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**THE REGULAR MEETING FOR THE PLANNING COMMISSION BOARD HELD ON MAY 20TH, 2024,
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 Scott Moller, Ben Lewis, and Gene Stoeckel (Princeton Township Rep). Staff present was Mary Lou DeWitt (Comm. Dev. Zoning Specialist).

Jim Oliver and Victoria Hallin were absent.

APPROVAL OF MINUTES OF REGULAR MEETING ON FEBRUARY 26TH, 2024

LEWIS MOVED, SECOND BY MOLLER, TO APPROVE THE MINUTES OF FEBRUARY 26TH, 2024. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:

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

PUBLIC HEARING:

A. Conditional Use Permit at 200 19th Avenue North for extended drive-thru hours

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

Background:

Jim LaValle, applicant has applied for a Conditional Use Permit to allow the drive-thru hours of operation for a restaurant and eating establishment to be 10 AM to 11 PM at the property site located at 200 19th Avenue North.

Analysis:

The property site is located in the B-3, General Commercial District. The Zoning Ordinance states the following:

***Restaurants and eating establishments, including drive-thru services provided that:**

a. Residential properties shall be screened from vehicle lights in the stacking area.

The site is in the B-3 District, and the Belle Haven residential site is quite a distance away, and the drive-thru service area is on the opposite side of the Culver's building which will block vehicle lights.

b. Adequate stacking is provided at the menu board and pick up window.

The City Engineer has reviewed the Site Plan Review and the drive-thru stacking for vehicles between the menu board and pick up window have met the review standards.

c. The drive-thru hours of operation are limited to 7:00 AM to 10:00 PM, unless extended by the City Council as part of the conditional use permit.

The applicant would like the drive-thru hours to be 10 AM to 11 PM.

Directly across from the Culver's site is Walmart. They are open 6 AM to 11 PM, seven days of the week. The extended drive-thru hour will not be an issue.

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. *The proposed use will not violate the health, safety or general welfare of the Princeton residents.*
2. The proposed use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation. *The proposed use of having extended drive-thru hours will not cause an increase of erosion, runoff, water pollution, or sedimentation.*
3. Adequate parking and loading is provided in compliance with the Ordinance. *The City Engineer reviewed the Site Plan Review and found the parking and loading were in compliance.*
4. Possible traffic generation and access problems have been addressed. *The traffic and access were reviewed for the Site Plan Review and it meets the City Engineer requirements.*
5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity. *The Conditional Use Permit request will not cause an issue with 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. *The Conditional Use Permit request will not cause an issue with the City's service capacity.*
7. The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area. *This site conforms to the City's Comprehensive Plan and is compatible with the future land uses of the area.*

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 surroundings 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 to 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;



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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:

Normally, the Planning Commission’s decision will serve as the final ruling and decision for a Conditional Use Permit and would be reported to the City Council as informational only. In this case, the B-3 Zoning Ordinance states the City Council will approve the Conditional Use Permit for the extended hours (Do not apply days of the week with hours). If the Planning Commission supports the Conditional Use Permit application, they can recommend approval to the City Council for the property site located at 200 19th Avenue North (PID #24-750-0120) with the drive-thru hours of operation for a restaurant and eating establishment to be 10 AM to 11 PM.

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

MOLLER MOVED, SECOND BY LEWIS, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

There was no one else besides the applicants in the audience.

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

MOLLER MOVED, SECOND BY LEWIS, TO APPROVE THE CONDITIONAL USE PERMIT AT 200 19TH AVENUE NORTH (PID #24-750-0120), TO ALLOW THE DRIVE-THRU HOURS OF OPERATION FOR A RESTAURANT AND EATING ESTABLISHMENT TO BE 10 AM TO 11 PM, AND FORWARD THE RECOMMENDATION TO THE CITY COUNCIL FOR FINAL APPROVAL. UPON THE VOTE, THERE WERE 3 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? No.

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

OLD BUSINESS: None

NEW BUSINESS:

A. Culver's Site Plan located at 200 19th Avenue North

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

Background:

Jim LaValle, applicant submitted a Site Plan Review application for the construction of a 4,212 square foot Culver's Restaurant. The site is located at 200 19th Avenue North, Lot 6, Block 2, Rivertown Crossing.

Zoning:

The site is in the B-3, General Commercial Business District and restaurants and eating establishments are a permitted use. Those that have drive-thru services are allowed provided that:

- a. Residential properties shall be screened from vehicle lights in the stacking area.
- b. Adequate stacking is provided at the menu board and pick up window.
- c. The drive-thru hours of operation are limited to 7:00 AM to 10:00 PM, unless extended by the City Council as part of the conditional use permit.

Impervious Coverage – 67.9%. All setbacks are met.

Parking:

Fast Food Establishments – (With seating) One space per three patron seats, plus one space per employee on the largest shift.

Seating accommodates 81 customers – 27 parking spaces

Employees on largest shift 10 = 10 parking spaces

There are 36 (9'x18') parking spaces on the plans and two of those are handicap. On the north



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side of the drive-thru area are 12 parking spaces, shared for employees and order waiting stalls along with two more order waiting spaces after the pickup window.

All snow shall be stored on-site outside parking lot area. When full, a company will be hired to remove the excess snow off-site.

Fire Department: The aisle width is 24' feet. The plans show the fire truck turning movement and the Fire Chief has approved the plans.

There is a Fire Department connection on the northeast corner of the building. A Knox Box will be placed on the front of the building. The applicant will need to contact the Fire Department to acquire one.

There is an existing hydrant on the northwest corner of the site that will be protected during construction.

Trash: The trash enclosure is located on the southeast corner of the site. The enclosure will be fenced in with a gate access where two 8-yard dumpsters are on concrete pavement.

Menu Board: The drive-thru is on the east side of the building where the drive-thru splits to two 10' foot lanes with a kiosk & menu boards for each. The pickup window is on the north side of the building. Directional signage and arrow pavement markings are placed along the drive-thru.

Lighting: Sconce fixtures are placed on the outside building walls on all four sides. Can lighting will be recessed in the soffit as well as (non-flashing) blue LED strip lighting.

Parking lot light poles are placed around the site pavement area for night visibility and safety.

Sidewalk/Curb/Trail: The area of the current curb and sidewalk that will be cut for installation of utilities and access to the site will be restored to the manner of the remaining curb and sidewalk.

The plans show a 5.7' foot sidewalk that follows around the building with a 15' foot concrete patio on the west side of the building.

There is an existing bituminous trail on the west area of the site where the access is to the business and trail will consist of 3" bituminous over 6" of Class 5.

Landscaping: The plans have irrigation installed and will be programmable with alternate date watering. The Ordinance states 25% of the land area be sodded and landscaped and 3% of the internal parking area be landscaped. Three sides of the building have a mixture of perennials and shrubs in decorative rock mulch. Tree area will have shredded cedar mulch and Roadside

Seed mix will be placed on the far east side of the site. Along the perimeter of the site and in the front of the building is Blue Grass sod. Grass and weeds will be maintained and not exceed 6" inches in height.

Building Materials: The outer building walls are a combination of main field EIFS in the color of Tony Taupe and manufactured stone in Echo Ridge coloring. The roof edge is metal in the color of Harbor Blue and canvas awnings in a Royal Blue Tweed.

The building address numbers will be placed on the front building wall with 4" high x 12" wide numbers.

Sewer and Water Connection: The connection to sewer and water is in the utility easement at the entrance of the site. The water connection will be to the 8" inch main service and sewer connection to the 6" inch sanitary sewer line located in 19th Avenue North. The contractor will coordinate all the utility services with both the civil and mechanical plans prior to construction.

Utilities: The existing power pole and power lines will be relocated and coordinated with Princeton Public Utilities.

Existing utility pedestals to remain, and protected during construction.

Stormwater: The City Engineer reviewed the plans and submitted a memo with comments on March 29, 2024. The City Engineer received the resubmittal of plans on April 18th, 2024 and her comments have been addressed.

Signage: Signage will be submitted for staff review at a later date. When the applicant has the pylon sign ready for review, staff will review that it follows the Sign Ordinance and bring it to the Planning Commission for final approval.

Bike Rack: The "Rolling" style bike rack will have five spaces and mounted to the concrete to the far right of the front door.

Recommendation: Staff would recommend approval of the Site Plan for Culver's at the property site located at 200 19th Avenue North, PID #24-750-0120 with the following conditions:

1. The plans reflect the conditions and conclusions of the City Engineer for storm water.
2. A Knox Box be placed on the building in coordination with the Fire Chief.
3. All necessary permits shall be applied for and approved prior to construction, including, but not limited to: Building Permit, Water Access Charge (WAC), Sewer Access Charge (SAC), and future sign permit.



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4. The area of the curb and sidewalk that will be cut for installation of utilities and access to the site will be restored to the manner of the remaining curb and sidewalk.
5. The work shall be carried on with minimum of interference with traffic.
6. The grass area on the lot shall be maintained for grass/weeds to be kept. 6" inches or under.
7. The applicant will contact Public Works Department and Princeton Public Utilities for the connections for water, electrical, sewer, and utility meters.
8. If due to weather conditions, the sodding and/or seeding and driveway asphalt installation is unadvisable, a separate escrow deposit for each be submitted prior to issuance of Certificate of Occupancy.
9. The applicant will contact Gopher State One prior to construction for location of existing utilities.
10. The contractor will repair or replace any utilities that are damaged during construction at the contractors cost.
11. Any work on adjacent private property, the contractor will obtain written permission from the adjacent property owner prior to any work.
12. The applicant shall replace in-kind or better all streets disturbed by this operation.

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

Moller asked when construction will begin and possible opening.

Jim LaValle, applicant said they would like to start construction July 1st, 2024 and opening before the holiday season this fall.

MOLLER MOVED, SECOND BY LEWIS, TO APPROVE THE SITE PLAN FOR CULVER'S AT THE PROPERTY SITE LOCATED AT 200 19TH AVENUE NORTH, PID #24-750-0120 WITH THE FOLLOWING CONDITIONS:

1. THE PLANS REFLECT THE CONDITIONS AND CONCLUSIONS OF THE CITY ENGINEER FOR STORM WATER.
2. A KNOX BOX BE PLACED ON THE BUILDING IN COORDINATION WITH THE FIRE CHIEF.
3. ALL NECESSARY PERMITS SHALL BE APPLIED FOR AND APPROVED PRIOR TO CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO: BUILDING PERMIT, WATER ACCESS CHARGE (WAC), SEWER ACCESS CHARGE (SAC), AND FUTURE SIGN PERMIT.

4. THE AREA OF THE CURB AND SIDEWALK THAT WILL BE CUT FOR INSTALLATION OF UTILITIES AND ACCESS TO THE SITE WILL BE RESTORED TO THE MANNER OF THE REMAINING CURB AND SIDEWALK.
5. THE WORK SHALL BE CARRIED ON WITH MINIMUM OF INTERFERENCE WITH TRAFFIC.
6. THE GRASS AREA ON THE LOT SHALL BE MAINTAINED FOR GRASS/WEEDES TO BE KEPT 6" INCHES OR UNDER.
7. THE APPLICANT WILL CONTACT PUBLIC WORKS DEPARTMENT AND PRINCETON PUBLIC UTILITIES FOR THE CONNECTIONS FOR WATER, ELECTRICAL, SEWER, AND UTILITY METERS.
8. IF DUE TO WEATHER CONDITIONS THE SODDING AND/OR SEEDING AND DRIVEWAY ASPHALT INSTALLATION IS UNADVISABLE A SEPARATE ESCROW DEPOSIT FOR EACH BE SUBMITTED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
9. THE APPLICANT WILL CONTACT GOPHER STATE ONE PRIOR TO CONSTRUCTION FOR LOCATION OF EXISTING UTILITIES.
10. THE CONTRACTOR WILL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT THE CONTRACTORS COST.
11. ANY WORK ON ADJACENT PRIVATE PROPERTY, THE CONTRACTOR WILL OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER PRIOR TO ANY WORK.
12. THE APPLICANT SHALL REPLACE IN-KIND OR BETTER ALL STREETS DISTURBED BY THIS OPERATION.

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

COMMUNICATIONS AND REPORTS: None

LEWIS MOVED, SECOND BY MOLLER, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:28 P.M.

ATTEST:

Dan Erickson, Chair

Mary Lou DeWitt, Comm. Dev. Zoning Specialist