

**CITY OF COLUMBUS
PLANNING COMMISSION MEETING
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
KOZHOKAR ADDITION – PRELIMINARY AND FINAL PLAT
KOZHOKAR AUTO REPAIR – PUD CUP
10-04-2023**

The 10-04-2023 Public Hearing to consider a request for a preliminary and final plat application (“Kozhokar Addition” and a conditional use permit amendment for a planned unit development to establish an auto repair and sales service in the Commercial Industrial (C/I) zoning district, was called to order by Planning Commission Chair Lynn Carver-Quinn at the City Hall at 6:04 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.

Carver-Quinn: So there has been a little bit of a change for the meeting tonight. There's two, actually two public hearings that coincide with each other. So Eleanor will read both public hearing notices and then we'll get into the public hearing.

Hahn: So, we're going to combine numbers seven and eight, which are two separate public hearings into one since they coincide with each other.

At this time the Public Notices were read by Planning and Zoning Technician Eleanor Hahn

Carver-Quinn: So now I will ask the applicants to please come forward and have a seat at the front table and all parties give your name and your current address. Make sure you speak into the microphone so everybody can hear you.

Kozhokar: Good evening. My name is Ivan. Current address is 3862 Oak Lane, Lexington, MN 55014. I don't know what to say, it's my first time at one of these.

Carver-Quinn: OK, so for the record, did you receive a copy of the staff report developed by RSC Dean Johnson dated September 26th, 2023 regarding the application this report? Note certain findings numbering one through 12 on page 32 and 33. It also notes recommendations numbering one through 7, and he also noted some conditions numbering one through 9. And do you understand these recommendations and conditions, and do you have any questions?

Kozhokar: Yes, I understand. I don't have any questions. If you have some questions, I do have specialists here. I have the architect and engineer.

Carver-Quinn: Gentlemen, if you want to give your name and address.

Hafferman: I am Jeff Hafferman, owner of Inspire Architects located at 620 Civic Heights Drive in Circle Pines.

Sivriver: My name is Vladimir Sivriver. I am the president of EDS, engineering, design and professional engineer and licensed land surveyors, state of Minnesota. 6480 Wayzata Blvd. Golden Valley, MN.

Carver-Quinn: OK. Thank you. So I'm going to open the floor to the Commissioners for any questions.

Wood: I had a couple of questions about your fencing on there. Do you intend on having that done before you start construction? I'm most concerned on your neighbor's side. Will that fencing be done before you start building?

Kozhokar: Wherever what city going to require. If it needs to be done before construction, I can do that.

Wood: OK. That was my biggest question.

Carver-Quinn: Any other questions? I know Barbara and I went out there, so we asked questions and got them all answered then

Bobick: Right. I really appreciate the time you spent with us walking the property and it seems like you've got a good plan and you're anxious to get going, so we appreciate it.

Carver-Quinn: OK, so at this time, is there anyone in the audience or online that would like to speak to this project? OK, we have one. Do you want to come to the table and give your name and address?

Winiecki: Jerry Winiecki, 14647 Lake Drive. So, right on the South side of this project here. I have a couple of questions. Where is this drainage going to go in this project? I own the ditch that's right next to his property, which is a private ditch. And we ran into trouble on the Mastel project and we still have trouble. Where are the containment ponds for runoff?

Carver-Quinn: Yeah. Ivan, do you want to answer that?

Sivriver: Yeah, I can address the drainage. The entire parcel is separated by two areas and the water would be directed to the rain garden for filtration in the front, and the other side of the building, the east side, would be directed to the pond on the east side with an outlet structure directed to the wetland. As to the South side ditch? And I can see it on the plans. It is untouched and the ditch would be functioning the way it was before, but the whole side would be directed either East or West. And it will be sway on the north side to protect the north property and on the South side will be retaining wall protecting the South property so that no water would be directed to the neighbor on the South. Thank you.

Carver-Quinn: Does that answer your question?

Winiecki: Somewhat. The question you can answer it real quick. No water from this property can enter that ditch. It does not currently, and it cannot in the future, yes.

Sivriver: Yes, yes. It cannot

Winiecki: OK. Put that on the record. And your current driveway is that an easement going in or? Are you putting in a new driveway?

Sivriver: New driveway.

Winiecki: OK. So basically Ivan, you're in the salvage car business and then you run a Body Shop.

Kozhokar: Yes.

Winiecki: So you'll be bringing salvage cars in here with fluids leaking out of them and things like that.

Kozhokar: Of course not.

Winiecki: Of course it will, because it's a salvage car. We all know that. Where do you intend on loading them inside the property on the street like you're currently doing. OK, we should have this on the screen someplace.

Mursko displays the applicant's grading, drainage and erosion control plan on the television.

Kozhokar: The question was about the cars, which are going to come from the auction. When we're talking about the salvage, we're not going to sell any parts and we're not going to have any cars for parts. If I'm going to have - that's why we have 9 doors of the building. If I'm going to store some parts cars. We had discussed the conversation with Elizabeth. So, the damaged cars are going to be here. This is the one building and then the front is going to screen from the highway. You will not see the repairable cars which are going to be parked over here. Between this fence, we reported between me and you. So you're not going to see it and it's not going to leak anything.

Winiecki: OK, So what are you stating is the driveway? Here?

Kozhokar: Yes.

Winiecki: There's a shed on the back of the property.

Carver-Quinn: Can you speak into the microphone please?

Winiecki: I keep forgetting to move that. There's a shed on the back of the property.

Kozhokar: This one?

Winiecki: Yes.

Kozhokar: Will be [re]moved.

Winiecki: That's going to be moved? Because I believe that's partially on our property.

Sivriver: No, it's not on the property line, but it doesn't matter anyways.

Winiecki: Your current survey posts are right next to the shed.

Sivriver: Next to the shed, and we're going to remove it anyway, so there's no point of discussion.

Winiecki: Well, there is a point for the discussion because it's there. That's why we're here.

Sivriver: I didn't put it there so.

Winiecki: No, I understand that.

Mursko: But you're going to move it?

Kozhokar: For sure.

Mursko: So we'll have to add that. Dean, if it's not in the conditions, we'll add it. He's going to move the shed that's on the adjacent property.

Johnson: Right now, I indicated them being tossed, not moved.

Mursko: Oh, so they're being demolished?

Johnson: That's based on comments that we heard those two sheds are in the drainage easement, and they're going to be removed.

Mursko: OK, so they'll be removed, not moved.

Johnson: Yes, demolished. If there's a change in that you need to know about that, and you can agree to approve it or not.

The other thing I was going to say, for the purpose of being able to record information for a public hearing, we cannot have an exchange like this. We need Mr. Winiecki to simply state his concerns and not go back and forth. Otherwise, the record is miserable. And so, my request is if he's not done, let him finish his question. You can still ask that you address all of these points, but we can't have an exchange with a neighbor and the applicant. After you take all this testimony, if you wish you can go back and forth, answer, or even ask additional questions. But for the sake of the hearing, it should not be question and answer. It should just be well, 'here are my concerns. I live next door. I don't want to see any junk.' Whatever. So can we do it that way?

Winiecki: Ohh, I'm happy with that.

Johnson: So I think the other gentleman can stay at the table, but let him go ahead and state his comments and then he can leave the table. And then allow the next party to come.

Carver-Quinn: OK, so do you have any more questions?

Winiecki: So once the two sheds are removed in the rear, are you going to continue that fence to where you're going to use the property? Looks like there's a line here. Because now currently, your fence quits before the sheds. So I'd like to see that continued on, that privacy fence there. Like he said, he continued with the front of the highway.

Mursko: So you're saying that you want the fence to go to the lake drive and to the rear?

Winiecki: Correct.

Mursko: OK.

Bobick: Are we doing both the plats and the CUP right now at the same time? I thought we were just doing the plats first.

Carver-Quinn: What did you read both public hearing notices?

Hahn: Yes.

Bobick: OK. So it's all three of them.

Mursko: So the plat is a combination. It's not a subdivision, it's a combination. So in this particular case, it's two lots becoming one.

Bobick: Right, I understand that. But I mean we're talking about other conditions that involve the Planned Unit Development.

Carver-Quinn: Well, for the sake of him only coming to the table once. He can ask all his questions now. So anymore besides the fence.

Winiecki: How many salvage vehicles does he plan on putting on the property?

Carver-Quinn: OK. And then anymore?

Winiecki: I don't think - I don't know if I asked this. Your salvage vehicles come in by semi. Where is the unloading of this going to take place? Is it going to be on the highway? Or I don't see where there's room for a semi to get in there and turn around on this lot. We currently have the problem with the Mastels across the street with their semis always parked on the road and then you can't see. They get on 23 because they blocked that shoulder. So that's a concern of the unloading of the semis.

Carver-Quinn: OK.

Winiecki: Other than that, I think hours of operation maybe. We don't know what that's going to be. Is it going to be weekends or 24 hours a day or 8 hours a day or...? And that's about it and I appreciate it.

Carver-Quinn: OK. Thank you. OK. Do you want to address those questions?

Kozhokar: Yes, about the fence. If it's necessary to be right from the highway, but I don't believe this is allowed, but I don't know. But I'm OK to put the fence on the South side, Jerry's side, I don't know, 25 or how many feet from the highway. And I'm going to put the same fence, and I knew that we were going to take that shed over there off, so that's why we stop right near to that shed. So it will be pretty close to the wetlands, somewhere there. Because on one of the e-mails I think I indicate that there is no fence now, but there's a proposed fence in the back.

And about unloading cars basically, right now my shop, which I have on Maple Street in Lino Lakes, right now we have like around 25 to 20 cars, some cars waiting parts, some cars waiting for repair. So that's why I want to have a bigger shop. I think it's going to be around, let's say, 30-35 cars. That's what I'm thinking to have in process all the time. And when talking about the loading and unloading - We have a new driveway and we have an old driveway. If this is a problem for the neighbor, we can receive the some trucks at the new driveway, unload it in this corner. And I'm planning to have a gate between the old driveway and we can once in a while, when the summer come, we can use this driveway to get out. This is what I'm thinking, if it's a problem for the neighbor to unload in that driveway.

Carver-Quinn: And then the hours of operation?

Kozhokar: Yeah. Our operation is from, let's say from 7:30 to 7:30.

Hafferman: I think the hours of operation were in the report.

Kozhokar: I yeah, I forgot what time? 8 to 8? But it's not 24 hours for sure, and Sunday we're not going to be open.

Bobick: It's on page 36. Number 18, page 36. Monday through Saturday, 8:00 to 7:00.

Kozhokar: Yeah, eight to seven, Monday through Saturday.

Bobick: Yes, Ivan, when I was out there at the site, we looked at that existing fence that you were talking about and you told me you're going to put a new gate on there. So it's going to slide, correct?

Kozhokar: A sliding gate, yeah.

Bobick: So it would be much more effective if you do have to go in through the entrance and out through that exit, so you do have two exits rather than just one. Is that correct?

Kozhokar: Yeah, I mean, again if it's necessary, like I said that, that driveway is there already there so we can just use it for emergency.

Bobick: Right. So you won't have trucks piled up on.

Kozhokar: Not all the time, because in front of the building is going to be enough parking space to turn around and go back.

Bobick: Right, exactly. Thank you.

Carver-Quinn: Is there anybody else in the audience or online that wanted to speak? OK. Any other questions?

Sivriver: I would like to make a comment.

Carver-Quinn: Ok.

Sivriver: Yeah, we started this project exactly two years ago. And it's been a long run. Back and forth and back and forth and we want to say a special thank you to the City Administrator Elizabeth Mursko, Mr. Mayor Jesse and a special thank you to Dean Johnson or helping us all the way through. It was overwhelming support and understanding. Thank you. It was difficult project, but we went through it and we're coming to the end. Thank you so much for your support.

Carver-Quinn: Thank you. Thank you for coming. I am going to close the public hearing and open it up for discussion amongst the Commission Members. If we need anything, we'll ask. But thank you.

At this time, Chair Carver-Quinn closed the Public Hearing. Hearing closed at 6:28.

Eleanor Hahn

Respectfully submitted, Recording Secretary Eleanor Hahn