

**CITY OF COLUMBUS
PUBLIC HEARING IN INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
13528 LAKE DRIVE NE
BLAKE DRILLING CO. INC. CONDITIONAL USE PERMIT AMENDMENT – PC22-105
03-16-2022**

The 03-16-2022 Public Hearing to consider a Conditional Use Permit Amendment to permit a proposed expansion of building size for the second phase of the Blake Drilling Co. site development in the Commercial/Industrial (C/I) district. The meeting was called to order at 6:34pm by Chair Ron Hanegraaf at the City Hall. Present were Commission members Kris King, Barb Bobick and Bob Berens and City Associate Planner Ben Gutknecht.

In attendance via interactive technology were City Administrator Elizabeth Mursko, and City Council member Shelly Logren and present as a City Resident Sue Wagamon and Permit Coordinator Carissa Kranz.

Also, in attendance in person were Residents Steve and Perry Wagamon, Blake Drilling Co Representatives John Williams and Jill Bakowski and City Council member Janet Hegland and Mayor Jesse Preiner.

The meeting was held in an interactive technology meeting format.

Hanegraaf: Item number 6. On the Agenda is a Public Hearing and Discussion – 13528 Lake Dr NE, Conditional Use Permit Amendment, Blake Drilling Co. it has Michael Meyer here is the applicant, Agenda Pages 1-26 and Enclosure Pages E1-E4, Additions Pages A1-A7. Where's Carissa? Is she here tonight?

Gutknecht/King: She's online.

Hanegraaf: Oh, she's online. Carissa, would you read the notice as published?

Notice was read at this time by the recording secretary.

Hanegraaf: Thank you Carissa. At this time for the record, I guess Michael Meyer isn't here tonight, but representing Blake Drilling Company will be John Williams. If John Williams, the applicant and his wife would like to come up, sit in those chairs up there, there's a microphone if you'll acknowledge your presence and state your name and current address.

Bakowski: Both of us.

Hanegraaf: Yeah, that'd be good.

Bakowski: My name is Jill Bakowski. My current address is 9149 Hemlock Lane N Maple Grove, Minnesota 55369.

Williams: My name is John Williams. Current address is 5040 201st Place NE, Linwood Township, Minnesota 55092.

Hanegraaf: Thank you John. Good evening both of you, the Commission received your application for the conditional use permit amendment, along with your narrative statements, and there was a number of them. As normal protocol and for the record, could you brief us a little about this project you're about to undertake?

Williams: Yes so, basically what we wanted to do was amend the original CUP on the property to allow us to increase the size of the building that was approved prior. The reasoning behind that is once we just started plotting in offices and trying to figure out the inner workings of the building, we discovered that we would probably want to be a little bit wider on the building and a little bit longer on the building to make everything work inside of that easier. So, then we decided that we wanted to ask the Council's permission to do that.

Hanegraaf: OK, you started this in 2016, correct?

Williams: Yep, 2016, we have. So, we started the project, and it was intent was to be in two phases. Phase One was completed, I want to say, I don't have an exact date, but I want to say it would have been late 2016. The Phase 2 schedule was to be a few years down the road with the intent of the main office building being built where they would have the offices and everything, the warehouse and all that, and that was to be placed on the front side of the properties facing Lake Drive. The building pads already been built for it, all the grading had been done for it, septic systems were built for all of that to be in there, power brought in all that stuff in there ready to go for it. We just needed to put the building in. The reason we waited was to be able to forecast a little bit better of what the economy was going to do, we're driven off of housing, so if the economy takes a turn we suffer. We didn't want to put ourselves into a situation where you have a huge payment for both of these buildings going up at the same time and not being able to deal with that. So, our thought was to wait on phase two until we could afford to do that, and here we are.

Hanegraaf: Well, thank you. Also, for the record, did you receive a letter or an email from Ben Gutknecht, Associate Planner for the City dated March 9th, 2022, noting your project with his findings of facts and recommendations?

Williams: Yes, I have one dated March 14th, I guess.

Hanegraaf: Well, you probably got it. I've probably typed in the wrong number, then tonight it must have been the 2nd one then, huh?

Williams: I know there was two.

Gutknecht: Yeah, that was the engineers staff report.

Hanegraaf: So anyway, do you have any questions or comments about them that you'd like to express at this time?

Williams: I guess what I would like to express about it is when we did this in 2016, we were under the impression that all we would have to do is get a building permit, go ahead and build it. Understanding that we increased the size of the building, changed some parameters and therefore we understand

that's why we're here today doing what we're doing. What we'd like to do is try to build a building that is similar in look to what's exactly on the property right now. There is a building currently on the property we'd like to keep at least the same exterior elevations look of that so that it matches and that falls into matching with a lot of our neighbors, Mancaves down the street, the trucking company directly across the street from us. They all have that same look. So, we're asking that we're able to stay within those same parameters of the 2016 CUP. I know there's been some changes in the rules or in the code since then. I know we addressed the parking issue with that. I'm not coming up with anything that was the issue other than I think the face of the building or how it looked from the right of way. And so we're hoping to keep it similar to what we had approved in 2016.

Hanegraaf: OK, I'm going to open up, anybody have any questions for John from the Planning Commission? Start with Kris?

King: Sure, hi John, Jill how are you guys?

Williams: Good.

King: Good, I do have a few questions for you. I know the documentation also refers back to the CUP that was issued in 2016 for you and there was, I did pull that those documents and I was kind of comparing them to your new narrative and some of the new items. And I just want to get on the record one thing is, I believe here you're talking about how many vehicles are going to be stored on there, and there was some what was it? 15 one-ton cab chassis, 20 flat foot bed trailers and approximately 6 semi tractors and flatbed trailers or tankers. Back in 2016, there was like skid steers, boom trucks, what was it? Loose pipe, shipping containers and multiple other items. Is your business changed that much that the items that were put in the finding in the facts and in that part of it not relevant anymore to your business? Or will they still be part of what's stored on site?

Williams: They would still be part of what is stored.

King: Okay, so then my question is to you Ben, do we need to add all that besides?

Gutknecht: You can simply. So, what I have done in condition let me find it real quick. So, #9 of the conditions is "approval is contingent upon compliance and consistency with the Conditional Use Permit approved September 16th, 2016." And we can expand on that to say consistency and compliance with the findings of fact and Conditional Use Permit. Or if we do want to, we could take some time and go through individual findings, but that number nine of the recommendations was to ensure that the initial Conditional Use Permit that is being amended, those findings and conditions are still going to be applicable.

King: Okay, so the documentation will stay all together with the one in 2016 and this one?

Gutknecht: Correct.

King: Because you talk about racking being on site and that and not that it's a big deal. I mean, it's good to see that you're expanding and everything. I just wanted to make sure.

Williams: That you have a clear picture of it?

King: Yes, yes that we have a clear picture of what's going to be stored on there and what your business is. One of the other items is in the 2016 one you talked about typical hours being Monday through Saturday and then occasionally emergency nighttime or Sunday activity. Is that relevant here?

Williams: Not somewhat, I mean over the last few years we have not done Saturdays. We'd still, the emergency part of that would still be in there. I'm not saying that there wouldn't be any Saturday work. There's some things that we can't control, we're a subcontractor, so we're bound by contract to do certain things. We run into timelines that we have to work as much as we can to do it, so I'm not going to say that it wouldn't happen, but I'd say over the last two or three years...

King: But it's possible?

Williams: Yeah, it's possible.

King: So really you would like that to stay.

Williams: I would, yes.

King: And I think Ben where I'm going with this right now is we have one thing saying one thing, you know hours are this and now this, so we should probably. Either refer to this totally and take the hours out so there's no discrepancy or just kind of clean it up. Do you agree? We don't want discrepancies.

Gutknecht: Correct, and actually Elizabeth just corrected me. We do combine the conditions, but it's still consistent with the condition is. We will make sure that it is cleaned up, but the conditions are what is recorded against the property, not the findings of fact. So, as long as the conditions are consistent and there isn't a discrepancy between the two, such as the site plan updated this date and something like that, it's more of the relevant ones making sure that the nuisance conditions and other things are still addressed. So, the findings of fact aren't quite as much to worry about as long as the business is still consistent and from what I understood from Mike's discussion with myself and I believe hearing from you both, you're only adding the building, the business is still going to say for the hours changing, you're actually reducing your hours, your business operation, and the use of the property is going to...

King: It's still the same.

Williams: Yeah, it'll be the same. Yeah, yeah, that really the only thing that we're changing is the size of the building.

King: And that's where I'm coming to next. You know, I know the code requires no more than 50% metal and I know you're referencing some of the other buildings depending on when they were built and what the code was at that time dictates that. And I know you bring up the Mancaves, part of theirs, they include glass and more glass and the brick that make up the not more than 50% metal. I know you were given the permit to build this in the CUP based on the 200 feet by 60 feet and I'm not, you said 2011 is when the 50% went in?

Gutknecht: That was the most recent, what Planning Commissioner Kris is referencing is in 2011 our ordinance, the most recent codified ordinance that I was able to find in our electronic files earlier today, indicated that that no more than 50% rule was in that 2011 ordinance.

King: So, it's been in place for a while and I know back through the years I sat through a lot of Council meetings and one of the biggest things on Lake Drive was always to make it more attractive and more eye appealing and that's kind of why that no more than 50% metal is there. If you had brick in the back because I think it's all steel in the back, just a different color, right? Do you have brick wainscot in the back?

Williams: No, I don't.

King: Okay, I didn't think so. Based on what I saw, to me it needs more of or I should say less metal in the front and I believe it should meet the not more than 50%. I know you talked about doing some brick along the columns and that and some different things and maybe you could find a way to add a little more. I know money is always an issue. I mean things are expensive right now too and in that. But my personal opinion is you need to meet the code and come up with less metal in the front.

Williams: The problem with that being on the construction side of the building is the way that they build the building, they have girders that run along that, so if you get away from the metal it becomes difficult to attach anything to the front of it. So, they don't like to not use.

King: I know.

Williams: Because now it's become into issues of the building's ability to hold wind and different things like that, and I don't want to, you know. I mean we talked about putting the brick up on the corners of it and there's going to be brick up around the doors, for the two doors that'll sit there, there is windows that go along that whole face along the warehouse area up on the upper part of it, and then we do have the windows into the office area and there. So, I mean, I think the closest that we're doing the numbers is around 30%. They just got the numbers to me today. So right now the closest that we've gotten with what we're proposing was like 30 to 34% of the face of the Building.

King: They're getting close.

Williams: And I don't know how much more we'd be able to do without it looking ridiculous in my opinion. You know, once you start getting above that certain level on the front of with any kind of stone, I don't think that that's a very nice look.

King: You know, and I'm not going to design the building or anything, I'm just saying what the ordinance is and I know architects, designers, they can do things. I don't know if you can add more glass to decrease and whatever, I'm again not going to design. It's a long building, I mean 260 feet out front is a very long building and I know you have the glass where the office part is. You got the windows in front, in and the wainscots there with the brick. I think you need to try and get closer to the less than 50% in my opinion, because that is what the code states and you know I'm kind of always the one that says we got to be careful about setting precedence and part of that ordinance is to make sure we're not having big steel structures and big pole buildings all over and that's really what the intent is, is to make it look better so you know. That that's my opinion. So, I'm really glad to see you building. I mean, it's wonderful that your business is to the point where you can. Because you're moving it all from Blaine, correct?

Williams: Yeah, once this building is completed, the entire operation is to move here for good and then we don't have any other buildings.

King: And I mean I'm ecstatic that we're seeing, you know, your business flourish, that you can come here and do it. And it's that's wonderful, but I do think we need to look at the code and try to meet that. So, thank you.

Hanegraaf: Bob, do you have anything? Any questions?

Berens: Yeah hi, this is Bob. Thanks for coming out this evening. Talk a little bit about your landscaping plan as you see it today to help mitigate some of the issues, I think that Commissioner King has with the aesthetics of the property. Is there anything that you can do to help offset?

Williams: Well, we propose to put trees in basically along the whole front of the building on the east side of the parking lot.

Berens: How tall are the trees when they were first planted?

Williams: That's I guess up to debate. I mean, I would assume that we would have a mature tree that we'd put in there. As you know we don't want to put in a little sapling that I won't live to see that thing grow up.

Berens: Well, we've seen that on several other projects where they've had this great landscaping plan and then they put in three foot tall trees.

Williams: That's not our intent, I mean I'm looking at you would have like a six or an eight foot tree that would be planted with the ball root and everything else that would go in there. That would to me, would be sort of the size that I would be looking at. As far as going in along that entire parking lot front, so that would basically when they're in bloom, that would cut a lot of building off and then there'll be shrubs and stuff along the front edge of the building and that would basically go along that whole front edge and the south edge of the building as well, if I remember correctly.

Berens: I see that the stormwater plan is yet to be approved through the watershed district, adding that much more square feet and surface area do you anticipate any changes to your drawings related to the runoff?

Williams: The changes for that were going to be for the additional area that we're adding in for the parking lot or work area/storage area in the back it really, the building would have not changed any of that. But because we're moving everything over now, we're looking at, we need a little bit more space in that fenced in area as far as we've been told from our engineer and the watershed that they don't see it being a problem, the way it's set up right now, as long as we would create a new, like in the drawings here, draw a new plant or put a new pond. I guess out to the West there that that sounds like we would have extra storage already at that point and so should anything else acquire we'd have a little bit extra.

Bernes: In the five years since you've done your first phase one, six and a half years ago roughly the infrastructure usage of Lake Dr has changed significantly. Now I know you have a plan into the Anoka

County Public Works to figure out any traffic impacts coming in and out, when you move your phase two business into this building when complete will you be adding any more employees at that point to that property?

Williams: No.

Berens: Okay, so you said you're going to move your, consolidating two offices into one larger office here.

Williams: Well, there's currently one employee that works there periodically on that property. That's all that's been there for the last few years, so now everybody will be on that property. So technically, yes, we'll be increasing that over the last couple of years, but not, we're not adding more employees to the company per say, it'll just be to the property.

Berens: Trying to understand that better because my concern is by adding more traffic to an already busy highway, it just adds more safety concerns for the areas.

Williams: Right and we did talk with Anoka County when we originally did the building and they had us put the turn lane in we paid for that. We've established all that in there, and we actually did talk to them here again for this one and they said that there's no update that would be required. We had an email from the Anoka County engineering department.

Berens: I share some of the same concerns that Commissioner King has from the aesthetics part of it and a lot has happened over the last 6 1/2 years since you've completed phase one and now going into phase two. We're not the only City whose ordinances have changed in the last 6 1/2 years, and so what the intent is over the last few years is to try to clean up the area to make it more aesthetically appealing as you drive down the street into our fair city of Columbus. And so that's the reason for the questions on the exterior, and that's the reasons that we've made changes over the last few years to help improve that. And so when we talk about things like precedents or we talk about things like you know, being fair to all, you know, the rules are the rules as they sit today. I'm sure you didn't anticipate it would take you 6 1/2 years to do phase two, you know when you built phase one and so at that time, had you come in two years later to do phase two it probably wouldn't have had as large of impact aesthetically as it does today. And so that's the reasons you're getting the questions from the Commissioners as you are today. So that was all the questions I had.

Hanegraaf: Thank you Bob. Barb?

Bobick: No, I don't have any questions. It's, a building for a business for storage and, and I think it looks nice and I appreciate the fact that they are positioning it so that it conceals some of their equipment and so forth, so.

Williams: Yeah, we have a lot of outside storage, and we know that it is an eyesore with some other cities. Coming from Blaine that was a hot topic out there as well you know, but we had discussions with them, and we were able to work with them to be able to do what we do and hide most of it behind our fences and different things. So that consideration was taken when we were looking at how do we place the buildings into this. You know the shop that's currently sitting in there now was placed to try to block the northwesterly wind from blowing into the doors on the building that we want to place now and we

wanted to place this one to block basically, most of what we're storing and dealing with in that back lot so that people don't get to see that because a lot of people don't care to see that.

Bobick: Yeah, I think it looks really nice the way you're laying it out and I for one appreciate that you put that much thought into all of those issues plus ones we don't know about, like snow blowing in the doors and so forth so that's all I have.

Hanegraaf: Thank you, Barb. I have one question for you, John. How far back from where the trees that you planted there between those residential places and to the edge of where your storage of the vehicle's going to be? Is there going to be an open space back there or is it going to be?

Williams: Yeah, that's so from Lake Drive and estimate numbers from the right of way of Lake Dr. our working area for lack of better words is only going to be about 700 - 750 feet back from Lake Drive. The rest of that we plan on continuing to let the farmer farm that from our fence line back to those pine trees and even onto the residential areas that we own back there as well because those two residential lots or ours.

Hanegraaf: Are those up for sale.

Williams: Nope they will never be. We don't want anybody in there. We don't.

Hanegraaf: OK, so you're really making a large buffer zone?

Williams: Right, that was, and we knew building the first building, we knew there was opposition. There was if I remember right there was a company that wanted to come in and wreck cars or do something in there and there was a lot of residents that were upset about that and didn't want it. So, we took into consideration that we wanted to be as nice as we could be going into it to say we're not here to step on your toes, you know we have no problem in buffering that, so we created those two residential lots to give us that buffer against the residential zones and we have no intentions on selling those two lots any time at all.

Hanegraaf: If I'm right, you bought like 26 1/2 acres, wasn't it? Initial and so.

Williams: Yeah, yeah, that's correct.

Hanegraaf: So, your operation is going to probably what cover 10 acres or 6 maybe?

Williams: Yeah, maybe 10 if that most, yeah.

Hanegraaf: So, and then if it's 10 and you've got 16 left, 10 of it's for residential and then there's six acres in between. Okay, thank you.

Williams: Rough numbers but yes.

Hanegraaf: Well, it's nice to leave a buffer zone if you can afford it today. Any other questions?

Berens: This is Bob. I have one additional question John, I wasn't part of the Planning Commission in 2016, so I wasn't familiar with the approval back in the day with the CUP. Was there any discussion and I don't see anything on the blueprints, is there any discussion to add fuel servicing as part of your storage on site? There are no fuel storages at all on.

Williams: No, we have currently we have a temporary storage or basically it's a trailer with a tank on it in Blaine. Their regulations wouldn't have allowed anything, so that's currently we have now, but we don't think we've looked at anything beyond that itself.

Berens: Do you plan on bringing that on site at some point?

Williams: That was the plan, yes.

Berens: How many gallons does that hold?

Williams: It's 1000-gallon tank.

Hanegraaf: That on a trailer then?

Williams: It's mounted on a trailer so it's portable.

Hanegraaf: Thank you. Any other questions to the Commissioners? Hearing none, I guess it's time to open up the hearing to the public and anyone who has an interest in this matter and wants to present testimony as evidence on the issues. Please acknowledge themselves by stating their name and address, after which you have the floor to speak.

Sue Wagamon: Chairman, this is Sue Wagamon I'm on zoom.

Hanegraaf: Yes, you have the floor, Sue. She doesn't have to give a name and address.

Sue Wagamon: I'm right behind the property, so I am on the Council but tonight I'm speaking as a resident. I live at 13530 Zodiac St. So, I did have a question, but now it's a little bit different because I didn't realize how much space they were going to be using, but I just first wanted to acknowledge that I appreciate the buffer that they have put in. They've been a very good business to have right across the street from our house and I appreciate that. But my question was going to be and I don't know if they would ever extend farther back, but I was curious about the fence that's going to be around that back area, because I think the plan did say that there was going to be a fence. I just wasn't sure what kind of fence it was going to be?

Hanegraaf: Okay, well we hold these public hearings, I guess we'll ask the question of John in a minute here. Do you have anything else you'd like to say Sue? So, we don't get into a conversation here and you'll probably be coming up to your meeting anyway.

Sue Wagamon: Well, I won't be able to speak at that meeting. I'm here as a resident.

Hanegraaf: Okay, all right yeah? Well, you know there doesn't seem to be much going on, so maybe John, could you address that?

Williams: It's a chain link fences.

Hanegraaf: It'll be a chain link fence. Like 6 foot?

Williams: I believe it's a 10 foot tall with the barbed wire across the top so nobody can crawl over.

Hanegraaf: Do you hear that Sue?

Sue Wagamon: Yes, I heard that thanks.

Hanegraaf: Do you have anything else, Sue?

Williams: There is a fence currently in place right now that's there.

Hanegraaf: Will that be the fence that you're talking about?

Williams: That's the same fence.

Hanegraaf: The same fence?

Williams: Yeah, we're just going to be moving it back a little bit and adding to it as well.

Hanegraaf: When you say a little back, 10 feet 100 or?

Williams: I don't have the dimensions with me, so.

Hanegraaf: Oh, Okay.

Williams: It to me it would be less than 100 feet. Well, where it's currently sitting right now.

Hanegraaf: Sue did you hear that?

Sue Wagamon: Okay, yes, thank you very much.

Hanegraaf: I think we're going to have, did you want to say something back there, Steve?

Steve Wagamon: Yeah.

Hanegraaf: Okay, you want the floor. John and Jill, is it? Yeah, if you could relinquish your chairs there and with the idea that we can call you back.

Steve Wagamon: I'm Steve Wagamon, 13530 Zodiac Street, Columbus, 55014, and I'm actually Sue's husband, but I just had some clarification things, and I would like to say too that I hadn't seen it before. First of all, thank you for letting me speak Mr. Chair and Commissioners but I hadn't seen it before either and I would like just to say to you guys that I really do appreciate you taking the effort to put a buffer between us and that that really does make a big difference and the one question that I had

is how many employees do you have or how many employees is there at this business? I never did hear how many they have in Blaine or.

Hanegraaf: Well, we got it here. Okay, 30.

Steve Wagamon: And then my only other question was equipment with beepers, do you have a bunch of that, or is that?

Williams: We have skid steers. We have 3 skids. There's most of the time those don't come out at night.

Steve Wagamon: So, you're not, you're not running non-stop through the yard, back and forth, and that kind of stuff? Okay, great. And let's see. No, I think that's it. I'd just like to say that I appreciate all your effort to try to be neighborly.

Hanegraaf: Thank you, Steve. Hey Steve, that folder back there on the where we sign in that has all that data on this public hearing. So, if you want to read.

Steve Wagamon: Okay, thank you.

Hanegraaf: Thank you. Is there anyone else online or on zoom they would like to make a statement? Hearing none, we'll close the public hearing, and we'll open up for discussion with the Planning Commission here.

At this time Chair Hanegraaf closed the Public Hearing. Hearing closed at 7:09pm.

Carissa Kranz

Respectfully submitted: Carissa Kranz, Recording Secretary