

City of Columbus
Regular Planning Commission Meeting
March 20th, 2019

The March 20th, 2019 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 Kris King, Pam Wolowski, Jody Krebs, Barb Bobick and Pam Wolowski; City Administrator Elizabeth Mursko; and Public Communications Coordinator Jessica Hughes.

Also, in attendance Mayor Jesse Preiner; City Council Members Shelly Logren, and Janet Hegland; and Dan Friedner, Arlen Logren, Douglas Dykstra, Anthony Perez, and Myron and Cindy Angel.

AGENDA APPROVAL – PLANNING COMMISSION

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

PUBLIC HEARING – CUP USED CAR SALES, VEHICLE REPAIR, AND BODY SHOP 13733 LAKE DRIVE (PC19-104) REQUEST

At this time a public hearing was to consider a request for a conditional use permit to allow used car sales, vehicle repair and body shop (California Cars Connection) at 13733 Lake Dr. NE, Columbus, Minnesota. Separate minutes for the public hearing are prepared.

CUP USED CAR SALES, VEHICLE REPAIR, AND BODY SHOP 13733 LAKE DRIVE (PC19-104) REQUEST

Wolowski asked Krebs to clarify what part of the building the drain was located and how many. Krebs stated she only saw one drain in the south part of the building. Hanegraaf asked when the building was built, as some of the older buildings have drains going directly out of the building onto the ground. The building was built in 1978, and further investigation of the drains will be performed.

Hanegraaf referenced the Planners Report, item 7 on recommendations, asking if we must keep that bullet point. Mursko explained that there is typically an in between stage of ownership where the dealer no longer owns the vehicle but may remain on site. Her understanding of 7 is that there are not going to be any inoperable cars or cars being used for parts, located on the property. Potential rephrase could be “no inoperable cars stored outside” or potentially “if it comes inoperable, it will be made operable by the time it is sold”. The intention is to not keep cars for parts outside.

Mursko also added, typically CUPs for dealerships there is usually an “up to” number on how many vehicles can be kept on site, to ensure compliance. Number 7 maybe could say something like “No unlicensed nor inoperable vehicles allowed on the property, 25 vehicles total allowed in the storage area designated on the site plan”.

Members discussed the parking situation. They agreed that the business had adequate parking for both customers and employees. Customers are on appointment only therefore not many spots shall be needed. Krebs stated to omit “employee and” as well as “but the area shown for 3 parking spots is not paved”.

Signage was discussed. The applicants will be adding a sign but will address that at a later date and is aware that it must be compliant under City ordinance.

Drainage was addressed by the City Building Inspector in an email to the applicants. He added conditions for the drainage tank. The applicants agreed to get an answer on the drain question before the council meeting.

Mursko – to add to the findings – acknowledge that the landowner to the north has a storage area on the property (as indicated on the site plan). Those cars belong to the dealership on the north. Planner also acknowledged some landscaping needs to be done on the property. Mursko had previously discussed this with the applicant and they have agreed to adding landscaping this summer.

Motion by Krebs to recommend to the City Council the CUP request, for applicant Douglas Dykstra (California Cars Connection), with findings of fact A – H, with the **omission of A, bullet point 5 “employees and” and the sentence stating “the area shown for 3 employee parking is not paved”** and recommendations 1-11 with the **addition of in number 7, “no inoperable vehicles allowed” and up to “25 cars” allowed, and addition of number 12 that the sign must be applied for**, from the Interim City Planner report dated 03.14.2019; also including the Building Official’s recommendations 1-6, with the **addition of where the drain goes and whether there is a tank on the property**, dated 01.10.19, for approval. Seconded by King. Motion carried unanimously.

FINDINGS OF FACT

- A. The use will be harmonious with and in accordance with the general objectives, or with any specific objective of the City Comprehensive Plan and the Zoning Ordinance.
- This finding is partially met.
 - The Comprehensive Plan identifies this property for commercial / industrial use, which is consistent with the proposed use.
 - Dimensional zoning standards for the property, including building height, setbacks, lot coverage, width and depth are met, with the exception of minimum lot size, which is 2.5 acres for commercial properties in this district. That makes this a nonconforming lot size. Zoning standards for outdoor storage, including vehicles, require that it be located in the side and rear yards of the property, which conforms with the proposed placement in the site plan.
 - Site standards for landscaping are partially met. Section 7A-820 states that all proposed development activities, including site modifications, shall be subject

to landscaping improvements. In the C/I district, one (1) tree is required for every 6,000 square feet of site area, which equals 15 trees for this property. The site currently has about 15 trees. Foundation plantings are encouraged around buildings, sign bases, berms and other visible locations. This site currently has attractive vegetation on the south side of the driveway but has no vegetative planting on the north side.

- Site standards for parking are partially met. Under the City code, parking spaces for employees and customers must be paved. According to the site plan, the identified parking area for customers is paved, but the area shown for 3 employee parking spots is not paved. Applicant will use the additional paved parking spaces in front of building for employee parking to meet standard as there is a total of 7 parking spaces. Under the code, vehicles being stored before or after service can be on Class 5 aggregate.
- B. The use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- This finding is met.
 - The property is in an area characterized by industrial and commercial roadside businesses. Adjacent uses to the property are Wreck Brothers Auto Body to the north, KRT Affordable Self-Storage to the south, and Bergens Greenhouses to the east. The proposed commercial use of auto repair, storage and sales is compatible with existing and intended uses for the area.
- C. The use will not be hazardous or disturbing to existing or future neighboring uses.
- This finding is met.
 - The use will involve minimal visitation and the repair of vehicles will occur inside the building, keeping noise and exterior emissions to a minimum. The applicant describes repair activities and the planned handling of hazardous material in the application materials, on the attachment with letterhead “California Cars Connection”.
- D. The use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services
- This finding is met.
 - The property has direct driveway access to Lakeshore Drive NE, has existing water and septic services which have adequately served prior uses of similar intensity at the site, the property is within a police and fire service area, and the property has enclosed dumpsters and access to disposal services.
- E. The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- This finding is met.

- The property is already established and has access to existing public facilities and services. It will not create additional service demands or require economic assistance from the city.
- F. The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by reason of excessive production of traffic, noise, smoke fumes, glare, or orders.
- This finding is met.
 - The exterior portions of the property will be used for employee and visitor parking, as well as limited parking of some vehicles being serviced. The parking spaces are organized in an orderly fashion with a drive aisle between. Auto repair will occur inside the building, keeping noise, fumes or orders within the building.
- G. The use will have vehicular approaches to the property which shall be designed not to create an interference with traffic on surrounding public thoroughfares.
- This finding is met.
 - The existing access drive to Lake Drive NE has been used by previous businesses and is designed in accordance with city requirements.
- H. The use will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.
- This finding is met.
 - The configuration and use of the property is similar to past uses and does not propose new excavation or site work that would disturb native plant communities or historic features.
 - No plan for stormwater management was submitted with the application.
- I. Additional Findings:
- The Landowner of the Property (Don Waldoch) has new vehicles stored on the North portion of the Property as depicted on the site plan 01.22.19.
 - Applicant will designate seven (7) parking spaces in the paved area for both customer and employee parking.

STAFF RECOMMENDATIONS

Based on the above Findings of Fact, the Planning Commission recommends approval of the Dykstra Conditional Use Permit (CUP), subject to the following:

1. The CUP authorizations the auto repair, sales and storage in areas as indicated on the application site plan and is subject to review, approval and requirements of the Rice Creek Watershed District.
2. Foundation plantings shall be added as landscaping behind the front fence line on the north side of the driveway to provide some visual screening along the public right-of-way. The landscaping shall include coniferous and deciduous shrubs, planted at a minimum of one-third (1/3) of the mature spread and height of a typical growth. Ornamental grasses or small trees may be proposed as alternative elements in the landscape mix. A simple landscape plan shall be reviewed and approved by the City Administrator or designee.

3. The Conditional Use Permit, once issued, may be revoked upon a finding by the City Council that the property and/or use is not in compliance with the conditions for approval of such use, following notice and hearing.
4. Conduct of the business shall be consistent with the application materials received by the City on January 28, 2019, which are attached to the CUP by reference.
5. All equipment and activities associated with repair of vehicles shall be kept and conducted in the enclosed structure.
6. All uses allowed in the CUP shall be constructed and maintained consistent with all applicable federal, state and local laws and regulations.
7. The business may have up to 25 vehicles stored in storage area as depicted on the site plan. There shall be no unlicensed storage of inoperable vehicles used only for parts allowed on the Property.
8. Typical hours of operation on the Property are 8:00 a.m. to 8:00 p.m., seven days a week.
9. There are to be no chemicals, odors, gasses, hazardous wastes or fumes on the Property as a result of this business, excepting normal emissions and discharges associated with the operation of motor vehicles.
10. No other uses or intensifications are allowed on the Property without an amendment to the CUP.
11. The applicant shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the CUP and for all ongoing inspections and enforcements actions required for the CUP.
12. The applicant shall comply with the Building Official correspondence conditions dated 01.10.19.
13. Signage on the Property will require the applicant to apply for a sign permit from the City.

PUBLIC OPEN FORUM

Nothing to report.

MAYOR'S REPORT

Preiner came forward to welcome new members to the Planning Commission. Personnel committee felt their sincerity in working for local government during their interviews. Preiner spoke on putting the interests of Columbus first and the decisions made today, will have longstanding consequences.

He encouraged the Commission Members not to be hesitant to discuss and question applicants. The better we understand an issue the better our decisions will be. The most important will be to advocate what's best for the City.

CITY ADMINISTRATOR'S REPORT

This past week, two subdivision applications came in. They will be discussed at a future meeting. Hy-Vee came in for a staff meeting. There are additional items to be submitted to get the application processed.

Now on the website, there are deadlines for application submittals. Lead time for applications is contingent on whether the application is complete.

The Planning Commission will hold a meeting on April 3rd, but the next Public Hearing will be held April 17th. On April 3 we will talk about the Comprehensive Plan. Haila Maze will present at City Council workshop at 4 p.m. and again at the Planning Commission meeting. Krebs had questioned the reason the discussion wasn't set up as a joint workshop. Mursko stated a decision was made that it would be separate, as the panel of people would be over 10.

Hanegraaf questioned if Merritt Clapp-Smith still the City Planner. Clapp-Smith is the interim planner. We have an ad out for a new City Planner, we are working through applications.

Mursko explained the issues with the search for a new planner. The model with the old planner will no longer work because that was such a unique situation. The City looked at a different model for services. The option that the city went with was to hire junior and senior planners. Junior planner in the office day to day and senior planner available for mentoring and more complex situations. The ad that is currently out is in search of someone out of school looking for a part-time Planner position and hiring a Senior Planner that will work with on an as needed basis.

PLANNING COMMISSIONER'S REPORT

Hanegraaf discussed the education available on March 28th and May 16th. The City Council has approved further education for the Planning Commission and all members are welcome to go.

Krebs attended last City Council meeting to present. She talked about the 2 years on IUP change, during first application. Krebs asked how enforcement on code is going to be addressed when they reapply. The Council said they will look at it closer, how enforcement would happen in different scenarios.

Wolowski welcomed the new members. Wolowski suggested share the job posting for the planning position on their personal social media to help gain attention.

ATTENDANCE - NEXT CC MEETING

Wolowski is scheduled to attend the City Council meeting on March 27th, 2019.

Motion by Krebs to adjourn. Second by Wolowski. Motion carried.
Meeting adjourned at 8:05 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary