

**CITY OF PRINCETON  
Planning Commission  
Agenda  
September 21<sup>st</sup>, 2015  
7:00 P.M., City Hall**

- 1. Call to Order**
- 2. Approval of Minutes of Regular Meeting on July 15, 2015 and Special Meeting of August 3<sup>rd</sup>, 2015 - Tab A**
- 3. Agenda Additions/Deletions**
- 4. Public Hearing:**
  - A. #15-13 Conditional Use Permit at 701 16<sup>th</sup> Avenue North - Tab B**
  - B. #15-14 Variance at 501 2<sup>nd</sup> Street South – Tab C**
  - C. Ordinance Amendment for B-1 Zoning District (Conditional Uses) – Tab D**
  - D. Ordinance Amendment for Boundary Line Adjustment – Tab E**
  - E. Rezoning from R-2 Residential to R-3 Multi-Family Residential at 701 5<sup>th</sup> Avenue North - Tab F**
- 5. Old Business:**
  - A. LED Stripe Tube Lighting Signage (SuperAmerica) – Tab G**
  - B. Kennel Ordinance – Tab H**
- 6. New Business:**
  - A. Pappa Murphy’s Pylon Signage – Tab I**
  - B. EDA Update – Tab J**
  - C. Planning Commission Board Members – Tab K**
- 7. Communication and Reports:**
  - A. Verbal Report**
  - B. City Council Minutes for August, 2015 - Tab L**
- 8. Adjournment**

## MEETING PROTOCOL

1. The chair of any board or commission has the same rights as the other board or commission members in that he/she can both make and second motions.
2. The chair of any board or commission also has the right to vote on all motions that come before the body. Historically, if there's a roll call vote (as opposed to the standard voice vote) the chair sometimes opts to vote last.
3. Generally, a board or commission member should vote on all issues before the group unless they have a disqualifying personal interest in the issue. In cases where the member has a conflict of interest, the member should:
  - A. Advise the board of their intent to abstain and state the conflict before the vote is taken.
  - B. If the member has a true disqualifying personal interest they should take the liberty of seating him/herself in the audience for the duration of the discussion (from where the member can comment on the proposal) until the vote is recorded.
4. On a voice vote, if a member does not vote 'aye' or 'nay', then the member is considered to have voted with the prevailing side. In other words, on a 5 person board, if only 2 members vote 'aye' and the others don't say 'aye' or 'nay', then the vote should be recorded as passing unanimously.
5. If the chair, or one of the member, is not sure of the outcome after a voice vote is taken the chair or member can request a roll call vote whereby the chair asks each member to indicate their preference and the final tally is taken from the results of that polling.
6. It is incumbent on all board and commission members to exhibit professionalism and maintain the respectful decorum required of a assemblage representing the public. Members (as well as the public) should raise their hand and be recognized by the chair before commenting on the issue before the body. Members should also refrain from engaging in member to member debate. The public discussion of issues should not deteriorate into an argument between members. Comments of members and of the public should be directed to the Chair, not to individual board or commission members or other members of the public. The members should also treat their fellow board/commission members and staff with respect.



THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON JULY 20, 2015, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS

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

Absent was Chad Heitschmidt.

APPROVAL OF MINUTES OF REGULAR MEETING ON JUNE 15, 2015

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

AGENDA ADDITIONS/DELETIONS:

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE ADDITION TO NEW BUSINESS, ITEM C, PRINCETON SPEEDWAY REPORT. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #15-10 Rezoning from R-2 Residential to MN-1 Industrial for Heritage Village Site Community Development Director Memo:

City Staff has initiated a change of boundary from R-2 Residential to MN-1 Industrial for the 4 parcels located on the western edge of the Princeton City Limits.

Rezoning from R-2, Residential District, to MN-1, Industrial for the following four property sites described as:

\*PID #24-031-0010, CITY OF PRINCETON – SE OF NE & PART OF SW OR NE BEG AT SE CORN, W ON S LINE 1054.05 FT, N’LY 331.22 FT, NE’LY 827.30 FT, E’LY 509.74 FT TO E LINE, S 967.27 FT TO PT OF BEG, SEE 10/8/03 SURVEY,

Section 31, Township 36, Range 26, MILLE LACS COUNTY, 59.99 ACRES

\*PID #24-031-0020, CITY OF PRINCETON – NW OF NE LYING E’LY OF W 57.76 FT; & SW OF NE, EX PART BEG AT SE COR, W ON S LINE 1054.05 FT, N’LY 331.22 FT, NE’LY 827.30 FT, E’LY 509.74 FT TO E LINE, S 967.27 FT TO PT OF BEG, SEE 10/8/03 SURVEY, Section 31, Township 36, Range 26, MILLE LACS COUNTY, 60.00 ACRES

\*PID #24-031-0030, W 57.76 FT OF NW OF NE; E 603.46 FT OF NW OF NW & NE OF NW EX S 16 RDS (264 FT) OF W 20 RDS (330 FT) & EX A TR DESC AS BEG AT A PT 540 FT E OF NEW COR OF NE OF NW THEN W 540 FT, S 525 FT, E 364.33 FT, NE’LY 236.42 FT, N 315.9 FT TO PT OF BEG SEE 10/28/04 SURVEY, Section 31, Township 36, Range 26, MILLE LACS COUNTY, 54 ACRES

\*PID #24-031-0050, THAT PART OF NW OF NW LYING W’LY OF E 603.46 FT SEE SKETCH FILED 5/3/04, Section 31, Township 36, Range 26, MILLE LACS COUNTY, 23.29 ACRES

This property is owned by James Boo and James Saxon. The rezoning of this property is the

final step in the Shovel Ready Certification process through the State of Minnesota's Department of Employment and Economic Development.

It is the recommendation of staff to approve the rezoning request, and upon approval, this request will go to the City Council for final approval.

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

Edmonds wanted to know who is asking for the rezoning.

Foss said City staff is starting it.

Edmonds asked what is shovel ready.

Foss said she has been working on this and the State of Minnesota asked to provided soil samples and such and they will deem it ready as shovel ready certified site. It goes on a State map and this would be one of the 26 sites.

Edmonds asked when the soil testing was done.

Foss said soil testing and environmental was done prior when it was rezoned residential in 2007 and they were done at that time.

Johnson asked who pays the infrastructure for this.

Foss said if someone purchases the property and develops on it then we go into the meetings of the payment and such. This would be data center certified with East Central Energy. They would help with the process. Industrial land is needed here so if this did not go through it would be good to use this for maybe our Industrial Park.

Edmonds asked who is doing the Industrial Park expansion.

Foss said WSB Engineering is doing the Industrial Park expansion.

Johnson said aren't we jumping the gun.

Foss said the property owners are okay with this.

Edmonds opened the public hearing.

Greg Anderson, 1524 110<sup>th</sup> Avenue, said he farms this property and everything around it. Have they looked at the information given to Foss from Susan Shaw (District Administrator with Mille Lacs Soil & Water Conservation District).



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Foss said she got it last Friday and has not read it all. There is 60 acres of wet land and 133 acres that is dry land.

Anderson asked if everyone has seen the wetland maps.

Foss held it up. The 133 acres is the green area.

Anderson said there is some of that land they farm that is a foot above the water table. There was above ground water. The City has 80 acres that is zoned Industrial that is not being used. Take that off the tax rolls in Sherburne County. There is also Aero Business Park. It is shovel ready for Aero Business Park. Why aren't we using that.

Edmonds said we have to see the Feasibility Study that is being done.

Anderson asked if there has been an Environmental Study.

Foss said phase one has been done, but no Environmental Study.

Anderson said what happens if it comes back and it is not developable. They will legally ask for an Environmental Study.

Brandy Wempner, 10895 17<sup>th</sup> Street, said their property will be effected by this. There is already tons of traffic along their road. They do not want to live next to Industrial. There are so many wild life animals in the area. Where will they go. They wanted to live in the county, not in the Industrial Park.

Damien Toven, City Attorney said the wetland issue has been addressed and reviewed by the County. His understanding is the property owners are in support of this. He cannot speak of the available Industrial Park of 80 acres that was mentioned. This land would be for a particular market and this would bring to the tax base business.

Anderson said he wanted to respond to that. He understands the concern for the owners of the property. What about those that live here. If he wanted to live in an Industrial Park he would move there. That land was farm land and should stay farm land. It is perfect land for wildlife. Support local people.

Jim Saxon, property owner, said we have never asked the City for any dollars that they put into this. They do not plan to ask for anything going forward. They are not saddling the public concern with more obligation.

Jim Boo, property owner, said it was farm land they bought about 10 years ago for residential. With the economic changes they want to find the right use for everybody. Foss has been working well in this. He understands everyone has differences in this. They want to see the sale of this land to someone. This would be an energy data center. If it is considered or chosen,

they as owners are working alongside the City to possibly bring jobs and tax base. Not asking for anything, but the consideration of the zoning. If they do get someone who has an interest of that data center they will take the necessary steps.

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

Edmonds said he learned a couple things tonight and one is that there is a Feasibility Study in place that he did not know of. Is there a time line for the rezoning.

Foss said it is the last step for getting it shovel ready.

Edmonds asked if there is a time line otherwise he wants to table it until the Feasibility Study is done.

Johnson said it was jumping the gun. It was dumped on them on Thursday and we do have other land that could be used. The idea of shovel ready site in our small community, and what if nothing happens. There is a lot of money being spent. Why do they need 200 acres. We are turning more land loose than we need to for an Industrial Park. All projects that the City went through the last few years were disastrous. 50% of the taxes in the City is Tax Increment and that is unreasonable. They say it will be paid for by the developer, and if they go belly up, then the City eats it. It can be used for housing and that can happen. This does us no good to have almost 300 acres for Industrial and haven't used that in 50 years.

Reynolds said it could be chopped up for houses since it is zoned for residential. If we had a data center it would be a huge asset to the community. If we have a chance to get a data center it would be a minimal interruption and he would not like to wait and be knocked out of the running for it. There is a data center interested and if we do not move forward we could miss out on it. It needs a quiet location and would be a quiet business.

Edmonds said it is about rezoning a property and not about bringing in a business. It is better left residential. There are so many unknowns here. The charge of the public body here is to listen to staff and the land owner and find a happy medium.

Foss said out of 200 acres, about 60 wet lands and 140 dry land. A data center is where they store data. It would depend on who would purchase it and store their digital files. A developer could build it and rent out space to store the data. They employ about 15-30 people, but the taxes would be great. She invited Richard Baker and Michele McPherson (Mille Lacs County). She has information from Susan Shaw and they have addressed the concerns brought to attention tonight. They believe it is developable land and any drainage concerns would be addressed when developing on it. This would be less environmental concern then if residential



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were put there. This would be 1 out of 3 largest sites. Elk River has two sites and looking at a third. Blaine has one also.

Anderson asked what kind of voltage comes in that place.

Foss said it depends on what tier for a data center it would.

Anderson said stray voltage would kill cattle. He was the conservationist of the year for the State of Minnesota. He has a huge concern for electrical runoff.

Richard Baker (Mille Lacs County Community Development Coordinator) said he is not sure of where the 80 acres is that was brought up. He said they had someone come in for a data center and they wanted 200 acres. It would be high paying jobs. They had a site solicitor coming in September that is hosting this gentlemen and one of the marketing features is the certified Industrial site.

Brandy Wempner asked if anyone here lives by a data center and no one does.

Richard Baker commented that it is a huge building with storage of data.

Michele McPherson (Mille Lacs County Director of Land Services) said look at the City's Comprehensive Land Use Plan and if the zoning works with that. If an Environmental Assessment Worksheet (EAW) is requested, there are mandatory EAW categories that the City will have to meet. If the City does not meet the mandatory EAW, you can contest it and there needs to be a minimum of 25 people to contest it. There is a data center in Elk River that is located directly across the street from a residential housing site. That one is owned by Target. The employee shifts are small. The data center that Target owns has half that amount of employees. Does the requested rezoning fit with the language plan is what needs to be looked at.

Anderson said what about using just the high land area on the map.

Edmonds said he does not want to do anything until the Feasibility Study is done.

Foss said the Future Land Use map shows Industrial Park and residential.

Edmonds said they have not had time to look at the information she has.

Johnson said the 80 acres in Sherburne County could be used for this.

Foss said all the work is done now for this land. Question today is for this land to be rezoned to MN-1.

Boo said it does not work as residential so why not rezone it.

Edmonds said it is being used as agriculture right now and it works.

Boo said that if we want to bring a data center in, it would work on this 200 acres of land.

Edmonds said he supports growth and land use. He had worked on the Mille Lacs County Comprehensive Plan and they had probably 30 meetings. The residents said their taxes are too high and we need less government. So that is what we are hearing tonight.

Foss said the rights of the property owner are within the guidelines is what we have to think of right now. We need to consider that now. If we do not allow the rezoning, what basis would that be on. Susan Shaw wrote that it falls into Mississippi drain land. The City has runoff guidelines that would need to be followed. Dillon Hayes (Environmental Resources Technician Mille Lacs County Land Services) had said there are 3 or 4 wetlands on the site. He does not see the wet lands as an issue on this site. She has contacted the Farm Services Agency and she got a report back on the 133 acres he farmed.

Anderson said it has gone down on each year. He said he supports creating jobs and employs more people at his business than the number of people in this room.

Edmonds said the question tonight is if we allow to rezone from R-2 to MN-1. He was glad to hear there is a Feasibility Study going on right now. If the rezoning is not time sensitive, he would like to wait on it.

Foss said a site solicitor will look at the highlights of the area in September. We would want to say that we have a shovel ready 200 acre site. They would not want to wait for this to be ready. She believes it is time sensitive for this to be rezoned.

JOHNSON MOVED, TO DENY THE REZONING FROM R-2 RESIDENTIAL TO MN-1 INDUSTRIAL FOR THE OLD HERITAGE VILLAGE SITE (PID's #24-031-0010, #24-031-0020, #24-031-0030, AND #24-031-0050). THERE WAS NO SECOND. THE MOTION DIED.

EDMONDS MOVED, SECOND BY JOHNSON, TO TABLE THIS REZONING REQUEST FROM R-2 RESIDENTIAL TO MN-1 INDUSTRIAL FOR THE OLD HERITAGE VILLAGE SITE (PID's #24-031-0010, #24-031-0020, #24-031-0030, AND #24-031-0050), UNTIL THE PLANNING COMMISSION BOARD HAS MORE TIME TO REVIEW THE INFORMATION AND WHEN THE FEASIBILITY STUDY IS DONE.

Reynolds feels we should take the next step for rezoning. We may miss out on opportunities. Nothing may happen to this property and he would like to proceed with the change in zoning.



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UPON THE VOTE, THERE WERE 2 AYES, 1 NAY. (AYES: EDMONDS AND JOHNSON. NAY: REYNOLDS.) MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the rezoning consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? Yes.
3. Does the rezoning constitute spot zoning of the property? No.

Based on the findings, a recommendation to table the rezoning will be made to the Princeton City Council.

## **B. #15-11 Lot Split at 707 10<sup>th</sup> Street North**

Community Development Assistant Memo:

### **BACKGROUND**

Shawn Williams (AJW Contracting Inc.) has recently purchased the property site at 707 10<sup>th</sup> Street North. The legal descript of this site is: Original Townsite, Block 60, Lot 7 & 8.

### **ZONING**

This site is located in R-2 Residential Zoning. The Zoning Ordinance states for a permitted use in the R-2 District;

- \* Two-family dwellings
- \* Conversion of single-family structures to a two-family unit when each unit contains 800 square feet of floor area or more
- \* Twinhome
- \* Accessory buildings not exceeding 800 square feet related to the above principal use.

The twin home yard requirements for R-2 District;

- \* Lot area minimum square feet is 6,000
- \* Lot width minimum feet is 40
- \* Maximum lot coverage is 30%
- \* Front yard minimum setback (living area) & (front porch) is 20 feet
- \* Side yard minimum setback (living area) & (garage) is 10 feet
- \* Street side yard minimum setback is 20 feet
- \* Rear yard minimum setback is 30 feet
- \* Rear yard minimum alley setback is 30 feet
- \* Maximum height 30 feet

### **PROPOSAL**

There is currently a home on the site that will be torn down and the applicant would like to replace it with a twin home. The legal description for the lot split would be separating Lot 7 & 8 and putting them on their own property identification number. The twin home would be built on the common line of the two lots per building code, with a fire wall between them.

The existing property is 19,600 square feet. With the Lot Split, Lot 7 would be 9,800 square feet and Lot 8 would be 9,600 square feet. This does meet the lot size requirement for a twin home in the R-2 Zoning District. The 800 square feet of floor area or more, and also the setbacks would have to meet the Zoning Ordinance when the building permit is submitted.

The property currently has two dirt driveways; one off of 8<sup>th</sup> Avenue North and the other off of 10<sup>th</sup> Street North. There is two sets of twin homes across the street where the access to the driveway would be off of 8<sup>th</sup> Avenue North. DeWitt spoke to Bruce Cochran (Mille Lacs County Engineer) for his opinion of the access of this proposed twin home. Cochran thought the access would be best off of 8<sup>th</sup> Avenue North. This is not a county road. DeWitt also spoke with Mike Nielson, City Engineer and he said he did not have any issues with the lot split if there are no zoning issues.

### **CONCLUSION/RECOMMENDATION**

The proposed Lot Split appears to meet the standards for the Zoning Ordinance. Staff would recommend approval of the Lot Split at 707 10<sup>th</sup> Street North, subject to the following conditions (as listed in the Ordinance):

#### *Permitted Uses*

*In the R-2 Residential District, no building or land shall be used or divided and no building shall be erected, unless otherwise provided herein, except for one or more of the following as well as similar uses:*

- \* Any Uses permitted in R-1 District;*
- \* Two-family dwellings;*
- \* Conversion of single-family structures to a two-family unit when each unit contains 800 square feet of floor area or more;*
- \* Twinhome;*
- \* Accessory buildings not exceeding 800 square feet related to the above principal use.*

#### **Conditions of Approval:**

1. The applicant must follow the permitted uses and regulations of the R-2 Zoning Ordinance;
2. A building permit for the demo of the current home must be approved by the Building Inspector and the necessary Notification of Intent to Perform a Demolition be submitted to MN Pollution Control Agency;
3. A building permit must be applied for and approved to construct the proposed twin home.

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

Edmonds asked staff on what the demo permit is.

DeWitt explained that the form would be filled out by the applicant. We do have them at City Hall and will give them a form to complete when they come in for a demo building permit. The



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applicant mails the demo form to Minnesota Pollution Control Agency and it needs to be postmarked or received ten days prior to when the demolition begins. They want to make sure any materials that may have contamination such as asbestos are properly disposed of.

Shawn Williams, applicant said prior to 1978 needs to have this form. The home on the property was built in 1955.

Edmonds opened the public hearing.

There were no questions asked from those in the audience.

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

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE ITEM #15-11 LOT SPLIT AT 707 10<sup>TH</sup> STREET NORTH AND FORWARD ON TO THE CITY COUNCIL WITH THE FOLLOWING CONDITIONS:

1. THE APPLICANT MUST FOLLOW THE PERMITTED USES AND REGULATIONS OF THE R-2 ZONING ORDINANCE;
2. A BUILDING PERMIT FOR THE DEMO OF THE CURRENT HOME MUST BE APPROVED BY THE BUILDING INSPECTOR AND THE NECESSARY NOTIFICATION OF INTENT TO PERFORM A DEMOLITION BE SUBMITTED TO MN POLLUTION CONTROL AGENCY;
3. A BUILDING PERMIT MUST BE APPLIED FOR AND APPROVED TO CONSTRUCT THE PROPOSED TWIN HOME.

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

## **C. #15-12 Conditional Use Permit for Two Additions at Princeton High School**

Community Development Director Memo:

### **BACKGROUND**

The Princeton Independent School District #477 has applied for a conditional use permit for the property address at 805 8<sup>TH</sup> AVE S. PRINCETON MN 55371

PID # 24-033-0010 CITY OF PRINCETON W ½ OF SE OF SW EX ½ A IN NE COR & COM 40 RDS E OF NW COR OF SE OF SW, S 825 FT E 264 FT. N 825 FT, W TO BEG, EX N 55 OF E 185 FT LYING S OF LOT 1 BLK 7 CHULA VISTA 33 36 26 24 27

PID # 24-033-0030 CITY OF PRINCETON S 490.25 FT OF W 481 FT OF E ½ OF SE OF SW, EX N 94 FT OF E 217 FT 33 36 26 4.93

## ANALYSIS

The request is for two separate additions in order to construct a gymnasium and additional classrooms.

**Comprehensive Plan.** The Future Land Use Plan designates this property as Public & Semi-Public. The Comprehensive Plan states that *the City should support the enhancement or expansion of (public and semi-public uses, including governmental facilities, churches, and schools). Care should be given to ensure that adequate integration with surrounding land uses occurs.*

**Zoning.** The current zoning for this property is R-3. Schools and educational facilities are allowable uses with a Conditional Use Permit in R-3.

### 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:** Potential erosion, runoff, water pollution and sedimentation issues have been addressed in the site plan and reviewed by the City Engineer.
3. *Adequate parking and loading is provided in compliance with the Ordinance.*  
**Comment:** No charges to the parking or loading are proposed with the CUP.
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 support the enhancement or expansion of (public and semi-public uses, including governmental facilities, churches, and schools.)



**Recommendation**

It is City Staff's recommendation to approve the Conditional Use Permit for the addition and renovation of the Princeton High School with the following conditions:

No recommendations were added.

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

Ryan Hoffman, (ICS Consultant) was present and spoke of the two additions for the High School. The gym addition will be 20,000 square feet and the other addition is to connect the building to the shop area and that addition will be 6,000 square feet. This connection to the shop area will make it enclosed where they do not have to walk outside. The shop is not expanding into this area. There will be a couple classrooms in the area. The gym will have two practice courts and with an overlay competition court on top. The portables will be gone.

Edmonds opened the public hearing.

There were no questions from those in the audience.

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

Foss said when she wrote the memo she did not include any conditions at the time. They can add some if they would like.

EDMONDS MOVED, SECOND BY JOHNSON, TO APPROVE ITEM #15-12 CONDITIONAL USE PERMIT FOR TWO ADDITIONS THAT ARE APPROXIMATELY 20,000 SQUARE FEET AND 6,000 SQUARE FEET IN A R-3 MULTI-FAMILY RESIDENTIAL DISTRICT, AT PRINCETON HIGH SCHOOL, LOCATED AT 805 8<sup>TH</sup> AVENUE SOUTH. 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? Yes.

The Commission approves the Conditional Use permit, based upon the Findings Fact, with the noted conditions.

**NEW BUSINESS:**

**A. Site Plan Review for Two Additions at Princeton High School**

Community Development Director Memo

**BACKGROUND**

Princeton Public Schools Independent School District 477 has submitted an application for a site plan review in order to construct an addition and expansion to the Princeton High School building. The property is zoned R-1 Residential, and an application for a Conditional Use Permit has been received.

**ANALYSIS**

The property address is 805 8<sup>th</sup> Ave. S. PRINCETON MN 55371

PID #24-033-0010 CITY OF PRINCETON W ½ OF SE OF SW EX ½ A IN NE COR & COM 40 RDS E OF NW COR OF SE OF SW, S 825 FT E 264 FT, N 825 FT, W TO BEG, EX N 55 OF E 185 FT LYING S OF LOT 1 BLK 7 CHULA VISTA 33 36 26 24.27

PID #24-033-0030 CITY OF PRINCETON S 490.25 FT OF W 481 FT OF E ½ OF SE OF SW, EX N 94 FT OF E 217 FT 33 36 26 4.93

**SITE PLAN REVIEW**

The expansion and addition will consist of two buildings. One of which is 20,000 square feet and one of which is 6,000 square feet.

**Building Materials.** The project consists of building materials that are in compliance with state and local ordinances.

**Landscaping.** A landscaping plan has been provided and meets landscaping requirements.

**Signage.** No signage is proposed at this time. The builder is aware that if any freestanding signage is proposed, review by the Planning Commission is required, and sign require a building permit.

**Parking.** No changes are to be made to the current parking configuration.

**Drainage.** The applicants have prepared a Grading and Drainage Plan. The City Engineer has reviewed the plan and has requested additional information, which the applicant is working on. Approval of the site plan review shall be subject to the conditions from the City Engineer.



**Fire Inspector.** The Fire Inspector has reviewed the plans and is requesting additional items that need to be addressed by the architect. The provision of a Fire Road may be required.

**CONCLUSION/RECOMMENDATION**

Staff is recommending approval of the site plan review of the Princeton High School, subject to the following conditions:

1. Additional items submitted by the Fire Marshall must be addressed;
2. The City Engineer’s conditions and recommendations shall be follow;
3. A Developer’s Agreement shall be put in place;
4. An updated site plan shall be submitted; and
5. A building permit shall be submitted and approved by the City’s Building Official prior to commencement of construction.

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

Mike Nielson, WSB City Engineer wrote the following memo:

*July 15, 2015*

*The site plan for the above referenced High School improvements was reviewed and approved with the understanding that there would be an ultimate reduction in the impervious area for the entire school site when the North Elementary School was completed. Based in this future reduction in impervious area and the minimal increase in impervious area with this project, it is my recommendation that no additional storm water improvements are required at this time.*

*It is also my understanding that all fire hydrant spacing and fire access road issues will be worked out with the fire depart.*

*Based on this understanding it is my recommendation that the site plan be approved.*

*If you have any questions in this regard, please give me a call at 320-534-5940.*

\*\*\*\*\*End of City Engineer Memo\*\*\*\*\*

Loren Kohen, Fire Marshall & Building Official wrote the following memo:

*July 18, 2015*

*Review of Site Plan for compliance with State Fire Code*

*On July 8, 2015, a meeting was held at Princeton City Hall regarding the High School additions and renovation Site Plan review with the City Engineer, City staff, I.C.S. (representing the School District) and myself.*

*Drainage was discussed by the City Engineer.*

*I asked the representative of I.C.S. to provide me with a complete and accurate site plan, showing the total building with additions, setbacks, fire hydrant locations, and required fire apparatus access roads. I was provided with an aerial of the site, not a true site plan.*

*Three fire hydrants were showing on the site plan. I visited the site and found one hydrant to close to the building on the south side. One hydrant is in the grass area on southeast area of the building. The hydrant was installed wrong with the openings facing in the wrong direction.*

*The third hydrant on the northeast area of the building is placed correctly, and serves the fire sprinkler system inside the building.*

*As per State Fire Code, Sec.508.5, three to four additional hydrants are required on the north side, west side, and site area.*

*Fire access road design is in Sec 503.3.1. of the State Fire Code.*

*This is a large school in the area and must meet code. It is the responsibility of the School District and City Fire Department to make sure the young people (students) and staff are properly protected.*

*This proposed plan should be reviewed by the Fire Chief and his staff. We must remember the Fire Marshall or Fire Department cannot lower requirements of the State Fire Code.*

*\*\*\*\*\*End of Fire Marshall & Building Official Memo\*\*\*\*\**

Ryan Hoffman, (ICS Consultant) said in Nielson's memo he wrote that it is North Elementary and it should be South Elementary. He also has it saying when North Elementary School was completed and it should be when South Elementary is demolished. Hoffman said he read the memo from Loren Kohen and he agrees with Kohen and has started a fire road where it will come out on Smith System Road. They are looking at the most cost effective way. They met on updated hydrant plans and they will work that out and the fire road. Trust that they are in the process on that. The building is fully sprinkled.

Edmonds said they will have adequate fire protection.

Hoffman said yes.

Foss said staff recommends approval with conditions.

Johnson said it looks good.



**DRAFT**

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JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE SITE PLAN FOR A 20,000 SQUARE FOOT ADDITION AND A 6,000 SQUARE FOOT ADDITION AT PRINCETON HIGH SCHOOL LOCATED AT 805 8<sup>TH</sup> AVENUE SOUTH. THE CITY ENGINEER'S AND CITY FIRE MARSHALL & BUILDING OFFICIAL RECOMMENDATIONS MUST BE FOLLOWED. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**B. SuperAmerica LED Stripe Tube Lighting**

Foss said that there was a request to put neon tube lighting on the top of the canopy at the gas station. There is nothing in the Sign Ordinance on this. She is asking for the Planning Commission Boards recommendation.

Damien Toven, City Attorney said if it is not specifically in the Ordinance it cannot be done. Otherwise the Ordinance has to be amended.

Edmonds said the lighting restrictions and conditions could be applied if we found the type of light it could fall under.

Toven said the form of lighting is not in our Ordinance so it is not a permitted use. It would need an amendment.

Johnson said to bring it back as a public hearing for next month.

Foss will see what other cities have on this and then have a public hearing on it.

**C. Speedway Report**

Foss said she provided the list for the Planning Commission Board to review. On June 5<sup>th</sup> the last race ended at 11:20, otherwise they have stayed within their time frame. Looks good.

Edmonds said on the form where it has "Last Tech" that is not the race, but does have some noise.

**OLD BUSINESS:**

**A. Ordinance Amendment for B-1 Conditional Use**

Community Development Director Memo:

City Staff is requesting the consideration of an Ordinance Amendment to the B-1 Central Business District.

Zoning Ordinance #538 has no language contained therein that relates to or describes in any way the provision for the sale of or repair of motorcycles, snowmobiles or other recreational vehicles such as 4-wheelers, wave-runners etc.

Staff has looked at other cities and has found language related to this use and has requested that the City Attorney draft up language that could be added to the B-1 Zoning Ordinance as a Conditional Use within that zone.

Upon review, additional language regarding parking and outdoor storage has been added to the amendment.

Please look over draft language for your consideration. If the Planning Commission is in favor of adding this provision to the Zoning Ordinance a public hearing would be in order. The amendment would then be brought to the City Council.

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

Foss said that this has been reevaluated and should be in B-1 instead. For motorcycle and recreational vehicles the lot size would not need to be that large so staff thought to have this added to the B-1 instead of B-2. Overnight storage would not be permitted. The items for sale would have to be put away at night. Parking only on paved portion of the site.

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE B-1 AMENDMENT PROPOSAL TO ADD A CONDITIONAL USE FOR ATV/SNOWMOBILE/MOTORCYCLE SALES AND SERVICE, AND BRING THIS BACK FOR THE PLANNING COMMISSION MEETING ON AUGUST 17, 2015 FOR A PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**B. Ordinance Amendment for Boundary Line Adjustment**

Community Development Director Memo:

Upon careful review of the City's Subdivision and Zoning Ordinances, it does not appear as though our City has any provisions authorizing lot combinations and boundary line adjustments.

City Staff is requesting the consideration of an Ordinance Amendment to the Zoning Ordinance that will reflect the benefits of having provisions within our ordinance allowing boundary line adjustments and lot combinations.

Provided is draft language for your consideration. If the Planning Commission is in favor of adding this provision to the Zoning Ordinance a public hearing would be in order. The amendment would then be brought to the City Council.

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

Foss said the Zoning Ordinance does not have boundary line adjustments in our Ordinance.

Edmonds asked on page two of the amendment, number five says the property has not been divided through the provisions of this section within the previous five years. Why have five years?



# DRAFT

Planning Commission

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Toven said other municipalities has this number so he used it.

REYNOLDS MOVED, SECOND BY JOHNSON, TO APPROVE THE SIMPLE LOT SUBDIVISIONS, SIMPLE LOT CONSOLIDATIONS, AND BOUNDARY LINE ADJUSTMENTS, AND BRING THIS BACK FOR THE PLANNING COMMISSION MEETING ON AUGUST 17, 2015 FOR A PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

## COMMUNICATION AND REPORTS:

### **A. Verbal Report**

**7:00 PM on August 3<sup>rd</sup>.**

#### **1) Special Meeting for Site Plan Review for Riverstone Dental**

DeWitt informed the Planning Commission Board that Riverstone Dental would like to have a special meeting for a Site Plan Review of their new Dental Office. They would like to have the review date before the regular Planning Commission meeting on August 17, 2015. She gave the Planning Commission a calendar of available dates for August.

The Planning Commission agreed they could meet on August 3, 2015 at 7:00 P.M. at City Hall Council Chambers.

DeWitt said she will talk to the applicant tomorrow and see if this meeting date will work for them. She will email the Planning Commission Board tomorrow to confirm the date.

JOHNSON MOVED, SECOND BY REYNOLDS, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:45 P.M.

ATTEST:

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Jack Edmonds, Chairperson

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Mary Lou DeWitt, Comm. Dev. Assistant





**DRAFT**

**THE SPECIAL MEETING OF THE PLANNING COMMISSION BOARD HELD ON AUGUST 3, 2015,  
AT 7:00 P.M., AT PRINCETON 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, Chad Heitschmidt, and Jim Kusler (Princeton Twsp. Representative). Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

**AGENDA ADDITIONS/DELETIONS:**

Edmonds said that if the rezoning of Heritage Village site was not on the agenda, he would have added it. He has thought about it a lot the last two weeks.

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

**NEW BUSINESS:**

**A. Site Plan Review for Riverstone Dental**

Memo from the Community Development Director:

**BACKGROUND**

Bob Shaffer of The Foundation Architects, on behalf of Riverstone Dental, has submitted a site plan review application for the construction of a dental office at 309-311 South Rum River Drive. The property is legally described as Lot 2, Block 9, Damons Addition, Mille Lacs County.

The property is zoned B-2 Neighborhood Business District and designated as Downtown Central Business District on the Future Land Use Plan. Proposed use aligns with both the zoning and future land use designation.

**ANALYSIS**

The site is located on the corner of South Rum River Drive and 4<sup>th</sup> Street South and directly west of the Holiday Gas Station. The site included two parcels that will be combined for a total of 20,090 square feet or 0.46 acres in size and is currently undeveloped.

The project includes the construction of a 3,200 square foot, one-story building. The building meets all setback and height requirements. Access will be off of 4<sup>th</sup> Street South in the southwest corner of the site.

**Parking.** The proposed 17 parking stalls meet the Ordinance standards, as well as the stall sizes and aisle widths. The parking lot includes two "islands" in the middle of the lot for trees.

**Landscaping.** The comments received on June 30<sup>th</sup>, 2015, in response to the engineers concerns, proposes two rain garden type runoff areas along the South Rum River Drive frontage portion of the lawn. All areas disturbed during construction shall be restored as soon as possible. Seeding and/or sodding shall occur according to code.

**Signage.** Proposed signage has not yet been determined. Any proposed signage must meet ordinance requirements and a permit must be applied for.

**Building Materials.** The exterior of the building is to be constructed with ledgestone, cementitious lap siding and wood. Building elevations are provided.

**City Engineer.** The City Engineer has reviewed the site plan application and submitted comments via a memo dated June 12<sup>th</sup>, 2015 in regards to storm sewer calculations, spot elevations, pedestrian ramp, grading, utilities, etc. All of the comments have been satisfactorily addressed.

**Fire Inspector.** Comments from the Fire Inspector are yet to be received.

### **CONCLUSION**

Based upon the above review standards, city staff would recommend approval of the site plan review for the proposed Riverstone Dental building, subject to the following conditions:

1. The Landscape Plan shall be provided.
2. The City Engineer recommendations shall be followed as indicted in the memo dated June 12<sup>th</sup>, 2015 and updated plans submitted.
3. All necessary permits shall be applied for and approved prior to construction, including, but not limited to: building, signage, Water Access Charge (WAC), and Sewer Access Charge (SAC).
4. An escrow shall be submitted in an amount of \$10,000 to ensure the project is finalized and consultant fees are covered.

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

Foss said the landscaping rain garden runoff areas on the plans is not there.

Brian Brouwer (The Foundation Architects) said rain gardens are shown on the plans.

Foss said they were going to minimize the removal of the trees, and it looks like more than what they had said were going to be removed.

Robert Shaffer (The Foundation Architects President) said that they tried to save as many as possible. The parking lot is in the back and they tried to move the building more forward. They had to raise the building so it sloped for the parking lot for drainage. On the plans Page C200 there is a grading drainage control plan and with the rain gardens they are putting in, they lost a lot of the trees that they were hoping to save. They will replant some more trees. They will hire a landscaper that is local and will submit those plans to the City.

Foss wants to see some of the trees replaced.

Edmonds commented that there's no sense saving older trees when they could die with all the construction going on.

Foss wants to see what they come up with. Are they able to retain some of the trees.

Shaffer said a few. They are outlined on the property line. There will be a fence put in. The rain gardens can kill off a lot of natural stuff. You cannot put normal trees near them or they rot them off.

Foss said she did make an error on her memo and put the escrow amount as \$2,500 and it should be \$10,000.

Shaffer said he will bring this back to the owner and see if he can handle the change. It is a large difference.

Foss said she could lower the escrow amount.

Johnson said it looks nice and will be good to have in that area.

HEITSCHMIDT MOVED, SECOND BY JOHNSON, TO APPROVE THE SITE PLAN REVIEW FOR RIVERSTONE DENTAL IN THE B-2 NEIGHBORHOOD BUSINESS DISTRICT, AND LOCATED AT 309-311 RUM RIVER DRIVE SOUTH, WITH THE FOLLOWING CONDITIONS:

1. THE LANDSCAPE PLAN SHALL BE PROVIDED.
2. THE CITY ENGINEER RECOMMENDATIONS SHALL BE FOLLOWED AS INDICATED IN THE MEMO DATED JUNE 12<sup>TH</sup>, 2015 AND UPDATED PLANS SUBMITTED.
3. ALL NECESSARY PERMITS SHALL BE APPLIED FOR AND APPROVED PRIOR TO CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO: BUILDING, SIGNAGE, WATER ACCESS CHARGE (WAC) AND SEWER ACCESS CHARGE (SAC).
4. AN ESCROW SUBJECT TO NEGOTIATIONS, SHALL BE SUBMITTED IN AN AMOUNT OF \$10,000 TO ENSURE THE PROJECT IS FINALIZED AND CONSULTANT FEES ARE COVERED.

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

**OLD BUSINESS:**

**A. Rezoning from R-2 Residential to MN-1 Industrial for Heritage Village Site**

This item was on the July 20, 2015 Planning Commission agenda as a public hearing. At the meeting the Planning Commission moved to table the rezoning request from R-2 Residential to MN-1 Industrial for the old Heritage Village site, until the Planning Commission Board has more time to review the information and when the Feasibility Study is done.

Foss has added the item to tonight's meeting and provided more information for the Planning Commission Board to review.

Edmonds said his major concern in not approving it as Shovel Ready. He spoke to Michele McPherson (Mille Lacs County Land Services Director) and Susan Shaw (Mille Lacs County Soil & Water Conservation District) and they assured him that Shovel Ready is just wording. The topic is rezoning this property. A public hearing was held and three residents had distinctive input and were concerned that the rural atmosphere was going away. Life goes on and things change. Unless the projects change it does not move forward. There is wetlands out there. There is a high water table. Not an issue for the rezoning, just for the Developers. Eldon Johnson's concern was history of other City projects and hind sight is 20/20.

Johnson said that is part of it. Several things struck him. We are talking about 200 acres. You are talking about putting one big building there. You give up your whole development to someone and then there is the service cost to get the services out there. What if it goes upside down and it will be the residents that will be stuck paying for it. The City has 80 acres of land for many years that has not been used. This site is expensive to get services to. It will get worse with the expense. He cannot imagine that will be on the Developer. They will pay their share of what is used and the residents are going pay for the rest. We have other land to use and he is sticking to that. He has watched for 50 years of this happening to residents. He has seen a project downtown where the residents are paying for.

Edmonds said there is a huge difference and this is private property, not the Cities.

Johnson said at some point we have to take the initiative about the bond payments that are made and that is on the City. Services have to go all the way out there.

Edmonds said he thought about this and the 2008 Comprehensive Plan calls for all the area around the Airport to be Industrial. He never thought this should be residential. Maybe the City should have kept it Industrial. He does not believe the rezoning is detrimental to any of the concerns that were brought up. This was his aunts land and bought by one person and sold to who owns it now.

Heitschmidt asked if all 200 acres is zoned R-2.

Foss said yes.

Heitschmidt said the request is to rezone the 200 acres to Industrial.

Reynolds said you do not know if we get a data center.

Johnson said he is not worried about getting the data center. He stays with his positions. He won't change his mind.

Heitschmidt said whether it is residential or industrial it will have to come back to us.



**DRAFT**

Edmonds said the Shovel Ready aspect he was not aware of. He was assured that they have to follow procedures. It is a rezoning and the Comprehensive Plan supports this and the land owners want it.

REYNOLDS MOVED, SECOND BY EDMONDS, TO APPROVE THE REZONING REQUEST FROM R-2 RESIDENTIAL TO MN-1 INDUSTRIAL FOR THE OLD HERITAGE VILLAGE SITE (PID'S #24-031-0010, #24-031-0020, #24-031-0030, AND #24-031-0050).

REYNOLDS RETRACTED HIS MOTION.

EDMONDS MOVED, HEITSCHMIDT SECOND, TO REMOVE THE TABLING FROM THE PLANNING COMMISSION MEETING DATE ON JULY 20, 2015, FOR THE REZONING REQUEST FROM R-2 RESIDENTIAL TO MN-1 INDUSTRIAL FOR THE OLD HERITAGE VILLAGE SITE (PID'S #24-031-0010, #24-031-0020, #24-031-0030, AND #24-031-0050). UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

REYNOLDS MOVED, SECOND BY EDMONDS, TO APPROVE THE REZONING REQUEST FROM R-2 RESIDENTIAL TO MN-1 INDUSTRIAL FOR THE OLD HERITAGE VILLAGE SITE (PID'S #24-031-0010, #24-031-0020, #24-031-0030, AND #24-031-0050).

Kusler asked on the availability of the utility services.

Mayor Whitcomb said the easements were put in, but no utilities.

UPON THE VOTE, THERE WERE 3 AYES, 1 NAY. (AYES: REYNOLDS, EDMONDS, AND HEITSCHMIDT. NAY: JOHNSON). MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the rezoning consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? Yes.
3. Does the rezoning constitute spot zoning of the property? No.

Based on the findings, a recommendation to approve the rezoning will be made to the Princeton City Council.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:35 P.M.

ATTEST:

\_\_\_\_\_  
Jack Edmonds, Chairperson

\_\_\_\_\_  
Mary Lou DeWitt, Comm. Dev. Assistant

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## MEMORANDUM

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TAB B



TO: Princeton Planning Commission  
FROM: Jolene Foss, Community Development Director  
SUBJECT: **Conditional Use Permit for Jim Thompson**  
DATE: September 21<sup>st</sup>, 2015

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### BACKGROUND

Jim Thompson, on behalf of Moose International, Inc. Lodge # 2331, has applied for a conditional use permit for the property address at 701 16<sup>th</sup> 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.

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MEMORANDUM

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TAB C



TO: Planning Commission  
FROM: Jolene Foss, Community Development Director  
SUBJECT: Variance to allow a pylon sign within the minimum of 15 feet from any surrounding buildings or structures.

DATE: September 21<sup>st</sup>, 2015

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**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-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 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.

CITY OF PRINCETON,  
MINNESOTA ORDINANCE NO.

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

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 requirements 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.

A copy of the full ordinance is available for review at City Hall.

Adopted by the City Council of the City of Princeton this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Paul Whitcomb, Mayor

ATTEST:

\_\_\_\_\_  
Mark Karnowski, City Administrator

CITY OF PRINCETON,  
MINNESOTA ORDINANCE NO.

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) *Application 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 County 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.

(E) *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

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 County 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.

(E) *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.

A copy of the full ordinance is available for review at City Hall.

Adopted by the City Council of the City of Princeton this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Paul Whitcomb, Mayor

ATTEST:

\_\_\_\_\_  
Mark Karnowski, City Administrator

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## MEMORANDUM

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TAB F



TO: Planning Commission  
FROM: Jolene Foss, Community Development Director  
SUBJECT: Rezoning from R-2 to R-3 at 701 5<sup>th</sup> Ave North  
DATE: September 21<sup>st</sup>, 2015

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### REQUEST

Dan Erickson has submitted an application to rezone the property at 701 5<sup>th</sup> 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 7<sup>th</sup> Street North and 5<sup>th</sup> 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 a 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 them 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 Residential land use category *allows mixed housing styles, including duplexes and some town-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 requests, 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 existing 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.

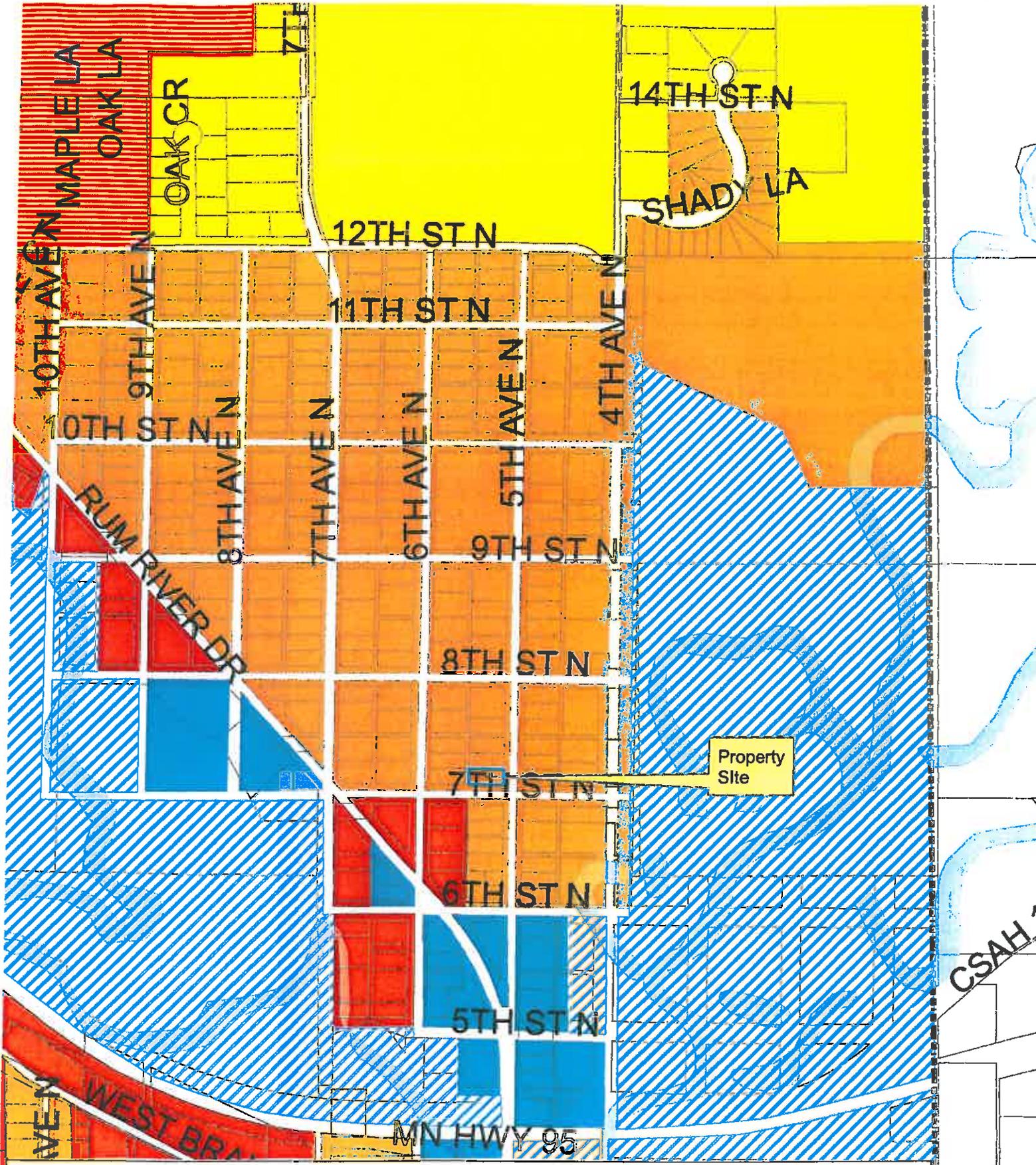
**Planning Commission Recommendation.** An update will be provided prior to or at the Council meeting on Thursday regarding the Planning Commission's recommendation, along with a resolution denying the rezoning or an Ordinance approving the rezoning.

## 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.



**Legend**

- |  |   |   |   |   |
|--|---|---|---|---|
| <ul style="list-style-type: none"> <li> Princeton City Limits</li> <li> County Line</li> <li> Wild &amp; Scenic District</li> <li> Open Water</li> </ul> | <p><b>Zoning Districts</b></p> <ul style="list-style-type: none"> <li> A-1 Agricultural</li> <li> A-2 Agricultural 2</li> <li> C-1 Conservation</li> <li> R-1 Residential</li> <li> R-2 Residential</li> <li> MOR Medical Office Residential</li> </ul> | <ul style="list-style-type: none"> <li> R-3 Multiple Family Residential</li> <li> RM-1 Residential Manufactured Housing</li> <li> B-1 Central Business</li> <li> B-2 Neighborhood Business District</li> <li> B-3 General Commercial District</li> <li> HC-1 Health Care District</li> <li> MOR Medical Office Residential</li> </ul> | <ul style="list-style-type: none"> <li> MN-1 Industrial</li> <li> MN-2 Industrial 2</li> <li> D-1 Airport</li> <li> F-1 Floodplain</li> <li> AT Antenna Overlay</li> <li> ES Essential Services Overlay District</li> </ul> | <p><b>Princeton Municipal Airport Zoning</b></p> <ul style="list-style-type: none"> <li> Existing Zone A</li> <li> Existing Zone B</li> <li> Existing Zone C</li> <li> Future Crosswind Runway</li> <li> Existing Runway</li> </ul> |
|--|---|---|---|---|

**Duluth****50-27.4 Illumination Standards**

*The following illumination standards apply to on-premises signs. Illumination of billboards (offpremises) are regulated separately in Section 50-27.7. Additional illumination requirements for electronic message signs are found in Section 50-27.7.*

*A. Any sign illumination, including gooseneck reflectors, external illumination and internal illumination, must be designed, located, shielded and directed to prevent the casting of glare or direct light upon roadways and surrounding properties, or the distraction of motor vehicle operators or pedestrians in the public right-of-way.*

*B. The sign face of internally illuminated signs must function as a filter to diffuse illumination. The sign face must cover all internal illumination components so that no exposed bulbs are visible.*

*C. All external illumination of a sign must concentrate the illumination upon the printed area of the sign face.*

*D. No sign illumination may exceed one (1) footcandle of illumination at the property line.*

*E. The use of neon lighting as a sign material or sign accent is permitted for signs within the mixed-use, form-based and special purpose districts, with the exception of the MU-N and MU-B Districts where it is prohibited. Neon lighting is subject to the following:*

*1. When lit, neon lighting must be continuously illuminated. Flashing neon is prohibited.*

*2. Neon lighting cannot be combined with any reflective materials (e.g., mirrors, polished metal, highly-glazed tiles, or other similar materials) that would cause glare and increase the spread of light.*

*3. Neon lighting to outline doors and windows is prohibited.*

*F. The use of LED lighting as a sign accent is permitted, subject to the following:*

*1. LED lighting as an accent is only permitted for non-residential uses in the mixed-use, form-based and special purpose districts where electronic message center signs are permitted. LED accent lighting is prohibited in any residential district.*

*2. LED lighting as an accent must comply with all illumination requirements of an electronic message center sign.*

*3. The addition of LED lighting as an accent to an existing sign requires a zoning permit.*

*4. When lit, LED lighting must be continuously illuminated. Flashing LED is prohibited.*

*5. LED lighting cannot be combined with any reflective materials (e.g., mirrors, polished metal, highly-glazed tiles, or other similar materials) that would cause glare and increase the spread of light.*

***6. LED lighting to outline doors, windows, and automobile and filling station gas canopies is prohibited.***

*7. LED lighting to outline billboards, free standing monument signs, and free standing pole signs is prohibited.*

### **MILACA**

All the City of Milaca has is in the Nuisance Standards (E) Glare and Heat. Any use requiring an operation producing an intense heat or light transmission shall be performed with the necessary shielding to prevent the heat or light from being objectionable at the lot line of the site on which the use is located. Lighting in all instances shall be diffused or directed away from R Districts and public streets.

Not much in ours.

Marshall Lind

City of Milaca

### **CAMBRIDGE**

We don't specifically state anything about neon lighting in the gas canopy area of the code. We have a general statement in our "Prohibited Signs" section of the code that will hopefully address any complaints we receive about the lighting. So far, we have not received any complaints, but if we did, we would use the section below to have the business remove or reduce the lighting.

(D) *Prohibited signs.* The following signs are prohibited by this section:

(1) Signs that by reason of position, shape or color would interfere with the proper function of a traffic sign, signal or interfere with or are be misleading to vehicular traffic;

(2) Signs that by reason of illumination or brightness disturb the peace of any neighboring residential property.

Hopefully this helps. Good luck!

Marcia Westover

City Planner

City of Cambridge

300 3rd Ave. N.E.

Cambridge, MN 55008

Phone: 763-552-3207

Fax: 763-689-6801

E-mail: [mwestover@ci.cambridge.mn.us](mailto:mwestover@ci.cambridge.mn.us)

### **ZIMMERMAN**

Sorry...nothing here either. Only language close prohibits flashing, moving, or animation on signs, but get this...it does NOT apply to commercial zoned property. Revision has been on my to-do list since about 1997.

Randy Piasecki

City Administrator

763.856.4666 x 24



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**MEMORANDUM**

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**TAB H**

TO: Planning Commission  
FROM: Jolene Foss, Community Development Director  
SUBJECT: **Ordinance Amendment for Kennels in R-1, R-2, R-3, B-1, B-2 and B-3**  
DATE: September 21<sup>st</sup>, 2015

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City Staff is requesting the consideration of an Ordinance Amendment to address Ordinance NO. 716 INTERIM ORDINANCE PURSUANT TO MINNESOTA STATUTES SECTION 462.355, SUBDIVISION 4, ESTABLISHING A MORATORIUM PROHIBITING THE ISSUANCE OF CONDITIONAL USE OR INTERIM USE PERMITS FOR THE OPERATION OF A KENNEL.

The city's ordinance defines a Kennel as:

**Kennel:** Any place where more than three domestic animals over eight months of age are owned, boarded, bred, trained or offered for sale, but not including veterinary clinics.

The city's regular ordinances identifies kennels as a nuisance and suggests they are not allowed anywhere in the city:

**500.06 Kennels.**

- (A) **Definition of kennel.** The keeping of three or more dogs, cats, and/or other domestic animals on the same premises, whether owned by the same person or not and for whatever purpose kept, shall constitute a "kennel," except that a fresh litter of pups or kittens may be kept for a period of three months before that keeping shall be deemed to be a "kennel."
- (B) **Kennel as a nuisance.** Because the keeping of three or more dogs or cats on the same premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard and general aesthetic depreciation, the keeping of three or more dogs or cats on the premises is hereby declared to be a nuisance, and no person shall keep or maintain a kennel within the city.

Still, in the city's zoning ordinances:

1. R-1 Residential: Kennels are an Allowed Use so long as there are "not more than three domestic animals" and a Conditional/Interim Use for more than 3 domestic animals.
2. R-2 Residential: Kennels are not an "Allowed Use" and can only exist with a Conditional/Interim Use (for more than 3 domestic animals).
3. R-3 Residential: Kennels are again an Allowed Use so long as there are "not more than three domestic animals" and a Conditional/Interim Use for more than 3 domestic animals.
4. B-1 Central Business District: Kennels are not allowed...even for a veterinarian clinic.
5. B-2 General Business District: Kennels are not mentioned but veterinarian clinics are a Conditional/Interim Use. Because the Kennel above definition says it's not a kennel if it's operated by a veterinarian clinic, one assumes they can exist with a Conditional/Interim Use Permit.

6. B-3 Highway Commercial: Vet Clinics are an Allowed Use (with no overnight boarding) and a Conditional/Interim Use (with overnight boarding).

In an attempt to clarify and maintain consistency throughout both the City Code of Ordinances and the Zoning Ordinance #538 the City Council has made a motion directing the Planning Commission to process this Ordinance Amendment redefining the allowed number of domestic pets allowed in each respective district.

After discussion at the August 6<sup>th</sup>, 2015 Study Session, the consensus was to adjust the ordinance such **that any property in an R-1, R-2 or R-3 zoned area should be able to have up to 3 dogs or up to 3 cats but a combination of no more than 5 dogs and cats. In any property in a B-1, B-2 or B-3 zoned area should be able to be used as a veterinarian clinic, a pet store and/or a 'doggy day care' facility with the issuance of an Interim Use Permit.**

The reasoning behind this decision is that there are certain expectations by a resident when they live in a city versus a rural area. Because of the close proximity of buildings and the size of lots, having more than 3 dogs on a property could create a nuisance situation for neighboring properties.

While residents who temporarily take in 'rescue animals' are to be commended, the city has to balance the need for animal foster care with the expectations of neighbors who live on a smaller lot properties within a city.

There are significantly more single family properties on larger lots in the townships surrounding Princeton than there are in the city.

That's not to say that Princeton residents cannot give temporary foster care to rescue pets, just that the number of dogs and/or cats need to be more limited than what might be possible in a more rural setting.

It is staff recommendation to **approve** this Ordinance Amendment redefining the allowed number of domestic pets and to maintain consistency throughout both Code of Ordinances and Zoning Ordinance.

# MEMORANDUM

TAB I



TO: Planning Commission Board  
FROM: Mary Lou DeWitt  
SUBJECT: **Papa Murphy's additional signage on an existing Pylon Sign**  
DATE: September 21, 2015

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 installed in 2001. At the time, it was approved for 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 the 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 13<sup>th</sup> 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.

Enclosed:

\*Email

\*Proposed Signage

\*Copy of the Family Dollar Pylon Signage

## MaryLou Dewitt

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**From:** Mary Schulke  
**Sent:** Tuesday, September 01, 2015 7:42 AM  
**To:** MaryLou Dewitt  
**Subject:** Re: Sign Ordinance

Hi Mary Lou,

The bottom of our sign to the ground will be no less than 15 feet. (It is hard to estimate). If it makes no difference, just do 1 permit. Feel free to call our sign company if you have other questions. Jake our contractor can be reached at

Thanks, Amy

On Mon, Aug 31, 2015 at 9:01 AM, Mary Schulke

Hi Mary Lou,

All of the dimensions including the depth of the sign on the building are on the drawings I attached. Both signs are light, and one of us will have to go up and physically measure the clearance from the ground and get back to you. I think we are going to get the 3 foot Pylon, let me know if you have any more questions.

On Mon, Aug 31, 2015 at 8:32 AM, MaryLou Dewitt <[marylou@princetonmn.org](mailto:marylou@princetonmn.org)> wrote:

Hi Mary: Thank you for submitting what the signage will be for Papa Murphy's. On the pylon sign, which size are you looking at? And from there what is the clearance from the bottom of the proposed sign to the ground? The Planning Commission will have to review this at their September 21<sup>st</sup> meeting. I would contact you after and let you know of their decision. On the wall sign, it appears that will be a lit sign? What is the store front measurements and also what is the depth of the sign. I have included the Sign Ordinance for your review. Please look at Page VII-9 and VII-10 for Wall Signs.

Are you wanting the signage on separate building permits or together if the Planning Commission approves the pylon signage?

Thank you for providing the additional information. I look forward from hearing back from you and if you do have any questions, please feel free to contact me, [\(763\) 389-2040](tel:7633892040). Papa Murphy's will be an excellent addition to the community!!! Have a great day! Mary Lou

Mary Lou DeWitt

*Comm. Dev. Assistant*

705 2nd Street North

Papa Murphy 579850  
Princeton, MN



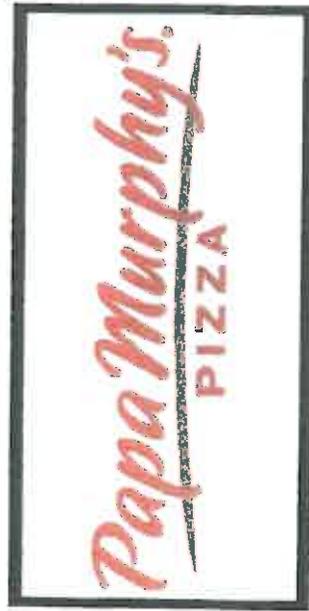
102356 Electric sign & Lighting

96 in

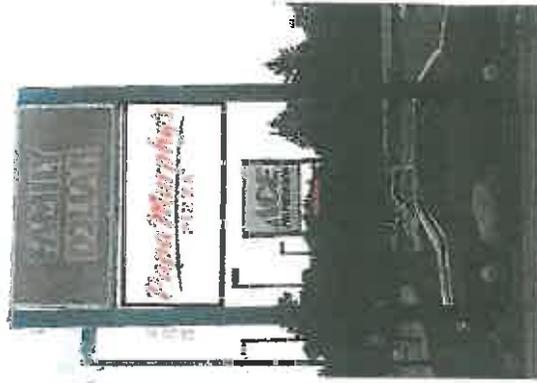
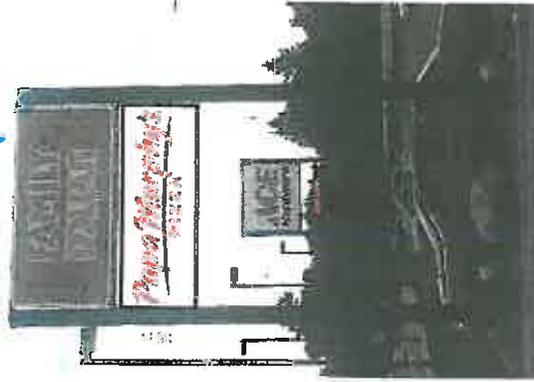


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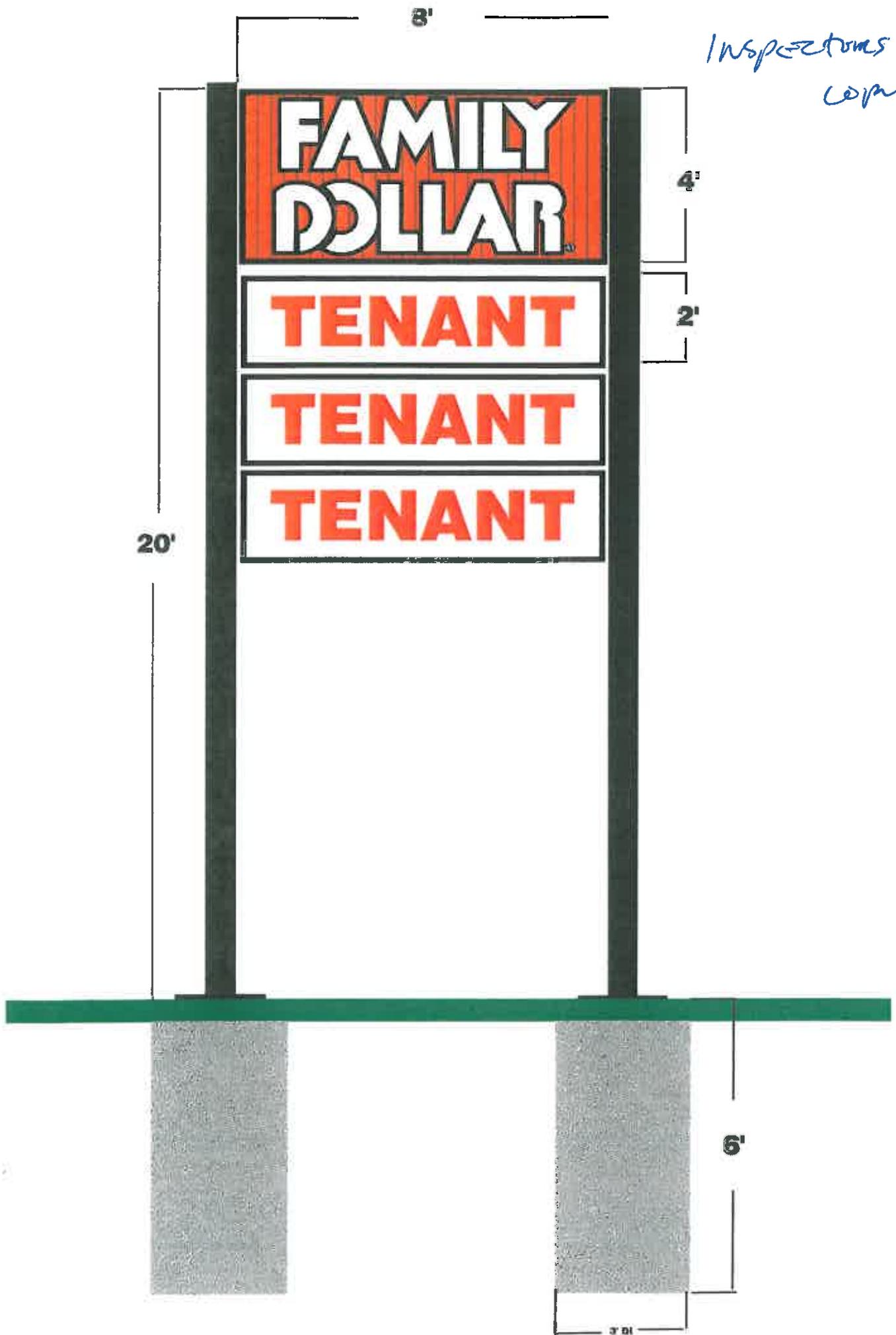
48.05 in



**electric sign & lighting inc.**

11328 Zane Avenue North Champlin MN 55316-3462  
763-421-9623 / 763-421-9561 (fax)

Inspections  
copy



8'

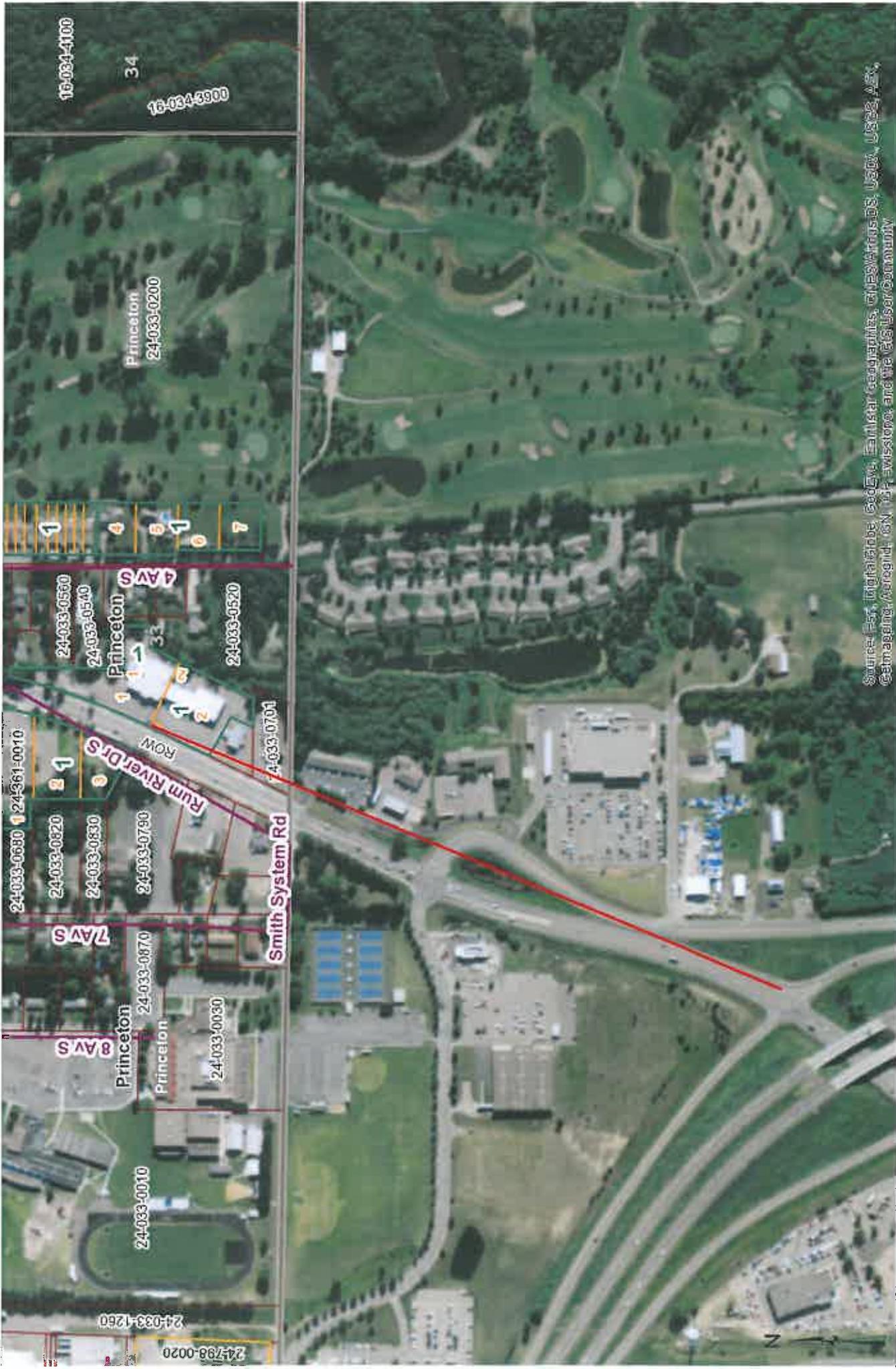
20'

4'

2'

6'

3' 01"



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR AeroGlobe, USDA, USGS, AeroVista, @mapbox, AeroGRID, IGN, and the GIS User Community



Distance from Hwy 169

*Distance is 2284 Ft from one point to the other.*

Date: 9/14/2015

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

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## MEMORANDUM

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**TAB J**



**TO:** Princeton Planning Commission  
**FROM:** Jolene Foss, Community Development Director  
**SUBJECT:** EDA UPDATE  
**DATE:** August 17<sup>th</sup>, 2015

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- Rezoning request for 200 acres, Last step for DEED Shovel Ready Certification
  - Planning Commission Approved Aug 3<sup>rd</sup>, 2015
  - Intro to Council Aug 6<sup>th</sup>, 2015
  - Final Reading Aug 13<sup>th</sup>, 2015
  
- Great River Energy Data Center Site Assessment Program application beginning
- Discussion of upcoming Data Conferences
- DEED FAM (Familiarization) Tour September 14<sup>th</sup> – 15<sup>th</sup> Finish Line Cafe
- 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

CITY OF PRINCETON, MINNESOTA

ORDINANCE NO. 721

AN ORDINANCE AMENDING SECTION 265 OF TITLE II (ADMINISTRATION) OF THE CITY OF PRINCETON ORDINANCES IN ORDER TO MODIFY THE QUALIFICATIONS OF A CITY PLANNING COMMISSION MEMBER.

\*\*\*\*\*

**SECTION 1.** Section 265.02 and Section 265.03 of Title II (Administration) of the Princeton City Ordinances is hereby amended to modify the composition and appointment of Planning Commission Members and shall read as follows (underline indicates additions; ~~strikethrough~~ indicates deletions):

**265.02 Composition.** 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 area. In addition, three ex-officio members who shall each be a member of the ~~Municipal~~ Township Board or ~~Municipal~~ Township Planning Commission and be from the ~~Municipalities~~ Townships of Baldwin, Greenbush and/or Princeton.

**265.03 Appointment.**

- (A) **Regular members.** The five regular members shall be appointed by the City Council for staggered three-year terms. Any vacancy shall be filled by the ~~appointing authority~~ City Council for the remainder of the term. The absence of any member from three consecutive meetings or four meetings in a calendar year shall create a vacancy. The City Council may, for cause, remove any member by a four-fifths majority vote after a public hearing. Members shall serve until a successor is qualified.
- (B) **Ex-officio members.** The three ex-officio members shall be appointed by their respective ~~municipal~~ Township boards and shall serve staggered three-year terms. Any vacancy shall be filled by the appointing authority for the remainder of the term. If a member ceases to be a member of the ~~municipal~~ Township board or planning commission, a vacancy shall be created. The Council may, for cause, remove any member by a four-fifths majority vote after a public hearing.

**SECTION 2.** Effective Date. This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:

*Ordinance #721 amends Chapter II of the Princeton Subdivision Ordinance by allowing a non-city resident who owns a business located within the city of*

*Princeton to serve on the Princeton Planning Commission. It also clarifies some unclear language.*

**ADOPTED** by the City Council of the City of Princeton this 10<sup>th</sup> day of September, 2015.

A handwritten signature in black ink, appearing to read "Paul Whitcomb", written over a horizontal line.

Paul Whitcomb, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Shawna Jenkins", written over a horizontal line.

Shawna Jenkins, City Clerk

**CITY OF PRINCETON  
PLANNING COMMISSION  
BYLAWS**

\*\*\*\*\*

**SECTION 1. ANNUAL MEETING**

The annual meeting of the Planning Commission shall be the first regular meeting in the month of January of each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled by the Planning Commission as per Section 6.

**SECTION 2. REGULAR MEETINGS**

Regular meetings of the Princeton Planning Commission shall be held in the City Hall at 7:00 p.m. on the third Monday of each month. At such meetings the Commission shall consider all matters properly brought before the Commission. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting.

**SECTION 3. SPECIAL MEETINGS**

Special meetings of the Planning Commission shall be called by the Chairperson or Vice-Chairperson who shall designate the time and place of the meeting. Written notice thereof shall be given to all members not less than 24 hours in advance of the special meeting.

**SECTION 4. QUORUM**

In order for any meeting to be called to order, a quorum of three regular members must be present. During the course of a meeting, at least three members must be present to take action on any matter before the Commission.

**SECTION 5. VOTING**

At all meetings of the Planning Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member shall have a personal interest of any kind in a matter then before the Commission, he/she shall disclose his/her interest and be disqualified from voting upon the matter, and the secretary shall so record in the minutes that no vote was cast by such member. The affirmative vote of a majority of members in attendance shall be necessary for the adoption of any resolution or other voting matter. The results of any vote shall be recorded, listing those voting Aye and those voting Nay.

**SECTION 6. PROCEEDINGS**

- A. At any regular meeting of the Planning Commission, the following shall be the regular order of business:
1. Call to Order/Roll Call
  2. Review Minutes of the preceding meeting(s)
  3. Agenda Additions/Deletions
  4. Public Hearings - Applications
  5. Old Business
  6. New Business
  7. Communications and Reports
  8. Adjournment

- B. The following procedures will normally be observed; however, they may be rearranged by the Chairperson for individual items if necessary for the expeditious conduct of business:
1. Staff presents report and makes recommendation.
  2. The Planning Commission may ask questions regarding the staff presentation and report.
  3. Proponents of the agenda item make a presentation.
  4. Any opponents make presentations.
  5. Applicant makes rebuttal of any points not previously covered.
  6. Planning Commission asks any questions it may have of the proponents, opponents, or staff, and then takes a vote.
- C. Each formal action of the Planning Commission required by law, rules, or regulations shall be embodied in a formal vote duly entered in full upon the Minute Book after an affirmative vote as provided in Section 5 hereof.
- D. No new agenda items shall be taken up after 11:00 p.m.

#### **SECTION 7. DEADLINE FOR AGENDA**

The deadline for filing for placement on the agenda for items of New Business to be considered by the Planning Commission shall be 12:00 noon, Monday, one week prior to the meeting, unless a public hearing is required. Application deadlines are to be followed as per Developer's Guide requirements.

#### **SECTION 8. RULES OF PROCEDURE**

All meetings of the Planning Commission shall be conducted in accordance with Robert's Rules of Order unless there is a conflict with these bylaws, other ordinances, or statute.

#### **SECTION 9. MEMBER RESPONSIBILITIES**

The Planning Commission shall consist of five regular members who shall be residents of the City, and three ex-officio members who shall each be a member of the Municipal Board or Municipal Planning Commission and be from the Municipalities of Baldwin, Greenbush, and Princeton.

Members are expected to be interested in Planning and Zoning matters as they relate to the overall general welfare and development of the community. It is realized that at times absence from meetings is unavoidable. However, any member absent from three (3) consecutive regular meetings, or a total of four (4) meetings annually, shall be deemed to have vacated his/her office, and the Planning Commission shall request that the City Council appoint someone to fill the vacant seat. The City Administrator shall notify in writing any person removed from her/his position in the above described manner.

#### **SECTION 10. OFFICERS**

The officers of the Planning Commission shall consist of a Chairperson, a Vice-Chairperson, and Secretary, elected by the Planning Commission at the annual meeting for a term of one year. In the event the secretary shall be absent from any meeting, the officer presiding shall designate an acting secretary.

#### **SECTION 11. DUTIES OF OFFICERS**

The duties and powers of the officers of the Planning Commission shall be as follows:

A. Chairperson

1. To preside at all meetings of the Commission.
2. To call special meetings of the Planning Commission in accordance with these bylaws.
3. To sign documents of the Commission.
4. To see that all actions of the Commission are properly taken.

B. Vice-Chairperson

During the absence, disability, or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

C. Secretary

To sign official documents of the Commission and other duties as required.

D. Secretarial duties to be delegated to City Staff.

1. To give or serve all notices required by law or by these Bylaws.
2. To prepare the agenda for all meetings of the Commission.
4. To be custodian of Commission records.
5. To inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
6. To handle funds allocated to the Commission in accordance with its directives, the law, and City regulations.
7. To take the minutes of all meetings of the Commission for typing and filing into the appropriate minute book by City Staff.

**SECTION 12. VACANCIES**

Should any vacancy occur among the members of this Planning Commission by reason of death, resignation, disability, or otherwise, immediate notice thereof shall be given to the City Administrator and Chairperson by the Secretary. The City Administrator shall then see that a new appointment is made by the City Council. Resignations should be made in writing to the Planning Commission Secretary stating the effective date of the resignation.

**SECTION 13. AMENDMENTS**

These Bylaws may be amended by the City Council after a recommendation has been received from the Planning Commission.

RECOMMENDED FOR APPROVAL by the Planning Commission this 18<sup>th</sup> day of February, 2014.

  
\_\_\_\_\_  
Jack Edmonds, Chair

ATTEST:  
  
\_\_\_\_\_  
Mary Lou DeWitt, Comm Dev Assistant

APPROVED by the Princeton City Council this 27th day of February, 2014.

  
\_\_\_\_\_  
Paul Whitcomb, Mayor

ATTEST:

  
\_\_\_\_\_  
Shawna Jenkins, City Clerk

\*\*\*\*\*

Mayor Paul Whitcomb called the meeting to order. Council members present were, Thom Walker, Dick Dobson, and Jules Zimmer. Staff present, Administrator Mark Karnowski, Finance Director Steve Jackson, Clerk Shawna Jenkins, Police Chief Todd Frederick, Engineer Mike Nielson, Finance Director Steve Jackson, Community Development Director Jolene Foss and Attorney Damien Toven. Absent was Victoria Hallin.

**School District Annexation Request**

Karnowski advised that the city has received a petition from the School District requesting that four parcels located north and east of the Middle School be annexed into the city.

The School District wishes to develop some of the land into ball fields and feels that having all the School District property under the jurisdiction of one political entity will aid in their ability to implement and maintain Emergency Response Plans and provide cohesive structure for all potential accidents and/or crimes that will be uniform on all District property.

They feel having all District property located in one political jurisdiction will also allow for minimal confusion in what jurisdiction is responsible for any proceedings in an investigation.

They note that the city's public safety department has been working closely with the District and has knowledge of the administration, staff and other critical information. Annexation will also make it easier to use current District infrastructure which will allow for a more cohesive and pleasant use of the land for both the District and the neighboring residents.

State law requires that a public hearing on the proposed annexation be held no sooner than 30 days after the township and the adjacent property owners have been given written notice by certified mail.

Annexation would be by ordinance, which has been drafted along with a few other relevant documents.

If the Council wishes to agree to the School District's request for annexation, then a motion to accept the petition and set the requisite public hearing for 7 PM, Thursday, September 10 and send notices (via certified mail) to Princeton Township and the owner(s) of all property abutting or within the proposed annexation area would be in order.

Nielson asked if the north boundary goes to the center of the road. Karnowski replied that his understanding, as with most annexations is that the property goes to the center line. Nielson added that he wanted to confirm that the City would be receiving half of the roadway.

Karnowski said the annexation would not add to the City's population or tax base, it is just to accommodate what the district is requesting. When they were looking at locating the ball fields at the north end of the property, the Township was going to require them to pave the roads. The cost to pave those roads was very high, so they decided to go with this option.

Whitcomb asked if the fields will be watered. Officer and School District Board Member Minks stated the school has a well that they would be accessing to water these fields.

DOBSON MOVED TO ACCEPT THE ANNEXATION REQUEST AND TO HOLD THE PUBLIC HEARING AT THE SOONEST MEETING AFTER THE 30 DAYS FROM MAILING. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**Yard Waste Discussion**

Karnowski reported that Gerold has met with Sylva and they have provided the following proposal:

1. Sylva will provide a portion of land along Airport Road, it is approximately 1/3 acre.
2. Area will be blocked off so that public cannot get into Sylva's production yard. Sylva will provide concrete blocks.
3. Collection site will be moved to the NW corner of Sylva property.
4. The city needs to provide a gate and some gravel for the entrance/
5. Products are to be separated into 2 classes, (1) woody material such as brush and stem wood, (2) grass and leaves.
6. Sylva will grind the products as needed. The woody material Sylva will keep, the leaf/grass material will be the city's product to haul off site.
7. Sylva is to receive \$5,000 per year for the use of the site and for grinding material. Up to 10 hours of machine time is included.
8. The city will be responsible for when the site is open.
9. No garbage or other deleterious materials are to be dropped at the site.
10. Sylva can provide loading and hauling of the city's material for a cost yet to be determined.

Gerold added that he has since discussed the proposal more with Doose. Gerold said they are looking at reconfiguring his yard and Doose did agree to reduce the fee to \$3,500 per year. Public Works has a gate from another site they can use at Sylva to keep costs down as much as possible.

Some questions that staff and the Council need to determine are the hours of operation, times of the year to have it open and fees. They will likely need to hire someone to man that facility. They have also found that non city residents would like to use the facility as well. Therefore, he questioned if there should be a lower fee for residents that can show a utility bill to prove city residence. In addition to the yearly fee to Sylva, there will also be costs incurred in trucking and manpower as well.

Karnowski commented that staff can ask around to find out what the going rate is. His personal opinion is that the user pays and hopefully we can offset the expenses. He suggested a minimum of \$5 so it is not an unreasonable cost for the residents. Walker added that in the past, it was \$5 for a truck load and a few dollars for a trunk full. Zimmer asked about a lesser fee per bag, for those just bringing 1 or 2 bags. Karnowski said he threw the \$5 minimum out there so the dollar figures and having change would be easier.

Walker added that he believes a pickup load is about a yard. He questioned how much commercial haulers bring. Gerold responded that was correct about a pickup load being a yard. He added that some of the commercial haulers he has seen come in with 20 yard dumpsters. Karnowski stated that the cities he has worked for in the past do not accept commercial haulers. Zimmer agreed and stated that this is to provide a service to the City residents.

Whitcomb asked if we will have a contract in place with Sylva this time. Gerold said they will have something written up.

**DOBSON MOVED TO AUTHORIZE STAFF TO PROCEED WITH THE CONCEPT AND COME BACK TO THE COUNCIL WITH RECOMMENDED FEES AND HOURS OF OPERATION. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY**

### **Rezoning Request**

Foss reported that the Planning Commission has held a public hearing and approved the rezoning of the Lakes of Heritage Village from R-2 Residential to MN-1 Industrial.

Dobson thinks if we approve this rezoning it may help with funding for the Round-A-Bout at 21<sup>st</sup> Avenue.

WALKER MOVED TO INTRODUCE ORDINANCE 720 REZONING THE LAKES OF HERITAGE VILLAGE. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

### **Eldon Johnson Resignation from the Planning Commission**

Karnowski reported that Eldon Johnson has submitted his resignation from the Planning Commission, stating a difference in opinion.

DOBSON MOVED TO ACCEPT ELDON JOHNSON'S RESIGNATION FROM THE PLANNING COMMISSION. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Whitcomb said he is sorry to see a difference in opinion and that Johnson is leaving the Planning Commission.

### **Kennel Moratorium**

Karnowski said this came up because of Animal rescue foster homes. When you buy a house in the city, you have expectations what is going to go on in the neighborhood. The number of cats and dogs in any particular house should be limited. Staff thought maybe 5 was a good number, but that can be discussed further. He asked the Council if they were next door to an animal foster home, what number of animals they would be comfortable with. Staff is not asking for anything to be adopted at this point, but some direction from the council.

Dobson agreed that some allowance should be given to foster homes, but there should be some guidelines on those that have more animals than is normally allowed. He suggested possibly requiring the yards to be fenced.

Foss asked Chief Frederick what he would feel is an adequate number. Frederick replied that in Coon Rapids for example, they only allow one dog. The city lots are small and there are a few current issues with people who have more than 3. Some of those residents are claiming they are fostering for a rescue. Foss added that she understands some foster pets do not get adopted, so they end up staying.

Walker stated they have adopted 2 dogs now, and both places the dogs were being fostered there was just the one foster in addition to one dog owned by the family. He does not feel the number allowed needs to be increased from 3.

Whitcomb agreed and said 3 dogs is plenty for the small lots that we have in the city. Zimmer questioned what other cities allow for pets. Karnowski replied that according to the Administrator / Clerk's List Serve the numbers are all over the board. Dobson and Walker agreed and said they would like the ordinance to stay the same at 3 pets.

**2016 Budget**

Jackson advised that he is just looking for some initial feedback from the Council on the 2016 budget. He will be working with the department heads in the next month or so. He asked if there was an increase they want to see, or a program instituted or shelved. Zimmer and Whitcomb replied that they would like to see a road and sidewalk fund started. Jackson said they can try to work that in when looking at the CIP funds. Depending on how that is approached, we would want to start levying to fund some of that.

Walker asked what type of inflation number is estimated. Jackson said right now, things are going in a lot of different directions. Fuel is going down, medical for the city has been favorable, but trending for medical insurance shows astronomical increases. A lot of other items are staying down. If he had to guess, he would estimate it at about 2-3%.

Karnowski questioned if some funds should start to be put aside for Riverside Park. Whitcomb responded that he agreed it would be wise to start budgeting some funds for that. Walker agreed.

Dobson added that the PAVC has changed their goal from just an amphitheater, to getting some donations for other updates to the park as well.

Walker said he would like to see a top line number as a 1% increase. It would also be nice to see the tax to market value go down slightly.

Karnowski stated that there is a few weeks for the Council to get some ideas together and let staff know.

Walker commented that the Library has a new Librarian, so they should be contacted so they can be part of the budgeting process.

Dobson reported on the "Nite to Unite" that was recently held at 2 locations in the City. He said it was a great idea to hold them at parks. While participating in this event, he would like to see a budget item for these types of events. Possibly some coloring books, little badges and other items that can be handed out by the Fire and Police Departments.

Walker suggested it as a community promotion fund, said it could be used in almost all departments.

**DOBSON MOVED TO ADJOURN THE MEETING AT 5:15PM. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY**

Respectfully Submitted,

---

Shawna Jenkins  
City Clerk  
ATTEST:

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Paul Whitcomb, Mayor

**MINUTES OF A SPECIAL MEETING OF THE PRINCETON CITY COUNCIL HELD ON  
AUGUST 17, 2015 4:30 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

\*\*\*\*\*

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were Jules Zimmer and Victoria Hallin. Staff present, Administrator Mark Karnowski, Finance Director Steve Jackson, Police Chief Todd Frederick, Public Works Director Bob Gerold, Clerk Shawna Jenkins, Attorney Damien Toven, and Engineer Mike Nielson. Absent was Thom Walker, Dick Dobson, Community Development Director Jolene Foss, and Fire Chief Jim Roxbury.

**AGENDA ADDITIONS/DELETIONS**

None

**ORDINANCES AND RESOLUTIONS**

- A. Resolution 15-46 – Accept 7<sup>th</sup> Ave Feasibility Report and call for hearing

Karnowski advised that there was an error on both the 7<sup>th</sup> Avenue and Northland Drive projects in regard to the Public Hearings. They were scheduled to be held Thursday, August 13<sup>th</sup> and were not. Therefore, the following Resolutions need to be adopted to recall for a public hearing.

HALLIN MOVED TO APPROVE RESOLUTION 15-46, RESCINDING RESOLUTION 15-39 AND ACCEPTING THE 7<sup>TH</sup> AVENUE FEASIBILITY REPORT AND CALLING FOR A PUBLIC HEARING. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

- B. Resolution 15-47 – Accept Northland Drive feasibility report and call for hearing

ZIMMER MOVED TO APPROVE RESOLUTION 15-40, RESCINDING RESOLUTION 15-40 AND ACCEPTING THE NORTHLAND DRIVE FEASIBILITY REPORT AND CALLING FOR A PUBLIC HEARING. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Hallin stated that she likes seeing the reason for the rescheduling in the Resolutions.

**ADJOURNMENT**

There being no further business:

HALLIN MOVED TO ADJOURN THE MEETING AT 4:32PM. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

---

Shawna Jenkins  
City Clerk

ATTEST:

---

Paul Whitcomb, Mayor



**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON  
AUGUST 27, 2015 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

\*\*\*\*\*

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Dick Dobson, Jules Zimmer and Victoria Hallin. Staff present, Administrator Mark Karnowski, Finance Director Steve Jackson, Community Development Director Jolene Foss, Police Chief Todd Frederick, Public Works Director Bob Gerold, Liquor Store Manager Nancy Campbell, Clerk Shawna Jenkins, Attorney Damien Toven, and Engineer Mike Nielson.

**AGENDA ADDITIONS/DELETIONS**

None

**CONSIDERATION OF MINUTES**

- A. Regular Meeting Minutes of August 13, 2015
- B. Special Meeting minutes of August 17, 2015

WALKER MOVED TO APPROVE THE REGULAR MEETING MINUTES OF AUGUST 13, 2015 AND THE SPECIAL MEETING MINUTES OF AUGUST 17, 2015. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**CONSENT AGENDA**

- A. **Permits and Licenses**
- B. **Personnel**
  - 1. Police Officer Arnie Soden Step 7 increase to \$28.31 effective 9-9-15
  - 2. Advance Firefighter Candidates to probationary firefighters
    - a. Dan Hiller
    - b. William Jacobson
    - c. Corey Sahner
- C. **Donations/Designations**
  - 1. Resolution 15-50 accepting donation for Riverside Park shelter

HALLIN MOVED TO APPROVE THE CONSENT AGENDA. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

**OPEN FORUM**

**REPORTS OF OFFICERS, BOARDS, AND COMMITTEES**

- A. Planning Commission Minutes of August 3, 2015
- B. Park Board Minutes of August 24, 2015

**PETITIONS, REQUESTS, AND COMMUNICATIONS**

- A. Public Safety Open House report

Frederick advised that on August 22<sup>nd</sup>, 2015 the Princeton Police Department, Princeton Fire Department, Princeton Public Works and the Princeton Utilities Commission hosted the first Princeton Public Safety Day.

The goal of the event was to bring the community together to meet Police personnel, Fire Department personnel, Public Works personnel and Utilities personnel and promote public safety. The event was located at the Princeton Police and Fire building from 10am to 2pm. This event was a great success. Initial estimates were that approximately 700 to 800 people attended the event.

Donations were generously made by Marv's True Value, Walmart and McDonalds. These donations made it possible to provide free food and water, bounce houses, popcorn and a sno-kone machine.

During the event Princeton Public Utilities Commission hosted an electrical safety demonstration put on by Conexus Energy. The Princeton Public Works had a demonstration of snow-plow safety. Princeton Fire Department hosted a kitchen fire demonstration and Princeton Police had a K-9 demonstration. Fire trucks and police cars were made available for tours. Also present were the Red Cross and North Ambulance/Aircare who provided safety information and tours of the Aircare helicopter and ambulance.

**B. MN Board of Peace Officer Standards and Training Notice**

Karnowski reported the MN Board of Peace Officer Standards and Training (POST Board) is the occupational regulatory agency charged with the vital responsibility of maintaining selection, education and licensing standards for the 445 Minnesota Law Enforcement agencies that employ over 15,000 peace officers across the state.

While the POST Board performs many functions, a significant portion of the POST's responsibility is dedicated to conducting "compliance reviews" of Minnesota law enforcement agencies to ensure they are meeting legislatively mandated training and department policies on Use of Force/Firearms training, Emergency Vehicle Operation and Pursuit Driving Training and mandated department policies.

On August 11, 2015 a POST Board Standards Coordinator conducted a review at the Princeton Police Department. After a comprehensive review of their records concerning mandated employee training and department policies, Princeton Police Department passed the review.

Ensuring all law enforcement agencies around the state are in compliance plays a pivotal role in maintaining the high level of professionalism we have enjoyed in Minnesota for many years, and that professionalism translates into quality law enforcement services for the citizens of Minnesota.

**C. Alzheimer's & Dementia Awareness**

Karnowski advised that the Police Department has put together an "Adult ID Kit" which will assist the police in finding a missing adult.

Frederick said they have had probably 6 or 7 of these calls in the last few months, so this will be very beneficial for residents and the police.

**ORDINANCES AND RESOLUTIONS**

**A. Ordinance 721 – Planning Commission Membership amendment – FIRST reading**

Karnowski advised that Mayor Whitcomb approached him a couple weeks ago. 2 vacancies on the planning commission, as well as one on the EDA. While it does not currently allow non city

residents to be on the planning commission, he felt it could be beneficial to have a business owner on the planning commission. It would allow for one planning commission to reside in the Princeton Zip code, but outside of city limits.

Hallin asked if something similar was done with the EDA being that allows a member to live outside the City limits. Whitcomb said it has been that way on the EDA for a long time.

WALKER MOVED TO INTRODUCE ORDINANCE 721 AMENDING THE PLANNING COMMISSION MEMBERSHIP REQUIREMENTS. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Resolution 15-49 – Lot Split

Foss reported that this was reported to the Council at the last meeting. A resolution needs to be passed by the Council so it can be recorded with the County.

HALLIN MOVED TO APPROVE RESOLUTION 15-49 GRANTING A LOT PLIT AT 10<sup>TH</sup> STREET NORTH IN AN R-2 RESIDENTIAL DISTRICT FOR PID 24-040-2610. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**UNFINISHED BUSINESS**

A. West Branch Project Pay Voucher #1

Nielson reported that WSB is submitting Pay Voucher #1 for \$373,183.65 to Douglas-Kerr Underground for the West Branch project. This is work through the end of July. The underground work is completed, and they will begin on the street work soon.

HALLIN MOVED TO APPROVE PAY VOUCHER #1 FOR \$373,183.65 TO DOUGLAS-KERR UNDERGROUND FOR THE WEST BRANCH PROJECT. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Whitcomb asked when they expect it to be paved. Nielson replied that they are a tad behind schedule, but they should begin paving in about 2 weeks.

**NEW BUSINESS**

A. Eagle Scout Project

Karnowski reported that Michael Hoheisel is a young man who lives in Zimmerman and is working toward earning his Eagle Scout rank (which is the highest rank in the Scouting organization).

The rank of Eagle Scout may be earned by a Boy Scout who has been a Life Scout for at least six months, has earned a minimum of 21 merit badges, has demonstrated Scout Spirit, and has demonstrated leadership within his troop, team or crew. Additionally he must plan, develop, and lead a service project—the *Eagle Project*—that demonstrates both leadership and a commitment to duty.

As his service project, Michael has decided to improve the entrance at the Princeton Municipal Airport. The attached project description includes photos of the existing entrance as well as some of that area's shortcomings.

Michael will be working with some of our airport hangar owners and city staff to organize the project. At this point it appears that Michael will be looking to fund the project through various contributions and fund raising efforts.

If the Council agrees this project has merit, a motion to approve the task as Mr. Hoheisel's Eagle Scout Project would be in order.

Hallin asked if we have donated some to any eagle projects. Karnowski responded that he does not recall very many eagle project requests. He does not believe City's normally contribute. Hallin would like to research whether cities contribute. Dobson said he knows a few that have gone for their Eagle Scout projects and they have done a great job.

WALKER MOVED TO SUPPORT MR. HOHEISEL'S EAGLE SCOUT PROJECT. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

#### B. 2015 Insurance Renewal

Jim Burroughs, Princeton Insurance Agent reported that the difference in premium was primarily due to a property rate decrease, the property premium was down \$7,445.

The Liability premium was up \$2,842, which was primarily due to increased expenditures. The auto insurance remained stable with a \$139 increase. The mobile property premium was up \$376, which is from the addition of the new Elgin Sweeper and the Police K9. The Liquor liability premium was up \$101 due to the addition of an employee.

The only option to act on is to wave statutory limits. Karnowski added that the city does not usually wave the liability limit.

DOBSON MOVED TO NOT WAVE THE LIABILITY LIMIT. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

#### C. Volunteer Fire Assistance Grant Acceptance

Karnowski reported that Chief Roxbury applied for a 50-50 matching grant to assist in the purchase of Wildland Personal Protective Gear. The grant has been awarded. Gear that is needed when they handle grass fires. They are looking for a \$2000 grant.

HALLIN MOVED ACCEPT THE 50-50 GRANT FOR WILDLAND PERSONAL PROTECTIVE GEAR. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

#### D. United States Distilled Products Agreement

Karnowski advised In order to insure that the WWTP operators have a better sense of the strength and make-up of the pre-treated discharge from United States Distilled Products

(USDP), the revised agreement was presented to the City Council with the recommendation that the Council approve the amended agreement.

Generally, the former agreement was amended to require additional testing and record keeping in addition to modifying the notice requirements for the entities.

Staff will continue to work with USDP with the goal of, ultimately, USDP being able to send all of their effluent to our WWTP.

There have been some concerns with the product waste that is being sent down the sewer. Over the winter in particular, some of the strengths were much stronger than anticipated. Stronger waste in the winter costs much more in chemicals. USDP will modify their testing, which is the only change in this amended agreement. This will make it easier for Chris and Tyler to keep the plant running its best. We need to know what is going to be sent down so we can keep on top of it

DOBSON MOVED APPROVE THE AGREEMENT WITH USDP AS WRITTEN. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

#### E. Engineering RFP

Karnowski advised that since 2007, the City of Princeton and the Princeton Public Utilities Commission has jointly engaged WSB Engineering to do the civil engineering for both entities. For a time before that, the two entities each engaged a different engineering firm which resulted in joint projects being reviewed by two separate engineering firms. That doubling up process was seen as inefficient and too expensive.

While WSB has served both organizations well over the past 8 years, it's deemed by proponents of 'good governance' groups to test the waters to make sure that the consulting engineering firm is providing the best value to the city and PUC.

If the City Council is interested in seeing if other qualified engineering firms are interested in serving the City and PUC, between now and the end of the year may be a good time to ask for competitive engineering proposals as we are now winding down on our current construction season.

He is aware that the Public Utilities Commission will be discussing this topic as well.

The RFP that the City and PUC used in 2007 that has been updated. If the Council wants to move forward with an RFP, the draft RFP would be reviewed and further updated if necessary.

As a sidebar, the Airport Advisory Board recently did an RFP for airport engineers (as required by the FAA) and opted to continue retaining SEH. So staff suggests that the engineering for the airport not be included in a future RFP.

He questioned the council if they wanted to do an RFP for Engineering Services.

Dobson stated that it was discussed at the PUC meeting yesterday and they are willing to go out for an RFP as well if the City decides to proceed.

Walker said he feels it is good to compare rates and service once in a while, so it is probably time to do one for Engineering. Zimmer added that we just did one for the attorney as well.

HALLIN MOVED SEND OUT AN RFP FOR ENGINEERING SERVICES. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**MISCELLANEOUS**

**BILL LIST**

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF \$121,695.61 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 72326 TO 72366 FOR A TOTAL OF \$623,587.53. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**ADJOURNMENT**

There being no further business:

HALLIN MOVED TO ADJOURN THE MEETING AT 7:30PM. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST:

\_\_\_\_\_  
Shawna Jenkins  
City Clerk

\_\_\_\_\_  
Paul Whitcomb, Mayor