

**THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON  
MARCH 16, 2009, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

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The meeting was called to order at 7:00 P.M., by Dave Thompson. Members present were Ben Hanson, Lee Steinbrecher, Jack Edmonds, and Bryan Lawrence, Representative for Baldwin Township. Staff present were Jay Blake and Mary Lou DeWitt.

Absent was Ken Haskamp.

**OATH OF OFFICE:**

Jack Edmonds took the Oath of Office.

**ELECTION OF OFFICERS:**

STEINBRECHER MOVED, SECOND BY EDMONDS TO NOMINATE DAVE THOMPSON AS CHAIRPERSON FOR THE PLANNING COMMISSION BOARD. THERE BEING NO OBJECTIONS STEINBRECHER MOVED, SECOND BY EDMONDS TO CLOSE THE NOMINATIONS. UPON THE CALL OF MOTION, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

STEINBRECHER MOVED, SECOND BY EDMONDS TO NOMINATE BEN HANSON AS VICE CHAIRPERSON FOR THE PLANNING COMMISSION BOARD. THERE BEING NO OBJECTIONS THOMPSON MOVED, SECOND BY EDMONDS TO CLOSE THE NOMINATIONS. UPON THE CALL OF MOTION, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

THOMPSON MOVED, SECOND BY STEINBRECHER TO NOMINATE JACK EDMONDS AS SECRETARY FOR THE PLANNING COMMISSION BOARD. THERE BEING NO OBJECTIONS STEINBRECHER MOVED, SECOND BY HANSON TO CLOSE THE NOMINATIONS. UPON THE CALL OF MOTION, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON DECEMBER 15, 2008**

HANSON MOVED, SECOND BY STEINBRECHER TO APPROVE THE MINUTES OF DECEMBER 15, 2008. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**PUBLIC HEARING:**

**A. #09-01 Conditional Use Permit for Sylva Corp.**

Larry Doose, applicant is requesting a Conditional Use Permit to allow composting of grass, leaves, and brush material at Doose's company, Sylva Corp., along with their present wood processing operations.

Currently the Princeton Public Works Department accepts leaves, grass, and brush material at the City garage in the spring till fall months, for a small fee. The Public Works Department is working with Sylva to take over the composting. Sylva has expressed interest in adding composting to their operations and because of budget cuts this would give Public Works less expenditure.

Sylva plans are to start accepting leaves and grass in the spring of this year and to do the actual compost process in windrows on the east side of their property. A site map of the area was presented to the Board. The compost product will be offered for sale to Sylva's existing customer base of landscapers and garden centers.

Blake had contacted Sylva Corp. back in January, 2009, regarding their current wood chip operation and complaints from nearby businesses on the particles that have floated to their parking lot. Blake also spoke to Doose about screening along 19<sup>th</sup> Avenue. Doose was suppose to have taken care of the matter regarding the complaints and said he would provide some plantings for screening.

The Planning Commission Board may want to insure this issue has been taken care of. Copies of the two Conditional Use Permit Resolutions for this site and conditions were given to the Planning Commission Board to review.

Steinbrecher asked about the screening issues and Blake said he has heard some comments on the equipment being visible and also the product.

Larry Doose, applicant was present to answer questions the Planning Commission Board may have. Doose commented that the compost would be back from 19<sup>th</sup> Avenue along Hwy. #169, approximately 75 yards back from the highway. Doose said the pallet pile is not suppose to be over 30 feet, not the materials. The screening he is able to begin and asked what the Planning Commission is looking at for screening.

Blake said he would go on site with Doose and decide what would be needed. He understands that it will not be completely covered.

Doose would like to propose that he would like to put in norways that he has plenty of at his other site and transplant them to this site along 19<sup>th</sup> Avenue.

Edmonds commented that the highway side would be more difficult to screen because of the evaluation of the highway. It would be nice to have some trees planted to defuse the look.

Doose said maybe he could put some of the norways in that area along the highway also.

Blake commented that with adding the composting materials to the Sylva Corp. will help that company expand and also benefits the City to remove that cost from the Public Works Department to have someone staffed on weekends to oversee it.

Steinbrecher asked if the addition of the compost materials will add to the dust.

Doose said he does not believe so. There would be more moisture in the leaves and brush where it should not create dust.

Blake said what the issue would be is smell if the compost material is not turned on a regular cycle.

Doose commented that the compost material should not get dry and if it did, water would be added, and they have the equipment to make this composting work.

Blake said the issue of the dust coming from the site has been taken care of.

Thompson asked if there will be separation by a road from the ponding area and the compost area. Doose said yes.

Hanson asked Doose what the hours of operation would be for people to drop off their materials because the Public Works Department would be open during the weekends for the residents to drop off their leaves and such.

Doose said Monday thru Friday till 5:00 P.M. and then Saturday mornings. This compost site is open to everyone, not just city residents like it was at the Public Works Department. There would be separate bunkers set up for each type of material. The traffic would come from 19<sup>th</sup> Avenue to the front of the site where the bunkers will be. Sylva's equipment would take the brush items back to their compost site as the bunkers fill.

STEINBRECHER MOVED, SECOND BY EDMONDS TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Blake said he supports the Sylva Corp. taking over this operation and he will work with Doose regarding the screening. He will have Bob Gerold, Public Works Director, work with Doose on the hours of operation and then forward that to the City Council for approval.

STEINBRECHER MOVED, SECOND BY EDMONDS TO APPROVE ITEM #09-01 CONDITIONAL USE PERMIT FOR SYLVA CORPORATION TO ALLOW COMPOSTING OF GRASS, LEAVES, AND BRUSH MATERIAL AT THEIR PRESENT WOOD PROCESSING SITE WITH THE CONDITIONS THAT THE OWNER OF SYLVA CORP., WORKS WITH CITY STAFF REGARDING SCREENING ON 19<sup>TH</sup> AVENUE AND ALONG HIGHWAY #169 AND ALSO THE HOURS OF OPERATION HAVE TO BE DETERMINED WITH CITY STAFF AND THE CITY COUNCIL. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Are there characteristics of the proposed use that may violate the health, safety or general welfare of Princeton residents? No.

2. Does the proposed use present any unique concerns regarding erosion, runoff, water pollution or sedimentation? No.
  3. Could the proposed use create any special problems with parking? No.
  4. Would the proposed use cause any problems with access or traffic generation? No.
  5. Is the proposed use incompatible with other uses located in the zoning district? No.
- The Planning Commission believes that the potential adverse impacts will be mitigated by placing the following conditions on the granting of the Conditional Use Permit:  
That staff work with Sylva Corp. in order to development of a good screening policy on 19<sup>th</sup> Avenue and Highway #169, and Council to work with Sylva on hours of operation.

#### **B. #09-02 Conditional Use Permit for Immanuel Lutheran Church**

Immanuel Lutheran Church had their external lit monument sign approved at the October 20<sup>th</sup>, 2008, Planning Commission meeting. The Church gave some thought regarding the external lighting and was concerned the external light could be vandalized.

The Church brought the request back to the Planning Commission for the November 17, 2008, meeting, to request for internal lightening for their monument sign. It was decided that Staff would make an amendment change to Chapter VII of the Princeton Zoning Ordinance that would allow internal lighting for reader board signs by a conditional use permit in select residential zoning districts. This site is located in R-2 Residential Zoning District.

At the December 15, 2008, Planning Commission meeting there was a Public Hearing to amend Chapter VII-Signs, and was approved as follows:

#### **Chapter VII – Signs**

##### **E. Residential and Business Monument Signs – General Provisions**

3. Internally lit bulletin board signs associated with a church, school, or public building may be allowed by a Conditional Use Permit in any residential district.

Immanuel Lutheran Church is now requesting approval of their monument sign to be internally illuminated. Kenneth Gustafson, representative for Immanuel Lutheran Church is present to answer any questions the Planning Commission Board may have.

The City received a letter on March 12, 2009, from Richard & Beverly Riesberg, 411 8<sup>th</sup> Avenue South, who wrote that they are opposed to any additional lighting at the Church site. They live down the block and believe there is enough lighting from the Church parking lot and do not need anymore. This letter was handed out to the Planning Commission Board.

The Planning Commission Board was also given photos of the site. The Church has put up a temporary sign showing the placement. Gopher One has been contacted and has marked where utilities are located and the sign would be placed outside this area. The proposed size of the sign would be 4' x 8' in the sign face area with a two foot brick border giving the total size 6' x 10'. This does follow the zoning codes.

Edmonds asked if there is a house in between the Church site and the party that wrote the letter.

Kenneth Gustafson said yes. The Riesberg's own Lots 1 & 12, and then there is a lot between them with trees and a home that blocks the Church site. So this monument sign should not disturb the Riesburg's. The Reisberg's home is on Lot 1 and Lot 12 that they also own is vacant land.

The Planning Commission Board all agree that the internal lighting from the monument sign should be non-distractive and not cause an issue to the neighbors.

HANSON MOVED, SECOND BY EDMONDS TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

EDMONDS MOVED, SECOND BY HANSON TO APPROVE ITEM #09-02 CONDITIONAL USE PERMIT FOR INTERNAL LIT MONUMENT SIGN FOR IMMANUAL LUTHERAN CHURCH FOR THEIR PARKING LOT AS PRESENTED TO THE PLANNING COMMISSION BOARD. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Are there characteristics of the proposed use that may violate the health, safety or general welfare of Princeton residents? No.
2. Does the proposed use present any unique concerns regarding erosion, runoff, water pollution or sedimentation? No.
3. Could the proposed use create any special problems with parking? No.
4. Would the proposed use cause any problems with access or traffic generation? No.
5. Is the proposed use incompatible with other uses located in the zoning district? No.

The Planning Commission believes that the potential adverse impacts will be mitigated by placing the following conditions on the granting of the Conditional Use Permit: Has to be constructed as per planning submittals to the City.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. Verbal Discussion on Ordinance Updates**

The Planning Commission Board has spoken in the past that the Ordinances for setbacks for residential zoning and fencing need to be reviewed. Items that have come to our attention are setbacks for decks, additions, etc. In some circumstances the regulations required variances to

be applied for. These issues have come up in both the old and newer areas of the City. One example is the Meadow View Addition where variances have been needed for decks to be built on the newer homes.

The other area that needs to be reviewed is the fencing ordinance. Currently the ordinance states that the fence can be built on the lot line with the neighbors written consent or shall be set back one foot from all lot lines. The issue with this is if two adjoining neighbors install separate fences, there would be a two foot gap between the fences and would this be enough room for lawn care.

Blake would like the Planning Commission Board to review the Zoning Ordinance for the Residential District regarding setbacks and fencing and then bring it back for review. Part of the funds for the grant from One Thousand Friends could pay for the changes in the ordinance.

The Planning Commission Board mentioned a couple items that need to be reviewed: In Residential Districts; the landscaping requirements for seeding or sod, junk vehicles, and shoveling and mowing.

#### **B. Parking Lot Discussion at 601 Rum River Drive South**

Richard Anderson and Craig Wellman were present to speak of the property at 601 Rum River Drive South that the Anderson family owns next to the old Coborn's building. Wellman would like to lease the building and put an Auto Sales Business where he would sell used vehicles. Anderson is proposing to update the building, but can not afford to pave the parking lot also. This property is located in a B-2 General Business District. Auto Sales is permitted with the issuance of a Conditional Use Permit or Interim Use Permit. The Zoning Ordinance states that the entire parking area shall be hard-surfaced within one year of the date the permit is issued. This requirement does not qualify Class Five material. Staff concerns are if the Planning Commission Board is flexible with this site regarding the parking area then the City would also have to be flexible with the other auto dealers in town that have been following the regulations. One example is Princeton Auto Center has been required to remove their autos off the grass area of their site. Their plan is to pave that area in the future. Part of the concern is dirt getting on the streets from the vehicles being moved on and off the site and it also looks better visually for the community. Industrial district concerns are different then commercial districts. We do need to be consistent where we do for one then we need to do the same for all. No action is required from the Planning Commission Board this is just a verbal discussion.

Steinbrecher asked if Wellman opened this auto sales operation in April, then with the Conditional Use Permit or Interim Use Permit they would have a year from the permit date to pave the parking lot. Blake said yes. Steinbrecher believes that is beneficial because the party can see how sales are during that time period and if the site is feasible for this operation before putting more money into it. The Planning Commission Board agreed.

Richard Anderson said that his Dad, Lyle Anderson, owns the property with the building since 1940 and in that time period it has mostly been a car lot. This site has been vacant and parties have been interested in leasing it, but can not get around the ordinance issue regarding a paved lot. Because of the rent they are charging for the building is low and they can not afford to pave the parking area. Richard and Rodger Anderson own the adjoining property of this site and this property is included in the lease. They have not wanted to invest in paving the parking area because this site is just leased on a yearly agreement and may not be a permanent fixture. Anderson said that Wellman would like to hire five employees and then down the road hire more. Used cars are selling right now. Anderson said it is time to reevaluate this ordinance at this time with the bad economy. It is more important to have buildings filled and people working.

Hanson said that the Planning Commission Board is not saying that they will not allow this business it just has to fit in the zoning ordinance and the Board would be okay with it as long as there is a Conditional Use Permit and paving is followed.

Anderson said there is no drainage problems on this site and paving it would create run off problems. The City needs to change their ideas and needs to encourage business in town and encourage employment. He would like to see Wellman open this business the first of April of this year.

Hanson asked what Anderson is doing to help Wellman.

Anderson responded that he is updating the building to make it look better.

Blake said that there are different responsibilities through all City Boards. Different bodies tackle different issues. The Planning Commission Boards responsibility crosses a lot of boundaries and protects property values throughout the community and reviews those plans. The ordinance was reviewed in 2004 and some things have been loosened and some tightened. The parking lot issue was before the Planning Commission for about six months. With this site not being a car lot and also not being in use for a few years, the current ordinances have to be followed.

Steinbrecher said he would encourage Wellman to open the auto sales lot, but the parking lot paving needs to be up to the standard of our zoning ordinance. He believes if this car lot opens and in a year Wellman would know if it were successful and if so then put in a paved parking lot. Maybe if they need a few months extended after the year we could look into it at that time. In eighteen months Wellman should know if this car lot would work.

Blake said for this situation the Interim Use Permit would be best. Conditional Use Permits can not be revoked and if the parking lot were not completed in the required time, the permit would still be in effect.

Anderson asked what needs to happen to get Wellman in business right away. Anderson believes that The Planning Commission is discouraging expansion and business growth in the City and at this time it should be encouraged.

Thompson said that they should apply for an Interim Use Permit and then it would be on the April Planning Commission meeting.

Hanson asked Wellman what types of vehicles he would sell and Wellman said 2003 and 2004 models and newer.

Steinbrecher said there are restrictions to the number of cars for the size of the parking lot versus the building size, Wellman would have to be aware of what the number of cars he could have.

Blake told Wellman he would need a site plan of the parking area, egress/ingress and such.

Hanson commented that May 1<sup>st</sup>, may be more feasible for a time frame regarding opening the business if they come in and apply for the Interim Use Permit right away. Then if the permit is approved, maybe the Planning Commission Board would look at moving the paving of the parking lot time frame out for a year and a half.

Anderson asked why they are being told not to apply for a Conditional Use Permit. He does not want an Interim Use Permit where it does not stay with the land. If this auto business does not work, he does not want to go through all of this again. Anderson does not want an Interim Use Permit.

Hanson said if they were to pave the parking area in the twelve month time frame from the Conditional Use Permit being issued, it would be ok. But from what Anderson is saying, he does not plan to pave the parking area.

Steinbrecher said if they would like to move this forward for a special meeting in April instead of the regular Planning Commission meeting on April 20<sup>th</sup>, then he suggest they apply for a Interim Use Permit. The Planning Commission Board is more willing to go with an Interim Use Permit at this point because of the reluctance from Anderson regarding paving the parking lot.

Blake added that with the Interim Use Permit, the Planning Commission Board is saying they would be more flexible with moving out the requirement for paving to eighteen months, but would be firm on the twelve months with the Conditional Use Permit.

Wellman said he would like the 18 month time frame for the parking lot and would like to have the special meeting even though it will cost him extra to request the meeting.

The Planning Commission Board agreed that they would be more favorable to the Interim Use Permit and be more flexible with extending the parking lot paving out to eighteen months.

Anderson stated he wants a Conditional Use Permit for this site and understands that it would have to be paved in twelve months.

Wellman said he will come in tomorrow and talk to Staff.

**COMMUNICATION AND REPORTS:**

**A. Verbal Report**

Blake informed the Planning Commission Board that United State Distilled Products will get some funding for the waste treatment facility that is being looked into where algae ponding would be used. BioMatrix Manufacturing is working with USDP on this project. With this funding there would be zero cost to the City. The risk would be if both businesses go bankrupt then we have to see about assessments or operational cost. This is an issue the City will have to address.

There are two other grants the City is in the process of applying for. The City did get the Neighborhood Stabilization Grant in the amount of \$796,254. Blake said there are a couple meetings set up for this week regarding the grant. This grant will be reviewed in six months and if the funds are not being used the money will be slowly given to the Twin City areas that are in need of it. The City plans on using the funds to fix homes that are foreclosed and putting in energy efficient updates that are needed.

**B. City Council Minutes for February, 2009**

The Planning Commission Board had no comments.

HANSON MOVED, SECOND BY EDMONDS TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:57 P.M.

ATTEST:

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Dave Thompson, Chairperson

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Mary Lou DeWitt, Comm. Dev. Assistant