

City of Columbus
Public Hearing – Swenson IUP (PC-13-102)
Residential Zone Business
April 3, 2013

The April 3, 2013 Public Hearing to receive testimony regarding the request of Tom Swenson for an IUP for a Residential Zone Business at 7643 Camp Road NE, Columbus, MN was called to order at 7:02 p.m. by Chair Barbara Hvass at the City Hall. Present were Commission members Andy Anderson, Myron Organ, Pam Wolowski, Jesse Preiner, Jody Krebs, and Garth Sternberg; City Administrator Elizabeth Mursko, Engineer Larry Bohrer, Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were Anoka County Engineer Douglas Fischer, City Council members Denny Peterson, Jessie Messina and Bill Krebs, Dick and Janice Stiers, Trisha Jensen, Mary Preiner, Pat Preiner, Carol Flannery, Ron Haken, and Mark Haken.

Hvass: We have a Public Hearing for Thomas B. Swenson. You want to read the minutes as they appeared in the paper?

Notice was read at this time.

Hvass: Thank you. Is there anyone here to present for this public hearing? Would you come forward please? State your name and address.

Swenson: Tom Swenson. 7643 Camp Three Road NE.

Hvass: Okay. You want to tell us about this? This is what your second or third, um, renewal?

Swenson: Yeah. I'm not even sure how many times I've renewed already, but I've had it for quite some time.

Hvass: Can you tell us a little bit about your business?

Swenson: I just buy and sell cars, um, it's pretty low-key. Everything's kept inside the barn for the most part, unless I'm driving it. I know I asked for 20 cars to be in the barn, and some people thought that I was selling 20 cars a month, but I'm not selling 20 a month. I might sell four a month, if I'm lucky, the way it's been going lately. Usually not a whole lot to it.

Hvass: So none of these cars are outdoors?

Swenson: No, everything's pretty much kept inside.

Hvass: Okay. Planning Commission members?

Anderson: I have a question. How long have you been in business?

Swenson: Pretty much since I bought the house. Shortly after that I applied for that conditional use permit. I think I moved in in '99.

Anderson: Okay. So you've been in business –ballpark-- 12 years.

Swenson: Yeah.

Anderson: Have you had any complaints from neighbors?

Swenson: Far as I know I haven't.

Anderson: No one has approached you directly?

Swenson: No they have not.

Anderson: May I ask, uh, our City Manager, have there been any recorded complaints about this, in the past, other than this letter that we have in our file?

Mursko: There have been no complaints to my knowledge about the used car dealership at this property.

Anderson: Okay. Thank you.

Hvass: Are there any other questions? Planning Commission members?

Krebs: Madam Chair I have a question.

Hvass: Jody. Mm-hmm.

Krebs: Um, did you look over this whole interim use permit with the conditions? Had you read it all and have you seen it?

Swenson: Yes.

Krebs: Okay. Um, and I guess I was able to... Tom gave me the privilege to come out and see his place. It looks real clean. He's got everything all tidy out there. Um, I didn't notice any, like, tool boxes or anything in the shed where you have all the –or the barn, where you have all the cars. Do you work on the cars there or...?

Swenson: It's a little bit of both. I do some stuff in my garage, but a lot of the stuff I try to farm out to other people that do the stuff.

Krebs: Okay. Okay. And I'm just noting that Letter C in this, it says: no body work, no engine work, no transmission, brake work, no paint work, um, no intensive repairs. Pretty much just, like, oil changes is pretty much what is alluded to. And that's pretty much what you do is just the simple, simple kind of stuff. Um, no operation of salvage yard?

Swenson: No.

Krebs: None of that. Okay. Um, I guess that's the only question I have. Thank you.

Anderson: If I may, I have one other question.

Hvass: Go ahead.

Anderson: On Page 7, uh, paragraph C, and it refers to the "Zone Business shall be limited to the sale of used cars and light trucks (no heavy trucks)." Excuse me for not understanding that, but what is a light truck, and what is a heavy truck?

Sternberg: A heavy truck is like a dump truck or, you know, a higher tonnage rating. Light trucks are like your half-tons, you know, passenger-type vehicles.

Krebs: Three-quarter ton.

Sternberg: Three-quarter ton.

Anderson: Light truck is a half-ton?

Krebs: Three-quarter ton, 120.

Anderson: Three-quarter ton?

Krebs: Yup.

Anderson: Okay. So anything above that...you're not involved in the sale of any large, large trucks?

Swenson: No.

Anderson: Okay. Thank you.

Hvass: How do people find you if they're looking to buy a car?

Swenson: I place an ad on craigslist and then its appointment only.

Hvass: Okay. And that works out?

Swenson: Yup.

Swenson: For the most part.

Krebs: Madam Chair, I have one point. Um, in the letter from—this is on page 10, this is from Debby Bley Meyer—um, I did take the time to call her and talk to her, and her understanding was

that he was denied his IUP last time, and I explained to her this is a renewal, that he, in fact, had it. Asked her if there was any problems with noise or traffic issues or anything to their family, a hindrance to their family, and she said no. She misunderstood that he had already had an IUP in place.

Hvass: Mm-hmm. Any other questions here from the Planning Commission?

Organ: Uh, that was a good point, because he was operating a business and nobody knows he's there.

Hvass: Okay.

Anderson: I, I visited the location also, this afternoon, and the only signage that he has out on the street is on his mailbox. It says, in little small letters, R.T. Auto. So there really isn't any signage.

Krebs: I refute that, a little bit. Only 'cause he has a sign on the barn itself, which...

Anderson: He has a sign on the barn. Yeah.

Krebs: ..he can, he can have that.

Hvass: Okay. I'll open this up to the public. Is there anyone from the public that wishes to be heard on this matter? Anyone from the public? Please step forward.

Haken: Sure.

Hvass: Would you state your name and...

Haken: Uh, Ronald Haken.

Hvass: ..and your address?

Haken: 7557 Camp Three Road.

Hvass: Okay. What's your question or concern?

Haken: Well, I don't want a car lot there. It's going to create more traffic, and Camp Three, you know, is a pedestrian-friendly road. People walk there, you know, they ride their horses, they take pets on the road and stuff like that. Why create more traffic when it could be more hazardous that way?

Hvass: Well, you're aware that he's been doing this since 1999?

Haken: Yeah. Yeah.

Hvass: Have you seen problems with...being created by it?

Haken: Well, you got, you know, to walk down Camp Three, if you got more traffic coming down, you're going to have to stop walking almost to the side of the road completely, 'cause there's no, really no pathway to walk safely, so... It's just creating more traffic.

Anderson: May I ask a question?

Hvass: Yes.

Anderson: But, but this gentleman has been in business for 12 years.

Haken: Mm-hmm.

Anderson: And, have there been...

Haken: Well, no one's been hit, if that's what you're saying.

Anderson: I'm not...I'm not asking...I didn't say that.

Haken: Okay.

Anderson: I'm just asking you, have you seen additional traffic...

Haken: Well, it's hard to tell.

Anderson: ... people going in and out of his establishment?

Haken: Oh yeah. Absolutely. Oh, I see traffic there, going in there now. Yes I do. Sure.

Anderson: Yeah, but he only sells four cars a month.

Haken: Well, they're gonna test drive them, aren't they?

Anderson: Pardon me?

Haken: They're going to test drive them on the road, won't they?

Anderson: I have no idea. I have no idea.

Haken: I'm sure you're going to test drive a car before you buy it, won't you?

Anderson: I don't know. But, but...we haven't heard from anyone in the last 12 years...

Haken: Okay.

Anderson: ...having any objection.

Haken: Okay.

Anderson: So...

Haken: I guess I'm the first one.

Anderson: And I'm not questioning your statement, I'm just asking you a question. Okay. Thank you.

Haken: Sure.

Krebs: Madam Chair could I have a question?

Hvass: Yes Jody.

Krebs: What are your hours again?

Swenson: Uh, I can't even remember what they are.

Anderson: What he's...

Swenson: I usually do everything by appointment only, so...

Anderson: On page 8, on page 8, paragraph G...

Swenson: 8 to 4?

Krebs and Hvass: 8 to 7.

Krebs: Monday through Saturday, so not on Sunday. And by appointment.

Swenson: Yes.

Krebs: Okay.

Swenson: And then when I do go on a test drive with people, I go with them. I take a left out of my driveway, we go down to the gas station that's on, um, 23 and 35, and then turn around and come back. Or we go down the freeway and then come back.

Krebs: Thank you.

Hvass: Okay. Is there anyone else from the public that wishes to be heard? Anyone from the public? Okay, if not, we'll bring it back to the Planning Commission. Are there any more concerns or questions at this time?

Flannery: It sounds as if there's going to be no change over what it's been for the last 12 years.

Anderson: I can't hear.

Hvass: You'll have to come forward. State your name.

Flannery: Carol Flannery. I'm a neighbor. Um, there's going to be no change?

Hvass: That's right. Yup.

Mursko: Is there a change that you'd like to see?

Flannery: (shook her head.)

Mursko: I mean, you asked that question...is there something you'd like to see changed?

Flannery: No. I've been okay. But when it came out "used car lot," I guess I envisioned lights and 30 cars sitting in a parking lot.

Mursko: No, that is not what's being proposed today.

Flannery: And I understand that.

Organ: Madam Chair, one question. Is this a five-year now, instead of a...

Anderson: Yes.

Hvass: I think it is. Yeah.

Organ: Thank you.

Hvass: So, it would be for five years, if it's approved. Okay, I'm going to close the meeting at this time, with the right to reopen it if it becomes necessary.

Hearing closed at 7:16 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary