

City of Columbus
Regular Planning Commission Meeting
November 15, 2017

The November 15, 2017 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:04 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; Attorney Jacob Steen, and Recording Secretary Karen Boland.

Also in attendance were City Councilmembers Mark Daly, Jeff Duraine, Bill Krebs, Denny Peterson, and Mayor Dave Povolny; Tony Frattalone, Taylor Frattalone, Spencer Tibani, Justin Boss, Angie Capistrant, Jeff Meehan, Emery Herbert, Sherry Frattalone, Dennis Mars, Jennifer Anderson, John Miller, Nancy Miller, Rob Rafferty, Jenny Canine, John Kittleson, John Arnt, Richard Kowarsch, Mike & Diane Meath, Kathy Sianko, Ellen Schaal, Tom Schaal, Richard Belle Isle, Stacy Brown, Dennis & Denise Lund, Joel & Carol Carlson, Pat & Roger Wismer, Tony Edlund, Tom Olson, Kim Laylor, Frank Frattalone, Jon Rausch, Derek Otto, Mike Kempf, Nancy Loecken, Tom & Pat Scherber, Doug Hedberg, Rick Graybill, Anton Paul, Pat Bjorke, Dan LaCoursiere, Jim Coby, David Schueler, Todd & Molly Mindestrom, Jeff Zahn, Carolyn Coby, Raymond Raines, Don Santanni, Dennis & Marlene Nelson, Todd Sandbar (sp), Koby Fechner, Kevin Kenow, Jim Pechia, Brad Nelson, Kathryn Patrick, John Patrick, Ed Cary, Wendy Beck, Wynn Biyham, Norma Heuer, Janet Hegland, Barb Bobick, Vern and Marge Roisum, Roger & Kathy Person, Jeannine Sachs, Denny Breame, Tristan Wilberg, Jake Stendahl, Myron & Cindy Angel, Jeff Pasiuk, Shelley Logren, Arlen Logren, Pat Clearance, Brian Elliott, Jay Erickson, Brian Hansen, Toby Goodmanson, Morgan Laughlin, Lindsey Lautigar, Olivia Neururer, Marie Hansen, Kathleen Lund, David Klebe, Roberta Gronquist, Lynn Carver-Quinn, Andrew Johnson, Brad Ledvina, Kim Tong, Taro Ito, Ken Rohlf, Jim McCombs, Kent Peterson, Anthony Edwards, Tim Worke, Bill Bobick, Ron Hanegraaf, Mark Hanson, John Perlich, Tom Musil, Mary Preiner, and Pat Preiner.

AGENDA APPROVAL

Motion by Krebs to amend the Agenda to move Public Open Forum to the next item on the Agenda. Second by Preiner. Motion carried.

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

PUBLIC OPEN FORUM

No topic was raised at Public Open Forum.

APPROVAL - WOODLAND DEVELOPMENT PRELIMINARY/FINAL PLAT PUBLIC HEARING MINUTES OF NOVEMBER 1, 2017

Motion by Krebs to approve the minutes from the Woodland Development Preliminary/Final Plat request Public Hearing held on November 1, 2017 as written. Second by Preiner. Motion carried.

APPROVAL – CHAPTER 7A ZONING CODE AMENDMENT – RESIDENTIAL ACCESSORY BUILDINGS - PUBLIC HEARING MINUTES OF NOVEMBER 1, 2017

Motion by Preiner to approve the minutes from the Chapter 7A Zoning Code Amendment – Residential Accessory Buildings - Public Hearing held on November 1, 2017 as written. Second by Wolowski. Motion carried.

APPROVAL – REGULAR PC MEETING MINUTES OF NOVEMBER 1, 2017

Motion by Krebs to approve the minutes of the November 1, 2017 regular Planning Commission meeting as written. Second by Preiner. Motion carried.

PUBLIC HEARING – CHAPTER 7A ZONING CODE AMENDMENT TO ALLOW & REGULATE ASPHALT/CONCRETE PRODUCTION FACILITIES (PC-17-126)

At this time a public hearing was held to consider amendments to Chapter 7A of the City Code to allow and regulate the use of asphalt/concrete production facilities, and to establish performance standards for asphalt/concrete production facilities in the Light Industrial (LI) district. Separate minutes are prepared.

CHAPTER 7A ZONING CODE AMENDMENT TO ALLOW & REGULATE ASPHALT/CONCRETE PRODUCTION FACILITIES DISCUSSION

Motion by Krebs to forward to the City Council the amendments to Chapter 7A in the form of Option 1, allowing asphalt/concrete production facilities in the Light Industrial (LI) district, with a recommendation for approval, with the following changes: the reinstatement of Section 7A-786; and the omission of the language “initiated by a governmental subdivision” in Section 7A-823 I, and insertion of the word “public” in front of the words “road project.” Second by Watson.

Krebs stated that the PC has been asked to bring forward a proposal to the CC. The CC has heard the public comments, and it will now be up to them to make a determination.

Preiner understands the desire to move this forward, but would like to see some changes to the proposed language.

Attorney Steen advised that a motion can be made to amend the motion now before the PC. Discussion of these other language changes can precede a motion to amend the motion on the table.

Preiner believes public utility hook-up should be required. He would propose leaving Section 7A-786 A as a strike-out, left out of the proposed ordinance.

Krebs said that currently there would be no availability to hook up. Without reinstating this language re: phasing, the City does not have the leverage to make them hook up eventually.

Planner Johnson said if 7A-786 is left out, hook-up is required. If 7A-786 is reinstated, there has to be a phasing plan. There’s no detail on what that means. If this advances to a permitting stage, it would be up to the CC to determine what that plan would be.

Steen advised that if A is reinstated, all of that provision 7A-786 would need to be reestablished.

Preiner would keep this section omitted so that if and when a project is approved, they would be required to hook-up right away.

Sternberg asked if that would affect all properties in the triangle.

Johnson said 786 establishes an option for any property that is not immediately adjacent to have the same provision to have a plan. The language in B was already in the ordinance. A is the new proposed language.

Steen said the language in B applies to all the property in the Freeway District. Right now the City does not have the flexibility to create a phasing plan for the property owners. They are currently required to connect. Steen said that may be very difficult, because it would require a significant extension by the City at City expense. This language allows the CC to negotiate a phasing plan appropriate for each property. If A is reinserted ~~if~~ **it** would have implications for more properties than just the triangle property. If A is taken out it would revert to status quo—the language used today—which requires all properties to connect, whether or not it's actually feasible. It is not feasible for many properties in the district. That hasn't yet been addressed. The CC will have to make a determination as to whether it is appropriate to spend the resources to extend pipes down to those properties to make them connect at that time. A is a proposal to create more flexibility. It isn't guaranteeing a delay, it's guaranteeing the opportunity to develop a phasing plan through negotiations between property owners and the CC.

Preiner said when the sewer was put in, the people in that district paid for it, not the City. To keep one's property they must pay.

Steen said the assessments were assessed against the property, but the City covers the cost of those additional connection fees and assessments until they are paid back by the property owner.

Preiner pointed out when any property owner hooks up to it, they pay the City back.

Ultimately, under the current language, any new development needs to connect. There is no mechanism to approve a phasing plan.

Motion by Preiner to amend the motion put forth by Commissioner Krebs, that the language in Section 786 not be reinstated. There was no second to the motion. Motion failed for lack of a second.

Preiner discussed hours of operation, and the language regarding government projects. He would not want applicants to have free rein to operate outside of set hours all the time.

Johnson said the previous language had no limitations or timeframes. This language sets a maximum for operation outside of regular hours of only of 30 days in a year. The notice to City Hall is a courtesy so City staff knows hauling will occur outside of regular hours. There is also language stating that no exception to normal hours may occur on major holidays, which are specified.

Steen added that more prescriptive language was proposed. That language was deemed by the PC to be more appropriate in any CUP that may be issued. Additional restrictions could be placed in a CUP.

A vote was taken on the motion on the table. Votes as follows: Krebs – aye, Preiner – nay, Wolowski – nay, Watson – aye, Sternberg –aye. Motion carried.

This matter will go before the City Council this coming Monday at its November 20th meeting.

A brief recess was called.

CITY ADMINISTRATOR'S REPORT

Mursko commended Chair Sternberg on his handling of the large public turnout for tonight's meeting and the unusually large number of speakers at the public hearing.

Mursko reminded PC members that the CC will meet next week on Monday, November 20th due to the Thanksgiving holiday. Tonight's proposed zoning amendment will be on the agenda. She wished PC members a great Thanksgiving.

PLANNING COMMISSION MEMBERS' REPORT

KREBS COMMENT:

Krebs thanked Mursko and all City staff for their tremendous work in getting things ready and accommodating so many people at tonight's meeting.

Mursko credited the great efforts and teamwork of City staff.

WOLOWSKI COMMENT:

Wolowski echoed Krebs' comment, saying Mursko and City staff did an excellent job. She also thanked the City Planner.

Wolowski stated that she knows not everyone is going to agree on everything, but as a constituent, Planning Commissioner, and a business owner on Freeway Drive, she hopes the Councilmembers really ask themselves why this is a good fit, and that they listen to all the people that were at the hearing tonight.

WATSON COMMENT:

Watson echoed compliments to Mursko and City staff.

STERNBERG COMMENT:

Sternberg thanked everyone. He also gave Mursko some materials handed to him by a resident for inclusion in the public record.

ATTENDANCE - NEXT CC MEETING

Preiner is scheduled to attend the City Council meeting on November 20, 2017.

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

Meeting adjourned at 9:31 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary