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**THE MEETING FOR THE PLANNING COMMISSION BOARD HELD ON DECEMBER 20, 2021,  
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 Andrea Gerrad. Members present were Scott Moller, Victoria Hallin, Eldon Johnson, and Gene Stoeckel (Princeton Twsp. Rep.) Staff present were Mary Lou DeWitt (Comm. Dev. Zoning Specialist).

Absent was Dan Erickson.

**APPROVAL OF MINUTES OF REGULAR MEETING ON OCTOBER 18, 2021**

HALLIN MOVED, SECOND BY JOHNSON, TO APPROVE THE MINUTES OF OCTOBER 18, 2021. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**AGENDA ADDITIONS / DELETIONS:**

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

**PUBLIC HEARING:**

**A. Ordinance Amending B-1 and B-2 Districts Permitted Use Language**

Mary Lou DeWitt, Community Development Zoning Specialist Memo:

**Background:** Staff has received a request from a bank in the B-1 Central Business District that would like to update their current pylon sign with an additional sign that would be a digital message board with changing graphics. The Sign Ordinance does not allow digital message boards in the B-1 District. This type of signage is allowable in the B-2 Neighborhood Business District with restrictions that this site would conform with and is adjacent to the B-2 District.

**Analysis:** The Sign Ordinance was amended in 2014 after extensive review by the Planning Commission and has worked very well with the guidelines. The bank suggested rezoning the site to B-2 District since they fit all the conditions necessary for allowing the signage. Staff reviewed the B-1 Central Business Zoning District and found discrepancies under permitted uses, and banks are listed, but does not identify drive thru service as well as coffee shops with/without drive thru service. It is traditional for a bank to have drive thru service for the convenience of the customers and also with the current epidemic it is necessary wordage to be added. Drive thru language is also needed to be added under permitted uses with the coffee shop (with/without drive thru service).

In reviewing the B-2 Neighborhood Business Zoning District, the 2004 Zoning Ordinance had under permitted uses, any use permitted in B-1 District had been removed in amendments. It is unclear the intention of this removal, but assessing the allowable uses in the B-1 District would be a reasonable use in the B-2 District. Also, under permitted uses, professional office without drive thru is listed, and including financial institutions without drive thru service. The definition

for financial institution encompasses a broad range of business operations within the financial services including banks, trust companies, insurance companies, brokerage firms, and investment dealers. The business out of this description that would need drive thru service is banks, so staff is adding banks to the permitted use with/without drive thru service so there is no confusion in the future.

**B-1 Permitted Uses:** The Ordinance amended as follows (underline indicates additions; ~~strikethrough~~ indicates deletions):

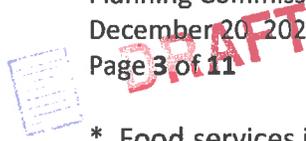
In a B-1 Central Business District, unless otherwise provided in this ordinance, no building or land shall hereafter be erected, used, or structurally altered except for one of the following, as well as similar uses:

- \* Accessory building up to 800 sq. ft;
- \* Adult uses-accessory (as regulated by Chapter VI, Performance Standards);
- \* Coffee shop (with/without drive thru service) and bakeries – where products are sold on premise;
- \* Dry cleaners – pick up and laundry pick up stations including incidental repair but not including processing,
- \* Food services – grocery stores, fruit and vegetable markets, meat markets, supermarkets;
- \* Laundromats – self-service washing and drying, provided that the hours of operation are limited to 7 AM to 10 PM;
- \* Licensed child care;
- \* Professional services including banks – (with/without drive thru service), medical clinics, funeral homes, offices;
- \* Personal services – barber, beauty shops, day spa, tanning salons, therapeutic massage;
- \* Restaurants – with/without drive thru service;
- \* Retail businesses and services, except no outdoor storage shall be permitted;
- \* Shoe repair;
- \* Tailoring services.

**B-2 Permitted Uses:** The Ordinance amended as follows (underline indicates additions; ~~strikethrough~~ indicates deletions):

In a B-2 Neighborhood Commercial District, unless otherwise provided in this Ordinance, no building or land shall hereafter be erected, used or structurally altered except for one of the following, as well as similar uses:

- \* Any use permitted in B-1 District;
- \* Accessory building up to 800 sq. ft.;
- \* Coffee shop, deli or restaurant without drive-thru service;
- \* Convenience stores of 3,000 square feet or less in gross floor area and not associated with gas station;



- \* Food services including specialty grocery store or meat market, bakeries whose products are sold on premises;
- \* Health clubs of 3,000 square feet or less in gross floor area;
- \* Multi-tenant structures – office, retail with 3,000 square feet or less gross floor area;
- \* Prepared food: delivery and/or take out only, no interior seating;
- \* Professional office including financial institutions (without drive-thru), banks (with/without drive thru service), medical uses and general office users;
- \* Personal services – barber, beauty shops, day spa; tanning salons, therapeutic massage;
- \* Public buildings and facilities;
- \* Specialty schools and learning centers.

**Amendment Review Standards:** The Zoning Ordinance does not outline specific factors upon which a proposed amendment should be considered; therefore, staff is providing the following factors, which are common review standards from other Ordinances:

1. The proposed action has been considered in relation to the specific policies and provisions 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 with 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.

**Conclusion / Recommendation:** Staff is requesting the Planning Commission review the Ordinance amendment for the B-1 and B-2 Zoned Districts.

If the Planning Commission approves the Ordinance amendment, the motion should be to forward the Ordinance amendment to the City Council for the first reading on January 13, 2022.

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

DeWitt went through the Ordinance amendment with the Planning Commission Board.

HALLIN MOVED, SECOND BY MOLLER, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

There was no one present per Zoom or in the audience for this public hearing.

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

HALLIN MOVED, SECOND BY MOLLER, TO APPROVE AN ORDINANCE AMENDING CHAPTER V (ZONING DISTRICT) OF THE ZONING ORDINANCE IN B-1 CENTRAL BUSINESS DISTRICT TO ADD ADDITIONAL LANGUAGE IN PERMITTED USES AND IN THE B-2 NEIGHBORHOOD COMMERCIAL DISTRICT UNDER PERMITTED USES TO ADD ADDITIONAL LANGUAGE, AND FORWARD TO THE CITY COUNCIL WITH THE RECOMMENDATION OF FINAL APPROVAL. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission reviewed the Findings of Fact:

1. Is the zoning amendment consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? No.

The responses to the above questions are hereby certified to be the findings of the Princeton Planning Commission.

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

#### **B. Rezoning from B-1 District to B-2 District at 209 Rum River Drive South**

Mary Lou DeWitt, Community Development Zoning Specialist Memo:

##### **REZONING APPLICATION REVIEW:**

**Background:** The applicant, First Bank & Trust have applied for rezoning of their property located at 209 Rum River Drive South (PID #24-041-055) that is currently zoned as B-1 Central Business District and to rezone the site to B-2 Neighborhood Business District.

In 1977 the property was purchased and a bank was built on the land and has been operating as a bank ever since. The site is on the corner of 3<sup>rd</sup> Street South and Rum River Drive South. South of the site is Taco John's that has the B-2 Neighborhood Business zoning designation.

The reasoning behind the rezoning change request is to update their current pylon sign with an additional sign that will be a digital message board with changing graphics. The Sign Ordinance does not allow that type of signage in the B-1 Zoning District, but is an allowable sign in the B-2 Zoning District. The City of Princeton supports business upgrades that encourage modern technology yet maintains the neighboring commercial destination.

**Analysis:** Currently, the B-2 Zoning Ordinance does not identify banks as a permitted use. It does allow professional office including financial institutions (without drive thru). It is traditional for banks to have drive thru windows and was allowable at the time it was built. In the B-1 Central Business District banks are a permitted use, but it does not identify drive thru service. The Planning Commission is holding a public hearing on amending the B-1 and B-2 District Zoning Ordinance at tonight's meeting. The City Council will have final decision on the B-1 Central Business District to add additional wordage in permitted uses for banks to read; with/without drive thru service, and in the B-2 Neighborhood Commercial District under permitted uses; to allow any use permitted in B-1 Central Business District and also adding



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banks with/without drive thru service. The approval of the zoning change to the B-2 District would be a condition where banks with/without drive thru would be a permitted use.

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.*

While it is the intent of the B-2, Neighborhood Commercial District *is to provide for the establishment of highly limited scale neighborhood commercial centers and uses in existing commercial nodes that offer basic, convenience-type goods and services to the immediately surrounding areas in which they are located.*

**Rezoning Review Standards:** 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 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 with 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 servicing property.

**Conclusion / Recommendation:** Based on the above analysis, staff recommends the Planning Commission approve the rezoning of the property site located at 209 Rum River Drive South (PID #24-041-0500) from B-1 Central Business District to B-2 Neighborhood Business District and forward the recommendation to the City Council to hold a first reading January 13, 2022 with the following conditions:

1. The City Council approval of the Ordinance amending B-1 Central Business District to add additional language in permitted uses for banks to read as; with/without drive thru service, and in the B-2 Neighborhood Commercial District under permitted uses to allow any use permitted in B-1 Central Business District and allowing banks with/without drive thru service language in the professional office including financial institutions.

\*\*\*\*\*End of this section of Staff Memo\*\*\*\*\*

DeWitt went through the rezoning request for the property site located 209 Rum River Drive South with the Planning Commission Board and introduced Spencer Bjerga, First Bank and Trust President who attended per Zoom.

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

DeWitt said she received two phone calls from neighbors that received the public hearing notice and they supported the rezoning change.

There was no one present per Zoom or in the audience for this public hearing with concerns of the rezoning.

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

HALLIN MOVED, SECOND BY JOHNSON, TO APPROVE THE REZONING OF THE PROPERTY SITE LOCATED AT 209 RUM RIVER DRIVE SOUTH, (PID #24-041-0500) FROM B-1, CENTRAL BUSINESS DISTRICT TO B-2, NEIGHBORHOOD BUSINESS DISTRICT AND FORWARD TO THE CITY COUNCIL WITH THE RECOMMENDATION OF FINAL APPROVAL WITH THE FOLLOWING CONDITIONS:

1. THE CITY COUNCIL APPROVAL OF THE ORDINANCE AMENDING B-1 CENTRAL BUSINESS DISTRICT TO ADD ADDITIONAL LANGUAGE IN PERMITTED USES FOR BANKS TO READ AS; WITH/WITHOUT DRIVE THRU SERVICE, AND IN THE B-2, NEIGHBORHOOD COMMERCIAL DISTRICT UNDER PERMITTED USES TO ALLOW ANY USE PERMITTED IN B-1, CENTRAL BUSINESS DISTRICT AND ALLOWING BANKS WITH/WITHOUT DRIVE THRU SERVICE LANGUAGE IN THE PROFESSIONAL OFFICE INCLUDING FINANCIAL INSTITUTIONS.

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.

The response to the above questions are hereby certified to be the findings of the Princeton Planning Commission.

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

**C. Comp Plan Land Use Plan and Zoning Map amendment at the property site 209 Rum River Drive South**

Mary Lou DeWitt, Community Development Zoning Specialist Memo:



**FUTURE LAND USE AMENDMENT AND ZONING MAP CHANGE REVIEW:**

**Background:** The Future Land Use Plan of the Comprehensive Plan designates the subject property as Commercial. Because this parcel is directly adjacent to the Commercial/Residential Mix, staff believes this change would be appropriate with residential adjacent to the west.

*A mixed-use building which has commercial on the first floor and housing on upper levels would create a larger customer base for downtown businesses and could be designed in a way that reestablishes the feelings of the old downtown.*

**Conclusion / Recommendation:** If the Planning Commission is in favor of recommending approval to the City Council to have final approval of the Future Land Use Plan of the Comprehensive Plan and Zoning Map Amendment, the findings should be based on the following factors:

- 1. The proposal complies with the Commercial/Residential Mix; and
  - 2. The Commercial/Residential Mix is compatible with present and future land uses of the area.
- \*\*\*\*\*End of Staff Memo\*\*\*\*\*

DeWitt explained that if this site would need to be rebuilt on, having the commercial/residential mix would allow for the opportunity to have residential on the top.

HALLIN MOVED, SECOND BY MOLLER, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

There was no one present per Zoom or in the audience for this public hearing with concerns of the rezoning.

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

HALLIN MOVED, SECOND BY JOHNSON, TO APPROVE THE COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP OF THE FUTURE LAND USE PLAN OF THE COMPREHENSIVE PLAN AND ZONING MAP FOR THE PROPERTY LOCATED AT 209 RUM RIVER DRIVE SOUTH, PID #24-041-0500 FROM COMMERCIAL TO COMMERCIAL/RESIDENTIAL AND FORWARD THE RECOMMENDATION TO THE CITY COUNCIL. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

- 1. Is the zoning amendment consistent with the Princeton Land Use Plan? Yes.
- 2. Have there been changes in the character of development in the vicinity? No.

The responses to the above questions are hereby certified to be the findings of the Princeton Planning Commission.

Based on the findings, a recommendation to approve the Comp Plan / Zoning Map Amendment will be made to the Princeton City Council.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. First Bank & Trust Pylon Sign Review**

Mary Lou DeWitt, Community Development Zoning Specialist Memo:

**Background:** First Bank & Trust, (209 Rum River Drive South) has requested an additional sign on their pylon sign pole. The additional proposed signage would be approximate 21 square foot digital sign with changing graphics. The site is located in the B-1 Central Business District and this type of signage is only permitted in the B-2 & B-3 Districts. Tonight's meeting there is a request for a rezoning change for this property site to B-2. There is also an Ordinance Amendment to the B-1 and B-2 Zoning Districts also to add additional wordage to allow banks with/without drive thru service and what is permitted in the B-1 District should be permitted in the B-2 District.

**Analysis:** Pylon signage in the B-2 District requirements that need to be met:

In excess of 900 feet from Highway 169 and Rum River Drive Interchange. Maximum sign area no more than 75 square feet and maximum sign height 20 feet.

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. *The current pylon sign is 25' feet in height, but was an allowable size when the building permit was approved. The additional signage would bring the total sign area to approximately 73 square feet and would be under the maximum sign area of 75 square feet.*
2. Ten feet of clearance shall exist between grad levels and the bottom of the sign. *The bottom of the new sign will be 17' 11" from the ground level.*
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. *Our building is the closest structure/building to the pole, which is located 34' from the northwest corner of the building on First Bank & Trust property.*
4. The sign must be located on the property where the business advertised is located, except for highway billboard advertising. *The pylon sign is on the business property.*

5. The sign cannot extend over public sidewalks or streets. *Our existing sign does not extend over the public sidewalk. The new sign is smaller so it will not extend over the sidewalk.*

6. There shall be no more than one pylon sign per lot, except as provided in Subdivision D of this section. *The new sign will be attached to the existing pole, right underneath the existing sign.*

**F. Video Display Signs, Electronic Changeable Copy Signs, and Electronic Graphic Display Sign and Gas Station Canopy Tube Lighting – General Provisions (Added 03-10-16; Ord. 730):**

**1. Location:**

a. Signs shall only be permitted on property that is zoned B-2 Neighborhood Business

b. B-3 General Commercial, HC-1 Health Care, MOR Medical Office Residential, MN-1 Industrial, and MN-2 Industrial Districts. *The condition of allowing the proposed signage is the Council approve the Ordinance amendment for B-1 and B-2 Districts and also the rezoning of the site to B-2 District.*

c. Signs shall not be located within 125 feet of any existing residence (including single family homes, townhomes, multi-family residential buildings, apartments, etc). without property shielding to ensure that the brightness does not exceed maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk and dawn, as measured from the sign's face at maximum brightness. *The sign is 135 feet from the neighboring residential property.*

**2. Orientation:**

a. Signs shall not interfere with traffic and road safety due to placement and orientation, as determined by the City Engineer.

3. Size and Height: The size and height of the sign shall be subject to the same provisions as any other wall or freestanding sign.

**4. Brightness:**

a. No sign may be of such intensity or brilliance that it interferer with the effectiveness of an official traffic sign, device, signal or the safety of the public, or located where it would do so as determined by the City Engineer.

b. Signs must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours, and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn, as measured form the sign's face at maximum brightness.

1) The sign owner shall be required to provide an accurate field method of ensuring that maximum light levels are not exceeded if requested by City officials.

2) The sign owner shall sign a license agreement supplemental to the building permit agreeing to operation of a sign in conformance with these regulations. Violation of these regulations shall result in forfeiture of the license, and the City shall be authorized to arrange disconnection of electrical service to the facility.

3) Signs shall have an automatic dimmer control or other mechanism to automatically adjust its nit level based on ambient light conditions. *First Bank & Trust will adhere to all Electronic Changeable Copy Sign restrictions. Our sales representative from Scenic Sign Corp. has verified that the sign will be programmed to the city requirements of maximum illumination (5,000 NITS daytime, 500 between dusk and dawn) prior to installation.*

5. Flashing Prohibited: Flashing signs are prohibited (refer to Definition section).

6. Malfunction: In the event of a malfunction, the sign shall be designed to freeze the display, and the owner shall discontinue the display immediately upon malfunction, or upon notice from the City that the display violates the City's regulations.

**Conclusion / Recommendation:**

The addition signage to the pylon signage would meet the requirements. Staff would suggest the Planning Commission approve the proposed signage with the conditions:

1. The Ordinance amendment for B-1 and B-2 Districts be approved by City Council.
2. The City Council approve the rezoning of the site from B-1 to B-2 Zoning District.
3. All conditions outlined in the Sign Ordinance must be followed.

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

Spencer Bjerga, First Bank and Trust President who attended per Zoom said that he will advertise for the community on the sign.

Gerrad asked if they will have the temperature and date on the sign.

Bjerga said yes, they will have that. There is a resident who is aware of them applying for the signage and ask the same thing and he is so happy they are going to have that on the sign.

Hallin said she has been a happy customer with her banking there for approximately 30 years.

Bjerga thanked her.

HALLIN MOVED, SECOND BY MOLLER, TO APPROVE THE DIGITAL SIGN WITH CHANGING GRAPHICS THAT WILL BE APPROXIMATELY 21 SQUARE FEET THAT WILL BE AN ADDITION TO THEIR CURRENT PYLON SIGN AT 209 RUM RIVER DRIVE SOUTH, WITH THE CONDITIONS:

1. THE ORDINANCE AMENDMENT FOR B-1 AND B-2 DISTRICTS BE APPROVED BY CITY COUNCIL.

2. THE CITY COUNCIL APPROVE THE REZONING OF THE SITE FROM B-1 TO B-2 ZONING DISTRICT.

3. ALL CONDITIONS OUTLINED IN THE SIGN ORDINANCE MUST BE FOLLOWED. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

DeWitt advised Bjerga not to order the new sign until the Ordinance amendment for B-1 and B-2 District is approved by the City Council and the rezoning of their site to the B-2 Zoning District.

Bjerga understands and will not order it until he knows of the approval. He will Zoom attend the City Council meetings to answer any questions they may have of the rezoning request.

**COMMUNICATIONS AND REPORTS:** None

HALLIN MOVED, SECOND BY MOLLER, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:32 P.M.

ATTEST:

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Andrea Gerrad, Vice Chair

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Mary Lou DeWitt, Comm. Dev. Zoning Specialist