

THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON
NOVEMBER 17, 2008, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS

The meeting was called to order at 7:00 P.M., by Dave Thompson. Members present were Jack Edmonds, Ben Hanson, Lee Steinbrecher. Staff present were Jay Blake and Mary Lou DeWitt. Absent was Ken Haskamp.

APPROVAL OF MINUTES OF REGULAR MEETING ON OCTOBER 20, 2008

HANSON MOVED, SECOND BY EDMONDS TO APPROVE THE MINUTES OF THE REGULAR MEETING ON OCTOBER 20, 2008. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #08-08 Interim Use Permit at 1100 Northland Drive

William and Sue Dunkley applicants are requesting for the demolition of the former Thunder Alley/Smith Systems Building located at 1100 Northland Drive. The Dunkley's have purchased this property and the building has been empty since ThunderAlley closed their doors. With the building being empty there has been quite a bit of theft and vandalism. The Dunkley's believe it is in their best interest to demolish the building and sell the land. This application for Interim Use Permit would include the crushing of the concrete blocks on site. The demolition would not normally need a review by the Planning Commission, however, Staff believes that the additional request to crush the materials on site created additional concerns regarding noise, dust, and safety. The location is zoned B-3 Highway Business with Princeton High School, South Elementary, Fairview Northland Medical Center, two residences, and three industrial uses.

The applicant is requesting to start demolition in December, 2008, and would like to store the crush material on site to be sold from the site. There would be fencing, lighting, and security around the site.

Blake is concerned with the noise from the crushing operation may have on the surrounding land owners. The Zoning Ordinance only states that noise resulting from any operation cannot be excessive beyond the property lines. This does not apply to any construction, maintenance, or loading operation. The crushing operation has a short duration, approximately one week. Blake recommends that strict times be placed on any crushing operation on this site.

Security around the operation is critical. Since the materials will not be removed immediately, security is of great concern. Security fencing and lighting should be planned maintained until the site is cleared of materials. Also a restoration plan should be submitted.

Ron Anderson, Final Grade Inc., was present and his company will be doing the demolishing and removal of the structure.

Steinbrecher asked if all structural steel will be removed.

Anderson said that they would like to stock it neatly behind the concrete pile because of the expense of hauling it out now. It could be a year that it would sit there. All the steel would be scraped and the price for that has gone down. The crush concrete is easy to get removed and always wanted. The area would be fenced in.

Blake commented that the concrete and steel would be visible to Plastic Products Co.

Edmonds asked how grass planting would be written in the permit.

Blake said a reasonable grade is what is important and then some type of cover on the site. The areas that are exposed should be kept covered and the other should be graded and planted where sand is not blowing. Blake said the City would require a performance bond or insurance bond that this site would be cleared of construction materials at a certain time. The Dunkley's can also be held responsible since they are the property owners.

Anderson said a two or three year bond could be put on this project to make sure all is completed.

Hanson asked what type of tax consideration does the City have with this type of land change.

Blake said bare land will be less taxes, but if this helps selling the land and the buyer builds on it, could be more beneficial. Redevelopment of this site could come quicker having this building removed.

Thompson said with the theft inside the building, he believes this would help the sale having the building removed.

Edmonds does not have a problem with this as long as it is cleaned up at a certain time.

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

Steinbrecher commented that it is important to have a reasonable time table with the process of demolishing and removal of the structural. Accidents could happen with children in the area. Steinbrecher suggested 12 months would be good. January 1, 2010, to complete the clean up of the site and removal of the debris. The security fence and lighting should be up until safety of the area is complete. The turf or grass cover should be in place by May 1, 2010. For an amount for the performance bond or escrow could be 2% of the total amount of the project. The property disconnection of sewer and water needs to be done before demolition and all other utility lines such as fibro optics. There should be an on-site preconstruction meeting.

STEINBRECHER MOVED, SECOND BY HANSON TO APPROVE ITEM #08-08 INTERIM
USE PERMIT AT 1100 NORTHLAND DRIVE WITH THE FOLLOWING CONDITIONS:

1. The site must be maintained in a condition that does not invite trespassing, including, temporary security fencing around any stockpiles or demolition/crushing equipment, and not trespassing signs.
2. A lighting plan shall be provided that addresses security issues.

3. The operation shall begin on December 1, 2008, and be completed by December 10, 2008.
 4. The hours of crushing shall be from 8:00 A.M. to 6:00 P.M., Monday through Saturday.
 5. The operator shall take necessary dust control measures so that excessive dust does not leave the subject property.
 6. Warning signage shall be installed during any hauling from the site.
 7. All necessary demolition permits shall be on file with the City of Princeton.
 8. All material shall be removed within 12 months of the commencement of the demolition.
 9. The site will have turf or grass established within two (2) months of the operations completion.
 10. Other conditions deemed necessary to protect the health safety and welfare of the residents of the City of Princeton.
 11. Proper disconnection of sewer/water, power, and any other utilities needs to be completed and okayed with the proper departments before demolition.
- 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.

B. #08-09 Variance at 606 11th Street North

Glen and Debbie Stay are applicants. The property owners are proposing to construct an addition on to their existing home located at 606 11th Street North. The residence was built in 1977 prior to the 30 foot front yard setback requirements. The current structure is setback 25 feet and the proposed addition would remove the deck and be replaced with an entryway.

The home has an exterior deck located on the front that currently extends to the same setback requirement. Since the deck would be removed to allow the addition, a Variance is required for the proposed addition. The edge of the structure would be setback approximately 25 feet from the right-of-way, thus the five foot setback variance.

Blake would like the Planning Commission to review setbacks for the older parts of town where the homeowner could make updates to their home without these type of setbacks.

Jon Drews, Ultimate Exteriors of MN, is the builder and was present to answer any questions the Planning Commission Board had.

Steinbrecher said he visited the site and see's no issue with this remodel.

Blake agrees that this should be a reasonable request. The hardship would be not being able to update the property because of setbacks having changed over the years.

Dick Dobson, 1007 7th Avenue North, was present and said that he sees this home from his property and likes the updates they are proposing

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

STEINBRECHER MOVED, SECOND BY EDMONDS TO APPROVE ITEM #08-09 VARIANCE AT 606 11TH STREET NORTH, WITH A SETBACK OF 25 FEET IN R-2 RESIDENTIAL ZONING DISTRICT INSTEAD OF THE REQUIRED 30 FOOT SETBACK. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Without the variance, is the owner deprived of a reasonable use of the property? No.
2. Is the alleged hardship due to circumstances unique to this property? No.
3. Were the circumstances causing the hardship created by someone or something other than the landowner or previous landowners? Yes, home was built prior to 30 foot setback requirement, thus not allowing property owner to add a entryway to front of home.
4. Will the issuance of the variance maintain the essential character of the locality? Yes, will allow neighborhood to be upgrade.
5. Does the alleged hardship involve more than economic considerations? Yes, inability of upgrades of existing older homes in neighborhoods established prior to setback ordinances.

C. Amendment to Chapter VI-Performance Standards

This amendment to Chapter VI-Performance Standards comes as part of the review for the sign permit request for Williams Dingmann Funeral Home. At the October 20, 2008, Planning Commission meeting, there was a sign review for the funeral home located at 205 Rum River Drive South. The funeral home had a name change and needed to reface their current monument sign with the new name and make it into a pylon sign. This site is located in B-1 Central Business Zoning District. With this change, the funeral home needs to move the current flag pole place it where the monument sign is located. The flag pole has been at that building site since it was an armory and the funeral home would like to keep it. The flag pole is approximately 35 feet high and does not meet the current zoning codes which it would have to follow when it is moved. The Zoning Ordinance allows for a 20 foot flag pole. The funeral home has a light on top of the building that beams down to the 6' x 8' flag.

The Planning Commission suggested amending the Zoning Ordinance to allow such a structure to exceed the standard height allowance in Business and Industrial Districts.

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Hanson asked if the amendment would just be for flag poles at 60 feet.

Blake said yes.

Hanson asked if there are any negatives on this height.

Blake said wind restrictions, but the building permit would handle that. It would be fine.

Edmonds asked how high the light poles are in town.

Thompson said 45 feet for light poles. Thompson said the utility poles are 60 feet or higher. This is necessary for the pole to handle the wiring.

Blake said Thompson and him can talk about utility poles after the meeting. Blake believes utility poles are listed in another area of the Zoning Ordinance such as Essential Services where they are exempt.

Dick Dobson asked in the business and industrial zoned areas out by the airport if the heights would a conflict.

Blake said that is the fly zone area and would take precedence over this.

Thompson asked about water towers.

Blake said they are exempt. Water Towers should be covered in essential services since they are over 60 feet high.

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

STEINBRECHER MOVED, SECOND BY HANSON TO APPROVE AND FORWARD TO THE CITY COUNCIL THE AMENDMENT TO CHAPTER VI-PERFORMANCE STANDARDS TO ALLOW FLAGPOLES LOCATED IN A BUSINESS OR INDUSTRIAL DISTRICT TO BE ALLOWED UP TO 60 FEET. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

D. Adoption of 2008 Land Use Plan

The Planning Commission is asked to conduct a formal public hearing on the adoption of the 2008 Comprehensive Land Use Map update. Notification was published in the Princeton Union Eagle, in accordance with City procedures. As part of the legal requirements for the adoption of
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a Land Use Plan or Comprehensive Plan, the City is required to conduct at least one public hearing and then recommend adoption to the Princeton City Council.

After the October 20, 2008, Planning Commission meeting, Staff added statements relating to the installation of private community wells and clarified statements on the transportation plans, making reference to the adopted land use and transportation maps that are included in the plan. Once the items are completed, they can be removed from the plan.

Blake said that in December, 2007, there was a Planning meeting on zoning and all City Boards were invited to attend to give comments and ideas. This covered many areas. The City contracted a consultant to lay out growth patterns. Blake spoke to property owners who would be affected by the changes which included in the city limits and outside the city limits. The two areas outside the city limits would be Baldwin Township and Princeton Township. Blake believes both townships were in favor of the direction of where the City is moving. There were notices of two public hearing sent out in the Public Utilities billing statements and also had been advertised in the Union Eagle paper. One of the areas that the growth pattern was changed is by the airport where it had been zoned residential and Blake has changed that to Industrial. This plan has a line on the map where the Urban Growth Boundary is. This is not the City municipality area. This is not to run lines to the rural line areas. We are not going to redevelop that area south of the City into that. Farming is a long term use and north on the map is being kept as farming where the soil would be best for farming. That area has heavier clay soils where the crops would be better and that is north of 40th Street. This line could change in the future with the City and Township, but not now. Also is designing utilities for the physical area that may become urban. The City is not pushing urbanization into the areas of the township. The City reacts to petitions from landowners, such as Clint Corral.

Blake will put the language of the City lighting standards in this Comprehensive Plan. He has not added what Mike Nielson, WSB City Engineer, sent him but will. The Consultants work is done.

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

STEINBRECHER MOVED, SECOND BY HANSON TO APPROVE THE ADOTOPN OF
THE 2008 LAND USE PLAN AND FORWARD IT ON THE CITY COUNCIL. UPON THE
VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

OLD BUSINESS:

A. Immanuel Lutheran Church Sign Discussion

David Lund and Ken Gustafson were present to ask the Planning Commission Board to review the sign request for Immanuel Lutheran Church. The Church is located at 401 8th Avenue South, and had approval for their monument sign at the Planning Commission meeting on October 20,
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2008. This monument sign was approved with external lighting. The Church is now requesting internal lighting with the reason that they believe the external light would be vandalized and the sign company has told them the internal light would be less distracting for a residential area. This sign would be installed at the entrance of their parking lot on 9th Avenue South. The location of this site is in R-2 Residential.

Blake is concerned with the precedent that is set by allowing internal illumination in a residential zoning area. If the Planning Commission Board allows this, the Zoning Ordinance would have to be changed and this would need a public hearing.

Lund said what the Church would like is a sign that has plastic panels with internal lighting where the wording can easily be changed. The lighting they were told from the sign company would be soft lighting and non-reflective.

Blake said that the Zoning Ordinance reads only external illumination shall be permitted for residential entrance ground signs. The Planning Commission allowed Belle Haven to have an internal lit monument sign in a residential area with the stipulation of having a Planned Unit Development. What the Church is suggesting of having is more of a commercial type of signage that does not fit in a residential neighborhood. Blake suggest they have a monument sign that has external lighting from the top and shines down. If the Planning Commission Board wanted to change this in the Zoning Ordinance, Blake is concerned of other Churches asking for this sign request in residential areas. Could there be request for reader board signs for public and semi-public uses.

Steinbrecher wonders if the internal is less offensive for neighborhood.

Hanson said if the Ordinance were changed to allow internal lighting, he would like to have the applicant to have to show what signage they are wanting.

Thompson agrees. He suggest if the Ordinance were changed that the applicant would need a Conditional Use Permit where each one gets addressed individually.

Blake said public and semi-public uses that are in residential areas could be amended in the Ordinance that are not homes. The Planning Commission could look at the signage language for reader boards for residential areas. This open ups additional discussion in the Zoning Ordinances. Blake suggest a narrow amendment here and open up large areas for signage down the road. Blake would do a zoning amendment to address this concern and look at the bigger picture later on.

HANSON MOVED, SECOND BY STEINBRECHER TO HAVE CITY STAFF MAKE AN AMENDMENT CHANGE TO CHAPTER VII OF THE PRINCETON ZONING ORDINANCE THAT WOULD ALLOW INTERNAL LIGHTING FOR READER BOARD SIGNS BY CONDITIONAL USE PERMIT IN SELECT RESIDENTIAL ZONING DISTRICTS, FOR A

PUBLIC HEARING AT THE DECEMBER 15, 2008, PLANNING COMMISSION MEETING.
UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

NEW BUSINESS: None

COMMUNICATION AND REPORTS:

A. City Council Minutes for October, 2008

The Planning Commission Board had no comments.

B. Verbal Report

Blake said that Arcadian Homes is a older development that has 12 units and three or four of the complexes are in foreclosure and four units are still occupied. The City has been dealing with mold issues and garage at some of the units. Residents that still occupy a few of the units are not paying rent or electricity either. This has been going on for approximately a year. When sewer problems developed the City had to step in and have sewage taken care of. The City is deciding how to deal with this problem. Blake has been contacted from Greater Minnesota Coalition that they have received 39 million dollars to help cities with foreclosures. Princeton qualifies for this program because of their high foreclosure rate. Blake has to give them an outline of how the City would use approximately \$800,000 from this Coalition to help and repair these foreclosed homes. The Public Utilities is giving the City a list of the foreclosures. Blake has to come up with ideas of how these funds could be used. The City of Minneapolis has used these funds in some of there areas. Princeton is one of eight cities that was in a critical zone. The City Council will get more information on this at their Council meeting this week. This is a fund of \$796,000 with the City not having to make any match. The EDA Board had suggested a telecommunication center that could go in a foreclosure site and be rent.

Dave Thompson, Princeton Public Utilities, wanted to update the Planning Commission Board that he is going to proposed that LED lighting be installed downtown. He is proposing from Rum River Drive to Second Street North and Second Street South, as a test zone. They would see if the cost then would be less for usage.

HANSON MOVED, SECOND BY STEINBRECHER TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:40 P.M.

ATTEST:

Dave Thompson, Chairperson

Mary Lou DeWitt, Comm. Dev. Assistant