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**THE REGULAR MEETING FOR THE PLANNING COMMISSION BOARD HELD ON MARCH 21<sup>ST</sup>,  
2022, 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 Victoria Hallin. Members present were Scott Moller, Eldon Johnson, Jon George, and Gene Stoeckel (Princeton Twsp. Rep.) Staff present was Mary Lou DeWitt (Comm. Dev. Zoning Specialist).

Dan Erickson was absent.

Scott Moller arrived at 7:06 P.M.

**APPROVAL OF MINUTES OF REGULAR MEETING ON FEBRUARY 28, 2022**

JOHNSON MOVED, SECOND BY GEORGE, TO APPROVE THE MINUTES OF FEBRUARY 28, 2022. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**AGENDA ADDITIONS / DELETIONS:**

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

**PUBLIC HEARING:**

**A. Conditional Use Permit at 105 9<sup>th</sup> Circle South**

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

**Background:** Eric McBroom, applicant has applied for a Conditional Use Permit to allow the drive-thru hours of operation for a restaurant and eating establishment to be 6 A.M. to midnight at his new site located at 105 9<sup>th</sup> Circle South.

**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 service provided that:**

a. Residential projects shall be screened from vehicle lights in the stacking area. *The site is in the B-3 District, no residential nearby.*

b. Adequate stacking is provided at the menu board and pick up window. *The Planning Commission had completed a Site Plan Review on December 20, 2020 and the stacking for vehicles between the menu board and pick up window met the review standards.*

c. The drive-thru hours of operation are limited to 7:00 A.M. to 10:00 P.M., unless extended by the City Council as part of the conditional use permit. *The applicant would like the drive-thru hours to be 6 A.M. to 12 A.M. (Midnight).*

The two neighboring businesses hours are:

Marathon Convenience Store

Monday - 4:30 AM – 11 PM  
Tuesday - 4:30 AM – 11 PM  
Wednesday - 4:30 AM – 11 PM  
Thursday - 4:30 AM – 11 PM  
Friday - 4:30 AM - 11 PM  
Saturday - 6 AM – 11 PM  
Sunday - 6 AM – 11 PM

Burger King Drive-thru Hours

Monday thru Sunday – 6 AM – 9 PM

The proposed Taco John's drive-thru hours to 6 AM to 12 AM will be beneficial for the manufacturing employees and highway traffic.

**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 Planning Commission held a Site Plan Review on December 20, 2020 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 Engineer requirements.*
5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity. *This 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. *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



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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 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, 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 the decision will be reported to the City Council for information 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 the 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 105 9<sup>th</sup> Circle South (PID #90-402-0114) with the drive-thru hours of operation for a restaurant and eating establishment to be 6 A.M. to 12 A.M.

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

DeWitt gave an overview of the Conditional Use Permit application and introduced Eric McBroom who was present via Zoom.

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

The Planning Commission Board asked McBroom when he is opening.

McBroom said he is hopefully opening the new place on April 25<sup>th</sup>, 2022. He will close the old location the day before Easter. He will have a ribbon cutting.

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

JOHNSON MOVED, SECOND BY MOLLER, TO APPROVE THE CONDITIONAL USE PERMIT AT 105 9<sup>TH</sup> CIRCLE SOUTH, PID #90-402-0114, TO ALLOW THE DRIVE-THRU HOURS OF OPERATION FOR A RESTAURANT AND EATING ESTABLISHMENT TO BE 6 A.M. TO MIDNIGHT, AND FORWARD THE RECOMMENDATION TO THE CITY COUNCIL FOR FINAL APPROVAL. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Does the proposed use violate the health, safety or general welfare of the Princeton residents? No, the proposed use will not violate the health, safety or general welfare of the Princeton residents.
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, the proposed use will not cause an increase of erosion, runoff, water pollution or sedimentation.
3. Is adequate parking and loading provided in compliance with the Ordinance? Yes, the Planning Commission held a Site Plan Review on December 20, 2020 and found the parking and loading were in compliance with the future land uses of the area.

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:** None

**COMMUNICATIONS AND REPORTS:** None

MOLLER MOVED, SECOND BY JOHNSON, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:16 P.M.

ATTEST:

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Victoria Hallin, Vice Chair

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Mary Lou DeWitt, Comm. Dev. Zoning Specialist