

**City of Columbus
Regular Planning Commission Meeting
February 17, 2016**

The February 17, 2016 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; Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council member Denny Peterson; Jim Faulkner, Dorothy Staples, Myron Organ, Lewis Martin, Mary Preiner, and Pat Preiner.

AGENDA APPROVAL

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

**APPROVAL – 14461 LAKE DRIVE NE (KINGHORN CONSTRUCTION) CUP
AMENDMENT APPLICATION PUBLIC HEARING MINUTES OF FEBRUARY 3, 2016**

Motion by Preiner to approve the minutes from the 14461 Lake Drive, NE (Kinghorn Construction) CUP Amendment Application Public Hearing held on February 3, 2016. Second by Krebs. Motion carried.

APPROVAL - REGULAR PC MEETING MINUTES OF FEBRUARY 3, 2016

Motion by Wolowski to approve the minutes of the February 3, 2016 regular Planning Commission meeting as written. Second by Watson. Motion carried.

**PUBLIC HEARING – 13932 LAKE DRIVE NE (VERIZON WIRELESS) CUP
AMENDMENT APPLICATION (PC-16-104)**

At this time a public hearing was held to receive testimony regarding a CUP amendment application request for 13932 Lake Drive N.E., Columbus, MN for a 139-foot communications tower. The applicant is Verizon Wireless. Separate minutes are prepared.

**13932 LAKE DRIVE NE (VERIZON WIRELESS) CUP AMENDMENT APPLICATION
DISCUSSION**

Motion by Krebs to forward to the City Council the Verizon Wireless CUP amendment application at 13932 Lake Drive NE, to permit construction of a 139-foot communications tower with a recommendation for approval based on the findings of fact and permit conditions from the Planner’s memo dated February 12, 2016, with revision to Finding of Fact #20, as noted below, increasing the number of arborvitae plantings from nine to sixteen. Second by Sternberg. Motion carried.

This matter will go before the City Council at their meeting on February 24th.

Findings of Fact

- 1) The City approved a similar Conditional Use Permit (“CUP”) application for Verizon Wireless (“Verizon”) on January 14, 2015.

- 2) Verizon was unable to commence construction of the wireless communications facility within twelve months of approval and resubmitted a CUP application on December 23, 2015.
- 3) The 60-day review (February 21, 2016 deadline) has been extended to 120 days (April 21, 2016), due to holiday and applicant scheduling conflicts.
- 4) The 130-foot-tall communications tower is proposed to be located on property owned by Sizzler Properties, LLC, located at 13932 Lake Drive and legally described as the North 220 feet of the South 440 feet of the South Half of the Northeast Quarter of Section 33, Township 32, Range 22, lying westerly of CSAH 23 (“Property”).
- 5) The Property is zoned C/I Commercial/Industrial.
- 6) Communications facilities are conditional uses in the C/I District.
- 7) Verizon is leasing a 60 feet by 60 feet easement area, approximately 750 west of Lake Drive, for the proposed wireless communications facility.
- 8) The proposed wireless communications facility includes waterproof equipment cabinets, back-up generator, propane tank, miscellaneous equipment and the tower.
- 9) The proposed tower is a galvanized steel monopole design with an additional 9-foot-tall lightning rod.
- 10) The tower and equipment area will be enclosed by security fencing.
- 11) The monopole is designed to accommodate the Verizon wireless communications antennae and two additional users.
- 12) The monopole is proposed to be unpainted galvanized steel.
- 13) The monopole is designed to buckle or fold above midpoint in the event of extraordinary, catastrophic winds causing structural failure. If separation occurs, the pole section will fall within 25% of the pole height or within 32 feet of the base of the tower. The monopole will be set back 39 feet from the property line.
- 14) There are no special height restrictions or lighting requirements with respect to federal aviation standards.
- 15) The proposed communications facility and site work have been reviewed by Rice Creek Watershed District and require no permitting.
- 16) Verizon has submitted a determination of need for the proposed communications facility.
- 17) The proposed communications tower and facility are designed for non-interference with personal or public communications, broadcasting, computing or other electronic systems.
- 18) The site improvements and communications tower will be constructed according to federal standards and engineering specifications and “Verizon Wireless MINC Aragorn New Build” plan sheets, dated August 8, 2014, with revisions dated through January 22, 2016.
- 19) The Property abuts a Rural Residential Zoning District on the westerly side. There are no existing residences within the Commercial/Industrial Zoning District located within 150 feet of the lease area on the Property.
- 20) Landscape plans for screening on the westerly side of the lease area illustrate plantings of **nine sixteen** 6-foot-tall arborvitae (Plan Sheets A-2, A-2.1, A-2.2). The proposed landscape plans are consistent with the recently adopted residential screening requirements in Section 7A-800 K. of the City Code.
- 21) The Planning Commission held a public hearing for the proposed wireless communications facility CUP on February 17, 2016.

Permit Conditions

Consideration for issuance of a Conditional Use Permit to Verizon for a wireless communications facility should include the following minimum conditions:

- 1) The wireless communications facility's design, construction, and operation shall be consistent with all federal, state, and local laws, rules, regulations and ordinances.
- 2) The site improvements and communications facility tower shall be constructed according to federal standards and engineering specifications and "Verizon Wireless MINC Aragorn New Build" plan sheets, dated August 8, 2014, including plan revisions through January 22, 2016, submitted with and including the permit application, received December 23, 2015.
- 3) Approved landscaping shall be installed in 2016 and shall be maintained and/or replaced throughout the duration of the CUP.
- 4) Verizon shall obtain all other necessary permits and approvals, including but not limited to building permits, electrical permits, stormwater and erosion control permits, and federal permits and licenses, prior to any site work or construction.
- 5) Verizon may allow other wireless communications antennae users on the communications tower, subject to the requirements of the Columbus City Code and an amendment to the CUP.
- 6) The operation of any wireless communications tower, antennae, and equipment shall not interfere with the operation of any other communication devices, radio or television transmissions, electronic equipment or similar devices.
- 7) The communications tower or antennae shall not be lighted unless required by state or federal regulations.
- 8) There shall be no signage on the communication tower, antennae or lease property other than company identification and equipment signs and "warning" or "danger" or similar signs, as may be required.
- 9) The monopole shall be constructed of galvanized steel and shall not be painted.
- 10) Verizon shall allow access to the wireless communications facility on the Property by the City's representatives, or other local, state or federal officials and agents, upon reasonable notice and in the company of a competent site representative, to inspect permitted facilities and site conditions, at intervals chosen by the City.
- 11) The communications facility tower and other improvements shall be removed from the Property upon termination of the Verizon lease or upon cessation of operations of the communications facility, whichever occurs first.
- 12) Remedies for any violation of the CUP or City code shall be consistent with the provisions of the City Code and available by State law.
- 13) Verizon shall reimburse the City for all out-of-pocket expenses incurred in the review, approval, permitting and enforcement of the CUP.

DISCUSSION – SENIOR HOUSING DEVELOPMENT STANDARDS (2ND VERSION)

Planner Johnson noted the presence of Jim Faulkner, who is working with the Preiners on another component of senior housing including both unassisted or independent living senior apartments, and assisted living. Johnson said he had the opportunity to go through the draft conditions with Mr. Faulkner, including revisions discussed with Byron Westlund present at the last meeting, regarding the single-family product in development. Faulkner agreed that he could

work with the standards in the revised version. Johnson outlined the revisions made per the last discussion. He also created a new section entitled Association Managed Multiple Family Dwellings. Design standards that were revised for detached dwellings were similarly revised for attached dwellings. He added language, per discussion with Mr. Faulkner, that the percentage of required exterior materials may be modified by the City when the use of shutters, window grids, gable ends returns, and similar architectural enhancements are incorporated in the exterior building design. Because the PUD language doesn't allow modification of particular standards related to either parking or design, we want to get those down now. This new language addresses the fact that minor treatments can have a dramatic impact on what we see as quality of the building. Language was also changed regarding parking, based on Mr. Faulkner's input. For association managed multi-family dwellings, garage parking was reduced from 1 stall per unit to ½ stall per unit. Minimum unit sizes were also reduced.

Jim Faulkner, of Faulkner Properties, LLC, 2350 County Road J, White Bear Lake, will be the developer on the independent living and assisted living components of the Preiner project. He said he has been in the business 30 years. They have done eleven of these types of developments, including ones in North Branch, Fridley, and White Bear Lake. Their developments have stayed small and specialized. He has partnered with the Preiner family to select a site and to develop the project as a hybrid. Mr. Faulkner showed PC members a draft site proposal with two two-story independent living apartment buildings and one single-floor assisted living building. PC members asked questions about layout, parking, and internal and exterior security.

Sternberg asked why the proposed draft includes a maximum height of four stories for association managed multiple family dwellings and assisted living multiple family dwellings. He asked why five stories wouldn't be allowed. Mr. Faulkner said he doesn't own and operate those kinds of projects. He also cited market studies which indicate the demand would not support buildings of that size. Sternberg said he understands that for this project, but questioned whether the ordinance ought to allow for five stories.

The Planner said four stories is the common standard in other ordinances. He also said the sprinkling, fire pressure issues, and fire protection limitations would need to be considered. He said he would like to get the input of City Administrator Mursko and the fire department. PC members want to move forward with the maximum height changed from four to five stories in order to get this draft ordinance to the CC. If Mursko or the fire department raise a public safety concern, it can be reduced back to four stories. A lettering error in the assisted living portion of the current draft was also noted. That will be corrected.

Krebs asked Mr. Faulkner if there is anything he would like to see changed from the current proposed draft. He said no; the draft is very acceptable to his company.

Motion by Krebs to forward to the City Council a third draft of the Senior Housing development Standards to be completed by Planner Johnson, incorporating the changes he proposed in Draft 2, correcting the lettering errors discussed, and changing the maximum height for association managed multiple family dwellings and assisted living multiple family dwellings from four to five stories. Second by Watson and Wolowski. Motion carried.

PUBLIC OPEN FORUM

There was no topic raised for discussion for Open Forum.

CITY ADMINISTRATOR'S REPORT

In City Administrator Mursko's absence, due to attendance at a legislative event, Planner Johnson reported there will be four or five public hearings at the next PC meeting on March 2nd. Two or three are variance applications, one is a rezoning request, and one is an IUP amendment application.

PLANNING COMMISSION MEMBERS' REPORT

KREBS COMMENT:

Krebs asked everyone to please attend the caucus on March 1st at City Hall.

STERNBERG COMMENT:

Sternberg said his wife saw notice of a meeting at a church in Circle Pines to discuss construction of the 97 bridge. He did not know the details and said he would get them and contact PC members.

ATTENDANCE - NEXT CC MEETING

Wolowski is scheduled to attend the City Council meeting on February 24, 2016.

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

Meeting adjourned at 8:21 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary