

**City of Columbus**  
**Regular Planning Commission Joint Meeting**  
**November 6, 2013**

The November 6, 2013 regular meeting of the Planning Commission for the City of Columbus 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; joint with City Council members Dennis Peterson, Jeff Duraine, Bill Krebs, Jessie Messina, and Mayor Dave Povolny. City Administrator Elizabeth Mursko, and Recording Secretary Karen Boland.

Also in attendance were Chester Latawiec, David and Lorraine Stafford, Mickey Betz, Junior J. Branson, Dave and Irene Rife, Mark Kiperstin, Emily Latawiec, Rosanne Latawiec, Todd and Sue Voelker, Wayne and Dianne Aszmann, Ron Holmdahl, Nancy and Brenda Herubin, John Zechbauer, Alberta Swanson, Scott and Lisa Rockrohr, Christine Dumke, Jan and Gary Schulte, Sherri and Roger Nase, Barry Peterson, Terry Johnson, Steve Wagamon, Frank Wagamon, Perry Wagamon, Mike Wood, and Pat Preiner.

**AGENDA APPROVAL**

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

**APPROVAL – INSURANCE AUTO AUCTION, INC. (IAAI) COMPREHENSIVE PLAN AMENDMENT, REZONING AMENDMENT, AND CUP PUBLIC HEARING MINUTES OF OCTOBER 16, 2013**

*Motion* by Organ to approve the minutes from the IAAI Public Hearing held on October 16, 2013. Second by Anderson. Votes as follows: Sternberg – aye; Krebs – aye; Preiner – aye; Wolowski – aye; Organ – aye; Anderson – aye; Hvass - abstain. Motion carried.

**APPROVAL – 17566 XINGU STREET VARIANCE PUBLIC HEARING MINUTES OF OCTOBER 16, 2013**

*Motion* by Krebs and Anderson to approve the minutes from the 17566 Xingu Street Variance Public Hearing held on October 16, 2013. Second by Wolowski. Votes as follows: Sternberg – aye; Krebs – aye; Preiner – aye; Wolowski – aye; Organ – aye; Anderson – aye; Hvass - abstain. Motion carried.

**APPROVAL – 14609 LAKE DRIVE NE VARIANCE PUBLIC HEARING MINUTES OF OCTOBER 16, 2013**

*Motion* by Krebs to approve the minutes from the 14609 Lake Drive NE Variance Public Hearing held on October 16, 2013. Second by Anderson. Votes as follows: Sternberg – aye; Krebs – aye; Preiner – aye; Wolowski – aye; Organ – aye; Anderson – aye; Hvass - abstain. Motion carried.

**APPROVAL – CITY OF COLUMBUS PRELIMINARY/FINAL PLAT PUBLIC HEARING MINUTES OF OCTOBER 16, 2013**

*Motion* by Krebs to approve the minutes from the City of Columbus Preliminary/Final Plat Public Hearing held on October 16, 2013. Second by Anderson. Votes as follows: Sternberg – aye; Krebs – aye; Preiner – aye; Wolowski – aye; Organ – aye; Anderson – aye; Hvass - abstain. Motion carried.

### **APPROVAL - REGULAR PC MEETING MINUTES OF OCTOBER 16, 2013**

*Motion* by Krebs to approve the minutes of the October 16, 2013 regular Planning Commission meeting as written. Second by Anderson. Votes as follows: Sternberg – aye; Krebs – aye; Preiner – aye; Wolowski – aye; Organ – aye; Anderson – aye; Hvass - abstain. Motion carried.

### **INSURANCE AUTO AUCTIONS, INC. COMPREHENSIVE PLAN AMENDMENT, REZONING AMENDMENT AND CUP APPLICATION CONTINUED DISCUSSION (continued from October 16, 2013)**

Mark Kiperstin, Attorney for Insurance Auto Auctions, Inc. (IAAI) requested that IAAI's application and discussion be continued to the PC meeting on December 4, 2013. Following the October 16, 2013 PC meeting, feedback from the evening was discussed with neighbors and PC members. Concerns came to light regarding screening between the commercial and residential areas - primarily with residents on Zodiac, and potential noise issues. IAAI would like to come back to the PC with a complete report and plan to address those issues. In order to do that, they are requesting the continuance to December 4th.

*Motion* by Sternberg to accept IAAI's letter requesting additional time to fully address concerns raised at the October 16, 2013 Planning Commission meeting, and to continue discussion of IAAI's application for a Comprehensive Plan Amendment, a Rezoning Amendment, and a Conditional Use Permit to the Planning Commission meeting scheduled for December 4, 2013. Second by Anderson. Motion carried.

Kiperstin asked PC and CC members for clarification about what they envision as appropriate screening for this project. Povolny asked for IAAI to outline how they plan to abate the sound, the light, the smell, and the sight, whether with trees, a berm, or a sound fence. He also believes there is confusion about the location of on-site activities. He asked IAAI to clarify where activities will take place. Council Member Krebs stressed there should be no exit onto Zodiac. Kiperstin agreed, saying that an exit there has never been part of IAAI's plan. Kiperstin said IAAI has commissioned a noise study to address concerns raised at the last meeting with respect to noise generated by the loaders, the auction truck, and overall operations. The majority of operations will be on the property closer to Lake Drive, but those things will be addressed in detail. The CC emphasized that with sound abatement, a visual screening that is natural and fits into the existing landscape is important.

Mursko explained to the public in attendance for the IAAI application, that further discussion would not take place until the December 4, 2013 meeting. If anyone wishes to submit information for the record, they are welcome to do that in writing. The public hearing portion of the IAAI application has been closed, so the PC will not be taking public testimony at the December 4<sup>th</sup> meeting.

Mursko also clarified the notification process for public hearings. State statute requires the City to notify residents within 350 feet of the property in question. Notices are also published in the paper, posted at City Hall, and posted on the website. About six months ago the City Council looked at other ways to provide notice to residents without incurring more expense. The result was that residents may sign up to receive PC meeting minutes, public hearing notices, and/or CC meeting minutes on the City website. Residents can opt-in to have any or all of this information sent to their e-mail address.

### **PLANNING COMMISSION/CITY COUNCIL JOINT MEETING**

The November 6, 2013 joint meeting of the Planning Commission/City Council for the City of Columbus was called to order at 7:26 p.m.

### **PLANNING COMMISSION AND CITY COUNCIL JOINT DISCUSSION (continued) – How to stimulate both residential and business growth, and balancing the two.**

Mayor Povolny described the fiscal disparities tax as a function of the commercial/industrial tax value, normalized to the population. Some growth in population is needed to counteract the City's increases in commercial/industrial tax base.

Mursko said Columbus is an area of 48 square miles. There are about 1500 households. The population has decreased over the past 20 years; at the last census the City had 3914 residents. The population is aging. Only 26% of households have kids.

There was discussion about how to add homes in Columbus. Peterson proposed looking at smaller lot sizes for 10-acre or larger vacant developments. He suggested looking at areas where smaller lot sizes would fit in with the surrounding neighborhood, and placing restrictions on landscaping, minimum home value, etc. Povolny said the average value per home in Columbus is \$186,000. There was discussion of targeting areas around the edges of the City, near neighborhoods with small lot sizes. No one would be interested in going to smaller lot sizes City-wide. Mursko said the overall Comprehensive Plan says the overall density is 10:1. The Comp Plan would need to be looked at if changes are made.

Sternberg suggested considering a change to the requirement that every lot must have a frontage of 220 feet. This would allow more flexibility in development.

Commissioner Krebs summarized what direction the CC is giving to the PC: to begin looking at the possibilities of new zoning densities and lot sizes, sewer usage, covenants and/or associations to guide them in what they want for use in that area, and areas in the City that might lend themselves to smaller lot sizes. Povolny clarified the PC should look at fringe areas away from the corridor.

Lack of access to sewer and water limits development in some areas of the City. We can't tap into Forest Lake's sewer and water system, because the sewer interceptors aren't sized to allow more connections from us. Some communities are developing their own sewage treatment. Wyoming and Chisago have their own treatment facilities. We might be restricted in that because we are in the Met Council area.

The CC directed the PC to look into an ordinance addressing both commercial and residential lighting.

Povolny wondered if ultra-high density housing units in the freeway district will burn up our remaining SAC units, limiting retail development. He asked the PC to find out what SAC units we have available. Mursko said the Met Council determines SAC units based on use. She said she can ask the City Engineer if there is some type of chart available to determine SAC units.

Povolny said that currently all costs increasing at the City are being offset by the incremental growth of the City. Once you hit the end of that, taxes will go up, because the City budgets are balanced, and whatever is needed will need to come from residents. This year five homes were built in the City. Last year there were six.

### **PUBLIC OPEN FORUM**

Roger Nase of 6636 141<sup>st</sup> Avenue N.E. presented a petition signed by 87 people who oppose the proposed zoning change from RR to C/I for the property in question in the IAAI CUP application, and oppose the CUP application by IAAI. The petition was accepted for the record.

Michael Wood of 6012 141<sup>st</sup> Avenue spoke about lot sizes. He feels the idea of allowing some smaller lot sizes benefits the City. He believes the property should dictate the housing, and the City should not target specific areas. He said he had been adamantly against the development on Jodrell, but it looks great; it's well-maintained and the homes are nice. He believes if someone owns 20 acres and wants to put in more homes on smaller lots, they should be allowed to do that. He feels that compared to surrounding communities the City is stuck in the past. Something new has to happen.

### **CITY ADMINISTRATOR'S REPORT**

Mursko brought up a recurring issue: There are a lot of homes in the commercial district on Lake Drive and some people there want to sell their homes. Some people interested in buying those homes plan to knock them down and put up a commercial business. Others want to live in the house and have their business in the accessory building and/or in the house. It would be like a residential-zoned business, but in a commercially-zoned area. They would be paying taxes based on a commercial value on the land, residential homestead on their home, and then a commercial rate on the accessory building. Mursko asked if PC and CC members are willing to let these incubator businesses have an IUP for five years, or whatever they think appropriate, so they can have their business with one or two employees, knowing they're in a house or a pole building.

Mursko explained that if these same people bought a house in the residential district, they could apply for a permit to run their business from the home. There are two classifications for businesses: 1) A home occupation that is invisible to the public. That's allowed in the residential district. 2) There's also a residential-zoned business where the owner has to meet conditions and apply for an IUP. As long as they meet those conditions, they can have a residential-zoned business.

Right now, in the CI district, Mursko has to tell people, they either live in the house or tear the house down and have a business, or they have a business in the house, but they can't have both. In the residential district, however, both are allowed. This comes up in both the Freeway district and the CI district. The market for these houses when they are for sale is often one or two-person operations.

Commissioner Krebs suggested some type of transitional land-use IUP. Povolny asked the PC to look at options.

Mursko believes the City also needs to consider what standard should be required when a commercial district abuts a residential district. Those two districts will always meet up at some point. What does the City want to require in those transition districts? Duraine suggested finding out from the City Planner what other cities are doing for those transition areas.

### **TIM LANG PRESENTATION – TIMBER VALLEY PRESERVE**

PC and CC members briefly discussed Tim Lang's property development proposal. Mursko said Coon Creek wouldn't approve Lang's development, because it did not meet Wetland Conservation Act standards. There are little pockets of upland on this property with wetlands in between. If the City had more relaxed zoning requirements allowing for more flexibility - for instance, lot averaging or green space or a PUD where the overall average for the entire area was 5 acres, he probably could take the whole thing and cluster the houses in the places where there is upland, and then have green, open space. He is looking at selling the land to Pheasants Forever, because he needs to develop it or sell it. The lot is approximately 220 acres.

Discussion was ended because Lang did not appear to make a presentation.

### **PLANNING COMMISSION MEMBERS' REPORT**

#### **STERNBERG COMMENT**

Sternberg feels it does not make sense that improvements made to a non-conforming house cannot exceed a certain dollar amount. He gave an example of an existing home near him with a non-conforming setback. It is bound by this improvement restriction, yet the PC recently gave a variance to a home that is being built and will not meet the setback requirement. Mursko explained that this is governed by State statute, and the recent variance made the house in question a legally non-conforming house. The idea of the statute is that you don't want something non-conforming to have a bigger footprint, making it more non-conforming. Basically, improvements made to an existing non-conforming home cannot exceed 50% of the home's market value. Sternberg questions why you would restrict someone from improving their property. Mursko will ask the City Attorney and City Planner to weigh in, as she is not familiar enough with the State statute. She will report back to the Planning Commission.

#### **ATTENDANCE - NEXT CC MEETING**

It was agreed there is no need for a Planning Commission member to attend the City Council meeting on November 13, 2013.

*Motion* by Krebs to adjourn. Motion carried.

Meeting adjourned at 9:08 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary