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THE REGULAR MEETING FOR THE PLANNING COMMISSION BOARD HELD ON FEBRUARY 27, 2023, 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 Scott Moller, Eldon Johnson (Per Zoom), and Gene Stockel (Princeton Twsp. Rep). Staff present was Mary Lou DeWitt (Comm. Dev. Zoning Specialist) and Michele McPherson (City Administrator).

OATH OF OFFICE:

Dan Erickson was absent and will renew his Oath of Office at the March 20th, 2023 meeting.

ELECTION OF OFFICERS:

MOLLER MOVED, SECOND BY JOHNSON, TO NOMINATE DAN ERICKSON FOR PLANNING COMMISSION CHAIR. THERE BEING NO OBJECTIONS, THE PLANNING COMMISSION BOARD VOTED ON DAN ERICKSON FOR PLANNING COMMISSION CHAIR. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

MOLLER MOVED, SECOND BY JOHNSON, TO NOMINATE VICTORIA HALLIN FOR PLANNING COMMISSION VICE CHAIR. THERE BEING NO OBJECTIONS, THE PLANNING COMMISSION BOARD VOTED ON VICTORIA HALLIN FOR PLANNING COMMISSION VICE CHAIR. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

JOHNSON MOVED, SECOND BY HALLIN, TO NOMINATE SCOTT MOLLER FOR PLANNING COMMISSION SECRETARY. THERE BEING NO OBJECTIONS, THE PLANNING COMMISSION BOARD VOTED ON SCOTT MOLLER FOR PLANNING COMMISSION SECRETARY. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

APPROVAL OF MINUTES OF REGULAR MEETING ON DECEMBER 19TH, 2022

MOLLER MOVED, SECOND BY JOHNSON, TO APPROVE THE MINUTES OF DECEMBER 19, 2022. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:

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

PUBLIC HEARING:

A. Variance for the proposed West Branch Addition

Mary Lou DeWitt, Community Development Zoning Specialist Memo:

Background:

The City of Princeton is finalizing the exchange of parcels PID #24-028-0101 and #24-322-0260 for a portion of privately owned parcel #24-028-3402. The rationale for this exchange is future

plans to close the West Branch Street access to TH 95 and extend 13th Avenue North to intersect with TH 95 and a proposed roundabout. The City would be obtaining 140' feet to the west of parcel #24-028-3402 and the property owner would keep the remaining portion of the land as well as acquiring from the City parcels #24-028-0101 and #24-322-0260. The site remaining is large enough to meet the lot area minimum for two residential sites.

The subject property is located north of West Branch Street and south of TH 95 in the R-3, Multi-Residential District. West of the site is Immanuel Evangelical Cemetery, south across West Branch Street is West Branch Townhomes and apartments and single-family homes to the east.

Analysis:

Lot 1 and 2 will meet the minimum square foot requirement of the Zoning Ordinance for the proposed West Branch Addition. Although, with the City obtaining the largest segment on Lot 1 for a future roundabout the remaining section of land is narrow for the placement of a structure for the front and rear setbacks and establishing an easement. The combination of parcels #24-028-0101 and #24-322-0260 for Lot 2 still leaves it a narrow lot. The property owner is proposing a one-story duplex with a one car garage for each unit between the living quarters. The projected size on the plat for Lot 1 building pad is 40' x 90' sq. ft. and Lot 2 building pad is 36' x 86' sq. ft. A Variance will be required for the front yard setback reduction from 30' foot to 20' foot with the 16' foot easement inside that 20' feet. The rear setback from 30' foot to 10' foot with the easement of 16' foot reduced to 10' feet inside that setback.

Yard requirements for R-3 District, Item 2 states: If at the time of application affecting front yard setback, 50% or more of the then existing dwellings having frontages on the same side of street or road for three (3) blocks have an average front yard setback different from that specified herein, then all buildings thereafter erected, altered, or moved shall conform to that average front yard depth as a minimum.

According to Section 2 of Chapter IV of the Zoning Ordinance, request may be made for variances from the literal provisions of the Zoning Ordinance in instances when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.

A variance shall not be granted by the Planning Commission unless it conforms to the following standards:

1. Is the variance in harmony with the general purposes and intent of the Zoning Ordinance?
Comment: One of the purposes of the Zoning Ordinance is to establish regulations to promote health, safety, morals, and general welfare of the residents of Princeton, which is accomplished through regulating the location of structures. The proposed residential structures on Lot 1 and Lot 2 are closer to West Branch Street, but the provision in the Zoning Ordinance does distinguish if 50% or more of the then existing dwellings have frontage on the same side of the street or road for three (3) blocks have an average front setback different from that specified



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herein, then all building thereafter erected, altered, or moved shall conform to that average front yard depth as a minimum. The rear yard meets up the State Right of Way where there is over 50 feet of grass slope to TH 95 and MnDOT does not have setback requirements, they require that no additional stormwater is directed into the Right of Way.

2. Is the variance consistent with the Comprehensive Plan?

Comment: The parcels are not assigned on the Future Land Use Map. This is consistent with the Vision and Plan of the City and MnDOT to close the West Branch Street access to TH 95 and extend 13th Avenue North to intersect with TH 95 and proposed roundabout.

3. Does the property owner proposed to use the property in a reasonable manner not permitted by the Zoning Ordinance?

Comment: With the largest portion of the property owners lot being taken for a future ROW, it makes the lot difficult to build a residential site on the remaining.

4. Are there circumstances unique to this property not created by the landowner?

Comment: The property owner is being flexible with his property to give the City future land connection to TH 95 for the closure of the West Branch Street access. This exchange is limiting the property owners buildable land area to a small width where a variance would need to be acquired.

5. Will the issuance of the variance maintain the essential character of the locality?

Comment: Yes, the Zoning District is R-3, Multiple Residential and the planned use of the land will follow the essential character of the locality.

6. Does the alleged practical difficulty involve more than economic considerations?

Comment: Yes, the City is acquiring the largest section of the property where it limits buildable land for the property owner.

Conclusion / Recommendation:

Based on the findings that the variance meets the listed variance review standards in the Ordinance, staff would suggest approval of the Variance for the front yard setback reduction from 30' foot to 20' foot with the 16' foot easement inside that 20' feet and the rear setback from 30' foot to 10' foot with the easement of 16' foot reduced 10' feet inside that setback, for the proposed plat of West Branch Addition, Lot 1 and Lot 2, Block 1 subject to the following conditions:

1) The proposed duplex building pad placement for Lot 1 is 40' x 90' sq ft. and cannot exceed this size.

2) The proposed duplex building pad placement for Lot 2 is 36' x 86' sq. ft. and cannot exceed this size.

- 3) The R-3, Multiple Family Residential Zoning Ordinance requirements be followed.
- 4) The Developer will need to provide computations of all storm water directed toward the right of way to MnDOT and provide written approval to the City prior to issuance of building permits.
- 5) Access to the parcels is only West Branch Street.
- 6) Grading plans need to be submitted to the City prior to the building permit approval.
- 7) Developer will need to contact Princeton Public Utilities on power to the sites for individual connection for each living unit for water and sewer hookup from West Branch Street.
- 8) Developer will need to contact Princeton Public Utilities on power to the sites for individual connection for each living unit.
- 9) The Developer will obtain a Digging Permit from the City prior to digging in the street.
- 10) A building permit and SAC/WAC permit must be applied for and approved prior to construction for each site. Staff will provide the addresses for each site.
- 11) The Preliminary and Final Plat for West Branch Addition approved by the Planning Commission and City Council.
- 12) The Developer will provide a site survey and utility plan showing how each parcel will be serviced through utility extension for each unit service connection and will be subject to approval by the City Engineer.
- 13) Where the water curb stop is in a paved area (usually driveway) there needs to be a mini-manhole.
- 14) When work on the site begins, the work shall be carried on with minimum of interference with traffic.
- 15) The Developer shall replace in-kind or better all streets, curbs, and sidewalks disturbed by this operation.

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

DeWitt said Butch Drews (BED Investments, LLC) and Michele McPherson (City Administrator) were present if the Planning Commission had any questions.

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



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There was no one present from the public for the public hearing.

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

JOHNSON MOVED, SECOND BY MOLLER, TO APPROVE RESOLUTION #23-01 FOR A VARIANCE TO ALLOW A FRONT YARD SETBACK REDUCTION FROM 30' FOOT TO 20' FOOT WITH THE 16' FOOT EASEMENT INSIDE THAT 20' FEET AND THE REAR YARD SETBACK FROM 30' FOOT TO 10' FOOT WITH THE EASEMENT OF 16' FOOT REDUCED TO 10' FEET INSIDE THAT SETBACK IN THE R-3, MULTIPLE FAMILY RESIDENTIAL DISTRICT, AT PID'S #24-028-3402, #24-028-0101, AND #24-322-0260 SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PROPOSED DUPLEX BUILDING PAD PLACEMENT FOR LOT 1 IS 40' X 90' SQ. FT. AND CANNOT EXCEED THIS SIZE.
2. THE PROPOSED DUPLEX BUILDING PAD PLACEMENT FOR LOT 2 IS 36' X 86' SQ. FT. AND CANNOT EXCEED THAT SIZE.
3. THE R-3, MULTIPLE FAMILY RESIDENTIAL ZONING ORDINANCE REQUIREMENTS BE FOLLOWED.
4. THE DEVELOPER WILL NEED TO PROVIDE COMPUTATIONS OF ALL STORM WATER DIRECTED TOWARD THE RIGHT OF WAY TO MNDOT AND PROVIDE WRITTEN APPROVAL TO THE CITY PRIOR TO ISSUANCE OF BUILDING PERMITS.
5. ACCESS TO THE PARCELS IS ONLY FROM WEST BRANCH STREET.
6. GRADING PLANS NEED TO BE SUBMITTED TO THE CITY PRIOR TO THE BUILDING PERMIT APPROVAL.
7. DEVELOPER WILL NEED TO CONTACT PRINCETON PUBLIC UTILITIES AND PUBLIC WORKS FOR INDIVIDUAL CONNECTION FOR EACH LIVING UNIT FOR WATER AND SEWER HOOKUP FROM WEST BRANCH STREET.
8. DEVELOPER WILL NEED TO CONTACT PRINCETON PUBLIC UTILITIES ON POWER TO THE SITES FOR INDIVIDUAL CONNECTION FOR EACH LIVING UNIT.
9. THE DEVELOPER WILL OBTAIN A DIGGING PERMIT FROM THE CITY PRIOR TO DIGGING IN THE STREET.
10. A BUILDING PERMIT AND SAC/WAC PERMIT MUST BE APPLIED FOR AND APPROVED PRIOR TO CONSTRUCTION FOR EACH SITE. STAFF WILL PROVIDE THE ADDRESSES FOR EACH SITE.

11. THE PRELIMINARY AND FINAL PLAT FOR WEST BRANCH ADDITION APPROVED BY THE PLANNING COMMISSION AND CITY COUNCIL.

12. THE DEVELOPER WILL PROVIDE A SITE SURVEY AND UTILITY PLAN SHOWING HOW EACH PARCEL WILL BE SERVICED THROUGH UTILITY EXTENSION FOR EACH LIVING UNIT SERVICE CONNECTION AND WILL BE SUBJECT TO APPROVAL BY THE CITY ENGINEER.

13. WHERE THE WATER CURB STOP IS IN A PAVED AREA (USUALLY DRIVEWAY) THERE NEEDS TO BE A MINI-MANHOLE.

14. WHEN WORK ON THE SITE BEGINS, THE WORK SHALL BE CARRIED ON WITH MINIMUM OF INTERFERENCE WITH TRAFFIC.

15. THE DEVELOPER SHALL REPLACE IN-KIND OR BETTER ALL STREETS, CURBS, AND SIDEWALKS DISTURBED BY THIS OPERATION.

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

The Planning Commission Board reviewed the Findings of Fact:

1. Is the variance in harmony with the purpose and intent of the Ordinance? Yes.
2. Is the variance consistent with the Comprehensive Plan? Yes.

A variance may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. A determination that “practical difficulties” exist is based upon consideration of the following criteria:

3. Does the proposal put the property to use in a reasonable manner? Yes.
4. Are there unique circumstances to the property not created by the landowner? Yes.
5. Will the variance maintain the essential character of the locality? Yes.
6. Does the alleged practical difficulty involve more than economic considerations? Yes.

B. Preliminary Plat & (Final Plat) for West Branch Addition

Mary Lou DeWitt, Community Development Zoning Specialist Memo:

Background:

The City of Princeton is finalizing the exchange of parcels PID #24-028-0101 and #24-322-0260 for a portion of privately owned parcel #24-028-3402. The reasoning for this exchange is future plans are to close the West Branch Street access to TH 95 and extend 13th Avenue North to intersect with TH 95 and a proposed roundabout. The City will exchange 140’ foot west section of #24-028-3402 for future access to TH 95 in exchange of #24-028-0101 and #24-322-0260. This exchange of land will need to have a Preliminary and Final Plat.

Analysis:

The properties are located on the north side of West Branch Street and south of TH 95. The site is in the R-3, Multi-Family Residential District. The property owner of parcel #24-028-3402



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would like to develop each lot with a duplex. The City proposed an exchange of their two adjoining sites to the east (Parcel's #24-028-0101 and #24-322-0260) for the west section of 140' feet on parcel #24-028-3402. This restructuring of land calls for a Preliminary and Final plat.

The plat proposes to combine Outlot A, Great Northern Addition with parcel #24-028-0101 and parcel #24-028-3402 into Lot 1 and Lot 2, Block 1, West Branch Addition with a proposed 13th Avenue North Right-of-Way.

The proposed Preliminary and Final Plat is being processed as a "Short Plat", which requires only one review by the Planning Commission and City Council, with a public hearing held at the Planning Commission level for the Preliminary Plat.

Zoning:

The proposed layout for the two lots meets the size requirements for the Zoning Ordinance, but the removal of the largest section on parcel #24-028-3402 for the proposed ROW makes it difficult to place an adequate residential site and meet the setbacks. A Variance application with a placement of a 40' x 90' duplex on Lot 1 and a 36' x 86' duplex on Lot 2, reducing the rear yard setback from 30' feet to 10' feet and the front yard from 30' feet to 20' feet and the drainage and utility easement would be included inside those setbacks. This Variance approval will be a condition for the Preliminary and Final Plat.

Conclusion / Recommendation:

If the recommended conditions are met, the Preliminary Plat and Final Plat meet the Zoning and Subdivision Ordinance standards, therefore, staff recommends the Planning Commission recommend approval to the City Council of the Preliminary and Final Plat, subject to:

1. The Variance for the proposed West Branch Addition plat be approved by the Planning Commission and the conditions of the Variance followed.

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

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

There was no one present from the public for the public hearing.

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

MOLLER MOVED, SECOND BY JOHNSON, TO APPROVE THE PRELIMINARY PLAT FOR WEST BRANCH ADDITION AND FORWARD THE RECOMMENDATION TO THE CITY COUNCIL FOR FINAL APPROVAL. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

MOLLER MOVED, SECOND BY JOHNSON, TO APPROVE THE FINAL PLAT FOR WEST BRANCH ADDITION AND FORWARD THE RECOMMENDATION TO THE CITY COUNCIL FOR FINAL APPROVAL. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

OLD BUSINESS: None

NEW BUSINESS: None

COMMUNICATIONS AND REPORTS: None

MOLLER MOVED, SECOND BY JOHNSON, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:36 P.M.

ATTEST:

Victoria Hallin, Vice Chair

Mary Lou DeWitt, Comm. Dev. Zoning Specialist