

**City of Columbus  
Regular Planning Commission Meeting  
November 5, 2014**

The November 5, 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, Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council member Bill Krebs, Myron Organ, Chuck Plowe, Blake Rivard, Mark and Jackie Kotchen, Mike and Theresa Nelson, Jim and Deb Kelly, Mary Preiner, and Pat Preiner.

**AGENDA APPROVAL**

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

**APPROVAL – 7615 CAMP 3 ROAD VARIANCE APPLICATION PUBLIC HEARING MINUTES OF OCTOBER 1, 2014**

*Motion* by Wolowski to approve the minutes from the 7615 Camp 3 Road Variance Application Public Hearing held on October 1, 2014 as written. Second by Krebs. Motion carried.

**APPROVAL - REGULAR PC MEETING MINUTES OF OCTOBER 1, 2014**

*Motion* by Krebs to approve the minutes of the October 1, 2014 regular Planning Commission meeting as written. Second by Wolowski. Motion carried.

**PUBLIC HEARING – BROADWAY ACRES PRELIMINARY PLAT APPLICATION (PC-14-109)**

At this time a public hearing was held to receive testimony regarding a preliminary plat application request for Broadway Acres, subdividing one lot into two lots. The property owner and applicant is Ann Miller. Separate minutes are prepared.

**BROADWAY ACRES PRELIMINARY PLAT APPLICATION DISCUSSION**

It was noted that the septic system meets requirements and has been approved by the City Engineer.

*Motion* by Daly to forward to the City Council the application for a preliminary plat for Broadway Acres, subdividing one lot into two, with a recommendation for approval based on the findings of fact and recommendations from the Planner's memo dated October 24, 2014. Second by Sternberg. Motion carried.

**Findings of Fact**

1. The preliminary plat application received on September 12, 2014 was found complete for review.
2. The 120-day preliminary plat review deadline is January 10, 2015.
3. There are a total of 19.68 acres in the proposed plat, which is located north of Broadway Avenue (CSAH 18), at the intersection of Furman

- Street NE, in Section 3, Township 32, Range 22.
4. The property is zoned RR Rural Residential.
  5. Two residential lots are proposed. There are no existing dwellings within the property.
  6. The density of the proposed development is one home per 9.8 acres, which is consistent with the Comprehensive Plan and Zoning Ordinance.
  7. Both proposed lots exceed the minimum lot area of 5.0 acres and exceed the minimum street frontage of 220 feet. All other dimensional standards and setback requirements can be met.
  8. Soil boring locations are illustrated on the preliminary plat.
  9. Wetland delineations and floodplain elevations are noted on the preliminary plat.
  10. The wetland and floodplain areas are protected with drainage and utility easements at least one rod beyond the delineated wetland boundaries. Drainage and utility easements are also located adjacent to all property lines.
  11. The wetland delineations and floodplain elevations are subject to review by the Sunrise River WMO.
  12. There are no Shoreland areas located within the plat.
  13. The apparent home locations can allow accessory structures to be placed “behind” the principal structure.
  14. Driveway access permits and plat review are required by Anoka County.
  15. Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.
  16. The Planning Commission held a public hearing on the Broadway Acres Preliminary Plat on November 5, 2014.

### **Recommendations**

Based upon the above Findings of Fact, the preliminary plat should be approved subject to the following:

1. Recommendations of the City Engineer, including confirmation of SSTS suitability.
2. Title review and recommendations of the City Attorney.
3. Recommendations from Anoka County Highway Department and Survey Department.
4. Recommendations of the Sunrise River WMO.
5. Permanent wetland buffer plaques at intervals determined by the City.
6. Cash in lieu of park land dedication requirements.
7. Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.

This matter will go before the City Council November 12<sup>th</sup>.

### **DISCUSSION – EAST ANOKA COUNTY REGIONAL TRAIL MASTER PLAN**

The Planner directed PC members to the East Anoka County Regional Trail Master Plan Amendment, and reported that in the approved City Comprehensive Plan, the City identified the

regional trail corridor. That's one of the requirements for local plans, to be consistent with regional plans. Anoka County identified Lexington Avenue as the corridor for this particular trail segment. This amendment, prepared by the County, refines the location of the trail to actually enter the County Park and cross into Linwood Township in a slightly different location than Lexington Avenue. That's the only change, but it does require the County to submit an amendment to their regional park plan. The time frame for the trail is not determined. It is not in the County's Capital Improvement Plan. When Columbus updates its Comp Plan in the next three years, it will be changed to show the slight location adjustment.

Sternberg asked if this trail will be a stand-alone trail or a shoulder on Lexington. Johnson said that depends on cooperation with local communities. If communities have concerns about a shoulder trail and are looking at an off-road trail based on traffic volumes, population density, etc., then the County will look to the City to provide the right-of-way.

Preiner asked what the expected financial responsibility will be for Columbus. The City Administrator and Planner said there is no financial expectation for Columbus, unless the City requests a design change. Mursko said the City owns two lots on Coon Lake that this trail will go past. The only expense she could see long-term, is if, at some point, the City wants to take the opportunity to put in a boat ramp or launch or fishing pier on those lots.

#### **PUBLIC HEARING – GADSDEN ACRES PRELIMINARY/FINAL PLAT APPLICATION (PC-14-110)**

At this time a public hearing was held to receive testimony regarding a preliminary/final plat application request for Gadsden Acres, combining four lots of record. Separate minutes are prepared.

#### **GADSDEN ACRES PRELIMINARY/FINAL PLAT APPLICATION DISCUSSION**

Johnson suggested that a finding #15 might be added, stating that a revised preliminary plat with 6000 square feet SSTS area identified was dated and received on November 5, 2014. The Engineer has a follow-up letter indicating that he's reviewed this revised plat, including the additional soil borings for the expanded area, and it's consistent with our requirements.

*Motion* by Krebs to forward to the City Council the application for a preliminary/final plat for Gadsden Acres, combining four lots of record, with a recommendation for approval based on the findings of fact and recommendations from the Planner's memo dated October 23, 2014, with the addition of Finding #15, as noted below; and based on the City Engineer's November 5, 2014 indication of approval. Second by Wolowski. Motion carried.

#### **Findings of Fact**

1. The combined preliminary and final plat application, received on September 16, 2014, was found complete for review.
2. The 120-day combined plat review deadline is January 14, 2015.
3. The proposed plat is a replat of Lots 14-16 and the northerly 50 feet of Lot 17, Wills Addition, Section 28, Township 32, Range 22.

4. The property abuts Lake Drive (CSAH 23).
5. The vacant property is zoned C/I Commercial/Industrial.
6. Platting of the property will create a single 3.17-acre parcel.
7. The proposed lot area and lot width are consistent with the C/I District dimensional standards.
8. A CAPROC was issued by Rice Creek Watershed District on September 24, 2014.
9. There are no wetlands on the property.
10. A primary and secondary SSTS area is identified on the preliminary plat. Soil borings have been received.
11. The proposed plat is not affected by either Shoreland or Floodplain management standards.
12. Drainage and utility easements are located adjacent to all property lines.
13. The Planning Commission held a public hearing on the Gadsden Acres Preliminary Plat on November 5, 2014.
14. The Final Plat for Gadsden Acres is consistent with the Preliminary Plat.
15. **A revised preliminary plat, with 6000 square feet SSTS area identified, was dated and received on November 5, 2014.**

### **Recommendation**

Based upon the above Findings of Fact, the Planning Commission recommends approval of the Gadsden Acres Preliminary Plat and Final Plat, subject to the following:

1. Recommendations of the City Engineer, including confirmation of SSTS suitability.
2. Title review and recommendations of the City Attorney.
3. Cash in lieu of park land dedication requirements.
4. Recommendations of Anoka County Survey and Highway Departments.
5. Recommendations of Rice Creek Watershed District.
6. Future development in the plat is subject to local ordinances and permitting requirements.

This matter will go before the City Council November 12<sup>th</sup>.

Jim Kelly explained that he owns a small trucking company, and they plan to use this lot to use as a trucking terminal repair facility. There are currently five employees.

### **PUBLIC HEARING – CITY VIEW ELECTRIC CUP AMENDMENT APPLICATION – 14331 LAKE DR. NE (PC-14-111)**

At this time a public hearing was held to receive testimony regarding a request by City View Electric, for a CUP amendment to allow one additional storage building at 14331 Lake Drive NE, Columbus, MN. Separate minutes are prepared.

## **CITY VIEW ELECTRIC (14331 LAKE DR. NE) CUP AMENDMENT APPLICATION DISCUSSION**

*Motion* by Krebs to forward to the City Council the application for a CUP amendment for City View Electric to allow one additional storage building at 14331 Lake Drive NE, with a recommendation for approval based on the findings of fact and recommendations from the Planner's memo dated October 28, 2014, with a change to Recommendation #14 to reduce the number of striped parking spaces from 17 to 10, and with changes to correct the sequential numbering of the last three Recommendations, as noted below. Second by Preiner and Daly. Motion carried.

### **Findings of Fact**

[Note: the chronology of the CUP on this property preceding City View Electric is contained in PC14-106, July 23, 2014 City Council Minutes]

1. City View Electric, Inc. ("City View") acquired property located at 14331 Lake Drive, legally described as the south 200 feet of Lot E3 and all of Lot E4, Will's Addition ("Property"), in 2013 to operate a contractor shop under an existing CUP.
2. The Property is zoned C/I Commercial/Industrial.
3. The C/I District allows building trades and contractor offices, including storage of vehicles, equipment, and materials, as a conditional use.
4. City View is a commercial electrical contractor with a home office in St. Paul and the Property is used for office space, vehicle and equipment parking, parts storage, and minor company equipment and vehicle repair. There is typically one full time employee at the Property.
5. The CUP was amended on July 23, 2014 to allow City View to construct a 5000 square feet equipment and materials storage building (Phase 1) on the Property, north of the existing building.
6. The CUP also identified a future 5000 square feet office building (Phase 2) for approximately 15 employees, to be located to the north of the Phase 1 building addition.
7. City View has also acquired Lot 10, except the northerly 25 feet, and Lots 11 - 13, Will's Addition, adjacent to the Property on the westerly side, and will ultimately combine all properties and construct an office building on the expanded property with direct access to Lake Drive.
8. The current CUP amendment application, dated October 9, 2014, is to allow the original proposed Phase 2 building to be used for equipment and materials storage, rather than office use.
9. The 60-day review deadline is December 8, 2014. The 120-day review deadline, if necessary, is February 6, 2015.
10. The proposed Phase 2 building will be located on the Property, as illustrated on the May 21, 2014 site plan prepared by E. G. Rud & Sons, Inc.
11. Access to the proposed Phase 2 building is from the existing service drive.
12. The proposed Phase 2 building is located a minimum of 70 feet from the westerly property line (interpreted as a rear yard), 25 feet from the northerly property line (interpreted as a side yard), and approximately 125 feet northeasterly of the Phase 1 building.

13. The proposed Phase 2 building will be a steel frame building with building exteriors and colors to match the Phase 1 building.
14. The total aggregate impervious surface area on the Property after the proposed Phase 2 building addition is well below the maximum lot coverage.
15. General City View hours of operation are 6:00 a.m. to 6:00 p.m. on weekdays and occasional weekends and evenings.
16. Outdoor vehicle, equipment, and material storage by City View will be located between buildings and east of the buildings.
17. Parts may also be stored in the existing outbuilding.
18. There are no proposed signage plans at this time.
19. The relevant conditions of the 2003 Buetow CUP, 2004 CUP Amendment, 2012 CUP Amendment, 2013 CUP Amendment, and 2014 CUP Amendment remain in effect.
20. The Planning Commission held a public hearing on November 5, 2014 to consider the proposed City View CUP amendment.

### **Recommendations**

[NOTE: The relevant conditions from the 2003, 2004, 2012, 2013, and 2014 CUPs are combined together here].

Based upon the above Findings of Fact, the Planning Commission recommends to the City Council approval of the City View Electric, Inc. CUP Amendment, with the following conditions:

1. Access to the Property is subject to jurisdiction by Anoka County.
2. Exterior storage of equipment and materials shall be located between the storage buildings and to the east of the storage buildings.
3. Equipment and material storage areas shall not occupy any parking areas, stormwater or wetland areas, or sewage treatment areas.
4. Additional businesses, expansion or intensification of proposed contractor's business from what has been presented to date, including development or use of Lots 10 – 13, Will's Addition, shall require an amendment to the Conditional Use Permit.
5. All exterior lighting shall be shrouded and directed away from adjacent properties and public streets.
6. All refuse must be stored in a building, trash transport (dumpster), or in covered cans. Any outdoor storage area shall be enclosed on all four sides by screening, compatible with the exterior of the building, not less than two (2) feet higher than the refuse container.
7. The hours of operation for City View shall not exceed 6:00 a.m. to 6:00 p.m. Monday through Friday, with periodic use allowed on weekends and evenings.
8. Residential use of the Property is prohibited.
9. The parking areas to the west of the buildings must be used only for short-term employee and/or customer parking.
10. Any hazardous materials used or hazardous wastes generated on the Property shall be in compliance with federal, state, and county permitting and licensing requirements.
11. The operation of the contractor's shop must be consistent with all local, Federal, and State laws that apply to the use of the Property.

12. In the event the City Council determines, in its sole discretion, that the contractor's shop is not being operated in accordance with any term or condition contained herein, the CUP may be revoked by the City upon proper notice and a hearing. The City shall notify regulatory authorities that have issued licenses or permits in connection with the Conditional Use Permit of any such revocation.
13. City View shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the CUP, including reasonable attorneys' fees and consultant fees.
14. There must be a total of ~~17~~ **10** striped parking spaces on the property.
15. All buildings must be complementary in appearance with each other.
16. The November 2014 CUP Amendment authorizes the proposed Phase 2 5000 square feet building addition to be used for equipment and materials storage, consistent with the May 21, 2014 site plan prepared by E. G. Rud & Sons, Inc., and consistent with detailed building plans approved by the City Building Official.
17. The CUP Amendment does not eliminate the requirement for obtaining any other permits and approvals as may be required by City, watershed, county, or state laws, rules, ordinances, and policies, including but not limited to grading permits, building permits, plumbing permits, electrical permits, stormwater permits, sign permits, water appropriation permits, and sewage treatment system permits.
18. City View shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP amendment, including any subsequent inspection and enforcement actions.

This matter will go before the City Council on November 12, 2014.

#### **DISCUSSION – EAST ANOKA COUNTY REGIONAL TRAIL MASTER PLAN – continued**

There was further discussion of Anoka County Regional Trail Master Plan Amendment and potential cost to the City. The document shows an estimated cost of just under \$13 million for the 22-mile trail project. PC members expressed some concern that the City would be required, at some point, to pay for or contribute to costs for trail maintenance based on the Joint Powers Agreement. The Planner reiterated that no action is required by the City. The amendment will need to be reflected in the City Comp Plan regardless of whether or not we want the trail.

*Motion* by Preiner to forward to the City Council the Anoka County Regional Trail Master Plan Amendment with no recommendation for whether or not to accept the Resolution of Support, and suggesting the Council, before making their decision, note page 13 paragraphs 2 and 3, and the estimated cost on page 10. Second by Krebs. Motion carried.

#### **PUBLIC OPEN FORUM**

There was no topic raised for discussion for Open Forum.

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

Mursko reported that there are two applications for the PC meeting on November 19<sup>th</sup>. One is for a variance. The other is a concept plan. There also may be some applications for December.

## **PLANNING COMMISSION MEMBERS' REPORT**

### **WOLOWSKI COMMENT:**

Wolowski worked as an election judge yesterday. She said the City had a great voter turnout. Planning Commission members congratulated Mark Daly on his election to the City Council.

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

Wolowski is scheduled to attend the City Council meeting on November 12, 2014.

Mursko added that Bob Farinella, the general manager of Running Aces Harness Track, is no longer serving as general manager. The new president will introduce himself at the next City Council meeting.

*Motion* by Krebs to adjourn. Second by Daly. Motion carried.  
Meeting adjourned at 8:19 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary