

City of Columbus
Regular Planning Commission Meeting
April 2, 2014

The April 2, 2014 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:01 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members Andy Anderson, Mark Daly, Pam Wolowski, Jesse Preiner, Jody Krebs, and Barbara Hvass; City Administrator Elizabeth Mursko, and Recording Secretary Karen Boland.

Also in attendance were City Council members Dennis Peterson and Bill Krebs; James and Leoda Swanson, Cheryl Nelson, Tom Carlisle, Perry Wagamon, and Frank Wagamon.

AGENDA APPROVAL

Motion by Krebs to approve the Agenda as presented. Second by Anderson. Motion carried.

APPROVAL – JOHN’S BLACK DIRT CUP REVOCATION AND FOREST LAKE CONTRACTING IUP APPLICATION PUBLIC HEARING MINUTES OF FEBRUARY 19, 2014

Motion by Preiner to approve the minutes from the John’s Black Dirt CUP Revocation and Forest Lake Contracting IUP Application Public Hearing held on February 19, 2014. Second by Krebs. Motion carried.

APPROVAL - REGULAR PC MEETING MINUTES OF FEBRUARY 19, 2014

Motion by Anderson to approve the minutes of the February 19, 2014 regular Planning Commission meeting as written. Second by Wolowski. Motion carried.

PUBLIC HEARING – 5107 190TH LANE NE VARIANCE APPLICATION (PC-14-102)

At this time a public hearing was held to receive testimony regarding a variance request for 5107 190th Lane NE, Columbus, MN. The property owners are James A. and Leoda O. Swanson. Separate minutes are prepared.

5107 190TH LANE NE VARIANCE DISCUSSION

The following questions were considered by the Planning Commission in determining whether the variance request meets the criteria to cause a practical difficulty:

1. The landowner proposes to use the property in a reasonable manner.

Question: Does the proposal put property to use in a reasonable manner? **Yes.**

Finding: Do the requirements in the Zoning Ordinance prohibit the property from being used in a reasonable manner? **Yes** or No

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Question #1: What are the unique physical characteristics of the particular piece of property? **The shape of the lot.**

Question #2: How is it not like other pieces of property? **The shape of the lot.**

Question #3: Did the landowner create the circumstances? **No.**

Examples:

- Topography
- Wetlands
- Trees
- Irregularly shaped or sized lot
- Shape or size of existing buildings
- Placement of existing structures on lot

Finding: Are the circumstances unique to the property? **Yes** or No

3. Granting the variance is in harmony with the purpose and intent of the Zoning Ordinance.

Question: Will the resulting use or structure be compatible with the underlying purpose and goals of the Zoning Ordinance? **Yes.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

4. Granting the variance is consistent with the City's Comprehensive Plan.

Finding: The variance will not create a conflict between the Comprehensive Plan and the proposed use or structure. **Agree** or Disagree?

5. The variance if granted, will not alter the essential character of the neighborhood or City.

Question: Will the resulting structure be out of scale, out of place, or otherwise inconsistent with surrounding area? **No.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

6. The practical difficulty is not created solely by economic considerations.

Finding: Economic considerations are not the only reason for the practical difficulty.

Agree or Disagree?

A variance shall not be granted unless the Planning Commission makes specific findings of fact based directly on the particular evidence presented to it, and the City Council determines that these support conclusions that the standards and conditions as stated above have been met by the applicant.

Planning Commission Recommendation:	Approval: 4/2/14
(Insert dates of action)	Denial:
City Council Action:	Approval:
	Denial:

Motion by Krebs to forward to the City Council the application for a variance for the property at 5107 190th Lane NE, to allow 9 inches of native soil from the ground surface to mottled soil, instead of the 12 inches required by City Code, to construct a Sub-Surface Soil Treatment System (SSTS), with a recommendation for approval based on findings that the Zoning Ordinance causes a practical difficulty. Second by Daly and Hvass. Motion carried.

PUBLIC HEARING – ORDINANCE HOUSEKEEPING AMENDMENT (PC-14-103)

At this time a public hearing was held to receive testimony regarding housekeeping amendments to Chapters 7A and 7C of the Columbus City Code. Separate minutes are prepared.

ORDINANCE HOUSEKEEPING AMENDMENT DISCUSSION

Motion by Preiner to forward to the City Council the Housekeeping Amendments to Chapters 7A and 7C of the City Code as outlined below, with a recommendation for approval. Second by Krebs. Motion carried.

- Chapter 7A (Zoning): Housekeeping amendments to include the correction of typographical and spelling errors, numbering changes, and other organizational changes needed for codification of the City Code.
- Chapter 7C (Wetland Zoning Regulations): Wetland setbacks consistent with the three watershed districts.

CHERRYWOOD PRESERVE CONCEPT REVIEW

Property owner Cheryl Nelson, and Tom Carlisle, President of Sherco Construction presented a plan for development of the Nelson property. The current concept is to split the existing lot into three, including one that would use an existing approach from 189th, and the other two that would share the existing driveway.

Mursko said the City Code allows two lots off an unimproved road. The developer and/or sub divider dedicates the road, but doesn't have to improve it, because we allow two houses off an unimproved road. There still must be 66 feet of dedicated right of way for the unimproved road.

A third house off of that same road would require road improvement. In this case, however, the third house has its driveway off of 189th.

In the future, depending on the economy and buildability, there could potentially be three more lots that would come off of the shared driveway. If any of those lots are developed in the future, the road would then need to be improved. At present, the plan is to subdivide from one to three.

There was discussion about the possibility of road development if another lot is carved out in the future. Elizabeth said road improvement is typically a cost to the developer; that is laid out in the development agreement. The road needs to be laid out with City specifications, built, and then turned back over to the City, and the City maintains it.

Carlisle said the houses would be upper-end homes. He would be the builder.

PC members were asked their opinions about the plan to subdivide out the two additional lots.

Sternberg said that while the current plan seems to comply with ordinances, he thinks developing the other three lots right away so the five lots could share the road cost, would be preferable.

Preiner expressed the same sentiment.

Daly agrees that it would be best to spread the cost for road improvement to more lots, but those additional lots could be a long ways in the future. He thinks two additional houses would be better than nothing.

Wolowski thinks the current plan is acceptable.

Krebs thinks if you have upper-end houses, they're going to want a paved road.

Hvass thinks the current plan is acceptable and the owners can't be forced to add lots at this time.

On a different topic, Tom Carlisle said he thinks the City should look at changing its ordinance requiring three feet above mottled soil. With the low floor elevation on homes, it is very difficult for builders to work with. He said other nearby communities -Ham Lake, Wyoming- require one foot above mottled soil. He said bringing in so much dirt and raising these houses up also makes them look out of place. He said determining where mottled soil begins is not an exact science. He suggested investing the time and energy instead into having a survey done on the front end, setting the house at the correct elevation, and having them do a site survey when it's all done and graded. The bigger problem is that you probably have homes that aren't graded correctly, the soils aren't cut correctly.

PUBLIC OPEN FORUM

There was no topic raised for discussion for Open Forum.

CITY ADMINISTRATOR'S REPORT

Mursko said that a new Vice Chair must be elected.

Motion by Krebs to nominate Preiner. Second by Sternberg. Motion carried.

Mursko said the next PC meeting will be a joint meeting with the CC, EDA, and Business Retention and Expansion Test Advisory Group. Twenty-one Columbus businesses participated in the business retention study. The collected data was processed by the University of Minnesota. They will go over the data analysis at the joint meeting so all can discuss what goals or plans might stem from the information.

Mursko gave out three maps for PC members to look over. They were compiled at the City's request to show vacant parcels, the distribution of improved parcels, and wetlands and uplands in

the City. She pointed out that the City asked for a map showing vacant parcels of 5 acres and over. They did not take into account that the road right-of-way is included in the 5 acres for City lots, but not for the creation of the map. So, many vacant 5-acre parcels are not shown. They intend to go back and have the map redone using a vacant lot size of 4.5 or 4.75 acres. They want to find out if there are other tweaks that need to be made to the maps, so they can bring in a list and have them all done at once. She also said PC members should consider what they would like to know about the commercial districts. What questions need to be answered?

PLANNING COMMISSION MEMBERS' REPORT

KREBS COMMENT

Krebs attended the workshop between the CC and Forest Lake Contracting, and felt it was a good discussion. Forest Lake Contracting doesn't believe they can work within the parameters recommended by the PC. They wanted to discuss whether other options are possible. It is a difficult situation, to try to appease community members and this business.

PREINER COMMENT

Preiner would like to see the PC have roundtable workshops on a regular basis. Mursko explained that the workshops are still public meetings, but no action may be taken.

WOLOWSKI COMMENT

Wolowski asked if the feedback on the distributed maps will be discussed at the next meeting. Mursko said the next meeting will be the joint meeting with the CC and the EDA to discuss the data compiled by the U of MN from their business retention study. PC members should bring their feedback on the maps in May.

ANDERSON COMMENT

Anderson said that he has been on the PC for 10 years and has decided to resign. He thinks it is time for other people to step in. He thanked the PC, and the CC for the opportunity to serve.

ATTENDANCE - NEXT CC MEETING

Daly is scheduled to attend the City Council meeting on April 9, 2014.

Motion by Krebs to adjourn. Second by Anderson. Motion carried.

Meeting adjourned at 8:51 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary