

City of Columbus
Regular Planning Commission Meeting
February 20, 2019

The February 20th, 2018 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:00 p.m. by Chair Ron Hanegraaf at the City Hall. Present were Commission members Pam Wolowski and Jody Krebs; City Administrator Elizabeth Mursko; and Public Communications Coordinator Jessica Hughes, Interim City Planner Merritt Clapp-Smith.

Also, in attendance were Council Members Janet Hegland, and Shelly Logren; Michele Whitney, Dan Waldoch, Myron and Cindy Angel, and Arlen Logren.

AGENDA APPROVAL – PLANNING COMMISSION

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

PLANNING COMMISSION MEETING MINUTES OF 02.06.19

Motion by Wolowski to approve the minutes of the February 6th, 2019 regular Planning Commission meeting as written. Second by Krebs. Motion Carried.

PUBLIC HEARING – IUP RESIDENTIAL ZONED BUSINESS DANIEL WALDOCH III 16915 POTOMAC ST NE (PC19-101) REQUEST

At this time a public hearing was held to consider a request by the applicant, Daniel Waldoch III, for a Residential Zone Business Interim Use Permit (IUP) to allow the operation of a lawn and snow removal company (Waldoch Lawn & Snow, Inc.). Separate minutes for the public hearing are prepared.

IUP RESIDENTIAL ZONED BUSINESS DANIEL WALDOCH III 16915 POTOMAC ST NE (PC19-101) REQUEST

Commission members discussed whether 5 years is appropriate in this case. Hanegraaf questioned if we should issue 3 years. Krebs stated she would be comfortable with 5 years. Mursko stated Commission members can recommend 1-5 years, the council is allowed to accept or change that at their discretion. Hughes stated there had been a complaint on the property of hauling of black dirt, which is why Waldoch is now requesting the IUP. No further complaints have been made. Commission members conquered that a 5-year recommendation in this case would fit the request.

Motion by Wolowski to recommend to the City Council the IUP request, for applicant Daniel Waldoch III, with the request to issue permit in **Waldoch Lawn and Snow, INC.**, at 16915 Potomac ST. with the findings of facts 1-13, with the addition of finding 14 to state the IUP will be listed in the business name “**Waldoch Lawn and Snow, INC.**”, with recommendations 1-9,

with the amendment to condition 3 to state the IUP is based on “**Site plan and all application materials**”; from the Interim City Planner report dated 02.20.2019, for approval. Seconded by Krebs. Motion carried unanimously.

Findings of Fact

1. The City received an IUP application from Daniel Waldoch III (“Waldoch”), on December 28, 2018. The application was found complete.
2. The 60-day review deadline is February 26, 2019. The 120-day review, if necessary, is April 26, 2019.
3. Waldoch will operate the business and is the current resident at 16915 Potomac Street NE on 5.0 acres of property, legally described in public notice.
4. The property is zoned RR Rural Residential.
5. Waldoch proposes to use the Property as the base for his lawn and snow business.
6. There will be very few instances of customers visiting the Property.
7. All lawn and snow services are performed off-site.
8. There will be one (1) employee in addition to the applicant working with the Residential Zone Business (“RZB”).
9. The equipment for the business consists of 2 trucks, 2 trailers and 5 bobcats. The bobcats are stored off-site in the winter and only a couple of them are kept onsite during the summer. Daily maintenance and repair of equipment will be performed inside the pole barn. All equipment will be kept in the pole barn, except as it leaves and enters the Property between jobs.
10. There will be no outside storage of materials or display of products associated with the RZB.
11. Deliveries to the Property will be infrequent.

12. Only one sign not exceeding two square feet in area will be displayed for “Waldoch Lawn and Snow”. Vehicles and equipment with business identification will not be parked or displayed on the premise for advertising purposes.
13. The IUP public hearing will be held by the Planning Commission on February 20, 2019.
14. **The applicant requested that the IUP be filed under the business name “Waldoch Lawn and Snow, INC.”**

Recommendations

Based on the above Findings of Fact, The Planning Commission should recommend approval of the Waldoch Residential Zone Business Interim Use Permit (IUP), subject to the following:

1. The term of the IUP shall be five years from the date of issuance of the permit. Waldoch may reapply for an IUP upon expiration of the term, according to the procedures of the Columbus City Code.
2. There are no vested rights in the issuance of the IUP and the IUP is not transferrable.
3. Conduct of the Residential Zone Business shall be consistent with ~~the application~~ **site plan and all materials** received by the City on December 28, 2018, which are attached to the IUP by reference.
4. There shall only be one sign associated with the business, to be placed parallel to and affixed to the plane of a wall of the principal structure and not exceeding two square feet in area.
5. There shall be no outside storage associated with the Residential Zone Business.
6. All equipment and activities associated with the business shall be kept inside the pole barn.
7. Conduct of the Residential Zone Business shall be consistent with all applicable federal, state and local laws, rules, licenses and ordinances.

8. In the event that the City Council determines, at its sole discretion, that the use of the Property is not being operated in accordance with any term or condition contained herein, the IUP may be revoked by the City upon property notice and public hearing.
9. The IUP is contingent upon reimbursement of all City expenses associated with IUP issuance, inspections and enforcement.

PUBLIC HEARING AND DISCUSSION – IUP RESIDENTIAL ZONED BUSINESS MICHELE WHITNEY 7640 CROSSWAYS LAKE DRIVE (PC19-102) REQUEST

At this time a public hearing was held to consider a request by the applicant, Michele D. Whitney, at 7640 Crossway Lake Dr., for a Residential Zone Business Interim Use Permit (IUP) to allow the operation of a pet grooming business. Separate minutes for the public hearing are prepared.

IUP RESIDENTIAL ZONED BUSINESS MICHELE WHITNEY 7640 CROSSWAYS LAKE DRIVE (PC19-102) REQUEST

Krebs stated she visited the site and was not concerned about potential issues with noise. She stated that while there she could hear traffic in front of the property over the dogs. She specified she heard one dog bark but is sure the noise will most likely not be an issue. Hanegraaf agreed that the traffic in the area is busy.

Motion by Krebs to recommend to the City Council the IUP request, for applicant Michele Whitney, with the findings of facts 1-14, with recommendations 1-11, from the Interim City Planner report dated 02.20.2019, for approval. Seconded by Wolowski. Motion carried unanimously.

Findings of Fact

1. The City received an IUP application from Michele Whitney (“Whitney”), on January 11, 2019. The application was found complete.
2. The 60-day review deadline is March 12, 2019. The 120-day review, if necessary, is May 10, 2019.
3. Whitney will operate the business and is the current resident at 7640 Crossways Lake Drive, located on 5.85 acres of property, legally described in the Public Notice.
4. The property is zoned RR Rural Residential.
5. Whitney proposes to operate a pet grooming business on the Property.

6. There will be 1-6 customers per week visiting the Property between the hours of 9:00 a.m. to 5:00 p.m. Monday through Saturday.
7. There will be no outside employees associated with the Residential Zone Business (“RZB”).
8. There will be no outside storage of material or display of products associated with the RZB.
9. The RZB is proposed to be conducted in a 12 foot x 12 foot shop in a corner of the garage attached to the residence.
10. Dogs visiting the business may bark.
11. Vehicles associated with the RZB are limited to personal passenger vehicles.
12. Customers visiting the Property will park on the driveway in front of the garage and enter the grooming shop along a path to a side door entrance to the garage.
13. Signage for any RZB is limited to one sign, parallel to and affixed to the plane of a wall of the principal structure and not exceeding two square feet in area.
14. The IUP public hearing will be held by the Planning Commission on February 20, 2019.

Recommendations

Based on the above Findings of Fact, The Planning Commission should recommend approval of the Whitney Residential Zone Business Interim Use Permit (IUP), subject to the following:

1. The term of the IUP shall be five years from the date of issuance of the permit. Whitney may reapply for an IUP upon expiration of the term, according to the procedures of the Columbus City Code.
2. There are no vested rights in the issuance of the IUP and the IUP is not transferrable.

3. Conduct of the Residential Zone Business shall be consistent with the application materials received by the City on January 11, 2019, which are attached to the IUP by reference, with the exception of signage as noted in Recommendation 4.
4. The only signage for the business must comply with the code requirements, which limits signage for an RZB to one sign, parallel to and affixed to the plane of a wall of the principal structure and not exceeding two square feet in area.
5. There shall be no outside storage associated with the Residential Zone Business.
6. Dogs visiting the business shall be kept inside the shop and garage at all times, except when walking to and from their owner's vehicles or when taking a bathroom break, in which cases, they shall be on leash and accompanied by a person.
7. Dogs shall not be allowed to habitually bark and cause a public nuisance, per Chapter 5 of the City Code.
8. All applicable requirements and provisions for animal control, as described in Chapter 4 of the City Code, shall be met.
9. Conduct of the Residential Zone Business shall be consistent with all applicable federal, state and local laws, rules, licenses and ordinances.
10. In the event that the City Council determines, at its sole discretion, that the use of the Property is not being operated in accordance with any term or condition contained herein, the IUP may be revoked by the City upon property notice and public hearing.
11. The IUP is contingent upon reimbursement of all City expenses associated with IUP issuance, inspections and enforcement.

CITY ADMINISTRATOR'S REPORT

City Council approved the request for training for the Planning Commission Members. If Commission Members would like to attend a training, they may sign themselves up or contact City Staff to do so.

At the upcoming March 6th, Planning Commission Meeting, there is an application for a CUP at an Existing Building on Lake Drive. They are requesting to rent the building to complete vehicle restoration and refurbishing. The owner will have more detail at the upcoming meeting.

The City came up with a schedule of deadlines for submitting applications. This schedule will help applicants understand the time frame that is required for processing applications. That will be updated by Jessica Hughes, Public Communications Coordinator.

Hanegraaf questioned if we are going to ask Residential Zoned Businesses to display their licenses through the state. Mursko stated yes, as it shows the legal name of the business and that it is an established business through the State of Minnesota. Commission members agreed this is a good addition.

PLANNING COMMISSION MEMBERS' REPORT

Nothing to report.

ATTENDANCE - NEXT CC MEETING

Hanegraaf is scheduled to attend the City Council meeting on February 27th, 2019.

Motion by Krebs to adjourn. Second by Wolowski. Motion carried.
Meeting adjourned at 7:55 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary