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## MEMORANDUM

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TO: Mayor & City Council  
FROM: Mary Lou DeWitt, Comm. Dev. Zoning Specialist  
SUBJECT: **Conditional Use Permit for Elemet Group for a proposed building with the height greater than 30' Feet in the MN-1, Industrial District**  
DATE: December 6<sup>th</sup>, 2022

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### ***FYI ONLY – NO ACTION REQUIRED***

#### **Background:**

The Planning Commission held a public hearing on November 21, 2022 for ISG, Inc. for a Conditional Use Permit application in behalf of Joe Glenn to allow the maximum building height greater than (30) thirty feet for a proposed building. The site is located in Princeton Business Park in the MN-1, Industrial District.

#### **Analysis:**

The subject property is located south of First Street and west of 21<sup>st</sup> Avenue South. The proposal is for a manufacturing structure to be built on this site. The MN-1 Zoning Ordinance maximum height requirement is 30 feet. The request is for a height of 36' feet.

Princeton Fire Chief is okay with the additional height. The departments equipment will be able to reach the top of the building.

Staff contacted the City Airport Engineer in regards to the additional height of the building and being in close proximity to the Airport. The height should be fine, but he suggest to file a notice to the FAA (Form 7460-1) for an airspace study to be conducted on the structure. The link below will direct them to the tool where they can enter the lat/long and elevation of the object and it will let them know if a notice is required and if so, direct them to the form. Also, it would be good to notify them that when it comes time for construction of the building, cranes and equipment that are taller than the structure will also need a separate 7460-1 filing. Due to their height, these temporary pieces of construction equipment will likely have an impact on airport operations which will be evaluated through the airspace study process.

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

#### **CONDITIONAL USE PERMIT STANDARDS**

The Planning Commission shall order the issuance of such permit only if it finds that such use at the proposed location complies with the following standards:

Subsection 3.B. of Chapter IV outlines the standards for review of a Conditional Use Permit:

*1. The proposed use does not violate the health, safety, or general welfare of Princeton residents.*

**Comment:** No characteristics of the proposed use appear that it will 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.*

**Comment:** The City Engineer reviewed the plans and there should be no issues in regards to erosion, runoff, water pollution, and sedimentation.

3. *Adequate parking and loading is provided in compliance with the Ordinance.*

**Comment:** The applicant has provided a site plan of the proposed building and it meets the Ordinance standards for parking and loading.

4. *Possible traffic generation and access problems have been addressed.*

**Comment:** The proposed layout appears to present no issues with access to the site.

5. *The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.*

**Comment:** The City Engineer has reviewed the proposed building plans and this 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.*

**Comment:** The site is designated as Industrial/Commercial and conforms to the City's Comprehensive Plan and with the present and future land uses of the area.

Approval of the CUP shall be subject to the expiration terms of the Ordinance.

#### **CONDITIONAL USE PERMIT CONDITIONS**

The proposed height of the building will require a Conditional Use Permit. A CUP will be necessary for the project to move forward.

Conditions of approval of the CUP 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;
2. Off-street parking and loading areas where required, with particular attention to the items in Subd. 1 and the economic, noise, glare, 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 to 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 / Recommendation:**

Based on the findings that the proposed Conditional Use Permit to construct a building higher than the maximum allowed building height of 30' feet meet the listed CUP review standards in the Ordinance, the Planning Commission approved #22-10 Resolution, subject to the following conditions:

1. The Planning Commission approves the Site Plan for the proposed building.
2. Complete the FAA (Form 7460-1) on the project and also prior to construction.



**PC RESOLUTION #22-10**

**A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A BUILDING HEIGHT GREATER THAN 30' FEET FOR A PROPOSED MANUFACTURING BUILDING IN THE MN-1, INDUSTRIAL DISTRICT. THE SITE IS LOCATED IN THE PRINCETON BUSINESS PARK, BLOCK 1, LOTS 6 & LOT 7, AND BLOCK 2, LOTS 1 THRU LOT 5**

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**Legal Description:** Princeton Business Park, Block 1, Lot 6 & 7, PID's #24-687-0060 and #24-687-0070 and Block 2, Lots 1 thru Lot 5, PID's #24-687-0080, #24-687-0090, #24-687-0100, #24-687-0110, and #24-687-0120

**WHEREAS,** ISG, Inc in behalf of Joe Glenn has submitted an application for a Conditional Use Permit to allow a building height greater than 30' feet for a proposed manufacturing building in the MN-1, Industrial District; and

**WHEREAS,** the Princeton Fire Chief is okay with the additional height where the equipment will reach the top of the building; and

**WHEREAS,** the City Engineer reviewed the plans and there should be no issues in regards to erosion, runoff, water pollution, and sedimentation; and

**WHEREAS,** A public hearing was held by the Princeton Planning Commission on November 21<sup>st</sup>, 2022 after due published and posted notice had been given, and a reasonable attempt was made to give personal notice to all affected property owners, and all persons interested were given an opportunity to be heard; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission approves the Conditional Use Permit subject to the following conditions:

1. The Planning Commission approves the Site Plan for the proposed building.
2. Complete the FAA (Form 7460-1) on the project and also prior to construction.

**ADOPTED** this 21<sup>st</sup> day of November 21<sup>st</sup>, 2022

This instrument was drafted by:

City of Princeton  
705 2<sup>nd</sup> Street No.  
Princeton, MN 55371

**ATTEST:**

  
Mary Lou DeWitt, Comm. Dev. Zoning Specialist

  
Dan Erickson, Chairperson