

**CITY OF COLUMBUS  
PLANNING COMMISSION MEETING  
ALTERNATIVE MEETING FORMAT  
STATUTES SECTION 13D.021  
05.06.20**

The 05.06.2020 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. Present via telephone were Commission members: Pam Wolowski, Barb Bobick, and Steve Wagamon; City Administrator Elizabeth Mursko via telephone; City Planning Technician Ben Gutknecht; and Administrative Technician Rochelle Busch. The meeting was held in a telephonic meeting format.

Also, in attendance via telephone were: Mayor Jesse Preiner; City Council members: Janet Hegland, and Shelly Logren; Thomas Swenson.

**AGENDA APPROVAL**

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

**APPROVAL – APPROVAL OF PLANNING COMMISSION MEETING MINUTES ON 03.04.20**

*Motion* by Bobick to approve the minutes of the 03.04.2020 regular Planning Commission meeting as written. Second by King. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Abstain, Hanegraaf – Aye. Motion carried.

**APPROVAL – APPROVAL OF PLANNING COMMISSION MEETING MINUTES ON 04.15.20**

*Motion* by Wagamon to approve the minutes of the 04.15.2020 regular Planning Commission meeting as written. Second by Wolowski. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

**APPROVAL – PUBLIC HEARING MINUTES – ANDRE GREEN, VARIANCE, 14323 LAKE DR (PC20-107) REQUEST 04.15.20**

*Motion* by Wolowski to approve the Public Hearing minutes from the variance request from the requirements outlined in City Code Section 7A-470 requesting the expansion of a legal nonconforming structure (single family dwelling) by adding a second garage stall, replacing a deck and adding a bathroom held on 04.15.20 as written. Second by King. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

**APPROVAL – PUBLIC HEARING MINUTES – UNIQUE STREET INC., CUP, 13733 LAKE DR (PC20-106) REQUEST 04.15.20**

*Motion* by Bobick to approve the Public Hearing minutes from the request for a conditional use permit to operate a vehicle service (customization) and repair business in the C/I district held on 04.15.2020 as written. Second by King. Votes as follows: King – Aye, Wolowski – Aye, Bobick - Aye, Wagamon – Aye, Hanegraaf – Aye. Motion carried.

**PUBLIC HEARING – THOMAS B. SWENSON, IUP, 7643 CAMP 3 RD (PC20-109) REQUEST**

At this time, a public hearing was to consider request for an interim use permit to operate a used vehicle sales dealer (R&T Auto Sales) as a residential zoned business in the RR district. Separate minutes for the public hearing are prepared.

**THOMAS B. SWENSON, IUP, 7643 CAMP 3 RD (PC20-109) REQUEST**

Wolowski after reviewing the application, noted to the applicant that to remain in compliance he cannot have over 15 vehicles on site. She stated that if Swenson thought there would be a chance of more vehicles, now would be the time to change that. Swenson stated that he would not have more than 15 vehicles on site.

Hanegraaf noted that brakes and struts isn't major repair, in his sense of the meaning. He asked to staff if that is something we can note? Gutknecht stated that if the Planning Commission disagree with what Swenson acknowledges as light repair, they may want to amend number 3 on the conditions to say so. Wagamon agree with what Swenson states as light work. Gutknecht will amend the staff report to reflect clarification on light repair.

King directed the question at the Planning commission Members if they would be excluding number 14 under the conditions, knowing that Swenson stated he will not be performing oil changes, besides for personal use, on site? All members agree to strike number 14 from the conditions.

**Findings of Fact**

1. The Interim Use Permit application for a Residential Zone Business by Tom Swenson (R & T Auto) was received on March 27, 2020.
2. The application was found complete for review on 04.06.20.
3. The 60-day review deadline is May 25, 2020.
4. The 120-day review deadline is July 24, 2020.
5. Swenson is proposing to renew an existing IUP for the same business for 5 years.
6. Swenson has been operating the business for at least 20 years.
7. The lot is a total of 5.02 acres located at 7643 Camp 3 Rd NE, (PID: 15-32-22-34-0006) on property legally described as that Part of South 685 feet of Southeast ¼ of Southwest ¼ of Section 15 Township 32 Range 22 Lying East of West 309.37 feet Thereof and Lying West of East 699 Feet of SD ¼, 1/4 , EX RD, Subject to Easement of Record.

8. The Property is zoned Rural Residential (RR).
9. Residential Zone Business are an interim use in the RR District, subject to the conditions and requirements of Section 7A-806 of the City Code.
10. Swenson resides on the Property and the Current IUP Expires April 25, 2020.
11. Currently Swenson may store up to 20 vehicles on the Property however, the applicant is requesting to store a maximum of 15 used cars on the property.
12. The vehicles are stored completely within a 52'X76' accessory building (dealer building) that exists on the property. No vehicles are stored outside.
13. The operating hours are by appointment only, 8:00 a.m.- 7:00 p.m. Monday through Saturday.
14. Currently, most vehicles are being sold at other auctions and do not go to the property.
15. Swenson is the only employee and there are no plans to hire any additional employees.
16. Only minor repairs to vehicles have been allowed, e.g. tire, headlight, brake, and strut replacement, and minor body part repair. Most intensive repairs are done offsite, oil changes are done offsite.
17. The cars are washed off property. The vehicles are then vacuumed, and pictures taken on the property.
18. One existing sign on the "dealer building" is allowed.
19. Currently no other non-residential use of the property is allowed.
20. A copy of a Minnesota Dealer License Certificate that expires September 30, 2020 has been provided to the City.
21. The Planning Commission held a public hearing to consider the Interim Use Permit Renewal on May 6th, 2020.

### **Conditions**

Based upon the above Findings of Fact, the Interim Use Permit for Tom Swenson (R &T Auto) should be approved subject to the following Conditions:

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 five (5) 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 indoor storage of fifteen (15) used cars and light trucks (no heavy machinery) for sale with some accessory light repair work for the purpose of preparing the vehicles for sale. No engine work, transmission work, painting, or other intensive repair work shall be permitted in connection with the Residential Zone Business. The Property shall in no way be operated as a salvage yard.
4. All storage of vehicles and related materials shall be stored indoors and out of public view.
5. The Residential Zone Business will be conducted entirely within the 52'X76' pole building, indicated on the Site Plan provided in the application submitted March 27, 2020.
6. Business hours shall be 8:00 a.m.- 7:00 p.m. Monday through Saturday.
7. Absolutely no outdoor storage or display of vehicle inventory shall be permitted.

8. No other business shall be conducted on the property.
9. Swenson shall remain the sole employee of the Residential Zoned Business.
10. 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.
11. Swenson shall be permitted to affix one non-illuminated wall sign not to exceed two square feet in area for the purpose of advertising the Residential Zone Business.
12. Swenson and any employees, agents, and assigns shall comply with all local, State, and federal laws, regulations, and ordinances in the conduct of the Residential Zone Business.
13. Should traffic concerns arise the City Council reserves the right to re-open the Interim Use Permit for review.
- ~~14. Swenson must contact Anoka County Environmental Services to establish whether a permit is needed for hazardous waste disposal.~~
14. ~~15.~~ 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. The City shall notify the State licensing authorities that have issued licenses in connection with the Residential Zone Business of any such revocation.
15. ~~16.~~ Swenson 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.
16. ~~17.~~ The Permit provided herein is issued solely for the benefit of Swenson and may not be sold, assigned, or otherwise transferred in any manner whatsoever.
17. ~~18.~~ 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 Wolowski to recommend approval based on adopting the findings of fact 1-21 and conditions 1-17, with the omission of number 14, in the Columbus staff report dated 04.17.20 to the City Council for the Interim Use Permit application at 7643 Camp 3 Rd for a Residential Zone Business consisting of used automobile sales, consistent with application materials submitted with the application on 03.27.2020. Second by Wagamon. 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 05.13.2020.

## **PUBLIC OPEN FORUM**

Nothing to report.

## **CITY ADMINISTRATOR'S REPORT**

Nothing to report.

## **PLANNING COMMISSION MEMBERS' REPORT**

King asked staff why Columbus watershed boundary map was included. Gutknecht stated that it was added for information only as it is an updated map.

Wolowski did Zaczkowski trucking closed? Not that we know of. Wolowski is happy to see recycling day is going on still.

Hanegraaf questioned if there was a billboard update from Clear Channel? Gutknecht stated he was aware of Clear Channel working through what billboards applications along with those that will be coming down. Covid-19 delay on surveys and such for updates.

### **ATTENDANCE - NEXT CC MEETING**

Bobick is scheduled to attend the City Council meeting on 05.13.2020.

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

Meeting adjourned at 7:35p.m.

Respectfully Submitted:

Rochelle Busch, Administrative Technician