

**CITY OF COLUMBUS  
REGULAR PLANNING COMMISSION MEETING  
08.07.19**

The August 7<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; 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; Lloyd and Debra Rehbein, John Young, Frank Walters, Ann Leonard, Dean Wright, Matt Weiland, Mike Hylandsson, Shawn Kupcho, Mark Mullozzi, and Randy Allee.

**AGENDA APPROVAL**

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

**APPROVAL – PUBLIC HEARING MINUTES – 9623 192<sup>nd</sup> AVE NE POOL SAFETY COVER VARIANCE REQUEST (PC19-112) ON 07.17.19**

*Motion* by Wolowski to approve the Public Hearing minutes for Pool Safety Cover Variance Request, as written. Second by Krebs.

**APPROVAL – PUBLIC HEARING MINUTES –7162 & 7222 167<sup>th</sup> AVE NE – JOHN ARNT-EXCAVATION, IUP AND VARIANCE REQUEST (PC19-113 and PC19-114) ON 07.17.19**

*Motion* by Krebs to approve the Public Hearing minutes for John Arnt excavation, IUP and variance request, as written. Second by Bobick.

**APPROVAL – PUBLIC HEARING MINUTES – CHAPTER 8 SUBDIVISION ROAD SPECIFICATIONS ORDINANCE AMENDMENT ON 07.17.19**

*Motion* by Wolowski to approve the Public Hearing minutes for Chapter 8 Subdivision road specifications, as written. Second by Bobick.

**APPROVAL – PLANNING COMMISSION MINUTES ON 07.17.2019**

*Motion* by Krebs to approve the minutes of the July 17<sup>th</sup>, 2019 regular Planning Commission meeting as written. Second by King.

**PUBLIC HEARING – REHBEIN ESTATES PRELIMINARY PLAT AND CONDITIONAL USE PERMIT (CUP) RURAL RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) REQUEST (PC19-115 and 116)**

At this time a public hearing was held to consider a request for a preliminary plat “Rehbein Estates” creating two (2) new lots in the R/R Rural Residential zoning district, as well as, consider a request for a conditional use permit for a rural residential (RR) district planned unit development (PUD) for preliminary plat “Rehbein Estates”. Separate minutes for the public hearing are prepared.

## **REHBEIN ESTATES PRELIMINARY PLAT AND CONDITIONAL USE PERMIT (CUP) RURAL RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) REQUEST**

Wolowski questioned about driveway positioning. Currently Anoka County doesn’t have any issue with it. She was curious if they could go back after requesting the permit and deny the request. King believes the plat is harmonious in the area. Mursko stated there is no concern with that. Krebs noted the points in the letter of findings that TKDA noted should be accepted. Wolowski noted a neighbor stated Rehbein’s driveway was on their lot. The driveway location is within the roadway easement and meets all setbacks. No part of the driveway lies on a neighboring property.

*Motion* by King to recommend to the City Council the preliminary plat, for applicant Widseth Smith Nolting, “Rehbein Estates”, with the findings of fact 1-15 and recommendations 1-9, from the Interim City Planner report dated 08.02.19, for approval. Seconded by Krebs. Motion carried unanimously.

### **FINDINGS OF FACT**

1. The City received Preliminary Plat and PUD (CUP procedure) applications for Rehbein Estates from Lloyd and Debra Rehbein on June 21, 2019, which were found complete.
2. The 60-day PUD CUP review deadline is August 20, 2019. The 120-day preliminary plat review deadline or extended PUD CUP review deadline is October 19, 2019.
3. Rehbein Estates is a total of 15.06 acres and is located along Kettle River Boulevard NE, Parcel Identification #12-32-22-31-0011.
4. The Preliminary Plat application for Rehbein Estates includes the minimum information necessary to review the proposed lots for meeting the requirements to be buildable parcels. The current plans do not provide detailed grading, building elevations, exact septic location or other information that will be required when plans for single-family construction are proposed.
5. There are three (3) lots proposed for the Rehbein Estates:
  - A. Lot 1 –3.48 acres; 200 foot lot width; access to Kettle River Boulevard. This lot will be a new residential parcel and has no existing buildings.
  - B. Lot 2 - 3.76 acres, 200 foot lot width; access to Kettle River Boulevard. This lot will be a new residential parcel and has no existing buildings.
  - C. Lot 3 - 7.45 acres, 66 foot lot width; access to 168th Avenue Northeast. This lot has an existing residence, a well and independent septic system.
6. 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.

7. The applicant requests a variation in minimum lot size standards under a Conditional Use Permit to allow two lots of less than 5.0 acres. The proposed minimum lot size within Rehbein Estates is 3.48 acres. The proposed average lot size for all three lots, including right of way, is 5.0 acres. This uses the Lot Averaging provision allowed under a PUD to meet the lot density average and minimum lot size standards.
8. The applicant requests a variation in lot dimensional standards under a Conditional use Permit to allow Lots 1 and 2 to have a minimum width of 200 feet, which is less than the standard minimum width of 220 feet.
9. The proposed plat is consistent with minimum lot area, lot averaging, minimum lot dimensions, and maximum density standards allowed by PUD.
10. Appropriate Drainage and Utility Easements are provided on the plat to account for perimeter easements for the three proposed lots (2 new houses and existing house), and for existing wetlands. Additionally, 60' of right-of-way is being dedicated to Anoka County for Kettle River Boulevard (CSAH 62).
11. The proposed plat falls within the Rice Creek Watershed District (RCWD) boundaries. A Notice of Decision for Wetland Delineations from RCWD was provided. A permit from RCWD is not required, as proposed improvements do not exceed their thresholds.
12. Anoka County Highway Department review and approval needs to be provided for the two proposed driveway accesses to Kettle River Blvd.
13. Six soils borings were taken and sufficient area exists for the proposed septic systems and alternate sites for both proposed lots.
14. Lowest house floor elevations should be shown on the Preliminary Plat maintaining three (3) feet of separation above mottled soil, the depths of which are shown in the soils borings.
15. There are no new stormwater management facilities required within the plat.

#### **PRELIMINARY PLAT CONDITIONS**

Based upon the above Findings of Fact, the Planning Commission recommends approval of the Rehbein Estates Preliminary Plat, subject to the following conditions:

1. Title review and recommendations of the City Attorney.
2. Requirements of the Anoka County Surveyor.
3. Anoka County Highway Department review and approval needs to be provided for the two proposed driveway accesses to Kettle River Blvd.
4. Approval of the PUD CUP.
5. No further subdivision of any lot for development purposes is allowed.
6. Permanent wetland buffer plaques shall be placed 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.

*Motion* by Bobick to recommend to the City Council the CUP for PUD request, for applicant Widseth Smith Nolting, “Rehbein Estates”, with the findings of fact 1-15 and recommendations 1-9, from the Interim City Planner report dated 08.02.19, for approval. Seconded by King. Motion carried unanimously.

## **FINDINGS OF FACT**

1. The City received Preliminary Plat and PUD (CUP procedure) applications for Rehbein Estates from Lloyd and Debra Rehbein on June 21, 2019, which were found complete.
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15. There are no new stormwater management facilities required within the plat.

#### **PUD CUP AMENDMENT CONDITIONS**

Based upon the above Findings of Fact, the Planning Commission recommends approval of an amendment to Rehbein Estates PUD CUP, subject to the following:

1. The PUD CUP amendment is contingent upon preliminary plat approval of Rehbein Estates.
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).
5. The PUD CUP amendment allows a variation in lot size, such that the minimum lot size allowed is 3.48 acres and the average lot size for all phases of Rehbein Estates is 5.0 acres, less dedicated right of way. [Section 7A-819 Planning Unit Development, B.2.a. Lot Averaging]
6. Development of the Property must be consistent with all local, federal, and state laws that apply to the use of the Property.
7. No further subdivision of any lot for development purposes is allowed.
8. 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.
9. Lloyd and Debra Rehbein 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.

This matter will go before the City Council at their meeting on August 14<sup>th</sup>, 2019.

#### **PUBLIC HEARING – AMENDMENT TO CITY CODE CHAPTER 7B SIGN REGULATIONS, SECTION 7B-310, I-35 CORRIDOR LARGE OFF-PREMISE SIGNS**

At this time a public hearing was held to consider an amendment to Chapter 7B Sign Regulations, Section 7B-310, I-35 Corridor Large Off-Premises Signs. A Copy of the proposed changes can be requested at the City offices or viewed on the City website. Separate minutes for the public hearing are prepared.

## **AMENDMENT TO CITY CODE CHAPTER 7B SIGN REGULATIONS, SECTION 7B-310, I-35 CORRIDOR LARGE OFF-PREMISE SIGNS**

Consensus among the Planning Commission members was to continue the discussion for an amendment to Chapter 7B Sign Regulations, Section 7B-310, I-35 Corridor Large Off-Premises Signs, to the next meeting, August 21<sup>st</sup>, which they are able to receive more testimony and view revised amendment.

*Motion* by Hanegraaf to continue the public hearing for the Chapter 7B Sign Regulations to the August 21<sup>st</sup>, 2019 Planning Commission meeting. Second by Bobick.

### **PUBLIC OPEN FORUM**

Mark Mullozzi, 9243 168<sup>th</sup> Ave NE, spoke to the Commission members about the dangerous conditions on Kettle River Blvd for pedestrians and bicyclist. He noted that on multiple occasions drivers have almost hit him and his family as they are walking down Kettle River in route to the Columbus Community Park. He questioned whom he would have to talk to regarding the addition of walking paths along that road. Mursko noted that would not be something the City would be able to help with, as Kettle River is a county road. She recommended contacting Karen Blaska as she is the Anoka County Park Planner.

### **CITY ADMINISTRATOR'S REPORT**

Mursko noted that we will have two public hearing variances for the August 21<sup>st</sup> meeting. During that meeting members will continue the hearing of the Chapter 7B Sign Regulations, Section 7B-310, I-35 Corridor Large Off-Premises Signs, as well as view draft II of the billboard variance. She also had accepted the application for the apartment building that will be located on the NE quadrant.

### **PLANNING COMMISSION MEMBERS' REPORT**

Nothing to report

### **ATTENDANCE - NEXT CC MEETING**

King is scheduled to attend the City Council meeting on August 14<sup>th</sup>, 2019.

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

Meeting adjourned at 7:54 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary

