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THE REGULAR MEETING FOR THE PLANNING COMMISSION BOARD HELD ON SEPTEMBER 19TH, 2022, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS

The meeting was called to order at 7:00 P.M., by Dan Erickson. Members present were Victoria Hallin, Eldon Johnson, Scott Moller, Jon George, and Gene Stoeckel (Princeton Twsp. Rep.) Staff present was Mary Lou DeWitt (Comm. Dev. Zoning Specialist).

APPROVAL OF MINUTES OF REGULAR MEETING ON AUGUST 15TH, 2022

GEORGE MOVED, SECOND BY HALLIN, TO APPROVE THE MINUTES OF AUGUST 15TH, 2022. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:

MOLLER MOVED, SECOND BY HALLIN, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. Variance to allow zero foot side yard setback at 1705 14th Street South

Mary Lou DeWitt, Comm. Dev. Zoning Specialist Memo:

Background:

R.W. Builders, on behalf of Erdman Automation, has submitted a variance application to allow zero foot side yard setback for an addition to have a link to be connected from the new building on the east to the current building. This creates a zero setback where the links will be built over the property line which requires a variance. The properties are located at 1705 14th Street South on Lots 2 & 3, Block 2, Princeton Industrial Park Third Addition. The property is zoned MN-1, Industrial District and designated as Industrial on the Future Land Use Plan. The existing production and warehouse production and warehouse building will be joined with a link on the southwest corner of the proposed building.

The applicant has indicated that the links could be removed in the future if need be. The Ordinance requires a 20 foot setback and this will be in place if the link is removed in the future.

Analysis:

The Planning Commission approved the Site Plan for the Erdman addition at their August 15th, 2022 meeting with the condition that a variance be applied and approved allowing the building link to be built over the property line or the buildings not to be connected.

Analysis:

The Planning Commission approved the Site Plan for the Erdman addition at their August 15th, 2022 meeting with the condition that a variance be applied and approved allowing the building link to be built over the property line or the buildings not to be connected.

Variance Standards:

A variance shall not be granted by the Planning Commission unless it conforms to the following standards:

1. Is the variance in harmony with the general purposes and intent of the Zoning Ordinance?

Comment: Yes, there is a 20 foot setback in place for the current building and proposed building if the link were to be removed.

2. Is the variance consistent with the Comprehensive Plan?

Comment: Yes, the link will be in place for industrial production not to be halted due to weather conditions between the two buildings.

3. Does the property owner propose to use the property in a reasonable manner not permitted by the Zoning Ordinance?

Comment: Yes, the link is a reasonable use of industrial land and use.

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

Comment: Yes, the removable link will give the owner flexibility of selling the new building in the future which will provide possible Industrial Park growth.

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

Comment: Yes, the current and new building will be used for production and warehouse that is designated in the MN-1, Industrial District.

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

Comment: Yes, connections are temporary and setbacks are in place if the link is removed.

Conclusion / Recommendation:

Based upon the above review standards, staff would recommend approval of the variance with the following condition:

1. The building connection be removed if and when one of the affected lots is sold to a different property owner.

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

HALLIN MOVED, SECOND BY JOHNSON, TO OPEN THE PUBIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

Ron Weyer, R.W. Builders was present to answer any questions.

There was no questions from the Planning Commission or anyone present in the audience for this item of the public hearing.



GEORGE MOVED, SECOND BY HALLIN, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

HALLIN MOVED, SECOND BY GEORGE, TO APPROVE THE VARIANCE FOR A ZERO FOOT SIDE YARD SETBACK FOR AN ADDITION TO BE LINKED TO A CURRENT BUILDING LOCATED AT 1705 14TH STREET SOUTH, PID#90-407-0215 AND #90-407-0210, IN THE MN-1, INDUSTRIAL ZONING DISTRICT, RESOLUTION #22-04. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

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

B. CUP for Sylva Manufacturing to allow expansion for outside storage PID #24-071-0020

Mary Lou DeWitt, Comm. Dev. Zoning Specialist Memo:

Background:

Larry Doose, applicant is the co-owner of Sylva Corporation, located at 900 Airport Road, and is purchasing the two properties west of their current site. Property PID #24-071-0020 is in Mille Lacs County and PID #90-407-0210 is in Sherburne County. Sylva Corporation is a wood chipping industry and would like to expand their outside storage to these two sites.

The City Council finalized the rezoning of these two sites from D-1, Airport District to MN-1, Industrial District. The MN-1, Industrial District Ordinance requires a Conditional Use Permit if 50% of the site would be used for uncovered outside storage, provided that:

- (a) The exterior storage area must be located to the rear of the building or site;
- (b) The exterior storage area must be fenced and fully screened from view.

Obtaining the requirement for the storage area to be fenced or fully screened from view will be difficult since the site is in an open area. The vegetation kept will be a buffer along the wetlands. With the wetlands on each site, outside storage on either site will be minimized. To compromise with the fencing/screening requirement the exterior storage should be contained where it is not visibly offensive.

Analysis:

The two sites are west of their current manufacturing site across 19th Avenue South. The City has allowed the manufacturing business to store pellets of woodchip material on the site of #24-071-0020.

The Public Works Director would like a 6 (six) foot apron of 2 – 3 inch diameter crush rock to the separate sites where 19th Avenue South pavement will not be disturbed by heavy equipment. Employee parking should be at the main building site and adhere to the City Parking Ordinance requirements. Heavy equipment needs to be stored on hard surfaced area.

The applicant plans to remove all of the trees and brush from the site except for an 8' to 10' foot strip of vegetation to buffer along the edge of the wetland areas.

Staff contacted Mille Lacs County and Sherburne County for their input for the sites proposed use. Comments from emails are below:

Mille Lacs County Comments: Dilan Christiansen, Wetlands Land Service Office

I met with Sylva on site back in April and we discussed the wetlands on the property. Sylva initially wanted to fill all of the wetlands, but I informed them that they would not be allowed to fill the type 2/3/4 wetlands due to De Minimis restriction and proximity to a public waterway. I then informed them that replacement would be their only route if they wanted to fill and have heard nothing since.

I would greatly appreciate if Sylva could submit a site plan of where they intend on storing the materials on the parcels, how they would access them, and what measures will be taken to avoid wetland impact (e.g. silt fences, seeding, buffer strips, stabilization of exposed materials, etc.). Additionally, if the Conditional Use Permit could specify that no wetland impacts are allowed without an approved Joint Application/replacement plan that would be awesome.

Sherburne Counties Comments: Zack Guttormson, Sherburne County Zoning

It's unclear at this time if the applicant will need to apply for a replacement plan. If they are proposing to avoid wetland impacts then they wouldn't need to apply for a replacement plan. A wetland delineation would be informative – the applicant could design/plan around wetland impacts OR would know if wetland impacts would occur.

I believe a reasonable condition regarding Sherburne County WCA would be the language directly from our ordinance:

Landowners and/or applicants must obtain a wetland exemption certificate, no-loss certificate, wetland replacement approval, or wetland excavation permit prior to impacting a wetland. The application with required fees must be submitted to the Sherburne County Zoning Department and processed as per the Minnesota Wetland Conservation Act.

CONDITIONAL USE PERMIT STANDARDS

The issuance of a Conditional Use Permit finds the proposed location complies with the following standards:

1. The proposed use does not 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.
3. Adequate parking and loading is provided in compliance with the Ordinance.
4. Possible traffic generation and access problems have been addressed.
5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
6. The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area.

CONDITIONS: In approving any Conditional Use Permit, conditions can be applied to protect the best interests of the surrounding area or the City as a whole. Failure by the applicant or property owner to comply with the conditions of approval shall result in the revocation proceedings according to subsection E.

The conditions may include, but are not limited to, the following:

1. Ingress and egress property and proposed structures thereon with particular reference to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe;
2. Off-street parking and loading areas where required, with particular attention to the items in Subd. 1 and the economic, noise, glare or odor effects of the conditional use on nearby property.
3. Refuse and service areas, with particular reference to the items in Subd. 1 and Subd. 2 above.
4. Utilities, with reference to location, availability, and compatibility;
5. Diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property;
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required yards and other open space;
8. General compatibility with present and future land uses of the area; and
9. Hours of operation.

Conclusion / Recommendation for Parcel #24-071-0020:

Based on the findings that the proposed Conditional Use Permit to allow Sylva Corporation to allow the expansion of their current manufacturing facility for uncovered outside storage on the land west of their current site at PID #24-071-0020; with the following conditions:

1. Applicant submit to Mille Lacs County Wetlands Land Services a site plan of where they intend on storing the materials on the parcel, access to the site, and measures taken to avoid wetland impact.
2. No wetland impacts are allowed without an approved Mille Lacs County Joint Application / Replacement Plan.
3. Applicant file a notice to the FAA (form 7460-1) for an airspace study to be conducted on the piles, equipment, or structures on the property.
4. No more then 30 (thirty) feet in height of exterior materials on site.
5. Natural buffer screening will stay to protect the wetland area.
6. The current CUP Resolutions #07-09 and #20-01 be followed.
7. Access to the site will need an improved entrance from 19th Avenue. Sylva Corporation will install a 6 (six) foot apron of 2" – 3" inch diameter crushed rock for 50' feet into the property.
8. The exterior storage should be contained where it is not visibly offensive.

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

HALLIN MOVED, SECOND BY JOHNSON, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

Larry Doose was present to answer questions. There were no questions from those present.

MOLLER MOVED, SECOND BY HALLIN, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

HALLIN MOVED, SECOND BY GEORGE, TO APPROVE RESOLUTION #22-06 CONDITIONAL USE PERMIT FOR SYLVA CORPORATION TO ALLOW THE EXPANSION OF THEIR CURRENT MANUFACTURING FACILITY FOR UNCOVERED OUTSIDE STORAGE IN THE MN-1, INDUSTRIAL DISTRICT, PID #24-071-0020 WITH THE FOLLOWING CONDITIONS:

1. APPLICANT SUBMIT TO MILLE LACS COUNTY WETLANDS LAND SERVICES A SITE PLAN OF WHERE THEY INTEND ON STORING THE MATERIALS ON THE PARCEL, ACCESS TO THE SITE, AND MEASURES TAKEN TO AVOID WETLAND IMPACT.
2. NO WETLAND IMPACTS ARE ALLOWED WITHOUT AN APPROVED MILLE LACS COUNTY JOINT APPLICATION / REPLACEMENT PLAN.
3. APPLICANT FILE A NOTICE TO THE FAA (FORM 7460-1) FOR AN AIRSPACE STUDY TO BE



CONDUCTED ON THE PILES, EQUIPMENT, OR STRUCTURES ON THE PROPERTY.

- 4. NO MORE THEN 30 (THIRTY) FEET IN HEIGHT OF EXTERIOR MATERIALS ON SITE.
- 5. NATURAL BUFFER SCREENING WILL STAY TO PROTECT THE WETLAND AREA.
- 6. THE CURRENT CUP RESOLUTIONS #07-09 AND #20-01 BE FOLLOWED.
- 7. ACCESS TO THE SITE WILL NEED AN IMPROVED ENTRANCE FROM 19TH AVENUE. SYLVA CORPORATION WILL INSTALL A 6 (SIX) FOOT APRON OF 2 – 3 INCH DIAMETER CRUSHED ROCK FOR 50’ FEE3T INTO THE PROPERTY.
- 8. THE EXTERIOR STORAGE SHOULD BE CONTAINED WHERE IT IS NOT VISIBLY OFFENSIVE.

UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

C. CUP for Sylva Manufacturing to allow expansion for outside storage PID #90-005-1200
Mary Lou DeWitt, Comm. Dev. Zoning Specialist portion of the Memo for Sherburne County:

Conclusion / Recommendation for Parcel #90-407-0210:

Based on the findings that the proposed Conditional Use Permit to allow Sylva Corporation the expansion of their current manufacturing facility for uncovered outside storage on the land west of their current site at PID #90-407-0210; with the following conditions:

- 1. The current CUP Resolution #05-01 conditions be followed.
- 2. No more then 30 (thirty) feet in height of exterior materials on site.
- 3. City Storm Water Ordinance and N.P.C.A. compliance followed.
- 4. Applicant obtain from Sherburne County an application and approval for wetland exemption certificate, no-loss certificate, wetland replacement approval, or wetland excavation permit prior to impacting a wetland.
- 5. Applicant file a notice to the FAA (Form 7460-1) for an airspace study to be conducted on the piles, equipment, or structures on the property.
- 6. Access to the site will need an improved entrance from 19th Avenue. Sylva Corporation will install a 6 (six) foot apron of 2 – 3 inch diameter crushed rock for 50’ feet into the property.
- 7. The exterior storage should be contained where it is not visibly offensive.

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

HALLIN MOVED, SECOND BY GEORGE, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

Larry Doose was present to answer questions. There were no questions from those present.

HALLIN MOVED, SECOND BY JOHNSON, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

HALLIN MOVED, SECOND BY JOHNSON, TO APPROVE RESOLUTION #22-05 CONDITIONAL USE PERMIT FOR SYLVA CORPORATION TO ALLOW THE EXPANSION OF THEIR CURRENT MANUFACTURING FACILITY FOR UNCOVERED OUTSIDE STORAGE IN THE MN-1, INDUSTRIAL DISTRICT, PID #90-005-1200 WITH THE FOLLOWING CONDITIONS:

1. THE CURRENT CUP RESOLUTION #05-01 CONDITIONS BE FOLLOWED.
2. NO MORE THEN 30 (THIRTY) FEET IN HEIGHT OF EXTERIOR MATERIALS ON SITE.
3. CITY STORM WATER ORDINANCE AND N.P.C.A. COMPLIANCE FOLLOWED.
4. APPLICANT OBTAIN FROM SHERBURNE COUNTY AN APPLICATION AND APPROVAL FOR WETLAND EXEMPTION CERTIFICATE, NO-LOSS CERTIFICATE, WETLAND REPLACEMENT APPROVAL, OR WETLAND EXCAVATION PERMIT PRIOR TO IMPACTING A WETLAND.
5. APPLICANT FILE A NOTICE TO THE FAA (FORM 7460-1) FOR AN AIRSPACE STUDY TO BE CONDUCTED ON THE PILES, EQUIPMENT, OR STRUCTURES ON THE PROPERTY.
6. ACCESS TO THE SITE WILL NEED AN IMPROVED ENTRANCE FROM 19TH AVENUE. SYLVA CORPORATION WILL INSTALL A 6 (SIX) FOOT APRON OF 2" – 3" INCH DIAMETER CRUSHED ROCK FOR 50' FEET INTO THE PROPERTY.
7. THE EXTERIOR STORAGE SHOULD BE CONTAINED WHERE IT IS NOT VISIBLY OFFENSIVE.

UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission 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.



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6. Does the proposed use conform to the City's Comprehensive Plan and is compatible with present and future land uses of the area? Yes.

Are there conditions that could be attached to the granting of a permit that would mitigate any potential the adverse impact? No.

OLD BUSINESS: None

NEW BUSINESS:

A. Administrative Lot Line Adjustment for properties PID's #90-005-1200 and PID #90-005-2100

Mary Lou DeWitt, Comm. Dev. Zoning Specialist Memo:

Background:

At the August 15th, 2022 Planning Commission meeting for rezoning this site, it had been brought to staff's attention that the property site of PID #90-005-1200 has a triangle piece of land that has the neighboring business taxiway to the Airport runway. To correct this, an Administrative Lot Line Adjustment will be completed moving the triangle piece of land to the property site of PID #90-005-2100.

Analysis:

Staff has contacted Gina Mitchell, FAA on the proposed Administrative Lot Line Adjustment as a courtesy. This is not Airport property, it is City owned. This will not change the Airport boundary.

HALLIN MOVED, SECOND BY MOLLER, TO APPROVE RESOLUTION #22-07 ADMINISTRATION SIMPLE LOT SUBDIVISIONS / SIMPLE LOT CONSOLIDATIONS / BOUNDARY LINE ADJUSTMENTS WITH THE PROPERTIES IDENTIFIED AS PID #90-005-1200 AND PID #90-005-2100. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

COMMUNICATION AND REPORTS: None

MOLLER MOVED, SECOND BY HALLIN, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:30 P.M.

ATTEST:

Dan Erickson, Chair

Mary Lou DeWitt, Comm. Dev. Zoning Specialist