

**City of Columbus**  
**Regular Planning Commission Meeting**  
**June 19<sup>th</sup>, 2019**

The June 19<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: Kris King, Pam Wolowski, Barb Bobick and Jody Krebs; City Administrator Elizabeth Mursko; Haila Maze; City Planning Technician Ben Gutknecht; and Recording Secretary Rochelle Busch.

Also in attendance were Mayor Jesse Preiner; City Council Members Denny Peterson, Shelly Logren and Janet Hegland; Arlen Logren, Joe Monette, Michael Monette, Benet Witzmann, John Seibert, Barb Wegwerth, Jason Rud and Tom Carlisle.

**AGENDA APPROVAL**

*Motion* by Krebs to approve agenda as written. Second by Wolowski. Motion carried unanimously.

**APPROVAL – PUBLIC HEARING MINUTES – NE 35 QUAD PRELIMINARY AND GINAL PLAT 3597 JAMP PUD CUP APPLICATION ON 04.17.19**

*Motion* by Wolowski to approve the minutes of the March 20<sup>th</sup>, 2019 regular Planning Commission meeting as written. Second by Bobick.

**APPROVAL – PLANNING COMMISSION MINUTES ON 06.05.2019**

*Motion* by Bobick to approve the minutes of the June 5<sup>th</sup>, 2019 regular Planning Commission meeting as written. Second by Wolowski.

**PUBLIC HEARING – ACES HOTEL AND RACETRACK SIGN VARIANCE (19-109) REQUEST**

At this time a public hearing was held to consider a request for a variance to allow two (2) rooftop type signs varying from the wall type signage, and to allow one (1) wall sign to extend 5.75 feet from the permitted two (2) feet wall surface in the HR Horse Racing zoning district. Separate minutes for the public hearing are prepared.

**ACES HOTEL AND RACETRACK SIGN VARIANCE REQUEST**

Aces is requesting the sign variance to be visible to the traffic that comes through the area. They would like the signs to be seen from I-35 and other directions to gain business. Aces assures granting the variance will not result in a use that is not otherwise permitted as there was no roof signage ordinance to begin with. Wolowski asked what measures have been taken to assure the sign does not malfunction or become unlit, and if it does become unlit, what would be a fair allotted time allowed for unlit bulbs to be repaired. Seibert replied that they will have replacement transformers on site. However, if the unforeseen happens

and they must order parts, the repairs would be made within a week. The Planning Commission members agreed to add a condition that if a repair will not be in place within the 7 days, the sign shall go unlit.

Hanegraaf questioned if this variance allows rooftop signage in that district or just on the horse track. Mursko explained that we may want to add rooftop language into the code because currently our code is silent on the subject, which means it is not allowed and that is the purpose of the variance.

### **Variance Findings:**

1. The landowner proposes to use the property in a reasonable manner.
  - a. Variance to Wall Sign Projection
    - The sign design is consistent with a traditional marquee sign and reasonable under the circumstances.
  - b. Variance to Sign Type-Roof Sign
    - The requested sign types are consistent with the amount of signage otherwise allowed in the HR District and are reasonable under the circumstances.
2. The practical difficulty or plight of the landowner is unique to the subject property and is not created by the landowner.
  - a. Variance to Wall Sign Projection
    - These conditions are unique to the Property and beyond the control of the Applicant.
  - b. Variance to Sign Type-Roof Sign
    - The circumstances necessitating the rooftop signage are unique to the Property and were not created by the Applicant.
3. The variance, if granted, will not alter the essential character of the neighborhood or City.
  - a. Variance to Wall Sign Projection
    - Granting the variance to increase the projection of the marquee wall sign is in harmony with the purpose and intent of the zoning ordinance.
  - b. Variance to Sign Type-Roof Sign
    - Granting the variance to allowed sign types to allow the roof signage is in harmony with the purpose and intent of the zoning ordinance.
4. The terms of the variance are consistent with the Comprehensive Plan.
  - a. Variance to Wall Sign Projection/Variance to Sign Type – Roof Sign
    - Granting the variances to increase the allowed sign projection and to allow roof signage is consistent with goals mentioned in the staff report.
5. The variance, if granted, is in harmony with the purpose and intent of the Zoning Ordinance.
  - a. Variance to Wall Sign Projection
    - The variance to increase the sign projection for the marquee wall sign will not alter the essential character of the neighborhood or the City.
  - b. Variance to Sign Type-Roof Sign
    - The variance to allow the roof signs will not alter the character of the neighborhood or the City.
6. The practical difficulty is not created solely by economic considerations.
  - a. Variance to Wall Sign Projection
    - The practical difficulties necessitating the variance request are not created solely by economic considerations, but rather a confluence of circumstances including location and design of the existing facility, the

design of the Property and landscaping that currently exists and blocks views of the signage.

b. Variance to Sign Type-Roof Sign

- The practical difficulties necessitating the variance request are not created solely by economic considerations, but rather the location of the existing structure and visibility concerns for vehicles along I-35.

*Motion* by Krebs to recommend to the City Council by the Planning Commission, as recommended by the City Planner variance at 15215 Zurich Street, to allow two (2) rooftop type signs (42'-9" by 8'-6" on the South and 69'-1" by 7'-0" facing North) varying from the wall type signage in the HR Horse Racing zoning district, with the amendment to the Variance Staff Report number 4, adding "**Running Aces Harness Track and Gaming Facility occupies the largest single business property in the HR district in the City of Columbus**", as well as the addition of a condition to "**7 days will be allotted for repairs to lighting. If repairs are unable to be made within that time, complete shutdown of illumination is required until repairs are complete**". Seconded by Wolowski. Motion carried unanimously.

*Motion* by Krebs to recommend to the City Council by the Planning Commission, as recommended by the City Planner variance at 15201 Zurich Street, to allow one (1) wall sign (24'-7" by 7.75') to extend 5.75 feet from the permitted two (2) feet wall surface in the HR Horse Racing zoning district, with the amendment to the Variance Staff Report number 4, adding "**Running Aces Harness Track and Gaming Facility occupies the largest single business property in the HR district in the City of Columbus**", as well as the addition of a condition to "**7 days will be allotted for repairs to lighting. If repairs are unable to be made within that time, complete shutdown of illumination is required until repairs are complete**". Seconded by Wolowski. Motion carried unanimously.

**Variance Condition (15201 and 15215 Zurich Street):**

1. Roof Signs and wall signage will be allotted 7 days for repairs to lighting. If repairs are unable to be made within that time, complete shutdown of illumination will be required until repairs are complete.

**PUBLIC HEARING – THURNBECK PRESERVE CUP FOR PUD AND PRELIMINARY PLAT (PC19-110 and PC19-111)**

At this time a public hearing was held to consider a request by the applicant, Tom Carlisle, for a preliminary plat "Thurnbeck Preserve 2<sup>nd</sup> Addition" creating forty (40) new lots in the R/R Rural Residential zoning district, and to consider a request to amend a conditional use permit for a planned unit development (PUD) adding forty (40) new lots (Thurnbeck Preserve 2<sup>nd</sup> Addition) for a total of fifty-seven (57) lots when completed in the R/R Rural Residential zoning district. Separate minutes for the public hearing are prepared.

**THURNBECK PRESERVE CUP FOR PUD AND PRELIMINARY PLAT**

Mursko added many purchasers would like to add accessory buildings. Carlisle stated they could potentially put a spot for an accessory building on a site plan.

King asked if they are going to pave Furman. Mursko stated that we did the last pave project as a City project, but the developer did contribute to it. They will add into the developer's agreement what portions will be paved and timelines of that.

*Motion* by King to recommend to the City Council the CUP for PUD Thurnbeck Preserve, Second Addition request, for applicant Tom Carlisle, with the findings of fact 1-17 and recommendations 1-11, from the Interim City Planner report dated 06.13.19, as well as the recommendations 1-15 from the City Engineers report dated 06.13.19, for approval. Seconded by Bobick. Motion carried unanimously.

*Motion* by King to recommend to the City Council the Thurnbeck Preserve Second and Third Addition preliminary plat, for applicant Tom Carlisle, with the findings of fact 1-17 and recommendations 1-9, from the Interim City Planner report dated 06.13.19, as well as the recommendations 1-15 from the City Engineers report dated 06.13.19, for approval. Seconded by Krebs. Motion carried unanimously.

## **FINDINGS OF FACT**

1. The City received Preliminary Plat and PUD (CUP procedure) applications for Thurnbeck Preserve 2<sup>nd</sup> Addition from Buyback Inc. /Tom Carlisle ("Buyback"), which were found complete on May 29, 2019.
2. The 60-day PUD CUP review deadline is July 28, 2019. The 120-day preliminary plat review deadline or extended PUD CUP review deadline is September 26, 2019.
3. The City previously approved a Preliminary Plat and CUP for PUD for Thurnbeck Preserve 1<sup>st</sup> Addition, Phase 1 with 17 lots, in October 2016.
4. Thurnbeck Preserve Phases 1, 2 and 3 are a total of 285.21 acres and are located in the southwest of West Broadway Avenue and Furman Street Northeast, in the North Half of the Northeast Quarter of Section 10, Township 32, Range 22 ("Property"). A full legal description is attached.
5. The Preliminary Plat application for Thurnbeck Preserve 2<sup>nd</sup> Addition (Phases 2 and 3) includes the following:
  - a) Title Sheet and PUD data
  - b) Certificate of Survey
  - c) Preliminary Plat
  - d) Overall Grading Plans
  - e) Grading / Livability Plan (showing lot by lot septic areas, building pads and grading)
  - f) Livability Charts (lot by lot elevations)
  - g) Utility Plans
  - h) Plan Profile Sheets
  - i) Civil Details

- j) Storm Water Pollution Prevention Plan (SWPPP)
6. There are 57 lots in the overall Thurnbeck Preserve PUD:
    - 17 lots in the already approved Phase 1
    - 28 proposed lots in Phase 2 (Blocks 1, 2 and 3)
    - 12 proposed lots in Phase 3 (Block 4).
  7. The CUP procedure is required to consider granting approval of a Rural Residential District PUD on the Property through the Planned Unit Development provisions of the City Code.
  8. The minimum lot size within Thurnbeck Preserve Phases 1, 2 and 3 is 2.50 acres. The proposed average lot size for all phases, including right of way is 5.00 acres. This meets the lot density average and minimum lot size standards allowed under PUD.
  9. The proposed plat is consistent with minimum lot area, lot averaging, minimum lot dimensions, and maximum density standards allowed by PUD.
  10. Each lot identifies home and SSTS locations, consistent with area and setback dimensional standards.
  11. Proposed floor elevations in Phase 2 of the plat are based primarily upon eight piezometer location readings taken over a six-month period from February 2018 through July 2018.
  12. Drainage and utility easements are located adjacent to all property lines and adjacent to wetlands, consistent with Subdivision Ordinance requirements. Anoka County Ditch 35, Branch 2 generally forms the northerly border of the plat for the 2<sup>nd</sup> Addition, and Anoka County Ditch 31, Branch 5 is located in the southeast portion of Phase 2 of the plat.
  13. There are fourteen stormwater ponds proposed within the plat.
  14. The northerly portion of the Plat is located within the Sunrise River Watershed Management Organization (SRWMO), where the City is the LGU for stormwater management decisions, and the southerly portion of the Plat is located in the Rice Creek Watershed District (RCWD). The proposed preliminary plat is being reviewed by both authorities. The jurisdictional division between the two watersheds is the east-west section line running through the middle of the plat. RCWD has preliminarily agreed to recognizing the westerly right-of-way of proposed Yangtze Drive, and the southerly right-of-way of 172<sup>nd</sup> Court (from Yangtze to Furman) as the new hydrological division between the two watersheds.
  15. New rights of way are proposed to serve Phases 2 and 3 of Thurnbeck Preserve.
    - Phase 2 proposes three new right of ways –

- (1) 172<sup>nd</sup> Court NE extending west from Furman Street NE. 172<sup>nd</sup> Court NE would connect to a new right of way, Yangtze Street NE, running southwest and would end in a cul-de-sac serving 4 lots;
- (2) Yangtze Street NE would connect 172<sup>nd</sup> Court NE on the north and a new right of way, 170<sup>th</sup> Ave NE, and extend to the southerly plat boundary for a future street extension;
- (3) 170<sup>th</sup> Ave NE would connect Yangtze Street NE to existing 170<sup>th</sup> Avenue NE to the west.
- Phase 3 proposes one new right of way – right of way name not identified, would extend east off Furman St NE, ending in a cul-de-sac. Approximately 11.99 acres are dedicated for public right of way in Phase 2 and 3 of Thurnbeck Preserve.

16. Furman Street NE was paved from Broadway Avenue to the southerly plat boundary of Thurnbeck Preserve Phase 1, and remains gravel south of that (adjacent to this plat).

17. The Property is vacant with exception of:

- Three existing agricultural buildings which will be removed on Phase 2, Block 1, Lots 5, 6 and 14.
- One existing agricultural building which will be removed on Phase 2, Block 2, Lot 4.
- The original Thurnbeck Farms homestead remains on land proposed to become Lot 3 of Phase 2, Block 2. The farmstead includes a residential dwelling, a barn, silos and a couple of other agricultural buildings. Lot 3 is proposed to be 7.52 acres, which allows 8,550 square feet of accessory building(s). The total square feet of the existing accessory buildings to remain on Lot 3 is within the 8,550 square feet allowed.

## **PRELIMINARY PLAT RECOMMENDATION FROM THE PLANNING COMMISSION**

Based upon the above Findings of Fact, the Planning Commission recommends approval of the Thurnbeck Preserve Preliminary Plat Phases 2 and 3, subject to the following Conditions:

1. Detailed recommendations of the City Engineer including, but not limited to, low floor elevation standards, stormwater management, and street improvements.
2. Title review and recommendations of the City Attorney.
3. Approval of amended PUD CUP.
4. A subdivision development agreement that addresses public improvements within the plat, the paving of Furman Street adjacent to the plat, and future subdivision of property within the plat.

5. No further subdivision of any lot for development purposes is allowed.
6. Permanent wetland buffer plaques and stormwater ponding easement plaques at intervals determined by the City.
7. Reimbursement of all City expenses associated with preliminary plat approval.
8. Cash in lieu of park land dedication.
9. Future development within the plat is subject to all laws and permitting requirements.

### **PUD CUP AMENDMENT RECOMMENDATION FROM THE PLANNING COMMISSION**

Based upon the above Findings of Fact, the Planning Commission recommends approval of an amendment to Thurnbeck Preserve PUD CUP to include Phases 2 and 3, subject to the following:

1. The PUD CUP amendment is contingent upon preliminary plat approval of Thurnbeck Preserve 2<sup>nd</sup> Addition for Phases 2 and 3.
2. The PUD CUP amendment is contingent upon detailed recommendations of the City Attorney.
3. The PUD CUP amendment is contingent upon detailed recommendations of the City Engineer.
4. The PUD CUP amendment is contingent upon permit approval from the Rice Creek Watershed District (RCWD), for those lots that fall within the hydraulic boundary of the district. The hydraulic boundary is identified as Lots 1 – 11, Block 2 in Phase 2, and all lots in Phase 3. Permit application 19-047 was submitted to RCWD and determined incomplete. Additional information was requested for future consideration by the RCWD Board of Managers.
5. The PUD CUP amendment allows a variation in lot size, such that the minimum lot size allowed is 2.5 acres and the average lot size for all phases of Thurnbeck Preserve (Phases 1, 2 and 3) is 5.0 acres, less dedicated right of way. [Section 7A-819 Planning Unit Development, B.2.a. Lot Averaging]
6. The PUD CUP amendment accepts submitted piezometer readings of 3½ lots per piezometer (8 Piezometer locations for 28 lots in Phase 2), which is less than the normally required installation and measurement of one piezometer per lot for a minimum of twelve months [Section 7A-803 Minimum Construction Elevations...Subsection b.] Piezometers have not been installed for Phase 3 (Block 4) and will need to be for 12 months prior to determination and acceptance of proposed lowest floor elevations for all houses in this location east of Furman Street.
7. Development of the Property must be consistent with all local, federal, and state laws that apply to the use of the Property.
8. No further subdivision of any lot for development purposes is allowed.

9. 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 amended 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 amended PUD CUP of any such revocation.
10. Buyback Inc./Tom Carlisle shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the amended PUD CUP, including any subsequent inspection and enforcement actions.
11. The existing PUD CUP shall be amended, completely, upon approval of the plans submitted with this application and as amended per the recommendations listed above.

**Conditions From the City Engineer:**

1. Update proposed typical roadway section to most recent City standards.
2. Add a culvert under 172<sup>nd</sup> Court NE for the Furman Street westerly ditch.
3. Spot elevations should be added to the plans for the 172<sup>nd</sup> Court NE cul-de-sac.
4. City Council should decide on the method/process of paving Furman Street.
5. Verify no Flood Plain impacts in or adjacent to Ditch 31, Branch 6.
6. Additional readings for groundwater elevations are required for all eight piezometer locations to meet the minimum 12-month duration.
7. Piezometers need to be installed for a minimum of 12 months for future Phase 3 (Block 4).
8. All storm water ponds within the SRWMO (Ponds 1 - 5, and 8 - 10) need to identify Emergency Over Flow locations and provide rip rap outlets at 100-year high water elevations.
9. Include silt fence on the east side of Pond 2 (adjacent to the wetland), on the east side of Pond 7 (adjacent to Furman Street ditch), and on the south side of future Pond 13 (adjacent to the plat boundary). This Pond straddles Lots 2 & 3, Block 4 in Phase 3, and appears it should be labeled as Pond 14.
10. All areas of existing drain tile should be placed under drainage and utility easements.
11. For any locations where proposed storm water ponds will be constructed over the existing drain tile, the existing drain tile outlet shall be connected to the proposed storm water pond.
12. Drain tile outlets should be permanently marked and protected.
13. Construction of each house should be closely monitored to make sure requirements of Section 7A-201 9B "Buildable Area" regarding drain tile, back fill, geotextile fabric, drainage rock, slope grades, etc. are explicitly followed.
14. Locations of each proposed well should be shown on the site plans.
15. Individual Certified As-Built Lot Surveys shall be prepared after grading and building construction has been completed for each lot and submitted to the City for elevation verifications.

This matter will go before the City Council at their meeting on June 26<sup>th</sup>, 2019.

## DRAFT BILLBOARD REPORT

The Planning Commission reviewed the City Council Recommendations to Staff, regarding the 06.05.19 discussion around billboards within the City.

City Council Recommendations to Staff:

*From Plan Commission Recommendations 06.05.2019*

During the City Council Meeting on 06.12.19, the Planning Commission reported their recommendations regarding the I-35 Billboard Ordinance Amendments that had been determined at the Plan Commission Meeting on 06.05.19. After hearing and reviewing the Planning Commission's recommended amendments the City Council made the following changes. The City Council request that Planning Commission review the below changes so they may be approved and recorded by Planning Commission prior to requesting a draft ordinance from City Staff.

The City Council unanimously propose to amend the current sign ordinance, Section 7B-310, with the following amendments-

2. Spacing requirements for Static and Dynamic billboards shall remain the same.
  - a. Require that the spacing between Dynamic and Static billboards must also be 750'
3. ~~Ground equipment and facilities shall be screened from the public utilizing natural plantings.~~
5. All electrical power connected to the billboard must be run underground unless an existing billboard uses an above ground connection. However, if it is upgraded to a dynamic billboard the power shall be below ground.
6. ~~Prohibit extends and protrusions from the billboard.~~ Extensions- a billboard is allowed an extension as long as it does not extend further than two to four (2-4) feet above the billboard. The extension shall not be larger than 15% of the face of the billboard and must form an integral part of the advertising design.
13. ~~No more than 36 billboards may be erected in the I-35 Corridor.~~
  - b. Legal Question: Can we restrict the number of billboards that can be erected in the I-35 Corridor?
    - i. Answer: If the goal is to reduce the number of billboards, then the City has the option to employ a tool to phase out billboards, if that is the desire.
      1. Require that any current or new billboards on vacant land would be the primary land use, and if the land were to be developed in the future the billboard would have to be removed.

King would like the meter/power box for power to be hidden. She would like it a finished look, seeing as we are requesting them to encase the support columns. Commission members agree they would like the power box to blend in. Gutknecht stated we could request to minimize the visual of electrical meter, by adding to the recommendations **“Require that Billboard Companies to the best of their ability to minimize the appearance of the electrical power box”**. Regarding the remainder of the City Council Recommendations, the Planning Commission collectively agreed that all bode well.

## **MIXED USE HIGH DENSITY ZONING DISTRICT**

The Planning Commission members continued a conversation from the June 5<sup>th</sup>, 2019 Planning Commission meeting regarding the Mixed Use District, an apartment building in that district and the aesthetic view of it all. Members agreed that they would like to see a mix of materials being used. They do not want a flat wall, they would like the building to have some dimension to it. They want the building to look broken up, but still feel cohesive with the development around them. The building will most likely be more urban feel they will set back more to have parking lot in front to have more of the lakeview.

There were questions on how big of a building they were considering building. The developer will be going to the EDA meeting on July 10<sup>th</sup>, 2019. Currently the developer is looking to purchase more land because he would like to go over the original vision on 90 units. They are currently looking at going over 4 stories and up to 116 units. They are looking to sink a half a story to put the parking indoors on the first level. The developer is still unsure of the potential market in our area, therefore plans may change off of that.

Krebs stated that Commission members should compose a list of materials they would like to see in the Mixed Use District. Wolowski stated if a building is 6 stories, she would like to see a flat roof, neutral colored, and the majority parking enclosed. Krebs stated that she would like 4 stories and below can have a peaked roof, over that would have a flat roof, no vinyl but hardy board okay.

The consensus of the materials being used for the Mixed Use District neutral coloring, a mix of brick, siding, and structural siding. They have requested no use of vinyl siding shall be used. Haila Maze will be looking more in-depth on visual appealing buildings in our area on percentages of materials being used to cover.

## **COMPREHENSIVE PLAN REVIEW ANOKA COUNTY PARKS AND CITY OF LINO LAKES**

Haila Maze, reviewed the Anoka County Parks and Lino Lakes Comp Plan. In the Lino Lakes plan it was noted the land use changes located along I35E. IT also noted two new full access interchanges at 80<sup>th</sup> Street East, one at I-35W and one at I-35E. It also touched on the sewer extension along Lake Drive/CSAH 23. Future trail connectivity near the border between the cities. Planning Commission members discussed sending a comment to Lino Lakes that Columbus would be open to working jointly in future sewer and trail systems.

In the Anoka County Plan, they will focus on the reconstruction and redevelopment existing facilities, with some limited expansions. The plan does not call for any specific improvements to the parks in Columbus, except the future East Anoka County Regional Trail. Anoka County as well showed improvements to the roadways along Lake Drive and I-35W South of the interchange. Commission members would like to comment to Anoka County that Columbus would be open to working jointly on future parks and trails, and transportation.

*Motion* by Krebs to recommend to the City Council by the Planning Commission, as recommended by the City Planner on the Lino Lakes Comp Plan and send a comment that Columbus would be open to

working jointly in future sewer, transportation and trail systems. Seconded by King. Motion carried unanimously.

*Motion* by Krebs to recommend to the City Council by the Planning Commission, as recommended by the City Planner on the Anoka County Parks Comp Plan and send a comment that Columbus would be open to working jointly on future parks and trails, and transportation. Seconded by Bobick. Motion carried unanimously.

## **PUBLIC OPEN FORUM**

Nothing to report

## **CITY ADMINISTRATOR'S REPORT**

Nothing to report

## **PLANNING COMMISSION MEMBERS' REPORT**

Krebs went to girls' softball tournament. Visiting teams praised our park board. Krebs also attended the Bituminous Roadways open house, she stated it was a nice event and was able to see the facility.

Wolowski County Road 54 moving along. Thanks Ben for helping with the sign discussion.

Hanegraaf stated he also attended the softball tournament. The Park board has done a wonderful job and keeping our parks looking great.

## **ATTENDANCE - NEXT CC MEETING**

Bobick is scheduled to attend the City Council meeting on June 26<sup>th</sup>, 2019.

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

Meeting adjourned at 9:49 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary

