

**CITY OF COLUMBUS  
PLANNING COMMISSION MEETING  
INTERACTIVE TECHNOLOGY MEETING FORMAT  
STATUTES SECTION 13D.021  
10-04-2023**

The 10-04-2023 Planning Commission meeting for the City of Columbus was called to order by Commission Chair Lynn Carver-Quinn at the City Hall at 5:59 PM. Present were Planning Commission members Lynn Carver-Quinn, Barb Bobick, Judy Huntosh, Robin Wood, and Bethany Barrette, City Council Liaison Jesse Preiner, City Administrator Elizabeth Mursko, City Planner Dean Johnson, Planning and Zoning Permit Tech Eleanor Hahn, Ivan Kozhokar, Denis Kozhokar, Bob Vollhaber, Jeffrey Hafferman, Jerry Winniecki, Vladimir Sivriver, Janet Hegland, and Ron Hanegraaf.

In attendance via interactive technology were Sue Wagamon, Rob Busch, and an unidentified phone number.

The meeting was held in an interactive technology meeting format.

- 1. CALL TO ORDER –City Council and Planning Commission Meeting – 5:59 p.m.**
- 1. PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MEETING AGENDA** Motion Bobick. Second Barrette. Motion carried with all in favor.
- 3. APPROVAL OF SEPTEMBER 6, 2023 PLANNING COMMISSION MEETING MINUTES** Motion Barrette. Second Huntosh. Motion carried with all in favor.
- 4. APPROVAL OF SEPTEMBER 6 PUBLIC HEARING MINUTES – UNIVERSAL SERVICES CUP AMENDMENT** Motion Huntosh. Second Barrette. Motion carried with all in favor.
- 5. APPROVAL OF SEPTEMBER 6 PUBLIC HEARING MINUTES – DAVCO TECH – RZB IUP** Carver-Quinn gave a correction on the top of page 7, where Mr. Povolny responded with “I did” to a question Carver-Quinn asked. Motion Barrette to approve with correction. Second Huntosh. Motion carried with all in favor.
- 6. PUBLIC HEARING AND DISCUSSION - PRELIMINARY AND FINAL PLAT: KOZHOKAR ADDITION – CUP FOR A PUD: KOZHOKAR AUTO REPAIR** At this time a public hearing was held to consider a request for a preliminary and final plat application (“Kozhokar Addition”) and a PUD CUP to establish an auto repair and sales service in the Commercial Industrial (C/I) zoning district. Separate public hearing minutes are prepared.

Huntosh asks for clarification as to whether the existing sheds are being moved or demolished. City Planner Dean Johnson and applicant Ivan Kozhokar confirm that both sheds will be removed. Huntosh also expresses concern regarding stormwater drainage issues mentioned by both the neighboring resident and in the City Engineers report. Johnson states that the applicant has been working with the Rice Creek Watershed District (RCWD) to address these issues, and that they are ultimately the permitting authority when it comes to drainage concerns. Any CUP given to the applicant will be contingent on approval from RCWD.

City Planner Dean Johnson gives an overview of the preliminary and final plat applications ("Kozhokar Addition"). Johnson suggests that the City should consider a vacation of the easement that crosses through two existing residential properties, as the new plat allows room for direct access from the road. The Planning Commission agrees through consensus.

The Planning Commission discuss recommendation number 10 from the Planner's report dated September 26, 2023. Johnson explains that since the application is for a Planned Unit Development, the Planning Commission has the ability to waive some of the standards in the ordinance. Therefore, the commission can either accept the proposed building design elevations, which fall below the design standards in the City Code, or have the applicant come back with a design that does meet the standards. Mursko states that it would be difficult to tell others that they must meet the requirement if we allow some to fall below it. The architect states that he has an updated version of plans, dated October 3, 2023, which now meets city standards. These new renderings are shown to the members and added to the file. The Commission agrees that the updated plan will be added to recommendation number 10.

The Planning Commission discuss Condition number 12 from the Planner's report dated September 26, 2023. The proposed landscaping plan contains less than the minimum amount of overstory trees, and instead substitutes them for five-foot arborvitaes. The Planning Commission agrees to this deviation from the City Code.

**Motion Huntosh to recommend approval of the Preliminary and Final Plat "Kozhokar Addition" based upon Findings of Fact and Recommendations in the Planner's Report dated September 26, 2023, and Comments 1-3 of the Engineer's Report dated September 28, 2023. Second Barrette. Motion carried with all in favor.**

**Motion barrette to recommend approval of Kozhokar Auto Repair PUD CUP, with changes discussed, based upon Findings of Fact and Recommendations in the Planner's Report dated September 26, 2023 and Comments 1-3 of the Engineer's Report dated September 28, 2023. Second Huntosh. Motion carried with all in favor.**

---

## Kozhokar Addition Preliminary Plat

### Findings of Fact

1. The City received the Kozhokar Addition Preliminary Plat application from Engineering Design and Surveying on behalf of Ivan Kozhokar, DIY-A Estates LLC (“Kozhokar”) on March 22, 2023. The application was found to be incomplete. Upon receipt of additional information, the application was found complete on September 18, 2023.
2. The 120-day preliminary plat review period ends on January 16, 2024.
3. The proposed plat is located in the C/I Commercial/Industrial Zoning District.
4. The 6-acre site is located at 14755 Lake Drive NE (CSAH 23) and consists of two existing parcels legally described as the South 165 feet the Northwest Quarter of the Northwest Quarter of Section 27, Township 32, Range 22, Anoka County, Minnesota, and that part of Northeast Quarter of the Northeast Quarter of Section 28, Township 32, Range 22, Anoka County, Minnesota lying Southeasterly of the center line of CSAH 23, subject to easements of record (“Property”).
5. The Property is proposed to be platted into a single parcel as Lot 1, Block 1 Kozhokar Addition.
6. There is an existing residence and garage on the Property that are proposed to be retained for storage or office purposes. There are two sheds on the Property that will be removed.
7. Proposed development on the Property includes a new automobile repair and used car sales business.
8. Existing access to the property is provided from the north via a perpetual access easement across two adjacent properties. A proposed new access to the Property directly from CSAH 23 has been approved by the Anoka County Highway Department (ACHD), pending right-of-way (ROW) permitting.
9. A wetland delineation was approved on June 12, 2023. The Rice Creek Watershed District (RCWD) has reviewed proposed development plans on the Property and issued a Conditional Approval Pending Receipt of Changes (CAPROC) on July 12, 2023.
10. Standard 10-foot side/rear yard and 20-foot front yard drainage and utility easements are included in the preliminary plat. A large drainage and utility easement is also located on the easterly half of the plat over the stormwater pond and existing wetland.
11. The proposed plat meets minimum lot area and lot width requirements.
12. The Planning Commission held a public hearing on the preliminary plat on October 4, 2023.

### Recommendations

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney, including a recission of the perpetual access easement across adjacent properties benefiting the Property.
3. Requirements of the Anoka County Highway Department.

4. Requirements of the Anoka County Surveyor.
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.

---

### **Kozhokar Addition Final Plat**

#### **Findings of Fact**

1. The City received the Kozhokar Addition Final Plat application from Engineering Design and Surveying on behalf of Ivan Kozhokar, DIY-A Estates LLC (“Kozhokar”) on April 17, 2023. The application was found to be incomplete. Upon receipt of additional information, the application was found complete on September 18, 2023.
2. The final plat review period is coterminous with the preliminary plat, which ends on January 16, 2024.
3. The Planning Commission held a public hearing on the preliminary plat on October 4, 2023 and recommended approval of the preliminary plat on October 4, 2023.
4. The final plat is consistent with the preliminary plat.

#### **Recommendations**

1. Approval of the Kozhokar Addition Preliminary Plat.
2. Detailed recommendations of the City Engineer.
3. Title review and recommendations of the City Attorney, including a rescission of the perpetual access easement across adjacent properties benefiting the Property.
4. Requirements of the Anoka County Highway Department.
5. Requirements of the Anoka County Surveyor.
6. Requirements of the Rice Creek Watershed District.
7. Rain garden/stormwater pond/wetland buffer plaques at locations determined by the City.
8. Cash in lieu of park land dedication.
9. Reimbursement of all City expenses associated with plat approval.

---

### **Kozhokar Auto Repair PUD CUP**

#### **Findings of Fact**

1. The City received a Planned Unit Development Conditional Use Permit (PUD CUP) application from Engineering Design and Surveying on behalf of Ivan Kozhokar, DIY-A Estates LLC (“Kozhokar”) on March 22, 2023. The application was found to be incomplete. Upon receipt of additional information, the application was found complete on September 18, 2023.

2. The 60-day review period ends on November 17, 2023, and the 120-day review period, if necessary, ends on January 16, 2024.
3. The proposed development is located at 14755 Lake Drive NE (CSAH 23) on property currently described as the South 165 feet the Northwest Quarter of the Northwest Quarter of Section 27, Township 32, Range 22, Anoka County, Minnesota, and that part of Northeast Quarter of the Northeast Quarter of Section 28, Township 32, Range 22, Anoka County, Minnesota lying Southeasterly of the center line of CSAH 23, subject to easements of record (“Property”).
4. The Property is being platted as Lot 1, Block 1, Kozhokar Addition.
5. The property is currently zoned C/I Commercial/Industrial and is designated Commercial/Industrial in the 2040 Comprehensive Plan.
6. The Property contains approximately 6 acres.
7. Proposed development of the Property is for “KI Auto Body & Sales” which includes a new 15,421 square feet (architect’s estimate) office, sales and auto repair building. The new building also includes 1310 square feet of mezzanine storage space above the office area.
8. There is a one-foot separation between the office sales portion (6202 square feet) and shop portion (9219 square feet).
9. The buildings consist of 18-foot-tall sidewalls with beige standing seam metal panels on all walls. The gable ends of the office portion of the building are 32 feet tall and the gable ends of the shop portion of the building are approximately 23 feet tall. The new buildings meet all setback requirements.
10. Architectural Plan Sheet A300 shows the west or street facing façade of the building includes 2175 square feet of office area and 562 square feet of shop area. Based upon the plan dimensions it would appear that the office façade is approximately 2346 square feet in area. The maximum amount of metal panels may not exceed 50% of the façade, or in this case, approximately 1173 Square feet vs. 1357 square feet shown. Masonry, windows, doors, trim, signage and roof or awning are credited in the non-metal percentage. Similarly, the shop façade should not contain more than 281 square feet of metal panels vs. 382 square feet shown. [Note: any combination of the materials on the two street facing façades can be used to calculate the 50% metal/non-metal siding criteria]
11. There are 21 service doors on the exterior of the building and 17 overhead doors. The mechanical systems are enclosed within the building.
12. There is also an existing residence with attached garage and a detached garage located to the east of the proposed new buildings. Kozhokar plans to remodel the residence into office space and use the two garages for storage. The plans and renderings illustrate new beige or tan LP Smartside lap siding on the building exteriors. Kozhokar has indicated that an alternative use of the residence and garages could be all storage.
13. Access to the Property is provided via a new driveway from Lake Drive. The Anoka County Highway Department (ACHD) approved the access, pending permitting, in a letter dated July 11, 2023. Existing access to the Property is provided via an ingress and

- egress easement across two residential properties to the north. This access will be abandoned.
14. There are 51 proposed parking stalls on the Property between the new building and Lake Drive, including 3 handicapped accessible stalls. Parking stall dimensions, aisle dimensions and front yard setback are consistent with ordinance requirements. There is an encroachment of the northernmost stalls in the side yard drainage and utility easement.
  15. The office use of the new building requires 7 parking stalls, the shop area requires 29 parking stalls, and the mezzanine storage requires one parking stall. The conversion of the residence to office use will require an additional 9 parking stalls. The alternative use of the residence and garages for storage will require only 2 additional parking stalls. The proposed parking on the Property is consistent with ordinance requirements.
  16. Site drainage includes a rain garden adjacent to Lake Drive and a new stormwater pond located to the east of the buildings. The Rice Creek Watershed District (RCWD) has reviewed proposed development plans on the Property and issued a Conditional Approval Pending Receipt of Changes (CAPROC) on July 12, 2023.
  17. The development will be served with a new domestic well and new SSTS.
  18. There are currently six employees at KI Auto Body & Sales. The proposed hours of operation are Monday through Saturday from 8:00 am to 7:00 pm.
  19. There is an existing 6-foot-tall privacy fence along the westerly Property abutting the two residences to the north, an existing 6-foot-tall privacy fence along the northerly Property line abutting the residence to the north and an existing 6-foot-tall privacy fence along the southerly Property line (beginning approximately 225 feet east of Lake Drive and extending approximately 640 feet to the east). Kozhokar proposes to extend the height of the existing fencing by 3 feet and connect the easterly ends of the fences on the northerly and southerly Property lines.
  20. Dumpsters for the development will be located east of the office building and south of the shop building. Kozhokar is requesting a PUD waiver of any dumpster enclosures in consideration of the fencing on the southerly and easterly Property lines
  21. Site lighting includes five 20-foot-tall parking lot light standards and 13 wall mounted lights. All lights are downcast and shrouded. It appears two wall pack lights on the northerly side of the building cause exceedance of the one-half foot candle illumination standard adjacent to a residence. The northernmost parking lot light also exceeds the one-half foot candle illumination standard adjacent to a residence.
  22. Proposed landscaping includes six deciduous trees, 72 arborvitae and 12 perennials. Based upon the developed portion of the Property, approximately 13-14 overstory trees are required. Substituting the arborvitae for overstory trees may be considered under the PUD CUP.
  23. The Planning Commission held a public hearing on the Kozhokar PUD CUP application on October 4, 2023.

## Recommendations

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, including a recission of the perpetual access easement across adjacent properties benefiting the Property.
3. The PUD CUP is contingent upon approvals of the Kozhokar Addition Preliminary Plat and Final Plat.
4. The PUD CUP is contingent upon detailed plan review and approval by the Building Official.
5. The PUD CUP is contingent upon detailed plan review and approval by the Forest Lake Fire Department.
6. The PUD CUP is contingent upon requirements of the Rice Creek Watershed District.
7. The PUD CUP is contingent upon requirements of the Anoka County Highway Department
8. The PUD CUP is contingent upon requirements of the Anoka County Surveyor.
9. Once authorized, Kozhokar shall construct and maintain all site improvements consistent with the Planned Unit Development Conditional Use Permit Application, dated September 18, 2023; revised Civil Plans (sheets C1-C16) dated August 18, 2023; Sales & Body Shop Architectural Plans (sheets A000-A002, A101, A103, A300-A301, A400), dated August 18, 2023; photometric plan, dated August 30, 2023; residential building conversion Architectural Plans (sheets A000, A100, A101-A102, A300-A302, A400, A500, A600), and renderings received September 18, 2023; Conveyance Report, received August 18, 2023; except as may be modified with City approval.
10. Approval of the PUD CUP requires additional stone on the westerly façades of the office and/or shop areas to maintain a maximum of 50% exposed metal siding consistent with the revised Architect's plan dated October 3, 2023. ~~—OR— Approval of the PUD CUP authorizes an increase of the percentage of metal siding on the street facing façade, as illustrated on Architectural Plan Sheet A300, dated August 18, 2023.~~
11. Approval of the PUD CUP is contingent upon completion of proposed fencing in lieu of any required dumpster enclosure.
12. ~~The Landscape Plan shall be modified to meet the minimum number of required overstory trees on the Property~~ ~~—OR—~~ Approval of the PUD CUP authorizes substitutions of 72 five-foot-tall arborvitae in lieu of additional required overstory trees, as illustrated on the Landscape Plan, dated August 18, 2023.
13. The Site Plan, dated August 18, 2023, shall be modified to remove any parking stalls or driveway aisles from drainage and utility easements.
14. The Photometric Plan, dated August 30, 2023, shall be modified, if necessary, to eliminate any illumination exceedance of one-half foot candle at any residential property line.
15. 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, and driveway permits.
16. All site signage requires administrative review and permitting.
  17. All buildings, fencing and site improvements shall be maintained in good condition throughout the duration of the PUD CUP.
  18. Approved landscaping shall be maintained in good condition and replaced as needed throughout the duration of the PUD CUP.
  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. Kozhokar 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.
  21. Any expansion or intensification or change in the approved use of the Property requires an amendment to the PUD CUP.
  22. Kozhokar 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.

---

**Kozhokar Addition and PUD CUP Engineer's Comments:**

Following are my comments based on the civil plans, dated 08/18/2023, along with the architectural plans of the same date:

1. There are no features visible on the civil plans or the architectural drawings to control surface water on the north side of the building. The gable roofs of the front and rear buildings are pitched towards the north, and with only 10 feet of offset on the rear building, additional measures need to be employed and shown on the plans to prevent this water from flowing on to the neighboring property.
2. There is a similar issue on the southwest corner of the property, where there are 14 parking stalls that appear to slope toward the south. Again, there is nothing shown on the plan to prevent this water from flowing on to the neighboring property. Additional details need to be provided to prevent this water from flowing on to the neighboring property.
3. The Tradewell Soil Testing report calls for pipe under hard surfacing to be insulated. There is a sewer pipe under the sidewalk and pavement where this comment applies. The plans need to provide details on how this sewer pipe will be insulated.

---

**8. PUBLIC OPEN FORUM** Nothing at this time.



**9. PLANNER COMMISSIONER'S REPORT** Nothing at this time.

**10. CITY ADMINISTRATOR'S AND PLANNING & ZONING TECH REPORT** Mursko reminds the Planning Commission of the Columbiz event on October 14<sup>th</sup>.

**11. ADJOURN** Motion Barrette. Second Huntosh. Motion carried with all in favor. Meeting adjourned at 7:11 p.m.

*Eleanor Hahn*

Respectfully Submitted: Recording Secretary Eleanor Hahn.