

**City of Columbus**  
**Regular Planning Commission Meeting**  
**February 15, 2017**

The February 15, 2017 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:00 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members: James Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko, Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council members Denny Peterson, and Bill Krebs; Dick Zaccardi, Gerri Zaccardi, Pam Westlund, Byron Westlund, Mary Preiner and Pat Preiner.

**AGENDA APPROVAL**

*Motion* by Krebs to approve the Agenda as presented. Second by Preiner. Motion carried.

**APPROVAL – REGULAR PC MEETING MINUTES ON FEBRUARY 1, 2017**

*Motion* by Wolowski to approve the minutes of the February 1, 2017 regular Planning Commission meeting as written. Second by Watson. Votes as follows: Krebs – aye, Preiner – abstain, Wolowski – aye, Watson – aye, Sternberg – aye. Motion carried.

**PUBLIC HEARING – 9061 W. BROADWAY AVENUE IUP REQUEST (PC-17-103)**

At this time a public hearing was held to consider an Interim Use Permit for a residential zoned business. Separate minutes are prepared.

**9061 W. BROADWAY AVENUE IUP DISCUSSION**

It was clarified that the existing CUP related to this property is being replaced by this IUP. The applicant is requesting the IUP for a period of five years.

*Motion* by Krebs to forward to the City Council the 9061 W. Broadway Avenue IUP request for a residential zoned business with a recommendation for approval based on the findings of fact and recommendations for approval from the Planner’s memo dated February 10, 2017. Second by Watson. Motion carried.

**Findings of Fact**

1. The City received an IUP application from Richard Zaccardi, doing business as Zac’s Industrial Sewing (“Zaccardi”), on January 17, 2017 and supplemented on January 27, 2017. The application was found complete.
2. The 60-day review deadline is March 28, 2017. The 120-day review, if necessary, is May 27, 2017.
3. Zaccardi owns and occupies a residence at 9061 West Broadway Avenue on 38.84 acres of property, legally described as the Northwest Quarter of the Southwest Quarter of Section 1, Township 32, Range 22, except the west 20 feet thereof (“Property”).
4. The Property is zoned Rural Residential.
5. Zaccardi cuts and sews fabric for pillow cases.
6. There are no customers or onsite sales associated with the pillow case production.
7. Onsite activities include regular deliveries of fabric, fabric cutting and sewing, distribution

of cut materials to offsite home sewers, and distribution of finished products to a pillow manufacturer.

8. Onsite activities are primarily conducted by members of the Zaccardi family.
9. There is no outside storage associated with the business, except temporary storage of material pallets, which are routinely delivered and removed after use.
10. The property contains an existing 48 feet by 80 feet accessory building and an existing 60 feet by 120 feet accessory building.
11. Zaccardi proposes to construct a 54 feet by 60 feet addition to the larger accessory building.
12. The aggregate total square footage of existing and proposed accessory buildings is consistent with the acreage of the Property.
13. Rice Creek Watershed District waived any permitting requirements for the proposed building addition in an email notification to Zaccardi, dated November 16, 2016.
14. There are 20 existing pine trees planted along west Broadway Avenue and 8 pine trees planted in front of the larger accessory building.
15. Zaccardi proposes to plant 3 additional pine trees in front of the proposed building addition.
16. Conditional use permits were previously approved on the Property in 1994 and 2000 for a previous Property owner and for home-based business activities that have since been abandoned.
17. The IUP public hearing was held by the Planning Commission on February 15, 2017.

## **Recommendations**

Based upon the above Findings of Fact, the Planning Commission should recommend approval of the Zaccardi Residential Zone Business Interim Use Permit, subject to the following:

1. The IUP is contingent upon detailed recommendations of the City Engineer.
2. The IUP is contingent upon subsequent detailed building addition plan review and permitting by the City Building Official.
3. The IUP shall expire on December 31, 2022. Zaccardi may reapply for an IUP upon expiration of the term, according to procedures in the Columbus City Code.
4. There are no vested rights in the issuance of the IUP and the IUP is not transferrable.
5. Site improvements and conduct of the Residential Zone Business shall be consistent with the application materials received by the City on January 17 and January 27, 2017, including the site plan dated January 12, 2017, which are attached to the IUP by reference.
6. Conduct of the Residential Zone Business shall be consistent with all applicable federal, state and local laws, rules, licenses and ordinances.
7. Any future subdivision of the Property may result in the reduction and removal of accessory building square footage, based upon the acreage-based formula for accessory buildings in the Columbus City Code.
8. 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 IUP may be revoked by the City upon proper notice and a hearing.
9. Zaccardi shall cooperate with the City in terminating the conditional use permits previously issued on the Property.
10. The IUP is contingent upon reimbursement of all City expenses associated with IUP issuance, inspections and enforcement.

This matter will go before the City Council at their meeting on February 22nd.

Commissioner Preiner recused himself at this time.

**PUBLIC HEARING – WOODLAND DEVELOPMENT VARIANCE REQUEST (PC-17-104)**

At this time a public hearing was held to consider a request for a variance from the required platting subdivision requirement to a combination of a plat and metes & bounds subdivision of property. Separate minutes are prepared.

**WOODLAND DEVELOPMENT VARIANCE DISCUSSION**

The following questions were considered by the Planning Commission in determining whether the variance request meets the criteria to cause a practical difficulty:

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

Question: Does the proposal put property to use in a reasonable manner? **Yes.**

Finding: Do the requirements in the Zoning Ordinance prohibit the property from being used in a reasonable manner? **Yes** or No

**If the developer couldn't subdivide by metes & bounds they would not be able to subdivide.**

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

Question #1: What are the unique physical characteristics of the particular piece of property? **Topography. Wetlands. Corps of Engineers' regulations**

Question #2: How is it not like other pieces of property? **All of the above.**

Question #3: Did the landowner create the circumstances? **No.**

Examples:

- Topography
- Wetlands
- Trees
- Irregularly shaped or sized lot
- Shape or size of existing buildings
- Placement of existing structures on lot

Finding: Are the circumstances unique to the property? **Yes** or No

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

Question: Will the resulting use or structure be compatible with the underlying purpose and goals of the Zoning Ordinance? **Yes.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

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

Finding: The variance will not create a conflict between the Comprehensive Plan and the proposed use or structure. **Agree** or Disagree?

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

Question: Will the resulting structure be out of scale, out of place, or otherwise inconsistent with surrounding area? **No.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

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

Finding: Economic considerations are not the only reason for the practical difficulty. **Agree** or Disagree?

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A variance shall not be granted unless the Planning Commission makes specific findings of fact based directly on the particular evidence presented to it, and the City Council determines that these support conclusions that the standards and conditions as stated above have been met by the applicant.

Planning Commission Recommendation:	Approval: <b>02/15/17</b>
(Insert dates of action)	Denial:
City Council Action:	Approval:
	Denial:

*Motion* by Krebs to forward to the City Council the application for a variance from the required platting subdivision requirement to a combination of a plat and metes & bounds subdivision of property with a recommendation for approval based on findings that the Zoning Ordinance causes a practical difficulty. Second by Sternberg. Votes as follows: Krebs – aye, Wolowski – aye, Watson – aye, Sternberg – aye. Motion carried.

This matter will go before the City Council at their meeting on February 22nd.

Commissioner Preiner rejoined the Planning Commission at this time.

## **PUBLIC OPEN FORUM**

There was no topic raised for discussion for Open Forum.

## **CITY ADMINISTRATOR'S REPORT**

Mursko reported that the joint meeting called by the City Council for further discussion about the proposed changes to the accessory building ordinance has been moved to March 15, 2017.

At the last PC meeting, members were given a copy of the Existing Land-Use Map currently in the Met Council database for the City, and were asked to go through that map to identify errors and make corrections. Mursko showed a much larger version of the map and asked if PC members would prefer working with that size. They agreed they would. City staff will obtain copies and get them to PC members.

Planner Johnson went over some map specifics. He said all residential parcels will automatically be filled in, so the PC needn't worry about those. Red dots that show up in rural residential signify residential zoned businesses. If PC members can help identify those types of properties.

Johnson said determinations can't be made based on how a property is zoned. This is an existing land-use map. For example, a property may be shown to be industrial, and, while that's the correct zoning in that location, it's actually a service commercial business. That would be changed; we want to represent actual uses. The biggest discrepancies are along Lake Drive.

With businesses, the entire parcel, not just the footprint of the business, will be colored to match the use. We will ultimately use the parcel data from Anoka County, which is more accurate than the Met Council's data.

The City was asked by the Met Council to make needed changes and send them back by the end of February. We've already told Met Council this may not be done for 2-3 months.

Most of the City will be rural residential properties. White will be used for vacant and agricultural property. Existing platted properties will be white. As PC members look at parcels and know someone lives there, make a note.

Mursko said there are no applications for the March 1<sup>st</sup> PC meeting. She asked if PC members would like to cancel the March 1<sup>st</sup> meeting, and work on the map individually before working on it as a group, or if they'd like to have a workshop on March 1<sup>st</sup> to work on the map collectively. Mursko emphasized that no action can be taken at that time; it will be a roundtable workshop.

PC will meet on March 1<sup>st</sup> for a workshop to go over the Existing Land-Use Map and identify where corrections are needed.

## **PLANNING COMMISSION MEMBERS' REPORT**

### **WOLOWSKI COMMENT:**

Wolowski reported that the Forest Lake Health Club is closing at the end of the month. The owner said the new YMCA put them out of business.

## **ATTENDANCE - NEXT CC MEETING**

Sternberg is scheduled to attend the City Council meeting on February 22, 2017.

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

Meeting adjourned at 7:27 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary