

City of Columbus
Regular Planning Commission Meeting
October 3, 2018

The October 3, 2018 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; and Recording Secretary Rochelle Busch.

Also, in attendance were City Council members Bill Krebs, and Denny Peterson; Tim Olsen and Josh Pribyl.

AGENDA APPROVAL

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

PUBLIC HEARING MINUTES – 7620 161ST AVE NE VARIANCE / PRELIMINARY PLAT CHOLLETT ADDITION (PC18-119) ON 09.19.18

Motion by Krebs to approve the minutes from the 7620 161ST Ave NE Variance / Preliminary Plat Chollett Addition request on September 19th, 2018 as written. Second by Watson. Motion carried unanimously.

PUBLIC HEARING MINUTES – ZONING CODE TEXT AMENDMENT – CHAPTER 7A-773 COMMERCIAL SHOWROOM DISTRICT USES (PC18-120) ON 09.19.18

Motion by Wolowski to approve the minutes from the Zoning Code Text Amendment – Chapter 7A-773 Commercial Showroom District Uses on September 19th, 2018 as written. Second by Watson. Motion carried unanimously.

PLANNING COMMISSION MEETING MINUTES OF 09.19.18

Motion by Krebs to approve the minutes of the September 19th, 2018 regular Planning Commission meeting as written. Second by Watson. Motion carried unanimously.

PUBLIC HEARING – JP ECOMMERCE PRELIMINARY AND FINAL PLAT (PC18-122) / VACANT LOT HORNSBY ST DISTRIBUTION/ WAREHOUSE CUP (PC18-123) REQUEST

At this time a public hearing was held to consider a request for a preliminary & final plat “JP Ecommerce” creating one (1) new lots in the C/S Commercial Showroom zoning district along with a request for a conditional use permit to allow a production, assembly, warehousing, distribution service facility (Bare Home). Separate minutes to include Preliminary and Final Plat Request and CUP Request are prepared.

JP ECOMMERCE PRELIMINARY AND FINAL PLAT (PC18-122)

After discussion about adding the TKDA Stormwater Management Plan to the Findings of Fact, the Planning Commission had no further questions about the preliminary and final plat request.

Motion by Krebs to recommend to the City Council the JP Ecommerce Preliminary and Final Plat request, for approval subject to Planner Report dated September 25, 2018, with the findings of fact and recommendations of approval with the additional Findings of fact of the TKDA Stormwater Management Plan, recommended by the Planning Commission. Seconded by Watson. Motion carried unanimously.

Findings of Fact

1. The City received a preliminary and final plat application from Joseph G. Pribyl on behalf of JP Ecommerce, Inc. (“Ecommerce”) on August 13, 2018. The application was found complete.
2. The 120-day preliminary plat review deadline is December 11, 2018.
3. The proposed 24.74-acre, two-lot plat is located at approximately 14700 Hornsby Street NE, on property legally described as part of the Northwest Quarter of the Northeast Quarter of Section 25, Township 32, Range 22, lying east of the easterly right-of-way of Interstate Highway 35 (“Property”).
4. Proposed Lot 1 (13.2 acres) is being created for an office/warehouse distribution facility. Proposed Lot 2 (9.39 acres) is being platted for future development. Approximately 2.14 acres will be dedicated for Hornsby Street right-of-way.
5. The Property is currently vacant, with the exception of an existing billboard on proposed Lot 2.
6. There is an existing 100-foot-wide roadway easement on the Property, straddling Hornsby Street, which is proposed for vacation prior to plat approval. The proposed Hornsby Street right-of-way will be a minimum of 50 feet west of the centerline of Hornsby Street and will include portions of the easterly right-of-way.
7. The property is currently zoned CS Commercial Showroom.
8. Required drainage and utility easements are located adjacent to all lot lines, existing and proposed public rights-of-way, and remaining wetlands.
9. The property is adjacent to municipal sewer and water services.
10. Approximately 5190 square feet of wetland will be eliminated on proposed Lot 1. A Notice of Decision for conditional approval of the wetland replacement plan was issued by Rice Creek Watershed District (RCWD) on September 25, 2018.
11. Development on proposed Lot 1 will include a large stormwater pond on the westerly side, abutting Interstate 35.
12. Two driveways are proposed for immediate development Lot 1 and a future

driveway is also illustrated for future development on Lot 1.

13. The Minnesota Department of Transportation reviewed the plat documentation and noted that no impacts to I-35 right-of-way are permitted.
14. The final plat is consistent with the preliminary plat.
15. The preliminary plat public hearing was held by the Planning Commission on October 3, 2018.
16. *Soil boring locations performed by Braun Intertec dated 7/19/18 are provided in the Stormwater Management Plan document dated 8/7/18 but should be shown on the preliminary plat.*

Recommendations

Based upon the above Findings of Fact, the Planning Commission should recommend approval of the JP ECOMMERCE Preliminary Plat and Final Plat, subject to the following:

1. Detailed recommendations of the City Engineer.
2. Title review and recommendations of the City Attorney.
3. Existing Roadway Easement vacation on Hornsby Street.
4. Requirements of the Anoka County Surveyor.
5. Permitting by Rice Creek Watershed District.
6. Reimbursement of all City expenses associated with plat approval.
7. Future development within the plat is subject to local ordinances and permitting requirements.

JP ECOMMERCE CONDITIONAL USE PERMIT (CUP)

Members of the Planning Commission asked questions about the product stacking, fire code and sufficient parking. Josh Pribyl stated with stacking the products, depending on the product, there are different fire codes. To address that issue there will be different ceiling heights with the appropriate fire sprinkler systems. Pribyl is confident that the parking will be sufficient for both phase 1 and 2 of his project. The traffic in the area should not see great affect, as he is only expecting 1 truck going in a day and a few times a week trucks leaving the facility. He is also proposing JP Ecommerce will be adding 51-61 jobs at his site over the next two years. The Planning Commission members determined the JP Ecommerce CUP request is in line with the zoning and would be a good fit for the City.

Motion by Krebs to recommend to the City Council the JP Ecommerce Preliminary and Final Plat request, for approval subject to Planner Report dated September 25, 2018, with the findings of fact and recommendations of approval with the additional Findings of fact of the TKDA

Stormwater Management Plan, recommended by the Planning Commission. Seconded by Watson. Motion carried unanimously.

Findings of Fact

1. The City received a CUP application from Joseph G. Pribyl on behalf of JP Ecommerce, Inc. (“Ecommerce”) on August 13, 2018. The application was found complete.
2. The 60-day review period ends on October 12, 2018 and the 120-day review, if necessary, ends on December 11, 2018.
3. The CUP is required for the proposed construction of a 103,280 square feet office/warehouse distribution facility (“Project”) on the proposed Lot 1, Block 1 of the JP ECOMMERCE plat (“Property”).
4. The Property is currently zoned CS Commercial Showroom. A public hearing was held on September 19, 2018 to amend CS District Conditional Uses to allow the distribution facility.
5. The Property is designated Light Industrial in the proposed Columbus Comprehensive Plan and will be subject to rezoning to Light Industrial when the Comprehensive Plan has been formally adopted. The LI Light Industrial District allows warehousing and distribution facilities as a permitted use.
6. The Property is approximately 13.2 acres in area.
7. The proposed development of the 103,280 square feet building is the first of two phases on the Property. Phase 2 will essentially double the size of the building.
8. Ultimate development of the Property exceeds the maximum 50% lot coverage and will be subject to discretion of the City Engineer to determine whether the proposed stormwater system can support the level of development proposed.
9. Phase 1 development of the Property includes connection to municipal sewer and water services, two driveways off of Hornsby Street, parking and loading areas, pond construction, landscaping, and the initial 103,280 square feet building.
10. Approximately 5190 square feet of wetland will be eliminated on the Property. A Notice of Decision for conditional approval of the wetland replacement plan was issued by Rice Creek Watershed District (RCWD) on September 25, 2018.
11. Phase one construction includes approximately 10,480 square feet of office space and approximately 92,800 square feet of warehousing.
12. Phase 1 parking requirements for the office area are approximately 53 stalls. Parking requirements for the warehouse area are approximately 46 stalls. A total of 115 parking spaces will be provided, including 5 handicapped parking spaces.
13. Proposed Phase 1 landscaping includes 12 deciduous trees, 20 ornamental trees, 3 conifers, and 76 foundation plantings. Based upon the Phase 1 development area, five additional overstory trees are required. The spacing of the overstory trees along Hornsby Street is consistent with the 50-foot interval required for spacing.

The 5 additional overstory trees could be planted along the southerly or westerly property lines.

14. The 41-foot-tall building is constructed of exposed aggregate tip-up panels on all four sides. There are two entrances to the office area, 12 service doors, and 11 overhead garage doors.
15. Building height restrictions and building setback requirements are met.
16. Average daily truck traffic is estimated at 4-7 incoming deliveries and 4-7 outgoing shipments.
17. An outdoor dumpster location is adjacent to the south wall of the building. The dumpsters must be enclosed by walls at least two feet above the dumpster height with materials compatible with the exterior building materials. No other outside storage is proposed.
18. The Planning Commission held a public hearing on the CUP on October 3, 2018.

Recommendations

Based upon the above Findings of Fact, the Planning Commission should recommend approval of the JP Ecommerce, Inc. CUP, subject to the following:

1. The CUP is contingent upon approval and recording of the JP ECOMMERCE final plat.
2. The CUP is contingent upon approval of the zoning ordinance amendment allowing warehousing and distribution facilities in the CS District as a Conditional Use.
3. The CUP is contingent upon detailed recommendations of the City Engineer.
4. The CUP is contingent upon title review and recommendations of the City Attorney.
5. The CUP is contingent upon detailed plan review and approval by the City Building Official.
6. The CUP is contingent upon detailed plan review and approval by the Fire Marshall.
7. The CUP is contingent upon permitting by Rice Creek Watershed District.
8. The CUP is subject to future property rezoning from CS Commercial Showroom to LI Light Industry.
9. Phase 2 development on the Property will be subject to subsequent detailed site plan review and approval by the City.
10. Development of the Property shall be consistent with the CUP application forms and documentation received for Phase 1 including, but not limited to, Phase 1 Site Improvement Plans, pages 1-11, by Carlson McCain, dated August 13, 2018;

floor plans and building elevations, prepared by Bauer Design Build, dated August 13, 2018; and the “Description of proposed Conditional Use,” prepared by JP Ecommerce, undated narrative. No other development is authorized on the property.

11. Approval of the CUP does not eliminate the requirement for obtaining any other permits and approvals as may be required by City, watershed, county, or state laws, rules, ordinances, and policies, including but not limited to grading permits, building permits, plumbing permits, electrical permits, stormwater permits, sign permits, water appropriation permits, and sewage treatment system permits
12. The CUP documentation is subject to modification by the City or may be modified through amendments approved by the City.
13. All exterior lighting shall be shrouded and directed away from adjacent properties and public streets and shall be reviewed and approved by the City Engineer and Building Official prior to installation.
14. Signage on the Property requires administrative review and permitting by the City.
15. The outdoor dumpster location shall be enclosed consistent with City Code requirements. No other outside storage shall be permitted.
16. An additional five overstory trees shall be planted on the Property.
17. The operations on the Property must be consistent with all local, federal, and state laws that apply to the use of the Property.
18. 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 CUP may be revoked by the City upon proper notice and a hearing. The City shall notify regulatory authorities that have issued licenses or permits in connection with the CUP of any such revocation.
19. Ecommerce shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the CUP, including reasonable attorneys' fees and consultant fees.
20. Ecommerce shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the CUP, including any subsequent inspection and enforcement actions.

PUBLIC OPEN FORUM

No topic was raised at Public Open Forum.

CITY ADMINISTRATOR'S REPORT

Bituminous Roadways has submitted the design plans for their building which coincides with the design standards the City has put in place.

Bituminous Roadways, JP Ecommerce, and Sanctuary on Howard Lake are all hoping to start building by late 2018 through 2019.

The roundabout on Lake Drive will be finished in October 2018.

PLANNING COMMISSION MEMBERS' REPORT

Sternberg stated Gander Outdoors is doing well. While visiting the store one of the employees stated the Columbus store is their #1 sales store.

Krebs questioned the large change in Civil Attorney costs for 2018. Mursko replied with our system is on a cash system, if you look at the revenue and the disbursements, we pass along the costs to the developer. We are anticipating as much if not more this year for pass through.

ATTENDANCE - NEXT CC MEETING

Sternberg is scheduled to attend the City Council meeting on October 10, 2018.

Motion by Krebs to adjourn. Second by Watson. Motion carried.

Meeting adjourned at 7:33 p.m.

Respectfully Submitted:

Rochelle Busch, Recording Secretary