

**City of Columbus  
Regular Planning Commission Meeting  
September 16, 2015**

The September 16, 2015 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:01 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 Bill Krebs and Denny Peterson, Sue Copeland, Mike Nelson, Chuck Plowe, Aaron Leidl, Pat Kinsella, Mark and Jackie Kotchen, Judy Kinsella, Mary Preiner, and Pat Preiner.

**AGENDA APPROVAL**

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

**APPROVAL – LIGHTING ORDINANCE PUBLIC HEARING MINUTES OF SEPTEMBER 2, 2015**

*Motion* by Wolowski to approve the minutes from the lighting ordinance public hearing held on September 2, 2015 as written. Second by Preiner. Motion carried.

**APPROVAL - REGULAR PC MEETING MINUTES OF SEPTEMBER 2, 2015**

*Motion* by Krebs to approve the minutes of the September 2, 2015 regular Planning Commission meeting as written. Second by Watson. Motion carried.

**PUBLIC HEARING – KINSELLA PROPERTIES – PRELIMINARY/FINAL PLAT & CITY VIEW ELECTRIC CUP AMENDMENT APPLICATION (PC-15-108)**

At this time a public hearing was held to receive testimony regarding both a request for a preliminary/final plat, “Kinsella Acres” combining several parcels and creating one new lot; and a request to amend a conditional use permit allowing the expansion of the building/trade contractor as the result of an additional land purchase, and to reduce the parking requirements using the “proof of parking area” findings and criteria. The applicant is Mike Nelson, City View Electric. Separate minutes are prepared.

**KINSELLA PROPERTIES – PRELIMINARY/FINAL PLAT & CITY VIEW ELECTRIC CUP AMENDMENT APPLICATION DISCUSSION**

There was discussion of adjoining resident Copeland’s concerns about trash. Kinsella said in the past year he had five 40-yard dumpsters of trash taken out of that area of the property and installed three cameras. Kinsella also said he would agree to putting up a border fence between the City View property and the Copeland property.

City View’s request to leave the existing home standing and repurpose it into a training center, was discussed at length. The exterior of the older building on the property has been re-done to match the two new buildings. This would also be the plan for the existing home. The interior of the home would be gutted to create a large training room, with a bathroom, and possibly a small kitchen or break-room type area.

City View also noted that its proposed office building has been changed from concrete block to wood frame due to budget constraints after reassessing costs due to Rice Creek Watershed District requirements. The footprints are not changing.

Planner Johnson recommended the PC wait on moving ahead with the CUP Amendment Application until they receive detailed building designs reflecting the wood frame building plans, and plans for repurposing the house. He explained that the preliminary/final plat application could be dealt with separately.

City View would like to move forward with infrastructure changes. Mursko said they can apply for an excavation permit for \$50 and begin working on infrastructure work.

*Motion* by Wolowski to forward to the City Council the preliminary/final plat application for Kinsella Acres, with a recommendation for approval based on the findings of fact and recommendations from the Planner's memo dated September 10, 2015, with the elimination of recommendations 5 and 7, as noted below. Second by Sternberg. Motion carried.

### **Findings of Fact**

- 1) The City received a preliminary and final plat application from City View Electric, Inc. ("City View") on July 6, 2015. The application was complete.
- 2) The combined 120-day preliminary/final plat review deadline is November 3, 2015.
- 3) The proposed plat is a replat of the South 200 feet of Lot E3 and Lot E4 (current City View Electric CUP property), and Lots 10, except the Northerly 25 feet, 11, 12, and 13 (recently acquired contiguous property), all in Will's Addition ("Property").
- 4) Primary addresses to the Property are 14331 and 14309 Lake Drive NE.
- 5) The Property is zoned C/I Commercial Industrial.
- 6) The proposed plat contains approximately 18.3 acres.
- 7) The Property is not located within the regulatory floodplain or any shoreland area.
- 8) The easterly portion of the Property contains several existing storage buildings, governed under the existing City View CUP. Access to the existing CUP area is provided via an easement on residentially occupied property (Lot 8, Will's Addition).
- 9) The westerly portion of the Property contains a single family residence, four accessory buildings and two driveways off Lake Drive.
- 10) The planned use of the Property is to construct a new office/warehouse on the westerly portion of the Property for the relocation of all City View operations to one location.
- 11) City View proposes to remove one accessory structure on the westerly portion of the Property and retain the residence and all other accessory structures.
- 12) A new SSTS is proposed for the office/warehouse and is located on the preliminary plat.
- 13) A new well is proposed for the office/warehouse but is not identified on the preliminary plat.
- 14) Three stormwater infiltration areas are proposed within the plat.
- 15) A letter has been received from Anoka County Transportation regarding access consolidation, right-of-way clearance and potential turn lane and bypass lane construction.
- 16) A CAPROC has been received from Rice Creek Watershed District (RCWD).
- 17) Proposed drainage and utility easements within the plat are consistent with Subdivision Ordinance requirements.

- 18) The final plat is consistent with the preliminary plat.
- 19) A Preliminary Plat public hearing was held by the Planning Commission on September 16, 2015.

### **Recommendations**

The Planning Commission may recommend and the City Council may approve the **Kinsella Acres Preliminary Plat**, subject to the following:

- 1) Detailed recommendations of the City Engineer.
- 2) Title review and recommendations of the City Attorney.
- 3) Requirements of Anoka County Transportation Division and Anoka County Surveyor.
- 4) Requirements of Rice Creek Watershed District.
- ~~5) Elimination of driveway access use to the Property from the private access easement on Lot 8, Will's Addition.~~
- 6) Elimination of the northerly driveway on the Property.
- ~~7) Removal of the existing residence on the Property.~~
- 8) Proper abandonment of any unused well or SSTS on the Property.
- 9) Cash in lieu of park land dedication.
- 10) Reimbursement of all City expenses associated with plat approval.
- 11) Future development within in the plat is subject to local ordinances and permitting requirements.
- 12) Future development within the plat shall not encumber the proposed stormwater infiltration areas identified in the Preliminary Plat without written approval by Rice Creek Watershed District and the City.

The Planning Commission may recommend and the City Council may approve the **Kinsella Acres Final Plat**, subject to the following:

- 1) Consistency with the approved Preliminary Plat.
- 2) Any development contract recommended by the City attorney.

This matter will go before the City Council at their next meeting, which will be held Wednesday, September 23rd at 7 p.m.

At the PC's next meeting, on October 7, 2015, they will resume discussion of the CUP Amendment Application upon receiving more detailed building design information, including plans to repurpose the existing residence on the property.

### **PLANNING COMMISSION WORKSHOP DISCUSSION**

There was discussion about whether or not, when property is sold to a commercial use, any existing residence must be torn down. We do not allow for a dual use. If we allow for businesses to keep an existing home and renovate it for use as a commercial building, what should the criteria be?

Proposed Criteria:

- Septic system must be sized and designed based on flow and MPCA requirements.

- Keeping and renovating an existing home would not be allowed for a non-conforming structure.
- All setback requirements must be met.
- On a property with other commercial buildings, the exterior of the refurbished home should be made to match the exterior of the other commercial buildings on the property.
- The interior of an existing home must be gutted to eliminate any bath/shower components. There should be no bedrooms or fully equipped kitchen area.
- The building will be taxed at the rate of commercial building square footage.
- Under no circumstances shall the repurposed home be used as a temporary or permanent residential space.

PC members agreed that the repurposing of an existing residence should not be dismissed out-of-hand in order to allow businesses more flexibility, to keep from wasting a sound structure and putting an undue financial burden on a potential commercial developer by requiring demolition of a usable space, and to allow for the addition of taxable commercial building square footage.

With regard to an earlier recommendation by the PC that the CC allow one dwelling per ½ acre in the freeway district for existing houses in commercial areas, with the requirement that the house hook up to City utilities, Mursko said the CC was not very receptive. They would like the PC to look at something more flexible. Mursko gave PC members a handout showing the freeway district and defining which properties are homes, which are businesses, and which are vacant. On the east side of the freeway there are 13 houses. Only 10 of these are outside of the already existing suburban overlay district. On the west side there are 27 homes. Seventeen of these are outside the existing suburban overlay district on the west. It was also noted that at least five of the properties with homes on them on the west side, could not be subdivided due to wetlands.

PC members agreed to shift their focus from subdivision to rezoning and creating flexible districts.

## **PUBLIC OPEN FORUM**

There was no topic raised for discussion for Open Forum.

## **CITY ADMINISTRATOR'S REPORT**

Mursko reported that Columbus Fall Fest will be held this coming Saturday, September 19<sup>th</sup>. It begins at 9 a.m., with the garage sale starting at 8 a.m.

## **PLANNING COMMISSION MEMBERS' REPORT**

### **KREBS COMMENT:**

Krebs thanked City staff for the roundtable event held last week. She said the City Administrator and Planner did a great job. She thought it was important to come to the understanding that the various tables of participants brought up the same issues.

Krebs asked if the City has yet received its system statement from the Met Council. Mursko said it has not.

**WOLOWSKI COMMENT:**

Wolowski also thanked City staff. She found the event reinvigorating. She thought the format was nice and suggested that, now that concerns have been discussed, we hold a session with a similar format to discuss visions for the area going forward.

**WATSON COMMENT:**

Watson agreed it was a worthwhile event. He found the broker in his group to be very enlightening.

**STERNBERG COMMENT:**

Sternberg agreed with the other Commissioners.

**ATTENDANCE - NEXT CC MEETING**

Sternberg is scheduled to attend the City Council meeting on September 23, 2015.

*Motion* by Krebs to adjourn. Motion carried.

Meeting adjourned at 9:05 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary