

**THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON SEPTEMBER 21, 2015, AT
7:13 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

The meeting was called to order at 7:13 P.M., by Jack Edmonds. Members present were Jeff Reynolds (arrived at 7:13 P.M.), Chad Heitschmidt, and Jim Kusler (Princeton Twsp. Representative). Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

**APPROVAL OF MINUTES OF REGULAR MEETING ON JULY 15, 2015 AND THE SPECIAL
PLANNING COMMISSION MEETING OF AUGUST 3RD, 2015**

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE THE MINUTES OF JULY 15, 2015. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED

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

AGENDA ADDITIONS/DELETIONS:

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #15-13 Conditional Use Permit at 701 16th Avenue North
Community Development Director Memo:

BACKGROUND

Jim Thompson, on behalf of Moose International, Inc. Lodge #2331, has applied for a conditional use permit for the property address at 701 16th Ave N Princeton MN 55371 PID #24.560.0020 Section 29, TWP 36, Range 26, Lot 2, Block 1, Maple View development, Mille Lacs County.

ANALYSIS

The request is for Auto Sales Lot and Recreational Vehicle Sales and Service.

Comprehensive Plan. The Future Land Use Plan designates this property as Highway Commercial.

Zoning. The current zoning for this property is B-3 General Commercial.

Automobile and Recreational Sales and Service is an allowable use in B-3 with a Conditional Use Permit provided that:

(a) A minimum lot area of 1 acre is required and the use shall be on 1 lot or contiguous lots not separated by a public street or other use.

- (b) A minimum lot width of 100 feet is required.
- (c) The parking area for the outside sales and storage area, whether for a new or the expansion of an existing facility, shall be hard surfaced by the date determined by the Planning Commission after consideration of the size and scope of the project, and the effect of the cold weather season on paving construction materials, but in no event more than 10 months after final city approval. Parking areas shall be maintained to control dust, erosion, and drainage before and after hard surfacing. No parking or display of vehicles for sale shall occur on landscaped areas. Customer parking shall be clearly marked (Rev. 02-28-13; Ord. 696).
- (d) Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas.
- (e) All areas of the property not devoted to building or parking areas shall be landscaped.
- (f) Noise from electronic speaker devices shall be regulated in Chapter VI, Performance Standards.

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: It does not appear that the proposed use will violate the health, safety or general welfare of 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 does not appear that the proposed use will create any potential erosion, runoff, water pollution and sedimentation issues.

3. *Adequate parking and loading is provided in compliance with the Ordinance.*

Comment: The parking requirements are being met and any potential repair will be either overlay or seal coated and re-striped.

4. *Possible traffic generation and access problems have been addressed.*

Comment: No changes to the traffic generation or access are proposed with the CUP.

5. *The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.*

Comment: The proposed use can be accommodated with existing municipal sewer and water.

6. *The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area.*

Comment: The Comprehensive Plan states that the City should strive to expand and diversify the area tax base by promoting sound economic development opportunities and encourage wise land use patterns in the area.

Staff Recommendation

It is City Staff's recommendation to **approve** the Conditional Use Permit for the Auto Sales Lot and Recreational Vehicle Sales and Service.

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

Jim Thompson, applicant wrote the following memo dated July 10, 2015:

My business has grown and it is necessary to expand my space. The former Moose Lodge property is available and right next door. It is a great opportunity to grow this way. I own the property to the south as well so this will tie all four pieces together. I feel this use is the best opportunity for the location.

Lighting: There are currently five light poles around the parking lot, all facing the blacktop area and building. One in the southwest corner is a couple of feet onto the property to the southwest of the parking lot owned by myself.

Landscaping: There are currently many mature trees of all kinds to the west half of the property. The building and parking lot has none, as the black top covers to the south north and east sides of the property.

Building: No current changes to any bearing wall inside.

Garbage: To be stored on the north side of the building in a concealed container.

Parking Display Area: If replaced overlaid, seal coated over, the blacktopped area will be restriped as showed in sight plan.

Customer parking: To be on east and west sides of the building with customer and handicap spaces clearly marked near building entrances.

Signs: Currently there is a pole sign located on the far southwest corner of the property. Also an existing sign on a pole owned and controlled by a switch in the building in the easement outside property.

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

Jim Thompson, applicant was present and said that since the last Planning Commission meeting was canceled, he had closed on this property. He wanted to make sure he could get the Conditional Use Permit approved before closing, but he did not want to take the chance of putting a hold on the closing for the property. The property is under his Heartbreak Properties name. His auto sales business has grown and he watched this place for sale for such a long

time and it went down in value and they agreed on a price and this would be used to expand his business too. He does own the property to the south of this lot. The site that is on the agenda tonight is black topped and has plenty of parking that is all stripped now. The lot is mostly black topped so the landscaping will have to be what is there. He will not be making changes to the property. He will keep the equipment in there and may make it back into a restaurant. He will for now do the cars.

Heitschmidt asked if he has plans to seal coat the lot.

Thompson said in the spring he will and restripe it. There is black top on it now.

Edmonds said he just wants him to stay into his criteria of staying with what parking is there now.

Edmonds opened the public hearing. There were no questions or comments from those that were present.

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

Thompson is aware that he will not be using the other property for any building use. He will use the signage of the Moose Lodge site for his business and just replace the signage face with his business signage and paint the pole. He will just do a reface of it. The other vacant property he owns will not be used by him. He owns the land, but will not use it. The sign is not being touched that is on the south of this property.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE ITEM #15-13 CONDITIONAL USE PERMIT AT 701 16TH AVENUE NORTH TO ALLOW AUTOMOBILE AND RECREATIONAL SALES AND SERVICE IN THE B-3 HIGHWAY COMMERCIAL DISTRICT, LOCATED AT 701 16TH AVENUE NORTH (PID # 24-560-0020), WITH THE FOLLOWING CONDITIONS:

1. WHEN THE PARKING LOT IS RESURFACED, THE SAME NUMBER OF PARKING SPACES ARE STRIPED AS THEY ARE SHOWN ON THE PLANS AND THEY NEED TO STAY IN COMPLIANCE WITH WHAT THE PARKING GUIDELINES ARE AT THE TIME OF RESURFACING.

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)? No.
 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. #15-14 Variance at 501 2nd Street South

Community Development Director Memo:

BACKGROUND

Chris Clark of Leroy Signs on behalf of Spire Bank, has applied for a variance to allow a pylon sign within the minimum of 15 feet from any surrounding buildings or structures.

ANALYSIS

The property is located at 501 Second Street South and legally described as City of Princeton, Lot 6, Block 6, Damons Addition, Mille Lacs County, Section 33, Township 36, Range 26, PID #24-041-0540. The location is zoned B-1 Central Business District. It is the intent of the B-1 Central Business District to create an area which will serve as the focal point of community interest and as a focal point of commercial, financial, office, entertainment, and governmental activity.

VARIANCE

To allow a pylon sign within the minimum 15 foot setback from any surrounding buildings or structures in a B-1 Central Business District. Spire Credit Union would like to install a new double sided internally lit illuminated pylon sign at the East side of their property in order to enhance the visibility of their Princeton branch. This sign meets all existing city sign codes in regards to size, area, height and location inside their property lines. The sign will be installed in the SE corner of the property 17'-10" from the bank building but only 4'-10" from the East edge of the auto bank canopy. The request is for a setback variance of 10'-2" from the west edge of the sign to the east end of the bank auto canopy.

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-he 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-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.

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 request for this variance is due to the small size of the lot. The granting of the variance will allow the credit union to provide a high quality image and compete with the neighboring financial institute larger signs in the area.

It is staff recommendation to approve the Variance to allow a pylon sign within the minimum 15 foot setback.

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

Memo from Jim Kucheimeister, Facilities Manager for Spire Credit Union, dated July 27, 2015

To who it may concern:

Spire Credit Union authorizes Chris Clark from Leroy Sign Inc. to pursue the monument sign placement variance on our behalf at our Princeton, MN branch located at 501 South 2nd Street, Princeton, MN 55371.

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

Memo from Chris Clark, Leroy Signs, Inc. dated on July 28th, 2015

To Whom It May Concern:

I am applying for a sign setback variance of 10'-2" on behalf of Spire Credit Union. Spire Credit Union would like to install a new double sided internally illuminated pylon sign at the East side of their property in order to enhance visibility of their Princeton branch.

- 1) This variance request is in harmony with the general purpose and intent of the zoning ordinance. The pylon meets all existing city sign codes in regards to size, area, height and location inside their property lines. Unfortunately, due to the small size of their corner lot we cannot meet the 15 foot setback from building/structures. The sign will be installed in the SE corner of the property, completely inside their property lines as per code. The sign will be 17'-10" from the bank building but only 4'-10" from the East

edge of the auto bank canopy. Thus we are requesting a setback variance of 10'2" from the West edge of the sign to the East end of the auto bank canopy.

- 2) This variance request is consistent with the Comprehensive Plan.
- 3) The property owner proposes to continue the use of this property in a reasonable manner as permitted by the zoning ordinance.
- 4) The circumstances unique to this property were not created by the land owner.
- 5) The issuance of the variance will keep intact the essential character of the land owner.
- 6) The request for this variance is due to the small size of the lot. The granting of the variance will allow the credit union to provide a high quality image and compete with the neighboring financial institute larger signs in the area.

Respectfully submitted, Chris Clark

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

Jim Kuchelmeister, Facilities Manager for Spire Credit Union, was present to answer questions the Planning Commission may have.

Edmonds commented that this had been discussed at a past Planning Commission meeting.

Edmonds opened the public hearing. There were no questions or comments from those that were present.

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

Edmonds said he thinks the signage looks nice.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE ITEM #15-14 VARIANCE TO ALLOW A PYLON SIGN WITHIN THE MINIMUM OF 15 FEET FROM ANY SURROUNDING BUILDINGS OR STRUCTURES IN A B-1 CENTRAL BUSINESS DISTRICT, LOCATED AT 501 SECOND STREET SOUTH, WHERE THE SIGNAGE WILL BE 4'-10" FROM THE EAST EDGE OF THE BANK CANOPY. 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.

C. Ordinance Amendment for B-1 Zoning District (Conditional Uses)

The proposed Ordinance Amendment reads as:

An Ordinance amending provision C (Conditional Uses) Section 8 of B-1 Central Business District, Chapter V (Zoning Districts) of the City of Princeton's Zoning Ordinance by adding a Conditional Use for ATV/Snowmobile/Motorcycle Sales and Service.

SECTION 1: Provision C (Conditional Uses) Section 8 (B-1 Central Business District) Chapter V (Zoning District) of the City of Princeton's Zoning Ordinance is hereby amended to add the following definition:

ATV/Snowmobile/Motorcycle Sales and Service provided that

- (a) The parking area for the outside sales and storage area, whether for new or the expansion of an existing facility, shall be hard surfaced by the date determined by the Planning Commission after consideration of the size and scope of the project, and the effect of the cold weather season on paving construction materials, but in no event more than 10 months after final city approval. Parking areas shall be maintained to control dust, erosion, and drainage before and after hard surfacing. No parking or display of ATVs/Snowmobiles/Motorcycles shall occur on landscaped areas. Customer parking shall be clearly marked. The number of spaces required for customer parking shall be determined by the Planning Commission on a project case by case basis.
- (b) Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas.
- (c) All areas of the property not devoted to building, parking or storage areas shall be landscaped.
- (d) Outdoor storage of ATVs/Snowmobiles/Motorcycles shall be limited to the business hours of operation. Overnight storage is not permitted. All outdoor storage of ATVs/Snowmobiles/Motorcycles shall only be upon the paved portion of the property and within any setback requirement of the City of Princeton Zoning Ordinance.

SECTION 2: The remaining sections of Provision C (Conditional Uses) Section 8 (B-1 Central Business District) Chapter V (Zoning Districts) of the City of Princeton's Zoning Ordinance remain in full force and effect.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:

Ordinance # _____ amends Provision C (Conditional Uses) Section 8 (B-1 Central Business District) Chapter V (Zoning Districts) of the City of Princeton's Zoning Ordinance by adding a conditional use for ATV/Snowmobile/Motorcycle Sales and Service.

*****End of Ordinance Amendment*****

Foss said the number of spaces for customer parking were addressed and would be determined by the Planning Commission on a project case by case basis. This would go to the City Council if approved by the Planning Commission.

Edmonds asked if this is approved then Nelson would apply for a Conditional Use Permit.

Heitschmidt said he finds the outdoor storage confusing. He thought the outdoor storage was not permitted and was just for those to repair. If someone has 12 different atvs for sale, the way it reads does not distinguished between those for sale or for repair.

Foss said it would be hard to distinguish on how many would be allowed for outdoor storage so they limited it to business hours of operation to have outdoor storage. They would have to move them inside at night.

Heitschmidt asked Wayne Nelson what his input is on this.

Nelson said the stuff would have to come in because there would be theft if not. He only would leave the items outside if he fenced in an area and he does not want to do that.

Edmonds opened the public hearing. There were no questions or comments from those present.

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

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE AND FORWARD TO THE CITY COUNCIL FOR RECOMMENDATION OF APPROVAL FOR AN ORDINANCE AMENDING PROVISION C (CONDITIONAL USES) SECTION 8 (B-1 CENTRAL BUSINESS DISTRICT) CHAPTER V (ZONING DISTRICTS) OF THE CITY OF PRINCETON'S ZONING ORDINANCE BY ADDING A CONDITIONAL USE FOR ATV/SNOWMOBILE/MOTORCYCLE SALES AND SERVICE. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the zoning amendment consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? No.

D. Ordinance Amendment for Boundary Line Adjustment

The proposed Ordinance Amendment reads as:

An Ordinance amending the City of Princeton's Subdivision Ordinance by adding Chapter XVIII allowing for Administrative Simple Lot Subdivisions, Simple Lot Consolidations, and Boundary Line Adjustment.

SECTION 1: The City of Princeton's Subdivision Ordinance is hereby amended to read as follows:

CHAPTER XVIII:

ADMINISTRATIVE SIMPLE LOT SUBDIVISIONS/SIMPLE LOT CONSOLIDATIONS/
BOUNDARY LINE ADJUSTMENTS

- (A) *Purpose.* This section is established to provide for administrative approval of simple lot subdivisions, simple lot consolidations and boundary line adjustments, that meet specified criteria and for the waiver of standard platting requirements specified elsewhere in the City of Princeton's Subdivision Ordinance. It is intended largely to facilitate the further division of previously platted lots, the combination of previously platted lots into fewer lots, or for the adjustment of a lot line by relocation of a common boundary.
- (B) *Definitions.*
- a. Simple Lot Subdivision. The division of one platted lot of record into two lots, each of which complies with all zoning and subdivision requirements of the City of Princeton.
 - b. Simple Lot Consolidation. The consolidation of multiple platted lots of record into one lot, which complies with all zoning and subdivision requirements of the City of Princeton.
 - c. Boundary Line Adjustment. The division of one or more lots of record for the purpose of combining a portion or portions thereof with other lots of record, without creating additional lots and provided that all resultant lots comply with all zoning and subdivision requirements of the City of Princeton.
- (C) *Applications for administrative simple lot subdivision/simple lot consolidation/ boundary line adjustment.* Any person having a legal or equitable interest in a property may file an application for administrative simple lot subdivision/simple lot consolidation/ boundary line adjustment. Any such application shall be filed with the Zoning Administrator on an approved form and shall be accompanied by an accurate boundary survey and legal description of all parent parcels prior to any simple lot subdivision/simple lot consolidation/boundary line adjustment, as well as a survey and legal description identifying the resulting parcels after any simple lot subdivision/simple

lot consolidation/boundary line adjustment, as well as any other such exhibits or documents and deemed appropriate by the Zoning Administrator. Said surveys must clearly identify all rights of way boundaries as well as any and all utilities in existence on any affected properties.

- (D) Review of administrative simple lot subdivision/ simple lot consolidation/ boundary line adjustment. The Zoning Administrator shall review all applications for an administrative simple lot subdivision/simple lot consolidation/boundary line adjustment to determine compliance with the standards identified in this section and all other pertinent requirements of the City of Princeton. Upon written approval of the request, the applicant shall be responsible for any and all expenses for the preparation of all documentation required and to complete the recording of the same with the appropriate Court Recorder's office. Should the request be denied, the Zoning Administrator shall notify the applicant, in writing, of the reasons for the denial. Any appeal of city staff's decision shall be made to the Planning Commission in accordance with the procedures specified in the City of Princeton's Subdivision Ordinance.
- (E) *Findings required for approval.* In order for the Zoning Administrator to grant approval for a proposed administrative simple lot subdivision/simple lot consolidation/boundary line adjustment, each of the provisions shown below must be met.
- (1) A simple lot subdivision of land will not result in more than two lots. A simple lot consolidation will result in only one lot. A boundary line adjustment will result in no new lots being created.
 - (2) All necessary utility and drainage easements are provided for.
 - (3) All lots to be created by the simple lot subdivision/simple lot consolidation/ boundary line adjustment conform to lot area and width requirements established for the zoning district in which the property is located.
 - (4) The simple lot subdivision/simple lot consolidation/boundary line adjustment does not require dedication of public right-of-way for the purpose of gaining access to the property.
 - (5) The property has not been divided through the provisions of this section within the previous five years.
 - (6) The simple lot subdivision/simple lot consolidation/boundary line adjustment meets all design standards as specified elsewhere in the City of Princeton's Zoning and Subdivision Ordinances.

(F) *Conditions of approval.* The City may impose the conditions on any proposed administrative simple lot subdivision/simple lot consolidation/boundary line adjustment that are deemed reasonable and necessary to protect the public interest and to ensure compliance with the provisions of this chapter including, but not limited to, the following:

- (1) The applicant shall provide required utility and drainage easements for all newly created lots and be responsible for the cost of filing and recording written easements with the County Recorder's office; and
- (2) The applicant shall pay parkland dedication fees for each lot created beyond the original number of lots existing prior to the simple lot subdivision/simple lot consolidation/boundary line adjustment, except when the fees have been applied to the property as part of a previous simple lot subdivision/simple lot consolidation/boundary line adjustment.

SECTION 2: The remaining sections of the City of Princeton's Subdivision Ordinance remain in full force and effect.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:

Ordinance #_____ amends the City of Princeton's Subdivision Ordinance by adding Chapter XVIII allowing for administrative simple lot subdivisions, simple lot consolidations and boundary line adjustments.

*****End of Ordinance Amendment*****

Foss said this has come by the Planning Commission a few times. This is a public hearing.

Edmonds opened the public hearing. There was no one present that had any concerns or questions.

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

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE AND FORWARD TO THE CITY COUNCIL FOR RECOMMENDATION OF APPROVAL FOR AN ORDINANCE AMENDING THE CITY OF PRINCETON'S SUBDIVISION ORDINANCE BY ADDING CHAPTER XVIII ALLOWING FOR ADMINISTRATIVE SIMPLE LOT SUBDIVISIONS, SIMPLE LOT CONSOLIDATIONS AND BOUNDARY LINE ADJUSTMENT. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the zoning amendment consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? No.

E. Rezoning from R-2 Residential to R-3 Multi-Family Residential at 701 5th Avenue North
Community Development Director Memo:

REQUEST

Dan Erickson has submitted an application to rezone the property at 701 5th Avenue North from R-2, Residential, to R-3, Multiple Family Residential. The property is described as Lot 1, Block 45, Princeton Original Townsite and is located on the northwest corner of the intersection of 7th Street North and 5th Avenue North.

BACKGROUND

Currently, the home contains three rental units (two on the main floor and one on the second floor), and the applicant would like to add a fourth rental unit in the lower level/basement. The current zoning (R-2) allows up to two-family dwellings as permitted use, along with townhouses (up to 4 units) and condominiums (up to 4 units) as conditional uses. Multi-family units are not allowed in the R-2 District. The R-3 District does allow multi-family structures as a permitted use. Therefore, when the applicants inquired about adding a fourth unit, staff informed that that it would require a rezoning to R-3.

Applicant Request

The applicant has met with the Community Development Director explaining the rezoning request. The applicant purchased the property in 2015; it was operating as a triplex at the time of their purchase. Since the time of purchase, Mr. Erickson has been made aware of the East Central Regional Housing Study that was completed in February of 2015.

“The housing study show a clear and urgent demand for housing of all types. The Mille Lacs County Executive Summary shows an overall market rate vacancy of 0.7 % which is considerably lower than the industry standard of 5% vacancy for a stabilized rental market, which promotes competitive rates, ensures adequate choice and allows for unit turnover. The subsidized and affordable rental properties should be able to maintain vacancy rates of 3% or less, Mille Lacs Counties subsidized and affordable vacancy rate is 2.1%. This indicates a pent up demand for all rental product types.” Maxfield Research Inc. Feb. 2015

Mr. Erickson has indicated that if the Planning Commission and the City Council do not approve the rezoning request, he will modify the building to have three units, but one will become a two bedroom apartment and will essentially eliminate the opportunity for an additional affordable rental unit.

ANALYSIS

Existing Conditions

The neighborhood in which the house is located contains mostly single family homes and some two-family homes. To the southwest of the property is an area zoned for R-3, Multiple Family Residential, which includes what appear to be at least one twin home and a four-unit apartment.

Future Land Use Plan (Comprehensive Plan)

The City engaged in a Comprehensive Plan update back in 2009 that identified the long-range goals for development within the City. The Future Land Use Plan identifies this property and surrounding area as Traditional Residential (see attached Future Land Use Plan). According to the Comprehensive Plan (p.18), the Traditional homes with a density between four (4) and eight (8) units per acre. The proposed use is a four plex.

Review Standards

The Zoning Ordinance does not list review standards for rezoning applications. However, many communities utilize the following factors as review standards in rezoning request, which are being provided as information:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official city comprehensive plan.
2. The proposed use is or will be compatible with present and future land uses of the area.
3. The proposed use conforms to all performance standards contained in this code.
4. The proposed use can be accommodated with exiting public services and will not overburden the city's service capacity.
5. Traffic generation by the proposed use is within capabilities of streets serving the property.

Planning Commission Recommendation. An update will be provided prior to or at the Council meeting on Thursday regarding the Planning Commission's recommendation, along with a resolution denying the rezoning or an Ordinance approving the rezoning.

CONCLUSION/RECOMMENDATION

City staff is in favor of providing affordable housing in the City of Princeton and supports investment in the existing housing stock in order to improve neighborhoods and the quality of life for residents.

Therefore, staff would recommend **approval** of the rezoning request from R-2 to R-3, based on the following findings:

1. The request is consistent with the recent finding from the East Central Regional Housing Collaborative study and will provide an additional rental unit where a demand has been identified.
2. The request to rezone this property would not be greatly affect the integrity of the neighborhood as it is adjacent to R-3 Multi-Family Housing and there are similar structures to the southwest of the proposed rezoning.

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

Dan Erickson, applicant said that the basement is 80% finished. He said it is framed and the bathroom is finished so the plumbing and wiring are done. There needs to be sheet rock in there and carpet and such to finish it off. There is plenty of parking, it is a big lot.

Edmonds asked what the square footage of the two apartments he has there now.

Erickson said they are a standard efficiency.

Heitschmidt questioned what type of parking is there now.

Erickson said there is a paved area already that has two more spaces available. Two spots per unit.

Edmonds opened the public hearing. There were no questions or comments from those that were present.

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

Edmonds said this rezoning item had come to the Planning Commission in February, 2012. It was denied. The property is well suited for the request. His dilemma is that there is three or four homes in that area that could fit this request and he wonders if there are other options instead of rezoning. Edmonds has an issue with the rezoning. He would like to find another way to do it in any R-2 Zoning site. He understands that it would be changing the Ordinance.

Heitschmidt said it would start them popping up everywhere in the city to have four plexs.

Reynolds said this is adjacent to the R-3 Zoning District.

Edmonds said this could open a can of worms for more applications for rezoning.

Foss said they would have to be by the R-3 Zoning District.

Edmonds said it would have to be continuous to the R-3 Zoning District so he understands.

Heitschmidt said this was denied three years ago, it was not consistent with the Land Use Plan.

Edmond said a Comprehensive Plan is a guideline.

Foss said the Zoning Ordinance does uphold the Comprehensive Plan. Our Comprehensive Plan will be updated soon.

Heitschmidt said that the 2012 Planning Commission minutes have changed his opinion in supporting this.

Foss said the housing study shows there is a demand for affordable housing in the Mille Lacs County area.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE ITEM #15-15 REZONING FROM R-2 RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL AT 701 5TH AVENUE NORTH. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the rezoning consistent with the Princeton Land Use Plan? No, not currently but Comprehensive Plan is to be reviewed.
2. Have there been changes in the character of development in the vicinity? No, create need for market rate rental housing. Decrease in vacancies in the city.
3. Does the rezoning constitute spot zoning of the property? No, is continuous with R-3 Zoning.

OLD BUSINESS:

A. LED Stripe Tube Lighting Signage (SuperAmerica)

The Planning Commission Board was asked at the July 20, 2015 Planning Commission meeting about a request to put neon tube lighting on the top of the canopy at SuperAmerica. There was no wordage in the Sign Ordinance on this. The City Attorney said that if it is not specifically in the Ordinance, it cannot be done. The Ordinance would have to be amended. Foss asked the Planning Commission Board for their recommendation. The Planning Commission advised staff to draft an Ordinance Amendment for the next meeting.

Foss said she gathered some information from a few other areas on how they handle this type of signage and has that for their review. She is not sure if the Planning Commission wants staff to write a memo addressing this or not.

Reynolds said Zimmerman station has this. He feels it is less intrusive than what Princeton Holiday has now.

Edmonds said if we allow the signage it would have to meet our illumination of what we have now. It would have to be none flashing. He does not have an issue with it.

Foss said it would be a striping of LED. Foss said the current SuperAmerica signage is less noticeable because of the Holiday signage. She will write something up and have something in wordage about the measure of brightness.

Reynolds commented that the Holiday station is in a residential area.

Edmonds said during the day you do not notice the brightness of the Holiday signage as much.

Heitschmidt said he would like to see wordage on this. Would it be limited to LED or neon.

Foss said the number of rows of LED lighting strip would be allowed per station. Just to define it more. She thinks neon is out dated.

Heitschmidt said what if the next person wants neon and if that is not in the Ordinance.

Foss will draft something.

The Planning Commission would like staff to address wordage on this with LED and neon lighting.

B. Kennel Ordinance

Foss said there was a moratorium on this. There is new wordage on this. City Council made a motion to adjust the Ordinance to any property with a combo of no more than five pet's total.

Edmonds said there are a lot of inconsistencies in our zoning code. He likes that this is being addressed. He is okay with how it is written.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO HAVE STAFF BRING THE KENNEL ORDINANCE AMENDMENT TO THE OCTOBER 19, 2015 PLANNING COMMISSION MEETING FOR A PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

NEW BUSINESS:

A. Pappa Murphy's Pylon Signage

Community Development Assistant Memo:

Papa Murphy's will be a great addition to the area. They will be located in the strip mall by Ace Hardware. There currently is a Family Dollar pylon sign that was install in 2001. At the time, it was approved to multi-tenant signage on this pylon sign. A copy of the signage that was

submitted with the building permit in 2001 is enclosed. Staff is asking for Planning Commission to review the proposed signage and give direction.

Pylon Business Signs – General Provisions:

A permit will be issued by the Planning Commission based on the following size and height standards:

District	Maximum Sign Area	Maximum Sign Height
B-1	75 sq. ft.	20 ft.
B-2 In excess of 900 feet from the Highway 169 and Rum River Drive Interchange <i>*See attached map*</i>	75 sq. ft.	20 ft.
B-2 Less than 900 feet from the Highway 169 and Rum River Drive Interchange	150 sq. ft.	60 ft.
B-3	150 sq. ft.	60 ft.

1. The sign is supported by one or two poles or other approved methods which shall be metal in the B-1 zone and metal or treated wood in the B-2, B-3, and MN-1 zones, and are sufficient in size and strength to support the sign.
2. Ten feet of clearance shall exist between grade levels and the bottom of the sign.
3. The sign cannot be attached to any building or structure and must be a minimum of 15 feet from any surrounding buildings or structures.
4. The sign must be located on the property where the business advertised is located, except for highway billboard advertising.
5. The sign cannot extend over public sidewalks or streets.
6. There shall be no more than one pylon sign per lot, except as provided in subdivision D of this section.

D. Multi-Tenant Business Signs (MTB) – General Provisions:

1. Sign Intent. Multi-Tenant Business Signs, hereinafter referred to MTB signs, shall only be permitted in the B-2, B-3 and MN-1 zoning districts. The intent and purpose of MTB signs are:
 - a. To promote commercial depth rather than first tier strip development along highway corridors.
 - b. To allow area identification and commercial identification of business sites in a manner that coordinates traffic safely and effectively.
 - c. To minimize individual pylon signage by allowing clustering of two (2) or more area identification signs on a single MTB in exchange for separate pylons on each business site. *Ace Hardware does have a pylon sign north of the Family Dollar sign.*

- d. To cluster MTB signage at major intersections.
 - e. To require high architectural standards for MTB and to achieve a consistent style or standard for commercial development along Highways 169 and 95.
 - f. To require pylon base landscaping and maintenance.
 - g. To require annual permit review for MTB to ensure compliance.
 - h. To promote MTB sign usage for sufficient sized areas to achieve the other purposes listed above.
2. No MTB may be erected or maintained until a plan (the "MTB plan" or "plan"), signed by the owner(s) of all properties on which any area or business is located whose identification sign is proposed to be included on any MTB covered by the plan, is filed with, and approved by the city. The MTB plan shall also specify standards for each MTB sign proportions and landscaping around the base of each MTB. The plan may contain other restrictions as the owners of the affected properties may reasonably determine, shall be signed by each of the owners and shall otherwise be in such form as required by the city. An MTB plan may be amended by filing a new plan with the city that otherwise conforms with all of the requirements of the city code in effect at that time. No amendment shall be required for changing the identity of any area or business whose identification sign is attached to an MTB so long as all areas or businesses whose identification signs are attached to the MTB are located on one of the properties covered by the plan under which the MTB has been approved and the affected MTB otherwise conforms to the MTB plan after the replacement sign is attached.
 3. The applicant(s) shall submit diagrams, drawings, pictures and other information as requested by city staff describing each MTB proposed, the location on each MTB and the identity of each property proposed to be included in the MTB plan including the name of the property owner, and the size and location of each property included in the plan.
 4. All MTBs shall require an annual administrative review for compliance.
 5. After the city's approval of an MTB plan, no sign pylons other than those included in the approved plan shall be kept erected, placed or maintained on the properties covered by the plan. The MTB plan may be enforced in the same way as any other provision of this code. In case of any conflict between the provisions of any approved MTB plan and this code, the approved MTB plan shall control.
 6. The permissible height of MTB pylon shall be no greater than sixty feet (60') with a minimum clear zone below the sign of ten feet (10') unless approved as a monument type sign. Pylon height shall be measured from the curb height closest to the MTB site. The current Family Dollar signage measures 20 feet in height and has proposed three separate areas for additional signage that was approved in 2001. The clearance of ten feet will have to be met when additional signage is attached.
 7. Total permissible sign face area on MTB pylon shall be no greater than five hundred (500) square feet per face. The current Family Dollar signage measures 32 square feet. The attached email from the applicant states they believe they will go with the 3 foot signage. See attached proposed signage for Papa Murphy's.
 8. Setback standards in all applicable districts shall be as follows: the outermost edge of the sign face must be a minimum of ten feet (10') from any road right-of-way, forty feet (40') from any side lot line when the adjacent property is zoned one classification category less in use intensity and a minimum of ten feet (10') from the side lot line of same zone classification.

9. Each MTB plan shall consist of at least ten (10) acres, not including public right-of-way, and at least one of the businesses displayed on the MTB must be located on same parcel as the MTB or a located on an approved outlot owned and managed by the businesses located within the development area. In addition thereto, each business displayed on the MTB must be within one-half (1/2) mile of the MTB and be within the city.
10. MTBs may only be located within 900 feet of the major interchanges of Trunk Highway 169 within the City of Princeton or along Trunk Highway 95 west of 13th Avenue North.
11. Notwithstanding any other provision of the city code, no business located on property which is covered by any approved MTB plan shall be permitted to keep erect, place or maintain any pylon sign on such property except as referenced in the approved plan. Such business may, however, erect, place and maintain any other signs (such as building, monument, directional signs, etc.) otherwise permitted by the city code.
12. No signage shall be allowed on any MTB other than area identification and commercial business identification signs for developments and/or businesses located within the city on property covered by the MTB plan under which such MTB is approved. No sign advertising any product (rather than identifying an area or business) shall be allowed on any MTB. *If the Planning Commission were to approve the additional signage for Papa Murphy's, the motion should read that future additional signage to this pylon sign needs to come to the Planning Commission for approval.*

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

Mary Schulke and Amy Soderholm, applicants were present and said they will be going with the 36" x 96" signage.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE THE ADDITIONAL 36' X 96" SIGN OF PAPA MURPHY'S TO THE FAMILY DOLLAR PYLON SIGN LOCATED AT 714 RUM RIVER DRIVE SOUTH WITH THE FOLLOWING CONDITIONS:

1. TEN FEET OF CLEARANCE SHALL EXIST BETWEEN GRADE LEVELS AND THE BOTTOM OF THE SIGN.
2. IN THE FUTURE IF THERE IS A REQUEST FOR ADDITIONAL PYLON SIGNAGE BY A TENANT, IT WILL NEED TO COME BEFORE THE PLANNING COMMISSION.
3. A BUILDING PERMIT WILL BE REQUIRED AND APPROVED PRIOR TO THE SIGNAGE BEING INSTALLED.

UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

B. EDA Update

Foss said at the July Planning Commission meeting the Board wanted an update for what is happening each month with the EDA Board. Foss put a summary together:

- Rezoning request for 200 acres, last step for DEED Shovel Ready Certification
 - Planning Commission Approved August 3rd, 2015

- Intro to Council August 6th, 2015
- Final Reading August 13th, 2015

- Great River Energy Data Center Site Assessment Program application beginning
- Discussion of upcoming Data Conferences
- DEED FAM (Familiarization) Tour September 14th – 15th Finish Line Café
- Minnesota Marketing Partnership Quarterly meeting and FAM tour wrap up
- Chamber Promotional Video – Umbehocker Memorial
- SherBand – Partnering for Broadband Promotional Video
- Mille Lacs County Economic Development Strategic Plan Draft
- Multi-Family Housing Discussion for West Branch site

Foss said the FAM Tour was held last week and they had five of the private sector local business people attend the luncheon. They discussed the benefits for being in Princeton. She has not gotten much feedback from this yet. The multi-family housing (Arcadian Homes site) has come to a pause where we cannot release the RFP because they want staff to attend some housing meetings to learn more about the procedure. It will be released at a later date.

C. Planning Commission Board Members

Foss said the City Council approved the Ordinance Amendment. The amendment reads as the Planning Commission shall consist of five regular members who shall be residents of the city except that one of the members may be a person who owns a business located within the City of Princeton so long as that person lives within the 55371 zip code.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE THE PLANNING COMMISSION BYLAWS ACCORDINGLY. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

COMMUNICATION AND REPORTS:

A. Verbal Report

DeWitt informed the Planning Commission Board that United States Distilled Products would like to have a special meeting before the October 19, 2015 meeting date. United States Distilled Products will be building an addition and for this will need a Variance for exceeding the maximum height. For the meeting there would be a public hearing for the Variance and then a Site Plan Review. There would have to be enough time to publish the notice in the paper and send out public hearing notices. The Planning Commission reviewed the dates for October that could be a possibility and the only date that would work is Monday, October 12, 2015 and City Hall is closed that day because of Columbus Day. The Planning Commission Board decided that this would have to be held on the regular meeting of October 19, 2015. Staff will inform the applicant.

B. City Council Minutes for August, 2015

The Planning Commission Board had no comments.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:53 P.M.

ATTEST:

Jack Edmonds, Chairperson

Mary Lou DeWitt, Comm. Dev. Assistant