

**City of Columbus  
Regular City Council Meeting  
10.09.19**

The 10.09.19 meeting of the City of Columbus City Council was called to order at 7:17 p.m. by Mayor Preiner at the City Hall. Present were Council Members Janet Hegland, Jeff Duraine, Denny Peterson, and Shelly Logren; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Dennis Postler, and Public Communications Coordinator Jessica Hughes.

Also in attendance were: Mike & Deb Jordan, Tara Nelson & Caden, Brian & Nate Baar, Dan Mike, John Young, Aaron Waller, and Arlen Logren.

**A. CITY COUNCIL REGULAR MEETING**

- 1. Call to Order - Regular Meeting – 7:17 P.M.**
- 2. Pledge of Allegiance**

**B. CONSENT AGENDA**

- 3. Motion – Agenda Approval with Additions**
- 4. Motion – Approval of the 03.20.19 Correction to City Council Meeting Minutes**
- 5. Motion – Approval of the 05.22.19 City Council Meeting Minutes**
- 6. Motion – Approval Resolution 19-27 Appointment Election Judges**
- ~~**7. Motion – Approval Resolution Hazard Mitigation Plan**~~
- 8. Motion – Pay Bills as Posted**

**Motion by Hegland to approve consent agenda items 3-6, 8. Seconded by Duraine. Motion carried unanimously.**

**C. PRESENTATIONS**

Forest Lake School District “Everyone Belongs” Project

Dr. Steve Massey, Forest Lake School District Superintendent, came forward to discuss a school district project being offered for its communities.

Dr. Massey invited the Columbus City Council to take a tour of Columbus Elementary to view improvements that have been made to the building.

Dr. Massey continued to say that the school district and community is more diverse now than they have been in the past, and there will continue to be increased diversity. Considering that, the school district is aware that there is room for the community to learn and grow. As such, they have worked with the YMCA to develop a learning series called “Everyone Belongs”, in an effort to provide opportunities for the community to learn and discuss. The project contains a series of three (3) sessions that are offered at the high school.

The cafeteria at Forest Lake High School holds up to 450 people, and they are hoping to fill the space with people engaged in conversation. The three (3) sessions are being held on 10.29.19 (Unconscious Bias), 11.12.19 (Dimensions of Diversity), and 11.19.19 (Cultural Lens). All events are being held from 6:00 – 8:30 pm.

Dr. Massey continued by saying that inviting the City Council to attend as leaders to City staff and residents of the community.

Hegland noted that she participated in a similar program put on by the YMCA which was very well done.

## **6. Planning Commission Report**

Barb Bobick came forward to give the Planning Commission report on their 10.02.19 meeting, where they held four (4) public hearings.

### CUP Amendment – Freeway Mini Storage, 14474 W. Freeway Drive

The first public hearing was for a Conditional Use Permit (CUP) amendment for Freeway Mini Storage. They are replacing an existing gravel area with bituminous. The total area to be paved is 62,322 square feet. The goal of paving is to ease maintenance and prevent erosion. The Planning Commission unanimously recommended the amendment for approval.

**Motion by Hegland to approve adopting Findings of Fact 1-11 in the Planner Staff Report (dated 10.01.19) for the Conditional Use Permit Amendment at 14474 W. Freeway Drive to construct improvements consistent with the approved application materials (dated 08.16.19) and 09.03.19, subject to Planner’s Report (dated 10.01.19) Conditions 1-14, with #14 condition to notify the City of Columbus upon completion of the proposed paving project and the submittal of an updated site plan showing 400 parking spaces in the northerly lot area, 232 spaces in the southerly 300 feet, and the area showing the variance setback along W. Freeway Drive. Seconded by Duraine. Motion carried unanimously.**

### Freeway Mini Storage CUP Amendment Findings of Fact:

1. The City received a Site Plan/ CUP Amendment application from Mike Jordan on behalf of Freeway Mini Storage, LLC on August 16, 2019. The application was found incomplete on August 28, 2019 due to a lack of required information on the submitted Site Plan.
2. The City received a revised completed Site Plan on September 13, 2019 and the application was found complete on September 13, 2019.
3. The 60-day preliminary review deadline is November 12, 2019.
4. A CUP was initially granted for Freeway Mini Storage on June 2, 2002 and amended on June 28, 2017.
5. The current proposed paving project will replace existing gravel drive lanes currently surrounding outdoor gravel storage areas on the north 400 feet of Lot 1, Block 3, Preiner Family Addition, 14474 West Freeway Drive, with an updated bituminous surface.
6. The proposed total area of paving is approximately 62,322 square feet (1.43 ac.).
7. The proposed bituminous material consists of 2” 2360 Wear Course Mixture B, MNDOT 2357 Track Coat, and 2” 2360 Non-Wear Course Mixture B Base, which will be laid on top of compacted existing gravel base.
8. The City of Columbus Zoning District for this location is Commercial/Showroom (C/S).

9. The business (Freeway Mini Storage, LLC) offers access to indoor and outdoor storage for recreational vehicles, cars, and boats, among other storage options.
10. The repaving of existing gravel surface is an allowable use in the C/S District.
11. The public hearing was held by the Planning Commission on October 2, 2019.

Freeway Mini Storage CUP Amendment Conditions:

1. The CUP authorizes the continuation of existing uses previously permitted by CUP or Interim Use Permit (IUP) at 14474, 14508, and 14536 West Freeway Drive, including ten indoor storage buildings and outdoor storage for 400 recreational vehicles on Lot 1, Block 3, Preiner Family Addition, excepting the southerly 300 feet which shall not exceed 232 storage spots
2. The CUP authorizes the outdoor storage of recreational vehicles on the southerly 300 feet of Lot 1, Block 3, Preiner Family Addition, reflected in the updated site plan, submitted 09.13.19, including the front yard setback variance along West Freeway Drive, granted on August 28, 2019.
3. The CUP authorizes the bituminous paving of portions of the existing gravel drive lanes currently surrounding outdoor gravel storage areas on the north 400 feet of Lot 1, Block 3, Preiner Family Addition, 14474 West Freeway Drive.
4. The CUP is contingent upon the rescissions of the CUP approved by the City on June 2, 2002, the CUP approved by the City on September 22, 2002, and the IUP approved by the City on December 8, 2010 affecting portions of Lot 1, Block 3, Preiner Family Addition and portions of Outlot B, Preiner Family Addition.
5. The CUP is contingent upon the rescissions of the previous CUPs and IUP approved by the City that may affect Lot 2, Block 3, Preiner Family Addition.
6. The Conditional Use Permit, once issued, may be revoked upon a finding by the City Council that the property and/or use is not in compliance with the conditions for approval for such use, following notice and hearing.
7. All uses allowed in the CUP shall be constructed and maintained consistent with all Federal, State and local laws and regulations.
8. There shall be no unlicensed vehicles allowed on the Property and there shall be no repair of vehicles allowed on the Property.
9. Typical hours of operation on the Property are 6:30 a.m. to 10:30 p.m., seven days per week.
10. There are to be no chemicals, odors, gasses, hazardous wastes or fumes on the Property as a result of this business, excepting normal emissions and discharges associated with the operation of motor vehicles.
11. The existing residence located at 14508 West Freeway Drive shall be allowed to be used as a business manager's residence and office.
12. No other uses or intensifications are allowed on the Property without an amendment to the CUP.
13. Freeway Mini Storage, LLC shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the CUP and for all ongoing inspections and enforcement actions required for the CUP.
14. The applicant shall notify the City of Columbus upon completion of the proposed paving project and submit an updated Site Plan showing the 400 parking spaces in the northern

lot area and 232 in the 300 feet, along with showing the variance setback for the area along W. Freeway Drive.

#### Amendment to Chapter 7A Planned Unit Development (PUD) – Ordinance 19-05

This ordinance amendment makes Planned Unit Developments (PUD) eligible in the zoning Community Retail, Light Industrial, Commercial Showroom, Commercial/Industrial, and Mixed-Use zoning districts. City Planner Dean Johnson noted this is a housekeeping amendment. The Planning Commission unanimously recommended the amendment for approval.

**Motion by Duraine to approve Ordinance 19-05, an ordinance amending Chapter 7A – Planned Unit Development (PUD) to include all commercial and industrial zoning districts as presented to the City Council. Seconded by Hegland. Motion carried unanimously.**

#### CUP for PUD Application – Viking Industrial, 9203 Lake Drive

The third public hearing held was for a CUP for PUD application from Viking Industrial at 9203 Lake Drive. Tom and William Norton are business owners looking to expand, and anticipate the Columbus location becoming their main office. They are interested in Columbus because of its proximity to the I-35 split. Their business is like Fastenal and Grangers. They will use current employees to staff the store, and anticipated hours are 7:00 am – 4:00 pm Monday through Friday. Their store would be open to the public, but their typical customers hold accounts with them.

Planning Commission members expressed concerns about traffic flows because the location of the parcel only allows for right in/right out access. In addition, 90% of their traffic is from pickups or vans, and the Planning Commission is concerned about this traffic finding undesirable ways to work around the access issue.

At this time William and Tom Norton (Viking Industrial), and Aaron Waller (Ryan Construction) came forward to discuss the application.

Mursko explained that the City Council echoes the Planning Commission's concerns. Because this business is located at what will likely be the corner of the northern extension of Zurich Street, discussion surrounding this application should consider traffic flows and future development. The Council agreed that these concerns should be addressed prior to any approvals.

Discussion of the issue should take two forms; long term and short term. In the long term, Mursko noted that Viking Industrial's building should be configured with the understanding that an access road may be placed just north of the parcel in the future. In the short term, there needs to be conversations with adjacent property owners because there are likely encroachment issues.

City Attorney Bill Griffith reminded the Council, in relation to discussion about roadway connections, to keep in mind development agreements and special assessments. He said this is good timing to lay these concerns out and ensure any terms agreed upon are included in a development agreement.

W. Norton noted that he wanted to assure the Council that most of their business is from sales representatives who make quick stops at their location before heading to jobs in the Twin Cities. Mayor Preiner asked how many semi-loads they will have delivered each day? T. Norton replied that they typically have anywhere from 2-12 loads, with the average being six (6). The hours for these deliveries are between 5:00 am and 4:00 pm.

Hegland asked Mursko if she thought it would be possible to make a U-turn at the Lake Drive and Zurich Street stoplight? Mursko said that because the shoulder is not very wide, she does not know if there would be enough space to make a U-turn. City Engineer Dennis Postler agreed, saying the City needs to engage Anoka County in this conversation to be sure. There may be a possibility of widening the shoulder on Zurich Street and the south side of Lake Drive to better handle U-turns.

Logren asked how many vehicles that would not be allowed on no haul routes do they expect to visit their location? T. Norton noted that only a few vehicles each month would fall into this category. The majority of shipments come through small pick up trucks, and any vehicle over 26,000 pounds would be directed not to drive on Zurich Street.

Hegland asked the applicants to clarify their timeframe. Waller replied that they are hoping to break ground in early April. T. Norton said they are closing on 10.15.19 and will purchase the property. Their existing building is being purchased, and eventually all inventory and equipment will be moved to the Columbus site as their headquarters.

Logren asked about the design of the building. She said that the colors of the retail front look nice, and asked if the sides are going to be white? Waller replied that the sides of the building will consist of a majority charcoal grey panel with a mix of white. He added that this material does not require any maintenance.

Logren continued by saying that she visited their interim Vadnais Heights location, and felt like it had the feel of a warehouse and not a retail location. She is concerned about this because the proposed Viking Industrial location for Columbus is in a retail district. The typical definition of retail is having a showroom that encompasses 70-80% of the building, which is not what Viking is proposing. She asked the applicants why they are not looking at the City's warehouse district for their location? T. Norton said that they want to be right off the freeway because their Vadnais Heights location is off a frontage road and customers have a hard time finding it. The biggest draw for them is the proximity to the freeway, and that the facility will have good visibility from Lake Drive.

In terms of the retail issue, T. Norton said that this store will be different from others that currently exist. Their plan for the Columbus location is to have more inventory on the floor. He added that because their customers buy in bulk, they store a large quantity of inventory in the back of their store at any given time. T. Norton emphasized that their vision of having a big showroom is important to their concept and they would prefer to be in a retail location rather than warehouse.

Mayor Preiner began concluding discussion by suggesting the Council explore the access issue further. Griffith said that the Council essentially has two (2) options moving forward. The first

would be to defer access questions until the development agreement is being drafted. This could allow remaining approvals to go forward. The second option would be to defer all items to a future meeting.

Mursko said that the 60 day deadline for the City to make a decision on the application is 10.27.19, but it is also possible to grant an extension. Griffith said that the time frame also depends on public access review by Anoka County. The Council agreed that they would like to defer all decisions to the next Council meeting.

Hegland asked if a neighborhood meeting should be scheduled? Mursko said that the meeting should be with all three property owners in the area. Waller suggested that the meeting not be held until applicants meet with Anoka County to discuss access.

**Motion by Logren to continue discussion on the Viking Industrial application to the 10.23.19 City Council meeting, with the Condition that public right-of-way access by this business and future businesses be further discussed with the applicant, Anoka County, and City staff to determine if alternatives for access by this business and future businesses can better be accommodated. Seconded by Hegland. Motion carried unanimously.**

#### CUP Amendment – Bare Home, 14744 Hornsby Street

The final public hearing held by the Planning Commission on 10.02.19 was for a CUP amendment application from Bare Home to revise the exterior building elevation materials from the approved site plan. The original site plan called for exposed aggregate in grey tones but that was not built. The City Council requested changes to the concrete panels outside of the existing light grey and white panels. Hanegraaf explained that the reason for the amendment is that the applicant was expected to disclose this deviation from the site plan to the Council but failed to do so. At the Planning Commission meeting Josh Pribyl indicated that the reason for the deviation was to create a design that was more consistent with their brand. The Planning Commission reviewed the revised elevations and recommended them for approval based on updates to the landscaping plan and receiving additional information about the type of paint to be used.

Josh Pribyl, owner, and Todd Mohagen, architect, came forward to discuss the new elevations. Mohagen said they are proposing adding a blue panel on the west side of the building and two blue stripes that traverse the southwest corner of the building.

Hegland said that she understands they are going for a cleaner, simpler, design, but the elevations that were submitted with the original application fit better with the Council's vision of that area. The concern is that the current design (a large white building) will not blend in with the surroundings. The Council preferred a look with more muted tones that did not stand out as much against the natural backdrop. She felt that the original design blended well with the area because it contained exposed aggregate that had a muted color combination. Pribyl said that he is not interested in a design like the original one because it does not fit with their brand.

Logren added that the applicant should not only consider what they want for their brand, but also what the City of Columbus is trying to accomplish in the freeway district. She noted that there are a lot of opportunities for the City now that the new bridge is completed, and the Council wants to

ensure they are working with businesses that want to incorporate the City's vision for the area into the design of their building. Logren echoed Hegland's sentiments that the white building is too contrasting to the natural surroundings, and she would like to see more muted tones rather than blue and white.

Hegland also noted that she is concerned about the durability of the paint being used, especially because it only has a one (1) year warranty. Mohagen said that a one (1) year warranty is typical, and this type of paint is used on many industrial buildings in the Twin Cities.

Another concern for Hegland is that TIF funding was provided to the business based on the value of the property as described in the original design. She asked how the City can ensure that the amount of TIF funding being received by Bare Home is accurate given the building has not been built to original specifications? Mursko replied that Anoka County will evaluate what the market value of the building is for tax purposes and if the value is lower than the original assessment, the property owner will only be eligible for reimbursement based on that value.

Logren asked Pribyl if he has any other designs that might lessen the stark white effect? Hegland suggested the option of adding windows to break up the white. Mohagen said that they could add fake windows. Mohagen also said that they were willing to remove the blue stripes on the southwest corner of the building. The Council agreed this was desirable. Lastly, Mohagen said that the vertical light grey stripes on the building could be darkened.

Logren suggested that the applicant take the above feedback and bring the Council back some possible ideas for a new design. Hegland asked if Pribyl and Mohagen have a better sense of what the Council is looking for? Mohagen said that they are getting a better idea but noted that the applicant would really like to get approval for installing the large blue panel on the west elevation and receive a Certificate of Occupancy (CO) so that they can begin operations. Mursko said that the CO has not been issued because there is an engineering problem with the glass in the entryway that needs to be fixed. The City has received updated plans for the entryway, and construction is underway to fix it. Once a final inspection is completed the CO can be issued. Hegland asked Mohagen how long it will take to install the glass in the entryway? Mohagen replied roughly a week and reminded the Council that having the ability to put up the blue panel would still be helpful from a construction standpoint.

Griffith noted that the CO is tied to the building code, which the Council does not have much leverage over. The Council does however have leverage over the CUP, which the building elevations are part of. Therefore, the Council could choose to approve the blue panel tonight.

Council Members agreed to allow the applicant to install the large blue panels, and the CO will be issued when a final inspection is completed for fixing the glass in the entryway. In addition, the only elevation that the Council is not concerned about is the north side. The other elevations should be changed to be consistent with whatever design is created for the west side.

**Motion by Duraine to continue the Bare Home CUP amendment application for at least two (2) weeks, to direct the Building Official to issue a temporary Certificate of Occupancy when the glass issue in the entryway and any other code issues are resolved, to delegate discussion with the applicant on design standards to two (2) Council Members, and to allow**

**the applicant to install the blue paneling, including any landscaping commitments made today. Seconded by Peterson. Motion carried unanimously.**

#### Draft Mixed-Use Ordinance

The last topic that the Planning Commission considered was a presentation from City Planner Dean Johnson on the draft mixed-use ordinance. This presentation was informational in nature.

### **11. Public Open Forum**

No report.

## **D. STAFF AND CONSULTANT REPORTS**

### **13. Engineer Report**

#### State Park Road Account Program Application

Based on direction from the 10.09.19 EDA meeting, Postler asked the Council for a motion to move forward on the application for the State Park Road Account Program for the extension of W. Freeway Drive to the north of Lake Drive (CSAH 23) terminating at the parking lot of Lamprey Pass WMA. This program provides funds to local governments to improve roadways that lead to state-owned properties such as state parks, wildlife management areas, and state forests.

**Motion by Peterson to direct the City Engineer to apply for the State Park Road Account Program for the extension of W. Freeway Drive to the north of Lake Drive (CSAH 23) on behalf of the City. Seconded by Hegland. Motion carried unanimously.**

#### Transportation Update

The Hornsby Street realignment project is continuing. They are hoping to complete the road and open it to traffic by the end of the year. Crews had started work on the Hwy 97 turn lane to the north but had to abandon that to work on Hornsby Street's excavation issues. Due to this they are not sure if the turn lane will be completed this year.

The bridge project will potentially be completed in two (2) weeks, however the diverging diamond may be left to finish in the spring.

Based on previous direction from the Council, Postler received quotes for a wetland delineation on Hornsby Street south. He said that he received a reasonable quote and will go forward with ordering. He noted that if the Council would like to complete the reconstruction of Hornsby Street south next year, he would like to be authorized to complete a field survey this fall. It would need to be completed before there is snow on the ground. The Council decided they did not want to move forward on the field survey at this time.

### **14. Attorney Report**

Arnt Variance, IUP, Excavation Permit Applications Resolution for Denial – 7162 & 7222 167<sup>th</sup> Avenue NE

At their previous meeting the Council directed the City Attorney to prepare a resolution for denial of Arnt's applications for a variance, IUP, and excavation permit. The 60-day deadline for review of their application is 10.15.19.

Griffith explained that the first portion of the resolution identifies sections of City code that were included in the applications' Staff Report. Page 2 discusses findings for denial of the variance, and moves on to findings for denial of the IUP. The resolution primarily discusses the impact on roadways, impact on neighboring properties, and the loss of buildable land in the City. Griffith finished by saying it essentially memorializes what is in the record for these applications.

Hegland said that the resolution does not contain any discussion about the conflicting uses that were disclosed on applications. Griffith said that he will update the resolution and add discussion about how the Rice Creek Watershed District (RCWD) application stated the pond was for a commercial use while the City level applications stated it was for recreational use.

**Motion by Duraine to approve Resolution 19-29, a resolution denying John Arnt's applications for a variance, IUP, and excavation permit. Seconded by Peterson. Motion carried unanimously.**

## **15. Mayor and Council Members Report**

### Council Member Logren

Logren noted that the billboard companies were expected to bring back examples of design standards for the base of billboards by now. Mursko said that the deadline to submit was 10.04.19. The next Planning Commission meeting will include a presentation with all comments received so far.

### Council Member Hegland

No report.

### Mayor Preiner

Mayor Preiner asked who would like to volunteer to work with Bare Home on their building elevations? The Council agreed that Hegland and Logren will work with them.

### Council Member Duraine

No report.

### Council Member Peterson

No report.

## **16. Public Works Report**

No report.

## **17. Public Communications Coordinator Report**

Public Communications Coordinator Jessica Hughes said that Title Review for the Hagert Park land has been completed. As such, she recommended that the Council call a neighborhood meeting for all residents adjacent to the park land.

**Motion by Hegland to call a neighborhood meeting on 11.12.19 at 6:00 pm to discuss the Hagert Park land with adjacent property owners. Seconded by Peterson. Motion carried unanimously.**

## **18. City Administrator's Report**

### Schedule of Meetings

Mursko reported on some changes that need to be made to the City calendar. The second Planning Commission meeting in November was published as a Monday meeting and the City Council meeting is currently scheduled for the Wednesday immediately prior to Thanksgiving.

Mursko's recommended adjustments are to move the Planning Commission meeting to Wednesday 11.20.19, and to move the City Council meeting to 11.25.19. The Council agreed to these changes.

**Motion by Logren to move the Planning Commission meeting from 11.18.19 to 11.20.19, and the City Council Meeting and Workshop from 11.27.19 to 11.25.19. Seconded by Hegland. Motion carried unanimously.**

### Planning Commission Meeting Format

Mursko said that there is concern that not all Planning Commission members have received the benefit of discussion on questions they have asked. She is trying to think of a different format that would facilitate more in depth discussion on topics that Commissioners are unsure about.

The original format for Planning Commission meetings was to hold the first meeting of the month as usual, and the second meeting of the month would be used for an in depth discussion on topics related to the applications from the first meeting.

Another option may be to hold an hour-long workshop before all Planning Commission meetings that contain new applications.

The Council agreed that pursuing an alternative format is a good idea and said that the Planning Commission should choose which format they prefer.

Treasurer's Report

Receipts:	\$	0.00
Disbursements:	\$	184,237.46
Balance:	\$	9,179,198.10

**E. ANNOUNCEMENTS & REMINDERS**

**19. Calendar of Meetings.**

The next Planning Commission meeting is on 10.16.19 at 7:00 pm.

The next City Council workshop is on 10.23.19 from 4:00 – 6:00 pm.

The next City Council meeting is on 10.23.19 at 7:00 pm.

**F. ADJOURNMENT**

**Motion by Hegland to adjourn. Seconded by Duraine. Motion carried unanimously.**

Meeting adjourned at 9:38 p.m.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator