

**THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON APRIL 20TH, 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, Eldon Johnson, and Chad Heitschmidt. Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

APPROVAL OF MINUTES OF THE REGULAR MEETING ON MARCH 16, 2015

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE MINUTES OF MARCH 16, 2015. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIOINS/DELETIONS:

JOHNSON MOVED, SECOND BY HEITSCHMIDT, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #15-06 Interim Use Permit for mini-storage in B-3 Zoning District

Comm. Dev. Director Memo:

BACKGROUND

Jared Hanson has submitted an application for an Interim Use Permit to allow a Mini-Storage Facility and outdoor storage in a B-3 General Commercial District.

ANALYSIS

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-Way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, and Range 26, PID #24-029-0405.

The location is zoned B-3 General Commercial District.

The intent of the B-3 General Commercial District is to create an area to serve the commercial and service needs of the general population. The objective is to provide service to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

The following use is permitted by the issuance of an Interim Use Permit:

Mini storage facilities, including exterior and interior only accessible facilities provided that:

- (a) No Building to exceed 4,000 sq. with no more than 4 buildings per site

See variance request):

- (b) No site shall be closer than 1,000 feet from another mini-storage facility;
- (c) No building shall be closer than 50 feet from a neighboring residential zone;
- (d) Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.
- (e) No outdoor storage is permitted.

(Due to location, Staff does not approve of the request to allow outdoor storage at this facility).

- (f) The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street.

Interim Use Permit Review Standards/Findings of Fact. When reviewing application for an interim use, the City shall base its judgement on the following factors and any other factors it may deem appropriate for the specific property. The interim use may be granted if:

1. *The proposed use is interim use listed in the district in which the application is being made;*
Staff: Mini-storage facilities are listed as an interim use in a B-3 General Commercial District.
2. *The date or event that will terminate the use can be identified with certainty and continued;*
Staff: The Planning Commission shall recommend to the City Council a date or event that will terminate the use. Staff is recommending that the Interim Use Permit terminate when and if Jared Hansen decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
3. *The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters;*
Staff: It does not appear that the proposed interim use will result in adverse effects on the public health, safety, and welfare, no does it create additional pollution potential for ground and surface waters.
4. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.
Staff: It does not appear that permission of the use will impose additional costs on the public if it is necessary for the public to take the property in the future.

CONCLUSION/RECOMMENDATION

Based on the findings that the proposed Interim Use appears to meet the review standards and provisions as listed in the Zoning Ordinance, staff would recommend that the Planning Commission recommend approval to the City Council of the proposed Interim Use Permit for a Mini-Storage Facility in B-3 General Commercial District with the approved variance request for buildings over 4,000 sq. ft. This recommendation is contingent upon these:

Conditions of Approval:

1. The Interim Use Permit terminate when and if Jared Hansen decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
2. Verification and submission of a grading plan and drainage calculations to verify that additional runoff does not negatively affect the adjacent properties, as requested by the

City's Engineer. Verification that culvert is sized to handle additional rate of runoff from the site.

3. Submission and verification of landscaping plans, planting and construction schedule to Zoning Administrator before beginning construction.
4. Verification by Zoning Administrator of type and height of lighting fixtures.
5. A NPDES storm water permit will be required.

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

Memo from Jared Hansen, applicant:

March 29, 2015

Dear City of Princeton:

This letter is to inform you of my plans to begin building a safe, protected and profitable storage facility for all Princeton, and surrounding residence to benefit from. The purpose of this request is to allow me to build a larger sq. ft. facility than currently allowed in the Zoning Ordinance. Presently, the building code for four buildings not exceed 4,000 sq. ft., however I would like to build three buildings but 8,000 sq. ft. each. This will allow the proper room that customers will need for a more preferred storage unit. Additionally I would like to permit for the use of outside storage as well since this plot of land is 1,300 ft. long I will only be using 750 ft. The remainder of the lot will be left untouched for wild life and plant life to continue living unchanged. The reason for this building sizes is because I would like to have more units to donate storage for our community. School, churches, charities, rescues, a specific group or club that benefits the city and its residence. Also please consider outside storage for this facility in the event that in some customers may need to store vehicles, motorized boat, recreation vehicles and other such property that may be too big for a standardized storage unit to accommodate. This alternative is so everyone can use this facility as needed. Furthermore, the facility will have a privacy chain link fence facing the residence side to assure that the outside parking portion will not be capable of being seen.

Sincerely,
Jared Hansen

*****End of applicant's memo*****

Edmonds said if he is okay with the conditions. He spoke to the applicant and said that in his letter he requested outside storage. Staff recommends not allowing it.

Jared Hansen is okay with the conditions except for the outside storage. He will have a lot left and would like to put RV's and boats on that partial of land.

Edmonds opened the public hearing.

Jeff Field, 1411 17th Avenue North said that four or five years ago when Dan Howard was going to do this there was going to be a berm put in.

Hansen said he will be putting in six foot fencing. If outside storage he would do a higher fence. It would be slated.

Field asked how far off the property will it be from residential.

Hansen said about 50 feet and then it would be 30 feet from the road.

Laurie Watson, 1405 17th Avenue North asked what will be the lighting for the area.

Hansen said he will work with the neighbors. It would be worked out and also have a security camera.

Reynolds suggested directional lighting where it is down cast.

Edmonds said have it in the conditions that the lighting is downcast.

Foss said she will work with him on that to use downward lighting.

Jeff Watson, 1405 17th Avenue North asked where does the road come in. The Princeton Township Industrial Park is to the north of this site.

Johnson said at the end of the residential homes it narrows down to one lane.

Jeff Watson said where it narrows down you would take a right to Princeton Industrial Park.

Foss said she spoke to someone and the actual traffic is one to two vehicles per day. The initial moving in would generate traffic and from then on there would not be much at all.

Edmonds said the street can be addressed once it is built. If need to be widen it can be looked at.

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

Heitschmidt asked what the reasoning for not recommending the outside storage is.

Foss said the plans do not include the outdoor storage. The larger size buildings, it would not need it. If larger fence maybe could work with him.

Heitschmidt said he sees it is not allowed in the Zoning Ordinance.

Johnson said it should be a Conditional Use Permit not an Interim Use Permit.

DeWitt explained that the Ordinance states an Interim Use Permit is needed for mini-storage and the Ordinance would need to be amended to have it as a Conditional Use Permit. We could make that change in the future to the Ordinance.

JOHNSON MOVED, TO APPROVE ITEM #15-06 INTERIM USE PERMIT TO ALLOW A MINI-STORAGE FACILITY IN A B-3 GENERAL COMMERCIAL ZONING DISTRICT LOCATED AT NORTHWEST OF NORTHEAST, LYING EAST OF HIGHWAY #169 RIGHT-OF-WAY, DESCRIBED AS PARCEL "G" OF 10/27/80 SKETCH, PID #24-029-0405, WITH THE FOLLOWING CONDITIONS:

1. THE INTERIM USE PERMIT WILL TERMINATE WHEN AND IF JARED HANSEN DECIDES TO SELL THE SITE IN THE FUTURE. UPON THE SALE OF THE LAND THE INTERIM USE PERMIT TERMINATES AT THE SALE.
2. VERIFICATION AND SUBMISSION OF A GRADING PLAN AND DRAINAGE CALCULATIONS TO VERIFY THAT ADDITIONAL RUNOFF DOES NOT NEGATIVELY AFFECT THE ADJACENT PROPERTIES, AS REQUESTED BY THE CITY'S ENGINEER. VERIFICATION THAT CULVERT IS SIZED TO HANDLE ADDITIONAL RATE OF RUNOFF FROM THE SITE.
3. SUBMISSION AND VERIFICATION OF LANDSCAPING PLANS, PLATING AND CONSTRUCTION SCHEDULE TO ZONING ADMINISTRATOR BEFORE BEGINNING CONSTRUCTION.
4. VERIFICATION BY ZONING ADMINISTRATOR OF TYPE AND HEIGHT OF LIGHTING FIXTURES.
5. A NPDES STORM WATER PERMIT WILL BE REQUIRED.
6. NO OUTSIDE STORAGE.

Foss suggested to approve in B-3 Zoning and approve the outdoor storage once staff sees how it looks then staff could approve it.

Edmonds said the outdoor storage is not allowed in the Interim Use Permit.

Heitschmidt agreed. It is not allowed.

Edmonds said we first have to approve the Interim Use Permit and then go to the variance application.

HEITSCHMIDT SECOND. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the proposed use an interim use listed in the district in which the application is being made? Yes.
2. Is the date or event that will terminate the use can be identified with certainty and continued? Yes.
3. The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters? Yes.
4. Would permission of the use not impose additional costs on the public if it is necessary for the public to take the property in the future? No.

B. #15-07 Variance for mini-storage that exceed 4,000 square feet in B-3 Zoning District & Site Plan Review

Comm. Dev. Director Memo:

BACKGROUND

Jared Hansen has applied for a variance to construct mini-storage buildings that exceed 4,000 sq. ft. in B-3 District. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to, or the result of, general conditions in the district in which the property is located.

ANALYSIS

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-Way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, Range 26. PID #24-029-0405.

The request is to build three mini-storage units that will exceed 4,000 square feet. The location is zoned B-3.

Variance:

Accessory building which exceeds 4,000 sq. ft. within a B-3 Zone requires 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: Yes- 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: Yes- 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: Yes-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: Yes- There are 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: Yes- Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.

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

Comment: Yes- The unique circumstances are not merely financial and are not due to, or the result of, general conditions in the district, in addition, the shape of the parcel is a consideration.

*****End of staff memo*****
Edmonds opened the public hearing.

Jeff Watson asked why they are so big.

Jared Hansen said the guidelines say 4,000 square feet with no more than four buildings per site. He wants to go with three buildings with 8,000 square feet for each.

Jeff Watson asked if this would decrease their property value.

Edmonds said no, it should not.

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

REYNOLDS MOVED, SECOND BY JOHNSON, TO APPROVE ITEM #15-07 VARIANCE TO CONSTRUCT MINI-STORAGE BUILDINGS THAT EXCEED 4,000 SQUARE FEET FOR EACH OF THE THREE INDIVIDUAL UNITS IN A B-3 GENERAL COMMERCIAL ZONING DISTRICT. THE PROPERTY SITE IS LOCATED AT NORTHWEST OF NORTHEAST, LYING EAST OF HIGHWAY #169 RIGHT-OF-WAY, DESCRIBED AS PARCEL "G" OF 10/27/80 SKETCH, PID #24-029-0405. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission 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.

Site Plan Review for Jared Hansen, Mini-Storage Facility:

Comm. Dev. Director Memo:

BACKGROUND

Jared Hanson has submitted an application for a site plan review for a Mini-Storage Facility in a B-3 General Commercial District.

ANALYSIS

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, and Range 26, PID #24-029-0405

The location is zoned B-3 General Commercial District.

Access/Traffic Flow/Lots. Access is being addressed with roadway space that encircles the buildings. The proposed roadway provides no less than 28 feet of width around the proposed buildings.

Parking. Due to the nature of the facility, no on-site parking spaces are provided. Parking of vehicles while loading and unloading from storage unit will occur directly in front of the storage unit's door. Parked cars at the door of the storage unit will not impede traffic that may need to navigate around the site to access another unit.

Landscaping. The landscape plan is yet to be submitted. Zoning Administrator shall verify compliance of landscape plan.

Signage. No signage has been applied for as a part of this application. Any new signs will require approval prior to installation. (New freestanding signs require Planning Commission review).

Building Materials. All building materials are approved within the B-3 Zoning Ordinance. No pole type construction will be permitted.

City Engineer. The City Engineer has reviewed the site plan application and submitted comments via a memo. Approval of the site plan shall be subject to the conditions and recommendations in the memo.

CONCLUSION

Based on the above review, staff is recommending approval of the site plan review for Jared Hansen's Mini-Storage Facility, subject to the following conditions:

1. Staff is recommending that the Interim Use Permit terminate when and if Jared Hansen decided to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
2. Verification and submission of a grading plan and drainage calculations to verify that additional runoff does not negatively affect the adjacent properties, as requested by the City's Engineer. Verification that culvert is sized to handle additional rate of runoff from the site.
3. Submission and verification of landscaping plans, planting and construction schedule to Zoning Administrator before beginning construction.
4. Verification by Zoning Administrator of type and height of lighting fixtures.
5. A NPDES storm water permit will be required.

*****End of staff memo*****

Foss said there is not a lot of landscaping at the other mini storages, seed or sod will be needed where the grass areas are now. Probably not any trees or shrubs since there will be fencing, but will be reviewed by staff. Stick frame building.

Hansen said he is okay with the conditions. For snow removal he will take care of it. The snow will stay on the lot. There is a lot more empty area on the south side of the lot. Will melt for drainage.

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE SITE PLAN FOR THE MINI-STORAGE FACILITY AT NORTHWEST OF NORTHEAST, LYING EAST OF HIGHWAY 169 RIGHT-OF-WAY, DESCRIBED AS PARCEL "G" OF 10/27/80 SKETCH, WITH THE FOLLOWING CONDITIONS:

1. STAFF IS RECOMMENDING THAT THE INTERIM USE PERMIT TERMINATE WHEN AND IF JARED HANSEN DECIDES TO SELL THE SITE IN THE FUTURE. UPON THE SALE OF THE LAND THE INTERIM USE PERMIT TERMINATES AT THE SALE.
2. VERIFICATION AND SUBMISSION OF A GRADING PLAN AND DRAINAGE CALCULATIONS TO VERIFY THAT ADDITIONAL RUNOFF DOES NOT NEGATIVELY AFFECT THE ADJACENT PROPERTIES, AS REQUESTED BY THE CITY'S ENGINEER. VERIFICATION THAT CULVERT IS SIZED TO HANDLE ADDITIONAL RATE OF RUNOFF FROM THE SITE.
3. SUBMISSION AND VERIFICATION OF LANDSCAPING PLANS, PLANTING AND CONSTRUCTION SCHEDULE TO ZONING ADMINISTRATOR BEFORE BEGINNING CONSTRUCTION.
4. VERIFICATION BY ZONING ADMINISTRATOR OF TYPE AND HEIGHT OF LIGHTING FIXTURES.
5. A NPDES STORM WATER PERMIT WILL BE REQUIRED.
6. OPTION TO GO TO A EIGHT FOOT HIGH FENCE.

UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Jim Kusler asked where the culvert will be.

Hansen said on the north side of the driveway, coming off of the street. The runoff will be by Highway 169 where there is a pond as well. It will run both ways.
Heitschmidt asked from the edge of the bituminous will be what.

Hansen said grass and a few trees.

Foss will let Hansen know if it will be on this coming Council meeting for Interim Use Permit.

OLD BUSINESS: None

NEW BUSINES: None

COMMUNICATION AND REPORTS:

A. Verbal Report

1) Comprehensive Plan insufficient in supporting CUP – Discussion

Edmonds said he is on the Mille Lacs County Planning Commission Board and this is something Michele McPherson brought to their attention. The Supreme Court overturned a Conditional Use Permit because the Comprehensive Plan is not a regulatory document, but a guideline.

Foss asked if the Ordinance stands over the Comprehensive Plan.

Edmonds said yes. The Comprehensive Plan is not the standing document for overturning the Conditional Use Permit.

B. City Council Minutes for March, 2015

The Planning Commission Board had no comments.

HEITSCHMIDT MOVED, SECOND BY JOHNSON, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:03 P.M.

ATTEST:

Jack Edmonds, Chairperson

Mary Lou DeWitt, Comm. Dev. Assistant