

**CITY OF COLUMBUS  
PLANNING COMMISSION MEETING  
INTERACTIVE TECHNOLOGY MEETING FORMAT  
STATUTES SECTION 13D.021  
5-17-2023**

The 5-17-2023 Planning Commission meeting for the City of Columbus was called to order by Chair Lynn Carver-Quinn at the City Hall at 6:00 PM. Present were Planning Commission members Barb Bobick, Judy Huntosh and Bethany Barrette, City Administrator Elizabeth Mursko, Council Planning Commission Liaison Janet Hegland, City Planner Dean Johnson, and Associate Planner Frank Koenen. Also in attendance were Cindy Angel and Jon Sawyer. In attendance via interactive technology was City Engineer Tim Olson. The meeting was held in an interactive technology meeting format.

**1. CALL TO ORDER – REGULAR MEETING – 6:00PM**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MEETING AGENDA** *Motion* Bobick. Second by Huntosh. Motion carried with Barrette, Bobick, Huntosh, and Carver-Quinn voting in favor.

**4. DISCUSSION – CONDITIONAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT – COLUMBUS INDUSTRIAL PARK (PAGES 1-44, AND ENCLOSURE, ADDITION PAGES A1-A9, AND HANDOUT)** At this point a discussion was held regarding a request for Conditional Use Permit allowing a Planned Unit Development for “Columbus Industrial Park” to create a phased development of seven (7) buildings for lease to other companies in the Light Industrial (LI) zoning district. City Planner Dean Johnson gave an update regarding correspondence with Anoka County, which recommended a south-bound right-turn lane and a north-bound bypass lane be constructed in conjunction with the plat. However, the development’s engineer believes that the project is relatively small and won’t require both turn lanes. He recommends waiting to see the impact on traffic in the first phases of development, and to add the north-bound bypass lane if needed. A condition describing the potential requirement of a north-bound bypass lane in the future will be drafted by the City Attorney. City Planner Dean Johnson also outlined the updated process of approving the businesses that will utilize the development, which will not require Interim Use Permits (IUP) for each individual business. Commissioner Bobick says that she thinks that this development is an incredible use of the land, and Chair Carver-Quinn agrees.

***Motion* Bobick to recommend approval of Brown Beagle LLC, Columbus Industrial Park Planned Unit Development (PUD) Conditional Use Permit (CUP), based on findings of fact 1-24, conditions 1-25 of the planner’s report dated May 8<sup>th</sup>, 2023 and the findings of fact in the engineer’s report dated April 25<sup>th</sup>, 2023. Second Barrette. Motion carried with Bobick, Barrette, Huntosh, and Carver-Quinn voting in favor.**

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**City Staff Report 5/8/2023**

**Findings of Fact**

1. The City received a Planned Unit Development Conditional Use Permit (PUD CUP) application from Windsor Engineers on behalf of Jon Sawyer, Brown Beagle LLC (“Brown Beagle”), on January 4, 2023. The application was found to be incomplete. Upon receipt of additional information, the application was found complete on April 5, 2023.
2. The 60-day review period ends on June 4, 2023, and the 120-day review period, if necessary, ends on August 3, 2023.
3. The proposed development is located at 137XX West Freeway Drive NE (CSAH 54) on property legally described as part of the North 330 feet of the North Half of the Southwest Quarter of Section 36, Township 32, Range 22, Anoka County, Minnesota, lying westerly of the center line of CSAH 54, except road and easements of record (“Property”).
4. The Property is currently zoned LI Light Industrial.
5. The Property is designated Light Industrial in the 2040 Comprehensive Plan.
6. The vacant Property is approximately 10.45 acres in area.
7. The proposed development of the Property includes seven independent buildings, which will be owned by Brown Beagle and leased to individual business owners. A private drive will provide access to four 80 feet by 135 feet buildings (10,800 square feet each) on the north half of the Property and two 80 feet by 100 feet buildings (8000 square feet each) and one 100 feet by 100 feet building (10,000 square feet) on the south half of the Property.
8. Anoka County is requiring a south bound turn lane on CSAH 54, and Brown Beagle is dedicating an additional 10 feet of right of way along the highway.
9. The property will be served by the extension of City owned and maintained sanitary sewer and water lines in the east-west access driveway. The City will receive a drainage and utility easement over the utility corridor for access and maintenance.
10. Total impervious site coverage on the Property is approximately 35%. The development will be served by private stormwater management ponds.
11. Total site development includes 69,200 square feet of building space and 149 surface parking spaces, including 14 handicapped accessible stalls. Minimum driveway access aisles are 24 feet in width through the center of the development and between the individual buildings. All parking stalls are a minimum of 10 feet width and 20 feet depth.
12. The exact uses of the buildings is unknown at this time; however, some assumptions about usage may reveal potential parking adequacy or inadequacy. The assumptions relate to total building square footage of 69,200 and a percentage of the total for three primary uses (office, warehouse and service):
  - Office: 15% [10,380] @ 1:200 sq. ft. requires 52 parking spaces
  - Office: 20% [13,840] @ 1:200 sq. ft. requires 70 parking spaces
  - Warehouse: 20% [13,840] @ 1:2000 sq. ft. requires 7 parking spaces
  - Warehouse: 40% [27,680] @ 1:2000 sq. ft. requires 14 parking spaces
  - Service: 65% [44,980] @ 1:500 sq. ft. requires 90 parking spaces
  - Service: 60% [41,520] @ 1:500 sq. ft. requires 83 parking spaces
  - Service: 45% [31,140] @ 1:500 sq. ft. requires 63 parking spaces
  - Service: 40% [27,680] @ 1:500 sq. ft. requires 56 parking spaces
  - 15% office + 20% warehouse + 65% service = 149 parking spaces
  - 15% office + 40% warehouse + 45% service = 129 parking spaces
  - 20% office + 40% warehouse + 40% service = 140 parking spaces
  - 20% office + 20% warehouse + 60% service = 160 parking 13.
13. In the event higher percentages of office use and service use rather than warehousing use become evident, a potential parking problem could arise. Brown Beagle has prepared a “Proof

of Parking” plan which identifies the potential to add 18 parking spaces around the central wetland area.

14. All parking is considered ‘communal’ within the development, which should also allow for some averaging of higher parking-oriented uses with lower parking-oriented uses.
15. Use of the property will be strictly limited to Permitted and Conditional Uses listed in the LI Light Industrial Zoning District.
16. The proposed development is planned to be constructed in three phases. Phase 1 includes the easterly two buildings in 2023; Phase 2 includes the middle three buildings in 2023 or 2024; and Phase 3 includes the westerly two buildings in 2024 or 2025. Phase 1 will also include the entire site grading, sanitary sewer and water installation, stormwater ponding, turn lane on CSAH 54 and the easterly portion of landscaping. A central mailbox location will also be located near the front entrance to the Property.
17. Building details have been provided for the Phase 1 buildings, including building elevations and renderings. The buildings are 18-feet-tall at the eave line and approximately 20-feet-tall at the peak of the roof line. The exterior walls include a 6-foot-tall stone veneer wainscot and beige stucco finish metal wall panels. The standing seam metal roof is a dark bronze color.
18. Each of the buildings in Phase 1 includes two overhead doors on the west elevation and passage doors on at least three elevations. Windows are illustrated on at least two of the elevations on each building. A sign band location is identified for each building. Plumbing, electrical and HVAC systems are located within each individual building.
19. The basic building features, exterior materials and color schemes will remain the same in all phases of the development.
20. A trash dumpster will be dedicated to each building. A 6-foot-tall white vinyl fence is located between the buildings along the property lines in lieu of a trash enclosure. This will allow better flexibility in trash collection and will also serve to screen vehicles, equipment and any other authorized outdoor storage from abutting properties.
21. Site lighting is limited to downcast and shrouded wall packs. There are two wall packs on the east and west parking lot sides of each building on the north half of the Property and one wall pack on the east and west parking lot sides of each building on the south half of the Property. There are also two lights on each building facing the east-west service drive. All lights are 32W LED lamps, except the east side of Building 1 and the north side of Building 7 have 109W LED lamps. Light intensity does not exceed one foot candle at any property line.
22. Site landscaping includes 12 deciduous trees (American Linden, Blaze Maple, Hackberry, Red Maple) along West Freeway Drive and 80 coniferous trees (Black Hills Spruce and Austrian Pine) along the north and south sides of the Property. The quantities and planting sizes are consistent with ordinance requirements. Conifers represent eighty-five percent of the trees proposed, reflecting a preference for site screening.
23. There are two wetlands on the property. A smaller wetland is located between Building 6 and Building 7, and the westerly one-third of the Property is encumbered with a wetland. The Notice of Decision for the wetland delineations was approved by the Rice Creek Watershed District (RCWD) on February 27, 2022. Fifty-foot wetland buffers are established adjacent to each delineated wetland edge.
24. A revised Conditionally Approved Pending Receipt of Changes (CAPROC) stormwater management permit from RCWD was approved on January 25, 2023. 25. The Planning Commission held a public hearing on the Brown Beagle Columbus Industrial Park PUD CUP application on May 3, 2023.

## **Conditions**

Based upon the above Findings of Fact, the Planning Commission should consider recommending approval of the Brown Beagle Columbus Industrial Park Planned Unit Development Conditional Use Permit (PUD CUP) application to the City Council, subject to the following:

1. The PUD CUP is contingent upon detailed recommendations of the City Engineer.
2. The PUD CUP is contingent upon detailed recommendations of the City Public Works Director.
3. The PUD CUP is contingent upon detailed recommendations of the City Attorney, including but not limited to structuring the final conditions of the PUD CUP for recording.
4. The PUD CUP is contingent upon Phase 1 detailed plan review and approval by the Building Official.
5. The PUD CUP is contingent upon detailed plan review and approval by the Forest Lake Fire Department.
6. The PUD CUP is contingent upon requirements of the Anoka County Highway Department.
7. The PUD CUP is contingent upon requirements of the Rice Creek Watershed District.
8. The PUD CUP authorizes the phased development of the Property, provided Phase 1 shall be completed by December 31, 2024, Phase 2 shall be completed by December 31, 2025, and Phase 3 shall be completed by December 31, 2026. Failure to meet the deadlines established for the Phased Development Approval shall result in a mandatory amendment to the PUD CUP to address the disposition and completion of the proposed development.
9. Phases 2 and 3 require the submission and administrative review and approval of detailed building plans, including floor plans, utility plans, building elevations, and final landscape and screening plans, prior to the issuance of any building permits in either phase.
10. All uses of the Property shall be strictly limited to the Permitted Uses and Conditional Uses allowed in the LI Light Industrial Zoning District.
11. The future lease and occupancy of any building on the Property is contingent upon formal written notice from Brown Beagle to the City with the contact information, business description and zoning use compatibility of each lessee. The City must furnish Brown Beagle with a written letter of zoning compliance prior to the original occupancy or reuse of any building.
12. Outdoor, overnight vehicle and equipment parking shall be limited to those parking spaces on the east and west sides of the buildings; except, no overnight parking is permitted on the east side of Building 1 and overnight parking shall be permitted on the north side of Building 7.
13. The outdoor storage of other approved materials shall be similarly restricted as in Condition #12 above; except, no outside storage may occupy a parking space.
14. Once authorized, Brown Beagle shall construct and maintain all site improvements consistent with the Conditional Use Permit Application, dated January 4, 2023; Planned Unit Development CUP application received February 20, 2023; revised Narrative, dated March 21, 2023; architectural plans (sheets A3.01 and G0.02), by Erik Walker, received April 5, 2023; revised Engineering Plan for Columbus Industrial Park (pages 1-22), by Windsor Engineers, dated March 21, 2023 and received April 5, 2023; except as may be modified with City approval.
15. Approval of the PUD 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, driveway permits, public water connection, and public sewer connection.
16. All site lighting shall be shrouded and downcast.
17. All site signage requires administrative review and permitting.

18. The PUD CUP authorizes the construction of 6-foot-tall vinyl fencing between the buildings in lieu of dumpster enclosures. The fencing shall be extended along the parking lot on the west side of Building 6 and along two sides of the trash dumpster for Building 7. The fencing shall be a non-white color that matches or is complementary to the color schemes of the building exteriors.
19. Buildings on the Property shall be properly maintained, physically and aesthetically, throughout the duration of the PUD CUP.
20. Approved landscaping and screening shall be maintained and replaced, as needed, throughout the duration of the PUD CUP.
21. Upon reasonable notice and a finding that additional parking is needed on the Property, the City Council may require that Brown Beagle construct additional parking as illustrated on the “Proof of Parking” plan, dated February 16, 2023.
22. 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 PUD 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 PUD CUP of any such revocation.
23. Any expansion or intensification or change in the approved use of the Property requires an amendment to the PUD CUP.
24. Brown Beagle shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the PUD CUP, including reasonable attorneys' fees and consultant fees.
25. Brown Beagle shall be responsible to reimburse the City for its out of pocket expenses incurred in the review and approval of the PUD CUP, including any subsequent inspection and enforcement actions.

**5. PUBLIC HEARING AND DISCUSSION – ORDINANCE 23-03 – CHAPTER 7A – ADMINISTRATIVE VARIANCES FOR LOW FLOOR ELEVATION REGULATIONS FOR PRE-1990 DWELLINGS (PAGES 45-46)**

At this point a public hearing was held to consider the proposed Ordinance 23-03 to amend Chapter 7A regarding administrative variances for low floor elevation regulations for pre-1990 dwellings. Separate Public Hearing minutes are prepared. City Administrator Elizabeth Mursko prepared a short presentation regarding this ordinance. City Staff recommends approval with no further amendments.

***Motion Barrette to recommend to the City Council the adoption of Ordinance 23-03 to amend City Code to provide for an administrative variance for minimum low floor regulations for existing residential structures, thereby amending section 7A-803 of the City Code. Second Bobick. Motion carried with Barrette, Bobick, Huntosh, and Carver-Quinn voting in favor.***

**6. PUBLIC HEARING AND DISCUSSION – ORDINANCE 23-04 – CHAPTER 7C/7D – WETLANDS ZONING AND STORMWATER MANAGEMENT REGULATIONS (PAGES 47-74)**

At this point a public hearing was held to consider the proposed Ordinance 23-04 to amend Chapter 7C and 7D regarding wetland zoning and stormwater management regulations. Separate Public Hearing minutes are prepared. The City Engineer Tim Olson gave a report outlining the Ordinance, which amends City Code to be consistent with Rice Creek Watershed District regulations and the State’s Wetland Conservation Act. Councilwomen Hegland asks for amendment from Olson on the Emergency Overflow definition to include the words ‘any property’. Commissioner Bobick asks for an amendment from Olson on the excavation definition to include filling and leveling, rather than being limited to solely digging.

**Motion** Huntosh to recommend to the City Council the adoption of Ordinance 23-04 to amend City Code sections regarding wetland zoning and stormwater management regulations, thereby amending Chapter 7C and 7D of the City Code, including changes to definitions discussed. Second Barrette. Motion carried with Huntosh, Barrette, Bobick, and Carver-Quinn voting in favor.

7. **PUBLIC OPEN FORUM** Nothing at this time.
8. **PLANNING COMMISSIONER'S REPORT** Nothing at this time.
9. **ASSOCIATE PLANNER'S REPORT** At this time Associate Planner Frank Koenen gave an inservice presentation to the Commission regarding the differences between land use and zoning. City Planner Dean Johnson elaborated on the topic by comparing the city's current land use and zoning maps. Due to Columbus being located within the Metropolitan area, land use dictates the zoning, while cities outside of the Metro area operate in the reverse.
10. **ADJOURN** – *Motion* Huntosh. Second Barrette. Motion carried with Huntosh, Bobick, Barrette and Carver-Quinn voting in favor. Meeting adjourned at 6:56 PM.

*Eleanor Hahn*

Respectfully Submitted: Recording Secretary Eleanor Hahn.