

**THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON FEBRUARY 23,
2015, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

The meeting was called to order at 7:00 P.M., by Jack Edmonds. Members present were Jeff Reynolds, and Eldon Johnson. Staff present were Jolene Foss (Comm. Dev. Director), and Mary Lou DeWitt (Comm. Dev. Assistant).

Absent was Chad Heitschmidt.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON FEBRUARY 23, 2015

REYNOLDS MOVED, SECOND BY JOHNSON, TO APPROVE THE MINUTES OF JANUARY 26, 2015. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS: None

PUBLIC HEARING:

A. #15-03 Conditional Use Permit to allow an accessory building that exceeds 1,000 square feet in R-3 Zoning District

Community Development Director Memo:

BACKGROUND

The PUC is requesting a Conditional Use Permit to construct an accessory building which would be replacing an existing storage shed.

ANALYSIS

The subject parcel is located at 907 1st Street, Princeton. The legal description is Sec 33 Twp 36 Range 26 Lot-6 Blk-4, Carter's 2nd Addition. This is located just south of the main office along 10th Avenue South.

The request is to build an accessory building, 50'x32', with footings and a cement floor to be used for cold storage. The PUC will be tearing down and old lean-to, a metal shed with rotting walls and an existing building approx. the same size as the proposed building. The location is zoned R-3.

Conditional Use Permit:

Accessory building which exceeds 1000 square feet 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 conforms to the City's Comprehensive Plan and is comparable with present and future land uses of the area.

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

Connie Wangen, (Princeton Public Utilities General Manager) and Scott Daniels (Princeton Public Utilities) were present to answer any questions.

Edmonds opened the public hearing.

There were no comments from those present.

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

Scott Daniels said the new building will match the color of potato warehouse that is there.

Edmonds asked Foss if staff is approving the Conditional Use Permit application or not.

Foss said staff supports it.

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE ITEM #15-03 CONDITIONAL USE PERMIT FOR PRINCETON PUBLIC UTILITIES LOCATED AT 907 FIRST STREET TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS 1,000 SQUARE FEET IN R-3 ZONING DISTRICT. THE EDCO STEEL SIDING WAS APPROVED MATERIAL TO USE AS THE SIDING ON THE OUTSIDE OF THE BUILDING. 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. #15-04 Variance to allow an accessory building to be more than the maximum height of 15 feet in the R-3 Zoning District

Community Development Director Memo:

BACKGROUND

The PUC is requesting a Variance to construct an accessory building at a height of 18 feet which would be replacing an existing storage shed.

ANALYSIS

The subject parcel is located at 907 1st Street, Princeton. The legal description is Sec 33 Twp 36 Range 26 Lot-6 Blk-4, Carter's 2nd Addition. This is located just south of the main office along 10th Avenue South.

The request is to build an accessory building, 50'x32', with footings and a cement floor to be used for cold storage. **The building would be built to a height of 18 feet.** The PUC will be tearing down an old lean-to, a metal shed with rotting walls and an existing building approx. the same size as the proposed building. The location is zoned R-3.

Variance:

Accessory building which exceeds 15 feet in height within an R-3 Zone require a Variance.

GENERAL VARIANCE REVIEW STANDARDS

Subsection 3.B of Chapter IV outlines the standards for review of a Variance:

1. *Is the variance in harmony with the general purposes and intent of the zoning ordinance?*
Comment: The variance is in harmony with the general purposes and intent of the zoning ordinance.
2. *Is the variance consistent with the Comprehensive Plan?*
Comment: It appears the variance will remain consistent with the Comprehensive Plan.
3. *Does the property owner propose to use the property in a reasonable manner not permitted by the zoning ordinance?*

Comment: The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.

4. *Are there circumstances unique to this property not created by the landowner?*

Comment: There are no circumstances unique to this property not created by the landowner.

5. *Will the issuance of the variance maintain the essential character of the locality?*

Comment: The issuance of the variance will continue to maintain the essential character of the locality.

6. *Does the alleged practical difficulty involve more than economic considerations?*

Comment: Yes, the Public Utility Commission vehicles require an increased height allowance for entrance into the building.

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

Foss said that she supports approval of this.

Edmonds opened the public hearing.

There were no comments from those present.

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

EDMONDS MOVED, SECOND BY JOHNSON, TO APPROVE ITEM #15-04 VARIANCE FOR PRINCETON PUBLIC UTILITIES LOCATED AT 907 FIRST STREET TO ALLOW AN ACCESSORY BUILDING TO BE MORE THAN THE MAXIMUM HEIGHT OF 15 FEET IN THE R-3 ZONING DISTRICT. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the variance in harmony with the purpose and intent of the Ordinance? Yes.
2. Is the variance consistent with the Comprehensive Plan? Yes.
3. Does the proposal put the property to use in a reasonable manner? Yes.
4. Are there unique circumstances to the property not created by the landowner? Yes.
5. Will the variance maintain the essential character of the locality? Yes.
6. Does the alleged practical difficulty involve more than economic considerations? Yes.

OLD BUSINESS: None

NEW BUSINESS:

A. B-1 Central Business District Amendment

Community Development Director wrote the following memo:

B-1 Central Business District currently states that churches or places of worship and educational

facilities are an allowed use with an Interim Use Permit.

Members of the Planning Commission have requested this Zoning Ordinance be analyzed and possibly amended to disallow this usage.

League of Minnesota Cities – Zoning Guide January 2015

Establishing permitted and conditional uses Sample Permitted and Conditional Uses. See LMC information memo, Land Use Conditional Use Permits. In drafting a zoning ordinance, cities often struggle to decide what their permitted and conditional uses should be for each zoning district. For each district created by the zoning ordinance, the ordinance typically provides a list of the permitted and conditional uses. Appropriate uses will change from district to district. Uses designated as “permitted” will be automatically allowed with no need for further application or review (related to zoning) by the city. Therefore, the list of permitted uses should only contain uses about which the city has no reservations. Conditional uses are also a form of authorized permitted use, provided that the applicant can meet the conditions specified in the ordinance.

Uses specified as conditional are uses which are generally favorable and desired, but may also pose potential hazards that need to be mitigated (for example a gas station on a corner in a residential neighborhood). As a result of these potential hazards, council review is necessary. It is important to stress that conditional uses, like permitted uses, must be allowed if the applicant can prove that the application meets all of the conditions and requirements of the city’s ordinance and will not be detrimental to the health, safety and welfare of the public. As a result, the list of conditional uses should only contain uses that the city is certain should be allowed once appropriate conditions are met.

City staff does not have the B-1 Zoning history, and is not certain where to find that information. Research has revealed that most cities do allow churches and schools to function within B-1 zone with a conditional use permit.

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

Foss asked questions around City Hall and said she would really have to research when that was put in place. She included a paragraph in her memo of what the League has. It isn’t to say that the City of Princeton could not eliminate churches in this district.

Edmonds said his question was why do we allow churches downtown and he now understands there is no need to further look into it. We have control to put conditions on an Interim Use Permit or even a Conditional Use Permit.

Foss has not heard anything on the church that has come into town.

Edmonds said on the public hearing we just did for the Princeton Public Utilities building could their site have a different zoning so they wouldn’t have to come for a public hearing for a change like they had tonight. Edmonds said the Comprehensive Plan could be reviewed later in

the year.

COMMUNICATION AND REPORTS:

A. Verbal Report

Foss said she does not have any verbal reports.

B. City Council Minutes for February, 2015

The Planning Commission Board had no comments.

JOHNSON MOVED, SECOND BY REYNOLDS, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:25 P.M.

ATTEST:

Jack Edmonds, Chairperson

Mary Lou DeWitt, Comm. Dev. Assistant