

City of Columbus
Regular Planning Commission Meeting
August 21, 2013

The August 21, 2013 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:01 p.m. by Chair Barbara Hvass at the City Hall. Present were Commission members Andy Anderson, Myron Organ, Pam Wolowski, Jesse Preiner, Jody Krebs, City Administrator Elizabeth Mursko and Deputy Clerk Emmy Robinson.

Also in attendance were. Mary Preiner, Pat Preiner, Council Member Krebs, Jason Heinen, Mike Meath.

AGENDA APPROVAL

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

APPROVAL - REGULAR PC MEETING MINUTES OF August 7, 2013

Motion by Krebs to approve the minutes of the August 7, 2013 regular Planning Commission meeting as written. Second by Anderson. Motion carried.

PUBLIC HEARING & DISCUSSION LOT 3, BLOCK 1 — DEER MARSH VARIANCE APPLICATION (PAGES 1-9) & ENCLOSURE (PC-13-104)

At this time a public hearing was held to receive testimony for a variance request for construction of a new house from the required 75 foot front yard setback to a 35 foot setback for Lot 3, Block 1 - Deer Marsh, Columbus, MN. The property owner is Premier Bank and the applicant is Jason Heinen, Heinen Homes. Separate minutes are prepared.

DISCUSSION:

There was discussion at this time regarding if the proposed location of the house would interfere with views from the surrounding properties. It was noted that the property to the north could be affected; the houses on Rondeau Lake Drive are close to that road so likely not affected.

A question was asked regarding how the setback (37 feet) was determined?

Mr. Heinen explained that it was determined by soil borings taken in the required pad that only met twenty six inches (26 inches – 36 is required) and to position the house further up the hill to a better position so as not to be so close to the protected wetlands. The house and garage placement design follow the curvature of the road.

There was also debate regarding if this is approved it may set a precedence and whether the Planning Commission should stray from city code. This road is a cul-de-sac and will remain as such.

LOT 3, BLOCK 1 - DEER MARSH VARIANCE CHECKLIST

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?

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

Consensus of the Planning Commission was YES

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 wetlands and topography create a problem.

Question #2: How is it not like other pieces of property?

Question #3: Did the landowner create the circumstances?

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

The consensus of the Planning Commissioner was YES.

It is a unique circumstance to this property. Commissioner Krebs noted that these circumstances apply to that entire area not just that one parcel. Commissioner Preiner added that the City is plagued by wetlands, if the lot is left empty how does that benefit the city, the land owner or builder, therefore this is unique not only to this property but also to this property.

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 or No

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

Agree. Hvass, Wolowski, Organ, Preiner.

Commissioner Preiner argued that this is not ideal, but what can be done other than leave the lot empty. The wetland issue creates the necessity for the house to be moved forward.

Disagree: Krebs, Sternberg, Anderson

Commissioner Anderson does not agree, it's not in harmony (with city code), the purpose and intent of the zoning ordinance is to have a setback from the road, by granting the variance it is not in harmony with the ordinance. There will be a percentage of land in Columbus that will not be buildable due to wetland issues.

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?

The City Administrator explained that this is a residential use; they are not proposing another use.

The consensus of the Planning Commissioner was agreed.

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?

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

The consensus of the Planning Commissioner was agreed.

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?

The consensus of the Planning Commissioner was agreed.

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.

(Insert dates of action)

Planning Commission Recommendation: Approval: August 21, 2013

Denial: n/a

City Council Action:

Approval: sent for review on 8/28/13

Denial:

Motion by Preiner to send the application for the variance request by Jason Heinen to construct a new home from the required 75 foot front yard setback to a 35 foot front yard setback including the overhang for Lot 3, Block 1 - Deer Marsh, Columbus, MN to the city council along with the results of the public hearing and findings from the Variance Checklist with approval from the Planning Commission. Second Organ. Votes as follows: Sternberg - nay; Krebs - nay; Preiner - aye; Wolowski - aye; Organ - aye; Anderson – nay; Hvass – aye. Motion Carries

The City Administrator asked for clarification of the setback amount saying that the public hearing notice indicates a 35 foot setback, on the plan submitted it indicates a 37 foot setback.

Mr. Heinen said the 37 feet includes the overhang.

Chair Hvass said this will go the city council at their next meeting the applicant can attend if they wish.

PLANNING COMMISSION CONTINUED DISCUSSION — HOW TO STIMULATE BOTH RESIDENTIAL AND BUSINESS GROWTH AND BALANCING THE TWO. (PLEASE BRING MATERIALS FROM LAST MEETING)

The Planning Commissioners reported on their assignments from the last meeting. Commissioner Anderson volunteered to call Amaris Custom Homes and Ryland Homes. Commissioner Krebs volunteered to contact Mattamy Homes and Commissioner Sternberg will look for a developer's association and see what information they have.

Commissioner Anderson

Commissioner Anderson interviewed Ray Pruban, owner of Amaris Custom Homes located in White Bear Lake. The interview lasted one and one half hours. Mr. Pruban was appreciative of the meeting.

They are building houses in Stillwater, Lake Elmo and Richfield. They presently build custom houses in the price range of \$350,000 to \$420,000. Mr. Pruban's observations were as follows:

- If building high density houses water and sewer are required.
- The easiest cities to deal with are cities with zoning ordinances that make sense and suggested that the city review its ordinances.
- City staff should be trained to give guidance and be helpful to builders. With an emphasis on guidance.
- City staff should offer flexibility.
- Columbus might consider the open space building concept.
- Columbus needs to make builders aware of the benefits of building in Columbus.
- Personal contact is helpful.
- Mr. Pruban said the 5 acre minimum is not detrimental to the type of houses they build.
- Open space concept is desired, varying lot sizes some 5 acres, some 7 acres.

Commissioner Anderson pointed out the advantages Columbus has such as:

- Columbus is located at the convergence of 35E and 35W

- Columbus has bus service to Minneapolis and St. Paul
- Columbus has excellent schools
- There is open space in Carlos Avery

Mr. Pruban indicated to Commissioner Anderson that he would consider Columbus in his building plans.

Mr. Pruban said the only downside was the distance from Columbus to the Twin Cities.

Ryland Homes is comparable to Amaris in the type of house they build. Commissioner Anderson suggested it would be beneficial for other Planning Commission members to visit with builders to educate them about Columbus.

Commissioner Sternberg

Commissioner Sternberg found there is not a development association. He found that other cities including Blaine have a variety of residential zoning options, most notably different densities of housing units and styles. He found that in Blaine low density housing is 2 to 6 units per acre, medium density is 6-10 units per acre and high density is 10-20 units per acre. Sternberg also found that a common thread between communities is the use of upper level housing in commercial developments. Stillwater has a cottage residential district with a square foot lot size per dwelling unit. High density is 1500 sq feet per unit, medium density is 2800 square feet per unit and low density is 8500 square feet including open/green space. (7000 square feet for the unit and 1500 square feet for open/green space per unit).

Hugo engaged a marketing research company to do an analysis for housing, commercial and retail units which resulted in a phased development plan for the community to follow (CR 14 and I35E). At this time Columbus does not have water and sewer in the suburban overlay district on the south east nor is there verbiage for low, medium or high density housing.

The City Administrator explained that the Freeway District area was strictly zoned for commercial development and could possibly benefit from additional housing density options.

Commissioner Krebs and Commissioner Preiner

Commissioner Krebs and Commissioner Preiner toured a model Mattamay home and spoke with employees on site and was given the name of the developer. Commissioner Krebs made contact with the developer and faxed a zoning map and ordinance with the PUD information to them. A meeting is scheduled tomorrow afternoon with the developer to discover what developers need and want and are looking for and what Columbus has that are plus's to see if something can entice them to build in Columbus. Commissioner Krebs is going to take the article in the paper to the meeting regarding the housing market. There is a billboard sign for Mattamay Homes by the Race Track. He was invited to the meeting this evening; he had other obligations and could not attend. They have homes ranging from \$175,000 - \$250,000 with the density of the PUD; their standard was 3 homes per acre. They did indicate they want something that is shovel ready.

Commissioner Preiner added that he went with Commissioner Krebs to the Mattamay model house; it is located just off Fenway Avenue in Forest Lake. It was a very nice home and moderately priced.

Commissioner Anderson noted that the break point of services to taxes collected is \$250,000, negative tax impact can result without commercial development to offset lower cost housing. With high density housing it's important to consider the cost of the individual houses/units.

Fiscal Disparities

The City Administrator distributed a memo on impact of fiscal disparities. The City Administrator reviewed the chart on the last page of the memo at this time and noted that Tax Capacity value has decreased significantly from 1997 to 2013 and is expected to decrease again in 2014. That is because the city has not brought on enough additional value (commercial, housing, townhomes, senior housing, etc.) and the formula change.

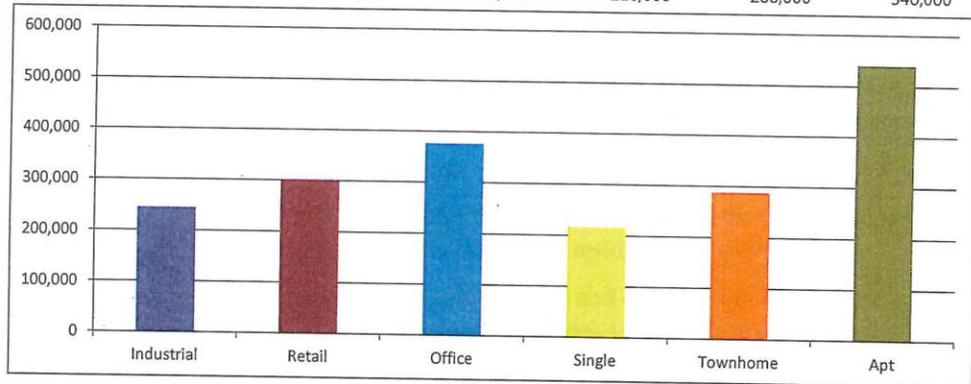
The city is a net contributor and does not gain from the fiscal disparities pool of money at this time. The formula is fluid as it is based not only on Columbus' tax capacity but also on the numbers from surrounding communities. In addition a balance between commercial and residential is needed. There is no clear easy solution to make Columbus a net gainer instead of contributor.

A copy of the chart discussed follows.

Estimates Provided to City of Columbus, MN, For Illustration Only

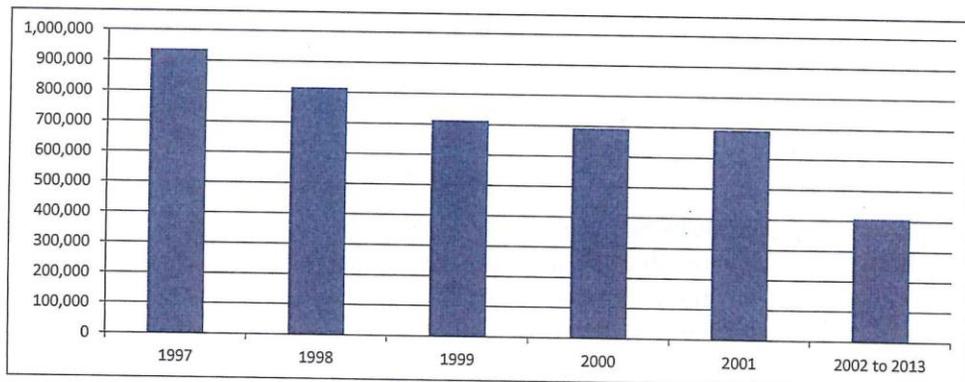
Tax Capacity From Alternative Land Uses

	<u>Industrial</u>	<u>Retail</u>	<u>Office</u>	<u>Single</u>	<u>Townhome</u>	<u>Apt</u>
Acres	24	24	24	24	24	24
Lot Coverage/Density	30%	30%	30%	3	6	12
Development (SF or Units)	313,632	313,632	313,632	72	144	288
EMV per SF or Unit	65	80	100	300,000	200,000	150,000
EMV	20,386,080	25,090,560	31,363,200	21,600,000	28,800,000	43,200,000
Tax Capacity	406,972	501,061	626,514	216,000	288,000	540,000
Fiscal Disparities	40%	40%	40%	0%	0%	0%
Net Local Tax Capacity	244,183	300,637	375,908	216,000	288,000	540,000



Changes in Commercial-Industrial Tax Rates/Values

	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002 to 2013</u>
Acres	24	24	24	24	24	24
Lot Coverage/Density	30%	30%	30%	30%	30%	30%
Development Area (SF)	313,632	313,632	313,632	313,632	313,632	313,632
EMV/SF	65	65	65	65	65	65
EMV	20,386,080	20,386,080	20,386,080	20,386,080	20,386,080	20,386,080
Tax Capacity Rates						
Threshold	150,000	150,000	150,000	150,000	150,000	150,000
Tier 1	3.00%	2.70%	2.45%	2.40%	2.40%	1.50%
Tier 2	4.60%	4.00%	3.50%	3.40%	3.40%	2.00%
Tax Capacity Value	935,360	813,493	711,938	691,627	691,627	406,972



3/19/2013



There was discussion regarding what may be discouraging home builders in Columbus. Some suggestions offered for the Mattamay Homes visit included:

- Ask what would encourage them to build in Columbus.
- What did they (Hugo) give to the builder to encourage the developments?
- What are the new products/trends in housing?
- What are they looking for – how many acres.
- What is their ideal unit size?

With this information the city can glean where this type of development might fit.

Some of the discussion points regarding development in Columbus were:

- Hugo had a plan, it looks good, and it's organized, with a plan in place this may encourage developers to look at Columbus. The rules should not change for each person who comes in or asks for a variance, this creates a disorganized un-planned look.
- People tend to build houses where there are jobs; there are limited career employment opportunities here.
- There is nothing in the code regarding housing densities.
- Sewer and water are not available in the suburban overlay area in the south east area.
- Provide more options for housing, detached, attached, etc.
- Money is tight, developers are expected to build and take the expense on themselves for roads, sewer and water.
- Rezone the commercial areas to allow higher density housing.
- Some developments in other areas have progressively priced developments.
- Should zoning requirements be reviewed by the Planning Commission for Section 7A-731 page 38, rural residential and 7a-752 page 86 suburban residential.
- Allow subdivision of current residential 5 acre lots in the commercial district.

No action was taken, it was requested that this topic stay on the agenda at future meetings.

PUBLIC OPEN FORUM

Council Member Krebs 102 West County Rd C. Council Member Krebs said he agreed with allowing the variance for the house heard earlier tonight and said the city has to take advantage of all the lots it can. The City has financial issues, there is debt with the Quad 35 area, it's important at the Mattamay meeting to show them what the city has available and what is shovel ready and find out what they would require. There is also a property on Lake Drive that has an overlay area that would be a good location for higher density housing. Council Member Krebs said he was impressed by the work the Planning Commission is doing by visiting with developers. Council Member Krebs asked if specific areas i.e. Lake Drive area can be rezoned as new housing density districts instead of changing the rural residential zoning in the entire city. Council Member Krebs Thanked the Planning Commission again for their efforts.

The City Administrator confirmed that new higher density housing zones could be set up.

CITY ADMINISTRATOR'S REPORT

The next joint meeting is September 18th. Other than September 4th all meetings in September and October will have applications for review.

PLANNING COMMISSION MEMBERS' REPORT

Commissioner Organ

Commissioner Organ was disappointed in the City Council voting down MTS trucking. The problem he sees is what this company may negatively say about Columbus to others.

Commissioner Anderson

Commissioner Anderson was not disappointed by the MTS Trucking concept review comments by the council as it was he thinks it is not a good fit for the property, the race track or the city because of the location.

Commissioner Preiner

Commissioner Preiner informed the Planning Commission that on Saturday night the radio station was burglarized, there are leads in the case.

ATTENDANCE - NEXT CC MEETING

Attendance of City Council Meeting August 28, 2013 (Barbara Hvass)

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

Meeting adjourned at 9:16 p.m.

Respectfully Submitted:

Emilia Robinson
Deputy City Clerk