

**CITY OF COLUMBUS
PUBLIC HEARING
9203 LAKE DR. CONDITIONAL USE PERMIT FOR PLANNED UNIT
DEVELOPMENT AND SITE PLAN REVIEW (PC19-122/123)
10.02.19**

The October 2nd, 2019 Public Hearing to consider a conditional use permit request for a Planned Unit Development (PUD) to allow a retail business and proposed deviations to the Commercial Retail Design Standards within the C/R Community Retail zoning district, was called to order at 7:19 p.m. by Chair Ron Hanegraaf at the City Hall. Present were Commission members: Pam Wolowski and Barb Bobick; City Administrator Elizabeth Mursko; City Planning Technician Ben Gutknecht; City Planner Dean Johnson; Public Works Superintendent Jim Windingstad; and Recording Secretary Rochelle Busch.

Also, in attendance were Mayor Jesse Preiner; City Council Member Denny Peterson, Janet Hegland and Shelly Logren; Todd Mohagen, Dick Haluptzok, Shirley Walden, Joe Pribyl, Josh Pribyl, Mike Bauer, William Norton, Arlen Logren, Tom Norton, Mark Kronbeck, Cindy Angel, Deb and Mike Jordon, Aaron Waller, and John Young.

Hanegraaf: We'll to item number 11. Public Hearing and Discussion 9203 Lake DR NE. Oh, you're on the old one.

Wolowski: Oh no wonder I've been behind.

Hanegraaf: Item number 9 to consider your right... we're on number 10.

Wolowski: You have the old one.

Hanegraaf: Okay, number 10 9203 Lake DR NE. Request conditional use permit request for a Planned Unit Development to allow a retail business and proposed deviations to the Commercial Retail Design Standards. 2 Enclosures and engineers reports to be emailed prior to Planning Commission Meeting. A11-A13. Rochelle can you read the public notice?

Notice was read at this time by the recording secretary.

Hanegraaf: Thank you, Rochelle. At this time, I'd like the applicant or their representative to step forward to the table upfront. You could give your names and your addresses? I know there's only 2 microphones, so you'll have to share them. Why don't we go from the left to the right?

Waller: Good evening. Thanks for having us. I'm Aaron Waller with R.J. Ryan Construction. I submitted this application on behalf of Viking Industrial. My address, personal or business?

Mursko: Business.

Waller: Business 1100 Mendota Heights Road, Mendota Heights MN.

Hanegraaf: Thank you.

T. Norton: I'm Tom Norton with Viking Industrial Center. Address is 710 Raymond Ave. ST. Paul MN 55114.

Kronbeck: Hi, I'm Mike Kronbeck with Alliant Engineering 733 Marquette Ave, Minneapolis. We did the survey, wetland delineation and civil and landscape plan that were submitted.

W. Norton: I'm William Norton, I'm the owner and president of Viking, Tom's my son. My Address is 710 Raymond, Viking, St. Paul. Etcetera.

Hanegraaf: Well, I don't know who we want to start off with first. Who would like to state what, maybe the owners, or whatever, what you plan to build here and what your business is about and get going on that?

T. Norton: What were looking to do is expand into Columbus. Currently we have 3 locations. One is in St. Paul, another one is in Vadnais Heights and the third one is in Duluth. What were looking to do is we're a growing business and we need to expand. And so, what we've looked at is moving into the Columbus area off of 97 there, in order to better serve our customers. So, what we're looking to move up there is corporate along with the retail space for contractors, general public, people who we serve, to come in, buy their product and also the warehouse behind it to keep the shelves stocked. We've been in business since 1958. And so, like I said, we're growing. Our main clientele, what we do is sell safety products, so that would be gloves, hard hats, safety vests, fall protection. We also sell fasteners, so that's going to be basically everything from concrete to roofing screws, to pole barn screws. All varieties of those construction anchors and that's the bulk of our business, that's what we do.

Hanegraaf: Tom is this a building, this warehouse that you talk about, is that going to be a warehouse for all the places?

T. Norton: Each place is going; each location is going to be large enough mostly hold the bulk of its inventory. It comes down to logistics of us being able to, the less we touch it the better. And so, we would like to put up a building that we can start off and maybe we can even expand further into as well. The answer is I hope not. It's a lot easier for us, and a lot less expensive for us to, we buy products from manufacture to have it go directly to the location that it needs to be filled back up at.

Hanegraaf: Thank you. William you look like you want to say something.

W. Norton: No, I was just going to mention I believe somebody here visited our Vadnais Heights store, so they have an idea of what our particular line of products and so forth is. I want to emphasize something. The company itself has been around since 1959/58 depending on how you do the counting. Its owned by myself and one of my brothers. So were not talking about a New York hedge fund that's coming in out of nowhere. We have roots in this community that go

back to about 1890/1880 however judge all that. And the reason we are attracted to this location is we see the growth potential. Number two 35E and W split there, that assist our sales reps our drivers to be able to cover the entire northern part of the Twin Cities from a single location and its also sufficiently close to our Duluth branch, that helps us when we decide where we want to move a little bit of our product around. I'm willing to bet that some of our product is in this building. I as looking around to see if I saw any strut or not. But we sell just about to everybody. All the contractors in the Twin Cities area.

Hanegraaf: Well, thank you. So, I know I've said this before but you're like a Fastenal.

Wolowski: No, don't say that...

W. Norton: We're not offended, first of all, we helped start Fastenal. My Father... Tom is 3rd generation, I'm 2nd generation, my father Thomas Norton helped Bob Kierlin get Fastenal started back in the early 60's. There a wonderful company. And to everybody else there worried about Amazon, we look at Fastenal and we also look at Granger. There are two, they're not even our competitors, because there 2000 times our size. There are other smaller companies in the twin cities that we consider to be our competitors. But it's a small business we all know each other. Some of our people have worked at other places and so forth. The idea is for the small contractor or perhaps a general that has a nearby job location, to be able to come in get their hardhats their screws, their fall protection, whatever and be able to get out to their site. You hear the ads for Granger saying "we'll get the job done today" or whatever their particular logo is, we've been doing that since the early 60's. My father was the first person to combine the idea or selling fasteners to the jobsites with the safety part of it. The most important thing we do, in my humble opinion is, we save life's. My background is, I'm a lawyer, I've established planned unit developments. I'm an expert in condominium and townhouse law. I've been to a lot of these meetings, sat on a lot of the boards. When my father passed away in 2003, I inherited the responsibility, but not the ownership of running his basically hardware store on steroids. And we've done a lot of work with personnel and computers, and on and on and on, over the years and we're finally ready to break out to the next level and for me to be able to turn over within about 15 years or so, the ownership and company to the next generation. And many of you who are entrepreneurs who are in the private sector, know that the chances of any company serving the first 5 years, is small. The chances of passing it on to the 2nd generation, maybe 1 in 10. The 3rd generation. So, we're very proud of what we've accomplished. I'm the oldest of 9 children. Everybody else has redeemed their shares of the ownership of the company, except for 1 other brother who is a partner. But the 2 of us own the company, lock stock and barrel.

Hanegraaf: Thank you Bill, and I apologize for the Fastenal comment.

W. Norton: I was going to mention our 401k owns Fastenal. We're part owners of Fastenal.

Hanegraaf: Well, we're probably all part of that. So, you want to build this building, and R.J. Ryan is going to be the contractor then? Right, so this building is, I looked at the photos and that, I'm not an architect, I'm not anything, but do you see any problems going in there?

Waller: No. No.

Hanegraaf: No.

Waller: No, its...(unintelligible)

Hanegraaf: Precast, like tip-ups?

Waller: There fabricated these panels... (unintelligible)...The building itself when it starts to go up... (unintelligible).

Hanegraaf: That FabCon.

Waller: Fab con(unintelligible)... and we've added some architectural features on the outside of it to help get closer to the zoning that you guys were calling for in that area. We've added some architectural metal panels, we've added some masonry components to the outside, some furnished block, some sun shades...(unintelligible)... We've tried to make it more appealing...(unintelligible)... We've worked with Tom and with Tom's approval, done some further improvements to the exterior to try to make this more appealing as it is one of the first properties that you guys will see coming off the interstate.

Wolowski: I have a couple questions please. Can you tell me a little about the headquarters? Are you going to be hiring people up here? How many people are we going to have up front? How many people are we going to employ?

T. Norton: Well to start things out for us is, currently we own everything we have. This is going to be one of the first projects where we actually take a loan out to do something. And so, I am going to kind of baby step that. I'd hate to see us take a bad step. I'd like to start off with as many current employees as possible, but I am adding another location so there's going to be shifting around. The idea would be, absolutely, we're growing. That's the hardest thing we have actually as a company is finding good employees. Because at our size, we can't really afford to have minimum wage employees. We need people that can come in, it's a very livable wage, because we need that level of competency in every employee we have. So yes, currently off the top of my head what I would have there, probably 5 or 6 people in the corporate end of things, probably looking, depending on how busy I can get this store to be, going to be a little bit of work to let the guys know where we are. But I think its going to be pretty good for them too. But the store probably would have 3-4 employees and the warehouse behind it, a handful, 3 or so. Part of it, if I can get it as, the whole point is to get it busy, to get as many people coming off the freeway. The reason I see this location is twice a week, I live in Lino lakes, right off of Lake Drive here, and I take Lake Drive up 97 stop at the Holiday gas station in the morning about 5:30 on my way up to Duluth twice a week, and its nothing but our contractors that we do work with, customers. What their doing is, their coming in from wherever they live, North Branch, Forest Lake, they stop, get their coffee, then they pick which way they're going to go down the freeway, 35E 35W. So, if I'm conveniently located right down there, rather than them just getting their coffee and hopping right back on the freeway, they can swing over and visit me. Same as on their way home. That's where

we see this as an advantage. And as the area gets more developed even better for us, if there is a sandwich shop or something next to it, I mean that's great. So as busy as, you know, we want to get as busy as possible for, obviously you have to have a supporting staff to do that. But in the beginning, we're rolling the dice here.

Wolowski: Thank you. Good to know.

Hanegraaf: What kind of hours, does a business like this go? I mean do you go till 9 at night?

T. Norton: Currently what we've been doing, I just cut the hours back actually. But we are 7am until 4:45. I cut it back to 7am to 4pm. This location, I keep scratching my head because I'm going to have to change things, because I'm at that Holiday gas station at 5:30, these guys aren't going to wait around for an hour and a half for us to open the door. Which is going to have to mean we expand our hours. There's the challenge of running multiple shifts, vacation time, and lunch hours, and stuff like that. But I don't see any other way to operate this location up here than, people need to be able to get there, before they get to wherever they're going, which is going to be early in the morning. And on their way home, especially with the traffic on 35W, I don't get home till 5 o'clock coming up from St. Paul. So, I'm not sure how late I'm going to be open. Whatever makes the most sense, as long as we have people coming in.

W. Norton: My plan, and it ultimately falls to me, is right now we close at 4, because that's when our customers all leave the jobsites and so forth. But I'll probably have myself, I usually leave at 8 or 9, I might have one other person there just to make sure we're taking phone calls or whatever like that. But what's going to happen is its going to be very early in the morning, late afternoon, the place will shut down except maybe for 1 or 2 employees counting myself.

Hanegraaf: And is this Monday through Friday?

W. Norton: Yes. We've tried Saturday and I could cry. I go by Menards and the place is jam full and our place is dead. Because our customers like to have their weekends too. Now if you could figure out a way to make it happen otherwise I would. But we've tried that, and it doesn't work.

Hanegraaf: Barb, do you have anything?

Bobick: Well, I was just wondering about your hours, I know the contractors usually like to get their stuff for the following day and these hours are kind of difficult for them, because a lot of them start work early and they stay late at the site. So, what do you do then, do you have like on-call or a city desk?

T. Norton: We have, that's partially accurate from what we've experienced. That's what we were saying we'd start earlier for the people that would want to hit the freeway earlier. A lot of times like to get in and beat the traffic. So, that's where I would have to adjust the hours. I'm almost positive to open up early, that's like the 5:30 6am early. But then because we're further north, I would have to extend those times further out. A lot of time contractors, typically unless they're really trying to hit a deadline, I mean correct me if I'm wrong, but in the summer but by about 3

o'clock anybody who has purchasing power is typically gone. In the summer when its hot, they start early leave early.

Waller: I would agree with that. Its unfortunate we want to see people stay there later. But 3 o'clock its pretty dry on the job site.

W. Norton: We don't have short hours because of laziness. I would wish that they would be extended. But we have to earn the reason to do that. Right now we were basically wasting money and paying for people who don't need to be there. And they're sitting looking at their phones kind of dropping hints about the weather and all that kind of stuff. And we don't want to put our employees through a lot of kind of grief. Its for the same reason were not open on Christmas day. It simply, I wish the business model is such that it, we tried it and thus far it hasn't worked. But because this is going to be a little bit new for us, we are obviously going to experiment a little bit and see what happens. What ever works is what were going to do.

Hanegraaf: Is your headquarters now in St. Paul?

T. Norton: Correct.

Hanegraaf: Okay. I just want to switch topic here. And I maybe ask Elizabeth, I was looking at the diagrams here. Is that going to be a mutual driveway there or what's the story on that?

Mursko: Ben, can you bring up the site plan? This is a little bit unusual situation. And Ben, if you can just move it just to the north a little bit so I can set up the area. I need Lake Drive on there, yeah. So, when you look at this site here, Zurich Street is to the south but its just off set. So, it's just a little bit more to the west. Their property is a little bit to the east. So, there's a left turn lane and a traffic light at that intersection, of which this property doesn't align with. So, we did have a meeting with Anoka County early on in their application process, asking what Anoka County would allow for this access for this property. And they would not allow access further to the west because it would affect the left turn lane and they didn't want traffic crossing the left turn lane. And so, in this particular diagram you see that they moved the access to the property line and it's a right in right out. And you are correct there are two 6-foot parcels that are owned by properties to the north of this site. And those driveways go to two homes. Currently, in this, on the northerly portions are properties we've had some boundary issues, meaning that houses cross lines and they weren't quite sure where lines were. So, I'm not sure whether when they initially put the driveways in whether they thought they were on the property, whether they were on their property that they owned or not but yes, driveways encroach on this property, but then kind of weave back into their own property towards the north. I couldn't quite tell by this diagram whether or not there was going to be a shared access and then the driveways were going to be accessed from here or not. I didn't have the opportunity to ask the applicant whether he had talked with the neighbors to see how they felt or whether they had some concerns as to how they were going to access their property. I think we can hear from the applicant and or Aaron to see what they propose to do with the driveways and access.

Aaron: As for the financials, Tom will have to speak to that. I would assume there's probably going to be some kind of joint effort to get the driveways relocated. Currently the eastern drive lane encroaches on the existing property. I think this is something that's gone back for decades, but the platting process on this particular stretch of Lake Drive. So, if you look at the current house, you'll actually see the property line cuts the house in half. So, half of the existing house is over onto the western property as well. So, they'll be some kind of shared driveway here it hasn't been finalized but what we are depicting now on the plans is that there is a, the neighboring property for these two northern properties will be some kind of access or easement or agreement that will be made and allowed to come out in this right in, right out drive entrance.

Hanegraaf: Does Anoka, they don't want two driveways sitting side by side like that then?

Mursko: You know when you talk to Anoka County, they always want shared common access points. They don't like multiple access points when it comes to their roadway. Because the travel speed is 55 miles per hour. We have seen that through plotting. They don't require someone to share an access its usually an access point that is common. So, in this particular case if they decide that, no they want their own driveway and access, I think what's going to happen is it will be a larger access point. I'm not sure how that would work with a right in, right out. Whether people would get mixed up with the driveway into the business and exactly how that would work. When we do platting you have a property line, they allow 30 feet, either side, so there's the 15-foot access on either side so you can have your own driveway. And then you have a common culvert and common aprons for access point, but this is a little bit different because you have two home owners and then a business. Different types of traffic. So, I'm not sure we've resolved that to date, and certainly we could have a subsequent meeting where we could work out how that's going to lay out the encroachment agreements and all of those things if there is. Whether it's a shared access, again we can talk with Anoka County, because I realize that right in, right out if not your ideal access at this point.

W. Norton: We have no strong preference one way or another.

T. Norton: It was Anoka County who actually brought this idea to us. The idea was that they didn't want to see a bunch of driveways for safety reasons. They don't want, with the speed limit there, every business that ends up on this road, to have its own entrance. So, this was kind of a way to kind of start off, kill 2 birds with 1 stone. We put in a driveway let them access into it. Is it ideal? No. but were willing to work with it.

Mursko: I think for the Planning Commission overall however, this is probably a good interim step, for this business. Is it a good long term plan? Probably not. We have several businesses along here that we know have bought property and will need access. So, I do think as a next measure we do need to look at overall how will access work from lake drive to the northerly properties to Eco-Fun Sports when they develop to the property next door. They happen to be the first ones in, so the right in, right out model will work for it. But I think that leads to other problems and in this particular case one that was identified, and I did talk to public works briefly about this, so you come out of here and you're going to take a right turn out and you have a traffic light. That traffic light will not allow you to take a U-turn. There physically is not enough room for you to go, and

do a normal U-turn, because there's no median its just painted. And right now, Zurich is a no haul route. And although at the last council meeting, we talked about what is the definition of a truck on a haul route and that's still yet to be determined. So, in this particular case. As we were talking, we were saying okay where will these people turn around? Because they want to go back to the freeway. So where will that be? Will they drive all the way to Camp Three? Will they turn around in driveways? Will they go down Zurich? How will they get back to the freeway? And I still think there is some discussion to be had on how that will function. Because everybody will be making right turn while they maybe going down Lake Drive catching 35W that way, it is shorter, but if you want 35E, you're going to want to go the other way.

Wolowski: Too bad that light wasn't a roundabout.

Mursko: Yes. So, I do think we have to have some further conversation on how that is all going to work.

Wolowski: From my understanding you can have any size, your customers can be driving cars, trucks. So, your access in here you could be pulling in dump trucks.

T. Norton: Well there would be a dump tuck to empty the garbage.

Wolowski: But what kind of...

T. Norton: 90% of what comes in there is pickup trucks.

Wolowski: Pickup trucks, okay.

T. Norton: Or work vans.

Wolowski: Okay so not semis.

T. Norton: Well there would be some semis coming in. But that's maybe 10% of traffic at most. I mean most of the traffic that comes in are people shopping.

W. Norton: Let's not kid ourselves. A lot of our material that would be delivered would be us with the loading dock would be coming in on semis.

Wolowski: So, they'll be coming in, going back to unload.

W. Norton: That is correct.

Wolowski: And maneuverability. Then they have to come back out, have to make a right out. Yeah that's kind of.

W. Norton: Well its designed so that they can turn around in the parking lot.

T. Norton: But it's a right out.

Wolowski: It's right out though.

W. Norton: Right, okay.

T. Norton: They can only go that way so they would have to go back down Lake Drive. Or figure, make a loop somewhere.

Wolowski: Yeah that's just, yeah that's a big concern isn't it?

Bobick: Yep.

Hanegraaf: I know some people will sneak through Running Aces. I bet you that's going to happen. But that's life.

Wolowski: Oh, I see what you mean. Take a left on Zurich come through Running Aces and come back out.

Hanegraaf: Right.

Bobick: But see that trucks can't or aren't supposed to be on there.

Wolowski: So, we do have a little bit of a traffic flow concern.

Hanegraaf: But most of your, like I said, most of your traffic though customers are in pickup trucks.

Wolowski: They'll maneuver around.

Hanegraaf: They're not big rigs.

T. Norton: No, no.

Hanegraaf: Yeah, I mean you'll get them, but.

T. Norton: Of course, yes. Well be receiving shipments in. But the bulk of it is that way. For us that's not the most ideal solution right away. I think it would certainly work in the immediately. But then we've talked about a couple of ideas that I think might work better in the future.

Hanegraaf: Well the convenience of having your business there, offsets the other inconvenience. Your close.

T. Norton: That's what I'll tell them.

Hanegraaf: So, I got a question that doesn't mean a lot. So, what do you do, take a half of that building down? The house?

Aaron: Nope, no. The property owners to the west which I believe is M&M Endeavors. Its an entity that I think rents the house. We'll need to get in contact with them. We have yet to do that. We've been trying to find their information so if anybody has that, we will accept that. Maybe they're in the audience. We're trying to track them down just to let them know, were going to take that and restore that to grass. IT will be Impervious surface.

Hanegraaf: But you'll take the whole home down?

Aaron: The whole building will be taken down. Obviously, they'll have to know about it being its half on their property.

Hanegraaf: Pam have anything?

Wolowski: No, I think I got it covered.

Hanegraaf: Barb?

Bobick: No.

Hanegraaf: Well should we...

W. Norton: Thank you for your time.

Hanegraaf: Well thank you. You're very informative. I guess we'll open it up here in a minute, if you can have a seat in the back here. Im supposed to say we have the right to call you back. Thank you. Okay its time to open up the hearing to the public. Anyone who has any interest in this matter can step forward and present testimony as evidence on this issue? I wonder how long you got to wait. No body stepped to the restroom, did they?

Wolowski: I don't think so.

Hanegraaf: Okay, well nobody is stepping forward. So, we'll close the hearing and have a discussion.

At this time Chair Hanegraaf closed the Public Hearing. Hearing closed at 7:50 p.m.

Respectfully submitted:

Rochelle Busch, Recording Secretary