

CITY OF COLUMBUS
JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING
03.04.20

The March 4th, 2020 joint meeting of the City Council and Planning Commission for the City of Columbus was called to order at 7:02 p.m. by Chair Ron Hanegraaf at the City Hall. Present were Commission members: Kris King, Pam Wolowski, and Barb Bobick; Mayor Jesse Preiner, City Council members: Denny Peterson, Janet Hegland, and Shelly Logren; City Administrator Elizabeth Mursko; City Planning Technician Ben Gutknecht; Public Communication Coordinator Jessica Hughes; and City Planner Dean Johnson.

Also in attendance were: John Young; Xieng Lee; and Matt Davich.

AGENDA APPROVAL

Motion by Wolowski to approve agenda as written. Second by King. Motion carried unanimously.

APPROVAL – APPROVAL OF PLANNING COMMISSION MEETING MINUTES ON 02.19.20

Motion by Bobick to approve the minutes of the February 19th, 2020 regular Planning Commission meeting as written. Second by Wolowski. Motion carried unanimously.

PUBLIC HEARING – LEE PRESERVE, PRELIMINARY PLAT REVIEW, 5223 PINE ST NE (PC20-101) REQUEST

At this time, a public hearing was to consider a request for a preliminary plat “Lee Preserve” creating two (2) new lots in the Rural Residential zoning district. Separate minutes for the public hearing are prepared.

LEE PRESERVE, PRELIMINARY PLAT REVIEW, 5223 PINE ST NE (PC20-101) REQUEST

After the closing of the hearing discussion took place amongst the Planning Commission members. Hanegraaf asked if Lee had read all recommendations from the engineer. Lee stated he has a general understanding of what’s going on, and he had received a copy.

Planner Johnson stated items relating to the development agreement must be done before the final plat is recorded. He noted some of the items consisted of a shared driveway easement agreement, a driveway maintenance agreement, and development agreement (with acknowledgment of possibly being assessed if Pine Street is developed). Planner Johnson stated the watershed district will also have requirements when the new home is built. He wanted to address the applicant and make them aware that there are other agencies involved.

Findings of Fact

1. The preliminary plat application was received on January 16, 2020, and upon supplemental information received on January 31, 2020, was found complete for review.
2. The 120-day preliminary plat review deadline is May 30, 2020.
3. There are a total of 40.16 gross acres in the proposed plat, located at 5223-Pine Street NE, on property legally described as the West Half of the Southeast Quarter of the Southwest Quarter and the West Half of the Northeast Quarter of the Southwest Quarter of Section 31, Township 32, Range 22 (“Property”).
4. The Property is zoned RR Rural Residential.
5. Two residential lots are proposed. There is one existing dwelling on the proposed southwesterly 12.35-acre lot (Lot 1, Block 1).
6. The proposed northerly lot (Lot 2, Block 1) is 25.26 acres in size and includes adequate areas for a future home and SSTS area.
7. The density of the proposed development is one home per 20.8 acres, which is consistent with the Comprehensive Plan and Zoning Ordinance.
8. Both parcels exceed the minimum 220 feet lot frontage requirement on Pine Street.
9. Access to both parcels is proposed via an existing driveway to the existing residence, which is centered on the common lot line between Lot 1 and Lot 2 and is encumbered by a 33 feet private driveway easement.
10. The applicant is proposing to sell the existing residence on Lot 1 and build a new residence on Lot 2.
11. The applicant proposes to separate two existing accessory buildings on the Property from the existing residence and locate them on the proposed vacant parcel.
12. The accessory buildings are located between the proposed new residence and Pine Street.
13. The larger accessory building is approximately 125 feet from the existing residence.
14. Landscaping has been proposed along the southerly and westerly sides of the accessory buildings.
15. There is also existing landscaping abutting the Property along Pine Street.

16. An existing 66 feet street, utility and drainage easement is located on the westerly edge of Lot 1, which provides private driveway access to two parcels located west of the plat. The private easement is being platted as public right-of-way.
17. Thirty-three feet of right-of-way is also being publicly dedicated for the north half of Pine Street, which is a jurisdictional road with the City of Lino Lakes.
18. A subdivision development agreement will be required for a shared road and maintenance agreement, as well as an escrow or acknowledgement of potential future assessments for any Pine Street public improvements.
19. There is potential to re-subdivide Lot 1 and Lot 2 if new public street improvements are made within the plat.
20. The proposed drainage and utility easements on both lots are consistent with City Code requirements.
21. Soil borings have been submitted for the home and SSTS locations on proposed Lot 2.
22. A wetland delineation “Notice of Decision” was issued by the Coon Creek Watershed District on December 20, 2019. The delineated wetlands are protected by drainage and utility easements, including 16.5-foot-wide buffers.
23. There are no apparent Shoreland or Floodplain areas affecting the plat.
24. Subsequent NPDES II permits will be required for any individual site grading that exceeds one acre.
25. The Planning Commission held a public hearing on the Lee Preserve Preliminary Plat on March 4, 2020.

Recommendations

Based upon the above Findings of Fact, the Lee Preserve Preliminary Plat should be approved subject to the following:

1. Recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. A subdivision development agreement.
4. Recommendations of the Anoka County Survey Department.
5. Recommendations of the Coon Creek Watershed District.
6. Wetland buffer plaques at locations determined by the City.

7. Cash in lieu of park land dedication requirements.
8. Construction of a new home on Lot 2 must commence within 12 months of approval of the final plat or the existing accessory structures must be removed.
9. Subsequent NPDES II permit(s) for any individual site grading that exceeds one acre.
10. Reimbursement of City expenses associated with plat review.

Motion by Wolowski to recommend to the City Council the Lee Preserve Preliminary Plat request, for approval subject to Planner Report dated 02.27.20 and revised City Engineers Letter dated 03.04.20, with the findings of fact 1-25 and recommendations 1-10. Seconded by Bobick. Motion carried unanimously.

JOINT DISCUSSION WITH CITY COUNCIL AND PLANNING COMMISSION ABOUT LAND USE vs ZONING CONTINUED

Mursko received a formal request from property owner to change the bottom section (nearest 35w) that is highway commercial to light industrial. Gutknecht noted that they are anticipating more requests for changes, once the public hearing notice for the ordinance is published. Both Gutknecht and Mursko noted that the comprehensive plan has this area listed as commercial, therefore this requested cannot be accommodated.

Hegland asked the reason the owner wanted light industrial? Mursko stated they felt that being industrial would increase sale potential. However, it has historically been commercial showroom zoning district. She reiterated that the land use plan guides these properties as commercial, not industrial. It would be contradictory to have an industrial land use with commercial zoning on top. The only option to accommodate this request would be to amend the comprehensive plan. Mursko noted the planning commission and council could consider adding uses like outdoor storage, that would be more friendly to industrial uses. Gutknecht added that at the last meeting this area was changed from B1 to highway commercial. The reason it was changed to highway commercial was because of its visibility from the freeway. Hegland asked if there was a fair amount of upland in the requested area. Mursko acknowledged the amount of land but noted that some property had highway frontage and some property that does not have highway frontage. There is a total of 7 parcels in the area that they are considering. Two of them are little slivers. These are not buildable and would have to be combined with other parcels. They are remnants of lots across the freeway.

The feedback given was that they are not going to entertain this request because it is not consistent with the land use designations in the comprehensive plan. The current consensus is to maintain the highway commercial zoning.

Gutknecht asked Planner Johnson on guidance for two uses: financial institutions, and wood chipping. He had made necessary changes. Gutknecht is asking if there is any feedback on the wording on these definitions.

Regarding financial institution, Bobick questioned if the “quick loan” or “payday loan” would cover check cashing businesses? Johnson said check cashing places are essentially giving out loans because they give you the paycheck ahead of time, in exchange for a “loan”. Bobick said she is concerned about check cashing institutions because some seem unreputable. Hegland requested to exclude fee for service check cashing business. Johnson responded that could be a possibility by adding “or check cashing” after “payday loan” to cover what they are concerned about. All agree to add those changes.

Wood chipping. Hegland questioned wasn’t the storage of wood chips the issue they had come across before? Johnson stated that the problem before had to do with the zoning. This description states piles of wood chips would not be allowed outside but they would allow the storage of the woodchipper on the property. This language would allow someone to do off premise services of wood chipping, but not the storage of the actual woodchips. The description does not account for something on Lake Drive that may be a wood chipping business on that site. This is for an off-premise service business, some may likely end up doing bringing a truck full of wood chips back to the property overnight for storage but not accumulating piles.

Industrial use definitions

Hegland noted in previous discussion they had decided removing of the word “limited” from #2 in industrial use. Gutknecht stated because the area is largely manufacturing, the original intention was there as to not be direct consumer retail. He noted that without the word limited it would allow for more consumer retail than he thought the consensus of the group was. Johnson stated there are few manufacturing companies these days that have zero consumer retail. Preiner directed the question to Mursko on what her thinking of limited means. Mursko noted 50% of the property would be by her understanding of the word “limited”. Preiner asked why we don’t just put the 50% in the ordinance? Johnson stated it would be hard to quantify that when a business comes in with an application. Hegland specified the group should decide between “limited” and “very limited”. The group agrees to change it to “very limited”.

In reference to the “Outdoor testing facility” Hegland noted the outdoor area could also not be enclosed with this type of business. Gutknecht agreed and will be keeping high design standards for the district. Hegland also noted within that same use, “with an accessory indoor laboratory”, she would like to suggest saying “with or without” an accessory indoor laboratory. The group agreed with the recommended changes.

Hegland advised on the “Distribution Centers” term she would like to suggest saying “and/or” wholesalers. The Commission and Council acknowledged that change as well.

Commercial use definitions

Hegland commented on “Office, General” to add “operation of” to the “day to day activities”. Agreed to make the change.

Hegland stated that under the “Office, Professional” if there is a better word than “recognized” professionals? She had suggested “credentialed”. Gutknecht said the “other recognized professionals” is associated with the other words in the sentence – “licensed” and “registered” – so they are all grouped together. The goal was to make it easy for someone who is a licensed professional to fit into this use even if they (for example) come from a different state where they might have a different term for their professional position. Preiner inserted the request to ask the attorney what he would suggest for a different term, if any. Overall, Hegland stated her feeling, that recognized is too nebulous. Gutknecht will consult our attorney on his advice.

Hegland addressed the description around “Restaurant, carry out” and whether they need to specify on the way orders are taken. Gutknecht noted it’s not necessary as electronic or by phone is the only option. By not specifying in the definitions you are assuming both options are included. Hegland is leaving it up to Gutknecht if he would like to implement the change.

Hegland noted that it is important to add in the vehicle when you pick it up for the description on “Restaurant, Drive-thru”. All agree this should be added.

Hegland clarified that some hotels/motels that charge weekly or monthly, she was wondering if that should be added into the “Hotel/Motel” description. However, something should be added like “and/or extended stay”.

The meeting continued in discussion of the proposed zoning district definitions.

Hegland noted in the light industrial area we were going to require that the outdoor storage be enclosed. She advised an option for an addition to the definition to would be, “outdoor storage areas for non-retail goods (enclosed)”. Mursko commented the idea of outdoor storage is that it would be outdoor storage of finished product, not raw materials. The decision from the group was to enclose the raw materials.

Logren commented on a grammatic error the general commercial district. Under justification, it should read “areas, while still providing”. Hegland noted that in that area as well they had decided to add a different qualifier than higher to design standards like “quality”. This would be a step down from high design standards. Gutknecht will come up with the terminology.

Mayor Preiner questioned in the description of general business district, what is small animal care? Hegland stated she understood it to be a groomer or doggy day care, etc. The goal was to not allow feed lots, they put small animal. Gutknecht we should leave it as “small animal care”. Mayor Preiner also requested to put the animal care part at the end of the sentence, it will flow better.

The meeting continued in discussion of the moving on to zoning district uses list.

Hegland questioned if in the general commercial district, the addition of “truck” to car wash? Gutknecht stated his initial thought was just low impact passenger cars. Discussion concluded that he will add truck and RV to car wash.

Hanegraaf noted should we add urgent care to General Commercial? Highway commercial C3 breaks up “medical clinics and support facilities” and “urgent care” as different uses, but general commercial C2 only lists medical clinics. Planner Johnson stated he would not make a distinction between “medical clinic and support facilities” and “urgent care”. Conclusion was to delete urgent care with that understanding. Everyone agreed with medical clinics covering urgent care. Gutknecht will strike urgent care from general commercial and general business B1.

Logren stated her confusion, as she had thought highway commercial C3 was going to be where there were bigger businesses. Gutknecht to add “commercial” to 8, 22, 23. They would like to strike 5, 24, 30, 43.

Do we need to better define garden center? General Business B1 says garden center/nursery. highway commercial C3 just says garden center. Consensus is that they would like to see a concept nursery/greenhouse similar to Bachman’s would be okay. Gutknecht and Johnson will add nursery and garden center to definitions of General Business B1 and highway commercial C3 for review at the next meeting.

Conversation continued to General Business B1.

Changes from highway commercial C3 should flow to General Business B1 besides data centers. Gutknecht will add “commercial” to 8, 22, 23, and striking 24, 30. The general consensus is to keep datacenters in General Business B1. Gutknecht would make the change to take out “primarily direct retail sales to consumers” from bakeries.

Logren made mention that the goal was to encourage people to go to the intersection for retail. Johnson stated the McCombs study repeats what Logren stated. General Business B1 should not be retail. Gutknecht to eliminate 1-4, 6, 7, 18, 15, 21, 22.

Hanegraaf calls on Dan Mike to give his comment. Mike’s comment was relating to his property and CUP specifically, and not applicable to the discussion around definitions. His main concern was how the new guidelines would affect his ability to sell and potentially his CUP.

Gutknecht will take what they have decided so far and make it into its own “ordinance”. Then we will analyze each district separately. The City is soon to be approaching the busy season, the Planning Commission will be reviewing applications therefore there is not a lot of time for workshops. Gutknecht recommended to look at one district at a time at each meeting as less time is used up, leaving time allotment for applications. Once this is complete, they still have work on the permitted, conditional, and interim uses as well as design standards for each district.

Mursko recommended to immediately adopt the ordinance. If later changes are needed, amendments can be made. As of now, the City is still operating under the old ordinances. All new applications coming in are having to come in under the old zoning code. Once approved, all new applications will have to comply with the new ordinances. The Planning Commission and Council can make amendments to components of the ordinance as it is being worked through them. They would still have to work permitted, CUP, IUP, design standards, but the old ones will remain in place until amended. It is going to take at least 2 more months to get through the ordinance.

Hegland questioned when the draft language would be available for viewing? Mursko stated the Planning Commission would view the draft, after it is complete. Then to complete the process the City would post notice for the hearing. Planner Johnson stated this is a major reformatting of the ordinance and it is best to figure out the most appropriate approach. Johnson noted they currently have the start of ordinances for mixed use districts and that could be used as a starting point, and he would add the design standards in, based on previous conversation on what he understands the group wants, and then the Planning Commission and City Council can tweak it from there. They will fine tune the details once formatting is figured out.

Hegland asked when and how would they see this. Hegland would prefer to see it in a workshop format for efficiency.

Mursko noted the next meeting is just the concept review for Clear Channel Billboard Design. Gutknecht and Johnson stated there would not be enough time for them to prepare the draft for the meeting on March 18th.

Mursko noted Gutknecht and herself will prepare a presentation about the closest to the interchange districts because they will have the highest standards.

PUBLIC OPEN FORUM

Nothing to report.

CITY ADMINISTRATOR'S REPORT

Mursko noted the election for the Presidential Nominee Party (PNP) took place Tuesday, March 3rd. 445 people voted.

Applications are coming in for the Planning Commission to start considering.

Ribbon cutting at Aces hotel is next Wednesday, March 11th. Anyone can attend.

PLANNING COMMISSION MEMBERS' REPORT

King made mention that not having the joint meetings would have made this process for discussion around land use even more lengthy and difficult.

ATTENDANCE - NEXT CC MEETING

Hanegraaf is scheduled to attend the City Council meeting on 03.11.2020.

Motion by Wolowski to adjourn. Second by King. Motion carried.

Meeting adjourned at 9:53 p.m.

Respectfully Submitted:

Rochelle Busch, Administrative Technician