

**City of Columbus
Regular Planning Commission Meeting
November 19, 2014**

The November 19, 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, and Recording Secretary Karen Boland.

Also in attendance were City Council members Denny Peterson and Bill Krebs; Dawn Beutel, Derek Mann, Joshua and Kathryn Patrick, Pat Preiner, and Mary Preiner.

AGENDA APPROVAL

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

APPROVAL – BROADWAY ACRES PRELIMINARY PLAT APPLICATION PUBLIC HEARING MINUTES OF NOVEMBER 5, 2014

Motion by Preiner to approve the minutes from the Broadway Acres Preliminary Plat Application Public Hearing held on November 5, 2014 as written. Second by Krebs. Motion carried.

APPROVAL – GADSDEN ACRES PRELIMINARY/FINAL PLAT APPLICATION PUBLIC HEARING MINUTES OF NOVEMBER 5, 2014

Motion by Wolowski to approve the minutes from the Gadsden Acres Preliminary/Final Plat Application Public Hearing held on November 5, 2014 as written. Second by Krebs. Motion carried.

APPROVAL – 14331 LAKE DRIVE (CITY VIEW ELECTRIC) CUP AMENDMENT APPLICATION PUBLIC HEARING MINUTES OF NOVEMBER 5, 2014

Motion by Daly to approve the minutes from the 14331 Lake Drive (City View Electric) CUP Amendment Application Public Hearing held on November 5, 2014 as written. Second by Wolowski. Motion carried.

APPROVAL - REGULAR PC MEETING MINUTES OF NOVEMBER 5, 2014

Motion by Krebs to approve the minutes of the November 5, 2014 regular Planning Commission meeting as written. Second by Preiner. Motion carried.

PUBLIC HEARING – 7931 178TH AVENUE N.E. VARIANCE APPLICATION (PC-14-112)

At this time a public hearing was held to receive testimony regarding a variance request for 7931 178th Avenue N.E., Columbus, MN. The applicant and property owner is Joshua L. Patrick. Separate minutes are prepared.

7931 178TH AVENUE N.E. VARIANCE DISCUSSION

Krebs noted that the City Building Official submitted a letter indicating that he recommends acceptance of the variance at this location.

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? **Yes.**

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

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? **High water table and the lack of 12” mottled soil.**

Question #2: How is it not like other pieces of property? **Same as above.**

Question #3: Did the landowner create the circumstances? **No.**

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

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.**

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

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?

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? **No.**

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

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?

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.

Planning Commission Recommendation:	Approval: 11/19/14
(Insert dates of action)	Denial:
City Council Action:	Approval:
	Denial:

Motion by Krebs to forward to the City Council the application for a variance for the property at 7931 178th Ave. NE, to permit and construct a mound type septic system of “other construction” to replace an existing failing system with a recommendation for approval based on findings that the Zoning Ordinance causes a practical difficulty. Second by Preiner. Motion carried.

This matter will go before the City Council at their next meeting, which will be held Monday, November 24th at 7 p.m.

Mursko told the PC that the City has been informed by the Minnesota Pollution Control Agency (MPCA) that the City septic system ordinance has to match or be as restrictive as the Anoka County ordinance. There is a checklist of 22 items that we are required to have in our ordinance. The City Attorney and Building Official have been working on that. A proposed new septic system ordinance will be on the CC agenda Monday night. The recommendation is that it be sent to the MPCA for approval. It would then come back to the City for adoption. That ordinance will include a procedure for the type of situation the Patricks have, so that, if applicants meet the criteria and findings of the ordinance, this type of variance would be handled administratively in the future.

CONCEPT REVIEW: EQUIPMENT TRANSPORT LEASING, INC.

Mursko clarified that this is a non-binding concept review. The owner wants to get a feel for the PC and CC’s thoughts on the proposal before applying for a CUP.

Derek Mann is the owner of Equipment Transport Leasing, Inc. They are currently located at 5830 240th Street in Forest Lake and employ 30-35 people. There are another 70-80

owner/operators that pull company trailers. They do heavy haul work for contractors in town, and sand and gravel hauling. So, there are side dumps and belly dumps. The majority of owner/operators take their trailers home at night. They would like a place to build a new office and shop, and to store equipment when it's not being used.

The property being considered for purchase is at 14045 Lake Drive. The lot is a long flag lot. A one-acre lot, with a home on it, juts into the lot. The property to the north is a residence, with a business next to that. On the south side is Bald Eagle Erectors, leasing from Graffco. The property has its own driveway. The back of the property is basically wetland. Mr. Mann said the front 7.4 acres is the only buildable part of the land. He has not yet spoken to the homeowner on the one-acre lot that juts into the land. He'd like to find out if they're interested in selling that lot. Screening was discussed if that home stays. Mann said he likes what EGM has done. He also said there are big pine trees currently around that one-acre property.

Mann would like to build a 9-10,000 square foot concrete tip-up style building for the shop, with a two-story office off the front. Ideally, he would like to start construction by the end of next summer. He must be out of his current location by the fall of 2016. By that time, he believes he will have about 40 employees.

Krebs clarified that Mann has seen the Planner's Concept Plan Summary and Preliminary Requirements. She noted the property address is stated incorrectly in the first point of that summary. The PIN number is correct.

Storage was discussed. Mann owns 100 trailers and 35 trucks. In winter, these would be stored on the property. In summer, most owner/operators take units home. He said he usually has about six dirt trailers in the yard, with a maximum of about 12. He hopes to do a concrete parking lot by the building and a recycled base in the back.

Potential hours were discussed. Mann said it is likely the office would close by 5:30 or 6 p.m. Mechanics are done and contractors are back by 6 or 7 p.m.

All PC members were in favor of the concept plan. They recommend screening be kept in mind for any neighboring homes.

Mann and Mursko will discuss a possible time for the concept plan to go before the Council, as he is supposed to be out of town on Monday the 24th. Mursko said after the CC gives its feedback, it is up to Mann when to apply for a CUP. A CUP is not needed for the house demolition or for grading. Beyond that, a CUP is needed. It is beyond the season for doing wetland delineation, though Rice Creek may have some history on the property. For the CUP, the company will have to find out if Rice Creek requires any permit for future building.

PUBLIC OPEN FORUM

There was no topic raised for discussion for Open Forum.

CITY ADMINISTRATOR'S REPORT

The next CC meeting will be held on Monday, November 24th, because of the upcoming Thanksgiving holiday. From 4:30 to 6:30 of that evening there will be an Open House for recently retired Public Works Superintendent Jim Fraley.

Mursko told PC members that the Council is discussing whether PC meetings should be videotaped and put on television. There will be further discussion by the cable commission as to whether they have the resources to cover the meetings, and whether there would be a cost to the City.

PC members were not in favor of videotaping the meetings. Some stated reasons were that, as an advisory board they are fact finding and do not make critical decisions, the meetings are open to the public, and they would not want any additional expense related to videotaping.

PLANNING COMMISSION MEMBERS' REPORT

PREINER COMMENT:

Preiner commended Wolowski on doing a good job representing the PC at the last CC meeting.

ATTENDANCE - NEXT CC MEETING

Daly is scheduled to attend the City Council meeting on November 24, 2014.

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

Meeting adjourned at 7:38 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary