

**CITY OF COLUMBUS
PLANNING COMMISSION MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
06-01-2022**

The 06-01-2022 Regular Planning Commission meeting for the City of Columbus was called to order at 6:30pm by Chair Ron Hanegraaf at the City Hall. Present were Commission members Kris King, Barb Bobick and Bob Berens, City Administrator Elizabeth Mursko, City Planner Dean Johnson and Permit Coordinator Carissa Kranz.

In attendance via interactive technology were City Council members Shelly Logren and Sue Wagamon, and future Associate Planner Frank Koenen.

Also, in attendance in person were City Council member Janet Hegland and Mayor Jesse Preiner, Apollo Development Representatives Chris Harchanko and David Harchanko, Halverson and Blaiser Representative Noah Blaiser.

The meeting was held in an interactive technology meeting format.

- 1. CALL TO ORDER – REGULAR MEETING – 6:30PM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOTION – APPROVAL OF MEETING AGENDA** *Motion* Berens to approve agenda as written. Second King. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor.
- 4. MOTION – APPROVAL OF MAY 18, 2022, PLANNING COMMISSION MEETING MINUTES** *Motion* Bobick to approve 05-18-2022, Planning Commission Minutes as written. Second Berens. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor.
- 5. MOTION – APPROVAL OF MAY 18, 2022, CUP FOR PUD APOLLO APARTMENT BUILDING DEVELOPMENT PLANNING COMMISSION PUBLIC HEARING MEETING MINUTES** *Motion* Bobick to approve 05-18-2022, CUP for PUD Apollo Apartment Building Development Planning Commission Minutes as written. Second King. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor.
- 6. DISCUSSION - CUP FOR PUD APOLLO DEVELOPMENT APARTMENT BUILDING** At this time the Planning Commissioners had an open discussion regarding the Conditional Use Permit for a Planned Unit Development to permit a proposed 150 unit, 3-story apartment building in the Mixed-Use High Density (MU-H) district. Apollo Development Representatives Chris Harchanko (2130 Cypress St, Lino Lakes, MN.) and David Harchanko (19724 227th Ave NW, Big Lake, MN), and Halverson and Blaiser Representative Noah Blaiser (7800 Metro Parkway, Suite 300, Bloomington, MN) were present to answer questions. The Commissioners questioned the number of handicap parking stalls in the garage and Johnson clarified that Findings of Fact #14 and #16 were updated to reflect that at least six ADA parking stalls are required, which should be located near elevators, this change will likely result in a reduction of three or more actual stalls in the garage and the proof of parking area should be adjusted to reflect the reduction of the total number of stalls in the garage. C. Harchanko noted that their group has already started making the changes that Johnson recommended and updated plans should be ready soon. Bobick asked for a copy of the apartments addendum that

regulates rules and regulations for both the management of the property and residents. Blaiser indicated that they have a Community Policy that they can share with the Commission and Council. King asked for clarification on the garages being assigned and Johnson stated that in Condition #11 it states that the PUD CUP is contingent upon all garage parking spaces being leased or otherwise assigned to residents at all times. Commissioners complimented Apollo Development on their beautiful plans and design and stated it was refreshing and appreciated that they are meeting the City's standards. Mursko asked if the list of amenities that was presented at the previous Planning Commission meeting were actually going to put into the building. D Harchanko indicated that yes, they plan on including all of the amenities that were previously presented. At the 5-18-2022 Planning Commission meeting Apollo presented the following building amenities: a two-story main lobby with pergola entrance, onsite property management, heated underground parking, three elevators, electronic access controls, a community room with full kitchen, a 2nd story rooftop patio with tables, chairs and grills, a fitness center, a ground level outdoor patio and playground, Wi-Fi and high speed internet, a mail room with electronic mail concierge, storage lockers, bicycle storage, and a pet wash room and individual unit amenities: stainless steel appliances, solid kitchen countertops, washers and dryers, individual climate control, 9-foot-tall ceilings, and balconies in the majority of units. Mursko asked what the projected timing was of completing the building. D Harchanko stated they are hoping to start construction this fall at the earliest and they would estimate the build time taking a year and a half.

City Staff Report from City Planner, Dean Johnson, RSC Revised Dated 5-25-2022

Findings of Fact

1. The City received a Planned Unit Development Conditional Use Permit (PUD CUP) application from David Harchanko, Apollo Development ("Apollo") on March 14, 2022. The application was found incomplete. After a series of revised application submittals, the PUD CUP application was found complete on May 2, 2022.
2. The 60-day review period ends on July 1, 2022, and the 120-day review period, if necessary, ends on August 30, 2022.
3. The proposed development is located in the northeast quadrant of the I-35/TH 97 interchange, legally described as Lot 2, Block 1, NE Quad 35 2nd Addition ("Property").
4. The Property is currently zoned Mixed Use High Density Residential (MU-H), which allows residential uses at a maximum density of 30 units per acre.
5. The Property is designated Mixed Use – High in the 2040 Comprehensive Plan, which allows high density residential, ranging from 17 to 30 units per acre.
6. Apollo is proposing a three-story, 150-unit, market rate apartment building.
7. The Property is approximately 5.3 acres in area, which allows a maximum of 159 units.
8. Rental units consist of 15 studios (650-654 square feet), 65 one bedrooms (798-894 square feet), 22 one bedroom plus dens (881-1070 square feet), and 48 two bedrooms (1,025-1,264 square feet).
9. Building amenities include a two-story main lobby with pergola entrance, onsite property management, heated underground parking, three elevators, electronic access controls, a community room with full kitchen, a 2nd story rooftop patio with tables, chairs and grills, a fitness center, a ground level outdoor patio and playground, Wi-Fi and high speed internet, a mail room with electronic mail concierge, storage lockers, bicycle storage, and a pet wash room.

10. Individual unit amenities include stainless steel appliances, solid kitchen countertops, washers and dryers, individual climate control, 9-foot-tall ceilings, and balconies in the majority of units.
11. The “L-shaped” building features staggered or alternating wall planes, balconies, variable rooftop parapets, and earth tone colors. Exterior materials include brown stone veneer on all sides (35%), brown engineered lap siding, tan engineered vertical siding, orange engineered lap siding and dark bronze and orange trim accents.
12. [Note: for clarification and proper orientation it appears the exterior elevations (sheet A1) are mislabeled. The South Elevation should be labeled West, the West Elevation should be labeled North, the North Elevation should be labeled East and the East Elevation should be labeled South.]
13. The building is approximately 34.5-foot-tall at the roof line and 37.5-foot-tall at the top of parapets (from average ground elevations).
14. Two entrances allow access to the underground parking garage. 24-foot-wide aisles provide access to 151 parking stalls. There are 83 stalls that are 9’X19’ and 68 stalls that are 9’X23.’ Apollo is requesting PUD modification of the minimum stall dimensions of 10’X20’ required in the Zoning Ordinance. There are no accessible parking spaces noted in the garage. It appears at least six ADA parking stalls are required, which should be located near elevators. This will likely result in the reduction of three or more actual stalls in the garage, depending on their location.
15. There are 150 surface parking stalls, which are accessed by 24-foot-wide aisles. Stalls adjacent to curbs are proposed at 9’X18’ and stalls abutting each other are proposed at 9’X20.’ There are six parking spaces which meet ADA requirements. Apollo is requesting PUD modification of the minimum stall dimensions of 10’X20’ required in the Zoning Ordinance.
16. The Zoning Ordinance requires two surface parking spaces per unit plus ¼ stalls per unit for guest parking. Garage stalls may offset the number surface parking spaces required, if all garage stalls are assigned to residents. A total of 338 parking spaces are required and 301 are provided. A proof of parking area is illustrated on the site plan, which includes a minimum of 37 additional parking spaces and potential future parking garages. The proof of parking area should be adjusted to reflect the reduction of the total number of stalls in the garage.
17. Building and parking setbacks are consistent with minimum ordinance requirements, except the rear yard building setback. Apollo is requesting PUD modification of the minimum 30 feet rear yard setback to 20 feet (same as side yard building setback).
18. A generous landscape plan illustrates 127 shade trees and 28 conifers, well distributed on the Property. Foundation plantings include 9 shrubs, 85 perennials and 177 grasses. The landscape plan is well in excess of minimum ordinance requirements.
19. The landscape plan also identifies a 20’X20’ concrete outdoor patio area and a 30’X36’ playground area (yet to be designed) at the southerly end of the building.
20. Five-foot-wide sidewalks are adjacent to the building at the parking lots and outdoor patio/playground.
21. Site drainage is accommodated by two existing stormwater ponds, one to the north and one to the south. The regional ponds are generally designed to allow 75% lot coverage. The site plan indicates impervious site coverage is approximately 62% and approximately 70%, if the proof of parking area and potential future garages are improved.

22. Apollo will be required to obtain a permit from Rice Creek Watershed District for the development. As current owner of the Property, the City may be required to cosign the permit application.
23. Trash and recycling is facilitated by two 'chutes' on each floor and two collection areas in the garage. The 'trash' rooms in the garage are located near each garage entrance. There are no outdoor storage containers.
24. Site lighting is provided with six 25-foot-tall parking lot light standards (50 watts-70 watt), five wall packs at pedestrian entrances (20 watts) and two wall packs over the garage entrances (30 watts). The intensity of lumination is less than one foot candle at all property lines (generally 0 to 0.3 foot candles). All site lighting must be downcast and shrouded.
25. There are no detailed signage plans at this time. One of the building elevations includes "The Landings" facing Hornsby Street. All signs will require administrative permitting.
26. The Planning Commission held a public hearing on the Landings of Columbus PUD CUP application on May 18, 2022.

Recommendations

Based upon the above Findings of Fact, the Planning Commission should recommend approval to the City Council of the "Landings of Columbus" Planned Unit Development Conditional Use Permit (PUD CUP) application, subject to the following:

1. The PUD CUP is contingent upon detailed recommendations of the City Engineer.
2. The PUD CUP is contingent upon recommendations of the City Attorney.
3. The PUD CUP is contingent upon detailed plan review and approval by the Building Official.
4. The PUD CUP is contingent upon detailed plan review and approval by the Forest Lake Fire Department.
5. The PUD CUP is contingent upon requirements of the Rice Creek Watershed District.
6. Once authorized, Apollo shall construct and maintain all site improvements consistent with the Conditional Use Permit Application, dated March 14, 2022; Narrative, dated April 8, 2022; revised Single PUD Submittal, dated May 2, 2022, (including Architectural plan sheets A0-A6, Civil plan sheets C0.01-C1.01, sheets C4.01-C8.01 and sheet C8.02, Landscape plan sheets L1.01 & L2.01 and Electrical plan sheet E1.1), except as may be modified with City approval.
7. Approval of the PUD CUP does not eliminate the requirement for obtaining any other permits and approvals as may be required by City, watershed, county, or state laws, rules, ordinances, and policies, including but not limited to grading permits, building permits, plumbing permits, electrical permits, stormwater permits, sign permits, driveway permits, public water connection, and public sewer connection.
8. Approval of the PUD CUP authorizes a rear yard setback of 20 feet.
9. Approval of the PUD CUP authorizes the modification of automobile parking stall dimensions, illustrated on Architectural plan sheet A2 and Civil plan sheet C5.01.
10. The PUD CUP is contingent upon the addition of six ADA parking stalls in the garage. The stalls must be within reasonable proximity to one or more of the elevators.
11. The PUD CUP is contingent upon all garage parking spaces being leased or otherwise assigned to residents at all times.
12. The PUD CUP is contingent upon the reasonable assignment of deeper garage stalls to larger/longer vehicles and shallower stalls assigned to shorter vehicles.

13. The PUD CUP is contingent upon approval of the “proof of parking” plan, identifying the location of 37 additional surface parking spaces on the Property. The total number of spaces shall be adjusted to reflect the reduction of total garage stalls, resulting from the addition of ADA parking requirements in the garage. Upon a finding of need and upon reasonable notice, the City Council may require all or a portion of the additional “proof of parking” spaces to be constructed, consistent with the approved plan.
14. No parking spaces may be obstructed for tenant or guest usage, including snow storage.
15. The PUD CUP is contingent upon changing the minimum required shade tree planting stock size from 2-inch caliper to 2.5-inch caliper.
16. All site lighting shall be shrouded and downcast.
17. All site signage requires administrative review and permitting.
18. Pet wastes shall be promptly removed from the Property and shall be removed from any neighboring property if evidence exists that the waste was generated by pets at The Landings.
19. In the event the City Council determines, in its sole discretion, that the use 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.
20. No new uses or intensification of the use of the Property is allowed without City approval.
21. Apollo shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the PUD CUP, including reasonable attorneys' fees and consultant fees.
22. Apollo shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the PUD CUP, including any subsequent inspection and enforcement actions.

City Engineer, Kevin Bittner, Bolton & Menk Report Dated 05-12-2022

1. The existing topography (multiple sheets) shows a soil stockpile located primarily on adjacent Lot 1. This stockpile was relocated by the city and is now located entirely on Lot 2, which is the location of this development. Widseth indicated previously that this material can be utilized for earthwork balancing for the development.
2. The plan shows street pavement and curb removal for the driveway openings. Driveway curb and street patching as replacement will also need to be shown on the plan.
3. Plan details are needed for various items such as the driveway curb, pavement and sidewalk sections, hydrant and valve, storm sewer items, etc.
4. Sheet C4.01
 - a. Turn on the contour elevations for reference.
5. Sheet C6.01
 - a. The 4-stall parking area on the northwest corner of the site appears not to drain. The 906.60 TC location is a low point with no drain at that location.
 - b. On the larger parking lot on the north side of the building, the cross grade is about 6%, which is relatively steep and may be difficult to walk across in slippery conditions. This cross slope could be lessened by raising the north curb line and steeping the slope behind it.

- c. The cross slope of the 6 parking stalls to the south of the main entrance is 10%. I recognize the grading challenge with the location of the underground parking door, but this cross-slope seems excessive and extremely difficult to walk in slippery conditions. Consider moving this garage entry to a different location to remedy this situation. (Perhaps off the east end of the north parking lot?)
- 6. Sheet C8.01
 - a. The watermain 8" x 8" tee called out should be an 8" x 8" cross.
- 7. Sheet C8.02
 - a. The storm sewer outlet pipe to the pond in Outlot D should be moved to the east and out of the easement. This easement should be reserved for private utilities.
 - b. The build height on CBMH 201 is only 1.67' but has a 24" RCP pipe coming into it, so the build height isn't going to work. The rim elevations for CBMH 201 and 202 do not match the ground elevations on the grading plan so perhaps the rim elevations are incorrect? Either way, review and correct accordingly.
 - c. On CBMH 202, there is no invert elevation provided for the easterly pipe.
 - d. Should CB 105 be on the east side of the drive lane? The pavement is pitched to the east side of the drive lane so having the CB on that side would be more efficient at capturing the water.

Motion Hanegraaf to recommend approval based on adopting the Findings of Fact 1-26 in the Columbus Staff Report dated May 25, 2022, to the City Council for the Conditional Use Permit for a Planned Unit Development to permit a proposed 150 unit, 3-story apartment building in the Mixed-Use High Density (MU-H) district, located at PID 24-32-22-11-0011, with Conditions 1-22. Also based on City Engineers report, dated May 12, 2022, with 7 items listed. Second Bobick. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor.

This item will be presented at the 06-08-2022 City Council meeting.

- 7. PUBLIC HEARING & DISCUSSION - KINSELLA ACRES SECOND ADDITION PRELIMINARY & FINAL PLAT (CITY VEIW ELETRIC INC., MIKE NELSON)** At this time, a public hearing was held to consider a request for a Preliminary and Final Plat ("Kinsella Acres 1st Addition") application for the creation of one (1) new lot in the Commercial/Industrial (C/I) district vacant properties, PIN 28-32-22-44-0006, 28-32-22-44-0002 and 28-32-22-44-0003. Separate minutes for the public hearing are prepared.

City Staff Report from City Planner, Dean Johnson, RSC 5-24-2022

Preliminary Plat Findings of Fact

1. The City received a preliminary plat/final plat application from Kinsella Properties, LLP, ("Kinsella") for Kinsella Acres 2nd Addition on April 29, 2022. The application was found complete.
2. The 120-day preliminary plat review deadline is August 27, 2022.
3. Kinsella Acres 1st Addition was approved by the City on June 23, 2021. The 2021 plat was never recorded. That plat was a replat of two landlocked parcels, legally described as Lots E5 and E6, Will's Addition.
4. The current proposed plat will combine Lots E5 and E6, Will's Addition with Kinsella Acres as Kinsella Acres 2nd Addition. [Anoka County recommended naming this plat as the 2nd Addition rather than the 1st Addition]

5. The proposed plat is located in the C/I Commercial/Industrial Zoning District at 14309 Lake Drive NE.
6. The 36.81-acre property currently consists of three parcels legally described as Lot 1, Block 1, Kinsella Acres and Lots E5 and E6, Will's Addition ("Property").
7. The Property is proposed to be platted into a single 36.81-acre parcel, Lot 1 Block 1, Kinsella Acres 2nd Addition.
8. All of the current City View Electric buildings are located within Kinsella Acres.
9. Wetland delineations have previously been approved on the Property.
10. The Property is located in the Rice Creek Watershed District.
11. An application for stormwater management was submitted to the Rice Creek Watershed District on 4/16/21. A Conditional Approval Pending Receipt of Changes (CAPROC) was issued by the District on 5/19/21.
12. There is no correspondence from the Anoka County Highway Division regarding the plat.
13. The preliminary plat includes standard 20-foot drainage and utility easements abutting right of way, 10-foot drainage and utility easements along remaining property lines and a large drainage and utility easement covering the wetland, including the minimum 1-rod buffer adjacent to the wetland.
14. The Planning Commission held a public hearing on the proposed preliminary plat on June 1, 2022.

Preliminary Plat Recommendations

The Planning Commission should approve the above Findings of Fact and recommend approval of the Kinsella Acres 2nd Addition Preliminary Plat, 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.
4. Any requirements from the Anoka County Highway Division regarding access to Lake Drive.
5. Requirements of the Rice Creek Watershed District.
6. Cash in lieu of park land dedication.
7. Reimbursement of all City expenses associated with plat approval.
8. No further subdivision of the Property for development purposes is allowed without subsequent City approval.
9. Future development within the plat is subject to all laws and permitting requirements.

Final Plat Findings of Fact

1. The City received a final plat application from Kinsella Properties, LLP, ("Kinsella") on May 4, 2022. The application was found to be complete.
2. The final plat was submitted concurrent with the preliminary plat and the review period for the final plat is coterminous with the preliminary plat.
3. The 36.81-acre property currently consists of three parcels legally described as Lot 1, Block 1, Kinsella Acres and Lots E5 and E6, Will's Addition ("Property").
4. The proposed final plat will change the legal description of the Property to Lot 1, Block 1, Kinsella Acres 2nd Addition.
5. The final plat is consistent with the proposed preliminary plat.

Final Plat Recommendations

The Planning Commission should approve the above Findings of Fact and recommend approval of the Kinsella Acres 2nd Addition Final Plat, subject to the following:

1. Approval of the preliminary plat.

2. Detailed recommendations of the City Engineer.
3. Title review and recommendations of the City Attorney.
4. Requirements of the Anoka County Surveyor.
5. Any requirements from the Anoka County Highway Division regarding access to Lake Drive.
6. Requirements of the Rice Creek Watershed District.
7. Cash in lieu of park land dedication.
8. Reimbursement of all City expenses associated with plat approval.
9. No further subdivision of the Property for development purposes is allowed without subsequent City approval.
10. Future development within the plat is subject to all laws and permitting requirements.

Conditional Use Permit Status

The City approved a CUP application from Kinsella Properties, LLP, (“Kinsella”) for a 21,120 square feet office, warehouse and light assembly building on property legally described as Lots E5 and E6, Will’s Addition (“Property”) on June 23, 2021. The 2021 plat (to be described as Lot 1, Block 1, Kinsella Acres 1st Addition) and CUP approvals were based in part on special access provisions to the landlocked Property, which is adjacent to Kinsella Acres. The 2021 plat has never been filed and the building has not been constructed. Kinsella has decided to replat its contiguous properties into a single lot and block description.

The approved CUP remains in a one-year probationary period (soon to expire). A reasonable extension of the probationary period is warranted to allow approvals and filings of the new plat. The conditions of the original CUP could be modified to eliminate the special access provisions required, since the Property no longer contains a landlocked parcel. Assuming there are no substantive changes to the site or building plans, some other outstanding conditions could be eliminated during this time and not impact the issuance of a building permit for the new building. These include:

1. Submission to any revisions to the site plan or building plan.
2. Submission of a revised parking layout for review.
3. Submission of a landscape plan for review.
4. Submission of a photometric plan and details for new site lighting fixtures for review.
5. Provide an update on the CAPROC issued by RCWD on 5/19/22.
6. Provide an update on any Anoka County Highway Department requirements for access.

At this time the Planning Commissioners had an open discussion regarding the Preliminary and Final Plat. City View Electric Representative Mike Nelson (18429 3rd St NE, East Bethel, MN) was present. Nelson asked for clarification on if he needs to resubmit for a Conditional Use Permit (CUP) and start the process over from what was approved in 2021 or what the next steps would be. Johnson stated that the information provided in his staff report was advisory and there will not be any action regarding the currently approved CUP. Johnson explained that the information Nelson has submitted so far is a slight revision of the building that was approved last year (2021). Since the footprint of the building and the location is essentially the same with minor revisions Mursko and Johnson would be able to make a determination and if the changes are not a departure from what was approved a year ago, a public hearing would not be required. The probationary period is going to end in June 2022, in order to take action within that probation period Johnson and Mursko would need to administratively extend the probation period another six months or so. Then the Planning Commission could process these changes and updated the conditions. Johnson explained that originally they had 2 landlocked parcels that were being combined and platted as one landlocked parcel a year ago and their worry was it had no public frontage but the applicant wanted it that way because they might have sold it to a third party and the City said then they have to have public easements that guarantee access forever, those conditions will

come out of the CUP because it will now be all under one ownership. Nelson asked if he would need to reapply for the CUP or if he could amend the narrative statement of the currently approved CUP. Johnson clarified that he and Mursko will go through their checklist and make a recommendation to the Planning Commission and Council with new conditions.

Motion Bobick to recommend approval based on adopting the Kinsella Acres Second Addition Preliminary Plat Findings of Fact 1-14 and Final Plat Findings of Fact 1-5 in the Columbus Staff Report dated May 24, 2022, to the City Council for the Preliminary and Final Plat request to allow (“Kinsella Acres 1st Addition”) for the creation of one (1) new lot in the Commercial/Industrial (C/I) district vacant properties, PIN 28-32-22-44-0006, 28-32-22-44-0002 and 28-32-22-44-0003, with Preliminary Plat Conditions 1-9 and Final Plat Conditions 1-10. Second King. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor.

This item will be presented at the 06-08-2022 City Council meeting.

8. DISCUSSION - NON-BINDING CONCEPT PLAN BROWN BEAGLE LLC (JON SAWYER)

Brown Beagle LLC owns 10.45 acres on West Freeway Drive, PID 36-32-22-32-0005, in the LI Light Industrial district. The applicant proposes to construct several 8,000 square feet to 12,000 square feet buildings for lease to small businesses, small building trades, indoor repair or supply warehouses who do not require large spaces or elaborate showrooms. The buildings would consist mostly of open warehouse space, indoor storage or workshop areas, a small office area of approximately 400-500 square feet divided into several small offices and one bathroom, the final configuration which would be determined by the end user needs.

Representatives from Brown Beagle were not present, the Planning Commission continue this item and will wait for Mursko to connect with the applicant and place them on a future meeting agenda.

9. PUBLIC HEARING & DISCUSSION - SW QUAD PRELIMINARY & FINAL PLAT (CITY OF COLUMBUS)

At this time, a public hearing was held to consider a request for a Preliminary and Final Plat (“SW Quad 35”) for the creation of three (3) new lots in the (CC) Community Commercial District Vacant Properties, PIN: 24-32-22-13-0005. Separate minutes for the public hearing are prepared.

City Staff Report from City Planner, Dean Johnson, RSC 5-24-2022

Preliminary Plat Findings of Fact

1. The City has prepared a preliminary plat for City-owned property in the southwest quadrant of the I-35 interchange.
2. The 12.3-acre metes and bounds property is located in the Southwest Quarter of the Northeast Quarter of Section 24, Township 32, Range 22.
3. The property was bisected by the realignment of West Freeway Drive (CSAH 54), but remains as one parcel of record with a very complicated legal description.
4. The purpose of the plat is to create new legal descriptions for both sides of the roadway. Proposed Lot 1 (2.63 acres) and Lot 2 (3.69 acres), Block 1 lie on the easterly side of West Freeway Drive. Proposed Lot 1 (5.94 acres), Block 1 lies on the westerly side of West Freeway Drive. A shared access driveway to West Freeway currently exists on the common lot line of Lot 1 and Lot 2, Block 1 on the east side of the highway.
5. There are currently no development proposals within the plat.
6. The property has existing wetland delineations which may need to be recertified.

7. Drainage and utility easements are depicted adjacent to roadways (20 feet) and other property lines (10 feet), consistent with the Subdivision Ordinance. The wetlands and minimum 16.5 buffer are also protected with drainage and utility easements.
8. The Planning Commission held a public hearing on the proposed preliminary plat on June 1, 2022.

Preliminary Plat Recommendations

The Planning Commission should approve the above Findings of Fact and recommend approval of the SW Quad 35 Preliminary Plat, 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.
4. Requirements of the Rice Creek Watershed District.
5. Requirements of the Minnesota Wetland Conservation Act.
6. Future development within the plat is subject to all laws and permitting requirements.

Final Plat Findings of Fact

1. The City has prepared a final plat for City-owned property in the southwest quadrant of the I-35 interchange.
2. The purpose of the plat is to create new legal descriptions for both sides of the roadway, resulting from the bisection of the property by the realignment of West Freeway Drive (CSAH 54).
3. The proposed final plat will change the legal description of the property to Lot 1 and Lot 2, Block 1, and Lot 1, Block 2, SW Quad 35.
4. The final plat is consistent with the proposed preliminary plat.

Final Plat Recommendations

The Planning Commission should approve the above Findings of Fact and recommend approval of the SW Quad 35 Final Plat, subject to the following:

1. Approval of the preliminary plat.
2. Detailed recommendations of the City Engineer.
3. Title review and recommendations of the City Attorney.
4. Requirements of the Anoka County Surveyor.
5. Requirements of the Rice Creek Watershed District.
6. Requirements of the Minnesota Wetland Conservation Act.
7. Future development within the plat is subject to all laws and permitting requirements.

Motion Berens to recommend approval based on adopting the SW Quad 35 Preliminary Plat Findings of Fact 1-8 and Final Plat Findings of Fact 1-4 revising Finding #3 in the Columbus Staff Report dated May 24, 2022, to say Lot 1 Block 1, Lot 1 Block 2, Lot 1 Block 3 SW Quad 35, to the City Council for the Preliminary and Final Plat ("SW Quad 35") for the creation of three (3) new lots in the (CC) Community Commercial District Vacant Properties, PIN: 24-32-22-13-0005., with Preliminary Plat Conditions 1-6 and Final Plat Conditions 1-7. Second Hanegraaf. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor.

This item will be presented at the 06-08-2022 City Council meeting.

10. PUBLIC OPEN FORUM Nothing at this time.

- 11. PLANNING COMMISSIONER'S REPORT** Nothing to report at this time.
- 12. CITY ADMINISTRATOR'S REPORT** Mursko announced that the City Council approved the hiring of Frank Koenen as the new Associate Planner and his start date will be June 6, 2022. Koenen was present on Zoom and introduced himself to the Commission.
- 13. ATTENDANCE FOR UPCOMING MEETINGS** Berens to attend the 06-08-2022 City Council meeting.
- 14. MOTION TO ADJOURN** *Motion* by King to adjourn, seconded by Bobick. Motion carried with King, Hanegraaf, Bobick and Berens voting in favor. The meeting adjourned at 7:31pm.

Carissa Kranz

Respectfully Submitted: Carissa Kranz, Recording Secretary