



**DRAFT**

**MEETING FOR THE PLANNING COMMISSION HELD ON JUNE 15, 2020 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 Eldon Johnson, Jeff Reynolds, and Scott Moller. Staff present were Robert Barbian (City Administrator), and Mary Lou DeWitt (Comm. Dev. Zoning Specialist).

Absent: Dan Erickson

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON MAY 18, 2020**

REYNOLDS MOVED, SECOND BY MOLLER, TO APPROVE THE MINUTES OF MAY 18, 2020. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**AGENDA ADDITIONS / DELETIONS:**

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

**PUBLIC HEARING:**

**A. Conditional Use Permit amendment for 2001 15<sup>th</sup> Street North**

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

**BACKGROUND**

Bryce Hansen, Hansen Auction Group, LLC have submitted an application for an amendment to a current CUP Resolution #02-12 to allow the auctioning of firearms and ammunition at the property site of 2001 15<sup>th</sup> Street North, in the MN-1 Industrial District. The subject property is located west of Highway #169 and south of Baptist Church Road. The site has had an auction business since 2012 and is owned by WPCA Building, LLC.

**REQUEST**

The site has indoor/outdoor auction business that was originally for large equipment auction. The applicant would like to expand the auction to allow holding firearms and ammunition auctions or auction those items as part of a larger auction, such as an estate auction. Per an email from the applicant, they will not be selling to customers outside of the auction nor advertising the sale outside of the auction setting. The applicant has a Federal Fire Arm License in Wisconsin and in order to complete the application process in Minnesota, it requires a letter from the local City Zoning authority allowing the auction of firearms and ammunition.

**CONDITIONAL USE PERMIT STANDARDS**

The Planning Commission shall grant a Conditional Use Permit and shall order the issuance of such permit only if it finds that such use at 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 compacity.
6. The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area.

### **CONDITIONAL USE PERMIT CONDITIONS**

In approving any Conditional Use Permit, the Planning Commission may impose conditions which it considers necessary to meet the standards of this ordinance and 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 of the Administration and Enforcement of the Conditional Use Permit of the Zoning Ordinance.

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

1. Ingress and egress to property and proposed structures thereon with particular referenced to vehicle and pedestrian safety and convenience, traffic flow and control, and access in care of fire or other catastrophe;
2. Off-site parking and loading areas where required, with particular attention to the terms 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. Sign, 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**

The Princeton Police Chief has responded per email that he sees no reason not to move forward with the amendment for the firearms and ammunition at the auction site. The City Attorney advises that the amendment is to allow the auctioning of firearms. There is not to be retail purchase or sales of firearms on that site.



**DRAFT**

Based on the findings that the proposed Conditional Use Permit amendment appears to meet the standards to allow the auctioning of firearms and ammunition and the general review standards for a Conditional Use Permit, as listed in the Zoning Ordinance, staff would recommend approval of the Conditional Use Permit amendment to allow the auctioning of firearms and ammunition at the current auction site of 2001 15<sup>th</sup> Street North, subject to the following conditions:

1. There is not to be customer based retail store purchasing or sales of firearms or ammunition on this site.
  
2. If there are complaints or concerns that come to the City, this amendment to allow the auctioning of firearms and ammunition will be reviewed by City staff. If the complaints or concerns are validated, the Conditional Use Permit Amendment will be placed on hold until the Planning Commission can hold a public hearing and make recommendations for either the establishment of new conditions to address the issues, or revocation of the Amendment if there are no solutions to cure the issues.
  
3. United States Department of Justice Bureau of Alcohol, Tobacco, Firearms, and Explosives License (through Federal Government) must be acquired prior to the auctioning of firearms and ammunition.

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

DeWitt gave an overview of the Conditional Use Permit Amendment to allow the auctioning of firearms and ammunition. She explained that the applicant was concerned that no retail purchase or sales of firearms on that site. Bryce Hansen explained to her that the auction determines the price, but technically it is a retail sale where State tax is collected. DeWitt had explained this to the City Attorney and the Attorney revised the condition number two on the resolution where it would follow in the MN-1 Zoning Ordinance yet give the applicant the ability to allow the auctioning of firearms and ammunition.

Hallin opened the public hearing.

Bryce Hansen, was present via Zoom and thanked the Planning Commission for the opportunity to have the amendment and he looks forward to working in the community. He is good with the conditions.

DeWitt told Hansen that his application only had Lot 1, Block 1 of West River Run Second Addition where the building site is and she confirmed with his co-worker Monica Johnson if you want the other parcel on the Resolution also, as it shows on Resolution #02-12. Johnson emailed back that just the site with the buildings. DeWitt did see on Mille Lacs County website that the connecting property with no buildings has a different owner listed. Is this correct to just have on the Conditional Use Permit amendment with only Lot 1, Block 1 of West River Run Second Addition.

Hansen said yes, only the site with the buildings.

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

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE AMENDMENT TO THE CURRENT CONDITIONAL USE PERMIT RESOLUTION #02-12 TO ALLOW THE AUCTIONING OF FIREARMS AND AMMUNITION AT THE PROPERTY SITE OF 2001 15<sup>TH</sup> STREET NORTH, LOCATED ON LOT 1, BLOCK 1, WEST RIVER RUN SECOND ADDITION, PID #24-918-0010, WITH THE FOLLOWING CONDITIONS:

1. THERE IS NOT TO BE CUSTOMER BASED RETAIL STORE PURCHASING OR SALES OF FIREARMS OR AMMUNITION ON THIS SITE.
2. IF THERE ARE COMPLAINTS OR CONCERNS THAT COME TO THE CITY, THIS AMENDMENT TO ALLOW THE AUCTIONING OF FIREARMS AND AMMUNITION WILL BE REVIEWED BY CITY STAFF. IF THE COMPLAINTS OR CONCERNS ARE VALIDATED, THE CONDITIONAL USE PERMIT AMENDMENT WILL BE PLACED ON HOLD UNTIL THE PLANNING COMMISSION CAN HOLD A PUBLIC HEARING AND MAKE RECOMMENDATIONS FOR EITHER THE ESTABLISHMENT OF NEW CONDITIONS TO ADDRESS THE ISSUES, OR REVOCATION OF THE AMENDMENT IF THERE ARE NO SOLUTIONS TO CURE THE ISSUES.
3. UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES LICENSES (THROUGH FEDERAL GOVERNMENT) MUST BE ACQUIRED PRIOR TO THE AUCTIONING OF FIREARMS AND AMMUNITION.

UPON THE VOTE, THERE WERE 4 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.
  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.



**DRAFT**

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. Site Plan Review for Mini-Storage at 1800 15<sup>th</sup> Street North**

Mary Lou DeWitt, Comm. Dev. Zoning Specialist

**BACKGROUND**

KO Storage has submitted an application for a Site Plan Review for the fourth mini-storage unit to be built at the site of 1800 15<sup>th</sup> Street North. This would be the final mini-storage unit to the site. The subject parcel is located at the dead end of 15th Street North and adjoins a residential area to the east and Hwy. 169 to the west.

**SITE PLAN ANALYSIS:**

**Zoning**

The property site is in B-3 General Commercial District where mini-storage facilities are allowed with a Conditional Use Permit with no more than four buildings and maximum square footage of 4,000 square feet for each unit. A variance was approved to build the facility up to 5,740 square feet at the May 18, 2020 Planning Commission meeting depending on the Building Code for the setback requirements from the third facility.

The site has three mini-storage units in it with each consisting of 8,000 square feet in a fenced in area. Each building has a 30' foot setback from the other and the proposed facility would also have the 30' foot setback with the square footage of 4,920 square feet. This setback will provide emergency vehicles to maneuver in the site. The maximum lot coverage is 60% and the proposed impervious coverage would be 43.5%.

**Grading and Storm Water**

The current storm pond will be filled and moved to the south of the site. A compaction test for the current storm pond will need to be in place prior to the construction of the new building and provided to the Building Inspector for his permit process.

The City Engineer has reviewed the stormwater management and grading information and had comments that the applicants Engineer addressed.

Staff has forward the information to MnDOT on the Site Plan. MnDOT has to give approval for anything built along the right-of-way of Hwy. #169 and #95. MnDOT's has reviewed the plans and see's no additional drainage will be going to the State right-of-way and are okay with the plans.

**Building Materials**

The owner will be using the same exterior material and color as the other units.

**Bituminous Pavement**

There is currently a 28' foot bituminous pavement that surrounds the site. The proposal shows this will be reduced to 25' feet on the south side of this proposed building. The Fire Chief has reviewed the plans and requires that 30' feet be plowed in the winter months to maintain turnaround access for emergency vehicles.

**Landscaping**

The applicant is not purposing additional landscaping. There is foliage currently at the site that will be left between the site and residential area.

**Fencing**

The site is surrounded by a chain link screened fencing and it will be extended to the south of the site enclosing the storm pond area.

**Lighting**

There will be eight LED light fixtures mounted from the top of the building wall that will be illuminated downward. The fixtures will be bronze in color.

**Electrical**

The applicant has spoken with Ryan Grant, Princeton Public Utilities and the property is already metered and all the electrical work that will be performed will be done downstream of the meter.

**RECOMMENDATION**

1. Exterior needs to match the current buildings in materials and coloring.
2. The south side of the proposed building has a 25' foot pavement area for emergency vehicles, it will need to be plowed and maintained for a 30' foot width in the winter months.
3. All necessary building permit applications need to be submitted and approved by the Building Inspector prior to building.
4. Any new signage will need a Building Permit prior to installation.
5. If due to weather conditions, the asphalt installation is unadvisable an escrow deposit be submitted prior to certificate of occupancy, and compliance no later than July 1<sup>st</sup> of the following year.

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

DeWitt gave an overview of the project.

Elijah Ronning, applicant was present via Zoom. He was okay with the conditions.



JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE SITE PLAN FOR THE FINAL MINI-STORAGE FACILITY AT 1800 15<sup>TH</sup> STREET NORTH, IN THE B-3 ZONING DISTRICT WITH THE FOLLOWING CONDITIONS:

1. EXTERIOR NEEDS TO MATCH THE CURRENT BUILDINGS IN MATERIALS AND COLORING.
2. THE SOUTH SIDE OF THE PROPOSED BUILDING HAS A 25' FOOT PAVEMENT AREA FOR EMERGENCY VEHICLES, IT WILL NEED TO BE PLOWED AND MAINTAINED FOR A 30' FOOT WIDTH IN THE WINTER MONTHS.
3. ALL NECESSARY BUILDING PERMIT APPLICATIONS NEED TO BE SUBMITTED AND APPROVED BY THE BUILDING INSPECTOR PRIOR TO BUILDING.
4. ANY NEW SIGNAGE WILL NEED A BUILDING PERMIT PRIOR TO INSTALLATION.
5. IF DUE TO WEATHER CONDITIONS, THE ASPHALT INSTALLATION IS UNADVISABLE AN ESCROW DEPOSIT BE SUBMITTED PRIOR TO CERTIFICATE OF OCCUPANCY, AND COMPLIANCE NO LATER THAN JULY 1<sup>ST</sup> OF THE FOLLOWING YEAR.

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

**B. Draft Slaughterhouse Ordinance**

Mary Lou DeWitt, Comm. Dev. Zoning Specialist

The Planning Commission was asked to consider amending the Zoning Ordinance to allow Slaughterhouse in the B-3 Zoning District at their May 18<sup>th</sup>, meeting. The Planning Commission directed staff to draft a Slaughterhouse Ordinance. The site discussed was in the B-3 General Commercial District. The Planning Commission may want to add other districts to this Ordinance and this can be discussed at the Planning Commission meeting.

Please review the Slaughterhouse amendment. The Planning Commission will need to hold a public hearing once they determine it is ready and then it is forward to the City Council for review and approval.

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

**ORDINANCE #**

**CITY OF PRINCETON, MINNESOTA**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE ADDING DEFINITIONS AND PROVIDING FOR THE PERMITTED USE OF SLAUGHTERHOUSE ACTIVITIES**

**IN THE B-3 ZONED DISTRICT AND MN-1 DISTRICT THROUGH THE CONDITIONAL USE PERMIT PROCESS.**

\*\*\*\*\*

**SECTION 1.** Chapter II (Definitions) of the Zoning Ordinance is amended as follows (underline indicates additions; ~~strikethrough~~ indicates deletions):

**Animal, Non-domestic**

~~Animals which are kept outside the home for purpose of food or pleasure, such as but not limited to, livestock (cattle, hogs, swine, sheep, goats, farmed Cervidae, chickens, poultry and/or ratitae, horses, bison, mules, or other equines, Llamas, elk, wild game; deer, bear, and game birds), bees, birds (such as falcons, and wild and scrub pigeons), and similar animals.~~

**Custom Processing**

“Custom processing” means slaughtering, eviscerating, dressing, or processing an animal or processing meat products for the owner of the animal or of the meat products, if the meat products derived from the custom operation are returned to the owner of the animal. No person may sell, offer for sale, or possess with intent to sell meat derived from custom processing except in conformance with this Ordinance.

**Custom Processor**

“Custom processor” means a person who slaughters animals or processes non-inspected mean (*not under continuous inspections by either the MN Dept. of Agriculture or US Dept. of Agriculture for slaughter house activities*) for the owner of the animals, and returns the majority of the meat products derived from the slaughter or processing to the owner. “Custom processor” does not include a person who slaughters animals or processes meat for the owner of the animals on the farm or premises of the owner of the animals.

**Meat Food Product**

“Meat food product” means a product usable as human food, animal foods, or fertilizer and made wholly or in part from meat or a portion of the carcass of animals.

**Sell or Sale**

“Sell” or “sale” includes the keeping, offering or exposing for sale, use, transportation, transferring, negotiating, soliciting, or exchange of meat or meat food products, or the having in possession with intent to sell, use, transport, negotiate, solicit or exchange the same and the storing or carrying thereof in aid of traffic therein, whether done or permitted in person or through others.

**Slaughter House**

“Slaughter house” means any land, building, place or establishment in which animals are slaughtered, eviscerated, or dressed.



**SECTION 2.** Section 10 (B-3 General Commercial District) of Chapter V (Zoning Districts) of the Zoning Ordinance is amended as follows:

**C. Conditional Uses**

Slaughter House Activities, in accordance with Section VI.CC.

**SECTION 3.** Section 13 (MN-1 Industrial District) of Chapter V (Zoning Districts) of the Zoning Ordinance is amended as follows:

**D. Conditional Uses**

Slaughter House Activities, in accordance with Section VI.CC.

**SECTION 4.** Section CC (Slaughter House Activities) shall be added to Section 2 (Standards) of Chapter VI (Performance Standards) of the Zoning Ordinance as follows:

**CC. Slaughter House Activities**

1. Purpose.

No person may, with respect to any animal or meat food product, slaughter any animal or meat food product, slaughter any animal or prepare an article that is usable as human food, at any establishment or place of business within the City of Princeton except in compliance with this Ordinance. Additionally, no person may operate any slaughterhouse or custom processing activity except in compliance with this Ordinance.

2. Conditional Use Permit required.

The operation of a slaughterhouse or custom processing activity is allowed as a conditional use only in the B-3 General Commercial Zoning District and the MN-1 Industrial District. All such uses must, however, be in strict conformance with all Federal and State laws for the operation of such facilities. No person shall operate a Slaughter House without first obtaining an Conditional Use Permit in writing from the City, in accordance with the provisions of Section IV.3 of the Zoning Ordinance and subject to the following conditions to govern slaughter house and custom processing activities in the City of Princeton:

a. Slaughter of animals shall take place inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside.

b. The transport of animals and by-products from the slaughter or to support

the business shall be pursuant to the conditions set forth in the Conditional Use Permit issued by City of Princeton.

c. Off street parking sufficient to handle all customers, employees, trucks or transport vehicles shall be provided. Parking for all traffic utilizing the business shall be provided for on-site and off public roads, and other easements.

d. The applicant shall provide a traffic impact analysis should staff recommend.

e. The main entrance to the facility must be located on a state highway, county road, or township road, or City road. Access shall not be permitted through a residential area.

f. The site must be served by an approved On-Site Sewage Treatment System or the City Sewer System. Disposal of waste shall be in accordance with all applicable laws and regulations. This is meant to include, but is not limited to, all sewage, processed and unprocessed animal parts, manure, entrails, blood, hides, and bones.

g. The facility must have all necessary federal, state and county licenses and approvals, and comply with all state and federal health and safety regulations.

h. The maximum area (indoor, outdoor or combination thereof) for the keeping or slaughtering of animals shall not exceed sixty (60%) of the individual lot or parcel site. The Conditional Use Permit will limit the number of animals for the keeping or slaughtering.

i. The facility hours of operations shall be pursuant to those set forth in the Conditional Use Permit issued by the City of Princeton.

j. Exterior storage areas, including animal storage areas, and vehicle and trailer storage, shall be fenced and screened from adjacent property and public rights of way. Fencing shall be sufficient to provide adequate screening and contain animals securely on the owner's property at all times.

k. Animals shall be enclosed in gated enclosures with a minimum height of 6 feet.

1. Manufactured steel pipe panels shall have a minimum pipe diameter of two (2) inches and shall have a minimum of six (6) horizontal pipes.

l. Live animals may be held on the site for no more than twenty-four (24) hours.



**DRAFT**

m. Waste slaughter byproducts shall be disposed of in accordance with all applicable federal, state, and local regulations. At a minimum, waste shall be disposed of within forty-eight (48) hours of being produced. Waste shall be stored in airtight containers and shall be confined in fully enclosed structures. Manure from holding areas shall be removed from the site daily or stored in a manner to control odor as approved by the City of Princeton.

n. The permit shall be subject to a facility management plan, waste handling, site plan, and noise and odor control plan approved in writing by the City of Princeton Zoning Department.

o. All exterior structures and improvements or fences for the keeping or confinement of animals shall meet all setbacks as defined by the City of Princeton Zoning Department. Documentation of compliance maybe required at anytime to maintain the conditional use.

p. All loading and unloading areas shall be screened from view from adjacent properties and public streets.

\*\*\*\*\*End of Draft Ordinance\*\*\*\*\*

DeWitt commented she found out today that the interested party is not going forward with the location in the B-3 District. It would be too small. She is now looking at another property that is in the process of being annexed into the City and mostly likely be zoned MN-1 District. Prior to the meeting starting tonight, Hallin, Barbian, and herself discussed that this Slaughterhouse Ordinance could be allowed in the B-3 District and the MN-1 District. That is something the Planning Commission would need to decide.

Barbian said they would have to discuss what appropriate district would be best for this with a Conditional Use Permit review process or an Interim Use Permit.

DeWitt said a Conditional Use Permit stays with the property as long as the use stays the same. If the property is not in that use for a year, then the Conditional Use is no longer in effect. An Interim Use Permit would need to be reapplied for if the property were sold.

Johnson said they are putting an investment into the property and if they were to sell the site, he would rather it have the Conditional Use Permit. This Planning Commission Board is supportive of a Slaughterhouse, but who knows if the next Planning Commission Board or Council would be.

Moller agreed with Johnson.

DeWitt explained that an Interim Use Permit would be a safety net for the City if there are issues and they can be reviewed with the next owner applying for an Interim Use Permit. The

Interim Use Permit can also be reviewed if there are complaints. A Conditional Use Permit can have conditions to it and be reviewed, but there is a possibility we do not address everything.

Reynolds asked if the property sold and it had an Interim Use Permit, for the next person applying for an Interim Use Permit, can the conditions be changed.

DeWitt said yes, conditions can be changed with each Interim Use Permit.

Moller believes it will make it harder to sell the property with an Interim Use Permit because there is no guarantee the new owner will be approved for one.

DeWitt explained that she has had where the intended buyer applies for the Interim Use Permit prior to closing on the land so they have assurance that they will receive it. There is a section on the application where the current owner signs it where they are giving permission for them to apply for the Interim Use Permit.

JOHNSON MOVED, SECOND BY REYNOLDS, TO MOVE FORWARD WITH THE PUBLIC HEARING FOR THE JULY 20, 2020 PLANNING COMMISSION MEETING FOR THE SLAUGHTERHOUSE AMENDMENT WITH A CONDITIONAL USE PERMIT IN THE B-3 GENERAL COMMERCIAL DISTRICT AND THE MN-1 INDUSTRIAL DISTRICT. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

#### **COMMUNICATION AND REPORTS:**

##### **A. Verbal Report**

DeWitt commented that she had emailed the May Building Permit List to them and it basically was renovations.

##### **B. City Council Minutes for May, 2020**

The Planning Commission Board had no comments.

JOHNSON MOVED, SECOND BY MOLLER TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:43 P.M.

ATTEST:

---

Victoria Hallin, Vice-Chair

---

Mary Lou DeWitt, Comm. Dev. Zoning Specialist