

**CITY OF COLUMBUS
PLANNING COMMISSION MEETING
ALTERNATIVE MEETING FORMAT
STATUTES SECTION 13D.021
08.05.2020**

The 08.05.2020 Regular Planning Commission meeting for the City of Columbus was called to order at 7:00 p.m. by Chair Ron Hanegraaf at the City Hall. Present were Commission member Kris King, and Barb Bobick. Present via telephone were Commission members: Steve Wagamon, and Pam Wolowski; City Administrator Elizabeth Mursko; City Associate Planner Ben Gutknecht; City Planner Dean Johnson; and Administrative Technician Rochelle Busch.

Also, in attendance via telephone were: Mayor Jesse Preiner; City Council members: Janet Hegland, Jeff Duraine and Shelly Logren; Kendall Friese, and Matthew Greene.

The meeting was held in a telephonic meeting format.

AGENDA APPROVAL

Motion by King to approve agenda as written. Second by Bobick. Votes as follows: King – Aye, Wolowski – Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

APPROVAL – APPROVAL OF PLANNING COMMISSION MEETING MINUTES ON 07.15.20

Motion by Bobick to approve the minutes of the 07.15.2020 regular Planning Commission meeting as written. Second by Wolowski. Votes as follows: King – Aye, Wolowski – Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

APPROVAL – PUBLIC HEARING MINUTES – 16811 NOTRE DAME ST NE, KENDALL FRIESE, INTERIM USE PERMIT FOR A RESIDENTIAL ZONE BUSINESS (PC20-111) REQUEST 07.15.20

Motion by Wolowski to approve the Public Hearing minutes for an interim use permit to operate a residential zone business consisting of truck storage for over the road hauling, trailer repair and/or fabrication business located at 16811 Notre Dame Street, as written. Second by Bobick. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

APPROVAL – PUBLIC HEARING MINUTES – PIN# 24-32-22-43-0002, VACANT PROPERTY, OUTFRONT MEDIA LLC, INTERIM USE PERMIT (PC20-103) REQUEST 07.15.20

Motion by King to approve the Public Hearing minutes for an interim use permit for a large off-premises sign in compliance with the amended Chapter 7B of the City Code in the I-35 Corridor located at 24-32-22-43-0002, as written. Second by Hanegraaf. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

16811 NOTRE DAME ST NE, KENDALL FRIESE, INTERIM USE PERMIT FOR A RESIDENTIAL ZONE BUSINESS (PC20-111) REQUEST CONTINUED DISCUSSION

Previous Public Hearing testimony was taken on 07.15.20, where the Planning Commission recommended denial of the IUP application for Kendall Friese. The denial was deemed as the applicant did not meet the requirements of the residential zoned business.

Mursko noted that the City Council referred the application back to Planning Commission as Friese reflected on the previous application and made changes that would better fit the City regulations. City Council passed the application to Planning Commission to review the new Findings Fact and Staff Recommendations.

Associate Planner, Ben Gutknecht, explained the application revisions made. He noted that there has been a revised staff report drafted to represent the changes noted by Friese. One notable change from Friese proposal would be all trailers have been moved offsite to permitted location. The remaining 3 trailers have been moved out of sight from his neighbors. Friese is sure that he should be able to make the necessary repairs to the remaining trailers within 90 days to have them off the property as well. Friese is anticipating a sale of a refurbished trailer 2- 5 times a year. He would like to be flexible in the time to do the repairs as in 7am-7pm Monday through Friday, with no repairs on holidays or weekends. He has addressed the noise complaint and remedied that by closing of accessory building door during times of repairs to dampen the noise. He also gave the option of erecting 10-15ft 100 feet long fence of metal or sheet metal, to help keep any noise on his property.

Wolowski asked if Friese met with staff. Gutknecht stated he spoke briefly to iron out the additional submitted materials. The correspondence between Friese and staff noted the frequency with trailer repairs and sales would be approximately two to five times annually. In the effect of Friese being able to maintain the requirements listed by staff and the city code, City staff would recommend approval of the IUP.

Wagamon stated from his understanding the applicant was going to quit doing repair of trailers and sales. He also noted that the applicant would hold all trailers offsite. Friese stated generally that is correct. Friese noted that he doesn't complete work for any clients any longer. He only is working on his own equipment. Wagamon questioned why the applicant would need an IUP if he is running his own truck and repairing his own vehicle.

Mursko noted that Friese would need an IUP in order buy and sell trailers. The trailers he stated he purchases need repair and he had stated those repairs would take place his current property. The City would not be permitting a trucking business or a distribution business out of the current accessory building. Friese had stated he would like to repair trailers and sell on occasion out of pole building. All other trailers would be kept off-site.

Friese stated that all trailers that were visible, have been moved as of last Monday. Including the rental trailers which were brought back to the renter. The whole site has changed. The complaint was about noise; however, the repairs will now be taking place in the accessory building. He stated he felt as though he has remedied the complaints that had taken place against him.

Wagamon asked the applicant if he is planning on doing trailer repair for anyone else on his property. Friese stated no, he no longer does repair for hire. He stated he does, on occasion, help a friend or family member in an emergency to make a repair but he now has no need to fix vehicles or trailers for hire.

Hanegraaf asked the applicant if he plans to buy and fix trailers and sell them. Friese commented that indeed he will if he needs equipment he currently doesn't have. If a client is looking for a specific trailer to haul a load, he will purchase a trailer to accommodate that load. He will buy the trailer with some damage and make the necessary repairs. When he no longer needs the trailer, he will sell it.

Hanegraaf asked Friese if he is indeed selling the trailers. Friese stated he is not buying the trailers with the intent to fix them and sell them immediately. He purchases the trailer for a specific need, makes the necessary repairs, uses the trailer for the job he has. When he no longer needs the trailer, he will sell it.

Bobick asked the applicant how many trailers per year does he buy, fix and sell? Friese stated he completes that process between two to four times a year.

Friese noted most of the trailer sales take place through a dealer he works with in South Saint Paul or he would sell them at an auction.

King asked the applicant if he anticipates having more than one trailer on the property at a time. Friese stated he has a daily driver and needs to keep one to two trailers on the property for business. Depending on what kind of freight he is asked to haul he would have to have at least those two. He stated he is renting a space to store the other trailers therefore there is no need to store any trailers on the property besides the ones he may use on a typical business level.

Friese then made a statement that he looked up on an aerial view of his neighborhood and is discouraged that he is being held to the City Code, when it appears other members of the City have items scattered all over their property. He is frustrated that people are upset over his trailers. He noted that it appears there are blue dump trucks transporting loads everyday damaging the roads. He feels as though he is being attacked for coming in and out 2 times a week with his truck. Friese noted again, his intention of buying the trailers is to use them for the freight he is hauling. Once he completes the use and no longer needs the trailer, he will then sell the trailer.

Commission member Wagamon stated he was unclear as to why the applicant needed an IUP. He stated the way the applicant answered the questions and if he is doing as he stated in the discussion and on his revised application, in his opinion Friese does not need an IUP.

Bobick asked City Administrator Mursko if Friese is only bringing in his one trailer and it fits in building; would the applicant then need an IUP.

Mursko explained that the differences between a home occupation and a residential zoned business. She noted that because the applicant would be bringing in trailers that need repair, and then in such conducting business of selling such trailers, the applicant would need an IUP. The residential zoned businesses are allowed in Columbus because of the large lot sizes. A residential zoned business by definition is a use that isn't in need of a commercial building and does not need

to be in a commercial area because the business itself can be invisible to the surrounding community. She stated that over the years his business has changed. In the complaint file and the aerial pictures taken, the 13 trailers on Friese property eluded to more business than there maybe was. If the applicant is buying and selling trailers to make money, then it is a business, which would warrant an IUP. Mursko stressed to the applicant that the City is not permitting a trucking business. Which includes that Friese cannot have drivers coming to the property to take trucks.

Wagamon asked if the applicant is driving his own truck, does he need an IUP? Mursko if the only occupation is truck driver, and note repair and sales, Friese does not need an IUP.

Wagamon then asked if the applicant can repair his own truck and trailer? Mursko noted there was no issues with Friese working on his own trucks and trailers out of his accessory building.

Wagamon again noted in his opinion that from what Friese has put down and what Friese has said, Wagamon was certain that the applicant doesn't need an IUP.

Bobick reiterated the fact the Friese stated he sells 2-4 per year. king noted that she felt as though Friese needed an IUP due to him selling the trailers.

Friese clarified that he might buy 2-4 trailers during the year. It all depends on if he needs to switch equipment. He only will buy something to use it, he may sell if after its used. Friese shared again the chain of his purchasing and selling.

Mursko clarified that the City Code states he cannot store commercial vehicles on residential property. And Friese needs an IUP in order to buy and sell from the property at the frequency noted by the applicant.

Commission member Bobick stated that any repairs being made to the trailers would warrant the need for an IUP. She stated to the applicant that he can park your semi and trailer on your property.

King questioned on whether the applicant would need to build a fence. Mursko stated if the work stays in the building and the doors are closed, the fence would not need to be required.

Hanegraaf questioned the applicant on how many trucks does he currently have. Friese responded that he has two trucks. One is for over the road and one is for city driving. Mursko stated that having the two trucks and 5 trailers it sounded more like the applicant was running a trucking business, which in the end is not able to be held as a residential zoned business. If this is the case Mursko noted that Friese would need to park his trailers and trucks at another location if you would like to have the IUP, otherwise it would not be allowed in the residential area. If what was stated earlier that the applicant is only working on his own vehicle and his own trailer, and hauling one trailer back to his property, that wouldn't have a need for an IUP.

Friese stated that he was frustrated with the scrutiny he is under as there are other people in Columbus with 10 times the trucks and trailers than he has. He requested that the attack in which he felt he was under should calm down. He stated that all the complaints were before he had the building.

Hanegraaf again stated that if Friese isn't a running a business, he doesn't need to have an IUP.

Friese noted that he knew of 6 people in a few miles' radius of his home, that have trucking businesses out of their homes. He is not aware of any that have current IUPs.

Hanegraaf stated to the applicant the Planning Commission was trying to figure out what kind of operation he is running in order to know if an IUP is justified in this case.

Wagamon again stated that he doesn't feel like the applicant is in need of an IUP.

Bobick noted that he needs an IUP for the current operation of business as described in testimony and application materials. She stated if the applicant is granted an IUP then the City has something in place to regulate what operations is doing.

Wolowski commented that the Planning Commission is a fact-based committee. If the applicant can meet the Finding of Facts, and Recommendations by City Staff, then it should be passed forward to the City Council.

Commissioner King mentioned again that the Planning Commission needs to address the applicant's proposed fence and stated that she personally felt if the door to the accessory building was closed while repairs were being done, that this would be sufficient. She feels as though an IUP is necessary. She stated a two-year IUP is a good way to go. With the complaints that have been logged, as recent as earlier in 2020, she felt it would be a good way to address them.

Findings of Fact

1. The Interim Use Permit (IUP) application for a Residential Zone Business (RZB) operated by Kendall Friese was received on May 28, 2020.
2. The application was found complete for review with a letter sent on 06.17.20
3. The 60-day review deadline is July 27, 2020.
4. The 120-day review deadline is September 25, 2020.
5. Friese has been operating ~~the~~ *a small trucking* business on his residential Property for at least 20 years, first consisting of a small accessory building with outdoor storage of equipment, trucks, and trailers and repair and fabrication of semi-trailers. After a fire in 2017, a newly constructed accessory building of approximately 5,630 s.f. currently houses equipment and serves as a place to make semi-truck and trailer repairs indoors, noncompliant outdoor storage of trailers appears to have continued since the construction of the new building.
6. The Property is a total of 4.84 acres located at 16811 Notre Dame St NE, (PIN: 11-32-22-42-0005) on property legally described as Lot one, Block two, Tessier Estates, Subject to Easement of Record, Anoka County Minnesota ("Property").
7. The Property meets dimensional standards outlined and required by Section 7A-806 (B.).
8. The Property is zoned Rural Residential (RR).

9. The neighboring properties in directly connected to the Property in all cardinal directions consist of residential properties of similar or larger acreage.
10. Residential Zone Businesses are an interim use in the RR District, subject to the conditions and requirements of Section 7A-806 of the City Code.
11. Friese currently resides on the Property, with the principal use being residential.
12. Currently Friese does not appear to be in compliance with City Code Section 7A-806 (G.), as it appears there is approximately two and a half (2.5) tractor trailers stored outside on the Property, as indicated by the applicant.
13. The applicant states that the nine (9) trailers *associated with the small trucking business* are now stored off site, located in the Commercial Industrial District, with the intention to complete repairs to the remaining three (3) trailers within the next ninety (90) days so they too can be removed from the premise. Currently the remaining trailers have been moved so to be better screened from view.
14. The current business operation *is named North Central-Pacific Services, Inc.* and consists of the following activities:
 - a. *Business consist of Friese being dispatched from his leaving the property with the semi-truck once every ten (10) days.*
 - b. Driving to town for parts and supplies two to three (2-3) times a week.
 - c. All truck and trailer repairs are entirely within the newly constructed accessory building, highlighted on site plan dated 06.15.20, with no repair operation being staged outside.
 - d. Trailer repairs consists of breaks, airline, and suspension work as well as riveting and fabrication of the outer shell on a semi-trailer. Friese spends approximately ten to twenty (10-20) hours per year on fabrication and has spent at most two (2) hours of riveting during 2020.
 - e. Truck repairs consist of axel, springs, suspension, airline, breaks, tire work, minor exhaust, and electrical work.
 - f. Approximately 80% of the accessory building is used for tractor and trailer repair. Typically, the building is used for the repair and storage operation ten to fifteen (10-15) days per month, or one to two (1-2) weeks a month, or during colder months for equipment storage.
 - g. Occasionally Friese will purchase or sell equipment once he has made repairs, but per correspondence on 07.07.20 and 07.24.20, this is done through a dealer and not on premise and he only anticipates conducting this activity two to five (2-5) times per year.

15. The operating hours for the repair shop portion of the business are 7:00 a.m. - 7:00 p.m. Monday through Friday, but Friese indicated he is flexible to reducing that. The operating hours for the over the road hauling portion of the business is 7:00 a.m. – 7:00 p.m. Monday through Friday, with occasional emergency outings.
16. ~~Friese~~ *The Applicant* is the only employee of the *small trucking business and trailer fabrication/repair with occasional sales* business, with no plans to hire any additional staff.
17. Friese does not expect the need for customer parking as he does not have any clients or customers.
18. Friese has stated that currently there is no need for a business sign.
19. There is no planned expansions or renovations to the accessory building in which the business takes place.
20. Any waste, such as metal/aluminum, produced by repairs and maintenance within the accessory building are properly disposed of or recycled.
21. All equipment used for the business is properly licensed.
22. In the narrative dated 05.28.20, Friese states the business does not generate noise and is low impact. Continuing that the business is invisible to all neighbors, who will only see the residence, and an accessory building.
23. The Planning Commission held a public hearing to consider the Interim Use Permit on July 15th, 2020.
24. The Planning Commission recommended denial of the Interim Use Permit on July 15th, 2020, on the basis that the applicant would be unable to meet the conditions outlined in the Staff Report dated 07.15.20.
25. Friese provided additional information and testimony at the July 22, 2020 City Council meeting, to which the City Council motioned the applicant testify to the Planning Commission on August 5th, 2020 with the additional information provided.
26. In an effort to reduce the impact of noise to neighbors, Friese has stated that going forward he will close the accessory building door when conducting repairs. Friese also proposes the construction of a ten to fifteen (10-15') high by one hundred to one hundred and fifty (100-150') foot long fence near the back of his property, as shown in updated materials dated 07.22.20, to further reduce noise.

Recommendations

Based upon the above Findings of Fact, the Planning Commission recommends approval of the Interim Use Permit for Kendall Friese's Residential Zone Business to the City Council, subject to the following Recommendations:

1. The Residential Zone Business shall comply with and is subject to all of the provisions of the City's Zoning Ordinance regarding Residential Zone Business, including but not limited to the provisions of *Section 7A-806*.
2. The permit shall be valid for a term of two (2) years from the date of approval, subject to earlier expiration or revocation as otherwise provided herein.
3. The Residential Zone Business shall be limited to the parking of *one semi-truck and one commercial trailer and the indoor storage and accessory repair work of Semi-trucks and trailers, and with very limited trucking of commerce, approximately every other week. With all other equipment associated with the small trucking business (trucks) to be stored in the accessory building.*
4. All waste produced by the business shall be properly disposed of. The Property shall in no way be operated as a salvage yard.
5. All storage of vehicles, trailers, and related materials shall be stored indoors and out of public view.
6. The Residential Zone Business will be conducted entirely within the accessory building in the rear of the Property, indicated on the Site Plan dated 06.15.20. Additionally, the garage door shall remain closed while doing repairs to reduce any noise pollution.
7. The conduct of the *small trucking* business shall *consist of the parking of one commercial vehicle with an attached trailer and all other storage of equipment and materials associated with the business shall be in the accessory building. As well as very limited trucking dispatched from the residential property where commerce is not brought to or from the residential property. Additionally, the business shall consist of the indoor fabrication and repairs of semi-trucks and trailers and occasional sales of trailers, approximately 2-5 times per year. All fabrication and repairs shall be in the accessory building with the door closed, with no associated outdoor storage. be consistent with descriptions provided in Friese's correspondence with Staff, outlined in Findings of Fact numbers 13 and 14.*
8. Business hours for repairs within the accessory building shall be 7:00 a.m. – 7:00 p.m., Monday through Friday, no weekends, or holidays.
9. Absolutely no outdoor storage or display of trucks, trailers, and equipment associated with the business shall be permitted and any associated vehicles or equipment currently on site shall be removed within 90 days of issuance of this permit. A compliance inspection shall be conducted 90 days after issuance of this permit.
10. No other business shall be conducted on the property.
11. Friese shall remain the sole employee of the Residential Zoned Business.
12. The Residential Zone Business shall comply with all relevant noise and pollution standards outlined by the Minnesota Pollution Control Agency (MPCA).

13. The Residential Zone Business shall not generate odors, gases, hazardous waste, fumes, or other conditions that interfere with or infringe upon the quiet possession and enjoyment of surrounding properties.
14. ~~Friese shall install a wooden fence, six (6) feet in height as permitted in the City Ordinance, located to the rear of the property as indicated in applicant submittals dated 07.22.20.~~
15. Friese shall comply with all local, State, and federal laws, regulations, and ordinances in the conduct of the Residential Zone Business.
16. In the event the City Council determines, in its sole discretion, that the Residential Zone Business is not being conducted in accordance with any term or condition contained herein, the Permit may be revoked by the City Council upon proper notice and a hearing.
17. Friese shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorney's fees and consultant fees.
18. The Permit provided herein is issued solely for the benefit of Friese and may not be sold, assigned, or otherwise transferred in any manner whatsoever.
19. The applicant shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the IUP and for all ongoing inspections and enforcement actions required for the IUP.

Motion by Bobick to recommend approval based on adopting the findings of fact 1-26 and Recommendations 1-19, omitting number 14, in the Columbus staff report dated 08.05.20, to the City Council for the Interim Use Permit application at 16811 Notre Dame ST, Kendall Friese, to operate a residential zone business consisting of a truck for over the road hauling, trailer repair and/or fabrication business. Second by King. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

This matter will go before the City Council at their meeting on 08.12.2020.

PUBLIC HEARING – 16941 KETTLE RIVER BLVD., MATT GREENE VARIANCE (PC20-112) REQUEST

At this time, a public hearing was held to consider a request for the expansion of an existing legal nonconforming structure (accessory building) that was placed at a front yard setback of 45 feet in 1984. Separate minutes for the public hearing are prepared.

16941 KETTLE RIVER BLVD., MATT GREENE VARIANCE (PC20-112) REQUEST

After brief discussion all commission members stated the project will look nice.

King acknowledged that the applicant passed the variance questions, which would deem it acceptable for the Planning Commission to pass the variance on to the City Council.

Variance Findings:

A variance is a legally permitted deviation from the literal requirements of the City Zoning

Ordinance. Variances may be granted in instances where the landowner establishes that there are practical difficulties in complying with the Zoning Ordinance and the landowner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance. The Planning Commission, acting as the Board of Adjustment, must hold a public hearing and make a recommendation on the application to the City Council. In examining practical difficulties, pursuant to City Code Section 7A-525 the Board of Adjustment and City Council must make the following findings:

1. The landowner proposes to use the property in a reasonable manner.
2. The practical difficulty or plight of the landowner is unique to the subject property and is not created by the landowner.
3. The variance, if granted, will not alter the essential character of the neighborhood or City.
4. The terms of the variance are consistent with the Comprehensive Plan.
5. The variance, if granted, is in harmony with the purpose and intent of the Zoning Ordinance.
6. The practical difficulty is not created solely by economic considerations.

Staff has analyzed the following variance application: A variance to City Code Section 7A-470 to repair and expand an existing legal nonconforming single-family dwelling in the C/I district to allow for the replacement and expansion of an attached two-car garage, and find the following facts:

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

Staff finds that the landowner proposes to use the Property in a reasonable manner. The Property is developed as an existing single-family dwelling in an area of single-family residential uses. The proposed expansion is a reasonable use and consistent with the historic use of the Property, as well as the use of several surrounding parcels.

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

The Property is a corner lot and subject to frontage setbacks on the north and east. Due to the nature of the Property being impacted by two seventy-five (75') foot ROW setbacks and the configuration of the existing single-family residence and accessory building, the front and rear lot lines distance has been reduced to a narrow width than most lots of this size. The original accessory building was not constructed by the applicant in 1984 and was approved by a granted Variance on June 24, 1981. Additionally, the current lean-to was granted a building permit post construction. These circumstances were not created by the landowner.

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

The purpose and intent of the RR District is to provide residents in Columbus's primary zoning category adequate areas and use restrictions for residential development that provides for pleasant living. Additionally, Section 7A-805 requires that accessory building's walls and

roof being constructed of durable materials and be either pole building, slab or footing construction. The proposed variance will allow for the continued residential use of the Property and allow for a more durable construction of a modern accessory structure, consistent with these purposes and intent outlined in City Code.

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

The City’s 2040 Comprehensive Plan includes several Land Use Goals that support the application, including: preserving existing rural residential character and providing a range of land use that meets the needs of residents. While the Property does not conform to the current RR district standards for housing, specially lot size and the front yard setback requirement, it will continue to be reflective of the current residential character and the various range of residential housing and land uses.

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

The character of the neighborhood is largely made up of similarly size residential lots, ranging from one (1) to two and a half (2.5) acres, many of which have similarly legal nonconforming setback residences from the ROW. The majority of these lots also support accessory buildings of similar capacity as the applicant’s proposal. If the variance is granted the essential character of the neighborhood and City will not be altered.

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

The practical difficulties necessitating the variance request are not created solely by economic considerations, but rather the legal nonconformity of the applicant’s existing lot dimensions and accessory building location.

Staff Recommendation(s):

Staff recommends that the Planning Commission and City Council adopt the above findings and **approve** the application for a variance to City Code Section 7A-470 to repair and expand an existing legal nonconforming accessory building in the RR district to allow for the replacement and vertical expansion of an attached lean-to as shown in the proposed drawings in the application packet dated 6/25/2020, subject to the following conditions of approval:

1. Applicant’s proposed accessory building addition shall not exceed the current 16’X26’ foundation footprint of the existing lean-to and shall not further increase the nonconforming front yard setback.
2. Applicant must meet all other standards outlined in Section 7A-805, including compliance with well and septic requirements, accessory building must be harmonious with the principal dwelling, accessory building size requirements, and meet requirements outlined by the City Building Official
3. The applicant must submit any and all other materials required by the building official to complete a Building Department review.

Motion by Bobick to recommend approval to the City Council for the variance request at 16941 Kettle River Blvd to allow the expansion of an existing legal nonconforming structure (accessory building) that was placed at a front yard setback of 45 feet in 1984. Second by Hanegraaf.

Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

This matter will go before the City Council at their meeting on 08.12.2020.

2020 BILLBOARD REPORT, STUDY OF BILLBOARDS, SPACING REQUIREMENTS

There was a moratorium adopted by City Council for the study of billboard spacing. The moratorium was established because 13 billboards were being removed from the I-35 corridor following a recent Ordinance amendment. This resulted in approximately 10,000 feet of available area for other billboard companies to erect billboards. There are 4 main policy questions that need to be discussed and decided on. Gutknecht summarized the staff report and presented the Planning Commission with the 4 policy questions. After the summarization, Gutknecht asked the Planning Commission for direction as to any proposed Ordinance amendments they felt were necessary.

Hanegraaf asked if there was a way to essentially halt any further billboards from being erected in the corridor. Gutknecht recommended adding a spacing of 3750 feet in order to not allow anymore billboards. It would potentially allow one more but no more than that. This would be the spacing for between all billboards, static and dynamic.

King stated Clear Channel could potentially remove 4 billboards and place a new dynamic billboard. She likes that there is not as many billboards on the freeway corridor now.

Hanegraaf recommended that the spacing should be at 3750 feet in order to keep with no more billboards added, besides the potential of one more. All the remaining commission members concur with Hanegraaf.

Gutknecht recommends that they would allow existing billboards to reapply under the existing code. Mursko believes legal could write something to that effect. King would recommend that be drafted to allow those existing to reapply.

The last policy question pertained to the use of imitation stone as a column cover material. Hanegraaf had looked around at a few imitation stone column covers. He concluded that he would not recommend that material be allowed as it doesn't look appealing. King stated driving passed the billboard on the freeway it doesn't look well. It had gaps in the imitation stone. She recommended that they stick with natural stone or masonry.

King noted that she didn't like the straight look of the column covers. She thinks the tapered look is more of what they would like to see in the City.

Wagamon noted that he thought he had heard during a previous discussion that they weren't sure if the wind load and rating would withhold the weight of the natural stone. Gutknecht noted that this did come up during a concept plan. The proposal was to have a real brick, base and a fiber cement panel to help alleviate the weight concern. They were able to mitigate it within what was allowed the City Ordinance.

Wolowski also had looked around at the imitation stone column covers. She noted that she saw the gaps as well. She did comment on the cost of the natural stone and masonry but did not feel that imitation stone should be in the ordinance as an allowed material.

Motion by King to recommend accepting the 2020 Billboard Report and the Planning Commission recommendations of 3750 feet spacing between billboards and add language to allow the existing billboard IUP's expiring after these amendments to be able to reapply under amended standards ordinances, and to not amend the ordinance to allow imitation stone to the City Council. Second by Bobick. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

PUBLIC OPEN FORUM

Council Person Shelly Logren looked at billboards also. The company stated that they could get the columns in 4 or 8 sections. she measured the columns and the section was 6 feet. She stated she saw some billboards with stone that looked nice but was unsure if it was imitation or real stone.

CITY ADMINISTRATOR'S REPORT

Reminder of joint workshop on 08.19.2020 zoning districts. Ben will be doing a summary of minutes, what goals and tasks are. There will be 8-10 people in the room. Be mindful of time. There will be one more joint meeting after.

PLANNING COMMISSION MEMBERS' REPORT

Wolowski stated her disappointment in the continued the discussion of the Friese IUP. Tonight, facts were very hard to pull out. Based on the application and testimony a business was being run. She felt as though there was way too much opinion and not sticking with the facts.

Wagamon stated he felt the comment from Wolowski was directed at him. He completely disagrees. He stated that the Planning Commission must look at what's in front of them. When he read the report and didn't see the reason for an IUP. If the Planning Commission takes Friese by his word, he isn't running a business. Still hasn't changed his mind.

Wolowski rebutted that the comment wasn't directed at a specific person.

ATTENDANCE - NEXT CC MEETING

Hanegraaf is scheduled to attend the City Council meeting on 08.12.2020.

Motion by King to adjourn. Second by Hanegraaf. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

Meeting adjourned at 9:12 p.m.

Respectfully Submitted:

Rochelle Busch, Administrative Technician