

**City of Columbus**  
**Regular Planning Commission Meeting**  
**April 17<sup>th</sup>, 2019**

The April 17<sup>th</sup>, 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 Pam Wolowski, Jody Krebs, Barb Bobick and Kris King; City Administrator Elizabeth Mursko; Interim City Planner Haila Maze; and Public Communications Coordinator Jessica Hughes.

Also in attendance were Mayor Jesse Preiner; City Council members Janet Hegland, Shelly Logren, Denny Peterson; Mary Preiner, Pat Preiner, Joyce Guttsen, Morgan Kavanaugh, Ann Haslerud, Mark Kronbeck, Roberta Gronquist, Tom Palmquist, Phil Hoey, Ben Gutknecht, and Cindy and Myron Angel.

**AGENDA APPROVAL – PLANNING COMMISSION**

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

**PLANNING COMMISSION MEETING MINUTES OF 04.03.19**

*Motion* by Wolowski to approve the minutes of the April 3<sup>rd</sup>, 2019 regular Planning Commission meeting as written. Second by Bobick. Motion carried.

**PUBLIC HEARING – – GRONQUIST ADDITION PRELIMINARY PLAT AND FINAL PLAT APPLICATION (PC 19-105) REQUEST**

At this time a public hearing was held to consider a request by the applicant, Wilkerson & Hegna, PLLP (Anne Haslerud), for a preliminary & final plat “Gronquist Addition” creating two (2) new lots in the C/R Community Retail zoning district. Separate minutes for the public hearing are prepared.

**GRONQUIST ADDITION PRELIMINARY PLAT AND FINAL PLAT APPLICATION (PC 19-105) REQUEST**

Krebs requested that the Planning Commission add condition number 7 to require the developer’s agreement to address the utility hookup. The remaining members agreed.

Wolowski questioned about the deferment for utility hookups on lot 2 (written in Wilkerson note). Mursko explained that the requirement for hooking up to utilities has been extended in the past, but 2019 was the end all be all date that everyone needs to hook up.

Mursko clarified the changes to the Planner’s Report to say that it is in community retail and not rural residential, as well as add number 7 as a condition that the developer’s agreement must address timing for hooking up to public utilities. Also, would be subject to conditions in the revised engineers report dated 04.14, because there are some inconsistencies with reports.

*Motion* by Wolowski to recommend approval to the City Council the application from Wilkerson & Hegna, PLLP with the findings of fact 1-12, staff recommendations 1 through 7, with the

addition of condition 7 “**City Attorney to prepare a development agreement as a requirement for the subdivision addressing public utilities for Lot 2**”, from the Interim City Planner report dated 04.17.2019 for the preliminary and final plat “Gronquist Addition”. Seconded by King. Motion carried unanimously.

### **Findings of Fact**

1. The City received a preliminary and final plat application from Wilkerson & Hegna, PLLP (“Applicant”) on March 14, 2019. The application was found complete.
2. The 120-day preliminary and final plat review deadline is July 26, 2019.
3. The proposed 10.443-acre plat is located at 9252 Lake Drive NE on the south side of the road, PID 24-32-22-24-0007, (“Property”).
4. The Property currently has a single-family residence, a paved driveway, a small shed, a detached garage and a pole barn.
5. The proposed plat will split the Property into two lots. Lot 1 would be 3.003 acres and contain the existing residence and structures. Lot 2 would be 7.440 acres and is currently vacant.
6. Public sewer and water utilities are available along Lake ~~Shore~~ Drive. One 6” sanitary sewer service and one 6” water service were provided to the current parcel as part of the original utility improvements, but were not connected to the residence on Lot 1.
7. There are no proposed new development plans associated with the application for preliminary plat review and approval.
8. Access to Lot 1 is an existing paved driveway onto Lake Drive NE. Access to Lot 2 is currently a gravel driveway onto Lake Drive NE.
9. Yard area and wetland area easements on lots are consistent with the City Code.
10. Two wetlands were identified on Lot 2 by a wetland delineation, the results of which were supported as accurate by Rice Creek Watershed District under a Notice of Decision on January 3, 2019. The U.S. Army Corps of Engineers concurred with the delineation of the aquatic resources in a letter of February 5, 2019. The Plat identifies wetland drainage and utility easements covering each wetland.
11. There are no new stormwater management facilities required within the plat.
12. Anoka County Transportation Division reviewed the plat and issued comments on March 12, 2019. The County stated that the right of way is adequate for future reconstruction purposes. The County also reviewed the two access drives. The County approves of the existing access to Lot 1. For Lot 2, the County noted that the existing gravel drive was never formally approved. It will permit an access drive for Lot 2, but reserves the right to review the design and location of the future access when development on the parcel occurs.

## STAFF RECOMMENDATIONS

Based on the above Findings of Fact, the Planning Commission ~~should~~ recommend approval of the Gronquist Preliminary and Final Plats, subject to the following:

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. Requirements of the Anoka County Surveyor and Anoka County Highway Department.
4. Requirements of Rice Creek Watershed District.
5. Reimbursement of all City expenses associated with plat approval.
6. Future development within the plat is subject to local ordinances and permitting requirements.
7. **City Attorney to prepare a development agreement as a requirement for the subdivision addressing public utilities for Lot 2.**

### **PUBLIC HEARING – NE QUAD 35 PRELIMINARY AND FINAL PLAT APPLICATION (PC 19-106) REQUEST - COLUMBUS 3597 JAMP PUD CUP REQUEST (PC 19-106)- HYVEE SITE PLAN REVIEW**

At this time a public hearing was held to consider a conditional use permit request by the applicant, Columbus 3597 JAMP, LLC (Tom Palmquist), to consider a request for a mixed use “planned unit development” (PUD) and preliminary & final plat “NE Quad 35” within the C/R Community Retail zoning district. Both preliminary and final plat application, and JAMP PUD CUP request were held in one public hearing. Separate minutes for the public hearing are prepared.

### **NE QUAD 35 PRELIMINARY AND FINAL PLAT APPLICATION (PC 19-106) REQUEST - COLUMBUS 3597 JAMP PUD CUP REQUEST (PC 19-106)- HYVEE SITE PLAN REVIEW**

King questioned whether there would be allowable amendments to the PUD as they come forward and whether each separate development have different variances for the PUD? Mursko replied that as she understood the PUD can be changed with amendments as they go forward. There should be many developer agreements and one PUD that will be amended. Mursko also stated that each individual lot will have their own conditions (potentially on a CUP), and HyVee will have their own conditions to follow. All applicants will share on stormwater and utility costs.

Hoey raised a question about Staff Recommendation 7 says that in the event the City Council determines that the development isn’t being operated within conditions, the PUD CUP could be revoked. He is confused about the city’s ability to pull the CUP out.

Mursko responded she didn’t believe it was worded correctly. His concern was he doesn’t want someone else to be out of compliance and have that cause HyVee’s permit to be pulled. He is under CUP to allow flexibility and get variations, but Mursko doesn’t believe the PUD dictates whether he complies. The City will work this out and address it later.

Palmquist specified his interpretation was because they have a Purchase Agreement as JAMP, and if we default, the City has remedies. We have a preliminary agreement and development agreement that has conditions and if we default then the city has remedies. We envision every building as being a separate lot block.

Mursko advised adding “Subject to legal review of number 7”. We will clean it up before City Council. Also, we need more language about individual lots.

Krebs requested Staff Recommendation 4 changing the use of “each” instead of “the” before “property developed” --- “to the use of EACH property developed”. Her thought was that will help clean up the language. Hoey stated that’s a different issue. That’s about the overall property, dealing with the whole 20 acres.

Mursko advised the recommendation may be that the Attorney will review the entire Planning Report to make sure its consistent with how a PUD would be done in this case. She believes the report was more tailored for an individual lot and there are some areas that need to be tailored. But Findings of Facts are appropriate but may need some more to address the entire 20 acres.

Mursko stated at the last EDA meeting they talked about the possible name for the quadrant. They thought the name should include Columbus. They are proposing “Columbus crossing” “Columbus plaza” and “Columbus commons”. She had asked for input from the Planning Commission. They agreed that most are standard.

*Motion* by Krebs to recommend approval to the City Council the application from JAMP LLC, CUP PUD with the findings of fact 1-10, staff recommendations 1-8 subject to review by the City Attorney, from the Interim City Planner report dated 04.17.2019 and subject to comments 04.13.19 on the Engineer’s Report. Seconded by King. Motion carried unanimously.

*Motion* by Krebs to recommend approval to the City Council the application for HyVee site plan review subject to the comments in 04.13.19 Engineer’s Report, along with the monument sign and building elevations. Seconded by Wolowski. Motion carried unanimously

*Motion* by Krebs to recommend approval to the City Council the application from City of Columbus for NE Quad Preliminary and Final Plat Approval, subject to recommendations of the City Engineer. Seconded by Wolowski. Motion carried unanimously.

### **Findings of Fact (JAMP LLC CUP PUD)**

1. The City received a Conditional Use Permit application for a Planning Unit Development from JAMP, LLC (“Applicant”) on March 20, 2019. The application was found complete.
2. The 120-day preliminary and final plat review deadline is August 2, 2019.
3. The proposed 20.33-acre PUD is located at northeast corner of Interstate 35 and County Road 97, (“Property”).
4. The CUP procedure is required to consider granting approval of a Community Retail District PUD on the Property through the Planned Unit Development provisions of the City Code.

5. The CUP – PUD application is associated with a ‘NE Quad 35’ Preliminary and Final Plat application from the City of Columbus, which currently owns the property, and a Site Plan application from Hy-Vee for the southeast portion of the PUD area.
6. The Property is currently vacant, with Hornsby Avenue NE running north-south through it.
7. The PUD proposes a mixed-use development, to include a Hy-Vee grocery, a multi-family residential development, and future commercial uses to be determined.
8. The Preliminary and Final Plat associated with this phase of the PUD development propose the creation of one lot (‘Lot 1’) for the Hy-Vee store and four (4) outlots. Further subdivision of the outlets is anticipated in the future, through preliminary and final plats and site plans.
9. The PUD proposes a few deviations from the general City Code requirements in the Community Retail District, as follows:
  - a. Reduce front building setbacks from thirty feet (30’) to twelve feet (12’), to bring the buildings closer to the Hornsby Avenue NE public right-of-way with parking placed more to the rear and side of buildings, where it will be less visually prominent.
  - b. Increase the allowable impervious surface area coverage above the general maximum of 50%, if reviewed and approved by the City Engineer on a case-by-case basis for each lot to be created in the PUD. The impervious coverage will be reviewed in relation to the capacity of the ponding areas and stormwater management system across the PUD area.
  - c. Allow shared parking areas between uses when the anticipated days and hours of parking demand for those uses are determined to enable shared parking spaces without the demand at peak times exceeding the available parking provided.
  - d. Allow deviation from the requirement that maneuvering areas, access aisles, driveways and parking spaces shall be no closer than five (5) feet from property lines, to enable shared drives and parking areas between adjacent uses and parcels, upon review and approval by the City Engineer on a case-by-case basis.
10. Owners of parcels that share parking and access will grant mutual cross access easements for operation and maintenance of those areas, as well as ponding areas.

### **STAFF RECOMMENDATIONS**

Based on the above Findings of Fact, the Planning Commission recommends approval of the Conditional Use Permit for a Planning Unit Development, subject to the following:

1. The PUD CUP is contingent upon approval and recording of the NE Quad 35 Preliminary and Final Plats.
2. The PUD CUP is contingent upon detailed recommendations of the City Attorney.
3. The PUD CUP is contingent upon detailed recommendations of the City Engineer.
4. Development of the Property must be consistent with all local, federal, and state laws that apply to the use of the Property.
5. Further subdivision of one or more of the outlots is anticipated in the future.

6. A development agreement between the applicant and the City shall be required per City Code Section 7A-819 A.5. for Planned Unit Development, to ensure that the PUD is constructed and maintained as approved, including but not limited to installation, design, and maintenance of streets, utilities, amenities, or other aspects of the PUD.
7. In the event the City Council determines, in its sole discretion, that the development of the Property is not being operated in accordance with any term or condition contained herein, the PUD 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 PUD CUP of any such revocation.
8. The Applicant shall reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP and PUD, including any subsequent inspection and enforcement actions.
9. The PUD approves the Following Deviations from the general City Code requirements in the Community Retail District, as follows:
  - e. Reduce front building setbacks from thirty feet (30') to twelve feet (12'), to bring the buildings closer to the Hornsby Avenue NE public right-of-way with parking placed more to the rear and side of buildings, where it will be less visually prominent.
  - f. Increase the allowable impervious surface area coverage above the general maximum of 50%, if reviewed and approved by the City Engineer on a case-by-case basis for each lot to be created in the PUD. The impervious coverage will be reviewed in relation to the capacity of the ponding areas and stormwater management system across the PUD area.
  - g. Allow shared parking areas between uses when the anticipated days and hours of parking demand for those uses are determined to enable shared parking spaces without the demand at peak times exceeding the available parking provided.
  - h. Allow deviation from the requirement that maneuvering areas, access aisles, driveways and parking spaces shall be no closer than five (5) feet from property lines, to enable shared drives and parking areas between adjacent uses and parcels, upon review and approval by the City Engineer on a case-by-case basis.

Engineering has reviewed the Civil Site Plans and Stormwater calculations, and CUP PUD is subject to the following comments:

Layout:

1. The proposed site will be utilizing two driveway accesses to the newly realigned Hornsby Street. One primary access that aligns with between the front of the store and the gas pumps, and one secondary access to the northwest that will be shared with other future development. The site layout is also providing for two internal cross-access points in the southwest corner to adjacent future development.
2. A small portion of the parking area adjacent to Hornsby Street is in the drainage and utility easement, and a portion of the driving area south of the gas pumps is in the existing

watermain and sanitary sewer easement. Landscaping improvements are proposed in these areas as well. This is acceptable with the caveat that if repair/replacement/relocation of any utilities in these easements become necessary in the future, the repair/replacement of any development surface improvements are the responsibility of Hy-Vee.

#### Grading and Drainage:

3. Drainage for the entire development is collected on site and conveyed to a proposed storm water pond on the east side of the site. This proposed pond will be constructed as part of the Hornsby Street Realignment project as it functions hydraulically as part of a larger proposed pond on the east side of Hornsby Street.
4. Storm water ponding for this development site is part of the Hornsby Street Realignment project, and as such is being permitted through Rice Creek Watershed District as part of that project. However, each individual development with this PUD, including Hy-Vee, will need to apply for its own permit from the RCWD relative to specific site improvements.
5. Benchmark information should be shown on the grading, drainage and erosion control plan.

#### Utilities:

6. The proposed store will use existing 6” sanitary sewer and water services stubbed to the parcel along the north side of TH-97 as part of a previously installed city sanitary sewer and watermain extension project.

### **PUBLIC OPEN FORUM**

Nothing to Report.

### **CITY ADMINISTRATOR’S REPORT**

Deputy City Clerk, Lorie Spangler sent out an email to the commission members regarding training. As the City receives information about additional training, it will be forwarded on to accommodate everyone’s schedule. The City Council made a motion to have the City pay for it. There is still a virtual based training option as well.

Also, the League if Minnesota Cities has classes, Mursko will also send you the information for. A certain percentage of Planning Commission and City Council must take the class. The class is held online and is completely free.

Hanegraaf stated he and Bobick will be attending a training on May 16<sup>th</sup>.

### **PLANNING COMMISSIONER’S REPORT**

King stated it is nice to see what is coming into Columbus.

Wolowski thanked City staff for putting everything together.

Krebs stated they (JAMP) really know what they are doing and believes because of this we will see a lot of growth very quickly.

Bobick stated it is all very positive and exciting.

Hanegraaf thanked staff for their hard work. He spoke with Lorie and the maps can be returned so we don't have to reprint them for the council.

**ATTENDANCE - NEXT CC MEETING**

Hanegraaf is scheduled to attend the City Council meeting on 04.24.19.

Preiner came forward to address the Council. Ben Gutknecht is going to be the new City Planning Technician in Columbus. He will start next week when the paperwork comes back. He came tonight to see the happenings in the City and to chat if you need.

Gutknecht attended University of Stevens Point. He has completed many internships in the Metro area for, Planning GIS and natural resources. He is happy to be here for the opportunity. He is looking forward to being here with the development coming in.

*Motion* by Krebs to adjourn. Second by Wolowski. Motion carried.

Meeting adjourned at 8:45

Respectfully Submitted:

Rochelle Busch, Recording Secretary