

**City of Columbus**  
**Regular Planning Commission Meeting**  
**April 18, 2018**

The April 18, 2018 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: James Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko; Planner Dean Johnson; and Recording Secretary Rochelle Busch.

Also in attendance were City Council members Bill Krebs, Denny Peterson, and Mayor Dave Povolny; John F. Seibert of Trinity Business Consulting, Inc., Jan Knutsen of Cunningham Group Architects, Haila Maze of Bolton & Menk, Jeannine Sachs, Barb Bobick, Dan Mike, and Janet Hegland.

**AGENDA APPROVAL**

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

**APPROVAL – 7643 CAMP 3 RD IUP REQUEST PUBLIC HEARING MINUTES  
(PC 18-106) ON 04.04.18**

*Motion* by Krebs to approve the minutes from the 7643 Camp 3 Rd IUP Request Public Hearing held on April 04, 2018. Second by Watson. Motion carried unanimously.

**APPROVAL – 14839 LAKE DR NE CUP AMENDMENT REQUEST PUBLIC HEARING  
MINUTES (PC 18-107) ON 04.04.18**

*Motion* by Watson to approve the minutes for the request of a conditional use permit to allow an addition to the office and shop/warehouse area for the building trade/contractor office (Century Fence Company) April 04, 2018 regular Planning Commission meeting as written. Second by Krebs. Motion carried unanimously.

**APPROVAL – PLANNING COMMISSION MEETING MINUTES OF APRIL 04, 2018**

*Motion* by Krebs to approve the minutes of the April 4, 2018 regular Planning Commission meeting as written. Second by Watson.

**PUBLIC HEARING – TRINITY BUSINESS CONSULTING, INC. PRELIMINARY  
PLAT AND FINAL PLAT REQUEST (PC 18-108)**

At this time a public hearing was held to consider a request for a preliminary and final plat “North Metro Harness Initiative Plat 2” creating (1) new lot. Separate minutes to include Trinity Business Consulting, INC. CUP/PUD and request for a preliminary and final plat are prepared.

## **TRINITY BUSINESS CONSULTING, INC. PRELIMINARY PLAT AND FINAL PLAT REQUEST (PC 18-108) DISCUSSION**

*Motion* by Sternberg to recommend to the City Council the preliminary plat and final plat request “North Metro Harness Initiative Plat 2” creating (1) new lot, by Trinity Business Consulting, INC, for approval subject to findings of fact and recommendations of approval with the addressed changes Planner Dean Johnson recommended. Seconded by Watson. Motion carried unanimously.

### **Findings of Fact**

1. The City received preliminary and final plat applications from Trinity Business Consulting, Inc. on behalf of North Metro Harness Initiative, LLC (“NMHI”) on March 2, 2018 and preliminary plat supplement on April 18, 2018. The application was found complete.
2. The 120-day preliminary review deadline is June 30, 2018.
3. The proposed 99.38-acre, two-lot plat is located between Zurich Street and CSAH 54, on property legally described as Lot 1, Block 1, North Metro Harness Initiative (“Property”).
4. Proposed Lot 2 (1.07 acres) is being created for a hotel site. Proposed Lot 1 (98.31 acres) is the remainder of Block 1, containing the Running Aces Harness Park (“RAHP”).
5. The City also received a CUP application from NMHI to process the subdivision of the Property and development of a hotel on the Property through the PUD provisions of the City Code.
6. Proposed Lot 2 is surrounded by Lot 1; but, it’s northerly lot line is located within the existing RAHP driveway access and parking area.
7. A Reciprocal Easement Agreement is required between the owners of Lot 1 and Lot 2 to guarantee private access to public streets, shared parking, and public utilities.
8. Required drainage and utility easements are located adjacent to the exterior property lines of Lot 1, but not adjacent to Lot 2.
9. An existing 10-inch water main loop around the existing RAHP building will be relocated to the east of the proposed hotel building site and provide service to the hotel.
10. Sanitary sewer service will extend to the west side of the hotel building from an existing 8-inch sewer line, currently located on the south side of the RAHP building.
11. A wet retention pond is being proposed on the northeast side of the track in the location of an existing infiltration basin.
12. The applicant received a Conditional Approval Pending Receipt of Changes (CAPROC) from Rice Creek Watershed District (“RCWD”) on August 16, 2017. It is not clear whether the revised plans have been reviewed or approved by RCWD.
13. The final plat is consistent with the preliminary plat

14. The preliminary plat public hearing was held by the Planning Commission on April 18, 2018.

### **Recommendations**

Based upon the above Findings of Fact, the Planning Commission should recommend approval of the North Metro Harness Initiative Plat 2 Preliminary Plat and Final Plat, subject to the following:

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. Approval of the PUD CUP.
4. A Reciprocal Easement Agreement.
5. Requirements of the Anoka County Surveyor.
6. Permitting by Rice Creek Watershed District.
7. Reimbursement of all City expenses associated with plat approval.
8. Future development within the plat is subject to local ordinances and permitting requirements.

This matter will go before the City Council at their meeting on April 25, 2018.

### **PUBLIC HEARING – ACES HOTEL LLC / TRINITY BUSINESS CONSULTING, INC. CUP/PUD REQUEST (PC 18-109)**

At this time a public hearing was held to consider a request for a conditional use permit for a “planned unit development” PUD to include a variances for the setback for the Porte coacher from 30 feet to 10 feet; the height of the building from 50 feet to 69.4 feet; the number of building floors from 4 stories to 5 stories and a site plan review for a new hotel use. Separate minutes to include Trinity Business Consulting, INC. CUP/PUD and request for a preliminary and final plat are prepared.

### **ACES HOTEL LLC / TRINITY BUSINESS CONSULTING, INC. CUP/PUD REQUEST (PC 18-109) DISCUSSION**

*Motion* by Sternberg to recommend to the City Council the CUP/PUD request, by Trinity Business Consulting, INC / Aces Hotel LLC, for approval subject to findings of fact and recommendations of approval with the addressed changes Planner Dean Johnson recommended. Seconded by Watson. Motion carried unanimously

## **Findings of Fact**

1. The City received a PUD CUP application from Trinity Business Consulting, Inc. on behalf of Aces Hotel, LLC (“AH”) on March 2, 2018 and supplemented on April 18, 2018. The application was found complete.
2. The 60-day review period ends on May 1, 2018 and the 120-day review, if necessary, ends on June 30, 2018.
3. The PUD CUP is required for the proposed construction of a five-story, 116-room hotel (“Project”) on the proposed Lot 2, Block 1, North Metro Harness Initiative Plat 2 plat (“Property”).
4. Hotels are a conditional use in the Horse Racing (HR) District, subject to a planned unit development.
5. The Property is approximately 1.07 acres in area.
6. The minimum lot area in the HR District is 20 acres. The minimum setbacks in the HR District are front yard - 30 feet, side and rear yard - 10 feet. The maximum structure height in the HR District is 50 feet.
7. The Property does not meet the minimum lot area requirements in the HR District; the front entrance canopy does not meet front yard setbacks; an enclosed vestibule connecting the hotel and the Running Aces Harness Park (“RAHP”) main building is located in the required yard areas of both parcels; the proposed hotel exceeds the maximum structure height, and the dumpster enclosure may not meet setback requirements.
8. The Project also eliminates approximately 37 existing improved parking stalls at RAHP.
9. The purpose of the PUD is to allow variations in conventional dimensional standards in exchange for higher design standards and unique development considerations.
10. The Project is unique in that it is complementary in relationship, design and ownership with RAHP.
11. The Reciprocal Easement Agreement between North Metro Harness Initiative, LLC (“NMHI”) and AH allows shared private access to public streets, shared parking, and shared access to public utilities.
12. The Project will require redevelopment of portions of the approved RAHP.
13. Development of the Project will result in complementary design features of RAHP and the proposed Running Aces Hotel. The Project will also result in complementary security provisions for the hotel and RAHP.
14. Running Aces Hotel will be separated from the RAHP building by approximately 25 feet; but, the buildings are proposed to be connected by an enclosed hallway or vestibule.
15. Public access to the hotel will include a conventional entrance canopy to the lobby and guest registration area. Access from the hotel to the outdoor patio area, to the RAHP building, and to the race track area will be secured.

16. The footprint of the hotel is approximately 76 feet by 231 feet. Total square footage of the building is approximately 17,586 square feet.
17. The first floor of the hotel will include an entry lounge, continental breakfast room and kitchen, three meeting rooms, indoor swimming pool and whirlpool, exercise room, game room, hard wired and wireless internet, and guest laundry. A center hallway, dual elevator and stairwells at each end of the building provide access within the hotel to common areas and guest rooms.
18. Guest rooms include standard king, double queen, king suites, and extended stay suites with kitchenettes. A variety of three ADA units are proposed on each floor.
19. There are 30 rooms on each of the second and third floors and 28 rooms on each of the fourth and fifth floors. There are outside balconies on portions of the second and fifth floors.
20. The Running Aces Hotel is designed to complement the existing RAHP building. The first floor exterior is brick, while the remaining floors are primarily multi-colored EIFS walls, similar to the color schemes of the RAHP building. There are also brick endcaps around nine rooms above the entrance canopy.
21. The main roofline of the hotel is approximately 59 feet in height. The stairwell roof access, elevator shaft and accent parapet are approximately 69 feet in height.
22. The applicant received a Conditional Approval Pending Receipt of Changes (CAPROC) from Rice Creek Watershed District ("RCWD") on August 16, 2017. It is not clear whether the revised plans have been reviewed or approved by RCWD.
23. RA is requesting construction of the footings and foundation for the hotel upon approval of the PUD CUP and final plat.
24. The landscape plan for the hotel includes a wide variety of deciduous and coniferous trees, ornamental trees, shrubs and flowers.
25. The Planning Commission held a public hearing on the PUD CUP on April 18, 2018.

## **Recommendations**

Based upon the above Findings of Fact, the Planning Commission should recommend approval of the Aces Hotel, LLC PUD CUP, subject to the following:

1. The PUD CUP is contingent upon approval and recording of the North Metro Harness Initiative Plat 2.
2. The PUD CUP is contingent upon detailed recommendations of the City Attorney.
3. The PUD CUP is contingent upon detailed recommendations of the City Engineer.
4. The PUD CUP is contingent upon detailed plan review and approval by the City Building Official.

5. The PUD CUP is contingent upon detailed plan review and approval by the Fire Marshall.
6. Development of the Property is contingent upon permitting by Rice Creek Watershed District.
7. Development of the Property shall be consistent with the PUD CUP application forms and documentation received including, but not limited to, Civil Plan Sheets 1 through 17, and Landscape Plan Sheets L1.0 & L2.0, prepared by Wiseth Smith Nolting, dated March 1, 2018, and building elevations and floor plans, prepared by Cunningham Group, dated ~~March 2, 2018~~ April 18, 2018.
8. The PUD CUP documentation is subject to modification by the City or may be modified through amendments approved by the City.
9. The PUD approval authorizes exceptions to minimum lot area, the front yard setback of the entrance canopy, the height of the hotel, the minimum yard areas of hotel Property and RAHP property allowing the hallway vestibule connecting the hotel and RAHP building, the dumpster enclosure setback, and the loss of 37 existing spaces.
10. The PUD CUP is contingent upon a Reciprocal Easement Agreement between North Metro Harness Initiative, LLC and Aces Hotel, LLC.
11. The PUD CUP is contingent upon a Development Agreement between Aces Hotel, LLC and the City.
12. No filling, excavating or other land disturbances are permitted in stormwater infiltration or wetland areas without written approval by Rice Creek Watershed District and the City.
13. All exterior lighting shall be shrouded and directed away from adjacent properties and public streets and shall be reviewed and approved by the City Engineer and Building Official prior to installation.
14. Signage on the Property requires administrative review and permitting by the City.
15. The dumpster enclosure illustrated on the plan sheets shall include a brick façade to match the hotel and include wood gates, except as otherwise approved by the City.
16. All other refuse and recyclables must be stored within the hotel or other structure approved by the City until the day of refuse or recycling collection.
17. The operations on the Property must be consistent with all local, federal, and state laws that apply to the use of the Property.
18. In the event the City Council determines, in its sole discretion, that the use of the Property is not being operated in accordance with any term or condition contained herein, the PUD 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 PUD CUP of any such revocation.
19. AH shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the PUD CUP, including reasonable attorneys' fees and consultant fees.

20. AH shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the PUD CUP, including any subsequent inspection and enforcement actions.

This matter will go before the City Council at their meeting on April 25, 2018.

## **DISCUSSION – CITY COUNCIL COMPREHENSIVE PLAN**

Haila Maze from Bolton and Menk delivered a PowerPoint presentation in regards to the changes to the comprehensive plan discussed in prior meetings. In the handouts there was a map handed out of updated land use from 04.04.18 meeting. In the plan the city has modified SR zoning to allow up to 16 units/acre. They have also decided to reconfigure the districts to add more commercial around interchange and residential further from 35 interchange. The met council has set a goal to accommodate 27 new affordable housing units. In discussion around transit and road projects, no roads are forecasted to be over capacity. There was information stated in regards to current planned improvements, and potential future improvements on roads located within the city.

The next steps involve a public hearing on May 16, 2018. Then City Council action to approve for release and review by May 23, 2018. A 6 month review interjurisdictional review of a completed plan is scheduled for summer/fall 2018. During the latter part of 2018 we are due for plan submittal to Met Council.

In the near future planning commission is to review draft and be ready for the public hearing on May 16, 2018. Dean had brought up a few corrections to the land use map that were needed to be made.

The Planning Commission discussed an email sent from Donald Steinke at 8423 Lake Drive, requesting his property which is currently zoned retail showroom, to be changed to light industrial which is similar to the zoning around his property. The McCombs study had stated we should keep it listed as showroom.

*Motion* by Watson to change Donald Steinke's Property to be changed to light industrial, Second by Krebs. Votes as Follows: Watson - Aye, Wolowski – Ney, Sternberg – Aye, Preiner – Ney, Krebs - Aye

## **PUBLIC OPEN FORUM**

No topic was raised at Public Open Forum.

## **CITY ADMINISTRATOR'S REPORT**

Nothing to Report

## **PLANNING COMMISSION MEMBERS' REPORT**

Nothing to Report

**ATTENDANCE - NEXT CC MEETING**

Krebs is scheduled to attend the City Council meeting on April 25, 2018.

*Motion* by Krebs to adjourn. Second by Wolowski. Motion carried.  
Meeting adjourned at 8:40 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary