THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON FEBRUARY 27, 2017, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS

The meeting was called to order at 7:00 P.M., by Victoria Hallin. Members present were Faith Goenner, Jeff Reynolds, and Dan Erickson. Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

OATH OF OFFICE:
Dan Erickson took the Oath of Office.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON JANUARY 23RD, 2017
REYNOLDS MOVED, SECOND BY GOENNER, TO APPROVE THE MINUTES OF JANUARY 23, 2017.
UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:
REYNOLDS MOVED, SECOND BY GOENNER, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:
A. Rezoning 907 2nd Street South to Essential Services Overlay District
Community Development Director Memo:

REQUEST
The PUC has submitted an application to rezone from R-3, Multi-Family Residential District, to ES, Essential Services Overlay District, at 907 2nd Street South, on the property described as Lots 7-9, Block 5, Ex E 30 Feet, Cater’s Second Addition, City of Princeton, Mille Lacs County, Section 33, Township 36, Range 26, (PID #24-161-0390).

BACKGROUND
This parcel was previously owned by Mille Lacs County and was used as a recycling site.

Applicant Request. The applicant has met with the Community Development Assistant explaining the rezoning request. The applicant purchased the property in 2016. The usage for this parcel includes storage of transformers, poles, etc. The PUC intends to construct fencing similar to that which is found at substations.

ALALYSIS

Existing Conditions. The neighborhood in which the parcel is located contains mostly single family homes, some two-family homes and some multi-family housing.

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 proposed use aligns with the goals of the Comprehensive Plan.

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

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

**CONCLUSION/RECOMMENDATION**

Staff recommends **approval** of the rezoning request from R-3 to include an Essential Overlay District.

End of Staff Memo

Foss said the Public Utilities submitted an application for rezoning the site they purchased at 907 2nd Street South. This parcel was owned by Mille Lacs County and they were using it for a recycling site and that was not an allowed use.

Foss said the property owner of 908 3rd Street South had contacted her and disapproves of this rezoning. The owner possibly would like to build a residential structure that could be two to three stories high. Foss does not believe this will cause any negative impact to the lot on the south of this site.

Hallin opened the public hearing.

Public Utilities staff present to answer questions were; Connie Wangen (General Manager), Jon Brooks (Electric Superintendent), and Scott Daniels (Water Superintendent).

Tim Siercks, 218 11th Avenue South, owns a townhouse to the west of this site. He is also representing the townhouse association. He does not have a problem with what they plan to use it for, but is asking that they put up fencing that blocks the view of what is inside.

Scott Daniels asked if a chain link fence with slats would be okay.
Siercks said that would be fine.

DeWitt said the Fence Ordinance states front yard fence height cannot be above three and a half feet. This is one of the reasons for rezoning this to Essential Services Overlay is to allow the same fencing they have at their other two property sites that has the ES Zoning. The fencing is a six foot chain link fence with a foot of barb wire on the top. DeWitt looked through the files when the other two sites were rezoned for Essential Services Overlay and could not find any information on the fencing they were installing. Because of the material that will be stored at the site, the fencing will be needed. It is understood that a three and a half foot fence will not protect the property inside so DeWitt asked the applicant if they will keep the fence side facing the road clear of the slats for visibility. This will be where the gate will be for the fencing also. DeWitt asked Siercks if he is okay with that also.

Connie Wangen said that will work fine.

Siercks said that will work. They only needed the blocker facing them.

Foss asked if there will be more traffic at this site.

Daniels said no, less traffic than there was with the public recycling center that was there. This is just for the Public Utilities use for storage.

Goenner said what if this site wanted to go back to residential.

Foss said this is an overlay district, but remains residential.

Erickson asked the applicants if this site would be a hard surface lot.

Daniels said crush concrete or class five would be put down so it still can drain.

Erickson asked what had the site been use for prior to them buying it.

Wangen said a recycling center site.

Jon Brooks said the back half of this lot was over grown.

Wangen said there was an environmental review and MN Pollution Control Agency records for this site that she will give a copy to Foss. There are transformers and electric poles that will be stored at the site. No chemicals will be in there.

REYNOLDS MOVED, SECOND BY GOENNER, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.
REYNOLDS MOVED, SECOND BY ERICKSON, TO APPROVE ITEM #17-01 REZONING FROM R-3, MULTI-FAMILY RESIDENTIAL DISTRICT, TO ES, ESSENTIAL SERVICES OVERLAY DISTRICT, AT 907 2ND STREET SOUTH, ON THE PROPERTY DESCRIBED AS LOTS 7-9, BLOCK 5, EX E 30 FEET, CATER’S SECOND ADDITION, PID #24-161-0390. THERE IS ALSO APPROVAL OF THE SIX FOOT CHAIN LINK FENCE WITH A ONE FOOT BARB WIRE ADDED TO THE TOP. THERE WILL BE SLATS INSTALLED IN THE FENCING ON THREE SIDES AND THE SIDE FACING SECOND STREET SOUTH WILL NOT HAVE THE SLATS. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:
1. Is the rezoning consistent with the Princeton Land Use Plan. Yes.
2. Have there been changes in the character of development in the vicinity? No.
3. Does the rezoning constitute spot zoning of the property? No.

B. Ordinance Amendment for R-2 Residential District Creating a Non-Conforming Lot
The City Council approved Ordinance Amendment #744 for R-2 Residential District creating a non-conforming lot on January 12, 2017. The table that was placed in the Ordinance was that of R-3 Multi-Residential Zoning District. This amendment has to come back for a public hearing with the correct language.

Foss said when she was putting the Ordinance together, she made an error and cut the R-3, Multiple Residential table instead of the R-2 Residential table. To correct the amendment, it needs to come back to the Planning Commission for a public hearing. It would then need to go before the City Council for final approval. She is hoping to have it on the Council agenda for March 9th, 2017.

Hallin compared the Ordinance Amendment #747 to what is in the Zoning Ordinance book and she sees in the table under Item J., Rear Yard Minimum Alley Setback, in Section “Other Building”, the 15 foot setback is missing.

Foss will correct that.

Hallin opened the public hearing.

There were no questions from those in the audience.

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

HALLIN MOVED, SECOND BY GOENNER, TO APPROVE AND FORWARD TO THE CITY COUNCIL, THE ORDINANCE AMENDMENT FOR R-2 RESIDENTIAL DISTRICT CREATING A NON-CONFORMING LOT, WITH THE 15 FOOT SETBACK FOR THE REAR YARD MINIMUM ALLEY
OLD BUSINESS:
A. Pole Type Construction Prohibited in B-2 District

Community Development Director Memo:

At the January 2017 Planning Commission meeting, there was a proposed amendment to prohibit pole-type construction in the B-2 Zoning District. This suggested amendment was not approved and questions were asked regarding why the Planning Commission would not want to allow this type of development in B-2. A request to see if other communities allow this type of construction in B-2 was made.

In looking into this request, staff was reminded of the information gathered from communities when searching for the allowance of alternative building materials in B-3 Zoning District. The other communities that were surveyed did not distinguish between the B-2 and B-3 Zoning District.

Please see below:

Staff contacted several communities that are in the region or are of similar size and this is what was found:

Zimmerman: Pole frame construction is allowed in industrial and commercial, some standards on sheet steel exterior.

Elk River: Pole type structures are allowed in Industrial.

Milaca: Pole type structures are allowed in commercial and industrial.

Cambridge: Nothing that states pole type structures are not allowed. Architectural metal siding as an accent only, no more than 35% on exterior.

Circle Pines: Nothing in ordinance regarding pole type structures.

Baxter: Nothing specific in place regarding post frame construction. Architectural standards put in place. Non Architectural sheet metal in MN-1 up to 20% on front façade and up to 100% on other facades. MN-2 – 40% on front.

St. Cloud: The Land Development Code only addresses exterior materials in the Industrial Districts. Any internal structure allowed by the Building Code is permitted.
B. Design Standards: The following design standards apply: 1. All exterior wall finishes on any building must be any single one (1) or combination of the following: a. Face brick, b. Natural stone or cultured stone, c. Specially designed pre-cast concrete units, if the surfaces have been integrally treated with an applied decorative material or texture, d. Membrane, e. Factory fabricated and finished metal-framed panel construction, if the panel materials are any of those named Paragraphs 1 through 3 above, glass, prefinished metal (excluding unpainted galvanized iron), or plastic f. Other material as may be approved by the Zoning Board of Appeals 2. All subsequent additions and outbuildings constructed after the original building(s) must be harmonious in architectural design and general appearance. 3. Any other exterior wall finishes or any changes in architectural design must be approved by the Zoning Board of Appeals.

In the City owned business park, the covenant does not allow pole type structures.

Maple Grove: Prohibits pole type construction by reference to exterior standards, no types of sheet metal for exterior in Commercial or Industrial.

Little Falls: The City of Little Falls’ ordinance doesn’t really treat pole buildings differently than other buildings in commercial and industrial developments – at least not from a zoning perspective. All buildings are subject to the building code and if you had specific questions about how that is handled the City’s contracted building inspector is David Barsody and you can contact him.

Staff has determined that there is no significant difference in other communities regarding B-2 versus B-3 Zoning Districts and alternative building materials. The City of Princeton has been encouraging growth and development, especially in the B-3 Zoning District. The allowance of alternative building materials, including pole type construction, is a way the City can encourage growth. By extending the allowance into the B-2 will allow for some redevelopment and in-fill development, but there is not a lot of undeveloped acreage in B-2 at this time. It is staff’s recommendation to leave the B-2 Chapter as stated in the states, “Or other materials approved by the Planning Commission if determined to have a similar or better longevity and durability as material listed above,” in the General Design Criteria. Any proposed development in B-2 will be subject to a Site Plan Review by the Zoning Administrator and would be presented to the Planning Commission for approval. If there was a request to use alternative building material, a thorough review and verification that the developer will meet all of the design criteria will be completed.

Foss said it was suggested to prohibit pole type buildings in the B-2 District. The Zoning Ordinance states that if it is not in there it is not allowed. In the B-2 Zoning Ordinance it does
state, “Or other materials approved by the Planning Commission if determined to have a similar or better longevity and durability as material listed above.” There was not a large difference in the allowance for alternative building materials. She is thinking that we leave it as is. If we leave it then it will not be allowed.

Reynolds would like to see it clear one way or the other. There are advances in pole type construction. He does not see any reason to discriminate against the building materials.

Foss said it could come to the Planning Commission for other building materials and they would bring their plans and see if it fits in the building code if we leave it as it is.

Reynolds said just so we are not prohibiting pole building.

Foss said alternative building materials could allow a less quality material.

Hallin said it could be left as is or if there is a change needed to not allow them.

Erickson said if left as is the pole building is allowed.

Foss said it would have to go through the Planning Commission for the materials and such.

Hallin said it would then be allowed.

Foss supports it to be allowed if the building materials are looked over by the Planning Commission.

Goenner likes to have the language in there just like it is in B-3 District where the description is there.

Foss said she understands and is not sure if we want to have the language where it is allowed and encouraging pole type construction. It is a fine line. It is the Planning Commissions call.

Goenner asked Reynolds what he thinks. Does the wording cover what we have in the B-3 District.

Reynolds understands what she is saying and said it is good to have the wordage.

Foss said the Planning Commission should review what is allowed in B-2 District and if they want more wordage, she could draft that up.

Reynolds wants the wording in the B-2 Zoning Ordinance so there are no questions.

Goenner said from what Foss said, it should not be allowed if it does not state it.
Foss said other similar building materials would be allowed. It does not state building materials. She would review it first.

Hallin said have a language change for the B-2 District where it is clear.

Reynolds said yes, have the wordage clear so it helps the Zoning Administrator.

Foss said she would see what the materials are and if okay, bring it to the Planning Commission. If they did not like the materials then the Developer would have to make changes.

Hallin asked how they know what the State guidelines are.

Foss would ask the Building Inspector. Foss recommends leaving the wording as is. If the Planning Commission wants the wording changed, she will review it, and bring it back to them.

B. Mini Storage Moratorium
Community Development Director Memo:
On December 8th, 2016 the City Council approved a moratorium on the issuance of any Interim Use Permit within the City of Princeton and, further, the City Council requires staff to initiate a study regarding the impacts of storage facilities within the city.

Prior to the moratorium, mini-storage facilities were allowed with an Interim Use Permit in B-3 General Commercial District.

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

(a) No building to exceed 4,000 square feet with no more than 4 buildings per site.

(b) No site shall be closer than 1,000 feet from another mini-storage facility.

(c) No buildings shall be closer than 50 feet from a neighboring residential zone.

(d) Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.

(e) No outdoor storage is permitted.

(f) The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street.
Upon further research, it was clear that issuing an interim use permit for mini-storage was not the correct procedure. Interim Use Permits are for temporary use of a property until a particular date, until the occurrence of a particular event or until zoning regulations no longer permit it. A Conditional Use Permit (CUP) is a more appropriate permitting process as CUP’s are a property right that runs with the land so it attaches to and benefits the land and is not limited to a particular land owner.

In researching the existing mini-storage ordinance, Staff created a map that shows the existing storage facilities, highlighting the 1,000 foot buffer required around them. Staff also created a map showing where the remaining B-3 zones are and where potential storage facilities could be allowed.

Staff is requesting the Planning Commission evaluate the remaining locations where storage facilities could be located and determine if that would be the best use of that land.

Foss said there are three areas in B-3 District; Aero Business Park, Sterling Point, and Princeton Auto. An Ordinance Amendment will be coming to the Planning Commission where they will need a Conditional Use Permit instead of currently allowed with an Interim Use Permit. Foss asked the Planning Commission Board if they would like to continue to allow mini-storages in B-3 District or just have them allowed in Industrial District. Both have pros and cons. They are not much of a tax value increase.

Hallin does not want them by Sterling Point or Aero Business Park.

Tim Siercks asked why we want to send people out of town to rent a mini-storage unit if these are filled. Why not allow more in to bring people to town.

Erickson asked if there is Industrial land available.

Foss said by the Princeton Hockey Arena, Pike’s Auction, and Sylva.

Erickson said the only way for that to be financial feasible is if they got the lots for a dollar.

Foss said Aero Business Park has a draft Developer’s Agreement and in it the building for a one acre site would have to be starting at $400,000. There is a site across the street from Aero Business Park that meets the criteria and she could see a mini-storage going there.

Goenner said she understands a mini-storage could also bring people to Princeton.

Reynolds said it depends if they are needed or not. He does not see a problem with one mini-storage next to another. He does not see a reason for no site shall be closer than 1,000 feet from another mini-storage facility. He does not want them in the retail.
Erickson said if someone came in with a controlled environment storage facility where there is temperature control inside the facility. Those are nice facilities. He believes that they are financial feasible to build those on these lots. He could see a control environment facility that is completely enclosed.

Hallin said the criteria for Aero Business Park is each parcel has to have two full times jobs. She would like them out of B-3 Zoning District.

Erickson said to take out the 1,000 foot rule in the Ordinance.

Foss is not sure why it is there and she could look into it.

Erickson said mini-storage is important for a growing community. It is popular right now. If we are a growing community it is needed.

Goenner said if you live in an apartment, you need them.

Erickson said he moved to town and needed storage. He does not want to see a restriction for mini-storage facilities and he does believe the 1,000 foot barrier should be removed.

Reynolds agrees.

Erickson said visibility is not a requirement for this type of building.

Foss said in the B-3 District it would be highway visible. Maybe keep them for highway visibility. She is not certain how she feels about it. She is concerned on Aero Business Park having them, but the criteria takes that away. Rivertown Crossing lots she is concerned about if they are allowed there.

Erickson said mini-storage is a low traffic area.

Foss said if allowed in the B-3 District it would still need to be changed to a Conditional Use Permit instead of the Interim Use Permit. It would have to come to the Planning Commission for the Conditional Use Permit and they do not have to allow it if it does not meet the Comprehensive Plan.

Reynolds said if a mini-storage was built and then the area was doing better, it could be sold and torn down, and another building could be built.

Hallin said if left as it is, they have to come for a Conditional Use Permit, and the Planning Commission decides if we grant it.

Foss said there would have to be factual evidence on its impact where it can be denied.
Hallin asked why there is that 1,000 foot buffer between mini-storage units.

Erickson said he has a mini-storage facility in Baldwin Township and there is a competitor close by and that is actually helpful.

Foss said the Council approved the moratorium on mini-storage facilities and she will ask the Council to lift the moratorium. We will keep it allowed in the B-3 Zoning District with a Conditional Use Permit.

Goenner asked why the moratorium was put in place.

Foss said so the Planning Commission could decide if they wanted it in the B-3 Zoning District or in Industrial.

Erickson said he is not for limiting someone.

Hallin commented that she does not want to see mini-storage allowed in Rivertown Crossing.

Reynolds said you cannot say they are not allowed in B-3 Zoning District.

Goenner said if we cannot come up with facts to not approve a mini-storage facility, the Planning Commission would have to approve it.

Foss said in the Zoning Ordinance it states five items of criteria that needs to be compatible to the Ordinance and has to go along with the Comprehensive Plan. It does not violate the health, safety or general welfare of the Princeton residents. The propose use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation. Adequate parking and loading is provided in compliance with the Ordinance. Possible traffic generation and access problems have been addressed. The proposed use can be accommodated with existing public services and will not overburden the city’s service capacity. The proposed use conforms to the City’s Comprehensive Plan and is compatible with present and future land uses of the area. If the future Land Use Plan is the only one that does not go with the request, it could maybe make it not happen. It would be difficult to find negative findings to deny it. Staff recommends leaving it in the B-3 Zoning District with a Conditional Use Permit.

REYNOLDS MOVED, SECOND BY HALLIN, TO LEAVE MINI-STORAGE FACILITIES IN THE B-3 GENERAL COMMERCIAL DISTRICT AND AMEND THE ORDINANCE TO ALLOW THEM WITH A CONDITIONAL USE PERMIT INSTEAD OF THE INTERIM USE PERMIT. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Foss said she would have the public hearing ready for March 20th, 2017 Planning Commission
meeting and will look into the 1,000 foot buffer.

**NEW BUSINESS:** None

**COMMUNICATION AND REPORTS:**

A. **Verbal Report**
   There was no verbal report.

B. **City1 Council Minutes for January, 2017**
   The Planning Commission Board had no comments.

GOENNER MOVED, SECOND BY REYNOLDS, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:30 P.M.

ATTEST:

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Victoria Hallin, Chair      Mary Lou DeWitt, Comm. Dev. Assistant