

City of Columbus
Regular Planning Commission Meeting
August 15, 2018

The August 15th, 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: Pam Wolowski, Jesse Preiner and Jody Krebs; City Administrator Elizabeth Mursko; and Recording Secretary Rochelle Busch.

Also in attendance were City Council members Bill Krebs, and Denny Peterson; Joanne and Robert Stadnik; Dan Eischens; Dan Remes; Joe Bazey; and Ken Levesseur.

AGENDA APPROVAL

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

APPROVAL – PUBLIC HEARING MINUTES – 6917 153rd AVE. NE. VARIANCE REQUEST (PC 18-117) ON 08.01.18

Motion by Wolowski to approve the minutes from the 6917 153rd Ave. NE Variance Request on August 1st, 2018 as written. Second by Preiner. Votes as follows: Wolowski – Abstain, Preiner – Aye, Krebs – Abstain, Sternberg – Aye. Motion carried.

APPROVAL – PLANNING COMMISSION MEETING MINUTES OF 08.01.18

Motion by Preiner to approve the minutes of the August 1st, 2018 regular Planning Commission meeting as written. Second by Sternberg. Votes as follows: Wolowski – Abstain, Preiner – Aye, Krebs – Abstain, Sternberg – Aye. Motion carried.

PUBLIC HEARING – 15252 W. FREEWAY DR. IUP (PC-116) REQUEST

At this time a public hearing was held to consider a request for an Interim Use Permit to locate a static billboard sign at 15252 West Freeway Drive, Columbus, MN. Separate minutes are prepared.

15252 W. FREEWAY DR. IUP REQUEST (PC-116) DISCUSSION

Motion by Krebs to recommend to the City Council the Supreme Outdoors Advertising IUP at 15252 West Freeway Dr., for approval subject to findings of fact and recommendations of approval with the addressed changes to required lighting plan recommended by the Planning Commission. Seconded by Wolowski. Motion carried unanimously.

Findings of Fact

1. The City received an application for an IUP from Supreme Outdoor Advertising, Inc. (“Supreme”) on June 1, 2018. The application was found incomplete. Revised application submittals were found complete on July 6, 2017.
2. The 60-day review deadline is September 4, 2018. The 120-day review deadline, if

extended, is November 3, 2018.

3. Supreme is proposing to construct a Large Off-Premises Sign (“billboard”) on property owned by MIDI Property One LLC, located at 15252 West Freeway Drive (Anoka County Parcel ID 24-32-22-42-0004) and legally described as the North 238 feet of the Northwest ¼ of the Southeast ¼ of Section 24, Township 32, Range 22, lying westerly of the westerly ROW of Interstate Highway 35 (“Property”).
4. The Property is zoned CR Community Retail, which allows billboards.
5. The proposed billboard is V-shaped with two sign faces totaling 1344 square feet of sign area, which is consistent with the maximum sign area of 1440 square feet.
6. The proposed billboard exceeds the minimum separation from any existing billboard of 750 feet.
7. The proposed billboard is supported by a monopole and the sign faces meet the minimum setback of 5 feet from existing ROW.
8. The sign faces exceed the minimum ground clearance of 25 feet and meet the maximum height of 45 feet.
9. The proposed billboard exceeds the minimum setback of 750 feet from any state, county, or city park, historic site, public picnic grounds, highway rest area, church or school.
10. The proposed billboard exceeds the minimum setback of 500 feet from any RR Rural Residential or SR Suburban Residential zoned property.
11. There were no lighting plans submitted for the proposed billboard. *Lighting plans must be submitted.* “Illuminated signs shall be located and the source of illumination shielded so that neither the light source, nor direct visible rays or glare project beyond the surface of the sign to be illuminated. [City Code Section 7B-310 E.6.]
12. The maximum term for billboard IUP is 20 years or “...or until any governmental agency with authority for construction of public roadways requires the underlying property for roadway purposes.” [City Code Section 7B-310 F.]
13. Anoka County is currently planning the reconstruction of CSAH 54 (West Freeway Drive), which abuts the Property.
14. The Planning Commission held a public hearing to consider the IUP for Supreme on August 15, 2018.

Recommendations

Based upon the above Findings of Fact, the Planning Commission recommends to the City Council approval of the Supreme Outdoor Advertising, Inc. (“Supreme”) IUP, with the following conditions:

1. The IUP is subject to detailed recommendations of the City Engineer.
2. The IUP is subject to detailed recommendations of the City Attorney.
3. The IUP is subject to detailed plan review and recommendations by the Building Official.
4. The IUP is contingent upon submittal of compliant sign lighting and illuminations plans.

5. The placement of the proposed billboard shall not be in conflict with Anoka County temporary construction easements and permanent right of way acquisitions affecting the Property for the reconstruction of CSAH 54.
6. The term of the IUP shall be twenty (20) years from the date of approval.
7. The construction and operation of the billboard must be consistent with all local, Federal, and State laws that apply to the use of the Property.
8. In the event the City Council determines, in its sole discretion, that the billboard on the Property is not being operated in accordance with any term or condition contained herein, the IUP may be revoked by the City upon proper notice and a hearing. The City shall notify regulatory authorities that may have issued licenses or permits in connection with the IUP of any such revocation.
9. Supreme shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the IUP, including reasonable attorneys' fees and consultant fees.
10. The IUP 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, electrical permits, stormwater permits, fence permits, and sign permits.
11. Supreme shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the IUP, including any subsequent inspection and enforcement actions.

This matter will go before the City Council at their meeting on August 22, 2018.

PUBLIC HEARING – 6926 145TH AVE. NE. VARIANCE (PC18-118) REQUEST

At this time a public hearing was held to consider a request for a variance to permit and construct a mound type septic system of “other construction” (Type III) to replace an existing failing system. Separate minutes are prepared.

6926 145TH AVE. NE. VARIANCE (PC18-118) REQUEST DISCUSSION

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

If variance not granted applicant would not able to replace failing septic system

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? **No other site locations**

Question #2: How is it not like other pieces of property? **Existing home with no other site location for septic.**

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: 08/15/2018
(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 6926 145th Ave NE, for a variance to permit and construct a mound type septic system of “other construction” (Type III) to replace an existing failing system, with a recommendation for approval based on findings that the Zoning Ordinance causes a practical difficulty. Second by Sternberg. Motion carried.

This matter will go before the City Council at their meeting on August 22, 2018.

DISCUSSION & FEEDBACK – JOE BAZEY PROPOSED GARAGE CONDOS

Joe Bazey, from Construction Technology Inc., DBA Garage Solution Condominiums, is proposing a non-binding concept to add another six buildings that would create 12 garage live-in units, and an additional 4 buildings that would be used as garage space. The live-in area would be 1,500 square feet and the garage space would be 1,500 to 5,000 square feet. Garage Solution Condominiums has had interested parties in the purposed live-in garages. The live-in garages would potentially use an individual tank and common drain field mound system concept septic. No soil testing has been done to find stable area for system placement.

An additional entrance/exit from Humber Street, in which would require that 135th Avenue and Humber Street to be paved. The Planning Commission had concerns about adding additional residents in an already busy area that is zoned commercial. Joe had concerns of funneling all traffic from prospective live-in’s through the rest of the complex out to Lake Drive. He feels it is a safer route to channel the additional through Humber Street.

Zoning is an additional issue that would need to be addressed once a concept is submitted.

The Commission recommended that Garage Solution Condominiums seek the opinions of the current residents of Humber Street, on if they would be willing to pay for Humber to be paved and the addition of residential units. They would also like to see this idea brought to Council as a non-binding concept to get their input.

PUBLIC OPEN FORUM

No topic was raised at Public Open Forum.

CITY ADMINISTRATOR'S REPORT

Primary elections were high turnout 577 voters and 77 absentee ballots.
Applications are coming in for September, the busy building season continues.

PLANNING COMMISSION MEMBERS' REPORT

Nothing to report

ATTENDANCE - NEXT CC MEETING

Krebs is scheduled to attend the City Council meeting on August 22, 2018.

Motion by Krebs to adjourn. Second by Preiner. Motion carried.
Meeting adjourned at 7:35 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary