

City of Columbus
Regular Planning Commission Meeting
April 4, 2018

The April 4, 2018 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:02 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 and Mayor Dave Povolny; Ian Jorgensen of Century Fence, Tim Houle, and Tom Swenson.

AGENDA APPROVAL

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

APPROVAL – LAKNERS WOODLAND PONDS PRELIMINARY PLAT PUBLIC HEARING MINUTES OF MARCH 7, 2018

Motion by Preiner to approve the minutes from the Lakners Woodland Ponds Preliminary Plat Public Hearing held on March 7, 2018 as written. Second by Watson. Votes as Follows: Krebs – abstain, Watson – aye, Wolowski – abstain, Preiner – aye, Sternberg – aye. Motion carried.

APPROVAL – PLANNING COMMISSION MEETING MINUTES OF MARCH 7, 2018

Motion by Watson to approve the minutes of the March 7, 2018 regular Planning Commission meeting as written. Second by Sternberg. Votes as Follows: Krebs – abstain, Watson – aye, Wolowski – abstain, Preiner – aye, Sternberg – aye. Motion carried.

PUBLIC HEARING – 7643 CAMP 3 RD IUP REQUEST (PC 18-106)

At this time a public hearing was held to consider a request for a Residential Zone Business Interim Use Permit to allow the operation of a used car dealership. Separate minutes are prepared.

7643 CAMP 3 RD IUP REQUEST (PC 18-106) DISCUSSION

Motion by Watson to recommend to the City Council the IUP application by Thomas Swenson, d.b.a. R & T Auto, for operation of a used car dealership for approval subject to findings of fact and recommendations of approval. Seconded by Sternberg. Motion carried unanimously.

Findings of Fact

1. An application for a Residential Zone Business IUP by Tom Swenson, d.b.a. R & T Auto (“Swenson”), was received on February 28, 2018. The application was found complete.
2. The 60-day review deadline is April 29, 2018. The 120-day review deadline, if extended, is June 28, 2018.
3. Swenson is proposing to renew a 5-year IUP on a 5-acre parcel located at 7643 Camp 3

Road (County Parcel ID 15-32-22-34-0006), legally described as part of the Southeast Quarter of the Southwest Quarter of Section 15, Township 32, Range 22 (“Property”).

4. The Property is zoned RR Rural Residential.
5. Residential Zone Businesses are an interim use in the RR District, subject to the conditions and requirements of Sections 7A-806 of the City Code.
6. Swenson resides on the Property and the current IUP to operate a used car business expires on April 24, 2018.
7. The Property includes a 52X76 feet building used to store used vehicles for sale.
8. A maximum of 20 vehicles have been allowed on the Property and must be kept within existing structures.
9. Only minor repairs to vehicles have been allowed, e.g., oil changes, tire and headlight replacement. No body work, painting, engine repair, brake replacement or similar more intensive repairs have been allowed.
10. One existing sign on the “dealer building” is allowed.
11. No other non-residential use of the property is currently allowed
12. The Planning Commission held a public hearing to consider the IUP renewal by Swenson on April 4, 2018.

Recommendations

Based upon the above Findings of Fact, the Planning Commission recommends to the City Council approval of the Tom Swenson Residential Zone Business IUP renewal, with the following conditions:

1. The Residential Zone Business shall comply with and be subject to all of the provisions of the City’s Zoning Ordinance regarding Residential Zone Businesses, including, but not limited to, the provisions of Section 7A-806.
2. The Permit shall be valid for a term of five (5) 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 storage of twenty (20) used cars and light trucks (no heavy trucks or machinery) for sale and some light repair work for the purpose of preparing vehicles for sale (e.g. changing of tires, headlights, oil). No body work, engine work, transmission work, brake work, painting, or other more intensive repair work shall be permitted in connection with the Residential Zone Business. In addition, no handling of hazardous materials, including petroleum products, shall be permitted in connection with the Residential Zone Business, except as necessary to carryout oil changes as permitted hereunder. The Property shall in no event be operated as a salvage yard.
4. All vehicle inventory, parts, and other material or debris associated with the Residential Zone Business shall be stored indoors out of public view. All vehicle inventory shall be fully operable prior to being brought upon the Property.
5. Absolutely no outdoor display or storage of vehicle inventory shall be permitted.

6. Immediately upon the expiration or earlier revocation of the current Permit, Swenson shall, at his sole expense, repair the Property to meet current City Zoning Code Regulations.
7. The Residential Zone Business shall be operated only within the 52' by 76' barn existing on the Property. Business hours shall be limited to Monday through Saturday, from 8 a.m. to 7 p.m.
8. 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.
9. Swenson shall be permitted to affix one non-illuminated wall sign not to exceed two square feet in area for the purpose of advertising the Residential Zone Business.
10. No other business shall be conducted upon the Property.
11. Swenson, his employees, agents, and assigns shall comply with all local, State, and federal laws, regulations, and ordinances in the conduct of the Residential Zone Business.
12. Prior to re-commencing operation of the Residential Zone Business, Swenson shall pay all costs and expenses incurred by the City in reviewing Applicant's application for the interim use permit, including reasonable attorney's fees and consultant fees.
13. Should traffic concerns arise the City Council reserves the right to re-open the Interim Use Permit for review.
14. Swenson is required to present a copy of the Minnesota Motor Vehicle Dealer License to the City forty-five (45) days after the approval of the Permit and each year anniversary date thereafter.
15. Swenson must contact Anoka County Environmental Services to establish whether a permit is needed for hazardous waste disposal.
16. 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. The City shall notify the State licensing authorities that have issued licenses in connection with the Residential Zone Business of any such revocation.
17. Swenson 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.
18. The Permit provided herein is issued solely for the benefit of the Swenson and may not be sold, assigned, or otherwise transferred in any manner whatsoever.

This matter will go before the City Council at their meeting on April 11, 2018.

PUBLIC HEARING – 14839 LAKE DR. – AMEND CUP (PC 18-107)

At this time a public hearing was held to consider a request for a conditional use permit to allow an addition to the office and shop/warehouse area for the building trade/contractor office (Century Fence Company). Separate minutes are prepared.

14839 LAKE DR. – AMEND CUP (PC 18-107) DISCUSSION

Motion by Krebs to recommend to the City Council the CUP application by Ian Jorgensen, of Century Fence Company, to allow and addition to the office and shop/warehouse area for approval subject to findings of fact and recommendations of approval. Seconded by Watson. Motion carried unanimously.

Findings of Fact

1. An application for a CUP Amendment by Century Fence Company (“Century”) was received on March 1, 2018. The application was found complete.
2. The 60-day review deadline is April 30, 2018. The 120-day review deadline, if extended, is June 29, 2018.
3. Century is proposing to construct an approximately 48X54 feet office addition and 29X99 feet shop/warehouse addition on its property located at 14834 Lake Drive NE, legally described as the South 715 feet of the Northwest Quarter of the Northwest Quarter of Section 27, Township 32, Range 22, lying easterly of CSAH 23 (“Property”).
4. The Property is zoned C/I Commercial/Industrial.
5. Century has been located on the Property since 1974, consisting of an approximately 41X48 feet office building, a 51X71 feet attached shop building, and a 50X120 feet warehouse building.
6. A CUP was issued to Century in 1994 for a 40X51 feet addition to the shop building.
7. The 1994 CUP referenced two parcels owned by Century and a variance granted to allow the office addition to be 35 feet from the north property line. The current site plan illustrates the existing building is approximately 200 feet from the north property line.
8. A CUP amendment was issued to Century in 1997 for a 24X48 feet office addition.
9. The current proposed office addition will be attached to the south side of the existing office building. The proposed shop/warehouse addition will be attached to the north side of the existing shop building.
10. Existing and proposed office space is approximately 6000 square feet, which requires 30 parking spaces.
11. Existing and proposed shop/warehouse space is approximately 17,000 square feet, which requires 9 parking spaces.
12. Century proposes to expand the existing parking lot to contain 32 paved, signed parking stalls, including two handicapped accessible spaces. Three additional spaces will be designated along the east side of the office building and four additional spaces will be designated adjacent to the existing pole building.
13. The existing driveway access will be realigned to the south of the office addition.
14. The proposed shop/warehouse addition is block construction to match the existing building and is approximately 16 feet tall.
15. The office addition is also concrete block, matching the existing office building, and is approximately 20 feet tall at the gable (the gable façade is lap siding).

16. Two stormwater ponds are proposed to be constructed to the west and north of the building additions.
17. Several existing trees will be removed as a result of the driveway relocation, building additions and ponding construction.
18. The property abuts Rural Residential zoned properties to the north and northwest.
19. The proposed building additions will exceed all required setbacks, assuming the two apparent parcels of the Property are legally combined as one parcel.
20. The Planning Commission held a public hearing to consider the CUP Amendment by Century on April 4, 2018.

Recommendations

Based upon the above Findings of Fact, the Planning Commission recommends to the City Council approval of the Century Fence Company CUP Amendment, with the following conditions:

1. The CUP Amendment is subject to the detailed recommendations of the City Engineer.
2. The CUP Amendment is subject to title review by the City Attorney.
3. The CUP Amendment is subject to the detailed building plan review **to include a new well and SSTS review** by the Building Official.
4. The CUP Amendment is subject to the requirements of Rice Creek Watershed District.
5. The CUP Amendment is subject to the requirements of Anoka County.
6. The Property shall be developed consistent with “Century Fence” plan set prepared by Lampert Architects and Stroh Engineering, dated February 2, 2018 and February 22, 2018 and “Existing Site Conditions, Site Plan, and Drainage Plans,” prepared Widseth Smith Nolting, dated January 10, 2017; as modified, supplemented and updated by the City.
7. In the event it is determined that the Property consists of two separate parcels, the Property shall be platted or the parcels shall be permanently combined by other instrument approved by the City.
8. Equipment and material storage areas shall not occupy any parking areas, stormwater infiltration areas, wetland areas, or sewage treatment areas, nor include any trash or rubbish.
9. A screening plan for outside storage areas, consistent with Section 7A-800 K. of the City Code, shall be submitted to the City within sixty (60) days of the approval of the CUP Amendment for approval by the City Administrator.
10. 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.
11. Additional expansion or intensification of the Property shall require an amendment to the Conditional Use Permit.
12. All exterior lighting shall be downcast, shrouded and directed away from adjacent

properties and public streets.

13. All refuse must be stored in a building or kept in covered containers, enclosed on all sides visible from adjacent property by screening, compatible with the exterior of the building, not less than two (2) feet higher than the refuse container.
14. Any hazardous materials used or hazardous wastes generated on the Property shall be in compliance with federal, state, and county permitting and licensing requirements.
15. The operation of the contractor's shop must be consistent with all local, Federal, and State laws that apply to the use of the Property.
16. In the event the City Council determines that the contractor's shop is not being operated in accordance with any term or condition contained herein, the 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 Conditional Use Permit of any such revocation.
17. Century shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the CUP, including reasonable attorneys' fees and consultant fees.
18. The CUP Amendment 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, plumbing permits, electrical permits, stormwater permits, sign permits, water appropriation permits, and sewage treatment system permits.
19. Century shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP amendment, including any subsequent inspection and enforcement actions.

[Note: Relevant conditions of the 1994 CUP and 1997 CUP Amendment are incorporated herein]

This matter will go before the City Council at their meeting on April 11, 2018.

DISCUSSION – CITY COUNCIL COMPREHENSIVE PLAN DIRECTION

In this discussion, a few letters were brought to the attention of the Planning Commission in regards to re-zoning of the land-use map.

Jon Rausch and Dale and Cindy Furrer, joint owners for property at 14751 Hornsby Rd, had requested the Planning Commission to consider re-zoning approximately 20 acres located on the east side of the interstate to currently zoned as commercial showroom, to become light industrial zoning.

A third letter was received from Jim and Barb Preiner, in regards to their property at 14209 West Freeway Drive. The letter requested permission to rent property to a company out of Hayward, WI, to display their products of sheds/cabins. This type of permission would require an industrial zoning.

The letters were discussed to decide where they would like to see changes in the land use for the freeway corridor. City Planner, Dean Johnson, will be taking the advice of The McCombs Study, Planning Commission and the Met Council, and present the City with an updated Land-Use Map at the next meeting.

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

Preiner is scheduled to attend the City Council meeting on April 11, 2018.

Motion by Krebs to adjourn. Second by Sternberg. Motion carried.

Meeting adjourned at 8:28 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary