 feet	
G. Rear yard minimum/alley setback	30 feet	5 feet	*15 feet
H. Maximum height	30 feet	15 feet	

*Attached garages that are built at the rear of the property

- Rear yard setback for the attached garage is 30 feet.
- The rear yard setback for accessory building is 5 feet.
- If he detaches the garage, it would then be considered an accessory building and he could put it just 5 feet from the rear property line.

The reasoning behind the setback difference is for privacy.

Staff recommending that we consider the required rear yard minimum setback for an attached garage in R-1 and R-2 to be somewhere in between the one family and accessory building. That way we are still considering the privacy of the neighbors to the rear, yet allowing the property owner to build the attached garage at the rear of the property with a 15 rear yard minimum setback.

*****End of Staff Memo*****

Foss said that this was brought to the Planning Commission last month. She is suggesting reducing the rear yard minimum setback to fifteen feet if an attached garage is built at the rear of the property.

Reynolds commented that this is the legal way to fit his situation.

Foss said she is not trying to fit his situation. She thought this is a way for property owners to use their yard with an attached garage.

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE STAFF TO HAVE A PUBLIC HEARING FOR AN ORDINANCE AMENDMENT FOR RESIDENTIAL REAR YARD SETBACK FOR THE DECEMBER 19, 2016 PLANNING COMMISSION MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

NEW BUSINESS:

A. Antenna/Tower Ordinance

Community Development Director Memo:

The City received a request to erect mono-pole type antenna tower of 75 feet in height (just a 75' telephone pole/antenna combo) in the city right-of-way across Northland Drive from the McDonald's (currently zoned R-3 Multi-family Residential).

The City's zoning ordinance only allows antenna of that nature to be located in the Antenna Overlay District which is north of TH95 and west of TH169. There are many additional requirements that the proposed location does not meet.

Therefore, the request would not be allowed as our Ordinance currently stands.

The Administrator's concern is that it appears from information sent out by the League of Minnesota Cities that we can expect more and more of these types of requests because of the increasing demand for wireless services and there being less and less space on local water towers. His concern is that if the zoning ordinance accommodations are not made, the wireless choices available to Princeton residents may be limited because of coverage.

The City Council has requested that the Planning Commission look at this issue and decide what the best course of action would be.

Staff is recommending that we do not approve the current application. The Planning Commission may want to look at the zoning map and add an antenna overlay district to accommodate future requests.

This could also be done in conjunction with the 2018 Comprehensive Plan Update which will update the zoning and future land use maps and take a close inventory of the existing districts.

*****End of Staff *****

Foss said there was a request for a pole, across McDonalds in the right-of-way. The updating of the Comprehensive Plan could have an antenna overlay area or do we want to add one to the zoning map now. She does not want a variance to be approved for this at this time. It would be a year and a half process for the Comprehensive Plan. So if they want it sooner, she could bring it to the Planning Commission sooner for review.

Reynolds said there are brick buildings that cell phones cannot be used in now and a tower would be helpful.

Zimmer would like to know if a tower there would help the high school reception. He does not want to see towers all over the city. He likes it in the Comprehensive Plan where it is controlled.

Reynolds would like it looked at before that. We should start the process of having it for our zoning.

Roxbury mentioned that in their conditional use permit for a tower states that if the tower is not used for a year, then it has to come down. It is either with the county or township.

Foss will bring some more information back to the Planning Commission next month of what other communities have on this. She will talk to WSB on this for the Comprehensive Plan and addressing it on that also.

COMMUNICATION AND REPORTS:

A. Verbal Report

There was no verbal report.

B. January and February, 2017 Planning Commission meeting dates

DeWitt explained that January 16th, 2017 is Martin Luther King Jr. Day and February 20, 2017 is President's Day. City Hall will be closed in observance for both holidays. In the past we have either moved the Planning Commission meetings for those dates to Tuesday or the following Monday. Now that we are sharing the Council Chambers with the School District, the room will be used on the third Tuesday of each month for their Board meeting. The Planning Commission meeting dates will have to be January 23rd and February 27th, 2017.

ZIMMER MOVED, SECOND BY GOENNER, TO SCHEDULE THE PLANNING COMMISSION DATES FOR JANUARY 23 AND FEBRUARY 27, 2017. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

C. City Council Minutes for October, 2016

The Planning Commission Board had no comments.

GOENNER MOVED, SECOND BY ZIMMER, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:45 P.M.

ATTEST:

Jeff Reynolds, Chair

Mary Lou DeWitt, Comm. Dev. Assistant