

**THE REGULAR MEETING OF THE PRINCETON PLANNING COMMISSION BOARD  
HELD ON JUNE 18, 2007, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

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The meeting was called to order at 7:03 P.M., by Dave Thompson. Members present were Ken Haskamp, Jack Edmonds, and Lee Steinbrecher. Township members present were Dan Minks, Princeton Township, and Bryan Lawrence, Baldwin Township.

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON MAY 21, 2007**

HASKAMP MOVED, SECOND BY STEINBRECHER TO APPROVE THE MINUTES OF MAY 21, 2007. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**PUBLIC HEARING:**

**A. #07-06 Variance at 107 9<sup>th</sup> Avenue South**

DeWitt informed the Planning Commission Board that the applicant had purchased a house at 107 9<sup>th</sup> Avenue South that had an existing ground level deck built in July, 2003. The deck measures 32'4" x 25' x 12". The Zoning Ordinance for R-3 Multi-family Residential requires a side yard setback of ten feet.

There is a stipulation in the Zoning Ordinance under Chapter VI, Performance Standards, Page 24, Section W., Yards and Open Space: Terraces, steps, uncovered porches, stoops, or similar structures which do not extend above the height of the ground level floor of the principal building and do not extend into required yard setback a distance of five (5) feet. With this being the case, the deck was able to be built five feet into the ten foot setback.

Now with the applicant wanting to enclose the deck it would not apply with the Zoning Ordinance and a five foot variance would be needed. The section on the south side of the property is in the five foot setback. The City Building Official had become aware that the property owner had begun building the enclosed deck without a permit and put a stop order on the work. The applicant was not aware she had to take out a permit or that this was imposing on the setback ordinance.

Mary Zilka, applicant was present and told the Planning Commission Board that she likes to garden and sit outside and the bugs are bad and wanted a screened porch. Zilka said the house to the south of her's does not have ten feet to there property line.

Blake said that home predates the zoning ordinance.

Steinbrecher asked if it were possible to move the patio door to the backside of the house where they could enter an enclosed area from the back.

Zilka said that a water line is back there and the fireplace is also on that wall.

Steinbrecher suggested replacing the four windows on the back side of the house with a sliding glass door or door system where the side yard is not infringed on.

Zilka said that will be additional cost to have it done.

Steinbrecher commented that there would be no windows on the south side of the house so that would help the cost.

Zilka said that is the only area in that living room that could hold a large couch so that would not work.

Thompson asked if a roof were to be put on the south side would they need a variance.

Blake said an uncovered porch is okay, but the overhang would not be. There would be an eave that would be put there that cuts into this side yard.

Rodney Johnson, 103 9<sup>th</sup> Avenue South, commented that he lives on the north side of this home and is okay with what Zilka is building.

Judy Sugimura, 109 9<sup>th</sup> Avenue South, lives on the south side of Zilka's property and her and her husband have no problem with Zilka would like to build.

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

Steinbrecher commented that he is not in favor of infringing on the side yard. This project could go ahead with not infringing on the south side of the property. The back of the porch could be enclosed. Steinbrecher believes this is a doable situation. The five foot wide area is a walk way to the porch. He is not in favor of granting the variance.

Haskamp commented that with the older sections in the city if there will be more of these situations for variances.

Blake said it is a possibility we may see a few in time. He has seen in other communities where they have allowed a small deck on the side of the house to get to the back to the bigger deck. What has to be considered is storm water run off from the roof and going into the neighbors property, air flow, and public safety with the fire and police department.

Thompson asked Zilka if this Variance were denied then she is saying she would have to modify her great room to fit the furniture she has in there to work around the change.

Zilka said yes, plus the water line would need to be moved.

Thompson said that when this home was built a sliding glass door was allowed in the plans and should not have been able to be put in.

Blake said if it were on the second floor then it would have been a problem and this is on the first floor. Reasonable use of the property is the item to review.

Edmonds commented that the existing neighbors do not have a problem, but will this hurt the sale of those properties if they were to sell down the road. That has to be looked at. It is the old part of town and that is also the flip side of this.

Steinbrecher said that the other option is keeping the patio door and enter on the existing walkway to the back that could be enclosed.

STEINBRECHER MOVED, SECOND BY HASKAMP TO DENY ITEM #07-06 VARIANCE AT 107 9<sup>TH</sup> AVENUE SOUTH. 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. Us 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? No.
4. Will the issuance of the variance maintain the essential character of the locality? No, it will allow encroachment of neighboring properties.
5. Does the alleged hardship involve more than economic considerations? Yes, drainage issues, future sale, other options.

**B. Multi-family Building Height Amendment in R-3 Zoning District**

Blake informed the Planning Commission Board the he has met with a number of Developer's that are looking at Multi-family Residential sites within the City. It has come to staffs attention that the City has a 30 foot high building restriction for Multi-family structures. The City does allow commercial structures to exceed 30 feet as measured to the eaves in all Commercial or Industrial Districts by Conditional Use Permit.

Blake had spoken with the City's Building Official and Fire Department regarding this limitation. Both the Building Code and Fire Code allow higher buildings based on occupancy, but in multi-family, they also require sprinkling of structures with more than a certain number of units.

Blake is proposing that a multi-family building be allowed to exceed 30 feet in height as measured as the eaves, if approved by a Conditional Use Permit.

Blake is recommending this to be approved by the Planning Commission to forward to the City Council for amending this multi-family building height.

Steinbrecher asked if with this height should, sprinklers be added as a necessary in the building.

Blake responded that yes, this could be added to the language with appropriate water and sprinkler protections, fire suppressions measures.

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

STEINBRECHER MOVED, SECOND BY EDMONDS TO RECOMMEND THE AMENDMENT TO MULTI-FAMILY BUILDING HEIGHT IN R-3 ZONING DISTRICT BE FORWARD TO THE CITY COUNCIL WITH THE FIRE LANGUAGE TO BE ADDED. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**OLD BUSINESS:**

**A. Concept Plan for Multi-family – Briggs Company**

Blake said this is an informal review. The Briggs Company has made changes to the plans. A TIF District is being looked at for this area. This will be going to the City Council to be reviewed. Purchase agreements have been in process for two properties. Two phases of building is being looked at.

Mike Olson, Brigg's Co., was present and said that they had worked on what a good utility plan for this area would be. They have decided that one of the homes will have to be removed that is in this area and

are working on a purchase. This will update the area. Driveway access would be limited coming off First Street to be used instead of the Aero Business Park road. The first phase would be the 40 unit building. This would be less expensive and then they can see how well the leasing of the property will work. The road infrastructure can be worked on. They are thinking of putting 100 unit structures in a six acre area which would also have green space and a play area for children. Building number two would be pulled back so there is a thirty foot buffer for trees and landscaping. This would be three levels with slab on grade. Water table issues are looked at and this is the best for this land without basement or underwater garages. There is an additional detached garage to this facility. He believes one enclosed garage for each unit is needed. One parking for outside and one inside would be for each unit. The play area is across the parking lot, but they are looking at installing a sidewalk to make it safer for the children to reach.

Blake said this site is zoned for multi-family and best use for this property. The crosswind runway is outside the area. Blake wanted the Planning Commission Board to see this new plan and plans are for July a P.U.D. and Preliminary Plat would be on the agenda.

Edmonds asked if the Doebler property will be included in this.

Olson said they have a purchase agreement on this property and would really work well for the other property around it, Strong's property. Their intent is to clean up the area and removing this structure would be helpful. They may not use it, but could sell it down the road. The property is across the street.

Edmonds likes this look as long as it stays as the plans being shown tonight. This could fit the area much better than he first thought.

Steinbrecher questioned if the access point from First Street would be on the Doebler property and Blake said yes. Blake said there would be four individual access points that are there now and would be removed, and one would replace all of those.

Olson said his company does build commercial properties and office complexes. They work a lot in Elk River. This could be a possibility for them if they feel it would work in this area. They need the TIF District to help with these plans. They have to acquire a right-of-way and then acquire the unused portion of land from Strong Built Homes, and the third process in discussion is buying all the land to the west of this. This is the old hanger area. This is to make better sites on 21<sup>st</sup> Avenue.

Thompson said that he thought Mike Nielson, City Engineer with W.S.B., thought coming off 21<sup>st</sup> Avenue would be better for sewer and Olson said yes. That is what they would like to do. Building in two phases would work best here.

Thompson said the only issue he had with the first concept was the under ground garages and since they are not having those anymore, their plans should work well.

## **NEW BUSINESS:**

### **A. Sign Review for Belle Haven**

Blake informed the Planning Commission Board that Belle Haven is requesting to install a 72" x 76" monument sign between the sidewalk and driveway access lane. Monument signs have been amended in the zoning ordinance and this meets the standard. The proposed location is in a drainage easement and does not appear any of the utilities are in this easement area of where the sign would be placed.

Thompson, Public Utilities Manager, said it should work, but they will have to call Gopher One to make sure no utilities are there.

EDMONDS MOVED, SECOND BY STEINBRECHER TO APPROVE THE MONUMENT SIGN FOR BELLE HAVEN WITH THE UTILITIES BEING CHECKED BY GOPHER ONE AND NEEDED PERMIT APPLIED FOR. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**COMMUNICATION AND REPORTS:**

**A. City Council Minutes for May, 2007**

The Planning Commission Board had no comments.

**B. Verbal Report:**

Blake informed the Planning Commission Board that Dollar Bell Store signage is a problem right now. Dollar Bell does not want to pay the expenses for the City Engineer to review the sign request. Blake is under the belief that if the party requesting signage approval is not present at the meeting then action should not be taken on the item. The Visionary Committee is requesting the City Council to review a request for a Joint Trails Board that would have six townships members and the School Board to set-up a regional trail planning. The City received \$98,000 from DNR to acquire the Reibe property. The City will come up with the second half. Bio Matrix is moving into the Bell Canoe building. They will be going from three employees to ten. Anoco Medal Services, Inc. from Columbia Heights, MN, is looking at moving there business to Princeton. North Memorial is looking at building here and having a hanger here. They would have their helicopter here. The Tax Increment Financing is moving along and Blake is moving this to the City Council. The Comprehensive Plan was done in 2004 and needs to be re-looked at. The Land Use Plan is not correct in a number of locations and needs to be updated next year in January. Blake will bring this to the Planning Commission Board and City Council at that time. Not all of it has to be reviewed. The water table and types of uses needs to be reviewed. A consultant may be hired for this. Discussions with Baldwin Township, two township members and two from City Council, are meeting to review orderly annexation agreement. This is for Clint Corrows property south of town. They will be meeting more on this. It has been working well. No news on any anchor stores.

Thompson said private streets need to be reviewed with the City and an ordinance needs to be adopted on this.

Blake said that private roads would need to meet the Public Works grading concept. There are private parking lots for apartment buildings. Staff is against private streets. Staff will look at the language regarding streets and see if it needs revising.

STEINBRECHER MOVED, SECOND BY HASKAMP TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:15 P.M.

ATTEST:

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Dave Thompson, Chairperson

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Mary Lou DeWitt, Comm. Dev. Assist.