

**City of Columbus
Regular Planning Commission Meeting
September 19th, 2018**

The September 19th, 2018 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:00 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; and Recording Secretary Rochelle Busch.

Also in attendance were City Council members Bill Krebs, and Denny Peterson; Teresa Seltma, Patricia and Merle Chollett, Joyce Fredrickson, Joe and Deb Pribyl, Larry Olson, and Mary and Pat Frohrib.

AGENDA APPROVAL

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

PUBLIC HEARING MINUTES – 15252 W. FREEWAY DR. IUP REQUEST (PC 18-116) ON 08.15.18

Motion by Krebs to approve the minutes from the 15252 West Freeway Dr. IUP Request on August 15th, 2018 as written. Second by Wolowski. Votes as follows: Watson – Abstain, Wolowski – Aye, Preiner – Aye, Krebs – Aye, Sternberg – Aye. Motion carried.

PUBLIC HEARING MINUTES – – 6926 145TH AVE. NE. VARIANCE REQUEST (PC18-118) ON 08.15.18

Motion by Wolowski to approve the minutes from the 6926 145th Ave. NE. Variance Request on August 15th, 2018 as written. Second by Krebs. Votes as follows: Watson – Abstain, Wolowski – Aye, Preiner – Aye, Krebs – Aye, Sternberg – Aye. Motion carried.

PLANNING COMMISSION MEETING MINUTES OF 08.15.18

Motion by Krebs to approve the minutes of the August 1st, 2018 regular Planning Commission meeting as written. Second by Sternberg. Votes as follows: Watson – Abstain, Wolowski – Aye, Preiner – Aye, Krebs – Aye, Sternberg – Aye. Motion carried.

PUBLIC HEARING – 7620 161ST AVE NE VARIANCE / PRELIMINARY PLAT CHOLLETT ADDITION (PC18-119) REQUEST

At this time a public hearing was held to consider a request for a preliminary plat “Chollett Addition” creating one (1) new lot in the RR Rural Residential zoning district along with a variance from the 66’ foot road width to a 33’ foot road width, at 7620 161st Ave NE, Columbus, MN. Separate minutes to include Preliminary Plat Request and Variance Request are prepared.

7620 161st AVE NE. VARIANCE (PC18-119) REQUEST

The following questions were considered by the Planning Commission in determining whether the variance request meets the criteria to cause a practical difficulty:

1. The landowner proposes to use the property in a reasonable manner.

Question: Does the proposal put property to use in a reasonable manner? **Yes.**

Finding: Do the requirements in the Zoning Ordinance prohibit the property from being used in a reasonable manner? **Yes** or No

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Question #1: What are the unique physical characteristics of the particular piece of property? **Property is landlocked. No control over neighbors land.**

Question #2: How is it not like other pieces of property? **Property is landlocked.**

Question #3: Did the landowner create the circumstances? **No.**

Examples:

- Topography
- Wetlands
- Trees
- Irregularly shaped or sized lot
- Shape or size of existing buildings
- Placement of existing structures on lot

Finding: Are the circumstances unique to the property? **Yes** or No

3. Granting the variance is in harmony with the purpose and intent of the Zoning Ordinance.

Question: Will the resulting use or structure be compatible with the underlying purpose and goals of the Zoning Ordinance? **Yes.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

4. Granting the variance is consistent with the City's Comprehensive Plan.

Finding: The variance will not create a conflict between the Comprehensive Plan and the proposed use or structure. **Agree** or Disagree?

5. The variance if granted, will not alter the essential character of the neighborhood or City.

Question: Will the resulting structure be out of scale, out of place, or otherwise inconsistent with surrounding area? **No.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

6. The practical difficulty is not created solely by economic considerations.

Finding: Economic considerations are not the only reason for the practical difficulty. **Agree** or Disagree?

A variance shall not be granted unless the Planning Commission makes specific findings of fact based directly on the particular evidence presented to it, and the City Council determines that these support conclusions that the standards and conditions as stated above have been met by the applicant.

Planning Commission Recommendation:	Approval: 09/19/2018
(Insert dates of action)	Denial:
City Council Action:	Approval:
	Denial:

Motion by Krebs to forward to the City Council the application for a variance for the property at 7620 161ST Ave NE, for a variance from the 66' foot road width to a 33' foot road width, with a recommendation for approval based on findings that the Zoning Ordinance causes a practical difficulty. Second by Watson. Motion carried.

This matter will go before the City Council at their meeting on September 26th, 2018.

CHOLLETT ADDITION PRELIMINARY PLAT CHOLLETT ADDITION/ 7620 161ST AVE NE VARIANCE (PC18-119)

Motion by Krebs to recommend to the City Council the Chollett Addition Preliminary Plat request, for approval subject to Planner Report dated August 30, 2018, with the findings of fact and recommendations of approval with the additional condition to add a consultation with the

Public Works Superintendent of the driveway placement off the 159th Ave NE cul-de-sac, recommended by the Planning Commission. Seconded by Watson. Motion carried unanimously.

Findings of Fact

1. The preliminary plat application was received on July 16, 2018 and found complete for review.
2. The 120-day preliminary plat review deadline is November 14, 2018.
3. There is a total of 12.46 gross acres in the proposed plat, located at 7620-161st Avenue NE, on property legally described as Lot 6, Block 1 Stagecoach Junction.
4. The property is zoned RR Rural Residential.
5. Two residential lots are proposed. There is one existing dwelling on the proposed northerly 7.46-acre lot (Lot 1, Block 1).
6. The proposed southerly lot (Lot 2, Block 1) is 5.0 acres and includes adequate areas for a future home, accessory building and SSTS area.
7. The density of the proposed development is one home per 6.23 acres, which is consistent with the Comprehensive Plan and Zoning Ordinance.
8. Proposed Lot 1 is served by existing access from the cul de sac on 161st Avenue NE.
9. Proposed Lot 2 abuts the dead end of 159th Avenue NE. There is an existing 33 feet drainage and utility across the southerly boundary of proposed Lot 2, which aligns with the northerly half of the right-of-way on 159th Avenue.
10. The property owners of the land abutting the southerly boundary of Proposed Lot 2 are opposed to any dedication of right-of-way on their property for an extension of 159th Avenue NE.
11. All properties abutting the proposed plat are developed with existing residences.
12. The applicant is willing to convert the existing 33 feet easement on proposed Lot 2 to public right-of-way. The lot exceeds the minimum lot area of 4.5 acres (with right-of-way dedication).
13. The applicant has applied for a variance to the minimum street frontage requirements on proposed Lot 2.
14. There may not be a public purpose in the physical extension of 159th Avenue NE.
15. The proposed drainage and utility easements on both lots are consistent with City Code requirements.
16. Soil borings have been submitted for the home and SSTS locations on proposed Lot 2.
17. A wetland delineation "Notice of Decision" was issued by Rice Creek Watershed District on August 15, 2018. A small wetland is located adjacent to the existing cul

de sac on proposed Lot 1. The wetland is protected by a drainage and utility easement, including a 16.5 feet buffer.

18. The proposed plat is not affected by the shoreland overlay district. A floodplain determination is not included with the plat.
19. Driveway access permits are subject to City approval.
20. Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.
21. The Planning Commission held a public hearing on the Chollett Addition Preliminary Plat on September 19, 2018.

Recommendations

Based upon the above Findings of Fact, the Chollett Addition Preliminary Plat should be approved subject to the following:

1. Approval of a variance to the minimum street frontage requirements on Lot 2.
2. A turn-around sufficient for public maintenance and emergency vehicles and disposition of the dedication of 159th Avenue NE on Lot 2.
3. A floodplain determination within the plat.
4. Recommendations of the City Engineer.
5. Title review and recommendations of the City Attorney.
6. Recommendations of the Anoka County Survey Department.
7. Recommendations of the Rice Creek Watershed District.
8. Wetland buffer plaques at locations determined by the City.
9. Cash in lieu of park land dedication requirements.
10. Reimbursement of City expenses associated with plat review.
11. Subsequent NPDES II permit(s) for any individual site grading that exceeds one acre.
12. Consultation with the Public Works Superintendent of the placement of the driveway to the 159th Ave NE cul-de-sac.

This matter will go before the City Council at their meeting on September 26th, 2018.

PUBLIC HEARING – ZONING CODE AMENDMENT – CHAPTER 7A-773 COMMERCIAL SHOWROOM DISTRICT USES (PC18-120) REQUEST

At this time a public hearing was held to consider a request to consider amending the Columbus City Code by adding the following language to Section 7A-773:

**CHAPTER 7A - SECTION 7A-773 COMMERCIAL SHOWROOM (C/S) DISTRICT
CONDITIONAL USES.**

K. Production, assembly, warehousing, distribution, and similar light industrial uses;
except waste management service industries and facilities.

Separate minutes are prepared.

**ZONING CODE TEXT AMENDMENT – CHAPTER 7A-773 COMMERCIAL
SHOWROOM DISTRICT USES REQUEST (PC18-120)**

An Application for Consideration of Zoning Text Amendment was submitted by Joe Pribyl, from JPEcommerce, requesting to add the warehousing distribution use to the Commercial Showroom zoning district as they want to purchase a building site on Hornsby ST NE. The Planning Commission members determined adding this use corresponds with the draft 2018 comprehensive plan to change the area from Commercial to Light Industrial.

Motion by Krebs to recommend to the City Council the Text amendment for the Chapter 7A section 7A-773 Commercial Showroom District with:

K. Production, assembly, warehousing, distribution, and similar light industrial uses;
except waste management service industries and facilities,

of approval by the Planning Commission. Seconded by Sternberg. Motion carried unanimously.

EAST BETHEL COMP PLAN REVIEW

Planning commission members reviewed the 2040 East Bethel Comp Plan. City Planner Johnson, had also reviewed the East Bethel Comp Plan and noted the city may want to make mention in Columbus' Comp Plan we would be willing to work with Ham Lake and East Bethel, in the future, on a Rural Diversified Sewer system around Coon Lake.

Motion by Watson to recommend to the City Council by the Planning Commission, as recommended by the City Planner on the East Bethel Comp Plan and send a no comment. The Planning Commission would also like to instruct Haila Maze, from Bolton & Menk, to include in our Comp Plan, that Columbus will work with Ham Lake and East Bethel on a sewer district around Coon Lake if considered in the future.

Seconded by Sternberg. Motion carried unanimously.

PUBLIC OPEN FORUM

No topic was raised at Public Open Forum.

CITY ADMINISTRATOR'S REPORT

Absentee voting starts this Friday, September 21st. Residents can request voting materials during business hours or request via online, or by mail.

The second Planning Commission meeting in November falls on the day before Thanksgiving. Mursko addressed whether the Commission members would like to move the meeting to Monday, November 19th. All members agreed unanimously.

PLANNING COMMISSION MEMBERS' REPORT

Sternberg asked for all to attend and support our community at the upcoming Columbus Fall Fest on Saturday, September 22nd.

ATTENDANCE - NEXT CC MEETING

Krebs is scheduled to attend the City Council meeting on September 26th, 2018.

Motion by Krebs to adjourn. Second by Watson. Motion carried.
Meeting adjourned at 7:54 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary