

**City of Columbus
Regular Planning Commission Meeting
July 16, 2014**

The July 16, 2014 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:00 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members Mark Daly, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko, Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council member Denny Peterson, Mike Nelson, Mark and Jackie Kotchen, Pat Kinsella, Michael Healey, and Pat Preiner.

AGENDA APPROVAL

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

APPROVAL - REGULAR PC MEETING MINUTES OF JUNE 18, 2014

Motion by Preiner to approve the minutes of the June 18, 2014 regular Planning Commission meeting as written. Second by Krebs. Motion carried.

APPROVAL – CBS OUTDOOR BILLBOARD IUP AMENDMENT APPLICATION – 13363 W. FREEWAY DR. NE PUBLIC HEARING MINUTES OF JUNE 18, 2014

Motion by Krebs to approve the minutes from the CBS Outdoor Billboard IUP Amendment Application – 13363 W. Freeway Dr. NE Public Hearing held on June 18, 2014 as written. Second by Wolowski. Motion carried.

APPROVAL – 14355 LAKE DR. NE (AHO) VARIANCE APPLICATION PUBLIC HEARING MINUTES OF JUNE 18, 2014

Motion by Krebs to approve the minutes from the 14355 Lake Dr. NE Variance Application Public Hearing held on June 18, 2014 as written. Second by Preiner. Motion carried.

PUBLIC HEARING – CITY VIEW ELECTRIC CUP AMENDMENT APPLICATION – 14331 LAKE DR. NE (PC-14-106)

At this time a public hearing was held to receive testimony regarding a request by City View Electric, for a CUP amendment to allow two additional buildings (storage facilities) at 14331 Lake Drive NE, Columbus, MN. Separate minutes are prepared.

CITY VIEW ELECTRIC CUP AMENDMENT DISCUSSION

PC members felt the potential Phase 3 building should be mentioned in the findings of fact, even though the applicant would need to come in with an application for that lot.

Also, because the Phase 2 building will remain, but will be used for storage instead of as an office building, finding #22 should be amended to reflect that.

Kinsella asked if, as stated in finding #16, it is necessary to match the existing building. These Phase 1 and 2 buildings will be used as storage buildings and are heavily screened by trees. Is the extra expense for stucco and false windows necessary to match the existing building? The

eventual Phase 3 building would be the office that faces the street, where higher design standards will be implemented.

PC members discussed the placement of the buildings and concluded that this is a rear property and will be abutting their own front building. All of the property, including the existing home, is zoned commercial and in this situation, this is like a side yard or a rear yard to other commercial properties. We don't require the building design standards on side yards and rear yards, we require them on front yards. They agreed that the colors should match the existing building. This will be reflected in an amended finding #16.

Motion by Krebs to forward to the City Council the application of City View Electric for CUP Amendment with a recommendation for approval based on Findings of Fact 1-26 and Recommendations 1-18 from the Planner's memo dated July 9, 2014, with amendments to Findings #16 and #22 and the addition of Finding #27, as noted below. Second by Daly. Motion carried.

Findings of Fact

1. Buetow Brothers Stucco & Plastering ("Buetow") received a CUP on November 3, 2003 to construct and operate a contractor shop (office/warehouse building) at 14331 Lake Drive ("Property").
2. The 2003 CUP application and site plan identified two 5200 square feet office/warehouse buildings planned for the property. A single 5200 square feet office/warehouse building has been approved and constructed.
3. A condition of the 2003 CUP was to amend the CUP when any additional businesses occupied the Property.
4. The 2003 CUP was amended on November 22, 2004 to allow Cutting Edge Landscaping as an additional tenant in the office/warehouse building.
5. The CUP was amended on April 11, 2012 to allow Ironwood Contracting to occupy the space vacated by Cutting Edge Landscaping.
6. The CUP was amended on October 9, 2013 to allow City View Electric, Inc. ("City View") to acquire the Property and occupy the Property as the sole occupant for electrical service contracting.
7. The subject property is zoned C/I Commercial/Industrial.
8. The C/I District allows building trades and contractor offices, including storage of vehicles, equipment, and materials, as a conditional use.
9. City View is a commercial electrical contractor with a home office in St. Paul and the Property is used for office space, vehicle and equipment parking, parts storage, and minor company equipment and vehicle repair. There is typically one employee at the Property.
10. General hours of operation are 6:00 a.m. to 6:00 p.m. on weekdays and occasional weekends and evenings.
11. City View submitted a complete application for an amendment to the CUP on June 12, 2014.
12. The 60-day review deadline is August 11, 2014. The 120-day review deadline, if necessary, is October 10, 2014.

13. The current CUP amendment application includes a proposal to add two 5000 square feet buildings to the Property, as illustrated on a May 21, 2014 site plan prepared by E. G. Rud & Sons, Inc.
14. Phase 1 of the proposal is to add a 5000 square feet equipment and materials storage building to the north of the existing building.
15. The proposed Phase 1 building addition is located a minimum of 50 feet from the westerly property line and 66 feet north of the existing building.
16. The proposed Phase 1 building will be a steel frame building with ~~stucco and brick on the western façade~~ **colors** to resemble the existing building.
17. There are two overhead service doors proposed on the western elevation of the proposed building.
18. The total aggregate impervious surface area on the Property after the proposed Phase 1 building addition is well below the maximum lot coverage.
19. Outdoor vehicle, equipment, and material storage by City View will be located north, south, and east of the existing and proposed Phase 1 buildings.
20. Parts may also be stored in the existing outbuilding.
21. There are no proposed signage plans at this time.
22. The proposed Phase 2 building is a ~~potential~~ 5000 square feet ~~office~~ **storage** building to be located to the north of the proposed Phase 1 building.
23. The proposed Phase 2 building would include approximately 15 full time employees.
24. There are no parking plans or other site details for the potential Phase 2 building.
25. The relevant conditions of the 2003 Buetow CUP, 2004 CUP Amendment, 2012 CUP Amendment, and 2013 CUP Amendment remain in effect.
26. The Planning Commission held a public hearing on July 16, 2014 to consider the proposed City View CUP amendment.
27. **The Applicant stated, at the hearing, they have acquired Lots 10, 11, and 12 Wills Addition, and wish to combine all properties and construct an office building in the future which will meet standard design criteria in the ordinance.**

Recommendations

Based upon the above findings of fact, any Planning Commission recommendation to the City Council for approval of the City View Electric, Inc. CUP Amendment should include the following minimum conditions. [NOTE: The relevant conditions from the 2003, 2004, 2012 and 2013 CUPs are combined together here].

1. Access to the Property is subject to jurisdiction by Anoka County.
2. Exterior storage of equipment and materials shall be located on the east, north and south sides of the principal buildings.
3. Equipment and material storage areas shall not occupy any parking areas, stormwater or wetland areas, or sewage treatment areas.
4. Additional Businesses, expansion or intensification of proposed contractor's business from what has been presented to date shall require an amendment to the Conditional Use Permit.
5. All exterior lighting shall be shrouded and directed away from adjacent properties and public streets.
6. All refuse must be stored in a building, trash transport (dumpster), or in covered cans.

Any outdoor storage area shall be enclosed on all four sides by screening, compatible with the exterior of the building, not less than two (2) feet higher than the refuse container.

7. The hours of operation for the contractor's shop shall not exceed 6:00 a.m. to 6:00 p.m. Monday through Friday, with periodic use on weekends and evenings.
8. Residential use of the Property is prohibited.
9. The parking area to the west of the buildings must be used only for short-term employee and/or customer parking.
10. Any hazardous materials used or hazardous wastes generated on the Property shall be in compliance with federal, state, and county permitting and licensing requirements.
11. The operation of the contractor's shop must be consistent with all local, Federal, and State laws that apply to the use of the Property.
12. In the event the City Council determines, in its sole discretion, that the contractor's shop is not being operated in accordance with any term or condition contained herein, the Permit may be revoked by the City upon proper notice and a hearing. The City shall notify regulatory authorities that have issued licenses or permits in connection with the Conditional Use Permit of any such revocation.
13. City View shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorneys' fees and consultant fees.
14. There must be a total of 17 striped parking spaces on the property.
15. All accessory buildings must match the appearance of the primary structures.
16. The 2014 CUP Amendment authorizes the only the proposed Phase 1 5000 square feet equipment and materials storage building to the north of the existing building.
17. The 2014 CUP Amendment does not eliminate the requirement for obtaining any other permits and approvals as may be required by City, watershed, county, or state laws, rules, ordinances, and policies, including but not limited to grading permits, building permits, plumbing permits, electrical permits, stormwater permits, sign permits, water appropriation permits, and sewage treatment system permits.
18. City View shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the 2014 CUP amendment, including any subsequent inspection and enforcement actions.

This will go before the City Council at their next meeting, which is July 23, 2014.

PUBLIC HEARING – CHAPTER 7A-PROPOSED PLANNED UNIT DEVELOPMENT ORDINANCE – TEXT AMENDMENT (PC-14-107)

At this time a public hearing was held to receive testimony regarding amending Chapter 7A of the Columbus City Code to include a proposed planned unit development (PUD) text amendment to allow alternative design and/or more flexible standards in the Rural Residential (RR) district. Separate minutes are prepared.

CHAPTER 7A-PROPOSED PLANNED UNIT DEVELOPMENT ORDINANCE – TEXT AMENDMENT DISCUSSION

PC members discussed the minimum lot width restriction in 7A-819. B. 4. c). They do not believe there is enough vacant land that has city street frontage available, for the scenario the

City Council is concerned about to happen often. This minimum lot width restriction will otherwise restrict good, creative designs. If there does have to be a percentage restriction, it should result in less than half the lots being required to be have a 220-foot minimum lot width. The City needs more flexibility to be able to develop usable land.

Motion by Sternberg to forward to the City Council, with a recommendation for approval, the proposed text amendments to Chapter 7A of the Columbus City Code regarding planned unit developments (PUDs), striking the language in parentheses from 7A-819. B. 4. c), as noted below. Second by Krebs. Motion carried.

ORDINANCE NO. 14-___

**AN ORDINANCE AMENDING
CHAPTER 7A – ZONING REGULATIONS
IN THE COLUMBUS CITY CODE**

The City Council of the City of Columbus ordains the following:

SECTION I. ARTICLE VII ESTABLISHMENT AND PURPOSE OF DISTRICTS, SECTION 7A-734. RURAL RESIDENTIAL CONDITIONAL USES is amended by adding the following:

E. Alternative subdivision design according to the provisions of Section 7A-819 Planned Unit Development (PUD).

[§ 7A-733, added by Ord. No. 02-01, effective May 17, 2002, as amended by Ord. No.11-06, effective August 4, 2011, as amended by Ord. No. _____, effective _____.]

SECTION II. ARTICLE VIII GENERAL PROVISIONS AND PERFORMANCE STANDARDS, SECTION 7A-819. PLANNED UNIT DEVELOPMENT (PUD) is amended in its entirety to read as follows:

SECTION 7A-819. PLANNED UNIT DEVELOPMENT (PUD).

A. Suburban Residential (SR) District

1. **Purpose.** The purpose of the PUD provisions is to encourage high development design standards and alternative design opportunities in the Suburban Residential (SR) District. In exchange for higher design standards, site preservation techniques, other unique development considerations, and other public benefit, conventional dimensional criteria may be modified or varied. Examples of variations to dimensional standards include reductions in minimum lot areas and lot widths and modifications to the density of residential dwellings. The PUD provisions are not intended to modify minimum open space requirements, landscaping requirements, minimum structure separation, garage or parking requirements, or the quality of the appearance or construction of the housing units.

The PUD provisions may allow for bonuses to the maximum average site density of three dwelling units per acre (3 DUA) and four (4) units per building, based upon the inclusion of any of the ~~following~~ bonus criteria in subsection 3. below. The City shall have discretion in approving or denying bonuses ~~on the basis of the following criteria, below~~. In no case shall

the total cumulative bonuses awarded exceed one hundred (100) percent of the maximum density allowed in any development, or result in structures with more than six (6) units.

2. Procedure. A complete Conditional Use Permit application must be made to the City for PUD consideration. The application shall include a ~~sketch-subdivision site~~ plan and written narrative of the proposed development. The application must include detailed descriptions of what the applicant believes qualifies the development as a PUD and specific examples of the bonus criteria that may be met. The Planning Commission and City Council must review the application and make a determination ~~that on the merits of~~ the proposed project qualifies as a PUD, based upon the conditional use permit standards in Sections 7A-540 through 7A-547, and assign the appropriate bonus awards, if any, ~~before the project proceeds.~~ ~~If the project is eligible as a PUD, a Concept PUD will be prepared along with a Preliminary Plat and be reviewed concurrently with the procedure established for platting. A Final PUD will be prepared and reviewed with a Final Plat. The PUD procedure may occur concurrently with the platting procedures prescribed in Chapter 8 of City Code. If the PUD is approved by the City Council, the City shall issue a conditional use permit to the applicant, including conditions of approval, and record it with the Anoka County Recorder.~~

3. Bonus Criteria. The Planning Commission shall recommend and the City Council shall approve any density bonuses in the SR District, based upon the accumulation of points awarded partially or totally within the following categories. Consideration for any bonus awards must include all of the mandatory categories identified in italics. A total of one hundred (100) points is required to achieve the maximum density bonus of one hundred (100) percent. A point total less than one hundred (100) shall result in a maximum density bonus of a percentage equal to the number of points awarded.

<u>Criterion</u>	<u>Points</u>
a) <i>Extraordinary architecture and exterior building materials.</i>	10
b) <i>Balance of housing opportunities and styles for all age groups.</i>	10
c) <i>Site design amenities, such as extraordinary landscaping, private Courtyards between buildings groupings, alternating building styles, and common indoor and outdoor use facilities.</i>	10
d) <i>Providing units for persons with disabilities, consistent with a number of units or percentage of units recommended by the Anoka County HRA.</i>	10
e) <i>Absorbing the costs of public core utilities, limited access collector streets, and off-site improvements that exceed typical cost sharing.</i>	40
f) Addition of public recreation amenities, such as picnic shelters, pavilions, and playground equipment.	10
g) Additional public parkland dedication.	10
h) Unique trail and pedestrian circulation within the development and connections to other facilities.	10
i) Construction of extraordinary landscaped boulevards within public streets or landscaped islands within cul de sacs, according to City standards.	10
j) Construction of additional garage parking in attached residential units.	10
k) Additional design criteria determined by the City to warrant density bonus criteria.	10
MAXIMUM DENSITY POINTS	140

4. **Application Materials.** All complete PUD applications for attached housing developments shall be accompanied by a series of site plans and data illustrating and/or explaining the following:

- a) Complete details of the proposed site development, including location of buildings, driveways, parking spaces, dimensions of the parking spaces, dimensions of the lots, lot area and yard dimensions, and sidewalks and trails.
- b) Complete recreation plans illustrating all recreational facilities and structures, including trails.
- c) Complete circulation plans for proposed pedestrian and vehicle traffic.
- d) Population and services required (kind and amount).
- e) Complete plans for screening, fencing devices, and landscaping.
- f) Preliminary architectural plans showing the floor plans and elevations of the proposed buildings.
- g) Complete plans and specifications for exterior wall finishes proposed for all principal and accessory structures.
- h) Complete data as to dwelling unit size and ratios of dwelling units to total lot space.
- i) A two (2) foot contour topographic map of the existing site. All wetlands must be delineated.
- j) A grading plan illustrating the proposed grade changes from the original topographic map. All site areas, when fully developed, shall be completely graded so as to adequately drain and dispose of all surface water, stormwater, and groundwater in such a manner as to preclude large-scale erosion, unwanted ponding, and surface chemical runoff. An erosion control plan consistent with best management practices must also be submitted.
- k) Estimates of solid waste disposal and provisions and facility plans for such disposal;.
- l) Complete plans and documents of the homeowner association which explains:
 - 1) Ownership and membership requirements.
 - 2) Organization of the association.
 - 3) Time at which the developer turns the association over to the homeowners.
 - 4) Approximate monthly or yearly association fee for homeowners.
 - 5) Specific listing of items owned in common, including such items as roads, recreational facilities, parking, common open space grounds and utilities.
- m) Services and facilities plans. A services and facilities plan shall contain a map or maps setting forth the general location and extent of any and all existing and proposed systems for sewage, domestic water supply and distribution, refuse disposal, drainage, local utilities and rights-of-way, easements, facilities and necessary appurtenances, and a description of the ownership and maintenance of such services and facilities.
- n) Firefighting and other public safety facilities and provisions, such as hydrant locations and fire lanes.

5. **Private Streets.** Whenever it does not contradict the provisions of this Ordinance as it relates to an adopted transportation plan or the protection of opportunities for reasonable development of surrounding land adjacent to a development proposed in the application, streets which are intended to be kept continuously closed to public travel or that are at all times posted as private streets may be retained as private streets and made a part of the PUD, provided a homeowner association agreement acceptable to the City contains provisions for street maintenance and replacement, and all private streets are constructed according to standards approved by the City.

[§ 7A-820, added by Ord. No. 03-03, effective June 19, 2003.]

[§ 7A-819, formerly 7A-820 amended (renumbered) by Ord. No. 04-04A, effective June 3, 2004.]

[§ 7A-819, reformatted and amended as Subsection A. by Ord. No. _____, effective _____, 2014.]

B. Rural Residential (RR) District

The purpose of the PUD provisions is to encourage alternative development design standards and alternative design opportunities in the Rural Residential (RR) District. In exchange for efficient design standards, site preservation techniques, other unique development considerations, and other public benefit, conventional dimensional criteria may be modified or varied. Examples of variations to dimensional standards include reductions in minimum lot areas and lot widths. The PUD provisions are not intended to modify allowable residential density, minimum structure separation, principal structure design requirements, garage or parking requirements, private utility requirements, street construction standards or the quality of the appearance or construction of the housing units.

1. Application and Eligibility. Application must be made to the City for PUD consideration as a conditional use permit. The application shall include a site plan and written narrative of the proposed development. The application must include a calculation of allowed dwelling units within the proposed development based upon conventional platting requirements and conventional dimensional standards. The Planning Commission and City Council must review the merits of the application and make a determination of whether the PUD should be granted, based on the conditional use permit standards in Sections 7A-540 through 7A-547. A PUD application must be prepared along with a Preliminary Plat and will be reviewed concurrently with the preliminary plat. A Final Plat, when submitted, must be consistent with the PUD approval.

2. Outlots or Common Open Space. No outlots or other remnants of land shall be included in any plat, except outlots with public access and future development potential.

3. Lot Averaging. All of the land within a development shall be subdivided into individually-owned parcels, except authorized outlots, and the average lot size within every development shall be no less than five (5) acres, less dedicated right-of-way.

4. Flexible Dimensional Standards. The following minimum dimensional standards shall be allowed as a part of an approved PUD. Unless identified below or expressly permitted by the City in the PUD approval, no other variations in dimensional standards, performance standards or other development requirements shall be permitted.

- a) Maximum density – one (1) dwelling unit per five (5) buildable acres
- b) Minimum lot area – 2.5 acres
- c) Minimum lot width – 160 feet ~~(A maximum of 50% of the lots may be less than the conventional 220 feet minimum lot width)~~
- d) Minimum cul-de-sac frontage – 60 feet
- e) Minimum front yard setback – 75 feet
- f) Minimum side yard setback – 20 feet
- g) Minimum rear yard setback – 20 feet
- h) Maximum structure height – 35 feet
- i) Lot coverage – 1:4 or 25% maximum

5. Application Materials and Procedure. An applicant shall make an application for a PUD as a conditional use permit, following the procedural steps as set forth in Sections 7A-540 through 7A-547 of this Chapter. In addition, all PUD conditional use permit applications for alternative rural subdivision design shall be consistent with the following submittal requirements and procedures:

- a) A complete application for a PUD shall include a written narrative of the proposed development, a site plan illustrating conventional subdivision design and building eligibility, and a site plan of the proposed alternative rural design.

- b) A complete application must be accompanied by a Preliminary Plat of the alternative rural design, consistent with the application requirements of the Subdivision Regulations (Chapter 8, Columbus City Code).
- c) The PUD application shall be presented at a City staff meeting to review preliminary PUD eligibility and consistency with City Code requirements, and provide comments to the applicant.
- d) The PUD application and Preliminary Plat shall be reviewed at a combined public hearing, consistent with the procedures for review of a conditional use permit.
- e) If the PUD is approved by the City Council, the City shall issue a conditional use permit to the applicant, including conditions of approval, and record it with the Anoka County Recorder.
- f) After approval of a Preliminary Plat and PUD, application shall be made for Final Plat, consistent with the documentation required in the Subdivision Regulations.
- g) Review and approval of the Final Plat does not require review and recommendation by the Planning Commission, unless the Final Plat is not consistent with the approved PUD and Preliminary Plat.

[§ 7A-819, Subsection B. added by Ord. No. _____, effective _____, 2014.]

SECTION III. Effective Date. This Ordinance was adopted by the Columbus City Council on this ____ day of _____, 2014 and shall become effective after its publication.

David J. Povolny, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 2014.

4837-4315-5739, v. 1

DISCUSSION: BUFFER ZONES

City Planner Johnson presented a new sample draft with updated boilerplate language for each of the zoning districts, and a revised draft for Section 7A-800, subsection K, referencing Residential Screening. It states that wherever a new use, structure, building addition, site improvement or land use change occurs within any commercial or industrial zoned district that abuts a residential zoned district, an appropriate screening and buffering plan be required and reviewed through the CUP process. He added language that if the minimum separation between commercial and residential is at least ½ mile, a residential screening and buffering CUP application may be waived. Johnson has reviewed and discussed the draft language with the City Attorney’s intern.

PC members asked Mursko if this is helpful to businesses on the front end. She said it's a step in the right direction. This acknowledges right away that the buffering issues warrant another layer of review.

Motion by Daly to forward to the City Council, with a recommendation for approval, the changes to Chapter 7A of the Zoning Regulations referencing residential screening in buffer zones. Second by Sternberg. Motion carried.

If the CC approves this language, they will need to call for a public hearing.

PUBLIC OPEN FORUM

There was no topic raised for discussion for Open Forum.

CITY ADMINISTRATOR'S REPORT

Mursko reported that there are no applications scheduled for the PC on August 6th. In lieu of the PC meeting, the CC will hold a workshop meeting that night, with PC members in attendance, to talk about possible zoning changes.

At last night's workshop, the CC was presented with a request by property owner, Dan Mike, to change his property to LI zoning. The CC has concerns that having LI right across from CR might discourage commercial retailers. They would like to discuss that further.

PC members agreed to try to hold their own workshop on Wednesday, July 30th to discuss zoning issues prior to the CC workshop. CR land is worth more than LI land. How do you balance that? What is the big picture? How much do you want to re-zone? How do you buffer between districts? What are the short-term vs. long-term returns?

Mursko reported that another area looked at during last night's CC workshop, is the northwest corner next to the freeway. There are about 6 acres of upland. Most developers that have come in are not CR. Is the City willing to change the zoning in that area? It is isolated from the CR district by wetlands. That is another area being looked at for possible zoning change.

Planner Johnson said that part of this issue is staying power, the ability of the community to hang on to something it really wants, that it knows will happen someday.

Mursko reported that Columbus' Gander Mountain store is #4 in Minnesota in sales. Sternberg feels this is an important marketing point, showing that location can trump the lack of rooftops.

At last night's meeting the Mayor also asked if more temporary uses should be considered for the northwest freeway corner, for example, an outdoor movie theater or farmer's market.

Each PC member received a brand new codified ordinance book. It is also all accessible on the website.

PLANNING COMMISSION MEMBERS' REPORT

PREINER COMMENT

Preiner reported that he and Commissioner Krebs attended the CC workshop and it was a good start. He also said a deputy at last night's meeting reported making some drug arrests.

Preiner said that with regard to City View Electric having their mechanic live in the house on-site, he is not against that as a security measure.

ATTENDANCE - NEXT CC MEETING

Krebs is scheduled to attend the City Council meeting on July 23, 2014.

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

Meeting adjourned at 9:22 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary