

RECEIVED

MAY 28 2020

City of Columbus

60 Day Deadline - 07.27.2020

120 Day Deadline - 09.25.2020



COLUMBUS Rural Nature. Urban Access.

16319 Kettle River Blvd. • Columbus, MN 55025
phone: (651) 464-3120
website: ColumbusMN.us

Date paid 05/28/2020
Amount: 1700.00
(200.00 fee)
(1500.00 ES&MS)
R# 21110

APPLICATION FOR CONSIDERATION OF CONDITIONAL USE PERMIT, INTERIM USE PERMIT
RE-ZONING, SITE PLAN REVIEW, VARIANCE

APPLICANT:

Name: Kendall Friese Phone: 612-991-7064 (Alt.): _____

Address: 16811 Notre Dame st Email: Kfriese@cfaitth.com

City: Columbus State: MN Zip: 55025

OWNER: (If other than applicant)

Name: _____ Phone (work) _____ (Alt.) _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Legal description of property: Tessier Estates 11.32.22.42.0005

Lot(s) 1 Block(s) 2 Additions(s) _____

Existing use of property: Small Business Trucking Present zoning: Residential

Action Requested: Please check (✓) Re-zoning Site Plan Review Variance

Conditional Use Permit Interim Use Permit SSTS Administrative Variance

Other (fill in) _____

Description of and reason for request (attach additional information and requirements if necessary)

pre Existing Business
Trucking And occasional Trailer Repair or Fabrication.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: [Signature] DATE: 2-6-20

SIGNATURE OF OWNER: [Signature] DATE: 2-6-20

To the City of Columbus,

I have lived in Columbus, MN since 1992. I have been doing trucking and trailer repair since I have moved here. When I moved here I didn't have a shed to work on my equipment so in 1999 I built a pole shed to do my work in. The pole shed was really to small to get a semi trailer in and to be able to shut the doors. I did my best to limit the noise and was respectful to my neighbors regarding the noise. In June of 2017 my pole shed burnt to the ground. I then had the task of rebuilding.

I spoke to the city of Columbus on my options for building was.

I now have a building that helps me get my equipment in and the noise level is nothing per my neighbor who I asked if she can hear me working when she has her windows open and she said cant hear me.

The traffic for my business is very minimal to none. There is no equipment idling on my property. Any previous issues have been addressed since I have rebuilt by building.

I run a really low-key business that doesn't leave much of a footprint in the neighborhood.

Sincerely,
Kendall Friese

City of Columbus interim use permit questionnaire

- A. Property 16811 Notre Dame St. is in zone RR district.
- B. Property 16811 Notre dame sty meets all minimum dimensional standards.
- E. The principal use of property is residential and owner
Resides there.
- F. I do not have any outside employees at this time. I do not
Have plans for any employees in the near future.
- G. Any waste is properly disposed of or recycled (metals/ aluminum} all equipment is licensed. I use the building to fix equipment or to house equipment during the cold weather. The building is used approximately 80% for business. The building is used 10 to 15 days a month or 1 to 2 weeks a month. The building used for operation is the building we just reconstructed, behind the homestead.
- H. The business complies with the City of Columbus codes
Hours of operation are manly daylight hours. The noise issue has been addressed by
now having a facility capable of putting equipment inside to elimatte the noise.
- I. Business operations occur within the building. No outside building operations is needed.
The building has been built to house the equipment.
- J. The business is invisible to both my next-door neighbors. You can only see the house and
the back building.
- K. I have no plans for any additions or renovations to the property.
- L. The daily routine is to walk to the shop and office and drive to town for parts or supplies 2
to 3 times a week. Truck leaves once every 10 days. I have no clients or customers.
- M. Basically 7am to 7 pm are my operations hours. *days of the week?
M-F*
- N. No additional parking is needed for this business.
- O. The business is out of sight of any close neighbors.
- P. No sign is needed for the business.

From: Ben Gutknecht
Sent: Monday, June 15, 2020 2:15 PM
To: kfriese@cfaith.com
Subject: Narrative Clarification and Site Plan Revision

Hi Kendall,

Thanks for speaking with me earlier, per our conversation I wanted to give you an opportunity to look at the small revision I made on your Site Plan and make sure you are agreeable to that. The highlighted portion is where you will be storing all equipment associated with your business and where you will be conducting your business correct? **Yes.**

Additionally, I would like to have you answer the following questions in a response just so that I can have it on record as a clarification for your narrative you provided earlier.

1. You will be the sole employer/employer and have no intentions of hiring someone in the future? **Correct.**
2. You will be driving your personal truck and making repairs to your personal truck and trailer with no plans to extend that repair business to other? **It is my personal Equipment..**

Again, thank you for your time earlier and let me know if you have any additional questions.

Ben Gutknecht

From: Kendall K Friese <kfriese@cfaith.com>
Sent: Monday, July 6, 2020 2:49 PM
To: Ben Gutknecht <planningtech@ci.columbus.mn.us>
Subject: RE: Letter of Completeness_ Interim Use Permit Application for a Residential Zone Business

----- Original Message -----

From: Ben Gutknecht <planningtech@ci.columbus.mn.us>

To: kfriese@cfaith.com

Sent: Thu, 25 Jun 2020 14:42:41 -0400 (EDT)

Subject: RE: Letter of Completeness_ Interim Use Permit Application for a Residential Zone Business

Good afternoon Kendall,

I'm reaching out to see if you have had a chance to take a look at the questions I posed in the earlier attached email? I was also wondering if you would be able to further describe what kind of repairs you do to both the trucks and the trailers? General repair.. Etc. is what ever equipment needs for repair , to meet DOT specs.

Thank you for your time,
Ben Gutknecht

Ben Gutknecht, Associate Planner

[City of Columbus](#)

16319 Kettle River Blvd. N.E.

Columbus, MN 55025

Main: 651-464-3120 ext. 1008

columbuslogo Logono city name

From: [Kendall K Friese](#)
To: [Ben Gutknechtcht](#)
Subject: RE: Letter of Completeness_ Interim Use Permit Application for a Residential Zone Business
Date: Thursday, June 25, 2020 5:51:15 PM

----- Original Message -----

From: Ben Gutknechtcht <planningtech@ci.columbus.mn.us>
To: kfriese@cfait.com
Sent: Thu, 25 Jun 2020 14:42:41 -0400 (EDT)
Subject: RE: Letter of Completeness_ Interim Use Permit Application for a Residential Zone Business

Good afternoon Kendall,

I'm reaching out to see if you have had a chance to take a look at the questions I posed in the earlier attached email? I was also wondering if you would be able to further describe what kind of repairs you do to both the trucks and the trailers? **General repair. [NO oil changes]. I farm that messy stuff out.**

Thank you for your time,

Ben Gutknecht

Ben Gutknecht, Associate Planner

[City of Columbus](#)

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From: Kendall K Friese <kfriese@cfaith.com>
Sent: Tuesday, July 7, 2020 3:08 PM
To: Ben Gutknecht <planningtech@ci.columbus.mn.us>
Subject: Re: Letter of Completeness_ Interim Use Permit Application for a Residential Zone Business

----- Original Message -----

From: Ben Gutknecht <planningtech@ci.columbus.mn.us>
To: Kendall K Friese <kfriese@cfaith.com>
Sent: Tue, 07 Jul 2020 13:39:23 -0400 (EDT)
Subject: Re: Letter of Completeness_ Interim Use Permit Application for a Residential Zone Business

Good afternoon Kendall,

I appreciate you answering those older questions that I had sent on the 25th of June, but I was hoping you could answer the questions that we spoke about on July 1st, I had sent an email after our phone conversation, I apologize if it never reached you. The questions outlined in the July 1st email are as follows:

1. What do "general repairs" consist of for Trucks? Axle ,spring, suspension ,and air line and ac or electrical, and break and some tire work, and little exhaust work.
2. What do "general repairs" consist of for Trailers? Break ,air line , and suspension work. some trailers i repair rails or side panels, and a little roof work.
3. Do you do any body work (riveting for Trailers) and how often? I do some welding or riveting on trailers. it is maybe 10-20 hrs a year. very little..
4. How often will you be selling any of the trailers or trucks per year? If i buy or sell anything. it is through a dealer. not a sales lot here.
5. Will these sales happen on site? No
6. If yes you will have clients visiting the Property? No

Again, I really appreciate you doing this before the meeting, any information you can provide to the Planning Commission and myself prior to the meeting helps a lot.

Thanks again,

Ben Gutknecht



Aerial Photography of 16811 Notre Dame St NE
(as of 04.08.2020)



Date: July 15, 2020
To: City of Columbus Planning Commission
From: Jessica Hughes, Public Communications Coordinator
RE: Complaint Record – 16811 Notre Dame Street NE

Below is a record of complaints received for property located at 16811 Notre Dame Street:

Date	Complaint
September, 2015	Loud equipment and large vehicles on the property.
July, 2019	Business operating without a permit.
May, 2020	Business operating without a permit, many trailers on property, excessive noise.

To: City of Columbus Planning Commission

From: Ben Gutknecht, City of Columbus Planning Associate

Date: July 9, 2020

RE: Kendall Friese Residential Zone Business Interim Use Permit

Background: The applicant (Kendall Friese) has been a Columbus resident since the early 1990's. Mr. Friese has been in the trucking industry since the 1980's and has also been practicing truck and trailer repair for the same amount of time. During the time 1999-2017 Mr. Friese had been working in a small accessory building on his residential property as well as storing associated equipment on said property. However, in 2017 a building fire burned the small accessory building beyond repair. A new building was erected in its place, the increased size of which allowed the applicant to conduct repairs and store equipment within the building. Recently (late 2019) it has come to the City of Columbus's attention that there continues to be on-site storage of vehicles associated with a Residential Zone Business (RZB), to remedy this and bring the operation into compliance the applicant was asked to apply for an Interim Use Permit (IUP) and made aware of the requirements outlined in City Code *Section 7A-806 Residential Zone Businesses*. The applicant made an Interim Use Permit Application with the City of Columbus on May 28, 2020 for a Residential Zone Business.

After review of the Interim Use Permit Application for a Residential Zone Business consisting of a trucking company and private truck and trailer repair, the City of Columbus Planning Staff provides the following Findings of Fact and Recommendations:

Findings of Fact

1. The Interim Use Permit (IUP) application for a Residential Zone Business (RZB) operated by Kendall Friese was received on May 28, 2020.
2. The application was found complete for review with a letter sent on 06.17.20
3. The 60-day review deadline is July 27, 2020.
4. The 120-day review deadline is September 25, 2020.
5. Friese has been operating the business on his residential Property for at least 20 years, first consisting of a small accessory building with outdoor storage of equipment, trucks, and trailers and repair and fabrication of semi-trailers. After a fire in 2017, a newly constructed accessory building of approximately 5,630 s.f. currently houses equipment and serves as a place to make semi-truck and trailer repairs indoors, noncompliant outdoor storage of trailers appears to have continued since the construction of the new building.

6. The Property is a total of 4.84 acres located at 16811 Notre Dame St NE, (PIN: 11-32-22-42-0005) on property legally described as Lot one, Block two, Tessier Estates, Subject to Easement of Record, Anoka County Minnesota (“Property”).
7. The Property meets dimensional standards outlined and required by *Section 7A-806 (B.)*.
8. The Property is zoned Rural Residential (RR).
9. The neighboring properties in directly connected to the Property in all cardinal directions consist of residential properties of similar or larger acreage.
10. Residential Zone Businesses are an interim use in the RR District, subject to the conditions and requirements of Section 7A-806 of the City Code.
11. Friese currently resides on the Property, with the principal use being residential.
12. Currently Friese does not appear to be in compliance with City Code *Section 7A-806 (G.)*, as it appears there is approximately (13) tractor trailers stored outside on the Property, as indicated in aerial photography dated April 5, 2020 on the Anoka County GIS Public Pictometry page.
13. The current business operation consists of the following activities:
 - a. Friese leaving the property with the semi-truck once every ten (10) days.
 - b. Driving to town for parts and supplies two to three (2-3) times a week.
 - c. All truck and trailer repairs are entirely within the newly constructed accessory building, highlighted on site plan dated 06.15.20, with no repair operation being staged outside.
 - d. Trailer repairs consists of breaks, airline, and suspension work as well as riveting and fabrication of the outer shell on a semi-trailer. Friese spends approximately ten to twenty (10-20) hours per year on riveting, and approximately ten (10) days per month on fabrication.
 - e. Truck repairs consist of axel, springs, suspension, airline, breaks, tire work, minor exhaust, and electrical work.
 - f. Approximately 80% of the accessory building is used for tractor and trailer repair. Typically, the building is used for the repair and storage operation ten to fifteen (10-15) days per month, or one to two (1-2) weeks a month, or during colder months for equipment storage.
 - g. Occasionally Friese will purchase or sell equipment, but per correspondence on 07.07.20, this is done through a dealer and not on premise.
14. The operating hours of the business are 7:00 a.m. - 7:00 p.m. Monday through Friday.
15. Friese is the only employee of the business, with no plans to hire any additional staff.
16. Friese does not expect the need for customer parking as he does not have any clients or customers.
17. Friese has stated that currently there is no need for a business sign.
18. There is no planned expansions or renovations to the accessory building in which the business takes place.
19. Any waste, such as metal/aluminum, produced by repairs and maintenance within the accessory building are properly disposed of or recycled.
20. All equipment used for the business is properly licensed.

21. In the narrative dated 05.28.20, Friese states the business does not generate noise and is low impact. Continuing that the business is invisible to all neighbors, who will only see the residence, and an accessory building.
22. The Planning Commission held a public hearing to consider the Interim Use Permit on July 15th, 2020.

Recommendations

Based upon the above Findings of Fact, the Interim Use Permit for Kendall Friese should be approved subject to the following Recommendations:

1. The Residential Zone Business shall comply with and is subject to all of the provisions of the City's Zoning Ordinance regarding Residential Zone Business, including but not limited to the provisions of *Section 7A-806*.
2. The permit shall be valid for a term of two (2) years from the date of approval, subject to earlier expiration or revocation as otherwise provided herein.
3. The Residential Zone Business shall be limited to the indoor storage and accessory repair work of Semi-trucks and trailers, and limited trucking of commerce of once per ten days.
4. All waste produced by the business shall be properly disposed of. The Property shall in no way be operated as a salvage yard.
5. All storage of vehicles, trailers, and related materials shall be stored indoors and out of public view.
6. The Residential Zone Business will be conducted entirely within the accessory buildings in the rear of the Property, indicated on the Site Plan dated 06.15.20.
7. The conduct of the business shall be consistent with descriptions provided in Friese's correspondence with Staff, outlined in Finding of Fact number 13.
8. Business hours shall be 7:00 a.m.- 7:00 p.m. Monday through Friday.
9. Absolutely no outdoor storage or display of trucks, trailers, and equipment associated with the business shall be permitted and any associated vehicles or equipment currently on site shall be removed or properly stored at the time of issuance of this permit.
10. No other business shall be conducted on the property.
11. Friese shall remain the sole employee of the Residential Zoned Business.
12. The Residential Zone Business shall comply with all relevant noise and pollution standards outlined by the Minnesota Pollution Control Agency (MPCA).
13. The Residential Zone Business shall not generate odors, gases, hazardous waste, fumes, or other conditions that interfere with or infringe upon the quiet possession and enjoyment of surrounding properties.
14. Friese shall comply with all local, State, and federal laws, regulations, and ordinances in the conduct of the Residential Zone Business.
15. In the event the City Council determines, in its sole discretion, that the Residential Zone Business is not being conducted in accordance with any term or condition contained herein, the Permit may be revoked by the City Council upon proper notice and a hearing.

16. Friese shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorney's fees and consultant fees.
17. The Permit provided herein is issued solely for the benefit of Friese and may not be sold, assigned, or otherwise transferred in any manner whatsoever.
18. The applicant shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the IUP and for all ongoing inspections and enforcement actions required for the IUP.

City of Columbus Calendar of Meetings

July & August 2020

Sunday	Monday	Tuesday	Wed.	Thursday	Friday	Saturday
19	20	21	22 4:00-6:00 pm CC Workshop 7:00 p.m. CC Mtg	23	24	25
26	27	28	29	30	31	1 August
2	3	4	5 7:00 p.m. CC Mtg	6	7	8