

**City of Columbus**  
**Regular Planning Commission Meeting**  
**August 19, 2015**

The August 19, 2015 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 Jim Watson, 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 Members Denny Peterson, Bill Krebs, Jeff Duraine, and Mayor Dave Povolny; Frank Wagamon, Perry Wagamon, Pat Preiner, Mary Preiner, Myron Organ, Jeff Joyer, Sherri and Roger Nase, Todd Voelker, Dorothy Staples, Mike Meyer, Steve Wagamon, and Lani Blake Thorne.

**AGENDA APPROVAL**

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

**APPROVAL - REGULAR PC MEETING MINUTES OF AUGUST 5, 2015**

*Motion* by Preiner to approve the minutes of the August 5, 2015 regular Planning Commission meeting as written. Second by Watson. Motion carried.

**PUBLIC HEARING –WALDOCH/JOYER COMPREHENSIVE PLAN AMENDMENT & REZONING APPLICATION (PC-15-106)**

At this time a public hearing was held to receive testimony regarding a request for both a Comprehensive Plan amendment and rezoning application for the Waldoch/Joyer Farm. Separate minutes are prepared.

**WALDOCH/JOYER APPLICATION DISCUSSION**

There was discussion about the residential lots that will be retained along Zodiac Street so that RR will remain on both sides of the street. The current zoning regulations about side yard setbacks when commercial property abuts residential were discussed. Ponding and buffers were brought up. These would be considerations at the point of a site plan review for a specific commercial entity interested in the property.

The Planner described the Comp Plan amendment process. If the PC and CC approve of the amendment, an application would be submitted by the Planner to the Met Council. It could take anywhere from 30 to 120 days for a response. This size and type of amendment falls into the administrative category. A recommendation will be made internally by Met Council staff. The Planner anticipates that, if an application is made, the response time will be toward the faster end of that range.

*Motion* by Krebs to forward to the City Council the Waldoch/Joyer application for a comprehensive plan amendment to change the land use of two (2) parcels (68.88 acres) of land from a Rural Residential land use to a Commercial/Industrial land use with a recommendation for approval based on the findings of fact and recommendations from the Planner's memo dated August 11, 2015. Second by Watson. Motion carried.

*Motion* by Krebs to forward to the City Council the Waldoch/Joyer application for rezoning a section of land parcels (68.88 acres) from Rural Residential to Commercial/Industrial zoning with a recommendation for approval based on the findings of fact and recommendations from the Planner's memo dated August 11, 2015. Second by Sternberg. Motion carried.

### **Findings of Fact – Comprehensive Plan Amendment and Rezoning Application**

1. The applicants submitted complete applications for a rezoning on June 2, 2015 and CPA on June 26, 2015.
2. The 60-day review deadline on the rezoning is August 2, 2015, which was extended to the 120-day review deadline on September 30, 2015.
3. The 60-day review deadline on the CPA is August 26, 2015, which will be extended to the 120-day review deadline on October 25, 2015.
4. The applicants will be asked to voluntarily extend the Columbus 120-day review periods in order to accommodate the additional 120-day CPA review required by the Metropolitan Council.
5. The Waldoch property application includes approximately 38.56 acres located in the Southwest Quarter of the Northwest Quarter of Section 33, Township 32, Range 22, lying westerly of property along Lake Drive.
6. The Joyer property application includes the East 30 acres of the Northwest Quarter of the Southwest Quarter of Section 33, Township 32, Range 22, lying westerly of property along Lake Drive.
7. Both properties are currently designated Rural Residential in the Comprehensive Plan and zoned Rural Residential.
8. The applicants are seeking a Comprehensive Plan land use re-designation and rezoning to Commercial/Industrial.
9. Both properties are contiguous to properties currently designated Commercial/Industrial in the Comprehensive Plan and zoned Commercial/ Industrial along Lake Drive and owned by respective family members.
10. The westerly 10 acres of the Joyer property, abutting Zodiac Street, is proposed to remain Rural Residential.
11. The proposed CPA and rezoning on the combined properties are for a Comprehensive Plan re-designation and Zoning Ordinance reclassification from Rural Residential to Commercial/Industrial of approximately 69 acres.
12. The Planning Commission and City Council previously approved non-binding, concept review of the proposed land use re-designation and rezoning.
13. There are no formal applications for the proposed use of either property.
14. Future uses of the properties will be limited to uses allowed in the Commercial/Industrial Zoning District and will likely involve future subdivisions and/or combinations of properties owned by each family.
15. CPA consideration is contingent upon review by adjacent communities, Anoka and Washington counties, Rice Creek Watershed District, the Forest Lake School District, and the Metropolitan Council.
16. The Metropolitan Council will not accept a CPA for review without conditional approval of the proposed amendment by the City Council.

17. The Metropolitan Council will not commence review of a proposed CPA until 60 days after the referral of the CPA has been made to adjacent communities and other review authorities, unless a comment letter or comment waiver is received from entities all prior to the 60-day period.
18. Rezoning consideration is contingent upon approval of the CPA.
19. The Planning Commission held public hearings on the CPA and rezoning on August 19, 2015.

### **Comprehensive Plan Amendment Recommendation**

Attached are copies of Comprehensive Plan Amendment 2015 (CPA 2015), which includes a CPA Narrative; Figure 7 from the 2030 Columbus Comprehensive Plan, which identifies the current location and property designations as Rural Residential; Figure 7B, which identifies the proposed property re-designations from Rural Residential to Commercial/Industrial; a proposed 'comment waiver' form for review authorities.

[Note: The Narrative was written for adjacent community referral prior to the 8/19 Planning Commission meeting. It will be rewritten for distribution after the 8/26 City Council meeting. Also, if the City Council approves the CPA, a Metropolitan Council CPA form will also be included in the formal submittal to the Metropolitan Council.]

If the Planning Commission wishes to advance the CPA or rezoning applications, it must make formal recommendation to the City Council to approve CPA 2015, contingent upon Metropolitan Council review; otherwise, amend the Findings of Fact, and recommend denial.

### **Rezoning Recommendation**

Attached is a copy of a draft Zoning Ordinance amendment, which will rezone the Waldoch/Joyer properties from RR Rural Residential to C/I Commercial/Industrial.

If the Planning Commission has recommended approval of CPA 2015, it must make formal recommendation to the City Council to approve the rezoning of the Waldoch/Joyer properties from RR Rural Residential to C/I Commercial/Industrial contingent upon final approval of CPA 2015; otherwise, amend the Findings of Fact, and recommend denial.

This matter will go before the City Council at their next meeting: August 26<sup>th</sup> at 7 p.m.

### **CONTINUED WORKSHOP DISCUSSION:**

#### **Commercial District Policy Questions**

- **Should the City allow a residential use on a commercial zoned property with a new commercial use?**

This will be an issue at an upcoming hearing. Mursko reminded PC members that their next meeting is September 2<sup>nd</sup>. The only item on that agenda is a public hearing for the lighting ordinance. That meeting would give them an opportunity to talk about the zoning districts they were looking at in other communities. On Thursday, September 10<sup>th</sup> PC members are asked to attend the workshop with freeway district landowners. The September 16<sup>th</sup> PC meeting will include a public hearing for Kinsella Acres. This is a plat owned by City View Electric. On their

application they are asking if they can keep the existing house as a residence on the commercial property.

As discussed at the last meeting, this issue has come up repeatedly: that a business wants to buy the property, but does not want to tear down the house. They want to rent it out. Currently the City says once the property is sold to a commercial use, the residence must be torn down. We do not allow for a dual use. We have required a number of businesses to tear down the old house. We need consistency in this area. It is a policy decision.

After lengthy discussion, the PC agreed that they would recommend to the CC that a residential use should not be allowed on a commercial zoned property with a new commercial use. Allowing such a dual use does not further the goal for this district.

A second question was raised during discussion: **Should the City allow conversion of an existing home to a commercial use in this area, if a commercial buyer agrees to convert the home to commercial space, meeting design standards and code regulations for commercial property?**

There was discussion about how to enforce against abuses and continuing residential use. This has been a problem in the past. Suggestions were made about including a condition to the CUP that once converted to commercial use, the home cannot be used as a residence. Commercial handicapped accessibility standards would need to be met. Part of the conversion could require removal of kitchen, laundry and other areas more suited to a residence.

After lengthy discussion, the PC agreed to ask the CC if they want to pursue a method of allowing conversion of an existing home to commercial use at the point of sale, as long as design standards and commercial code regulations are met.

#### **PUBLIC OPEN FORUM**

There was no topic raised for discussion for Open Forum.

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

Mursko had nothing to report.

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

No reports.

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

Preiner is scheduled to attend the City Council meeting on August 26, 2015.

*Motion* by Krebs to adjourn. Second by Watson. Motion carried.

Meeting adjourned at 9:25 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary