



# PLANNING COMMISSION

City Hall—Council Chambers, 3989 Central Ave NE

Tuesday, May 07, 2024

6:00 PM

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## AGENDA

### **ATTENDANCE INFORMATION FOR THE PUBLIC**

*Members of the public who wish to attend may do so in-person, by calling 1-312-626-6799 and entering meeting ID 252 586 988 371 and passcode ugquG3 on Microsoft Teams. For questions please call the Community Development Department at 763-706-3670.*

*Auxiliary aids or other accommodations for individuals with disabilities are available upon request when the request is made at least 72 hours in advance. Please contact Administration at 763-706-3610 to make arrangements.*

### **CALL TO ORDER/ROLL CALL**

### **APPROVE MINUTES**

- 1. Approval of April 2, 2024 Planning Commission Meeting Minutes**

### **PUBLIC HEARINGS**

- 2. Interim Use Permit for a Seasonal Fireworks Sales Tent at 4001 Central Avenue**  
**MOTION:** Move to waive the reading of draft Resolution 2024-PZ03, there being ample copies available to the public.  
**MOTION:** Move to adopt Resolution No. 2024-PZ03, being a resolution approving an Interim Use Permit for a fireworks sales tent at 4001 Central Avenue NE, from June 17, 2024 until July 10, 2024 within the City of Columbia Heights, Minnesota, subject to certain conditions stated in the resolution.
- 3. Zoning Ordinance Amendment to amend 9.106 General Development Standards (M) Landscaping and Screening to include Tree Preservation and Planting Standards**  
**MOTION:** Move to waive the reading of draft Ordinance amendment No. 1696, there being ample copies available to the public.  
**MOTION:** Move to recommend that the Planning Commission give a positive recommendation on draft Ordinance amendment No. 1696 to City Council to approve draft Zoning Ordinance Amendment No. 1696 as presented.
- 4. Zoning Ordinance Amendment to amend 9.107 Specific Development Standards (16) Day Care Centers**  
**MOTION:** Move to waive the reading of draft Ordinance amendment No. 1697, there being ample copies available to the public.  
**MOTION:** Move to recommend that the Planning Commission give a positive

recommendation on draft Ordinance amendment No. 1697 to City Council to approve draft Zoning Ordinance Amendment No. 1697 as presented.

**5. Minor Subdivision for 5085 Central Avenue NE**

**MOTION:** Move to waive the reading of draft Resolution No. 2024-036, a Minor Subdivision for 5085 Central Avenue NE, there being ample copies available to the public.

**MOTION:** Move to recommend the Planning Commission give a positive recommendation to draft Resolution No. 2024-036, a Minor Subdivision for 5085 Central Avenue NE, and recommend City Council approve draft Resolution No. 2024-036 as presented and subject to the conditions of approval listed in the draft resolution.

**6. Site Plan Review for 5085 Central Avenue NE**

**MOTION:** Move to waive the reading of draft Resolution No. 2024-037, a Site Plan Review for 5075 Central Avenue NE, there being ample copies available to the public.

**MOTION:** Move to recommend the Planning Commission approve draft Resolution No. 2024-037, a Site Plan Review for 5075 Central Avenue NE, as presented and subject to the conditions of approval listed in the draft resolution.

**OTHER BUSINESS**

**ADJOURNMENT**

*Auxiliary aids or other accommodations for individuals with disabilities are available upon request when the request is made at least 72 hours in advance. Please contact Administration at 763-706-3610 to make arrangements.*

**MINUTES**  
**CITY OF COLUMBIA HEIGHTS**  
**PLANNING COMMISSION MEETING**  
**TUESDAY, APRIL 02, 2024**  
**6:00 PM**

The meeting was called to order at 6:00 pm by Vice Chair Sahnou.

Boucher noted that there were two new Commissioners and asked that they would introduce themselves.

Paul Moses introduced himself and noted that he has lived in the City for over 11 years and works at Cummins Power Generation.

Ahmed Maamiri introduced himself and explained that he moved to the City last year and was previously living in Fridley. He explained that he is a business owner and would like to bring his perspective to the Commission.

**CALL TO ORDER/ROLL CALL**

Commissioners present: Eric Sahnou, Tom Kaiser, Laurel Deneen, Paul Moses, Ahmed Mamiri, and John Gianoulis

Commissioners absent: Clara Wolfe

Also present: Aaron Chirpich, Community Development Director; Andrew Boucher, City Planner; Sarah LaVoi, Administrative Assistant; Mitch Forney, Community Development Coordinator; Connie Buesgens, Council Liaison

Chirpich explained that since President Wolfe was absent, and Vargas was no longer on the Planning Commission, there would need to be a vote for a new Vice Chair. He reordered the agenda to first consider item 3.

**3. Vote for New Chair and Vice Chair (Terms from April 2024 - March 2025).**

Kaiser nominated Sahnou. Deneen seconded the nomination.

*Motion by Kaiser, seconded by Deneen, to nominate Eric Sahnou as Vice Chair of the Planning Commission. All ayes. MOTION PASSED.*

**1. Oath of Office/Introductions (Three Commissioners; April 2024 - March 2027).**

Sahnou noted that the new Commissioners had already signed the Oath of Office.

**2. Overview of Boards and Commissions/Orientation.**

**APPROVAL OF MINUTES**

**4. Approval of February 6, 2024 Planning Commission Meeting Minutes**

*Motion by Kaiser, seconded by Gianoulis, to approve the minutes from the meeting of February 6, 2024. All ayes. MOTION PASSED.*

## PUBLIC HEARINGS

### 5. Minor Subdivision (Lot Line Adjustment) 334 and 344 40th Avenue NE

Introduction: Boucher explained that Michael Gondek, owner of Gondek Properties LLC, has requested approval of a Minor Subdivision, per City Code Section 9.104 (k), for abutting parcels of land located at 334 and 344 40th Avenue NE. The subject sites are both zoned GB-General Business. 334 40th is occupied by a small two-tenant commercial building, and 344 40th, is occupied by a single-family home. The properties are located near commercial uses to the west, northwest, and southwest. To the north and east of the subject sites there are single-family homes. The applicant is the owner of both properties, and they are requesting the lot line adjustment because some of the parking area for the commercial property at 334 40th is located on the single-family lot at 344 40th. This condition was created when the owner purchased the adjacent single-family home to provide more off-street parking for the commercial property. The proposed lot line adjustment will allow the commercial parking area to be fully located on the commercial parcel at 334 40th. To be noted, the applicant is also proposing to establish a 35' X 16' driveway easement, and 20' X 20' parking easement on the commercial property (post lot line adjustment) that will be in favor of the single-family parcel. These easements will allow future users/owners of the single-family residential property access and parking on the commercial property. The single-family residential property also has parking to the rear of the site that is accessible from the alley to the south. Should the easement be vacated in the future, the single-family property will still have adequate parking on-site.

Boucher reviewed the issues and analysis:

**Lot Requirements.** In consideration of the minor subdivision application, a determination should be made that the newly created lots meet the minimum lot area and width requirements of the applicable GB-General 38 Business zoning district. According to Section 9.110.C of the Zoning Ordinance, lots within GB Districts must have a minimum lot area of 6,000 square feet and a minimum width of 40 feet.

Presently, the west parcel (334 40th Avenue) measures approximately 12,910 square feet in size and has a width of 105 feet. As a result of the proposed lot line adjustment, the parcel would be increased to 15,230 square feet in size and increased in width to 132 feet on the north end of the parcel (along 40th Avenue).

Presently, the east parcel (344 40th Avenue), measures 8,610 square feet in size and has a width of 70 feet. As a result of the proposed lot line adjustment, the parcel would be decreased to 6,290 square feet in size and decreased in width to 43 feet on the north end of the parcel (along 40th Avenue). Both proposed lots meet the minimum area and lot width requirements of the GB District.

**Setbacks.** The proposed lot line adjustment will result in a change to side yard structure setbacks. According to Section 9.110.C of the Zoning Ordinance, lots within the GB District do not have side yard setback requirements, as structures can be placed right up to the side yard property line. As a result of the proposed lot line adjustment, part of the side yard structure setback for the commercial building on the west parcel will be increased from 1.3 feet to 28.3 feet while the side yard setback for the single-family home on the east parcel will be reduced from 35 feet to 8 feet. After the adjustment, both proposed lots will meet the minimum structure setback requirements of the GB District. The minimum side-yard parking setback in the GB District is 5 feet. The proposed lot line adjustment will bring the existing commercial parking area fully onto the commercial lot. The side yard setback for the parking area after the adjustment will result in a compliant 5-foot setback.

**Easements.** The submitted survey does not illustrate any drainage and utility easements upon the subject properties. Thus, it is not necessary to vacate an easement along the shared side lot line. As previously mentioned, the applicant is also proposing to establish a 35' X 16' driveway easement, and 20' X 20' parking easement on the commercial property (post lot line adjustment) that will be in favor of the single-family parcel.

**Recording.** As a condition of minor subdivision approval, the applicant will be responsible for the filing the approved subdivision with the Anoka County Recorder's Office. If the minor subdivision is not filed with the Anoka County recorder's Office within one year of the date of City Council approval, it will become invalid.

#### **FINDINGS OF FACT**

Section 9.104 (K) of the Zoning Code outlines specific conditions in order for the City Council to approve a minor subdivision. They are as follows:

1. ***The proposed subdivision of land will not result in more than three lots.*** The proposed subdivision will result in two conforming lots.
2. ***The proposed subdivision of land does not involve the vacation of existing easements.*** No vacation of existing easements will occur as a result of the minor subdivision.
3. ***All lots to be created by the proposed subdivision conform to lot area and width requirements established for the zoning district in which the property is located.*** Both newly created lots will conform to the lot width and lot area requirements of the applicable GB-General Business zoning designation.
4. ***The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.*** The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.
5. ***The property has not previously been divided through the minor subdivision provisions of this article.*** The subject property has not previously been subdivided via a minor subdivision process.
6. ***The proposed subdivision does not hinder the conveyance of land.*** The proposed subdivision will not hinder the conveyance of land.
7. ***The proposed subdivision does not hinder the making of assessments or the keeping of records related to assessments.*** The proposed subdivision is not expected to hinder the making of assessments or the keeping of records related to assessments.

8. ***The proposed subdivision meets all the design standards specified in Section 9.115.*** As a condition of minor subdivision approval, all applicable design standards of Section 9.115 of the Zoning ordinance must be satisfied.

Recommendation: Staff review finds that the proposed Minor Subdivision (lot line adjustment) application meets the requirements of the Zoning Ordinance. As a result, Staff recommends that the Planning Commission recommend approval of the proposed Minor Subdivision for the properties located at 334 and 344 40th Avenue NE, subject to certain conditions.

Questions/Comments from Members:

Kaiser asked if the applicant intends to expand the parking lot of the commercial property and if that was part of the scope of work.

Boucher replied that it is not the applicant's intent and instead is trying to organize everything so that there would not be any nonconformities in case he would like to sell the commercial or the residential property in the future. There are no longer term plans for this.

Deneen asked if it was a rental property or if the owner lived in the home. Boucher replied that he believed that the owner lived in the home currently.

Sahnow noted that the nonconforming property in this case is the commercial property. Boucher explained that technically both properties were nonconforming.

Sahnow asked if the pavement from the parking lot was taken off of the residential property, would the commercial property would still have enough parking to meet the Ordinance for that commercial property. Boucher replied that he did not look into that and would have to come back with the answer.

Chirpich explained the history of the property and noted that it is incomplete but at some point the commercial property owner acquired the single property because he was getting parking. He added parking to the single family property without going through the motions of the lot line adjustment. A building permit is not needed for a driveway. Thankfully, the owner has the authority to make it right.

Sahnow noted while the revised lot line meets the zoning requirements for minimum lot sizes, it seems to reduce the viability of the property if the owner would like to sell it. If the asphalt was removed and the current lot line was kept from the residential property, it would maintain a wide property line. Boucher agreed and also noted that if the parking lot was not removed it would still be nonconforming and would have a barrier.

Kaiser asked if Chirpich replied that it is a functionally obsolete property and does not have a permit use itself and is legally nonconforming. The property was conforming at the time it was built. Boucher added that since it is legally nonconforming, the property owner would not be able to expand upon the use due to the zoning use not allowing it.

Moses asked if the recommendation was to move the lot line due to not enough parking spaces. Boucher replied it was due to parking setbacks. Moses asked if the proposal was to move the lot line to the residential property so that there would be enough of a setback. Boucher agreed.

Deneen asked if the bituminous on the back of parcel A was a driveway going into a garage. Boucher replied that it was asphalt and a driveway.

Public Hearing Opened.

There were no public comments.

Public Hearing Closed.

*Motion by Gianoulis, seconded by Moses, to waive the reading of the draft Resolution 2024-19, there being ample copies available to the public. All ayes. MOTION PASSED.*

*Motion by Deneen, seconded by Sahnou, that the Planning Commission recommends to the City Council to approve Resolution 2024-19, approving a Minor Subdivision (lot line adjustment) for the properties located at 334 and 344 40<sup>th</sup> Avenue NE, within the City of Columbia Heights, Minnesota, subject to certain conditions stated in the resolution. All ayes. MOTION PASSED.*

**OTHER BUSINESS**

**6. Review Purchase of 4416 Central Avenue NE**

Introduction: Boucher stated pursuant to State Statute, Section 462.356, Subdivision 2, the Planning and Zoning Commission (the "Planning Commission") in and for the City is required to review and ultimately determine that the proposed acquisition of real property by the City's Economic Development Authority (EDA), conforms to the Comprehensive Plan of the City. Therefore, the EDA has requested that the Planning Commission review the acquisition of 4416 Central Avenue NE, Columbia Heights, MN 55421 (the "Subject Property") to determine if its acquisition conforms to the Comprehensive Plan of the City.

Boucher noted The EDA has a long-standing practice of acquiring blighted single-family homes to facilitate scattered site redevelopment, and the proposed acquisition of the Subject Property responds to several goals and policies adopted in the Comprehensive Plan. Specifically, in Chapter 3: Land Use. Below are the specific goals and policies from the Comprehensive Plan that directly and indirectly correlate to the conformity of the proposed acquisition.

**LAND USE AND REDEVELOPMENT**

*Goal: Provide mechanisms for successful redevelopment of vacant lands and targeted areas within the community.*

1. Enhance the image and viability of the Central Avenue corridor while protecting and enhancing adjacent residential areas.

2. Encourage infill development that demonstrates compatibility with existing neighborhood characteristics in terms of quality, design, building height, placement, scale, and architectural quality.

Questions/Comments from Members:

Deneen asked what about the property would be considered blighted and how did it come to the attention of the City. Chirpich replied that it is not a blighted property or poor condition but is certainly functionally absent. He added that the City has a specific redevelopment program that targets properties such as the one being discussed. The property came to the attention of the City through the owner's family since the occupant had passed away and the property got transferred to the siblings. The new owners were aware of the City's initiative and contacted the City to make Staff aware of the property. He noted that the EDA has discussed that the depths of the lots are challenging on the corridor and it is a long term strategy of acquiring the properties to create deeper commercial lots. He added that it is likely that when the Comprehensive Plan is reviewed, Staff will identify blocks or areas that could be envisioned for larger redevelopment efforts.

Buesgens explained that two Council's ago, they voted to start to try to acquire the small houses on Central Avenue for redevelopment. There were 22 houses at the time and 3-5 homes have been acquired by the City since then.

Ahmed asked if the house was ever put up for public sale. Chirpich replied that it was not.

Deneen asked what the plan was for the lot and if they were going to decommission or demo the house. Chirpich replied that it will be a vacant lot and it is still being determined on how it will get to that point. Currently, the Fire Department is working on their training exercises. The EDA has engaged with Deconstruction Services Company and will continue to work with them to determine how much value can be extracted from some of the building materials.

Buesgens noted that one of the advantages on purchasing the house is that it gives the City leverage so that it gives the City some control if a developer comes in. Kaiser expressed his gratitude for being so proactive.

Deneen stated that she likes that the City is bringing in decommission agents because sustainability is important. Gianoulis agreed.

Moses asked if Staff had received any feedback from surrounding neighbors on what they thought about the lot. Chirpich replied that Staff have engaged with the nearby multifamily property to let them know that it was coming. He added that the process with the current home owner has been well received.

*Motion by Kaiser, seconded by Gianoulis, to waive the reading of Resolution 2024-PZ02,, there being ample copies available to the public. All ayes. MOTION PASSED.*

*Motion by Moses, seconded by Deneen, to adopt Resolution 2024-PZ02, a resolution finding that*



*the acquisition of certain land for redevelopment purposes by the Columbia Heights Economic Development Authority is consistent with the City of Columbia Heights' Comprehensive Plan . All ayes. MOTION PASSED.*

**ADJOURNMENT**

*Motion by Gianoulis, seconded by Moses to adjourn the meeting at 6:45 pm. All ayes. MOTION PASSED.*

Respectfully submitted,

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Sarah LaVoie, Administrative Assistant



AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	MAY 7, 2024

ITEM:	Interim Use Permit for a Seasonal Fireworks Sales Tent at 4001 Central Avenue	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner – 04/16/24

**CASE NUMBER:** 2024-PZ03  
**DATE:** May 7, 2024  
**TO:** Columbia Heights Planning and Zoning Commission  
**APPLICANT:** Renaissance Fireworks  
**LOCATION:** 4001 Central Avenue NE (PID 36-30-24-32-0248)  
**REQUEST:** Interim Use Permit  
**PREPARED BY:** Andrew Boucher, City Planner

**INTRODUCTION**

Renaissance Fireworks, Inc. has applied for an interim use permit to allow the operation of a seasonal fireworks sales tent at 4001 Central Avenue NE.

This application is identical to an interim use permit request approved by the City in May of last year which made a temporary allowance for the sale of fireworks upon the subject site. The temporary allowance of the activity was however, granted for and applied to the 2023 calendar year. Thus, the processing of a new interim use permit (for 2024) is necessary.

The specific development standards for outdoor fireworks sales/display are provided in Section 9.107 (C) (22) of the City Code and are included as recommended conditions of approval for this permit.

The configuration and orientation of the fireworks tent upon the subject site is illustrated on the attached property and tent location map.

**COMPREHENSIVE PLAN**

The City’s 2040 Comprehensive Plan designates the property for commercial use. The proposal for seasonal fireworks sales, a retail activity, is consistent with the intent of the City’s Comprehensive Plan.

**ZONING ORDINANCE**

The subject property is zoned CBD, Central Business within which “seasonal fireworks sales” are listed as an interim use and therefore subject to interim use permit processing.

Properties located north and west of the site are likewise zoned Central Business. Properties located to the east are zoned R-4, Multiple Family Residential while the site to the south of the subject property is zoned as a Planned Unit Development, which includes a mixture of multi-family residential, commercial, and institutional uses. in the Central Business Zoning District.

**FINDINGS OF FACT**

Section 9.104 (I) of the Zoning Ordinance outlines seven findings of fact that must be met in order for the City to grant an interim use permit. The findings are as follows:

***(a) The use is one of the interim uses listed for the zoning district in which the property is located, or is a substantially similar use, as determined by the Zoning Administrator.***

Fireworks tents are specifically listed as an interim use in the Central Business District, and are considered a retail sales activity, which is permitted.

***(b) The use is in harmony with the general purpose and intent of the Comprehensive Plan.***

The Comprehensive Plan designates the property for commercial use, including retail sales. The proposal is consistent with the intent of the City’s Comprehensive Plan.

***(c) The use will not impose hazards or disturbing influences on neighboring properties.***

The proposed temporary use should not impose hazardous or disturbing influences on neighboring properties because of its proximity to Central Avenue. The proposed use has been and will be screened from adjacent residential uses by the surrounding commercial buildings.

***(d) The use will not substantially diminish the use of property in the immediate vicinity.***

The fireworks tent is not expected to diminish the use of the adjacent properties.

***(e) The use will be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.***

The Fire Department will conduct an on-site inspection prior to any temporary sales. As a condition of interim use permit approval, all State and City requirements regarding fireworks sales must be met.

***(f) Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.***

The traffic generated by the fireworks tent will not significantly increase the flow of traffic on the public streets. Additionally, the site is large enough to handle additional on-site traffic.

***(g) The use will not cause a negative cumulative effect on other uses in the immediate vicinity.***

The fireworks tent should not have a negative impact on other uses in the immediate vicinity, which are all zoned commercial.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the Interim Use Permit to allow the operation of

seasonal fireworks sales tent at 4001 Central Avenue, subject to the following conditions:

1. The fireworks sales tent, display area, access aisles, and surrounding area shall be reviewed by the Fire Department prior to operation. The applicant must contact the Fire Department to set up an inspection prior to any sales occurring on the property.
2. The sale of fireworks shall meet all requirements of Chapter 24 of the Fire Code and NFPA Chapter 1124.
3. The fireworks sales tent shall be accessory to a commercial use.
4. Fireworks sales tents located within the public right-of-way are prohibited.
5. All goods shall be displayed on a designated impervious surface area.
6. All goods shall be displayed in an orderly fashion, with access aisles provided as needed.
7. Music or amplified sounds shall not be audible from adjacent residential properties.
8. The fireworks sales tent shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.
9. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening, or other site improvements consistent with the character of the neighborhood.
10. Signage shall be limited to two (2) professionally made signs, with a combined square footage not exceeding thirty-two (32) square feet. Signs related to the proposed retail activity shall be subject to sign permit processing.
11. Fireworks sales tents may be allowed for a maximum of ninety (90) days per calendar year.
12. Any electrical use associated with the temporary sales will require an electrical permit and is required to be inspected by the State Electrical Inspector.

<b>RECOMMENDED MOTION(S):</b>
<b>MOTION:</b> Move to waive the reading of draft Resolution 2024-PZ03, there being ample copies available to the public.
<b>MOTION:</b> Move to adopt Resolution No. 2024-PZ03, being a resolution approving an Interim Use Permit for a fireworks sales tent at 4001 Central Avenue NE, from June 17, 2024 until July 10, 2024 within the City of Columbia Heights, Minnesota, subject to certain conditions stated in the resolution.

**ATTACHMENT(S):**

- Draft Resolution 2024-PZ03
- Application and Narrative
- Site Location Map
- Existing Conditions Survey
- Proposed Conditions Survey

**RESOLUTION NO. 2024- PZ03**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLUMBIA HEIGHTS APPROVING AN INTERIM USE PERMIT TO ALLOW RENAISSANCE FIREWORKS TO OPERATE A TEMPORARY SALES TENT AT 4001 CENTRAL AVENUE NE, COLUMBIA HEIGHTS, MN, 55421 (PIN 36-30-24-32-0248)**

**WHEREAS**, a proposal (Planning Case #2024-PZ03) has been submitted by Renaissance Fireworks to the Planning Commission requesting an Interim Use Permit from the City of Columbia Heights at the following site:

LOCATION: 4001 Central Avenue NE (36-30-24-32-0248)

LEGAL DESCRIPTION: On file at City Hall

THE APPLICANT SEEKS THE FOLLOWING: An Interim Use Permit to allow for the operation of a seasonal fireworks sales tent on the subject property.

**WHEREAS**, the Planning Commission has held a public hearing as required by the City of Columbia Height's Zoning Code on May 7, 2024;

**WHEREAS**, the Planning Commission has considered the advice and recommendations of City staff regarding the effect of the proposed Interim Use upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas; and

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Commission of the City of Columbia Heights after reviewing the proposal, accepts and adopts the following findings:

1. The use is one of the interim uses listed for the zoning district in which the property is located, or is a substantially similar use, as determined by the Zoning Administrator.
2. The use is in harmony with the general purpose and intent of the Comprehensive Plan.
3. The use will not impose hazards or disturbing influences on neighboring properties.
4. The use will not substantially diminish the use of property in the immediate vicinity.
5. The use will be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
6. Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.
7. The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.

**FURTHER, BE IT RESOLVED**, that the attached conditions, maps, and other information shall become part of this permit and approval; and in granting this permit the City and the applicant agree that this permit shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal of the permit. Further, the permit is subject to certain conditions of approval that have been found to be necessary to protect the public interest and ensure compliance with the provisions of the Zoning and Land Development Ordinance, including:

**CONDITIONS:**

1. The fireworks sales tent, display area, access aisles, and surrounding area shall be reviewed by the Fire Department prior to operation. The applicant must contact the Fire Department to set up an inspection prior to any sales occurring on the property.
2. The sale of fireworks shall meet all requirements of Chapter 24 of the Fire Code and NFPA Chapter 1124.
3. The fireworks sales tent shall be accessory to a commercial use.
4. Fireworks sales tents located within the public right-of-way are prohibited.
5. All goods shall be displayed on a designated impervious surface area.
6. All goods shall be displayed in an orderly fashion, with access aisles provided as needed.
7. Music or amplified sounds shall not be audible from adjacent residential properties.
8. The fireworks sales tent shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.
9. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening, or other site improvements consistent with the character of the neighborhood.
10. Signage shall be limited to two (2) professionally made signs, with a combined square footage not exceeding thirty-two (32) square feet. Signs related to the proposed retail activity shall be subject to sign permit processing.
11. Fireworks sales tents may be allowed for a maximum of ninety (90) days per calendar year.
12. Any electrical use associated with the temporary sales will require an electrical permit and is required to be inspected by the State Electrical Inspector.

Passed this 7<sup>th</sup> day of May 2024.

Offered by:  
Seconded by:  
Roll Call:

\_\_\_\_\_  
Sarah LaVoie, Administrative Assistant II

\_\_\_\_\_  
Chair

# COLUMBIA HEIGHTS

Community Development Department  
590 40<sup>th</sup> Ave. NE, Columbia Heights, MN 55421

## INTERIM USE PERMIT APPLICATION - ORDINANCE NO. 9.104 (I)

This application is subject to review and acceptance by the City. Applications will be processed only if all required items are submitted. Fire Department approval may also be required and must meet Fire Code requirements set by the Fire Chief or contained in the City Code.

### PROPERTY INFORMATION

Project Address/Location: 4001 Central Ave Columbia Heights MN 55421  
Legal Description of property: \* See attached \*

Present use of property: Parking Lot  
Proposed Interim Use of property: Temporary outdoor retail tent sales of Minnesota safe and some fireworks

### PROPERTY OWNER (As it appears on property title):

Company/Individual (please print): Columbia Heights Center LLC  
Contact Person (please print): Lynette McLaughlin  
Mailing Address: 4615 Martin Drive  
City: Eden Prairie State: MN Zip: 55344  
Daytime Phone: 952-944-1665 Cell Phone: 612-910-1196  
E-mail Address: \_\_\_\_\_

Signature/Date: Lynette McLaughlin Mar 07 2024

### APPLICANT:

Company/Individual (please print): Renaissance Fireworks/Mark Lazarchic  
Contact Person (please print): Amanda Stone  
Mailing Address: 1625 City Hwy 10 Ste 15  
City: Spring Lake Park State: MN Zip: 55432  
Daytime Phone: 612-466-4567 Cell Phone: 651-308-9326  
E-mail Address: amanda@serenityventuregroup.com

Signature/Date: [Signature] 3-11-24



1625 County Road 10 Ste D ♦ Spring Lake Park, MN 55432  
Phone: 612-638-7643 ♦ [www.renaissancefireworks.com](http://www.renaissancefireworks.com)

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March 11, 2024

City of Columbia Heights  
590 40<sup>th</sup> Ave NE  
Columbia Heights, MN 55421

Re: Interim Use Permit

To Whom It May Concern:

Renaissance Fireworks, Inc. (RFI) is the largest Minnesota owned and operated company in the fireworks business. For over 19 years, we have been a part of Minnesota's 4<sup>th</sup> of July celebrations and run 25-30 retail sites throughout the Twin Cities.

RFI is proposing to operate a temporary retail site at the address: 4001 Central Ave, Columbia Heights, MN 55421. The site will consist of a sales tent measuring 20 feet by 40 feet and be operated by a minimum of two contracted workers. A list of products that will be sold is attached. The tent will be set up between June 17<sup>th</sup>, 2024, and June 20<sup>th</sup>, 2024 and taken down between July 6<sup>th</sup>, 2024 and July 10<sup>th</sup>, 2024. The dates of fireworks sales will be from June 21<sup>st</sup>, 2024, to July 5<sup>th</sup>, 2024 during the hours of 9 AM and 10 PM.

Thank you.

Sincerely,

Amanda Stone  
[amanda@serenityventuregroup.com](mailto:amanda@serenityventuregroup.com)  
Cell: 651-308-9326



**Legal Description of Property:** Taxable portion of all the PRT of Blk 4 Reservoir Hills & vac 41<sup>st</sup> ave Desc as fol; E 11ft of S 103.5ft of lots 32 & 33, TOG/w adj vac 41<sup>st</sup> ave & TOG/w that PRT of lot 34 & 4

**RFI 2024**  
**Metal Storage Containers For Use At**  
**Temporary Fireworks Retail Sites**

Supplied by Dart Storage





### RFI 20'x40' Tent Layout

1 square = 1 foot

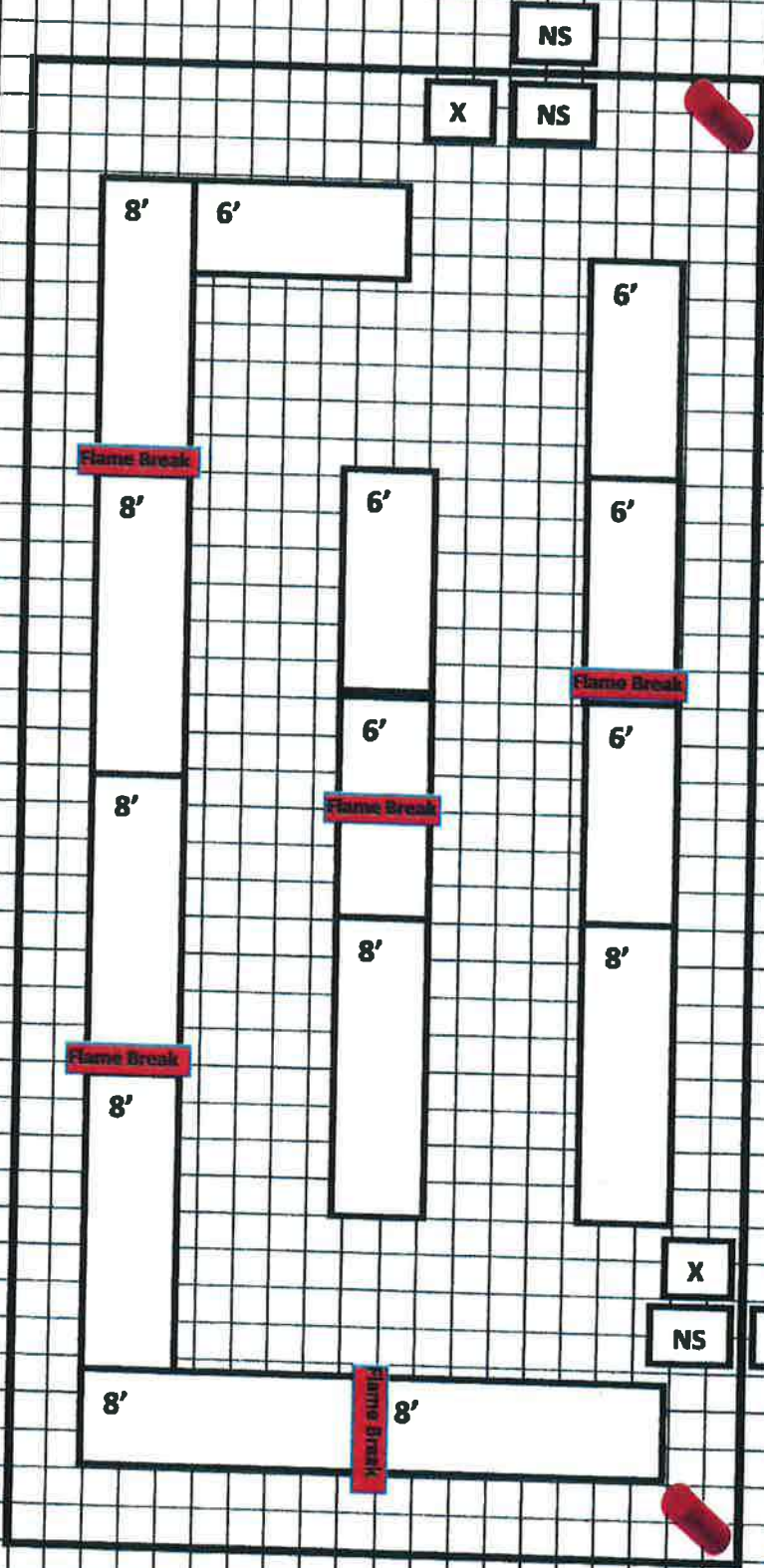
**NS** = No Smoking Sign

**X** = Exit Sign

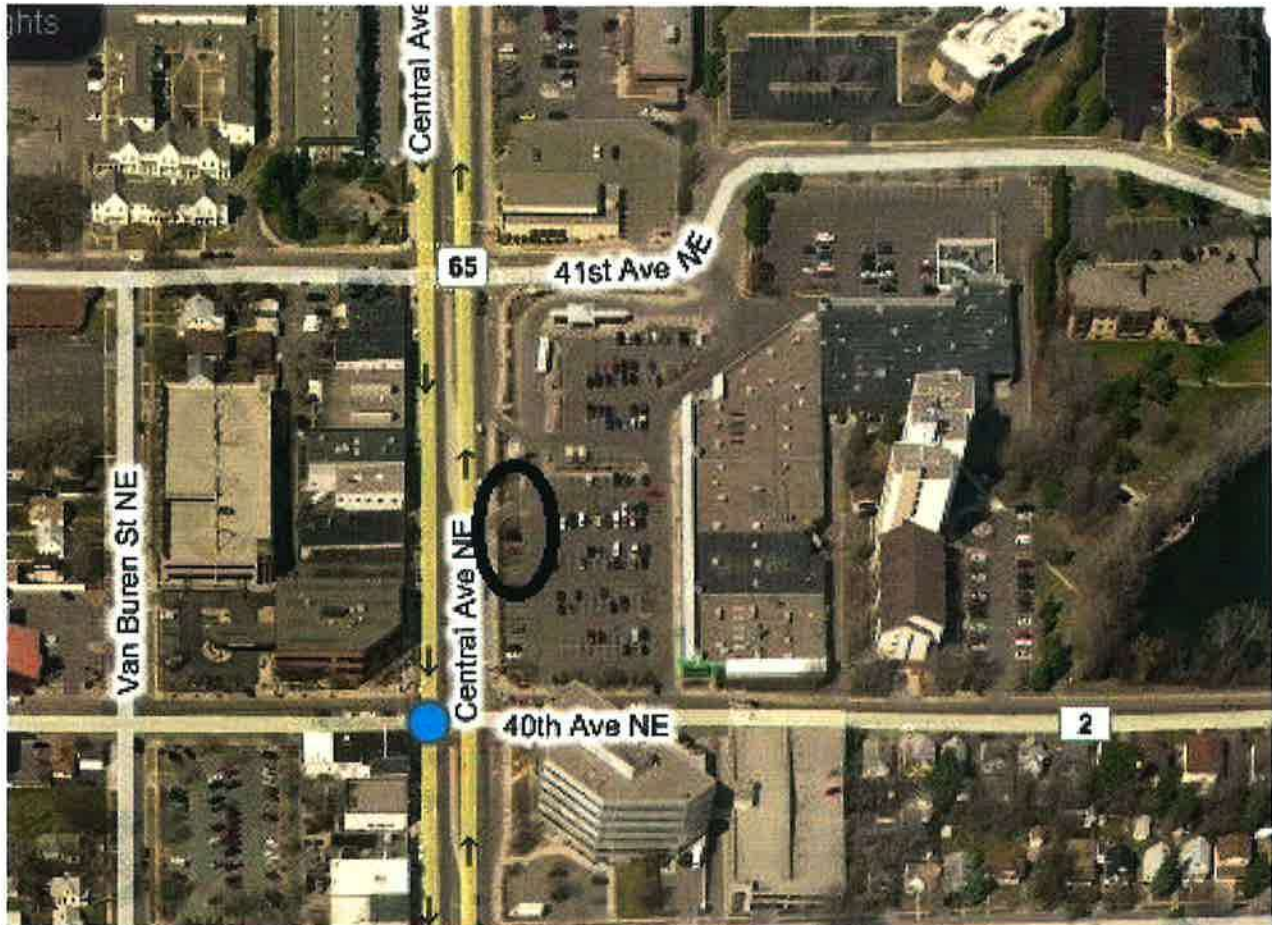
 = Fire Extinguisher

All product displays measure under 6' from ground to top of display

All Flame Breaks extend from base of product display to over 6" above top of product display



Columbia Heights Center - 4001 Central Ave, Columbia Heights, MN 55421



# Renaissance Fireworks, Inc. Product List

Current as of February 2024

\*products subject to change due to availability.

<b>9.99 BOGO Fountains</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
Classic Show	36/1	36	25
Crackling Rose	36/1	36	13
Intrepid Flame	36/1	36	13
Whistling Color Cuckoo	36/1	36	28
<b>19.99 BOGO Fountains</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
Bonzai Pipeline	24/1	24	37
Festiva	24/1	24	23
Firefly	24/1	24	29
Fool's Gold	24/1	24	22
Royaltini	24/1	24	24
Sassy Lassie	24/1	24	29
Vision Me	24/1	24	26
<b>29.99 BOGO Fountains</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
Breathless	18/1	18	32
Digital Garden	20/1	20	17
Dragon Eyes	20/1	20	17
Fire and Flash	12/1	12	31
Hot Roll	16/1	16	45
Magic In The Garden	18/1	18	36
Mesmerize	24/1	24	32
Picture Perfect	12/1	12	21
Spring Fest	12/1	12	22
<b>39.99 BOGO Fountains</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
Fish out Of Water	12/1	12	35
Lemon Chero/Lemon Lime Delight	12/1	12	29
Royal Garden	12/1	12	33
Worlds Highest/Strongest	18/1	18	42
<b>Assortments</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
#3 Novelty Assortment	24/1	24	16
All Star Bag/Kids Delight	36/1	36	39
Economy Fountain Tray	16/1	16	32
In The Mixx #5	12/1	12	35
Jumbo Value Fountain Tray	4/1	4	47
Mixx It Up #3	9/1	9	21
Mountains of Fountains	1/1	1	5
Party Bag of Fun	1/1	1	7
Party Bag of Fun and Then Some	1/1	1	9

Super Value Fountain Tray	6/1	6	31
<b>Grab and Go Fountains</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
#3 Cone	144/1	144	42
Barrels of Fun	72/2	72	14
Cuckoo	24/6	144	28
HN90 Fountain	18/4	72	15
Jack In The Box	30/6	180	25
Killer Bees	24/4	96	18
Royal/Grand	96/1	96	16
<b>Novelties</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
36" Morning Glory	72/6	72	23
5 Assorted Color Smoke Balls	20/6/12	120	40
8" Sparkler	24/12/6	288	12
Crackling Balls	4/48/6	192	18
Flashing Signal	12/24/6	288	34
Ground Bloom Flower	20/12/6	240	28
Jumping Jack	20/48/12	960	22
Magic Whip	48/12	576	30
S Tank	48/1	48	19
Sliders	6/50/12	300	16
Snakes	144/6/6	144	13
Snaps	6/50/50	300	13
Tank with Star	40/12	480	25
<b>Finale Fountains</b>	<b>Packaging</b>	<b>Units per Case</b>	<b>Case Weight (lbs)</b>
Behemoth	9/1	9	39
Botanical Blast	4/1	4	18
Crackle Storm	4/1	4	31
Dark Science	6/1	6	18
Hot Lava - Lava Lamp	6/1	6	25
Impossible Dream	6/1	6	33
National Treasure	6/1	6	31
One Big Fountain	4/1	4	33
One Unbelievable	4/1	4	49
Psychedelic	4/1	4	38
Waking The Deaf	4/1	4	30

# Renaissance Fireworks Inc.

## TEMPORARY LEASE AGREEMENT

THIS FIREWORKS STAND AND LEASE AGREEMENT is made between

**Property Owner** (herein referred to as the "Landlord"), whose address is:

Landlord: Columbia Heights Center, LLC	Phone Number: 952-944-1665
Address: 14675 Martin Drive Suite 200 Eden Prairie, MN 55344	Contact: Tim McLaughlin
Federal Tax ID or SSN: 41-1923491	Check Payable: Columbia Heights Center

**Site Information**

Property Name: Columbia Heights Center	Phone Number: 952-944-1665
Address: 4001 Central Ave Columbia Heights, MN 55421	Contact: Tim McLaughlin

and

**Renaissance Fireworks, Inc.** (hereinafter referred to as the "Tenant"), whose address is:  
1625 County Highway 10 Suite D  
Spring Lake Park, MN 55432

LEASE OF PROPERTY. Landlord leases to Tenant the property described above at the location shown on attached EXHIBIT A, which exhibit is made a part hereof. The property is to be used for the purposes of housing a temporary sales facility from which the sale of state-legal 1.4G (Class C) consumer fireworks and novelty items will be conducted in accordance with applicable law. Landlord specifically gives permission to the Tenant to locate a temporary stand, kiosk or tent on the property, which stand, kiosk or tent will be the vehicle from which the products will be sold. Such consumer fireworks shall not be lit, "set off", activated or otherwise used at the property or adjoining center.

TERM. The term is for the period: 06/21/2024 through 07/05/2024

Landlord shall allow up to 10 days before and after these dates for set up and tear down.

RENT. Tenant agrees to pay rent to the Landlord in the aggregate amount of \$1,800.00 per year, for the property named above under site information, which amount shall be paid on or before 07/20/2024

TENANT'S PROPERTY. All of Tenant's personal property shall be on the leased property at Tenant's sole risk.

OPERATORS. The Landlord acknowledges that the Tenant sometimes sublets the sale of the fireworks to independent operators. Landlord approves of all such arrangements, provided that the Tenant is not relieved from any obligations hereunder. Tenant shall be the only temporary stand, kiosk or tent engaged in firework sales on property at all times during the duration of this lease.

INSURANCE. Tenant shall provide general liability insurance covering the Tenant's, and its subcontractors, use and occupation of the property's, including, without limitation, product liability, bodily injury, personal injury and property damage, on an occurrence basis, with coverage in the aggregate amount of TWO MILLION DOLLARS (\$2,000,000.00). The insurance shall name the Landlord as an additional



insured under Tenant's insurance policy "as Landlord's interest may appear." Prior to occupancy, Tenant shall deliver a Certificate of Insurance to Landlord evidencing the insurance required hereunder.

INDEMNITY. Tenant shall indemnify and hold the Landlord harmless from any claims, including attorneys' fees, in connection with any injury or damage caused to any person or property arising out of Tenant's use or occupancy of the property or any breach by tenant of this agreement.

SURRENDER OF PROPERTIES & RIGHTS. Tenant agrees to surrender possession of the property to the Landlord upon termination of this agreement in as good condition and repair as the same shall be on the date Tenant first occupies the properties under this lease agreement -- ORDINARY WEAR AND TEAR EXCEPTED. The Tenant shall make any and all repairs necessary to restore any portion of the property where such restoration is necessitated by the Tenant's use of the property.

CHANGE IN LAW. In the event that the sale of consumer fireworks is prohibited for any portion of the term by any level of judicial, legislative or executive law, order, rule or regulation, this lease shall, upon notice from the Tenant to the Landlord, terminate, whereupon any advanced rental payment shall be returned to the Tenant on a pro rata (number of days of term occupied) basis and the Tenant shall be relieved from any further liability hereunder.

PERMITTING. This agreement is contingent upon Tenant securing all required local and state licenses and permits to sell 1.4g (Class C) consumer fireworks on the leases premises. If Tenant is unable to secure such license and permits this lease agreement will become null and void. Tenant shall not take possession of the property until such required licenses and permits have been secured.

PROPERTY. If the property is inaccessible or unusable due to construction or the like, then this lease is subject to revision.

ENTIRE AGREEMENT. This lease agreement and any incorporated exhibits or attachments contain all of the agreements between the parties and cannot be modified in any manner other than by an agreement signed by the parties with the same formalities attendant to the execution of this lease agreement. Each agreement, term and provision of this lease agreement shall be construed to be a promise, covenant and condition.

PROVISIONS BINDING. The agreements herein shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the Landlord and Tenant have executed this lease agreement, each party acknowledging receipt of an executed copy hereof.

**Landlord:** Lynette McLaughlin

By: \_\_\_\_\_  
Name: Lynette McLaughlin  
Title: Vice president  
Date: Mar 07 2024

**Tenant:** Renaissance Fireworks, Inc.  
Mark Lazarchic

By: \_\_\_\_\_  
Name: Mark Lazarchic  
Title: CEO  
Date: Mar 07 2024

**CITY OF COLUMBIA HEIGHTS  
PLANNING COMMISSION**

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Planning Commission of the City of Columbia Heights will conduct a public hearing in the City Council Chambers of City Hall at 3989 Central Avenue NE on Tuesday, May 7, 2024, at 6:00 p.m. The order of business is as follows:

A request for an Interim Use Permit to allow for Renaissance Fireworks to operate a temporary sales tent at 4001 Central Avenue NE, per Code Section 9.110 (F)(4)(a). Section 9.104 (I) of the Zoning Ordinance requires the Planning Commission to hold a public hearing to approve the Interim Use Permit.

Notice is hereby given that all persons having an interest will be given an opportunity to be heard. For questions, contact Andrew Boucher, City Planner, at (763) 706-3673.

**Material Safety Data Sheet**  
 May be used to comply with  
 OSHA's Hazard Communication Standard,  
 29 CFR 1910.1200. Standard must be  
 consulted for specific requirements.

**U.S. Department of Labor**  
 Occupational Safety and Health Administration  
 (Non-Mandatory Form)  
 Form Approved  
 OMB No. 1218-0072

Item 2.

**IDENTITY (As Used on Label and List)**  
Common Fireworks (Fireworks 1.4G)  
 Note: Blank spaces are not permitted. If any item is not applicable, or if information is available, the space must be marked to indicate the

**Section I**

Manufacturer's Name	Emergency Telephone Number
Address (Number, Street, City, State, and ZIP Code)	Telephone Number for Information
	Date Prepared
	Signature of Preparer (optional) (optional)

**Section II — Hazardous Ingredients/Identity Information**

Hazardous Components (Specific Chemical Identity, Common Name(s))	CSHA PEL	ACGIH TLV	Other Limits Recommended	% (ppm)
-------------------------------------------------------------------	----------	-----------	--------------------------	---------

Contains pyrotechnic composition - a solid mixture of oxidizer and fuel that will burn if ignited. These items are classified as 1.4G Explosives by the U.S. Department of Transportation. No Chemical composition is exposed during normal handling and storage.

**Section III — Physical/Chemical Characteristics**

Boiling Point	N/A	Specific Gravity (H <sub>2</sub> O = 1)	N/A
Vapor Pressure (mm Hg.)	N/A	Melting Point	N/A
Vapor Density (AIR = 1)	N/A	Evaporation Rate (Butyl Acetate = 1)	N/A

Solubility in Water  
 Slight

Appearance and Odor  
 All Pyrotechnic Composition is contained in a cardboard casing.

**Section IV — Fire and Explosion Hazard Data**

Flash Point (Method Used)	N/A	Flammable Limits	N/A	LEL	N/A	UEL	N/A
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Extinguishing Media  
 Flood with water if small amount of fireworks is involved

Special Fire Fighting Procedures  
 Do not use suffocation methods - devices contain their own oxygen. If a large amount of fireworks are involved, allow them to burn and prevent sp.

Unusual Fire and Explosion Hazards  
 Fireworks will burn rapidly in the event of fire. of fire

Section V — Reactivity Data

Stability	Instable	Conditions to Avoid	Open flames, smoking
	Stable X		

Incompatibility (Materials to Avoid) Exposure to water may cause items to deteriorate.

Hazardous Decomposition or Byproducts  
Smoke, nitrogen oxides, and sulfur oxides may be produced in a fire.

Hazardous Polymerization	May Occur	Conditions to Avoid
	Will Not Occur X	

Section VI — Health Hazard Data

Route(s) of Entry: Inhalation? No Skin? Ingestion? No

Health Hazards (Acute and Chronic)  
Exposure to finished items does not pose any health hazard.

Carcinogenicity: NTP? No IARC Monographs? No OSHA Regulated? No

Signs and Symptoms of Exposure N/A

Medical Conditions Generally Aggravated by Exposure N/A

Emergency and First Aid Procedures N/A

Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled  
No smoking or open flames in vicinity of spilled material. Carefully pick up and place spilled items in cardboard cartons. Sweep up any exposed chemical composition with a natural-fiber brush.

Waste Disposal Method

Precautions to Be Taken in Handling and Storing  
Avoid open flames, smoking, and high temperatures (above 120 F.)  
Keep shipping cartons cool and dry.

Other Precautions  
None

Section VIII — Control Measures

Respiratory Protection (Specify Type)  
None required when handling finished items.

Ventilation	Local Exhaust	Special	N/a
	Mechanical (General)		
	N/A	Other	N/A

Protective Gloves None required Eye Protection N/A

Other Protective Clothing or Equipment N/A

Work/Hygienic Practices  
No smoking in vicinity of fireworks

# IMPORTANT DOCUMENT

## Certificate of Flame Resistance

REGISTRATION APPLICATION NUMBER  
F140.1



ISSUED BY  
EVANSVILLE, INDIANA 47725  
MANUFACTURERS OF THE FINISHED  
TENT PRODUCTS DESCRIBED HEREIN

Date of Manufacture  
03/25/02  
Order Number  
350882

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

643490  
APRES INC  
DBA APRES PARTY RENTAL  
7625 CAHILL RD  
EDINA MN 55439

Certification is hereby made that:

The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code, equal to exceeds NFPA 701, CPAI 84, ULC 109. The method of the FR chemical application is:

Serial #	8020630C (9)
Description of item certified:	FI EXP CAT MDD CUST 20x10

**Flame Retardant Process Used Will Not Be Removed By Washing And Is Effective For The Life Of The Fabric**

SNYDER, MEG NEW, PHILADELPHIA, OH  
Name of Applicator of Flame Resistant Finish

Signed: *Meg Snyder*  
TENT DEPARTMENT - ANCHOR INDUSTRIES INC.

**IMPORTANT DOCUMENT**

**Certificate of Flame Resistance**

REGISTRATION APPLICATION NUMBER

F1214



ISSUED BY **ANCHOR INDUSTRIES INC.**

EVANSVILLE, INDIANA 47725  
MANUFACTURERS OF THE FINISHED  
TENT PRODUCTS DESCRIBED HEREIN

Date of Shipment  
3/17/2006

Tent Identification  
04237646

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

643490  
APRES INC  
DBA APRES PARTY RENTAL  
7625 CAHILL RD  
EDINA MN 55439

Certification is hereby made that:

The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code. All fabric has been tested and passes NFPA 701-99, CPAI 84, ULC 109.

Serial # 8020610C (1)

Description of item certified: FI CATENARY EXP TOP 20X20  
BLUE 1022575A/WHITE 1022505A

**Flame Retardant Process Used Will Not Be Removed By Washing And Is Effective For The Life Of The Fabric**

JOHN BOYLE STATESVILLE NC

Signed: *John M. Lead*  
SPECIAL EVENTS DIVISION - ANCHOR INDUSTRIES INC.



AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	MAY 7, 2024

ITEM:	<b>Zoning Ordinance Amendment to amend 9.106 General Development Standards (M) Landscaping and Screening to include Tree Preservation and Planting Standards</b>	
DEPARTMENT:	Community Development	BY/DATE: <b>Andrew Boucher, City Planner April 18, 2024</b>

**CASE NUMBER:** 2024-PZ04  
**APPLICANT:** The City of Columbia Heights  
**LOCATION:** Citywide  
**REQUEST:** Zoning Ordinance Amendment  
**PREPARED BY:** Andrew Boucher, City Planner

**INTRODUCTION:**

At the April Work Session, City Council discussed a potential amendment to City Code 9.106 General Development Standards in relation to amending Landscape and Screening Requirements to include Tree Preservation and Planting Standards and directed the City Planner and Urban Forester to prepare a zoning text amendment for the May 7, 2024 Planning Commission meeting. Tree preservation ordinances were examined by peer-reviewing other cities such as Fridley, New Hope, Shakopee, St. Anthony’s Village, Maple Grove, and Minneapolis for key components. Fridley, St. Anthony’s Village, and Minneapolis do not have tree preservation ordinances. Additionally, staff have consulted with the League of Minnesota Cities and the City Forester for their guidance on what a model ordinance should include.

**SUMMARY OF CURRENT STATUS:**

At the time, staff felt it was necessary to amend the existing ordinances to establish a process to include the City Forester in development review and adopt standards aligned with industry and agency best practices as well as reflecting the securities and letter of credit language that is seen across municipalities. The ordinance currently does not reflect the most up-to-date information, standards, or processes that ensure successfully mature tree canopies or preservation of the existing canopy.

The 6<sup>th</sup> U.S. Circuit Court of Appeals in F.P. Development, LLC vs. Charter Township of Canton, Michigan found that, Canton’s ordinance classification of certain trees as “significant trees”, created permitting requirements, restricted tree removal, and required mitigation for removal. A property owner that removed trees was required to either pay into a town fund or replant trees; the town enforced action against a developer that removed 159 trees and argued that, under the ordinance, the developer had to replant trees or pay the town approximately \$50,000. The 6<sup>th</sup> Circuit found that the ordinance violated the Fifth Amendment’s “unconstitutional conditions” doctrine, if a permit is conditioned on the waiver of constitutional rights, then the local government permitting may be found unconstitutional.

Local governments may choose whether and how a permit applicant mitigates developmental impacts, but they must establish an “essential nexus and rough proportionality to those impacts” and “make some sort of

individualized determination that the required mitigation is related both in nature and extent to the impact of the proposed development.”

### **ZONING ORDINANCE AMENDMENT**

By using the most recent versions of the ANSI A300 and ISA Best Management Practices for tree management during construction as well as the MN DNR “Pocket Guide to Planting Trees”, the amendment to City Code (9.106 General Development Standards) to include tree preservation language and planting standards in the Landscaping and Screening section reflects industry and agency standards and best practices. In this regard, the following Zoning Ordinance modifications are recommended by Staff with the full draft ordinance attached:

- 1) Amending 9.106 M to read as “*Tree Preservation and Planting Standards for Landscaping and Screening*” and including language recognizing the value and benefits to preserving and increasing tree canopy cover of Columbia Heights by protecting and preserving mature trees during construction and development.
- 2) Adopting ANSI A300 Part 5 – Management of Trees and Shrubs During Site Planning, Site Development, and Construction & ISA Best Management Practices – Managing Trees During Construction and apply these industry and agency standards, definitions, and best practices to all demolition, building permit applications, land alteration permits, public or private, that require a survey. A construction tree inventory plan and tree protection plan shall be reviewed, approved, and inspected by the City Forester and replacement policy calculations shall be subject to a size-based replacement policy.
- 3) Defining criteria for the removal of protected and removable trees; protected trees may be removed within the footprint of the building pad of a new or remodeled building, or within a 10’ radius of the footprint as well as within driveways and parking areas meeting all other City ordinances as well as establishing replacement requirements, exemptions, and the process for removing protected trees that are dead, diseased, or hazardous.
- 4) Establishing protected tree varieties, soil volume requirements, definitions and rules for calculating soil volume in Table 1, Table 2, and Appendix B, respectively.
- 5) Updating the letter of credit or other security language to reflect the estimated cost of landscaping and/or screening and including language stating that the property owner is responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section, plant material that shows signs of disease shall be

### **Staff Review**

The Public Works Department, Police Department, and Fire Department have been provided copies of the application materials and had no concerns amending the Landscaping and Screening requirements to include Tree Preservation and Planting Standards. The proposed zoning text amendment is subject to review by the City Attorney for the purposes of determining if the proposed ordinance establishes an essential nexus and rough proportionality between the impact of the development and the standard required by code; the ordinance must also document an individualized determination process after the standards are applied.

### **FINDINGS OF FACT**



Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

**(a) The amendment is consistent with the comprehensive plan.**

The City’s 2040 Comprehensive Plan identifies community resilience, climate adaptation, public health, equity, and sustainability as Emerging Topics. One of the key land use goals identified in the 2040 Comprehensive Plan includes enhancing community gateways, prioritizing landscaping and other forms of buffering between uses, and continuing the City’s participation in Tree City USA.

**(b) The amendment is in the public interest and is not solely for the benefit of a single property owner.**

A healthy, resilient and robust urban forest, tree canopy, and landscaping enhances the aesthetic, environmental, and economic well-being of the City by establishing buffers between non-compatible land uses, screen unsightly views, reduce noise and glare, minimize stormwater runoff as well as offer carbon sequestration, erosion mitigation, and reduction of the urban heat island effect.

**(c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.**

The amendment is not to change the zoning classification of a particular property and the existing use is compatible with the general area of the property.

**(d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.**

The amendment is not to change the zoning classification of a particular property.

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend the following to the City Council:

- A. Approval of the Zoning Ordinance Amendment which amends City Code 9.106 General Development Standards and establishes Tree Preservation and Planting Standards for Landscaping and Screening as presented.

<b>RECOMMENDED MOTION(S):</b>
<b>MOTION:</b> Move to waive the reading of draft Ordinance amendment No. 1696, there being ample copies available to the public.
<b>MOTION:</b> Move to recommend that the Planning Commission give a positive recommendation on draft Ordinance amendment No. 1696 to City Council to approve draft Zoning Ordinance Amendment No. 1696 as presented.

**ATTACHMENT(S):**

- Work Session Memo from April 1, 2024
- Draft Ordinance No. 1696
- Application
- Existing Code
- Proposed Code
- LMC Recommendations
- Maple Grove Code
- New Hope Code
- Shakopee Code
- Public Hearing Notice



**CITY COUNCIL WORK SESSION MEETING**

<b>AGENDA SECTION</b>	<b>WORK SESSION ITEM</b>
<b>MEETING DATE</b>	APRIL 1, 2024

<b>ITEM:</b>	<b>Update to 9.106 General Development Standards to Include Tree Preservation</b>							
<b>DEPARTMENT:</b>	<b>Community Development</b>	<b>BY/DATE:</b> Andrew Boucher, City Planner April 1, 2024						
<b>CORE CITY STRATEGIES:</b> <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>								
<table border="0"> <tr> <td><input checked="" type="checkbox"/> Healthy and Safe Community</td> <td><input type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input checked="" type="checkbox"/> Sustainable</td> </tr> </table>			<input checked="" type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community	<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input checked="" type="checkbox"/> Sustainable
<input checked="" type="checkbox"/> Healthy and Safe Community	<input type="checkbox"/> Thriving and Vibrant Destination Community							
<input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input checked="" type="checkbox"/> Sustainable							

**BACKGROUND:**

Tree preservation, landscaping, and the urban canopy have been identified by the City of Columbia Heights through 2040 Comprehensive Plan goals per Land Use and Redevelopment Goals and Policies to provide a natural buffer between uses and promote community health. However, the current Zoning Code does not specifically address tree preservation or planting standards and should include measures to ensure the long-term health and safety are maintained during the development process and so trees can mature in a way that they are productive and beneficial to the urban canopy.

The City’s 2040 Comprehensive Plan identifies community resilience, climate adaptation, public health, equity, and sustainability as Emerging Topics. One of the key land use goals identified in the 2040 Comprehensive Plan includes enhancing community gateways, prioritizing landscaping and other forms of buffering between uses, and continuing the City’s participation in Tree City USA. By using the most recent versions of the ANSI A300 and ISA Best Management Practices for tree management during construction as well as the MN DNR “Pocket Guide to Planting Trees”, the amendment to City Code (9.106 General Development Standards) to include tree preservation language and planting standards in the Landscaping and Screening section would reflect industry and agency standards and best practices.

Columbia Heights can maintain and enhance the urban canopy by:

- Applying preservation, protection, and replacement standards of Protected Trees to all permits that require a survey and including the City Forester in the review process to approve tree inventory and protection plans as well as conducting inspections.
- Establishing standards for the removal of protected and removable trees as well as newly planted and replacement trees to ensure diversity and resiliency of the canopy, soil volume requirements and formulas for calculating soil volume, and defining protected tree varieties.
- Defining replacement requirements based on size and plantings in accordance with the standards set forth in the MN Department of Natural Resources publication “Pocket Guide to Planting Trees”
- Adjusting the letter of credit or other security, as acceptable to the city, from 10% of the tree, landscaping, and screening estimated cost to an amount equal to the estimated cost. The letter of

credit or other security as acceptable to the city, or portions, thereof, shall be forfeited to maintain and/or replace materials for a period of time to include at least two growing seasons. A portion of the letter of credit or other security as acceptable to the City may be released after one growing season; after two growing seasons, the security can be released minus costs incurred through damage or replacement.

### **SUMMARY OF CURRENT STATUS:**

At the time, staff felt it was necessary to amend the existing ordinances to establish a process to include the City Forester in development review and adopt standards aligned with industry and agency best practices as well as reflecting the securities and letter of credit language that is seen across municipalities. The ordinance currently does not reflect the most up-to-date information, standards, or processes that ensure successfully mature tree canopies or preservation of the existing canopy.

The 6<sup>th</sup> U.S. Circuit Court of Appeals in *F.P. Development, LLC vs. Charter Township of Canton, Michigan* found that, Canton's ordinance classification of certain trees as "significant trees", created permitting requirements, restricted tree removal, and required mitigation for removal. A property owner that removed trees was required to either pay into a town fund or replant trees; the town enforced action against a developer that removed 159 trees and argued that, under the ordinance, the developer had to replant trees or pay the town approximately \$50,000. The 6<sup>th</sup> Circuit found that the ordinance violated the Fifth Amendment's "unconstitutional conditions" doctrine, if a permit is conditioned on the waiver of constitutional rights, then the local government permitting may be found unconstitutional.

Local governments may choose whether and how a permit applicant mitigates developmental impacts, but they must establish an "essential nexus and rough proportionality to those impacts" and "make some sort of individualized determination that the required mitigation is related both in nature and extent to the impact of the proposed development."

Tree preservation ordinances were examined by peer-reviewing other cities such as Fridley, New Hope, Shakopee, St. Anthony's Village, Maple Grove, and Minneapolis for key components. Fridley, St. Anthony's Village, and Minneapolis do not have tree preservation ordinances. Additionally, staff has consulted with the League of Minnesota Cities and the City Forester for their guidance on what a model ordinance should include.

### **STAFF RECOMMENDATION:**

Staff recommends that the City Council direct staff on whether to pursue a tree preservation and planting standards ordinance and have the City Attorney review the proposed language for purposes of determining if the ordinance establishes an essential nexus and rough proportionality and documents an individualized determination process after applying the standards.

### **ATTACHMENT(S):**

Existing Code  
Proposed Code  
Tree Preservation – League of Minnesota Cities  
New Hope Tree Preservation and Replacement Ordinance  
Shakopee Tree Preservation Ordinance  
Maple Grove Tree

ORDINANCE NO. 1696

AN ORDINANCE AMENDING CHAPTER 9.106 OF THE CITY CODE OF 2005 TO AMEND GENERAL DEVELOPMENT STANDARDS AND INCLUDE TREE PRESERVATION AND PLANTING STANDARDS FOR LANDSCAPING AND SCREENING

The City of Columbia Heights does ordain:

Section 1

The definition of the term "Tree Preservation and Planting Standards for Landscaping and Screening," as provided in Section 9.106 of the City Code of 2005, is hereby established to read as follows:

- (M) *Tree Preservation and Planting Standards for Landscaping and Screening.*
  - (1) *Purpose.* The City of Columbia Heights recognizes the great value trees, landscaping, and screening provide to all residents of the City. A healthy, resilient, and robust urban forest enhances the aesthetic, environmental, and economic well-being of the City. Tree preservation and planting standards, landscaping and screening requirements are established to buffer non-compatible land uses, screen unsightly views, reduce noise and glare, minimize storm water runoff, and generally enhance the quality and appearance of development within the community.
    - a. Preserve and increase the tree canopy cover of Columbia Heights by protecting mature trees throughout the City.
    - b. Protect and enhance property values by conserving trees.
    - c. Improve quality of life for all stakeholders, including residents, visitors, and wildlife.
    - d. Preserve and increase the environmental services provided by the urban forest including sequestration of CO2, erosion and stormwater mitigation, reduction of air pollutants, reduction of the urban heat island effect, and reduction of noise pollution.
    - e. Protect and maintain healthy trees in the development and building permit process. Protect and maintain healthy trees by ensuring best tree protection practices during construction and development.
  - (2) Preservation, protection, and replacement of Protected Trees:
    - a. This ordinance applies to all demolition, building permit applications, and land alteration permits, public or private, that require a survey.
    - b. Definitions:
      - i. Protected Tree: Any tree variety on the List of Protected Tree Varieties as maintained and published by City staff with a diameter of 6" or greater as measured at 4.5' above ground (DBH, Diameter at Breast Height). The List of Protected Tree Varieties may be amended from time to time.
      - ii. Removable Tree: Any tree not defined as a Protected Tree.
      - iii. City-Owned Tree: Any tree originating within the City right-of-way or originating from a City park or City-owned property.
    - c. Demolition and building permit applications must include a construction tree inventory plan indicating the location, species, and diameter of the trunk at 4.5' above the ground

(DBH) for all Protected Trees on the property and City-Owned Trees on or adjacent to the construction site. The plan must also indicate any Protected Trees that are proposed to be removed, as well as their replacement tree(s) location, species, and size. Applications must also include a tree protection plan describing in detail how Protected Trees and City-Owned Trees will be preserved and protected during construction. The tree protection plan shall follow the standards as presented in the most recent version of the following publications:

- i. ANSI A300 Part 5- Management of Trees and Shrubs During Site Planning, Site Development, and Construction
  - ii. ISA Best Management Practices- Managing Trees During Construction
- d. The construction tree inventory plan and tree protection plan must be reviewed and approved by the City Forester. Approved tree protection measures shall be fully installed and inspected by City staff prior to commencement of any construction activities or vehicular traffic on site.
- e. During the demolition and building process, the permit holder shall not leave any Protected Tree or adjacent City-owned tree without sufficient guards and protections to prevent injury to the protected tree during construction. Tree protection shall follow the standards as presented in the publications listed above (3.b.). City Forestry Staff monitoring is required for all projects with affected Protected Trees and/or replacement trees. Replacement trees will be monitored for three (3) years to ensure proper establishment.
- f. Protected Tree varieties that are less than 6" in caliper must be moved to another location on the property if possible. Exceptions must be granted in writing by the City Forester.
- g. If a Protected Tree is removed, except as allowed for in paragraph 5 below, it is subject to a size-based replacement policy.
- i. Protected trees with DBH 6"-15" are subject to a 2:1, "two for one" replacement requirement.
  - ii. Protected trees with DBH 15"-20" are subject to a 3:1, "three for one" replacement requirement.
  - iii. Protected trees with DBH 20"-25" are subject to a 4:1, "four for one" replacement requirement.
  - iv. Protected trees with DBH >25" are subject to a 5:1, "five for one" replacement requirement.
  - v. Replacement trees must be varied by species and are subject to approval by the City Forester.
  - vi. Replacement trees are subject to the size and diversity requirements as outlined below.
  - vii. A payment of \$400 for each tree may be made to the City in lieu of planting replacement trees where sufficient space does not exist on the property. Payments will support the planting of replacement trees by City staff on City property.
  - viii. Replacement trees shall be planted according to the standards set forth in the MN Department of Natural Resources publication "A Pocket Guide to Planting Trees". All replacement trees are subject to inspection by City staff for a period

of 2 years beginning the day of planting. Any trees determined to be unhealthy or poorly established during this period shall be subject to replacement.

- (3) Removal of Protected and Removable Trees:
- a. Protected Trees may be removed in the following areas:
    - i. Within the footprint of the building pad of a new or remodeled building, or within a 10' radius of the footprint.
    - ii. Within driveways and parking areas meeting all other City ordinance requirements.
  - b. Protected Trees removed in accordance with sections (i.) and (ii.) above are required to be replaced at a rate of 1:1, "one for one." Replacement trees are subject to all requirements listed in paragraph (3.) above.
  - c. Removable Trees may be removed for any development or building permit without replacement.
  - d. If Protected Trees are dead, diseased, or hazardous their removal must be approved in writing by the City Forester before removal. Dead, diseased, or hazardous trees are not subject to replacement requirements.
- (4) Exemptions from Tree Preservation Ordinance: Tree removal on property with an existing building or structure that is not being modified is exempt from this ordinance.
- (5) Standards for Newly Planted Trees and Replacement Trees
- a. *Landscaping and screening.*
    - i. *Landscape plan required.* A landscape plan is required for all new commercial, industrial, institutional, and multi-family development. For development having an anticipated construction value in excess of \$750,000, the landscape plan must be prepared by a landscape architect registered in the State of Minnesota. Said landscape plan shall include the location, size, quantity, and species of all existing and proposed plant materials.
    - ii. *Design considerations.* The following design concepts and requirements should be considered when developing a landscape plan for submittal to the city:
      1. To the maximum extent possible, the landscape plan shall incorporate existing vegetative features on the site.
      2. The overall composition and location of landscaped areas should complement the scale of the development and its surroundings.
      3. The use of native species is preferred in all landscaping choices, and a minimum of 80% of all plants used shall be native to MN.
      4. The City of Columbia Heights is committed to enhancing the diversity and resiliency of its urban forest. A variety of trees and shrubs shall be used to provide visual interest year-round and meet diversity requirements. No more than 25% of the required number of trees or shrubs may be comprised of any one species or genus. No less than 50% of the required number of trees shall be over-story deciduous trees and no less than 10% shall be coniferous. New trees and replacement trees shall be planted according to the standards set forth in the MN Department of Natural Resources publication "A Pocket Guide to Planting Trees". All replacement trees are subject to inspection by City staff for a period of 3 years beginning the day of

- planting. Any trees determined to be unhealthy or poorly established during this period shall be subject to replacement.
5. Final slopes greater than 3:1 will not be permitted without special treatment such as terracing, retaining walls or special ground covers.
  6. All plant materials shall meet the minimum size standards listed in Table 1; **all planting locations shall meet the soil volume requirements for the plant material listed in Table 2. Soil volume requirements must be met by contiguous, uncompacted soil suitable for the plant type. Soil depth beyond 3 feet shall not be counted towards soil volume requirements. Landscaped areas should be of adequate size to allow proper plant growth, protect plantings from both pedestrian and vehicular traffic, and provide adequate area for plant maintenance. Definitions and rules for calculating soil volume provided in Appendix B.**

Table 1: Plant Size Requirements

Plant Type	Minimum Size at Planting
Trees	
Evergreen-over-story	6 feet in height
Evergreen—ornamental	6 feet in height
Deciduous—over-story	2.5 inches diameter, measured 2 feet from base
Deciduous—ornamental	2 inches diameter, measured 2 feet from base
Shrubs	
Evergreen	2 feet in height
Deciduous	2 feet in height
Screening shrubs—either	3 feet in height

Table 2: Soil Volume

**Requirements**

Expected Tree Size at Maturity	Minimum Soil Volume Requirement (ft <sup>3</sup> )
Small trees: 10-25 ft crown spread, 8-12" mature DBH	400
Medium trees: 25-35 ft crown spread, 12-18" mature DBH	800
Large trees: 35+ ft crown spread, 18"+ mature	1200



DBH	
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**Appendix A: List of Protected Tree Varieties**

Common Name	Botanical Name
Birch	<i>Betula spp.</i>
Buckeye, Ohio	<i>Aesculus glabra</i>
Catalpa, Northern	<i>Catalpa speciosa</i>
Cedar, Eastern Red	<i>Juniperus virginiana</i>
Cedar, Northern White	<i>Thuja occidentalis</i>
Elm (except Siberian/Asian elms)	<i>Ulmus spp. (Except U. pumila)</i>
Fir, White	<i>Abies concolor</i>
Hackberry	<i>Celtis occidentalis</i>
Hemlock, Eastern	<i>Tsuga canadensis</i>
Hickory	<i>Carya spp.</i>
Honey locust	<i>Gleditsia triacanthos</i>
Ironwood	<i>Ostrya virginiana</i>
Kentucky coffee	<i>Gymnocladus dioica</i>
Linden	<i>Tilia spp.</i>
Maple, Black	<i>Acer nigrum</i>
Maple, Red	<i>Acer rubrum</i>
Maple, Sugar	<i>Acer saccharum</i>
Mountain ash	<i>Sorbus spp.</i>
Oak	<i>Quercus spp.</i>
Pine, Red	<i>Pinus resinosa</i>
Pine, White	<i>Pinus strobus</i>
Spruce, Norway	<i>Picea abies</i>
Spruce, White	<i>Picea glauca</i>
Walnut, Black	<i>Juglans nigra</i>

**Appendix B: Definitions and Rules for Calculating Soil Volume**

The following definitions apply to soil media for newly planted trees in the City of Columbia Heights:

*Open soil.* Exclusively refers to either uncompacted native soils (no greater than 80% Proctor), or amended soils meeting the Minnesota Department of Transportation standards for approved topsoil, that are not covered by hardscape or paved surfaces.

*Available open soil.* The uncovered length by width of a planting bed, multiplied by depth of preparation up to 36 inches deep. Most unprepared urban subgrade is highly compacted and does not qualify as available.

*Covered soil.* Soil volume provided below hardscape or paved surfaces in the form of suspended soil cells or structural soil. Only 25% of the volume of structural soils may be counted towards soil volume requirements.

*Shared soil.* Soil media shared by more than one tree in a planting bed sharing open soil, or an individual tree in a planting bed that is connected to other open soils via Soil Cells or Structural Soil. Areas of shared soil must have a continuous root path that does not restrict to less than 4 feet wide or 2 feet deep.

*Isolated soil.* Soil media in a tree well or small enclosed planting bed that is not connected to other prepared soil volumes and is totally isolated by hardscape such as driveways, sidewalks, or vaults.

*Connected soil.* Two or more areas of open soil that are connected below hardscape with either soil cells or structural soil. These connected beds can now qualify as shared soil.

The following standards and exceptions apply to calculating soil volumes:

- 1) The total soil volume provided for a tree shall be calculated in cubic feet by adding the available open soil volume to the available covered soil volume within a 50-foot radius of the tree.
- 2) When total soil volume consists of more than one planter bed or open soil area, those areas must be connected by continuous root paths at least 4 feet wide and 2 feet deep.
- 3) Soil volumes for covered soil shall be calculated by using only the space available to roots and may not include the components providing structure. 90% of the volume of cell-type hardscape suspension systems may be counted towards total soil volume; 25% of the volume of structural soils may be counted towards total soil volume. A maximum depth of 36" may be used when calculating total soil volume; depths beyond 36" may not be counted towards soil volume requirements.
- (6) *Landscaping requirements.* Landscaping shall be provided in accordance with the following requirements:
  - a. All required setbacks shall be landscaped with turf grass, native grasses, trees, shrubs, vines, perennial flowering plants, or other pervious ground cover.
  - b. A minimum of one tree shall be planted for every 50 feet of street frontage or fraction thereof. The trees shall be planted within the front yard and may be arranged in a cluster or placed at regular intervals to best complement existing landscape design patterns in the area.
  - c. A minimum of four trees shall be planted for every one acre of lot area covered by buildings, parking areas, loading areas, exterior storage areas and other impervious surfaces.
  - d. Parking areas shall have a minimum of 100 square feet of landscape area and one over- story tree for each 20 spaces or, fraction thereof. The remainder of the landscape area shall be covered with turf grass, native grasses, trees, shrubs, vines, perennial flowering plants, or other pervious ground cover.

- (7) *Screening requirements.* Screening shall be provided in accordance with the following requirements:
- a. All off-street parking areas containing six or more parking spaces and located adjacent to a residential or residentially zoned property, the parking area shall be screened along the boundary with the residential use. Where any commercial or industrial use is located adjacent to or across a public alley from a residential or a residentially zoned property, the commercial or industrial use shall be screened along the boundary with the residential use.
  - b. Exterior storage of materials or equipment, except for allowed retail sales and temporary placement of equipment, shall be screened from all adjacent non-industrial uses and from the public right-of-way.
  - c. Required screening shall consist of a fence, wall, earthen berming and/or vegetation no less than six feet in height and no less than 80% opaque on a year round basis. Said screening shall be located as close to the property line as practicable and no closer than 15 feet from the edge of a public right-of-way.
- (8) *Installation and maintenance.* The following regulations shall govern the installation and maintenance of landscaping and screening materials.
- a. All landscaping materials and screening materials shall be installed in conjunction with site development and prior to issuance of a final certificate of occupancy.
  - b. A letter of credit or other security as acceptable to the city shall be deposited with the Zoning Administrator, in an amount equal to 100% of the estimated cost of landscaping and/or screening. The letter of credit or other security as acceptable to the city, or portions thereof, shall be forfeited to maintain and/or replace materials for a period of time to include at least two growing seasons. A portion of the letter of credit or other security as acceptable to the city may be released after one growing season as determined by the Zoning Administrator. The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.
  - c. The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.
- (9) *Screening of parking areas from adjacent properties.* All parking and loading areas (including drive-through facilities, pump island service areas and stacking spaces) abutting a public street or sidewalk shall provide:
- a. A landscaped frontage strip at least five feet wide along the public street or sidewalk. If a parking area contains over 100 spaces, the minimum required landscaped frontage strip shall be increased to eight feet in width.
  - b. Screening consisting of either a masonry wall, fence, berm or hedge or combination that forms a screen a minimum of three feet in height, a maximum of four and one half feet in height, and not less than 50% opaque on a year-round basis. For reasons of personal safety and security, parking lot screening should allow clear visibility of pedestrians above the three-foot high viewing range.

- 
- c. Trees shall be planted at regular intervals of no greater than 50 feet within the frontage strip.

**Section 2**

This Ordinance shall be in full force and effect from and after 30 days after its passage.

First Reading:

Offered by:

Seconded by:

Roll Call:

Second Reading:

Offered by:

Seconded by:

Roll Call:

Date of Passage:

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Amáda Márquez Simula, Mayor

Attest:

---

Sara Ion, City Clerk/Council Secretary

# COLUMBIA HEIGHTS

## ZONING AMENDMENT APPLICATION ORDINANCE NO.: 9.104 (F)

This application is subject to review and acceptance by the City. Applications will be processed only if all required items are submitted.

**PROPERTY INFORMATION**

Project Address/Location: Citywide


Legal Description of property: \_\_\_\_\_

Present zoning of property: \_\_\_\_\_

Proposed zoning of property: \_\_\_\_\_

Section Number of text to be changed: 9.106 General Development Standards - Landscaping & Screening

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Company/Individual (please print): 

Contact Person (please print): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Signature/Date: \_\_\_\_\_

**APPLICANT:**

Company/Individual (please print): City of Columbia Heights - Community Development

Contact Person (please print): Andrew Boucher

Mailing Address: 3989 Central Avenue NE

City: Columbia Heights State: MN Zip: 55421

Daytime Phone: 763-706-3673 Cell Phone: \_\_\_\_\_

E-mail Address: aboucher@columbiaheightsmn.gov

Signature/Date: Andrew Boucher

**Disclaimer: Applicant's name, contact information and a summary of the proposed application may be made available on the city's website as part of public record.**

# COLUMBIA HEIGHTS

REASON FOR REQUEST *(please provide a written narrative that explains how the existing use of the property and the zoning classification of other properties within the general area are compatible with the proposed zoning classification. Also describe whether there has been a change in the character or trend of development in the general area that has taken place since the property was originally placed in its current zoning classification. If applicable, provide the existing text that you are requesting be changed and provide the proposed text.)*

### FOR OFFICE USE ONLY

CASE NO: \_\_\_\_\_

APPLICATION REC'D BY: \_\_\_\_\_

\$1000 APPLICATION FEE REC'D: \_\_\_\_\_

DATE APPLICATION REC'D: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_

(M) *Landscaping and screening.*

(1) *Purpose.* Landscaping and screening requirements are established to buffer non-compatible land uses, screen unsightly views, reduce noise and glare, minimize storm water runoff, and generally enhance the quality and appearance of development within the community.

(2) *Landscape plan required.* A landscape plan is required for all new commercial, industrial, institutional and multi-family development. For development having an anticipated construction value in excess of \$750,000, the landscape plan must be prepared by a landscape architect registered in the State of Minnesota. Said landscape plan shall include the location, size, quantity and species of all existing and proposed plant materials.

(3) *Design considerations.* The following design concepts and requirements should be considered when developing a landscape plan for submittal to the city:

(a) To the maximum extent possible, the landscape plan shall incorporate existing vegetative features on the site.

(b) The overall composition and location of landscaped areas should complement the scale of the development and its surroundings.

(c) Landscaped areas should be of adequate size to allow proper plant growth, protect plantings from both pedestrian and vehicular traffic, and provide adequate area for plant maintenance.

(d) A variety of trees and shrubs should be used to provide visual interest year round. No more than 50% of the required number of trees or shrubs may be comprised of any one species. No less than 25% of the required number of trees shall be over-story deciduous trees and no less than 25% shall be coniferous.

(e) Final slopes greater than 3:1 will not be permitted without special treatment such as terracing, retaining walls or special ground covers.

(f) All plant materials shall meet the following minimum size standards:

<b>Plant Type</b>	<b>Minimum Size at Planting</b>
<b>Plant Type</b>	<b>Minimum Size at Planting</b>
<b>Trees</b>	
Evergreen	6 feet in height
Deciduous—over-story	2.5 inches diameter, measured 2 feet from base
Deciduous—ornamental	2 inches diameter, measured 2 feet from base
<b>Shrubs</b>	
Evergreen	2 feet in height
Deciduous	2 feet in height

Screening shrubs—either	3 feet in height
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(4) *Landscaping requirements.* Landscaping shall be provided in accordance with the following requirements:

(a) All required setbacks shall be landscaped with turf grass, native grasses, trees, shrubs, vines, perennial flowering plants, or other pervious ground cover.

(b) A minimum of one tree shall be planted for every 50 feet of street frontage or fraction thereof. The trees shall be planted within the front yard and may be arranged in a cluster or placed at regular intervals to best complement existing landscape design patterns in the area.

(c) A minimum of four trees shall be planted for every one acre of lot area covered by buildings, parking areas, loading areas, exterior storage areas and other impervious surfaces.

(d) Parking areas shall have a minimum of 100 square feet of landscape area and one over- story tree for each 20 spaces or, fraction thereof. The remainder of the landscape area shall be covered with turf grass, native grasses, trees, shrubs, vines, perennial flowering plants, or other pervious ground cover.

(5) *Screening requirements.* Screening shall be provided in accordance with the following requirements:

(a) All off-street parking areas containing six or more parking spaces and located adjacent to a residential or residentially zoned property, the parking area shall be screened along the boundary with the residential use. Where any commercial or industrial use is located adjacent to or across a public alley from a residential or a residentially zoned property, the commercial or industrial use shall be screened along the boundary with the residential use.

(b) Exterior storage of materials or equipment, except for allowed retail sales and temporary placement of equipment, shall be screened from all adjacent non-industrial uses and from the public right-of-way.

(c) Required screening shall consist of a fence, wall, earthen berming and/or vegetation no less than six feet in height and no less than 80% opaque on a year round basis. Said screening shall be located as close to the property line as practicable and no closer than 15 feet from the edge of a public right-of-way.

(6) *Installation and maintenance.* The following regulations shall govern the installation and maintenance of landscaping and screening materials.

(a) All landscaping materials and screening materials shall be installed in conjunction with site development and prior to issuance of a final certificate of occupancy.



(b) A letter of credit or other security as acceptable to the city shall be deposited with the Zoning Administrator, in an amount equal to 10% of the estimated cost of landscaping and/or screening. The letter of credit or other security as acceptable to the city, or portions thereof, shall be forfeited to maintain and/or replace materials for a period of time to include at least two growing seasons. A portion of the letter of credit or other security as acceptable to the city may be released after one growing season as determined by the Zoning Administrator.

(c) The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.

(7) *Screening of parking areas from adjacent properties.* All parking and loading areas (including drive-through facilities, pump island service areas and stacking spaces) abutting a public street or sidewalk shall provide:

(a) A landscaped frontage strip at least five feet wide along the public street or sidewalk. If a parking area contains over 100 spaces, the minimum required landscaped frontage strip shall be increased to eight feet in width.

(b) Screening consisting of either a masonry wall, fence, berm or hedge or combination that forms a screen a minimum of three feet in height, a maximum of four and one half feet in height, and not less than 50% opaque on a year-round basis. For reasons of personal safety and security, parking lot screening should allow clear visibility of pedestrians above the three-foot high viewing range.

(c) Trees shall be planted at regular intervals of no greater than 50 feet within the frontage strip.

## New Hope

4.3 c. Tree preservation and replacement. Landscape plans associated with commercial, industrial, multiple family, or institutional uses shall include measures to preserve or replace significant, preferred trees within any site development or redevelopment projects whenever possible, in accordance with this section of the New Hope City Code.

1. Inspection. With submission of a development application, the tree inspector shall conduct a site inspection and identify significant, preferred trees that may be impacted or lost due to site improvements, grading, and/or utility work associated with the project.
2. Preservation measures. The applicant shall include tree preservation measures on the landscape measures that will be put in place during site construction to protect significant, preferred trees, including:
  - a. Snow fencing or polyethylene laminar safety netting placed at the drip line or critical root zones.
  - b. Installation of signage at all tree protection areas that instructs workers to stay out.
  - c. Erosion control methods.
  - d. Tree removal procedures including directional felling away from existing trees to be saved and trenching to separate root systems prior to bulldozing trees or stumps.
  - e. Coordination of utility planning with tree preservation plan to strategically extend utility connections from the street to the building in a manner that protects trees intended to be saved.
  - f. Measures for preventing changes in soil chemistry due to concrete wash-out and leakage or spillage of toxic materials such as fuels or paints.
  - g. No soil disturbance shall occur within the lot until the tree preservation plan is approved and tree protection measures are in place.
  - h. Builders, contractors, or others working on site shall not fill, stockpile materials, or store equipment or vehicles against the trunk of the tree, in the critical root zone, or under the drip line of a tree to be saved.
3. Replacement.
  - a. No tree replacement is required for the following:
    - i. Removal of non-significant, preferred trees.
    - ii. Removal of non-preferred trees/invasive vegetation, nuisance plants or trees that are diseased or dead.
    - iii. Removal of significant, preferred trees within 15 feet of the building footprint of a proposed building or building addition.
  - b. Tree replacement will be required for the loss of any significant, preferred trees from the site due to site grading, construction of parking lots, loading areas, open outdoor storage areas, or stormwater management features.
  - c. The City will require the replacement of all trees at a one-inch to 0.5-inch ratio.
  - d. Replacement trees shall consist of tree(s) from the preferred tree list as defined in section 4-2(b) of the City Code and shall meet the minimum size requirements as set forth in subsection (d)(4)b.1. of this section.

- e. The site landscape plan shall identify tree locations, species, and sizes for replacement trees being planted on site. If the site plan does not offer space for the required number of replacement trees, the city may permit off-site replacement trees planted on public property.
  - f. Any replacement tree which is not alive or healthy, as determined by the tree inspector, or which subsequently dies due to construction activity within two years after the date of project closure, shall be removed by the applicant and replaced with a new healthy tree meeting the same minimum size requirements.
4. Compliance with plan. The applicant shall implement the tree preservation plan prior to and during any construction. The tree protection measures of the plan shall remain in place until all grading and construction activity is terminated, or until a request is made to and approved by the city. The city shall have the right to inspect the development and/or building site in order to determine compliance with the approved tree preservation plan. The city shall determine whether compliance with the tree preservation plan has been met.

Shakopee

### **151.113 Tree Preservation Regulations**

1. *Purpose.* The city regards natural features such as woodlands and bluffs as part of the community's identity, attracting residents and businesses to the area, City Council recognizes that not protecting these assets would have a quantifiable economic, social, and environmental loss. An objective of the city's Comprehensive Plan is to preserve, enhance, and maintain natural wooded areas within the city. This section aims to achieve this objective by encouraging responsible land development through rewarding those who use creative site design and minimize the impact to existing landscape and neighborhood character.
2. *Regulations.* The following requirements and standards shall apply to any tree removal including, a preliminary plat, final plat, minor subdivision, building permit, demolition permit, conditional use permit variance, or grading permit is required by the city on any parcel of land containing a significant tree. The city is authorized to deny or revoke any permits extended by the city for individuals or organizations in violation of this section.
3. *Applicability.* The following developments are exempt from the requirements for tree replacement:
  1. Any alteration of the tree canopy taking place on a residential property less than two and a half acres in size other than for an initial dwelling;
  2. Home gardens or an individual's home landscaping, repairs, and maintenance work;
  3. Existing agricultural, horticultural, or silvicultural operations. Expansions of existing agricultural operations will be subject to the requirements for tree replacement;
  4. Emergency work to prevent or alleviate immediate damages to life, limb, property, or natural resources. In such event, if tree replacement had been required but for emergency, the obligations of this division (C) shall apply and shall be performed at the earliest reasonable time thereafter;
  5. Maintenance of existing infrastructure by the city is exempt from the requirements of this section.
4. *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPLICANT.** Any person submitting an application to the city for any activity for which a preliminary plat, final plat, minor subdivision, building permit, demolition permit, conditional use permit, variance, or grading permit is required on land containing a significant tree.

**BASIC INFRASTRUCTURE.** Includes roads, streets, sidewalks, rights-of-way, sanitary sewer, storm sewer, septic tanks, dram fields, water, natural gas, electric, cable television service, drainage ways, and storm ponds.

**BUILDABLE LAND.** Any land not considered a wetland or easement as defined in the

City Code or a bluff impact zone as defined in the design criteria.

**BUILDING PARAMETER.** The footprint of a building or structure with a distance not to exceed 20 feet in each direction thereof. The area of disturbance on either side of a driveway, when added together, shall not exceed 20 feet.

**CALIPER INCH.** The measurement of a tree trunk measured at 4.5 feet above the root ball.

**COMMON TREE.** Any of the following trees: poplar; red maple; ash; elm; cedar; mulberry; balsam fir; birch; pine; spruce; tamarack; black locust; or other fast growing deciduous trees not listed as an exceptional tree. Trees that are not included in overall tree inventory and are not required to be replaced are ash, buckthorn, willow, fruit trees, cottonwood.

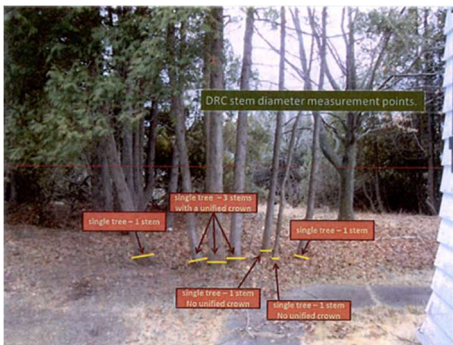
**CONTIGUOUS WOODLAND.** A contiguous tree canopy greater than 2 acres regardless of land ownership.

**CRITICAL ROOT ZONE or CRZ.** A radius of 1½ feet for every 1 inch of DBH for the tree trunk of the tree being preserved. Example: If a tree's DBH is 10 inches, its CRZ is 15 feet (10 x 1 1/2 = 15).

**DEVELOPMENT.** Any activity for which a preliminary plat, final plat, minor subdivision, building permit, demolition permit, conditional use permit, variance, fence permit, or grading permit is required on land containing a tree.

**DIAMETER AT BREAST HEIGHT or DBH.** The diameter of the trunk of a tree measured in inches 4 1/2 feet above the ground from the uphill side of the tree.

**DIAMETER AT ROOT COLLAR or DRC.** Used for measuring multi-stem trees. Trees are examined to see if they have a unified crown and are counted at each stem and multiplied by .6. Single trees are measured individually if there is no shared canopy.



**EXCEPTIONAL TREE.** Any of the following trees: oak; hickory; basswood; sugar maple;

black maple; cherry; catalpa; walnut; hackberry; hornbeam; coffee tree; butternut; buckeye; or horse chestnut.

**FORESTRY SPECIALIST.** A state registered land surveyor, civil engineer, landscape architect, forester, or certified arborist, who is capable of identifying a tree by species. Only an arborist can identify and classify trees that are in poor health or considered hazardous.

**HAZARD TREE.** A tree posing a threat to property or people that has visible hazardous defects such as dead wood, cracks, weak branch unions, decay, cankers, root problems, or poor tree architecture as defined by the U.S. Department of Agriculture, Forest Service, Northeastern Area's publication How to Recognize Hazardous Defects in Trees (NA-FR-01-96).

**HIGH PRIORITY AREA.** A group of three or more exceptional trees ten inches DBH or greater with near contiguous canopies or group of any trees that provide a buffer or screening along an adjacent property or street.

**HIGH PRIORITY TREE.** An exceptional tree 15 inches DBH or greater, or any tree the city has a strong desire to preserve and is declared healthy by the city's staff.

**MULTI-STEM TREE.** A group of trees that share both a unified crown and common root stock. The diameter is recorded as the diameter at root collar.

**REPLACEMENT TREE.** A tree that replaces diameter inches of a removed tree. The number of replacement trees required is based off the number of replacement inches calculated with the "remove:replace" ratio.

**RESIDENTIAL BUILDING PERMIT.** A building permit required for the building of an initial dwelling.

**SIGNIFICANT TREE.** A living specimen of a woody plant species that is either an exceptional tree whose diameter is 4 inches or greater DBH; a common tree whose diameter is six inches or greater DBH, or a multi-stem tree with 2 or more stems measuring four inches or greater in diameter measured above the root collar.

**TREE PRESERVATION PLAN.** The tree inventory, site plan, and tree replacement sheet for a site where an applicant proposes to remove a significant tree.

**TREE PROTECTION FENCE.** Orange snow fencing or polyethylene laminate safety netting placed at the critical root zone of a tree to be preserved.

**TREE REPLACEMENT ESTIMATE.** The city's cost for a three inch balled and burlapped tree for the current year. The city is required to get three quotes per year and post the

chosen quote in the current fee schedule.

**WOODLAND ALTERATION.** Any private or public infrastructure and utility installation, building construction, excavation, grading, clearing, filling, or other earth change on any parcel of land, where any cutting, removal, or killing of a significant tree on any parcel of land will occur. Residential parcels of land less than two and a half acres in size are subject to the requirements in this section only if the **WOODLAND ALTERATION** for an initial dwelling.

**WOODLAND ALTERATION PERMIT.** A permit to allow woodland alteration.

5. *Tree preservation plan requirements.*

1. *Requirements generally.* All applicants are required to submit and follow the approved tree preservation plan.
2. *Requirements of the tree preservation plan.* The tree preservation plan must be completed by a forestry specialist and meet the following requirements.

1. *Tree inventory.*

1. The tree inventory must include every significant tree on buildable land on the property where the permit is being applied for. In addition to trees on said property, significant trees on adjacent property which have CRZ overlapping onto said property must be inventoried. Each inventoried tree must be tagged with a unique identification number.
2. In circumstances where larger areas of the site are not being altered/graded or have no flexibility in planning around significant trees, the applicant may request permission from the city's Planning Department to use a stratified random sample with a fixed area plot to calculate an estimated tree DBH and species for each stratum. The survey results must be within less than 10% of standard error for each stratum. Plots must be marked to allow for replication of survey if necessary.
3. The applicant must provide a working digital copy and hard copy spreadsheet displaying the following information for each inventoried tree:
  1. Identification number;
  2. Tree size (DBH or DRC);
  3. Tree species;
  4. Tree type (common, exceptional, or high priority);
  5. On-site or off-site (adjacent property);
  6. Critical root zone (if being preserved);
  7. Removed or preserved;
  8. Whether the tree is within a contiguous woodland or high priority area; and
  9. The total diameter inches of both high priority trees and significant trees inventoried must be displayed.

2. *Site plan.*

1. Generally. A scaled drawing of the site including:

1. The location, identification number, and tree type (common, exceptional, or high priority) of all inventoried trees;
2. Proposed trees to remove and preserve;
3. High priority areas and contiguous woodland area;
4. Critical root zones of all trees being preserved along with any area within critical root zone that will be impacted;
5. Proposed construction/grading limits, lot lines, building parameter, basic infrastructure, buildable land, and building footprint/elevation;
6. Locations of tree protection fence and silt fence; and
7. Soil stockpile and parking locations during construction.

2. *Additional requirements.*

1. A survey of the lot meeting all possible requirements of the tree inventory and site plan must be provided to the builder of the lot. The city must be provided a digital copy of the tree survey for each individual lot.
2. Note areas with oak wilt, Dutch elm disease, Emerald Ash Borer, invasive plants such as buckthorn or others listed on the current year's State Department of Agriculture's noxious weed list.

3. *Tree replacement sheet.*

1. The tree replacement sheet is a scaled drawing of the site depicting where the replacement trees will be planted.
2. The plan must include:
  1. Calculations for determination of required replacement trees and landscaping required by division (H) below;
  2. Locations of all trees and other plants being installed on-site;
  3. Plant list including species, size, and stock type of installed plants;
  4. Planting details that meet the city's tree planting specifications; and
  5. Easements, right-of-ways, construction limits, building pads, driveways, and basic infrastructure.
3. *Residential building permit tree preservation plan.* The applicant must complete the city's "residential building-tree preservation plan" as their tree preservation plan which includes a survey meeting all requirements of this division (E) to the city.
4. *Permit prerequisites.* No woodland alteration, grading, or building permits shall be issued by the city until the applicant has installed



any required tree protection fencing and it has been inspected and approved by the city.

5. *Changes to tree preservation plan.* Any changes to the tree preservation plan shall be submitted in writing to the city by the applicant for approval. If the change includes any additional significant tree removal, an additional inspection and approval by the city of the tree protection fencing will be required.
6. *Current tree preservation plan.* All information contained in the tree preservation plan must not be more than two years old at the time of submittal. City staff may grant reasonable exceptions to this requirement for residential builders of an individual lot.
7. *Removal of significant trees.* Significant trees required to be removed pursuant to § 130.17, shall be identified as removed on the tree preservation plan and must be removed. Significant trees that are removed for this reason are exempt from the replacement requirements of this division (E).

6. *Allowable tree removal.*

1. *Generally.*

1. Developers and builders are required to save as many trees as feasible when grading or building a site.
2. When developing the site plan the developer or builder shall:
  1. Identify high priority trees and areas (using the tree inventory) that are most worthy of preservation;
  2. Locate roads, buildings, utilities, parking areas, or other infrastructure so as to minimize their impacts on exceptional and high priority trees;
  3. Preserve trees in groves or clusters recognizing that survivability is greater for groups of trees than individuals;
  4. Manipulate proposed grading and the limits of disturbance by changing the elevation/location of building pads, parking lots, and streets, and consider the use of retaining walls to reduce the impact of the trees; and
  5. Review all construction factors that influence tree survivability.

2. *Standards for site developments.*

Type of Development	Permitted Removal	Caliper Inches Significant Trees Above Permitted Removal	Caliper Inches High Priority Trees	Excluded Trees and Trees Health Classified "Poor"/Hazard Trees
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Residential buildings 6 units or less during subdivision	30% of inventoried DBH	1:1 DBH inventoried	1:1.5 (remove: replace)	None
Residential 6 units or less after subdivision	100% DBH within building parameter	None	None	None
Commercial. industrial > 6 unit residential buildings	60% of inventoried DBH	1:1 DBH inventoried	1:1.5 (remove: replace)	None
Redevelopment	60% of inventoried DBH	1:1 DBH inventoried	1:1.5 (remove: replace)	None

1. Tree removal beyond the lot being built on is allowed only for the installation of basic infrastructure. 15% of the inventoried DBH on the buildable land for that lot may be removed without replacement; and
  2. Removal in excess of this 15% requires replacement of 1:1.5 DBH (remove: replace).
  3. For any applicant proposing redevelopment of a lot, 30% of the inventoried DBH on the buildable land for the lot being redeveloped is allowed to be removed without replacement. Removal in excess of this 30% requires replacement of 1:1.5 DBH (remove:replace).
  4. Proposal to remove more than 35% of high priority trees. If an applicant proposes to remove more than 35% of the high priority trees or 25% of a contiguous woodland, based on DBH, the city must be shown site plan alternatives considered by the applicant as evidence an attempt to remove less than said amount of trees was made and an explanation as to why this plan does not work.
7. *Tree preservation requirements.*
1. The applicant must preserve all trees identified to be preserved on the tree preservation plan.
  2. For grading being done between the dates of April 1 and July 31, the CRZ for an oak tree may be increased due to threat of oak wilt. During this time, wound dressing will be applied immediately after damage of an oak tree takes place.
  3. A tree shall be considered removed if:
    1. More than 30% of the CRZ is compacted over 80% of Standard Proctor or 200 PSI, cut, filled, or paved;

2. More than 30% of the circumference of the trunk is damaged;
  3. The hydrology in the area of preserved trees changes due to site grading;  
or
  4. Severe damage to an oak tree takes place between April 1 and July 31.
  4. Tree protection fence shall be placed outside of the CRZ of trees being preserved. If fencing is not possible, covering and maintaining the CRZ with geotextile fabric and six plus inches of wood-chip mulch will suffice.
  5. There may be no construction activity within the CRZ of a significant tree located on an adjacent property.
8. *Tree replacement standards.*
1. A replacement tree shall not be any species presently under disease or insect epidemics, considered invasive, or a species that composes a high percentage of the city's urban forest without prior written approval from the city. Recommended species can be found in the city's Forestry Specification Manual.
  2. Replacement trees must meet the planting size requirements for required landscaping.
  3. All replacement trees must be installed during appropriate season for that planting stock.
  4. Replacement trees are not to be installed until exterior construction activities are complete in that area.
  5. If there are greater or equal to 30 trees that are required, they shall be composed of no more than 10% of one species, 20% of one genus, and 30% of one family. If there are less than 30 trees are required, one species shall make up no more than 25% of the total.
  6. Replacement trees shall not be planted in a location that will interfere with other infrastructure or be in extreme competition for resources with other trees at maturity.
  7. The city may accept other vegetative or environmental alternatives proposed by an applicant if those alternatives are monetarily or ecologically equivalent to the value of the replacement trees required by this section.
  8. Replacement trees shall be planted not more than 18 months from the date of the final approved tree replacement sheet as part of the tree preservation plan. Extensions may be requested in writing to the city.
  9. If the number of replacement trees cannot be met on-site, the following is required:
    1. A cash payment of \$400 per replacement tree shall be provided to the city for the planting of trees that are as close as possible to the site that payment was received for or to subsidize trees sold to the city's residents;
    2. Trees may be planted in city-owned or managed land as approved by the city;
    3. Replacement trees may be installed on other properties owned by the applicant within the city. If a buffer area as defined by the natural resource corridor map is on said property, replacement trees shall be planted in this area first.

9. *Unauthorized significant tree removal.*

1. Any person, firm, or corporation who removes or causes the loss of a significant tree identified to be preserved on an approved tree preservation plan or without a permit allowing woodland alteration, shall be required to complete 1 of the following as determined by the city:
  1. Installation of replacement trees within the same development at a 1:2 DBH (remove:replace); or
  2. Payment to the city of \$500 for every one inch of significant tree removed that was unauthorized. Measurement of each tree will be at DBH or diameter of the stump, whichever is readily available. This amount may be taken by the city from the financial security posted by the applicant for tree replacement, if any. A minimum of \$15,000 payment will be required if measurements are unavailable.
2. This provision also applies to a conservation easement area that is disturbed during or after development as well as removing a publicly managed tree of any size without written city authorization.
3. The city may withhold permits from any person, firm, or corporation who fails to complete the requirements above.

10. *Financial security.*

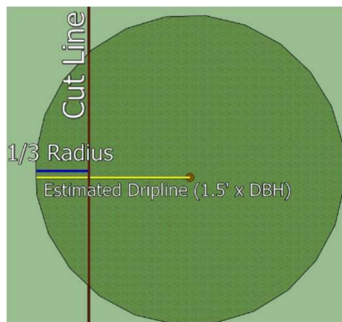
1. The applicant shall provide the city with a cash escrow, or other form of security that the city deems acceptable, in the amount of 150% of the total tree replacement estimate.
  1. Formula. Number of replacement trees x tree replacement estimate x 150%= financial security due.
2. The financial security required for the replacement trees is due prior to the issuance of the grading permit or the commencement of any woodland alteration activity.
3. All replacement trees must be warrantied to guarantee survival. The warranty period shall begin upon inspection and acceptance by city staff of the installed trees for proper planting, size, species, health, and location. If at any time during the warranty period replacement trees are found to be unhealthy by city staff they are required to be replaced with the same size and species by the applicant at the soonest appropriate planting time.
  1. For commercial/industrial sites and residential developers, up to 75% of the financial security may be returned upon inspection and acceptance by the city of installed trees and the submittal of a city-approved two year warranty from the landscape contractor who installed the trees. This warranty must cover tree health issues relating to excess or insufficient water. The remaining financial security will be held by the city for 2 years. When reducing the financial security, 75% will be returned unless city staff feels the trees have a heightened risk of failure.
  2. For builders of individual residential lots within a subdivision who receives a one-year warranty from the landscape contractor who installed the trees, 100% of the financial security will be returned upon:

1. Inspection and acceptance of installed trees by the city; and
  2. Providing the lot buyer with the copy of the two-year warranty from the landscape contractor and contact information to make a claim on the warranty.
4. If the financial security has not been returned in full after the inspection of the installed trees, at the end of a 2-year warranty period, the applicant shall schedule a final inspection with city staff.
1. Prior to scheduling the inspection, the applicant shall confirm the following conditions are met:
    1. All trees have 1 dominate leader, are free of deadwood, and injured branches;
    2. All tree wrap is removed;
    3. All stakes and wires are removed; and
    4. Trees are in leaf.
  2. At the time of final inspection the city shall decide to:
    1. Refund the financial security in full; or
    2. Require the planting of new trees to replace the replacement trees which do not survive or are declared unhealthy by city staff. If 25% or more of the replacement trees are required to be replaced, the appropriate amount of financial security will be held for an additional 2 years for said trees.
5. The financial security will be used by the city only if the applicant does not install the initial or subsequent replacement trees required in this chapter.
6. Any trees required to be removed per § 130.17 from a site, shall be removed and disposed of according to § 130.17 prior to release of the financial security.
7. The city shall be exempt from the financial security requirement of this section.
11. *General regulations.*
1. If the applicant disagrees with the city staff's decision with respect to the interpretation or enforcement of this chapter, the applicant may appeal that decision by following the procedure established in § 151.016.
  2. Land previously planted for commercial tree farm purposes shall be subject to tree replacement requirements as determined appropriate by the city with the maximum requirement being the current allowable tree removal requirements of division (F) above.
  3. Inspections required in this chapter will be conducted by staff from the city's Natural Resources Department or other city staff as assigned.
12. *Effective Date.* This section becomes effective from and after its passage and publication.

Maple Grove: **DIVISION 6. - T TREE PRESERVATION DISTRICT****Sec. 36-728. - Tree preservation standards associated with site development.****[SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONEMAIL SECTION](#)**

Unless provided otherwise in an approved forest management plan set forth in [section 36-727](#), the conditions following the submission requirements in this section shall apply to removal of trees having a trunk diameter of eight inches or more DBH.

- 1) *Application.* Any person desiring to develop all or part of any property within a T-zone shall submit an application (subdivision, site plan, planned unit development, among others) to the city's community and economic development department together with a filing fee as set forth in [chapter 16](#), article XI, of this Code. Accompanying the appropriate application shall be the following:
  - a) *Tree inventory.* Tree inventory shall include the species, diameter, condition and location of all trees at least eight DBH inches and shall be prepared by a forester, natural resources specialist, certified arborist, landscape architect or another qualified individual. Such qualified individual shall require approval by the community development director.
  - b) *Tree preservation plan.* The tree preservation plan shall show and specify:
    - i) Total diameter inches and species composition of trees at least eight DBH inches to be preserved;
    - ii) Total number of diameter inches of trees at least eight DBH inches to be removed;
    - iii) Limits of tree clearing, tree protection zones and fencing;
    - iv) Location, size and species of replacement trees required in section;
    - v) Construction staging areas for parking and material storage including concrete washout areas;
    - vi) Location of all underground utilities;
    - vii) Dripline analysis showing the approximate location of the dripline from each tree. If a clear dripline cannot be established, said analysis shall estimate the dripline using a 1½-foot radius for the dripline for each inch of tree diameter;
    - viii) Root cutting with a vibratory plow, trencher or other device approved by the director of community and economic development must be conducted along the limits of clearing adjacent to tree preservation areas and a root cutting detail shall be provided;
    - ix) Grading in the dripline shall be no more than one-third the radius of the estimated dripline or the tree shall be counted as removed in the plan. Said grading shall be only on one side of the tree.



- x) Fencing detail for any fencing required under [section 36-730](#).

- xi) Signage details for any required signage under [section 36-730](#).
- xii) All tree removal shall be accounted for with the initial plan and include proposed grading for all lots in a development.
- xiii) For single-family detached residential property, trees within 20 feet of the building pad may be preserved but shall not count as preserved on the retention schedule.
- c) *Sequencing plan*. The sequencing plan shall show the following sequencing schedule:
  - i) Root cutting;
  - ii) Installation of tree protection fence and signage;
  - iii) Grading.
- 2) *Standards of preservation during development*. Development means part of a development proposal under review such as, but not limited to, a planned unit development or subdivision review.
  - a.

<b>Development Type</b>	<b>Removal limit before replacement is required (in DBH inches)</b>
Residential (PUD or otherwise)	50%
Industrial (non-PUD)	70%
Commercial (non-PUD)	80%
Industrial and Commercial PUD's	70%

- 3) *Replacement table for planned unit developments*: The replacement for planned unit developments has a replacement ratio that gets higher as removal gets higher and puts a limit on removal. The intent is to limit removal and provide more replacement with more removal.

<b>Residential PUD Replacement Table</b>	<b>Replacement Ratio (replacement inches to removal inches)</b>
Removal up to 50% of DBH inches	0:0

<b>Residential PUD Replacement Table</b>	<b>Replacement Ratio (replacement inches to removal inches)</b>
Removal over 50—55% of DBH inches	2:1
Removal over 55—60% of DBH inches	3:1
Removal over 60—65% of DBH inches	4:1
Removal over 65—70% of DBH inches	5:1
No removal allowed over 70%	

<b>Commercial and Industrial PUD Replacement Table</b>	<b>Replacement Ratio</b>
Removal up to 70% of DBH inches	0:0
Removal over 70—75% of DBH inches	2:1
Removal over 75—80% of DBH inches	3:1
Removal over 80—85% of DBH inches	4:1
Removal over 85—90% of DBH inches	5:1
No removal allowed over 90%	

The replacement ratio shall apply to the entire replacement. For example, removal in a residential PUD of 60 percent would have a 3:1 replacement ratio, 61 percent removal would trigger at 4:1 replacement ratio.



- 4) *Density bonus and transfer for residential development.* As an incentive to retain trees, density bonuses can be considered for preservation. Density bonuses are based on the percentage of trees retained over 50 percent and apply to the area of a project that is in a T-zone. Density bonuses for T-zone preservation can be in addition to any density bonuses in the PUD section.
- a. For each net acre, or portion thereof, above 50 percent of the T-zone area that is preserved, a density bonus may be considered. Wetland and floodplain areas will not count toward the calculated area of preservation as these areas already have protections.
  - b. The density bonus shall be based on two times the maximum density of the underlying land use guiding in the comprehensive plan.
  - c. At least 55 percent of the inches must be retained before the density bonus shall apply.
  - d. To calculate the total number of units allowed on a site, the bonus units would be added to the number of units using the base density multiplied by the net acres of the site for the particular land use category. The base densities are as follows and are based on historical averages for these land uses:
    - i. Low-Medium Density: 2.5 units per acre.
    - ii. Medium Density: 6.75 units per acre.
    - iii. High Density: 18 units per acre.
    - iv. Mixed Use High Density: 22 units per acre.
  - e. Example table for a low-medium density guided site:

Total T-zone Acres	10.0
Percent of T-zone acres preserved	60%
Acres over 50% preserved	1.0
Base Density	2.5 units per acre
Max Density in Comprehensive plan	4.0 units per acre
Density Bonus	8.0 units per acre
Bonus units (1 acre above 50% x Density Bonus)	8
Base units	25

Total Units with Bonus Units	33
Net Density	3.3 units per acre

- f. The additional units can be transferred to the remainder of the site or an alternative site subject to city approval.
  - g. The city may consider flexibility with regard to unit types and lot sizes to accommodate the greater amount of open space that would occur with greater tree preservation. For example, smaller single-family lots or more attached housing in the low-medium residential areas could be considered.
  - h. For sites that have both T-zone areas and non-T-zone areas, density bonuses shall be calculated independently from each other. Open space preservation bonuses would only be gained if open space was created in the non-T-zone area above what is required by code.
  - i. The maximum density in low-medium residential guided land may not be exceeded.
- 5) *Standards of preservation when not connected with a development review.* This section shall govern the development of individual vacant lots and/or new construction in a T-zone in which removal was not previously accounted for through some other review process such as, but not limited to, planned unit development or subdivision review. Note that existing homes proposing additions, or other such improvements, will be subject to the requirements of [section 36-731](#).
- a. *Single-family detached and two-family dwellings.* The builder shall be responsible for working with the community development department for the protection of the trees to be preserved on a particular lot.
    - i. The building pad shall include an area from the front lot line to a line 85 feet behind the front lot line.
    - ii. The building pad shall extend across the entire width of the lot.
    - iii. The builder shall be required to replace trees removed from within the building pad on a basis of one-half inch of replacement for each DBH inch of removal.
    - iv. Trees protected within the building pad may count toward replacement at a ratio of two inches of replacement for every DBH inch of trees protected.
    - v. If trees are removed from the area outside the building pad, they shall be replaced at a ratio of two inches of replacement for each DBH inch removed.
  - b. *Other development types:*

Development Type	Removal limit before replacement is required (in DBH inches)
Attached single-family dwellings and apartments	50%

Development Type	Removal limit before replacement is required (in DBH inches)
Industrial	70%
Commercial	80%

c. Trees removed in excess of the removal limit above shall be replaced at a ratio of two inches of replacement for each DBH inch removed.

6) *Standards of preservation in all other circumstances.* Whenever trees are removed under any circumstances other than those identified in subsections (2) and (5) of this section, preservation and replacement ratios set forth in subsection (5) shall apply.

**Sec. 36-729. - Replacement standards.**

- a) As shown on a tree preservation plan required in [section 36-728](#) (1)b, replacement shall occur in the following order:
  - i) In the area from which the trees are removed. For single-family residential developments, or other types of development as determined by the city council, said area shall be common areas, outlots or other lots other than private, individually owned lots.
  - ii) If this is not desirable for the health or survival of the replacement trees, the trees shall be replanted elsewhere within the T-zone from which the trees were removed. For single-family residential developments, or other types of development as determined by the city council, said area shall be common areas, outlots or other lots other than private, individually owned lots.
  - iii) If this is also undesirable for the health or survival of the replacement trees, then the replanting may occur outside of the designated T-zone but shall occur within the development. For single-family residential developments, or other types of development as determined by the city council, said area shall be common areas, outlots or other lots other than private, individually owned lots.
  - iv) If this is not desirable for the health or survival of the replacement trees, then the landowner shall consult and work with the city to determine a better alternative planting location for the replacement trees.
  - v) Otherwise, at the discretion of the city council, the tree conservation fee shall be paid to the city in an amount as is set forth by the city council in the adopted fee schedule. Funds received by the tree conservation fee will be maintained within a separate account and used to replant trees on public lands or within forest preservation lands.
- b) Any replanting shall be done with overstory trees of the primary species of the affected forest. No more than 20 percent of the replacement trees shall be composed of any one genus. At planting, the trunks of deciduous trees shall be at least 2½ inches DBH. Coniferous trees shall be at least five feet in height.
- c) Replacement trees shall be identified as such until they are eight inches in DBH, shall be considered at least eight inches in DBH regardless of size and shall be treated accordingly for purposes of this division.

- d) A coniferous tree replacement shall be counted at a ratio of one inch DBH for every two feet in height of the coniferous tree.
- e) If any replanting is to occur outside the limits of the T-zone, the parcel on which the replanting occurs shall be rezoned so as to be governed by the provisions of the T-zone.
- f) Any replacement tree required to be planted by [section 36-728](#) shall be in addition to trees required to be planted on any residential lot, including single-family detached, two-family or any lot needing to comply with the requirements of [section 36-831](#), Required landscaping.

**Sec. 36-730. - Requirements before and during construction.**

- a) *Tree protection and preservation standards.*
  - i) Trees designated for preservation shall be protected by a highly visible fence or other temporary structure deemed acceptable by the city. The protection area shall be defined by the projection of the tree dripline downward to the ground. If less protection is necessary due to the proximity of building structures or infrastructure, such reduced protection area shall require approval by the city prior to any construction activity taking place.
  - ii) The location and means of tree protection shall require inspection and approval by the city prior to any construction activity taking place, including any grading work on the site. The city shall also inspect the construction site during construction. The tree protection shall remain in place until the city has conducted an inspection of the lot and has approved the removal of the fencing.
  - iii) No equipment, chemicals, soil deposits or construction materials shall be placed within a protective barrier.
  - iv) Any landscaping activity subsequent to the removal of the barriers shall be accomplished with hand labor.
  - v) If, during construction, activities take place in areas designated for preservation in violation of the above standards, trees in the impacted area may be deemed removed and subject to the penalties in [section 36-722](#) and any necessary replacement requirements.
  - vi) Any tunneling under trees for utilities should be a minimum of two feet underground from the top of the tunnel to minimize root loss.
- b) *Site signage.*
  - (1) Prior to any tree being removed pursuant to subsections [36-728](#)(2) or (3), the property owner shall cause to be posted on the perimeter of the site involved in the development, subdivision, excavation or construction activity signs readily visible to and understandable by the public identifying the trees and activity on the site as being subject to the provisions of T-zone regulations of the city.
  - (2) Such signs will be provided by the city, shall be placed in proximity to planned entrances to the development and shall remain in place until the activity has passed final approval by the city departments monitoring it.
  - (3) In addition, the property owner shall securely attach signs to the tree protection fence required under [section 36-730](#) every 50 feet of protection fencing or portion thereof. Such signs will be provided by the city.

- (4) All site activity that would impact trees shall cease if signage and/or fencing are not in place, until said signage and fencing are deemed adequate by the monitoring city departments.
- c) *Performance guarantee.*
- 1) Based upon the replacement trees identified in [section 36-729](#), and prior to any construction activity taking place, the applicant shall submit a cash escrow, letter of credit or other surety acceptable to the city in the amount of 100 percent of the cost of the replacement trees proposed for the project area. Such surety shall remain in force for two full growing seasons following installation of the replacement trees to guarantee survival. At the end of the second growing season or subsequent two-year period, the city shall review the project area in coordination with the applicant and shall make a determination to:
    - a. Refund the appropriate performance surety; or
    - b. Require the planting of new trees to replace the replacement trees which did not survive the initial or subsequent two full growing seasons or subsequent periods until such time as the replacement trees have survived two full growing seasons.
  - 2) For purposes of this section, all trees shall be alive and in satisfactory growing condition at the end of two full growing seasons. The growing season shall include the period May 1 through September 30. The two-year guarantee period for plant materials installed after the growing season ends shall commence the following year.
- d) *Survey of trees prior to issuance of building permit.* Prior to the issuance of a building permit by the city for a lot within a development subject to the requirements of this section, the applicant for such building permit shall provide a certified survey of the lot or lots for which the building permit is to be issued identifying the location, size and species of all trees eight inches DBH or larger in size. Such survey shall indicate trees that are to be removed, those that are to be saved and any required replacement trees. Diagrams of protective fencing shall be shown on the survey consistent with [section 36-730](#). If required by the city, a tree replacement plan shall be provided complying with the provisions of this section.
- e) *Survey of trees prior to approval of occupancy.* Prior to the city approving final occupancy for any structure contained within a T-zone, the applicant for such occupancy shall provide a certified survey of the lot verifying the information required in subsection (e) of this section. If the city determines that additional tree inches are removed after the completion of site improvements based on the survey, the city shall require additional tree replacement.
- f) Further requirements during subdivision are set forth in [chapter 30](#), pertaining to subdivisions, and include, but are not limited to, [section 30-16\(3\)m](#).

**Sec. 36-731. - Tree preservation standards after site development.**

- a) For all development types, except for single-family detached homes, the tree preservation plan associated with that development shall govern and additional tree removal shall be compared with the removal in the original approval. Any required replacement shall be subject to the requirements of this chapter.

- b) For single-family detached homes, after a certificate of occupancy has been granted, additional removal of trees eight inches in diameter at breast height (DBH) shall require the replacement of one tree for each tree removed. Replacement trees shall meet the requirements of [section 36-729](#).

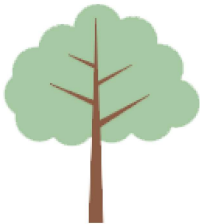
**Sec. 36-732. - Exceptions.**

The provisions of this division shall not apply to:

- 1) The removal of trees from commercial nurseries or horticultural properties, such as tree farms, orchards or commercial forests. This exception shall not be interpreted to include lumber harvesting incidental to imminent development of the land.
- 2) The removal of trees on public rights-of-way conducted by or on behalf of a federal, state, county, municipal, or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public rights-of-way.
- 3) The removal of trees deemed to be diseased, dying, or dead. Said determination shall be made by a certified arborist, landscape architect or other natural resource professional.
- 4) The removal of any tree which has become or threatens to become a danger to human life or property.
- 5) The removal of any tree by a public utility when such tree has the reasonable potential of endangering the facilities operated by the utility.

# Constitutional Law: Make Sure Your City’s Regulations Don’t Bark Up the Wrong Tree

By Sam Ketchum and Joe Sathe



We Minnesotans love our trees almost as much as we love our loons, the State Fair, and our sports teams. This love sometimes translates into laws, such as local tree preservation requirements.

Last October, a Michigan town’s tree preservation ordinance was the center of a decision by the 6th U.S. Circuit Court of Appeals in *F.P. Development, LLC v. Charter Township of Canton, Michigan*, 16 F. 4th 198 (6th Cir. 2021).

While Minnesota is in the 8th Circuit, where the impact of this decision is unclear, the decision provides insight on the constitutional limits of all local tree regulations. If your city has or is considering tree regulations, you should ensure they don’t, well, bark up the wrong tree.

## Canton decision summary

Canton’s ordinance classified certain trees as “significant trees,” created permitting requirements, restricted tree removal, and required mitigation for removal. A property owner that removed trees was required to either pay into a town fund or replant trees.

The town’s legal problems began after it brought an enforcement action against a developer that removed 159 trees. The town argued that, under its ordinance, the developer was required to either replant trees or pay the town approximately \$50,000.



The developer sued the town and alleged that the ordinance was (1) an unconstitutional taking under the Fifth and 14th Amendments, (2) an unreasonable seizure under the Fourth and 14th Amendments, and (3) an excessive fine under the Eighth and 14th Amendments.

After a district court decision and appeals, the 6th Circuit determined that Canton’s ordinance violated the Fifth Amendment’s “unconstitutional conditions” doctrine. Under the doctrine, local government permitting may be found unconstitutional if a permit is conditioned on the waiver of constitutional rights.

Additionally, while local governments may choose whether and how a permit applicant mitigates developmental impacts, they are prohibited from enforcing requirements that “lack an essential nexus and rough proportionality to those impacts.”



The judge concluded that the town's enforcement of its mitigation requirement was not proportional and, therefore, was an unconstitutional condition. He stated that the town was required to "make some sort of individualized determination that the required [mitigation] is related both in nature and extent to the impact of the proposed development."

So, what's an "individualized determination?" The 6th Circuit noted that Canton's required payment was based on outdated calculations. It also noted that the town did not demonstrate that the specific tree removal would cause environmental degradation or improve the surrounding environment.

This suggests that the town was required to consider site- and tree-specific factors. Practically speaking, a local government's ability to consider and document such factors may be a barrier to enforcing local tree regulations.

## Tree regulations under Minnesota law

Again, it's unclear exactly how the Canton decision impacts Minnesota. The 8th U.S. Circuit Court of Appeals and Minnesota state courts have not addressed this issue. But the case received national attention and provides insight into the constitutional limits of local government permitting, especially regarding tree regulations.

Also, Minnesota courts have dealt with other tree issues. For example, the Minnesota Supreme Court has upheld the denial of a subdivision plat on the basis that the project would threaten vegetation on the lot and surrounding property, increase the possibility of disease and wind damage, and disrupt wildlife habitat. The Minnesota Supreme Court has also determined that townships must provide due process prior to removing trees from a public right of way.

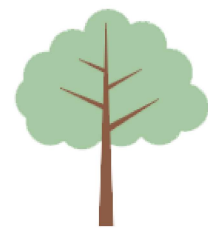
In addition, Minnesota statutes authorize and limit local governments' involvement with trees. State legislation permits local regulations to address "vegetation" and "ecologic features." This legislation has generally been cited to support local tree regulation.

Minnesota statutes also provide requirements for certain tree removal on public rights of way. And local governments generally have authority to manage trees on public property, such as parklands.

## Takeaways

Local tree regulation is complex and implicates some constitutional issues. While the Canton decision likely doesn't invalidate your local tree regulations, it also doesn't mean they won't face a similar legal challenge.

Cities should carefully consider enforcement of any tree regulations. For example, they may want to ensure that any mitigation requirement is proportional to the specific site and that any individual determination for mitigation is well-documented.



Finally, local governments should consult their legal counsel, staff, and consultants about what is appropriate before enacting or modifying their tree regulations.

*Sam Ketchum and Joe Sathe are attorneys at the law firm of Kennedy & Graven, Chartered ([www.kennedy-graven.com](http://www.kennedy-graven.com)). Kennedy & Graven is a member of the League's Business Leadership Council ([www.lmc.org/sponsors](http://www.lmc.org/sponsors)).*



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(651) 215-4032

[rkats@lmc.org](mailto:rkats@lmc.org)



Not Actual Size

**CITY OF  
COLUMBIA HEIGHTS  
PLANNING COMMISSION**

**NOTICE OF  
PUBLIC HEARING**

Notice is hereby given that the Planning Commission of the City of Columbia Heights will conduct a public hearing in the City Council Chambers of City Hall at 3989 Central Avenue NE on Tuesday, May 7, 2024, at 6:00 p.m. The order of business is as follows:

A request for a Zoning Text Amendment from the City of Columbia Heights proposing to amend City Code 9.106 General Development Standards (M) Landscaping and Screening and establish Tree Preservation and Planting Standards allowing the Urban Forester to review public and private projects that require a certificate of survey. Section 9.104 (F) of the Zoning Ordinance requires the Planning Commission to hold a public hearing on the zoning amendment and make findings before submitting a recommendation to City Council

Notice is hereby given that all persons having an interest will be given an opportunity to be heard. For questions, contact Andrew Boucher, City Planner, at (763) 706-3673.

Published in  
The Life  
April 19, 2024  
1388209

# -Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at [publicnotice@apgecm.com](mailto:publicnotice@apgecm.com)

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Customer: CITY OF COLUMBIA HEIGHTS  
Address: 3989 CENTRAL AVE NE  
COLUMBIA HEIGHTS  
Telephone: (763) 767-6580  
Fax: (763) 706-3637

**Publications:**  
BSLP Col Hght Frid Life

Ad ID: 1388209  
Copy Line: May 7 PH Zoning Text Amendment  
PO Number:  
Start: 04/19/24  
Stop: 04/19/2024  
Total Cost: \$57.50  
# of Lines: 44  
Total Depth: 4.917  
# of Inserts: 1  
Ad Class: 150  
Phone # (763) 691-6000  
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Contract-Gross



AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	MAY 7, 2024

ITEM:	Zoning Ordinance Amendment to amend 9.107 Specific Development Standards (16) Day Care Centers	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner April 25, 2024

**CASE NUMBER:** 2024-PZ05  
**APPLICANT:** JDA Design Architects, Inc. on behalf of Mohamed Abdulle (2201 37<sup>th</sup> Avenue NE)  
**LOCATION:** Citywide  
**REQUEST:** Zoning Ordinance Amendment  
**PREPARED BY:** Andrew Boucher, City Planner

**INTRODUCTION:**  
 JDA Design Architects, Inc. representing Mohamed Abdulle has requested approval of a Zoning Ordinance Amendment to amend the Specific Development Standards in City Code 9.107 for Day Care Centers. The applicant is specifically proposing to modify (16)(c): a requirement for child day care centers to provide at least 75 sq. ft. of outdoor play area for each child under care to allow for the submission of a written plan to use an adjacent public park to satisfy this requirement subject to approval by the City Manager or their designee. The proposed text amendment would make the City Code less restrictive and bring local requirements into alignment with MN State Statute 9502.0425 (Physical Environment) which allows day cares to use public parks if the on-site play areas are not sufficient.

Staff have worked with the owner of 2201 37<sup>th</sup> Avenue NE, a block south of Prestemon Park, on a proposed child day care center building permit application through administrative review under the current code requirements providing a 2,700 sq. ft. on-site play area as well as on the proposed zoning text amendment which would allow the applicant to serve a greater number of children. The proposed zoning text amendment changes the child day care outdoor play area language to reflect the standards that allow adult day care facilities to use an adjacent park subject to approval of a written plan reviewed by the City Manager or their designee.

Family Day Cares as defined in City Code 9.103 Definitions as “a facility that provides care, protection, and supervision of children in a private residence for periods of less than 24 hours” or “Home Day Cares” as defined in City Code 9.107 Specific Development Standards are not included in the scope of this zoning text amendment as these have a different set of requirements and pertain to day care operations within residential houses.

**SUMMARY OF CURRENT STATUS:**  
 Staff has determined that the proposal is identical to a similar zoning text amendment the City processed and approved in 2017 to allow adult day care facilities use of an adjacent public park to satisfy outdoor play area requirements after this development standard was expressed to be a barrier to entry for a perspective day

care facility at the time. Staff recommended approval of the amendment so that an alternative approach to providing on-site outdoor space could be considered, which was approved by the City Council.

In review of the zoning text amendment application, staff examined existing day care facilities and their outdoor play areas, zoning districts that allow child and adult day care facilities as uses, and identifying parks that would be within the 1,500-foot distance from any commercially zoned properties to better understand the impact of the proposed zoning text amendment.

There are approximately 11 existing day care centers that this amendment would apply to, but each of these centers appears to provide on-site play areas or are on a site, such as a place of worship or school facility, that has those facilities readily available. Existing day care centers would be able to expand their operations if their occupancy is currently limited by the on-site play area, but this amendment would likely be more applicable to future day care centers.

The proposed zoning text amendment would be applicable to only city parks that have a commercially zoned property within 1,500 feet of them where a future child day care center could propose a written plan for review to use the park. These parks are:

- Edgemoor Park
- Gauvitte Park
- Huset Park
- Labelle Park
- Prestemon Park
- Sullivan Lake Park

The remaining parks are either outside the distance allowed for a day care to use the park or the parks do not have any commercial zones where a child day care center would be allowed. The property owners within 350 feet of each of these six parks were sent a Notice of Public Hearing regarding the zoning text amendment because staff determined it was appropriate, within the scope of the zoning text amendment, to give the public ample notice of the application and provide time for adequate public comment. Staff has received multiple written comments, phone calls, and in-person visits from residents at the writing of this report regarding the proposed zoning text amendment, these have been included as part of the public record. Any additional public comments received after this report is published will be read into the public record at the May 7, 2024 Planning Commission and included in the staff report as additional exhibits.

Staff also examined the city code requirements of Andover, Big Lake, Maple Grove, Minneapolis, Minnetonka, Richfield, Roseville, and Saint Paul to better understand how cities are regulating day care facilities in relation to MN State Statute 9502.0425. Cities such as Andover, Richfield, and Roseville do not have specific development standards for day care centers and adhere to the state requirements. Big Lake, Maple Grove, and Saint Paul require play areas for day cares to be enclosed with a fence. Minneapolis allows for public parks to be used accessory to a child care center.

**ZONING ORDINANCE AMENDMENT**

It is the opinion of staff that the proposed zoning text amendment, as presented, is consistent with the 2040 Comprehensive Plan and would bring city code requirements in alignment with MN State Statute 9502.0425 governing the physical environments of day care facilities. The proposed text amendment is identical to a previous zoning ordinance amendment from 2017 that was approved by City Council and the requirement of

approved written plan will benefit providers as well as the City to ensure that public access of the parks is not compromised.

In this regard, the following Zoning Ordinance modification to City Code 9.107 Specific Development Standards is recommended by Staff and is highlighted in red:

1. The existing specific development standards for *Day Care Centers* shall be amended to include additional language for “child day care facilities” that specifies that if a subject property does not have sufficient outdoor play area on-site, then the property owner must submit a written proposal that demonstrates that recreational activities for adults under the facility’s care will be provided off-site subject to approval or denial by the City Manager or their designee.

(C) *Specific development standards.* The following uses are subject to specific development standards:

**(16) Day care center**

*(c) For child day care facilities, at least 75 square feet of outdoor play area shall be provided for each child under care. If there is not sufficient space for an outdoor play area on-site, then the property owner must submit a written proposal that demonstrates recreational activities for children under the facility’s care will be provided off-site within 1,500 feet of the facility.*

**Staff Review**

The Public Works Department, Police Department, and Fire Department have been provided copies of the application materials and had no concerns regarding the amendment to allow child day care facilities to use a public park in lieu of an on-site play area. The City Attorney does not have any concerns regarding liability as these businesses are required to carry appropriate insurance to cover any potential damages. The City Building Official prepared a memorandum of understanding regarding the importance of accessible playground equipment at daycare facilities highlighting inclusivity, physical development, social interaction, legal compliance, and community engagement as reasons to consider maintaining the existing code, this memo is included as an attachment.

**FINDINGS OF FACT**

Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

***(a) The amendment is consistent with the comprehensive plan.***

The City’s 2040 Comprehensive Plan identifies establishing and maintaining a strong sense of community, strengthening the identity and image of the community as a desirable place to live, work, and play, and promoting the safety of residents and ensure a safe environment for pedestrians, bicyclists, and other vulnerable roadway users as some of the land use goals and policies.

***(b) The amendment is in the public interest and is not solely for the benefit of a single property owner.***

The amendment is in the public interest and not solely for the benefit of a single property owner as the property owner has demonstrated a willingness to comply with the current code requirements and this has been a barrier to entry for numerous perspective day care providers to the extent that a previous zoning text amendment was approved for adult day care facilities. The proposed amendment will allow for more child care capacity and remove a barrier to entry for future day care providers while also providing the City with greater understanding how public parks are being used.

**(c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.**

The amendment is not to change the zoning classification of a particular property and the existing use is compatible with the general area of the property.

**(d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.**

The amendment is not to change the zoning classification of a particular property.

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend the following to the City Council:

- A. Approval of the Zoning Ordinance Amendment which amends City Code 9.107 Specific Development Standards for (16) Day Care Centers, allowing for the owner of a child day care center to submit a written plan, in lieu of providing an on-site play area, to use an adjacent public park for recreational activities subject to approval or denial by the City Manager or their designee.

**RECOMMENDED MOTION(S):**

**MOTION:** Move to waive the reading of draft Ordinance amendment No. 1697, there being ample copies available to the public.

**MOTION:** Move to recommend that the Planning Commission give a positive recommendation on draft Ordinance amendment No. 1697 to City Council to approve draft Zoning Ordinance Amendment No. 1697 as presented.

**ATTACHMENT(S):**

- Draft Ordinance No. 1697
- Application
- Applicant Narrative
- Site Location
- Existing Code
- Proposed Code
- State Statute 9502.0425

Examples of Other City Codes

Letter to Neighbors

Public Hearing Notice

Memorandum of Understanding from the Building Official

Email from Donna Conwell at 1001 41<sup>st</sup> Avenue NE

Email from Jen Kane at 250 44<sup>th</sup> Avenue NE

Email from Renee Gowen at 542 Huset Parkway NE

Email from Steven Stromquist – 649 51<sup>st</sup> Avenue NE

Email from Randall Schmit at 3983 Arthur Street NE

**DRAFT**

**ORDINANCE NO. 1697**

**AN ORDINANCE AMENDING CHAPTER 9.107 OF THE CITY CODE OF 2005  
RELATING TO CHILD DAY CARE ZONING REGULATIONS**

The City of Columbia Heights does ordain:

**Section 1**

**§ 9.107 SPECIFIC DEVELOPMENT STANDARDS.**

City Code of 2005, is proposed to include the following addition and shall hereafter read as follows, to wit:

(C)(16)(c) For child day care facilities, at least 75 square feet of outdoor play area shall be provided for each child under care. If there is not sufficient space for an outdoor play area on-site, then the property owner must submit a written proposal that demonstrates recreational activities for children under the facility’s care will be provided off-site within 1,500 feet of the facility. The City Manager, or his or her designee, is authorized to approve or deny this proposal.

**Section 2**

This Ordinance shall be in full force and effect from and after 30 days after its passage.

First Reading:

Offered by:

Seconded by:

Roll Call:

Second Reading:

Offered by:

Seconded by:

Roll Call:

Date of Passage:

\_\_\_\_\_  
Amáda Márquez Simula, Mayor

Attest:

\_\_\_\_\_  
Sara Ion, City Clerk/Council Secretary



# COLUMBIA HEIGHTS

## ZONING AMENDMENT APPLICATION ORDINANCE NO.: 9.104 (F)

This application is subject to review and acceptance by the City. Applications will be processed only if all required items are submitted.

### PROPERTY INFORMATION

Project Address/Location: 2201 3TH AVE N.E  
 Legal Description of property: WALTONS SUNNY ACRES 2ND ADDITION  
PID 36-30-24-94-0014  
 Present zoning of property: GB GENERAL BUSINESS  
 Proposed zoning of property: GB WICDP  
 Section Number of text to be changed: \_\_\_\_\_

### PROPERTY OWNER (As it appears on property title):

Company/Individual (please print): AM BUSINESS CENTER  
 Contact Person (please print): MOHAMED ABUJILLE  
 Mailing Address: 2201 3TH AVE NE  
 City: COLUMBIA HEIGHTS State: MN Zip: 55421  
 Daytime Phone: \_\_\_\_\_ Cell Phone: 612 396 3768  
 E-mail Address: MABUJILLE08@GMAIL.COM  
 Signature/Date: [Signature] 3/11/24

### APPLICANT:

Company/Individual (please print): JDA DESIGN ARCHITECTS INC  
 Contact Person (please print): JOHN ANDERSON  
 Mailing Address: 901 4TH STREET N  
 City: HOPKINS State: MN Zip: 55343  
 Daytime Phone: 612 817 0050 Cell Phone: SAME  
 E-mail Address: JOHN@JDA DESIGN ARCHITECTS  
 Signature/Date: [Signature] 3/11/24

**Disclaimer:** Applicant's name, contact information and a summary of the proposed application may be made available on the city's website as part of public record.

# COLUMBIA HEIGHTS

**REASON FOR REQUEST** *(please provide a written narrative that explains how the existing use of the property and the zoning classification of other properties within the general area are compatible with the proposed zoning classification. Also describe whether there has been a change in the character or trend of development in the general area that has taken place since the property was originally placed in its current zoning classification. If applicable, provide the existing text that you are requesting be changed and provide the proposed text.)*

**FOR OFFICE USE ONLY**

**CASE NO:** \_\_\_\_\_

**APPLICATION REC'D BY:** \_\_\_\_\_

**\$1000 APPLICATION FEE REC'D:** \_\_\_\_\_

**DATE APPLICATION REC'D:** \_\_\_\_\_

**RECEIPT NUMBER:** \_\_\_\_\_

**Petition to Amend City Code Findings**

We are seeking to amend the City Code to allow **offsite** outdoor play areas for day care facilities in the City of Columbia Heights, Minnesota. To allow much needed neighborhood child daycares to utilize adjacent parks to meet the outdoor play area requirement thereby making the **Code consistent with State Statute**. That there is **currently a shortage of daycare facilities** in the city of Columbia Heights current market, and we believe the City may want to consider making this change to the Code to help address this need.

(a) Amendment to the city code is consistent with the 2040 Comprehensive Plan.

1. Population and household size have both grown, and are on the rise again.
2. The goal is to promote the safety of residents and ensure a safe environment for pedestrians and provide accessible and safe pedestrian connections to destination points within the community.
3. Parks and trails are essential in promoting community wellness, connecting the individual to ecological value and stewardship. The comprehensive plan plays a key role in identifying ways to maximize the use of park and trail facilities.
4. One of the goals of the comprehensive plan is to provide a park and open space system that serves the wide-ranging recreation, health, and leisure needs of the community.
5. As part of the Comprehensive Plan the City of Columbia Heights needs to consider how trends will affect facility and programming needs. For example, the changing demand for traditional facilities. Diverse communities tend to use parks differently with a focus on gatherings. The use of parks generally comes in groups rather than as individuals. Need to introduce diverse populations to outdoor recreational opportunities and encourage continued participation.
6. Community outreach and feedback in the planning process confirmed the importance of parks and trails for the community. Spending time in nature improves creativity and problem-solving abilities.

(b)

This amendment **IS** in the public interest. This amendment would allow the much-needed day care facilities a location to utilize adjacent parks to meet the outdoor play area requirement. Not just this facility, but for all current and future day care facilities located within the city of Columbia Heights

(c) This amendment is **NOT** intended to change the zoning classification of a particular property.

(d) This amendment is **NOT** intended to change the zoning classification of a particular property.

**Andrew Boucher**

---

**From:** John D Anderson <jdadesignarch@gmail.com>  
**Sent:** Tuesday, March 26, 2024 12:01 PM  
**To:** Andrew Boucher  
**Subject:** Re: johnny five

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Andrew, and thank you for your follow up.

Here is the text we are proposing. It matches the state statues very closely.

....." For child day care facilities, at least 75 square feet of outside play area shall be provided for each child under care. The outdoor play area provided shall be either on the premises, or offsite. Outdoor activity area: Outdoor space must be at least 1,500 square feet total and at least 75 square feet per child; If offsite, be within 2000 feet of the center; be enclosed if adjacent to traffic and other hazards; be free of litter and other hazards; and have the required outdoor large muscle equipment."

Indoor space: The licensed capacity is limited by the amount of indoor space. A minimum of 35 square feet is required for each child.

Please let me know if you have any questions.

Thank Andrew

On Tue, Mar 26, 2024 at 10:57 AM Andrew Boucher <[ABoucher@columbiaheightsmn.gov](mailto:ABoucher@columbiaheightsmn.gov)> wrote:

John,

I just wanted to confirm that you received my email yesterday;

(16) Day care center.

(a) The building and any exterior fenced areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.

(b) The play area shall be located away from the main entrance to day care, and shall be contained with a fence constructed of masonry, painted or treated wood or metal, at least five feet in height.

(c) For child day care facilities, at least 75 square feet of outside play area shall be provided for each child under care.

(d) For adult day care facilities, at least 150 square feet of outdoor area for seating or exercise shall be provided. If 150 square feet of outdoor is not available on the site, the property owner must submit a written proposal that demonstrates that recreational activities for adults under the facility’s care will be provided off-site. The City Manager, or his or her designee, is authorized to approve or deny this proposal.

(e) The use shall provide a designated area for the short-term parking of vehicles engaged in loading and unloading of children or adults under care. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.

(f) To the extent practical, new construction or additions to existing buildings shall be complementary and compatible with the scale and character of the surroundings and exterior materials shall be compatible with those used in the immediate neighborhood.

(g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.

(h) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(i) Day care centers located in a school or religious institution building originally constructed for use as a school or religious institution shall be considered a permitted accessory use, provided the standards contained herein are met.

(j) Day care centers located within an existing commercial or industrial facility and used only by employees of the operation conducted on the site shall be considered a permitted accessory use, provided the standards contained herein are met.

Here is the existing text, please let me know what you would like the proposed language to be.

Thanks,

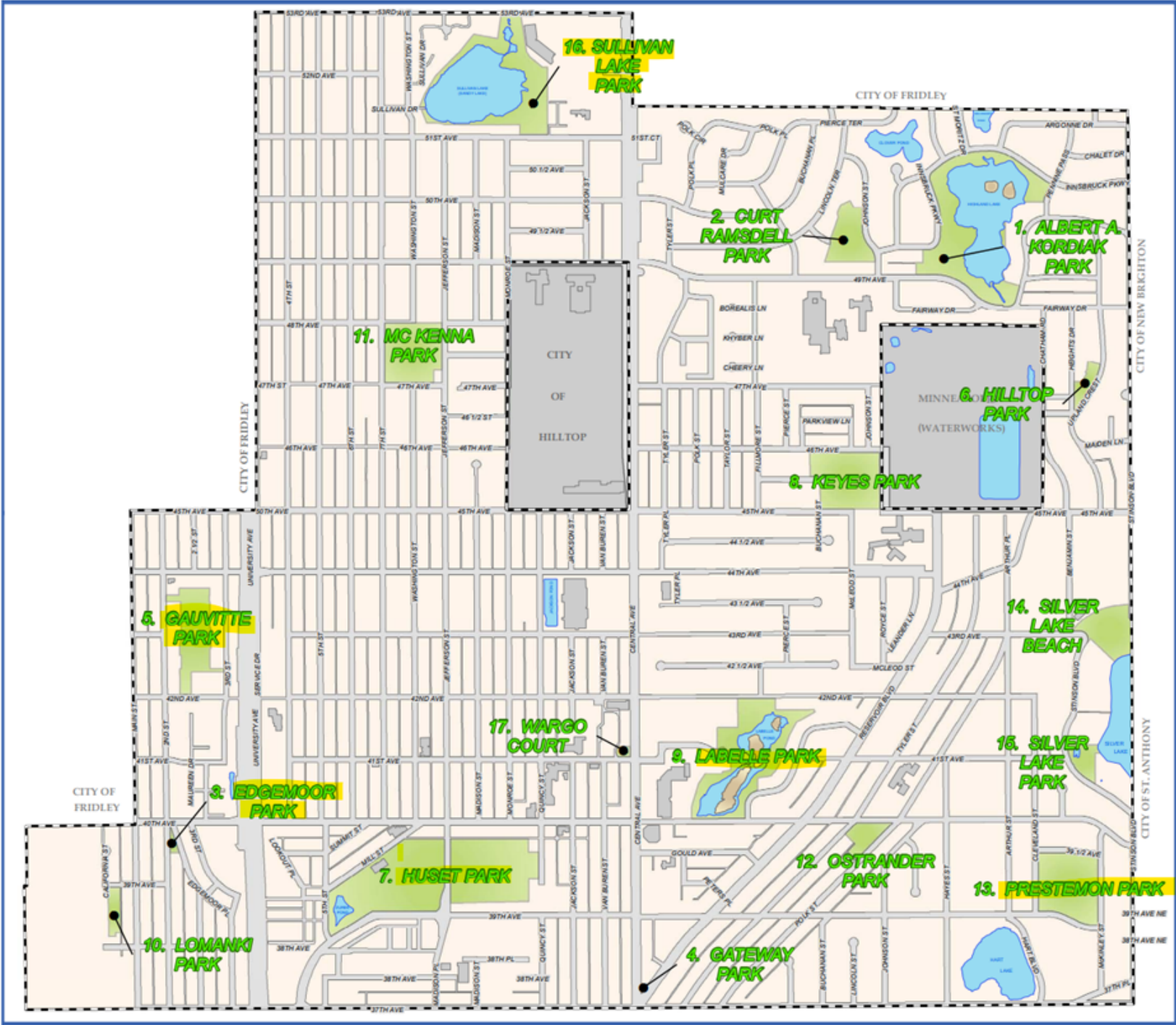
Andrew

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**From:** John D Anderson <[jdadesignarch@gmail.com](mailto:jdadesignarch@gmail.com)>  
**Sent:** Monday, March 25, 2024 3:40 PM  
**To:** Andrew Boucher <[ABoucher@columbiaheightsmn.gov](mailto:ABoucher@columbiaheightsmn.gov)>  
**Subject:** Re: johnny five

Hi Andrew,

FIGURE 7-1. CITY PARKS



Source: City of Columbia Heights

**9502.0425 PHYSICAL ENVIRONMENT.**

Subpart 1. **Indoor space.** The licensed capacity of the day care residence must be limited by the amount of usable indoor space available to children. A minimum of 35 square feet of usable indoor space is required per child.

A. Bathrooms, closets, space occupied by major appliances, and other space not used by children may not be counted as usable space. Space occupied by adult furniture, if it is used by children, may be counted as usable indoor space.

B. Usable indoor space may include a basement if it has been inspected by a fire marshal, is free of hazard, and meets the minimum exiting standards specified in subpart 4.

Subp. 2. **Outdoor play space.** There must be an outdoor play space of at least 50 square feet per child in attendance, adjacent to the residence, for regular use, or a park, playground, or play space within 1,500 feet of the residence. On-site supervision must be provided by a caregiver for children of less than school age when play space is not adjacent to the residence. Enclosure may be required by the agency to provide protection from rail, traffic, water, or machinery hazard. The area must be free of litter, rubbish, toxic materials, water hazards, machinery, unlocked vehicles, human or animal wastes, and sewage contaminants.

Subp. 3. **Water hazards.** Swimming and wading pools, beaches, or other bodies of water on or adjacent to the site of the residence must be inaccessible to children except during periods of supervised use. Wading pools, as defined in chapter 4717, must be kept clean. When children use a swimming pool, as defined in chapter 4717, or beach, an attendant trained in first aid and resuscitation shall be present. Any public swimming pool, as defined in chapter 4717, used by children must meet the requirements of chapter 4717.

Subp. 4. [Repealed, L 2019 1Sp9 art 2 s 134]

Subp. 5. **Occupancy separations.** Day care residences with an attached garage must have a self-closing, tight fitting solid wood bonded core door at least 1-3/8 inch thick, or door with a fire protection rating of 20 minutes or greater and a separation wall consisting of 5/8 inch thick gypsum wallboard or its equivalent on the garage side between the residence and garage.

Subp. 6. **Vertical separations.** For group family day care homes with a licensed capacity of more than ten children, a 1-3/4 inch solid wood core door or a door and frame with at least a 20-minute fire protection rating, must be provided whenever more than two floors of the residence are connected. These doors must be equipped with self-closing devices.

Subp. 7. **Heating and venting systems.** The following heating and venting guidelines must be met:

A. Stove and heater locations must not block escape in case of a fire.

B. Gas, coal, wood, kerosene, or oil heaters must be vented to the outside in accordance with the State Building Code.

C. Combustible items must not be located within 36 inches of the furnace or other heating sources.

D. Whenever in use, fireplaces, wood-burning stoves, solid fuel appliances, space heaters, steam radiators, and other potentially hot surfaces, such as steam pipes, must be protected by guards to prevent burns. All fireplaces, wood-burning stoves, space heaters, steam radiators, and furnaces must be installed according to the State Building Code.

E. The furnace, hot water heater, and workshop area must be inaccessible to children. Separation may be by a door, partition, or gate. There must be allowance for air circulation to the furnace.

F. Ventilation of usable space must meet the requirements of the State Building Code. Outside doors and windows used for ventilation in summer months must be screened when biting insects are prevalent.

Subp. 8. **Temperature.** A minimum temperature of 62 degrees Fahrenheit must be maintained in indoor areas used by children.

Subp. 9. **Infant and newborn sleeping space.** There must be a safe, comfortable sleeping space for each infant and newborn. A crib, portable crib, or playpen with waterproof mattress or pad must be provided for each infant or newborn in care. The equipment must be of safe and sturdy construction that conforms to volume 16, parts 1508 to 1508.7 and parts 1509 to 1509.9 of the Code of Federal Regulations, its successor, or have a bar or rail pattern such that a 2-3/8 inch diameter sphere cannot pass through. Playpens with mesh sidings must not be used for the care or sleeping of infants or newborns.

Subp. 10. **Stairways.** All stairways must meet the following conditions.

A. Stairways of three or more steps must have handrails.

B. Any open area between the handrail and stair tread must be enclosed with a protective guardrail as specified in the State Building Code. The back of the stair risers must be enclosed.

C. Gates or barriers must be used when children between the ages of 6 and 18 months are in care.

D. Stairways must be well-lighted, in good repair, and free of clutter and obstructions.

Subp. 11. **Decks.** Decks, balconies, or lofts used by children more than 30 inches above the ground or floor must be surrounded by a protective guardrail and be constructed in accordance with the State Building Code. Wooden decks must be free of splinters and coated with wood preservative, paint, or constructed with treated wood.

Subp. 12. **Locks and latches.** Door locks and latches must meet the following guidelines:

A. a closet door latch must be made so that children can open the door from inside the closet;



B. every bathroom door lock must permit opening of the locked door from the outside and the opening device must be readily accessible to all caregivers; and

C. double cylinder (key required both sides) locks on exit doors are prohibited.

Subp. 13. **Sewage disposal.** Day care residences must have toilet facilities and sewage disposal systems that conform to the State Building Code or local septic system ordinances. The toilets must flush thoroughly. Outdoor toilets are permissible when local ordinances allow.

Subp. 14. **Construction, remodeling.** During construction or remodeling, children shall not have access to dangerous construction or remodeling areas within or around the residence.

Subp. 15. **Interior walls and ceilings.** The interior walls and ceilings within the residence, as well as corridors, stairways, and lobbies must have a flame spread rating of 200 or less.

Subp. 16. [Repealed, L 2019 1Sp9 art 2 s 134]

Subp. 17. [Repealed, L 2019 1Sp9 art 2 s 134]

Subp. 18. **Electrical services.** The following electrical guidelines must be met:

A. all electric receptacles accessible to children under first grade must be tamper-proof or shielded when not in use;

B. all major electrical appliances must be properly installed, grounded in accordance with the state electric code, and in good working order;

C. extension cords shall not be used as a substitute for permanent wiring; extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, floors, under doors or floor coverings, nor be subject to environmental damage or physical impact; and

D. electrical wiring must be sized to provide for the load and be in good repair.

Subp. 19. **Smoking prohibited in group family child care home.** Pursuant to Minnesota Statutes, section 144.414, subdivision 2, smoking is prohibited in a group family child care provider's home during hours of operation.

**Statutory Authority:** *MS s 14.386; 14.388; 245A.09; 252.28*

**History:** *9 SR 2106; 10 SR 2617; 30 SR 585; L 2019 1Sp9 art 2 s 134*

**Published Electronically:** *October 30, 2019*

**Subject: Importance of Accessible Playground Equipment at Daycare Facilities**

Dear City Council,

I am writing to bring to your attention an important aspect of daycare facilities that requires consideration: the accessibility of playground equipment. New daycare centers with on-site playgrounds have an opportunity to provide equipment which is inclusive and accessible to all children. This may not be the case with city, county, or state parks. Children with physical disabilities are limited in their abilities to explore or interact with their environment and are deprived of normal childhood experiences. A newly constructed daycare facility has an opportunity to provide adaptable playground equipment at the time of construction.

Accessibility is not just a matter of compliance; it is a fundamental aspect of creating an environment where every child feels valued and included. By incorporating accessible playground equipment, we not only meet the needs of children with disabilities but also foster a sense of belonging and camaraderie among all children. It promotes empathy, understanding, and respect for individual differences from a young age.

Here are several reasons why keeping daycare playground equipment on site is crucial:

1. **Inclusivity:** Accessible playground equipment allows children with disabilities to actively participate in outdoor play alongside their peers, fostering a sense of belonging and friendship. Leaving this in the hands of the proprietor provides faster on-site control of necessary adaptations to the equipment.
2. **Physical Development:** Outdoor play is vital for the physical development of children. Accessible equipment ensures that all children can engage in physical activities that promote gross motor skills, balance, and coordination.
3. **Social Interaction:** Playgrounds are spaces where children learn valuable social skills such as cooperation, communication, and teamwork. Accessible equipment encourages interaction among children of diverse abilities, promoting empathy and understanding.
4. **Legal Compliance:** Ensuring accessibility is not just a moral imperative but also a legal requirement. By providing accessible playground equipment on-site, we demonstrate our commitment to complying with accessibility standards and regulations.

5. Community Engagement: An inclusive environment not only benefits the children in their care but also fosters positive relationships with parents, caregivers, and the wider community. It showcases our dedication to providing quality care for all children.

Considering the importance of accessibility and inclusivity, I urge you to consider keeping outdoor daycare playgrounds on-site and in the hands of the proprietor so the equipment and conditions can be quickly adapted to the needs of the children served.

Keeping daycare playgrounds on site will not only enhance the experiences of the children in their care but also uphold our commitment to providing a welcoming and inclusive environment for all.

Thank you for your attention to this matter. If you have any questions or would like to discuss this further, please do not hesitate to contact me.

Sincerely,

Ryan Smith – Building Official

City of Columbia Heights

- a. The use is public or semi-public.
  - b. The use meets the minimum setback requirements for principal structures.
6. Daycare facility. A state licensed facility, either as a primary, stand alone or accessory use provided that:
- a. Outdoor Play Area.
    - i. Outdoor play areas and parking areas are landscaped and screened from abutting residential properties and arterial and collector roadways in compliance with Section 1006.06 of this Ordinance.
    - ii. Outdoor play areas are fenced and enclosed.
    - iii. Outdoor play areas are not allowed within the required front yard setbacks.
  - b. Street Access. The site and related parking and service are served by a street of sufficient capacity to accommodate the traffic which will be generated.
  - c. Parking. Adequate off-street parking is provided in a location separated from any outdoor play area(s). Adequate short-term parking or drop off area is provided within close-proximity to the main entrance
  - d. State Regulations. The conditions of all applicable Minnesota rules and regulations are satisfactorily met. No facility shall begin operation without a State license. Proof of approved applicable State licenses shall be provided to the Zoning Administrator.
7. Daycare as a conditional accessory use.
- a. Accessory Use. The day care facility is an accessory use, located within the building of the principal permitted use and provided for employees of the principal use.
  - b. Outdoor Play Area. Outdoor play areas and parking areas are landscaped and screened from abutting residential properties in compliance with Section 1006.06 of this Ordinance.
8. Detached off-site accessory building associated with a single family residential use provided that:
- a. The land upon which the accessory building is to be located is under the same ownership as the land to which it is to be an accessory.
  - b. All applicable building setback and performance standards of this Ordinance are satisfactorily met.
  - c. The lot upon which the principal structure (detached single-family dwelling) exists does not comply with minimum area requirements of the zoning district in which it is located.

545.420. - Allowed accessory uses and structures.

Item 4.

(a) *In general.* Accessory uses and structures shall be allowed as identified in sections 545.430 through 545.680.

(b) *Public parks.* The following individual uses, use categories, and structures shall be allowed accessory to public parks, subject to the specific primary and accessory use standards in this chapter. Additional accessory uses may be permitted as determined by the zoning administrator.

- (1) Amphitheater.
- (2) Botanical garden.
- (3) Child care center.
- (4) Coffee shop.
- (5) Community centers.
- (6) Community garden.
- (7) Community provisions facility.
- (8) Conservatory.
- (9) Farmer's market.
- (10) Indoor recreation area.
- (11) Museum.
- (12) Office.
- (13) Outdoor recreation area.
- (14) Performing or visual arts school.
- (15) Public Safety and Welfare uses except for pretrial detention facilities.
- (16) Reception or meeting hall.
- (17) Recreational facilities.
- (18) Rental of recreational equipment.
- (19) Restaurant.
- (20) Sports and health facility.
- (21) Street and equipment maintenance facility for Park Board operations.

(c) *Additional allowed accessory uses and structures.* In addition to the accessory uses and structures listed in sections 545.430 through 545.680, the zoning administrator may allow other accessory uses and structures, provided the zoning administrator determines that the proposed accessory use or structure is substantially similar to an accessory use or structure listed above in the manner provided for in this article, governing determination of substantially similar uses, or the zoning administrator determines that the proposed accessory use or structure meets the standards as specified in section 545.310 above.

**3. Specific standards in the B-1, Office Business District.**

In addition to the standards specified in subdivision 2, no conditional use permit shall be granted unless the city council determines that each of the following specific standards will be met.

- a) Business service uses normally associated with office developments and containing limited retail activity:
  - 1) shall not result in any exterior building modifications, including truck docks, separate entrances, freestanding signs or overnight truck parking; and
  - 2) shall not exceed more than 25 percent of the gross floor area.
- b) Residential dwelling units:
  - 1) building and site design shall provide a quality residential environment which is compatible with the permitted use;
  - 2) residential uses must be within an existing building or constructed as part of a mixed use development;
  - 3) at least two off-street parking spaces must be provided for the dwelling unit, with such parking to be in a garage, carport or on a paved area specifically intended for that purpose, but not within a required turnaround;
  - 4) the dwelling unit must be in compliance with all applicable building, housing, electrical, plumbing, heating and related city codes;
  - 5) the use will be permitted only where the dwelling unit will not have an undue adverse impact on adjacent properties and where there will not be a substantial alteration of the neighborhood character; and
  - 6) the city may require buffering or screening if needed.
- c) Restaurants and cafeterias incorporated within a principal structure and oriented predominantly towards serving the needs of employees of the surrounding area but excluding drive-up and exterior walk-up facilities:
  - 1) only wall mounted signs, subject to the limitations of section 325 of the code of city ordinances, shall be permitted;
  - 2) shall not exceed 15 percent of the gross floor area or 3,000 square feet, whichever is less;
  - 3) parking and vehicular circulation shall be in compliance with the requirements of section 300.28 of this ordinance and shall be adequate to accommodate the restaurant;
  - 4) shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on streets and intersections; and
  - 5) hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
- d) Storage, assembly or servicing incidental to the principal use:
  - 1) shall not require any exterior modifications to the structure.
- e) Hospitals and medical clinics:
  - 1) shall not be adjacent to low density residential areas;
  - 2) site shall have direct access to collector or arterial street as defined in the comprehensive plan; and
  - 3) emergency vehicle access shall not be adjacent to or located across a street from any residential use.
- f) Minor manufacturing or assembly incidental to the principal use:
  - 1) shall be no outside storage of materials or trucks;
  - 2) truck deliveries shall only be permitted when it is evident that they will not detract from the site or adjoining residential areas; and
  - 3) shall not exceed 25 percent of the gross floor area.
- g) Heliports:
  - 1) shall conform to all applicable federal aviation administration regulations;
  - 2) shall establish and utilize approach and departure routes over non-residential areas to the maximum extent possible;
  - 3) hours of operation limited to 7:00 a.m. to 9:00 p.m., inclusive, excluding emergencies;
  - 4) shall not be located within 500 feet of residential areas; and
  - 5) shall be provided with a dust free landing pad.
- h) Hotels and motels:
  - 1) shall not be located adjacent to any low density residential parcels as identified in the comprehensive plan;
  - 2) shall be developed to serve primarily the office district in which the use is located; and
  - 3) shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as

defined by the institute of traffic engineers on streets and intersections.

i) Financial institutions, with or without drive-up facilities: drive-through facilities and stacking areas are subject to the following requirements:

- 1) must not be located adjacent to any residential lot lines;
- 2) must be provided with a suitable visual screen from adjacent properties;
- 3) stacking for a minimum of six cars per aisle must be provided within applicable parking lot setbacks;
- 4) will only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on streets and intersections; and
- 5) must be subordinate to and associated with a permitted use located within a building on the site.

j) Licensed day care facilities:

- 1) shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements;
- 2) outdoor play areas shall be located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas;
- 3) one parking space for each six children based on the licensed capacity of the center; and
- 4) shall obtain all applicable state, county and city licenses.

k) Cemeteries:

- 1) minimum lot size of five acres;
- 2) located in proximity to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
- 3) direct views from all adjoining residential parcels shall be buffered by appropriate means; and
- 4) site and building plan subject to review pursuant to section 300.27 of this ordinance.

l) Marinas:

- 1) minimum lot size of two acres;
- 2) located in proximity to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
- 3) direct views from all adjoining areas shall be screened, with particular attention to screening exterior storage;
- 4) approval by city fire marshal and by all governmental agencies having jurisdiction over adjacent body of water; and
- 5) site and building plan subject to review pursuant to section 300.27 of this ordinance.

m) Public buildings or facilities and cabinets larger than 150 cubic feet that hold utility equipment:

- 1) site and building plan subject to review pursuant to section 300.27 of this ordinance.

n) Telecommunications facilities are subject to the provisions of Section 300.34.

o) Utility poles and appurtenances (such as wires) that are over 60 feet in height and freestanding upon the ground, transmission lines that are not subject to state review under the Minnesota power plant siting act, and substations and other related facilities:

***Phase I (Application for Conditional Use Permit):***

1) The applicant must first participate in a task force study with city staff. The task force may also include landowners representing residential interests that may be affected. The task force will review alternatives for the proposed location. The applicant must submit an alternatives analysis to the task force that includes:

- a. documentation demonstrating the need and purpose for such a facility so that alternatives to the facility can be adequately assessed;
- b. all of the alternatives considered by the applicant;
- c. alternative locations;
- d. a "no-build" alternative that discusses measures that could be taken in an attempt to meet the documented need without construction of the facility; and
- e. designation of the applicant's preferred location.

2) The city may retain an independent technical expert paid for by the applicant to assist the task force. The expert must be acceptable to the applicant, who may not unreasonably withhold this acceptance. The applicant will have five business days to reject the city's selected expert after receiving notice from the city. If the applicant does not reject the expert within that time, the expert will be deemed

to be acceptable. The task force will conduct an analysis of the alternatives and present its report to the city council. The council narrow the alternatives to two for each facility. One of those alternatives may be a no-build alternative.

3) The applicant will then submit an application for a conditional use permit with the following information for each alternative selected by the city council:

- a. the cost;
- b. the amount of vegetation that would be removed or damaged;
- c. for an electrical transmission line or substation, a summary of current research regarding the health effects of EMF levels, conducted by health and scientific professionals, including those who do and do not receive utility sponsorship;
- d. for an electrical transmission line or substation, EMF levels under maximum and average anticipated loading at the base of the utility poles, underneath the wires between the poles, at ground level above underground wires, at the edge of the property line, at the edge of the closest habitable building, and at the point above ground where there would be the greatest EMF level;
- e. for an electrical transmission line or substation, reasonable and prudent measures to minimize EMF levels along all alternative routes; and
- f. depictions of the views of the proposed facility, if above ground, from at least two directions selected by city staff.

4) All alternative routes for transmission lines must comply with the following unless the applicant shows that this is not reasonable or prudent:

- a. the routes must be on or along corridors presently used for public roads, public trails, railroads, or above-ground utilities, or on corridors which were previously used for such purposes and which are being retained for future public or utility purposes;
- b. arterial or collector streets must be used instead of local roadways, except that local roadways may be used where above-ground electrical lines already exist; and
- c. platted utility easements in residential zones which do not abut public roads or roadway easements may not be used, unless the lines are placed underground.

5) After receiving a complete application, the planning commission must hold a public hearing on the application. At least 10 days before this hearing, the city must mail notice of the hearing to all owners of property wholly or partially within a 400-foot radius of any portion of the alternative locations to be presented to the planning commission.

6) The planning commission will recommend a preferred alternative to the city council. The city council will select an alternative for each facility by a majority vote of the members present. The planning commission and council may impose reasonable conditions as part of the approval to protect adjacent property and people.

7) In making their decisions, the planning commission and city council must consider the following factors:

- a. the potential adverse aesthetic, economic, environmental, social, health, and safety impacts on adjacent properties or people;
- b. the potential interference with public use of public property;
- c. the applicant's need to adequately and reliably serve customers within the relevant service area now and in the foreseeable future;
- d. compliance with the requirements in subparagraph 4;
- e. cost; and
- f. the purposes in section 300.01 and the general standards in section 300.16, subd. 2 and section 300.21, subd. 2.

8) The applicant may notify the city and request selection of a different alternative after the council's action if the applicant believes that it cannot use the selected alternative because of a reason that was beyond its own control and not apparent during the selection process. The council will choose a different alternative if it finds that the applicant is prevented from the using the selected location.

***Phase II (Site Plan Review):***

9) The applicant must apply for site plan approval after receiving the conditional use permit and before beginning construction. At the applicant's request, the city council may choose to consider the site plan at the time of the conditional use permit. The application must comply with the conditions specified in paragraphs (9) through (13). The applicant must obtain sufficient interest in the property needed for that alternative before applying for the approval. The city planner must reject an application for a location other than the selected alternative, and it will not be considered.

10) The applicant must submit a landscape plan prepared by a registered landscape architect. The plan must be designed to mitigate the amount of trees removed for the facility and must minimize the visual impact on abutting properties caused by the facility. The landscape plan will be subject to review and approval by the city pursuant to section 300.27, subd. 14 through subd. 19 of this code, except the minimum landscape requirements in subd. 15(a). The applicant must submit financial security acceptable to the city to ensure compliance and must install and maintain the landscaping in compliance with those code provisions and the plan as approved by the city. With the concurrence of the abutting property owner, the landscape plan may include plantings on abutting property. In that case, the applicant will be responsible for installation, and the abutting property owner will be responsible for the maintenance of the landscaping.

11) The applicant must design the facility to minimize its visual impact. The applicant must submit configuration, material and color options that are technically feasible. The city may require the applicant to design the facility in a manner that reduces the visual impact



of the project, including regulating the height and spacing of utility poles. Utility poles may not exceed 80 feet in height, except where needed to cross a major roadway such as a freeway. Item 4.

12) The facility must not interfere with the use of public right-of-way, including use for vehicular and pedestrian travel, snow storage, and lateral support.

13) The applicant and any subsequent owner must continually maintain the facility in good condition, including repainting or restaining deteriorated surface finishes, securing poles and guy wires to the ground, and replacing poles that are in a deteriorated condition.

(Amended by Ord. 2016-08, effective May 23, 2016; Amended by Ord. 2014-07, adopted March 24, 2014; amended by Ord. 2012-07, adopted June 25, 2012; Ord. 2011-02, adopted April 18, 2011; amended by Ord. No. 2023-02, effective February 27, 2023)

## 1009.02 CONDITIONAL USES

- A. Purpose: Several land uses and structures have been designated as conditional uses in certain zoning districts; the purpose of the conditional use review process is to ensure that proposed conditional uses will satisfy applicable standards and criteria established for the protection of the public health, safety, and general welfare. Particular conditional uses may be subject to specific requirements in addition to the general standards and criteria pertaining to all conditional uses, and any conditional uses may be approved with conditions considered reasonable and necessary to enhance compatibility with surrounding uses.
- B. Applications: The owner of property on which a conditional use is proposed shall file an application for approval of the conditional use by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. In addition, for applications pertaining to City-owned land in a Park and Recreation District, the proposed conditional use shall be reviewed for recommendation by the Parks and Recreation Commission prior to submission of an application for approval. Complete applications shall be reviewed in a public hearing before the Planning Commission and acted upon by the City Council according to the process set forth in Chapter 108 of this Code. If a proposed conditional use is denied, an application for substantially the same conditional use on the same property shall not be accepted within 1 year of the date of the denial.
- C. General Standards and Criteria: When approving a proposed conditional use, the Planning Commission and City Council shall make the following findings:
  - 1. The proposed use is not in conflict with the Comprehensive Plan;
  - 2. The proposed use is not in conflict with any Regulating Maps or other adopted plans;
  - 3. The proposed use is not in conflict with any City Code requirements;
  - 4. The proposed use will not create an excessive burden on parks, streets, and other public facilities; and
  - 5. The proposed use will not be injurious to the surrounding neighborhood, will not negatively impact traffic or property values, and will not otherwise harm the public health, safety, and general welfare.
- D. Specific Standards and Criteria: When approving the conditional uses identified below, all of the additional, specific standards and criteria shall apply.
  - 1. Animal Boarding, Animal Day Care, Kennel: If outside exercise runs or other outdoor activities are contemplated, the following standards shall be met:
    - a. Outdoor dog runs or exercise areas shall be located at least 100 feet from a residentially zoned property or property in residential use or shall have, at the time of application for conditional use approval, the written support of all owners of such properties within 100 feet; and
    - b. Any portion of an outdoor kennel facing an adjacent property shall be screened from view by a solid fence, hedge or similar plant material.
  - 2. Bank, Financial Institution: There are no specific standards for this use.
  - 3. Bed and Breakfast Establishment:
    - a. The use shall only be conducted in a one-family dwelling and shall be limited to a maximum of 4 sleeping rooms.

- b. Breakfast is the only meal that may be served, and it shall be limited to registered guests.
  - c. Length of stay shall not exceed 21 consecutive days for each registered guest.
- 4. Building Height Increase: There are no specific standards for increased building height where allowed by the applicable zoning district requirements
- 5. Caretakers Dwelling: There are no specific standards for this use.
- 6. College, or Post-secondary School, Campus:
  - a. A facility established after the effective date of this ordinance shall have vehicular access to a collector or higher classification street.
  - b. A campus master plan shall be required to address the management of pedestrian, bicycle and vehicular circulation, relationship to surrounding land uses, and buffering and screening of adjacent uses to mitigate any impacts of a new or expanded/intensified campus.
- 7. Communications Equipment - Shortwave Radio and TV Antennas: There are no specific standards for this use.
- 8. Community Residential Facility, State Licensed, Serving 7-16 Persons: there are no specific standards for this use.
- 9. Day Care Center: There are no specific standards for this use.
- 10. Day Care Facility, Group Family: There are no specific standards for this use.
- 11. Dormitory: There are no specific standards for this use.
- 12. Drive-through Facilities:
  - a. Drive-through lanes and service windows shall be located to the side or rear of buildings and shall not be located between the principal structure and a public street, except when the parcel and/or structure lies adjacent to more than one public street and the placement is approved by the Community Development Department.
  - b. Points of vehicular ingress and egress shall be located at least 60 feet from the street right-of-way lines of the nearest intersection.
  - c. The applicant shall submit a circulation plan that demonstrates that the use will not interfere with or reduce the safety of pedestrian and bicyclist movements. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Queuing lane space shall be provided, sufficient to accommodate demand, without interfering with primary driving, entrance, exit, pedestrian walkways, or parking facilities on site. The circulation plan shall be made a condition of approval and shall survive any and all users of the drive-through and may need to be amended from time to time to ensure continued compliance with this condition. Said amendments to the circulation plan will require an amendment to the conditional use.(Ord 1575, 07-22-2019)
  - d. Speaker box sounds from the drive-through lane shall not be loud enough to constitute a nuisance on an abutting residentially zoned property or property in residential use. Notwithstanding this requirement, such speaker boxes shall not be located less than 100 feet from an existing residentially zoned property or property in residential use. (Ord. 1563, 8-27-2018)
  - e. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.

The care of one (1) or more children on a regular basis, for periods of less than twenty-four (24) hours per day, in a place other than the child's own dwelling unit. Day care includes family day care, group family day care and child care centers, as hereinafter defined.

- (1) *Family day care.* A day care program providing care for not more than ten (10) children at one (1) time, and which is licensed by the county as a family day care home. The licensed capacity must include all children of any caregiver when the children are present in the residence.
- (2) *Group family day care.* A day care program providing care for no more than fourteen (14) children at any one (1) time of which no more than ten (10) are under school age and which is licensed by the county as a group family day care home. The licensed capacity must include all children of any caregiver when the children are present in the residence.
- (3) *Child care center.* A day care program licensed by the state or the city as a child care center. Child care centers include programs for children known as nursery schools, day nurseries, child care centers, play groups, day care centers for school age children, after school programs, infant day care centers, cooperative day care centers, preschool and Head Start programs.

*Standards and conditions:*

- (a) In RL-H1 residential districts, a child care center shall be located in a nonresidential structure currently or formerly occupied by a church, community center, school or similar facility. In industrial districts, a child care center must be accessory to a principal use permitted in the district.
- (b) A fence at least three and one-half (3½) feet in height shall surround all play areas located in a front yard or adjacent to a public or private street.

(Ord 18-1, § 1, 1-24-18; Ord 22-3, § 1, 1-19-22; Ord 23-43, § 6, 10-18-23)

**Editor's note**— See editor's note, § 65.221.

City of Columbia Heights | *Community Development Department*

3989 Central Avenue NE, Columbia Heights, MN 55421 ▪ Ph: 763-706-3670 ▪ Fax: 763-706-3671 ▪  
www.columbiaheightsmn.gov

## NOTICE OF PUBLIC HEARING

Date of Hearing: May 7, 2024

Subject: Public Hearing Notice – Zoning Text Amendment from JDA Design Architects and Mohamed Abdulle proposing to amend City Code 9.107 Specific Development Standards related to Day Care Centers.

Dear Resident/Affected Property Owner:

The City of Columbia Heights has received a Zoning Text Amendment application from JDA Design Architects and Mohamed Abdulle proposing to amend 9.107 Specific Development Standards (C)(16) for Day Care Centers and allow for child day care centers to use an adjacent public park within 1,500 feet of the property in lieu of an on-site play area. Section 9.104 (F) of the Zoning Ordinance requires the Planning Commission to hold a public hearing on the zoning amendment and make findings before submitting a recommendation to City Council.

You are receiving this notice because the property that you own (Affected Property), and/or reside in, is located within 350 feet of the Subject Property. The Planning Commission of the City of Columbia Heights will hold a Public Hearing on this matter on Tuesday, May 7, 2024 at 6:00 p.m. in the City Council Chambers of Columbia Heights City Hall, located at 3989 Central Avenue NE. A map of the Subject Property is attached. A full copy of the application is on file at City Hall and is available for review upon request.

You are welcomed and encouraged to participate in the Public Hearing for this matter by attending the May 7, 2024 Planning Commission meeting. If you cannot attend the meeting, but would like to provide input, you can submit correspondence via email to [aboucher@columbiaheightsmn.gov](mailto:aboucher@columbiaheightsmn.gov) or by mail at:

City of Columbia Heights  
Attn: Community Development  
3989 Central Avenue NE  
Columbia Heights, MN 55421

You can participate in the meeting live and online by using Microsoft Teams at the login link below or call-in:

### Join Microsoft Teams Meeting Online

Meeting ID: 252 58 988 371  
Passcode: ugquG3

### Dial-in for Microsoft Teams Meeting

+1-312-626-6799

If you have any questions about this proposal, please do not hesitate to contact the City of Columbia Heights Community Development Division at (763) 706-3673.

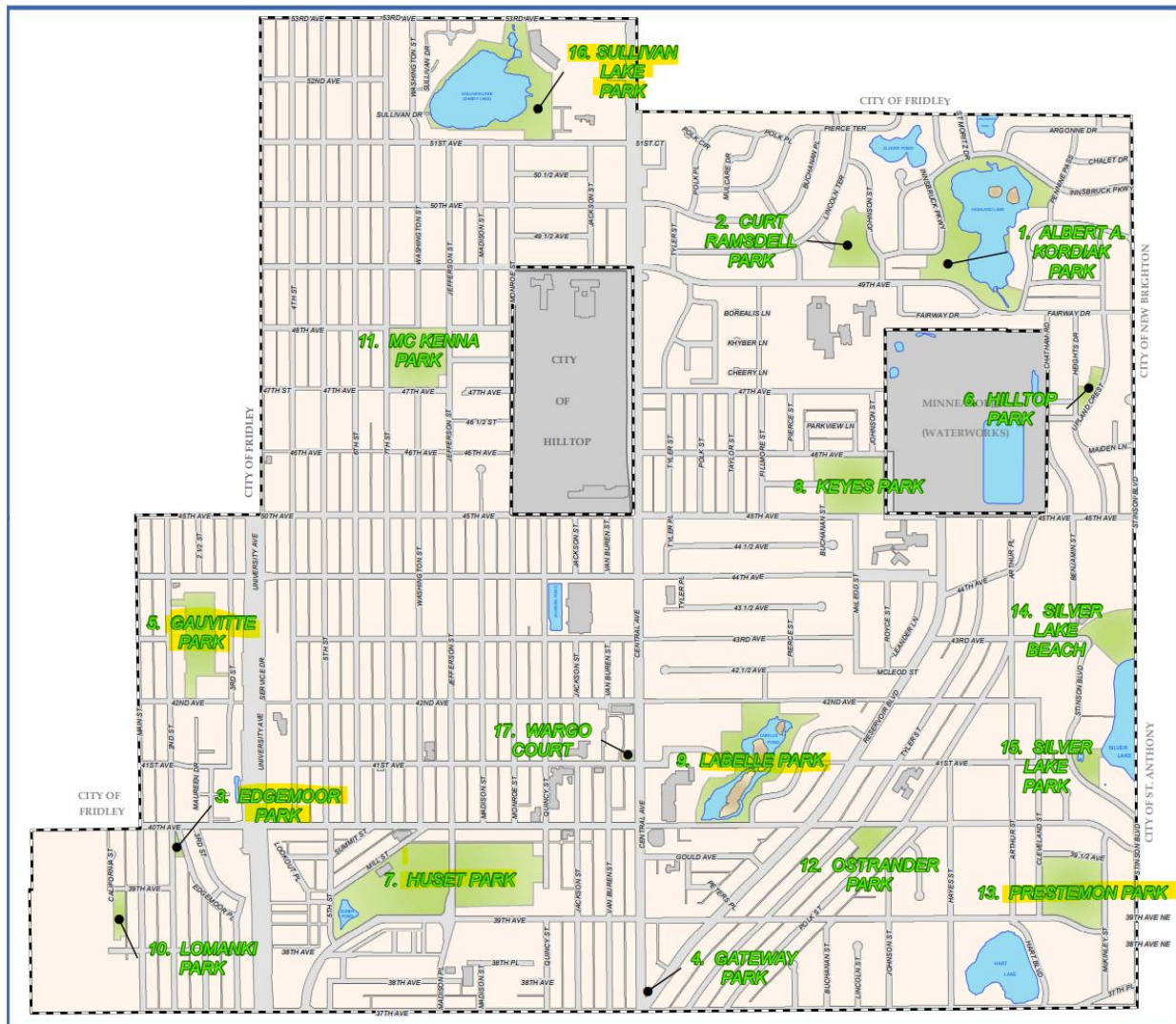
Sincerely,

Andrew Boucher  
Community Development Planner, City of Columbia Heights

**\*\* Landowners (Commercial and Residential):** If you do not reside on the Affected Property, located 350 feet from the Subject Property, it is your responsibility to share this notice with your tenants. This notice should be posted in a public place on your property or mailed directly to the tenants residing or leasing space on the Affected Property.

**-SUBJECT PROPERTY LOCATION-  
(Highlighted in yellow)**

FIGURE 7-1. CITY PARKS



Source: City of Columbia Heights



Not Actual Size

**CITY OF  
COLUMBIA HEIGHTS  
PLANNING COMMISSION**

**NOTICE OF  
PUBLIC HEARING**

Notice is hereby given that the Planning Commission of the City of Columbia Heights will conduct a public hearing in the City Council Chambers of City Hall at 3989 Central Avenue NE on Tuesday, May 7, 2024, at 6:00 p.m. The order of business is as follows:

A request for a Zoning Text Amendment from the JDA Design Architects and Mohamed Abdulle proposing to amend City Code 9.107 Specific Development Standards (C)(16) Day Care Centers and include language allowing child day care facilities to utilize an adjacent public park to the property within 1,500 feet. Section 9.104 (F) of the Zoning Ordinance requires the Planning Commission to hold a public hearing on the zoning amendment and make findings before submitting a recommendation to City Council.

Notice is hereby given that all persons having an interest will be given an opportunity to be heard. For questions, contact Andrew Boucher, City Planner, at (763) 706-3673.

Published in  
The Life  
April 19, 2024  
1388296

# -Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at [publicnotice@apgecm.com](mailto:publicnotice@apgecm.com)

Date: 04/15/24  
Account #: 414681  
Customer: CITY OF COLUMBIA HEIGHTS  
Address: 3989 CENTRAL AVE NE  
COLUMBIA HEIGHTS  
Telephone: (763) 767-6580  
Fax: (763) 706-3637

**Publications:**  
BSLP Col Hght Frid Life

Ad ID: 1388296  
Copy Line: May 7 PH Zoning Text Amendment  
PO Number:  
Start: 04/19/24  
Stop: 04/19/2024  
Total Cost: \$57.50  
# of Lines: 44  
Total Depth: 4.917  
# of Inserts: 1  
Ad Class: 150  
Phone # (763) 691-6000  
Email: [publicnotice@apgecm.com](mailto:publicnotice@apgecm.com)  
Rep No: CA700  
  
Contract-Gross

**Andrew Boucher**

---

**From:** Donna Conwell <dsc01@comcast.net>  
**Sent:** Wednesday, April 24, 2024 11:09 AM  
**To:** Andrew Boucher  
**Subject:** Regarding Public Hearing Notice to Amend City Code 9.107 Related to Day Care Centers

SUBJECT: Public Hearing Notice - Zoning Text Amendment from JDA Design Architects and Mohamed Abdulle proposing to amend City Code 9.107 Specific Development Standards related to Day Care Centers (Date of hearing May 7, 2024)

To Whom It May Concern:

I am writing in response to a notice of public hearing I recently received related to the subject cited above. The notice states the amendment relates to specific development standards for day care centers and would "allow for child day care centers to use an adjacent public park within 1,500 feet of the property in lieu of an on-site play area. While I am in full support of children and their right and need to play, I do not support using public park space by day care centers, including private or public schools, for this purpose. These businesses should provide their own recreational facilities and equipment for use by the children they are paid to care for. Public parks are for the use of all residents and their individual children. To have access to recreational equipment (e.g., swings, slides, etc.) essentially obstructed by a day care center business for use by its customers is not an acceptable use of these public areas, facilities, and equipment. For the record, I have no objection to day care operated out of someone's individual home using a local public park for the benefit of the children in their care.

Respectfully,

Donna Conwell  
(Columbia Heights, MN, Labelle Park area resident)



**Andrew Boucher**

---

**From:** Jennifer Kane <jekane32@gmail.com>  
**Sent:** Monday, April 22, 2024 11:28 AM  
**To:** Andrew Boucher  
**Subject:** Re: FW: Zoning Text Amendment

Hi Andrew,

Questions I have:

What degree of full park access will the daycare children have: will it be possible that the children approach fence lines in their play (and thereby potentially trigger unsupervised dogs in those back yards). I have a large dog. He is protective of his yard and will charge and bark at unknown people who approach the backyard gate to my property. We have a Beware of Dog sign on the gate.

What hours will daycare children be at play in the park. Will there be a predictable schedule that the daycare follows (that we can follow or be aware of also).

Can property owners or community citizens use the park at will (with dogs and children/grandchildren) while daycare children are there playing.

Discussion of increase in discarded trash or forgotten clothing/toys if this moves ahead.

A benefit of the proposal: this could result in the park maintenance schedule being attended to with more diligence. 1) the dandelions being sprayed; 2) the park being mowed regularly; 3) sticks and brush being raked and collected from the large sandbox area; 4) basketball hoops being repaired; and 5) the interior park fence lines being maintained and trimmed.

Thanks Andrew,

Jen Kane  
250 44th Avenue NE  
Columbia Heights

On Mon, Apr 22, 2024 at 11:00 AM Andrew Boucher <ABoucher@columbiaheightsmn.gov> wrote:

>  
>  
>  
> -----Original Message-----  
> From: Andrew Boucher  
> Sent: Friday, April 19, 2024 12:05 PM  
> Cc: Aaron Chirpich <AChirpich@columbiaheightsmn.gov>; Mitchell Forney  
> <MForney@columbiaheightsmn.gov>  
> Subject: RE: Zoning Text Amendment  
>

**Andrew Boucher**

---

**From:** RENEE GOWAN <rcgowan@comcast.net>  
**Sent:** Monday, April 22, 2024 3:04 PM  
**To:** Andrew Boucher  
**Cc:** Aaron Chirpich  
**Subject:** Re: FW: Zoning Text Amendment

Andrew

Thank you for speaking with me today and providing input regarding day care centers and the use of public parks. My question are as follows:

Would the addition of these day care centers be a burden to what I can assume are limited crews for maintenance and trash removal? As I stated to you, I live directly across from Huset Park and the children and parents leave an enormous amount of trash daily which I pick up so I am not ashamed of where I live.

Are there monies designated for daily clean up in these parks?

How many people will be supervising the children daily? We have had buses of children at Huset Park who took over the entire play area and other children would just leave the area. Also how will our residents be able to walk dogs or want to have picnics on the grounds at the same time? Will our Association be paying higher taxes for the centers? Thank you and I look forward to meeting you on May 7.

On 04/22/2024 2:14 PM CDT Andrew Boucher <[aboucher@columbiaheightsmn.gov](mailto:aboucher@columbiaheightsmn.gov)> wrote:

Renee,

Thank you for reaching out. The zoning text amendment is associated with a redevelopment project at 2201 37th Ave NE, which had previously received a Conditional Use Permit for a banquet hall/event space last July, but the owner (Mohamed Abdulle) also had some other speculative spaces for retail and office space before ultimately finding a tenant interested in opening a day care center. During the development process, there were difficulties in accommodating the on-site play area requirement for child day care centers. Mr. Abdulle engaged the services of JDA Design Architects to prepare some of their plans for the building construction as well as the prepare the zoning text amendment

## Andrew Boucher

---

**From:** STEVEN STROMQUIST <s7even.roy@icloud.com>  
**Sent:** Friday, April 19, 2024 12:56 PM  
**To:** Andrew Boucher  
**Cc:** Aaron Chirpich; Mitchell Forney  
**Subject:** Re: Zoning Text Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you, Mr. Boucher for your quick and informative response. I'll have to read it over again to really understand it! I certainly support additional affordable daycare for our city.  
 Steve

Sent from my iPhone

> On Apr 19, 2024, at 12:05 PM, Andrew Boucher <ABoucher@columbiaheightsmn.gov> wrote:

>

> Hey Steve,

>

> Thank you for reaching out. The zoning text amendment is associated with a redevelopment project at 2201 37th Ave NE, which had previously received a Conditional Use Permit for a banquet hall/event space last July, but the owner (Mohamed Abdulle) also had some other speculative spaces for retail and office space before ultimately finding a tenant interested in opening a day care center. During the development process, there were difficulties in accommodating the on-site play area requirement for child day care centers. Mr. Abdulle engaged the services of JDA Design Architects to prepare some of their plans for the building construction as well as the prepare the zoning text amendment to amend the City Code and bring it into alignment with MN State Statute 9502.0425 (Physical Environment) which allows for a public park to be used if on-site outdoor play areas are not feasible on the subject property.

>

> This zoning text amendment would apply to all day care centers, but not necessarily all parks because some city parks are outside the maximum distance of 1,500 feet from commercially zoned properties where day care centers would be allowed; the parks that this zoning text amendment would apply to are:

>

> - Edgemoor Park

> - Gauvitte Park

> - Huset Park

> - Labelle Park

> - Prestemon Park

> - Sullivan Lake Park

>

> The remaining parks are either outside the distance allowed for a day care to use the park or the parks do not have any zones where day cares would be allowed. There are approximately 11 day care centers in Columbia Heights that this would apply to, but from my analysis, the vast majority of these day care centers already have on-site play areas or other built in amenities. Day care centers do not pay the city for licensure as they are licensed through the state, but they do pay city taxes. I've included our Community Development Coordinator, Mitch Forney, on this email so we can look further into the taxes, but they likely pay the same or similar taxes to what other businesses do.

>

> This is not the first time a zoning text amendment has been applied for, the City processed and approved a zoning text amendment for Adult Day Care Centers on June 12, 2017 allowing them to prepare a written proposal demonstrating

recreational activities for adults under the facility's care provided off-site. I've attached a copy of that ordinance changing the language for adult day care centers to be able to use a public park to meet their outdoor area requirements, I anticipate that this zoning text amendment would be identical to the one that was previously approved given that the uses are incredibly similar and in alignment with State Statute requirements in 9502.0425.

>  
> Please let me know if you have any questions and I'm happy to discuss  
> this further,

>  
> Thanks,  
>  
> Andrew

>  
>  
> Andrew Boucher, AICP | City Planner  
> City of Columbia Heights | Community Development Department  
> 3989 Central Avenue NE | Columbia Heights, MN 55421  
> aboucher@columbiaheightsmn.gov

>  
>  
>  
> Direct: 763-706-3673 | Main: 763-706-3670

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>  
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>  
> -----Original Message-----

> From: STEVEN STROMQUIST <s7even.roy@icloud.com>  
> Sent: Friday, April 19, 2024 11:10 AM  
> To: Andrew Boucher <ABoucher@columbiaheightsmn.gov>  
> Subject: Zoning Text Amendment

>  
> Re: May 7 Hearing  
> Where exactly are the properties located? Several widely spaced parks are highlighted on map.  
> Is new construction planned?  
> Who is JDA Design Architects & why are they involved? Who is Mohamed Abdullah? Is he a Columbia Heights resident. Is he owner of said day care centers? Would this amendment apply to all day care providers? How many daycare providers are there in Heights to which this amendment would apply? How much to daycare facilities pay to the city for certification? Do they pay city taxes & employment taxes & property taxes?  
> Given that there may be many daycare facilities in Heights homes, is this the first time a N Zoning Text Amendment has been applied for?

> Thank you,  
> Steve Stromquist  
> 649 51st Ave NE  
> COLUMBIA HEIGHTS

>  
> Sent from my iPhone  
>  
> \_\_\_\_\_  
>

> Disclaimer: Information in this message or attachment may be government data and thereby subject to the Minnesota Government Data Practices Act; may be subject to attorney-client or work product privilege; may be confidential, privileged, proprietary, or otherwise protected. The unauthorized review, copying, retransmission, or other use or disclosure of the information is strictly prohibited. If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly delete this message from your computer system.

> <1641.pdf>

**Andrew Boucher**

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**From:** Randy Red <rps4thejob2015@gmail.com>  
**Sent:** Sunday, April 28, 2024 3:28 AM  
**To:** Andrew Boucher  
**Subject:** Zoning Text Amendment - JDA Design Architects and Mohamed Abdulle

I Randall Schmit residing at 3983 Arthur Street NE, am against the proposal to amend 9.107 Specific Development Standards (C) (16) for Day Care Centers.

I vote no to allow Day Care Centers to use an adjacent public park within 1500 feet of the property in lieu of an on site play area.

Sincerely,  
Randall P. Schmit



AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	MAY 7, 2024

ITEM:	Minor Subdivision for 5085 Central Avenue NE	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner

**CASE NUMBER:** 2024-0507

**APPLICANT:** Terron Wright of the Architects Partnership, LTD on behalf of Chase Bank

**DEVELOPMENT:** Minor Subdivision of a portion of the parking lot of La Casita (5085 Central Avenue NE) to create a separate lot for a new construction Chase Bank with a drive-thru ATM.

**LOCATION:** 5085 Central Avenue NE

**REQUEST:** Minor Subdivision

**PREPARED BY:** Andrew Boucher, City Planner

**INTRODUCTION:**  
 The Architects Partnership, LTD on behalf of Chase Bank and La Casita has requested approval of a Minor Subdivision proposing to split a portion of the La Casita parking lot into two separate parcels and in preparation of construction of a new 3,365 square foot banking facility with a drive-thru ATM on the proposed parcel located at 5085 Central Avenue NE (between 51<sup>st</sup> Ave/CT NE and Central Avenue NE).

The applicant is proposing to subdivide the existing 1.67 acre parcel and remove 52 of the 135 parking spaces on-site to create two separate lots, the La Casita parcel would be 1.18 acres and the Chase Bank parcel (5075 Central Avenue) would be 0.48 acres. The subject site is located at the northern end of the municipal boundary along Central Avenue and the surrounding adjacent properties are all zoned for Commercial use through the General Business District; further to the south, east, and west of those commercial properties are pockets of multi-family, duplexes, and single-family residential zoning adjacent to Central Avenue. The subject site is zoned, General Business District, and the use as a financial institution with a drive-thru ATM is permitted use in the district subject to Specific Development Standards 9.107 (18) for a drive-up facility.

The proposed subdivision would reduce the required parking for the restaurant to 83 parking spaces which is below the minimum requirements of 91 parking spaces for the restaurant, a deficit of 8 spaces. A total of 20 parking spaces are required for the financial institution, one (1) per 300 gross floor area and up to nine (9) employees at any one time; the applicant is proposing 14 parking spaces creating a combined deficit of 14 spaces. A shared parking agreement is a necessary condition of approval subject to approval by the City Attorney and filed with the Anoka County Recorder’s Office within 60 days after approval of the shared parking use to ensure that both uses have compliant parking. As conditioned, the proposed minor subdivision meets subdivision regulations in accordance with City Code.

**COMPREHENSIVE PLAN**

The City’s 2040 Comprehensive Plan guides the subject site, as well as properties to the north, south, east and west for “commercial land use” with “medium density and low density residential” further to the south and east of the commercial parcels. The Plan describes the “commercial” designation as follows:

*The Commercial land use designation is primarily located along major transportation corridors and includes a variety of retail uses, services, and office uses.*

The subject site also lies within “Opportunity Area #2B” of the Comprehensive Plan which overlays the segment of the Central Avenue from 37<sup>th</sup> Avenue NE to the Fridley Border, specifically between Central Avenue NE and 49<sup>th</sup> Avenue NE. In this regard, the Plan identifies the area as having development potential for future commercial use. Some of the guiding principles for redevelopment include commercial uses with appropriate parking and pedestrian accesses to Central Avenue and emphasizing on businesses that provide goods or services that appeal to the community at large as well as the adjacent neighborhoods. This area is described as having an emphasis on providing sidewalks, four season landscaping, and lighting.

**MINOR SUBDIVISION  
ISSUES AND ANALYSIS**

**Lot Requirements.** According to Section 9.110(C) of the Zoning Ordinance, lots within the GB District must have a minimum lot area of 6,000 sq. ft. and a minimum lot width of 40 feet. Presently, the La Casita parcel (5085 Central Avenue) measures 72,834 sq. ft. with a width of 245 feet. As a result of the proposed minor subdivision, the La Casita would retain 51,834 sq. ft. (1.18 acres) and an additional lot would be created measuring 21,000 sq. ft. (.48 acres) and a width of 210 feet. Both proposed lots meet the minimum lot area and width requirements of the General Business (GB) District.

**Setbacks.** The proposed minor subdivision will result in changes to the setbacks as La Casita had corner lot setback requirements which are now applicable to the proposed lot. The General Business district parking and structure setbacks are as follows:

Parking Setbacks:				Building Setbacks:			
Front: 15 feet	Corner Side: 15 feet	Rear: 5 feet	Side: 5 feet	Front: 15 feet	Corner Side: 15 feet	Rear: 20 feet	Side: 0 feet

The proposed minor subdivision configuration would result in the following setbacks for La Casita and Chase Bank, respectively:

La Casita Parking Setbacks:				La Casita Building Setbacks:			
Front: 15 feet	Corner Side: N/A	Rear: 5 feet	Side: 5 feet	Front: 48.7 feet	Corner Side: N/A	Rear: 81.2 feet	Side: 84 feet and 9 feet

Chase Bank Parking Setbacks:				Chase Bank Building Setbacks:			
Front: 18 feet	Corner Side: 15 feet	Rear: 5 feet	Side: 15 feet	Front: 42 feet	Corner Side: 15 feet	Rear: 35 feet	Side: 15 feet



Both parcels will have building and parking lot setbacks that conform with 9.110 Commercial Districts (C) Lot dimension, height, and bulk requirements. The lot area, setback, height and lot coverage proposed satisfy these requirements.

**Easements.** Easements for drainage and utilities are required to be shown and cover any new drainage way or utility on the subject properties. No easements are being proposed to be vacated. As a condition of approval, the applicant is responsible for filing and recording any proposed easement with Anoka County Recorder’s Office. As a condition of approval, a cross access easement for vehicular movement is required to be filed and recorded to provide access perpetually for all current and future owners.

The mutual nonexclusive driveway easement recorded in Doc. No. 664049 guarantees that both properties have access to right-of-way service, the City Attorney confirming that the recorded easement provides both parcels adequate access to the right-of-way.

**Recording.** As a condition of minor subdivision approval, the applicant will be responsible for the filing the approved subdivision with the Anoka County Recorder’s Office. If the minor subdivision is not filed with the Anoka County recorder’s Office within one year of the date of City Council approval, it will become invalid.

**FINDINGS OF FACT**

Section 9.104 (K) of the Zoning Code outlines specific conditions for the City Council to approve a minor subdivision. They are as follows:

- 1. The proposed subdivision of land will not result in more than three lots.**

The proposed subdivision will result in two conforming lots as conditioned.

- 2. The proposed subdivision of land does not involve the vacation of existing easements.**

No vacation of existing easements will occur because of the minor subdivision.

- 3. All lots to be created by the proposed subdivision conform to lot area and width requirements established for the zoning district in which the property is located.**

Both newly created lots will conform to the lot width and lot area requirements of the applicable GB zoning designation.

- 4. The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.**

The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.

- 5. The property has not previously been divided through the minor subdivision provisions of this article.**

The subject property has not previously been subdivided via a minor subdivision process.

- 6. The proposed subdivision does not hinder the conveyance of land.**

The proposed subdivision will not hinder the conveyance of land.

- 7. The proposed subdivision does not hinder the making of assessments or the keeping of records related to assessments.**

The proposed subdivision is not expected to hinder the making of assessments or the keeping of records related to assessments.

**8. The proposed subdivision meets all the design standards specified in Section 9.116.**

As a condition of minor subdivision approval, all applicable design standards of Section 9.116 of the Zoning ordinance must be satisfied.

**STAFF REVIEW**

The Public Works Department, Police Department, and Fire Department have been provided copies of the application materials and the comments from each respective department are attached, if applicable.

In review of the application materials, Public Works/Engineering provided their department’s requirements and comments on the proposed plat in a memo dated April 17, 2024, which is referenced as a condition of approval. General comments and plat requirements include:

- 1. Scheduling a pre-construction conference prior to any land alteration activities beginning;
- 2. Showing proposed drainage and utility easements over any new drainage way/utility;
- 3. All stormwater best management practices (BMPs) shall have designated drainage and utility easements recorded with the Plat or as a separate document at Anoka County.

Public Works and Engineering reviewed the erosion control plan and SWPPP as part of the submitted plan sets and had additional comments and requirements that are included in the attached memo, dated April 17, 2024 and added as conditions of approval for both the minor subdivision and site plan review.

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend the following to the City Council:

- A. Approval of the Minor Subdivision of property located at 5085 Central Avenue NE (PID: 25-30-24-22-0065) into two separate parcels subject to the following conditions of approval:
  - 1. A shared parking agreement between La Casita and Chase Bank shall be proposed and subject to approval by the City Attorney and filed with the Anoka County Recorder’s Office within 60 days after approval of the shared parking use to ensure that both uses have compliant parking.
  - 2. The applicant shall be responsible for filing the approved subdivision with the Anoka County Recorder’s Office. The approved minor subdivision shall become invalid if the subdivision is not filed with the Anoka County Recorder’s Office within one year of the date of City Council approval.
  - 3. The applicant shall adhere to the requirements and comments provided by the City Public Works and Engineering Departments in a memo dated April 17, 2024. The applicant is responsible for filing and recording any proposed easements with Anoka County Recorder’s Office.
  - 4. A cross access easement for vehicular movement is required to be filed and recorded with Anoka County Recorder’s Office to provide access perpetually for all current and future owners.

**RECOMMENDED MOTION(S):**

**MOTION:** Move to waive the reading of draft Resolution No. 2024-036, a Minor Subdivision for 5085 Central Avenue NE, there being ample copies available to the public.

**MOTION:** Move to recommend the Planning Commission give a positive recommendation to draft Resolution No. 2024-036, a Minor Subdivision for 5085 Central Avenue NE, and recommend City Council approve draft Resolution No. 2024-036 as presented and subject to the conditions of approval listed in the draft resolution.

**ATTACHMENT(S):**

- Draft Resolution No. 2024-036
- Minor Subdivision Application
- Applicant Narrative
- Existing Conditions
- Proposed Lot Split
- Recorded Document No. 664049 – Driveway access
- Fire Department Comments
- Engineering/Public Works Comments
- Public Notice to Newspaper
- Public Notice to Neighbors

**RESOLUTION NO. 2024-036**

A resolution of the Planning Commission for the City of Columbia Heights, Minnesota, recommending approval of a Minor Subdivision for the property located at 5085 Central Avenue NE (PID: 25-30-24-22-0065) in the City of Columbia Heights, MN;

**Whereas**, a proposal (Planning Case # 2024-0507) has been submitted by Terron Wright of the Architects Partnership, LTD on behalf of Chase Bank and La Casita as the property owner to the Planning Commission requesting approval of a Minor Subdivision at the following location:

ADDRESS: 5085 Central Avenue NE (PID: 25-30-24-22-0065)

EXISTING LEGAL DESCRIPTION:

That part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:

Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 80.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

PROPOSED LEGAL DESCRIPTIONS:

Parcel 1 (5085 Central Avenue NE)

That part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:

Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 80.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

Excepting the west 210 feet of the south 100 feet thereof.

Parcel 2 (5075 Central Avenue – Chase Bank Parcel)

The west 210 feet of the south 100 feet of that part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows.

Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 80.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

**THE APPLICANT SEEKS THE FOLLOWING:**

1. Minor Subdivision to subdivide a 1.67 acre lot into two separate 1.18 and 0.48 acre parcels to accommodate a new construction banking facility and maintaining the existing restaurant and parking lot in accordance with City Code Section 9.104 (K).

**Whereas**, the Planning Commission held a public hearing as required by the City Zoning Code on May 7, 2024;

**Whereas**, the Planning Commission has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed minor subdivision upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concern related to traffic, property values, light, air, danger of fire, and risk to public safety, in the surrounding area;

**Now, therefore**, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City of Columbia Heights Planning Commission makes the following:

**FINDINGS OF FACT**

1. The proposed subdivision of land will not result in more than three lots.
2. The proposed subdivision of land does not involve the vacation of existing easements.
3. All lots to be created by the proposed subdivision conform to lot area and width requirements established for the zoning district in which the property is located.
4. The proposed subdivision does not require the dedication of public rights-of-way for the purpose of gaining access to the property.
5. The property has not previously been divided through the minor subdivision provisions of this article.

6. The proposed subdivision does not hinder the conveyance of land.
7. The proposed subdivision does not hinder the making of assessments or the keeping of records related to assessments.
8. The proposed subdivision meets all the design standards specified in Section 9.116.

#### **CONDITIONS**

1. A shared parking agreement between La Casita and Chase Bank shall be proposed and subject to approval by the City Attorney and filed with the Anoka County Recorder's Office within 60 days after approval of the shared parking use to ensure that both uses have compliant parking.
2. The applicant shall be responsible for filing the approved subdivision with the Anoka County Recorder's Office. The approved minor subdivision shall become invalid if the subdivision is not filed with the Anoka County Recorder's Office within one year of the date of City Council approval.
3. The applicant shall adhere to the requirements and comments provided by the City Public Works and Engineering Departments in a memo dated April 17, 2024. The applicant is responsible for filing and recording any proposed easements with Anoka County Recorder's Office.
4. A cross access easement for vehicular movement is required to be filed and recorded with Anoka County Recorder's Office to provide access perpetually for all current and future owners.

Passed this 7<sup>th</sup> day of May, 2024

Offered by:  
Seconded  
by:  
Roll Call:

---

Clara Wolfe, Chair

Attest:

---

Andrew Boucher, City Planner

DRAFT

# COLUMBIA HEIGHTS

Community Development Department  
590 40<sup>th</sup> Ave. NE. Columbia Heights, MN 55421  
Phone: (763) 706-3670

## MINOR SUBDIVISION (LOT SPLIT) APPLICATION ORDINANCE NO. 9.104 (K), 9.116 (C), 9.116 (D)

This application is subject to review and acceptance by the City. Applications will be processed only if all required items are submitted.

**PROPERTY INFORMATION**

Project Address/Location: 5085 Central Ave NE.

Legal Description of property: See attached.

Present use of property: Restaurant's parking lot

Proposed use of property: Financial institution

Does the proposed lot split create a buildable lot?  Yes  No

**PROPERTY OWNER (As it appears on property title):**

Company Name/Individual (please print): SAH Partnerhip

Contact Person (please print): Chad Anvary

Mailing Address: 4737 CR 101, Suite 243

City: Minnetonka State: MN Zip: 55345

Daytime Phone: 612-385-3797 Cell Phone: 612-385-3797

Email Address: chadanvary@outlook.com

Signature/Date:  4/3/24

**APPLICANT:**

Company Name/Individual (please print): The Architects Partnership, LTD.

Contact Person (please print): Terron Wright

Mailing Address: 200 S Michigan Ave.

City: Chicago State: IL Zip: 60604

Daytime Phone: 561-628-9845 Cell Phone: \_\_\_\_\_

Email Address: wright@tapchicago.com

Signature/Date: 03/26/2024



# COLUMBIA HEIGHTS

REASON FOR REQUEST *(please attach a written narrative that describes how the proposed subdivision will be comparable to those lots already existing in the immediate neighborhood. There are some platted residential lots within the City that are different than the current standards. In reviewing requests for approval of lot splits in such areas, the City is particularly interested in determining that the lots to be created will be consistent with the character of the surrounding area.)*

### FOR OFFICE USE ONLY

CASE NO: \_\_\_\_\_

APPLICATION REC'D BY: \_\_\_\_\_

\$275.00 APPLICATION FEE REC'D: \_\_\_\_\_

DATE APPLICATION REC'D: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_

Approved by Planning & Zoning Commission on \_\_\_\_\_

Approved by City Council on \_\_\_\_\_



Aaron Chirpich  
Community Development  
Director  
City of Columbia Heights  
3989 Central Ave. NE  
Columbia Heights, MN

April 01, 2024

Re: Project narrative for the property NEC Central Ave. and 51<sup>st</sup> Ave.

Dear Mr. Chirpich,

This letter is to detail our application for Site plan Review and Minor subdivision to build a new single-story +/- 3,384 SF freestanding retail banking center with an attached ATM drive up lane. The proposed Chase Bank building, DU ATM lane and associated parking lot will be located at the northeast corner of Central Avenue and 51<sup>st</sup> Avenue. The new parking and landscaping will be implemented to improve the aesthetics of the area. The proposed bank intends to complement the architecture of the area to boost commercial activity within the Village. Secondly, the aim of this branch is to bring more job opportunities to the area to contribute to the economic growth of the community.

As previously mentioned, the design intent of the proposed Chase Bank is to complement the surrounding architecture of the area. The proposed Banking Center is comprised of cultured stone (hewn stone color), fiber cement panels in color “Ash” and “Bark”, ACM in “DG Silver”, along with a black anodized storefront system, and clear glassing. All the exterior cladding options are modern finishes and are long lasting cladding materials that will mesh well with the development growth of the area. Additionally, the proposed floor to ceiling glazing was incorporated to provide connectivity to the retail customers navigating the area and pedestrians traversing the adjacent public thoroughfares.

**Lighting Design and Locations:**

To provide the best and most efficient lighting design and locations, a photometric study has been developed and included in this submittal. A fully new layout of site lighting will be proposed along with complementary architectural lighting within the building which will enrich the architectural design of the site at night and will also add to the security for the users during night hours.

**Sustainability Components:**

The project will contain the following components which would contribute to sustainability practices the Village is encouraging:

- Installation of additional trees/landscaping within development area
- LED lighting
- Future use of solar panels
- Project Sustainability goal - LEED Silver certification



The proposed schedule has construction commencing by late Summer – early Fall 2024 (pending regulatory approvals) and an anticipated occupancy date of Winter 2025.

Parties Involved:

Applicant

The Architects Partnership, LTD (TAP)

Architect of Record

Timothy Meseck  
The Architects Partnership, LTD (TAP)

Property Tenant

Theodore Foggy  
Obo JPMorgan Chase Bank, N.A.

Landscape & Civil Engineer

Matthew Lingam  
Kimley-Horn and Associates, INC.

Application Contact

Terron Wright  
The Architects Partnership, LTD (TAP)

**Zoning Classification:**

The property in question is in a zoning district classified as GB – General Business.

**Type of Business:**

The type of business is a retail banking center. The hours of operation will be Monday – Friday 9 AM – 6 PM and Saturday 9 AM – 2 PM. The total number of employees and any one time will be nine. The nine employees will consist of two (2) teller, one (1) lead teller, two (2) bankers, one (1) branch manager, one (1) mortgage loan officer, one (1) financial advisor and one (1) business banker.

A handwritten signature in black ink, appearing to read 'Timothy R. Meseck', written in a cursive style.


Timothy R. Meseck  
The Architects Partnership, LTD.

**CERTIFICATE OF SURVEY FOR:** Item 5.  
**La Casita**

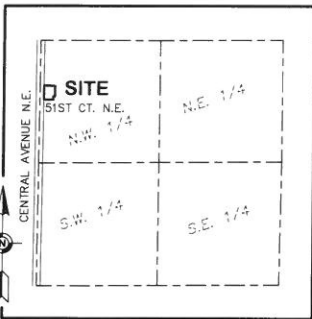
**LEGAL DESCRIPTION:**  
 That part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:  
 Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described; thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westery from Southeast corner of said Lot 1, and said line there terminating.

- GENERAL SURVEY NOTES:**
- The orientation of this bearing system is based on the Anoka County coordinate grid (NAD 83-2011 Adj).
  - Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify ownership, the legal description, or the existence of any easements or encumbrances.
  - The total area of the property described herein is 72,835 square feet or 1.67205 acres.
  - The contours depicted herein are per elevation data collected while conducting the fieldwork. The contour interval is 1 foot.
- BENCHMARK:** Top of Minnesota Department of Transportation Geodetic Monument "0207M" GSD Station #103133  
 Elevation = 929.32 feet. (NAVD88)
- SITE BENCHMARK:** Top nut of hydrant located on the south side 51st Court Northeast.  
 Elevation = 923.97 feet. (NAVD88)
- As of the date of this survey the property described herein contains a total of 135 parking spaces of which 132 are standard spaces and 3 are handicapped spaces.
  - Existing utilities, services and underground structures shown herein were located either physically, from existing records made available to us, by resident testimony, or by locations provided by Gopher State One Call, per Ticket No. 211314372. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Other utilities and services may be present and verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.

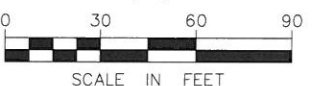
- LEGEND:**
- ⊕ BENCHMARK
  - ⊙ SANITARY MANHOLE
  - MANHOLE
  - ⊙ STORM MANHOLE
  - ⊙ CATCH BASIN
  - ⊙ DRAIN (INLET)
  - ⊙ ROOF DRAIN (OUTLET)
  - ⊙ AUTO SPRINKLER
  - ⊙ GATE VALVE
  - ⊙ HYDRANT
  - ⊙ ELECTRIC BOX
  - ⊙ HANDHOLE
  - ⊙ LIGHT
  - ⊙ UTILITY POLE
  - ⊙ GUY WIRE
  - ⊙ COMMUNICATION BOX
  - ⊙ SIGN
  - ♿ HANDICAPPED PARKING SPACE
  - ♿ HANDICAPPED PARKING SIGN
  - ⊙ VENT
  - F.F.E. (15) FINISH FLOOR ELEVATION
  - (15) PARKING COUNT
  - CHAIN LINK FENCE
  - SANITARY SEWER
  - STORM SEWER
  - WATERMAIN
  - UNDERGROUND ELECTRIC
  - UNDERGROUND FIBER OPTIC
  - UNDERGROUND GAS
  - EXISTING CONTOUR LINE
  - ⊙ OR ⊙ TREE
  - ▭ BITUMINOUS SURFACE
  - ▭ CONCRETE SURFACE
  - ▭ LANDSCAPE SURFACE

**CERTIFICATION:**  
 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
 Date of survey: May 26, 2021.  
 Date of signature: June 02, 2021.  
  
 Eric A. Roeser  
 Minnesota License No. 47476  
 eroeser@efnsurvey.com

SECTION 25, T 30 N, R 24 W

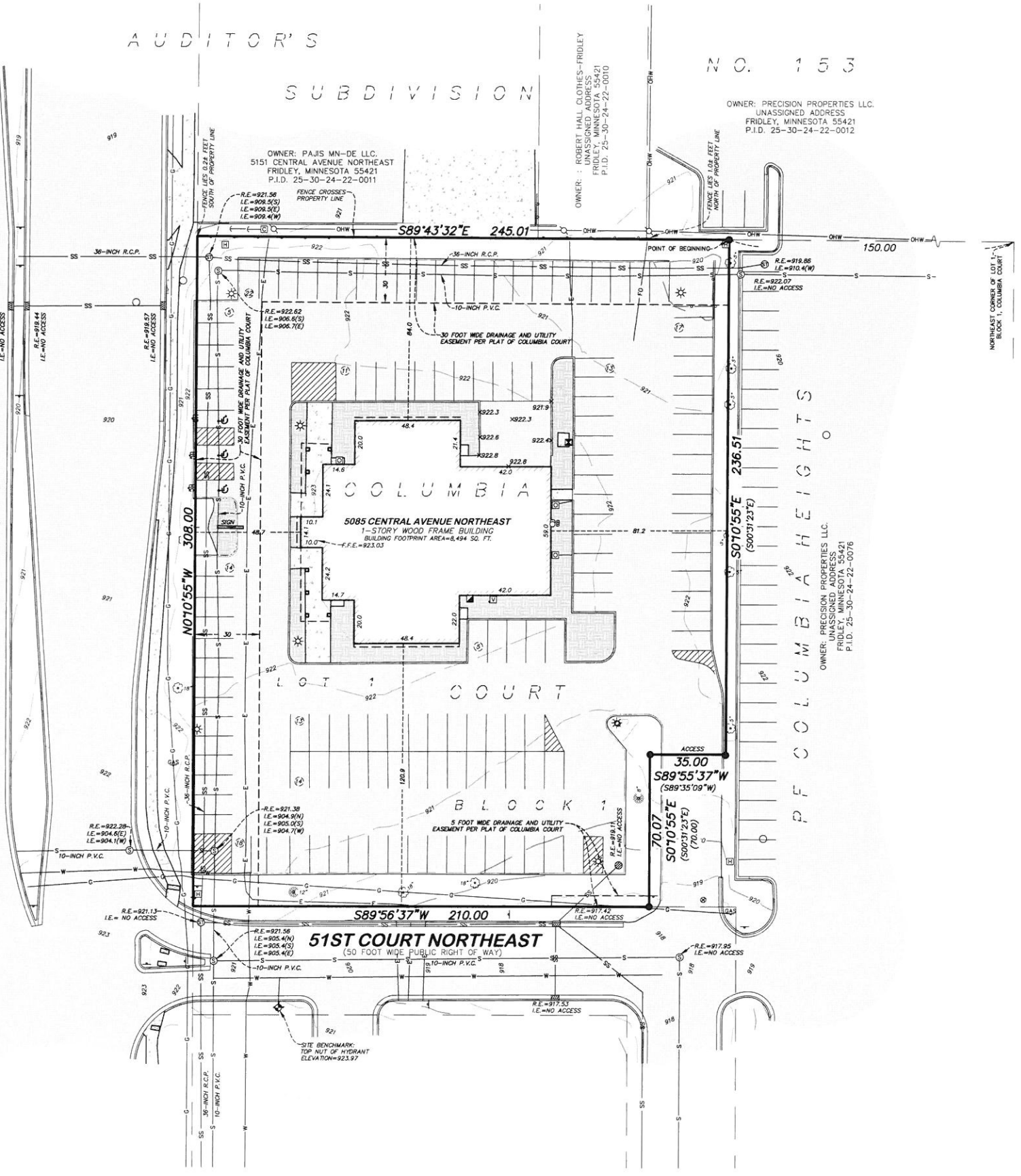


**VICINITY MAP**  
NO SCALE



● (123.45)  
 (N01°02'03"E)  
 FOUND IRON MONUMENT  
 RECORD DISTANCE  
 RECORD BEARING

CENTRAL AVENUE NORTHEAST  
 (VARIABLE WIDTH PUBLIC RIGHT OF WAY)



FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
			NO.	DATE
		LH		
DRAWN BY: RRR				
CHECKED BY: ER				
DRAWING NAME: 39770.dwg				
JOB NO. 39770				
FILE NO.				

**CERTIFICATE OF SURVEY**

**SURVEY FOR:**  
 La Casita

**PROPERTY ADDRESS:**  
 5085 Central Avenue Northeast  
 Columbia Heights, Minnesota 55421



**Egan, Field & Nowak, Inc.**  
 land surveyors since 1872

1229 Tyler Street NE, Suite 100  
 Minneapolis, Minnesota 55413  
 PHONE: (612) 466-3300  
 FAX: (612) 466-3383  
 WWW.EFNSURVEY.CO



Corporation or Partnership to  
Corporation or Partnership

Item 5.

664049

No delinquent taxes and transfer entered; Certificate of Real Estate Value (  filed ( ) not required Certificate of Real Estate Value No. January 25, 19 85

Charles R. Fegebe  
County Auditor

by [Signature]  
Deputy

STATE DEED TAX DUE HEREON: \$ 297.00

Date: As of August 30, 19 84

(reserved for recording data)

FOR VALUABLE CONSIDERATION, FIRST EDITION, INC., a corporation under the laws of Minnesota, Grantor, hereby conveys and warrants to 5085 BUILDING PARTNERSHIP, Grantee, a partnership under the laws of Minnesota, real property in Anoka County, Minnesota, described as follows:

That part of Lot 1, Block 1, Columbia Court, according to the recorded plat thereof, lying Westerly of a line described as follows:

Commencing at the northeast corner of said Lot 1; thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the north line of said Lot 1, to the point of beginning of the line to be described; thence South 0 degrees 31 minutes 23 seconds East a distance of 236.51 feet; thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet; thence South 0 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the south line of said Lot 1, distant 185.00 feet westerly from the southeast corner of said Lot 1, and said line there terminating.

Together with an easement appurtenant for driveway purposes created and described on Exhibit A attached hereto and incorporated herein. (if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:  
Subject to a certain mortgage executed by Grantor in favor of Robert G. Ostlund and Donald W. Ostlund, dated March 28, 1984, filed April 4, 1984, as Document No. 639462, to secure an original principal amount of \$233,552.21, which mortgage Grantee hereby assumes and agrees to pay in accordance with its terms, and subject to a certain mortgage executed (see reverse side for further exceptions)

FIRST EDITION, INC.

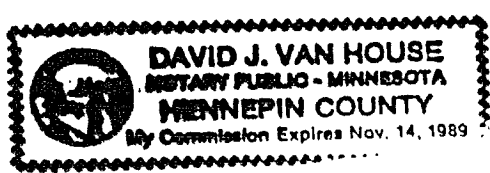
By [Signature]  
Its President

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF HENNEPIN } ss.

The foregoing was acknowledged before me this 11<sup>th</sup> day of January, 1985, by James Domoracki and [Signature], the President and [Signature] of First Edition, Inc., a corporation under the laws of Minnesota, on behalf of the corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



[Signature]  
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee):

Grantee:  
5085 Building Partnership  
P.O. Box 24073  
Edina, MN 55424

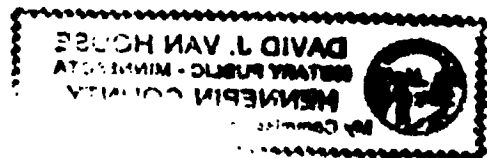
THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

GUSTAFSON & ADAMS, P.A.  
7400 Metro Boulevard, Suite #411  
Edina, Minnesota 55435  
(612) 835-7277

PARB

by Grantor in favor of George O. Holm and John W. Holm, dated May 18, 1984, filed May 24, 1984, as Document No. 643778, to secure an original principal amount of \$1,050,000.00, which mortgage Grantee hereby assumes and agrees to pay in accordance with its terms, up to an aggregate principal amount of \$850,000.00, plus accrued interest thereon.

APPROVED FOR TRANSFER  
 with without Conditions  
 City of Columbia Heights  
 Date: 5-11-85  
 By: William Clute  
 (SEAL)



## EXHIBIT A

Grantor does hereby grant to Grantee, and reserves unto itself, a nonexclusive mutual easement appurtenant for driveway purposes, both vehicular and pedestrian, over real property located in Anoka County, Minnesota, and legally described as follows:

The Westerly 35.00 feet of the Southerly 70.00 feet of the following described property:

That part of Lot 1, Block 1, Columbia Court, according to the recorded plat thereof, lying Easterly of a line described as follows:

Commencing at the northeast corner of said Lot 1; thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the north line of said Lot 1, to the point of beginning of the line to be described; thence South 0 degrees 31 minutes 23 seconds East a distance of 236.51 feet; thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet; thence South 0 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the south line of said Lot 1, distant 185.00 feet westerly from the southeast corner of said Lot 1, and said line there terminating.



APPROVED FOR TRANSFER  
 WITH [unclear] [unclear]  
 CITY OF Columbia Heights  
 Date: 1-11-85  
 By: [Signature]  
 (SEAL)

(SEAL)

664049

Recorded  
 Grants  
 AUN 2

OFFICE OF COUNTY RECORDER  
 STATE OF MINNESOTA, COUNTY OF ANOKA

I hereby certify that the within instrument was filed in this office for record on the JAN 25 1985 A.D., 19

10:10 o'clock P.M., and was duly recorded in book \_\_\_\_\_ page \_\_\_\_\_

[Signature]  
 County Recorder

By [Signature]

72



**DEVELOPMENT STAFF REVIEW FORM**

**PROJECT TITLE:** Chase Bank Minor Subdivision and Site Plan Review (Site under one acre)

**ADDRESS:** 5085 Central Avenue NE, Columbia Heights, MN 55421

**PROJECT DESCRIPTION:** The Architects Partnership, Ltd. representing Chase Bank are proposing to subdivide a portion of the La Casita parking lot to build a new retail banking center with an attached ATM drive up lane.

**PUBLIC MEETING SCHEDULE:**

**EDA:** NA  
**P/Z:** May 7, 2024  
**Work Session:** NA  
**City Council:** May 13, 2024

**PROJECT MANAGER:** Andrew Boucher

**STAFF REVIEW FORM DUE:** April 17, 2024

---

**REVIEWER:** Daniel O'Brien \_\_\_\_\_

**RECOMMENDED FOR APPROVAL:**

- Yes
- Yes, with conditions
- No

**COMMENTS/ CONDITIONS:**

Shall ensure that a 20 foot fire lane between La Casita and new structure.

Applicant will require final approval by AHJ for location of Fire Department keybox , fire alarm panel, fire annunciator, and FDC connection.



**DEVELOPMENT STAFF REVIEW FORM**

**PROJECT TITLE:** Chase Bank Minor Subdivision and Site Plan Review (Site under one acre)

**ADDRESS:** 5085 Central Avenue NE, Columbia Heights, MN 55421

**PROJECT DESCRIPTION:** The Architects Partnership, Ltd. representing Chase Bank are proposing to subdivide a portion of the La Casita parking lot to build a new retail banking center with an attached ATM drive up lane.

**PUBLIC MEETING SCHEDULE:**

**EDA:** NA  
**P/Z:** May 7, 2024  
**Work Session:** NA  
**City Council:** May 13, 2024

**PROJECT MANAGER:** Andrew Boucher

**STAFF REVIEW FORM DUE:** April 17, 2024

---

**REVIEWER:** Public Works - Engineering

**RECOMMENDED FOR APPROVAL:**

Yes  
 Yes, with conditions  
 No

**COMMENTS/ CONDITIONS:** Attached Plan Review.

CITY OF COLUMBIA HEIGHTS  
Public Works Department

TO: ANDREW BOUCHER  
CITY PLANNER

FROM: SULMAAN KHAN  
CITY ENGINEER

DATE: April 17<sup>th</sup>, 2024

SUBJECT: Chase Bank – Minor Subdivision – Site Plan

I have reviewed the site/civil plan submittal packet dated 4/1/2024 and have the following requirements/comments for final approval by PW/Engineering:

**General / Plat**

- The City shall require a pre-construction conference prior to any land alteration activities beginning.
- Easements for drainage and utilities are required. Please show a drainage and utility easement over any new drainage way / utility.
- Comments herein are based on the City submittal plans. Final review comments will be based on from revised or final construction plan set.
- All stormwater best management practices (BMP's) shall have designated drainage and utility easements recorded with the Plat or as a separate document at Anoka County.

**Grading**

- The plan sets erosion control plan and SWPPP, meet the City and MWMO requirements.
- Prior to any site disturbance activities, please provide the city with a copy of Site NPDES Construction Permit.
- Perimeter and entrance erosion control measures **must be installed and inspected by the Engineering department prior to site grading activities beginning**. Coordinate erosion control measures with the Engineering department if building construction is initiated prior to general site grading.
- The bio log shown across the site entrance must be relocated. Traffic impacts to LaCasita must not be impacted. Once a new location is determined the bio log must be functional, any damage to the bio log must be repaired to restore proper function.
- Site access during construction shall be limited to 51<sup>st</sup> Court. Parking and deliveries along Central Ave (T.H. 65) shall be prohibited.
- All slopes greater than 4:1 shall be provided erosion control blanket.
- Catch basin inlet protection, such as Wimco's or equivalent shall be provided on catch basins until restoration is completed. The low point CB's / structures at the BMP's shall also be protected.
- **Tree protection must be fully assembled and approved by the City Forester prior to the beginning of demolition activities for all trees that will not be removed during the project.** Tree protection must follow standards set forth in the tree protection detail in the landscaping plan, any changes must be approved in advance by the City Forester.

**ROW / Utilities / Paving**

- The location of the existing sanitary and water does not extend north beyond 51<sup>st</sup> Court. The location of the new sanitary and water service is not a feasible option.
  - For the water service the City would suggest hooking up to either the 10" watermain at the southwest corner of the property or the 8" watermain in 51<sup>st</sup> Court.
  - For the sanitary sewer the City would suggest hooking up to either the 10" running north and south on the west side of the property or the 8" running east and west along 51<sup>st</sup> Court. The City of Columbia Heights does not allow services to be tied into a manhole so the manhole in the southwest corner of the property is not an option for the sanitary service.
- All utilities and storm water features serving the Development shall be privately owned and maintained. All utilities shall meet the City of Columbia Heights specifications for materials and installation.
- Site/Civil work shall be inspected by the City Engineering Department (connection to existing utility system). **24-hour advance notice of an inspection is required.**
- Please provide material type for 2" water service. The City of Columbia Heights does not allow PVC as a material type in the ROW – water main must be DIP.
- Is a 6" fire suppression required? Where will this be?
- All stormwater best management practices (BMP's) shall have designated drainage and utility easements recorded with the Plat or as a separate document at Anoka County.
- Utility disconnects must be made at the main and inspected by the utility department.
- Location of tree installations (landscape plan) and utility locations should be coordinated to maintain 10' separation from all utilities.
- Provide a set of as-built drawings meeting City requirements at the completion of site/civil construction in both hardcopy and electronic format.
- Is the parking stall with the concrete wheel stop an adequate length? Will cars impede the drive lane? Would a sign for compact cars only be warranted?
- Only 13 parking spaces were counted, if 9 employees will be at the site that leaves 4 public parking spaces. Is the acceptable / enough?
- 

Please provide one full size and one 11x17 set of Revised Plans to the Engineering department for final approval. If you have any questions or need further information, please contact me at (763) 706-3705.

C: Lauren Letsche, Storm Water Specialist  
Liam Genter, City Forester



**CITY OF  
COLUMBIA HEIGHTS  
PLANNING COMMISSION**

**NOTICE OF  
PUBLIC HEARING**

Notice is hereby given that the Planning Commission of the City of Columbia Heights will conduct a public hearing in the City Council Chambers of City Hall at 3989 Central Avenue NE on Tuesday, May 7, 2024, at 6:00 p.m. The order of business is as follows:

A request for a Minor Subdivision and Site Plan Review for The Architects Partnership, LTD on behalf of Chase Bank to subdivide a portion of the parking lot of 5085 Central Avenue NE (La Casita) and create a separate lot for a new construction Chase Bank facility with a drive-thru ATM, per Code Section 9.110 Commercial Districts (E). Section 9.104 (K) and (N) of the Zoning Ordinance requires the Planning Commission to hold a public hearing to review the Minor Subdivision and Site Plan Review and make findings before submitting a recommendation to the City Council.

Notice is hereby given that all persons having an interest will be given an opportunity to be heard. For questions, contact Andrew Boucher, City Planner, at (763) 706-3673.

Published in  
The Life  
April 19, 2024  
1388218

# -Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@apgecm.com

Date: 04/12/24  
Account #: 414681  
Customer: CITY OF COLUMBIA HEIGHTS  
Address: 3989 CENTRAL AVE NE  
COLUMBIA HEIGHTS  
Telephone: (763) 767-6580  
Fax: (763) 706-3637

**Publications:**  
BSLP Col Hght Frid Life

Ad ID: 1388218  
Copy Line: May 7 PH Minor Subdivision  
PO Number:  
Start: 04/19/24  
Stop: 04/19/2024  
Total Cost: \$63.25  
# of Lines: 46  
Total Depth: 5.139  
# of Inserts: 1  
Ad Class: 150  
Phone # (763) 691-6000  
Email: publicnotice@apgecm.com  
Rep No: CA700  
  
Contract-Gross

City of Columbia Heights | *Community Development Department*

3989 Central Avenue NE, Columbia Heights, MN 55421 ▪ Ph: 763-706-3670 ▪ Fax: 763-706-3671 ▪  
www.columbiaheightsmn.gov

## NOTICE OF PUBLIC HEARING

Date of Hearing: May 7, 2024

Subject: Public Hearing Notice – Minor Subdivision and Site Plan Review for The Architects Partnership, LTD representing Chase Bank

Subject Property: 5085 Central Avenue NE  
Columbia Heights, MN 55421

Dear Resident/Affected Property Owner:

The City of Columbia Heights has received an application for a Minor Subdivision and Site Plan Review from The Architects Partnership, LTD representing Chase Bank to subdivide a portion of the parking lot of 5085 Central Avenue NE and create a separate lot for a new construction Chase Bank facility with a drive-thru ATM, per Code Section 9.110 Commercial District (E) General Business. Section 9.104 (K & N) of the Zoning Ordinance requires the Planning Commission to hold a public hearing to approve the Minor Subdivision and Site Plan Review.

You are receiving this notice because the property that you own (Affected Property), and/or reside in, is located within 350 feet of the Subject Property. The Planning Commission of the City of Columbia Heights will hold a Public Hearing on this matter on Tuesday, May 7, 2024 at 6:00 p.m. in the City Council Chambers of Columbia Heights City Hall, located at 3989 Central Avenue NE. A map of the Subject Property is attached. A full copy of the application is on file at City Hall and is available for review upon request.

You are welcomed and encouraged to participate in the Public Hearing for this matter by attending the May 7, 2024 Planning Commission meeting. If you cannot attend the meeting, but would like to provide input, you can submit correspondence via email to [aboucher@columbiaheightsmn.gov](mailto:aboucher@columbiaheightsmn.gov) or by mail at:

City of Columbia Heights  
Attn: Community Development  
590 40<sup>th</sup> Ave NE  
Columbia Heights, MN 55421

You can participate in the meeting live and online by using Microsoft Teams at the login link below or call-in:

### Join Microsoft Teams Meeting Online

Meeting ID: 252 58 988 371  
Passcode: ugquG3

### Dial-in for Microsoft Teams Meeting

+1-312-626-6799

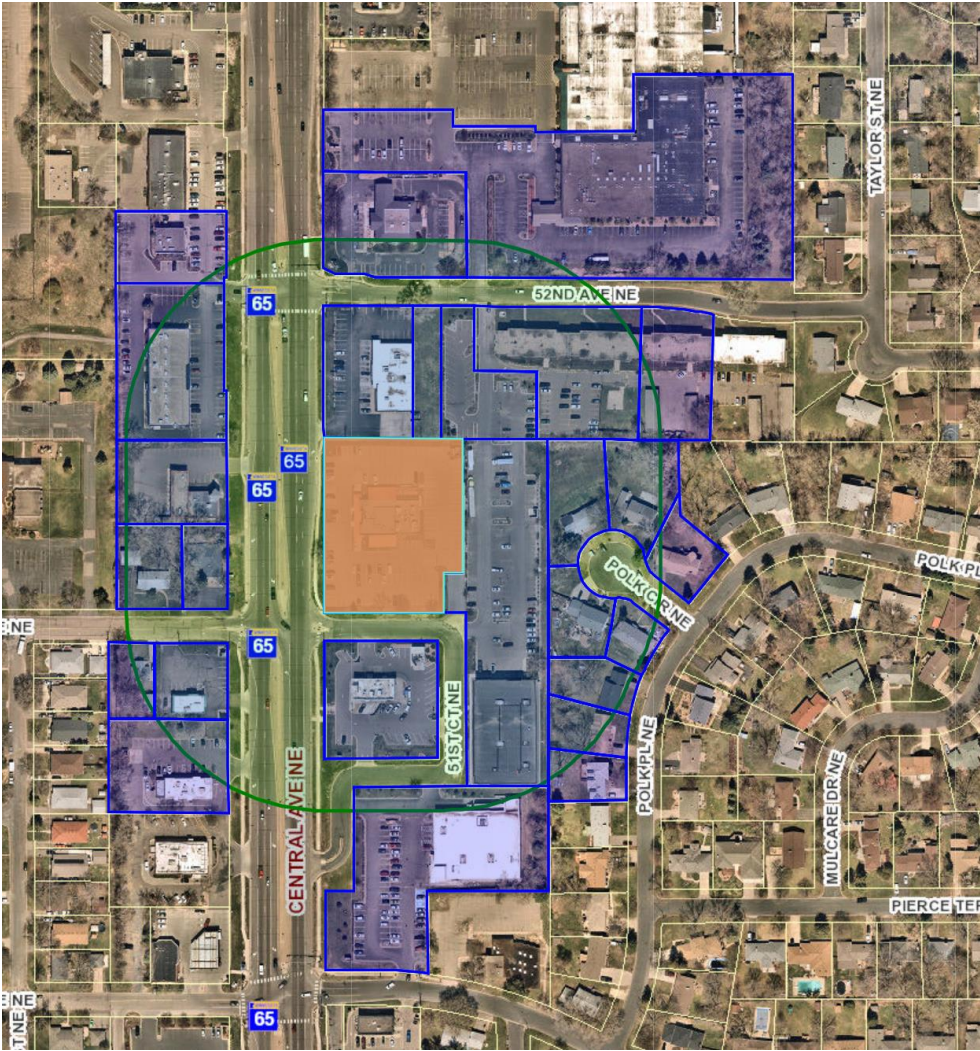
If you have any questions about this proposal, please do not hesitate to contact the City of Columbia Heights Community Development Division at (763) 706-3673.

Sincerely,

Andrew Boucher  
Community Development Planner, City of Columbia Heights

**\*\* Landowners (Commercial and Residential):** If you do not reside on the Affected Property, located 350 feet from the Subject Property, it is your responsibility to share this notice with your tenants. This notice should be posted in a public place on your property or mailed directly to the tenants residing or leasing space on the Affected Property.

**-SUBJECT PROPERTY LOCATION-  
(Highlighted in orange)**







AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	MAY 7, 2024

ITEM:	Site Plan Review for 5085 Central Avenue NE	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner

- CASE NUMBER:** 2024-0508
- APPLICANT:** Terron Wright of the Architects Partnership, LTD on behalf of Chase Bank
- DEVELOPMENT:** Site Plan Review of a newly platted parcel from a portion of the parking lot of La Casita (5085 Central Avenue NE) to create a separate lot and establish a new construction Chase Bank with a drive-thru ATM.
- LOCATION:** 5085 Central Avenue NE
- REQUEST:** Site Plan Review (contingent upon successful application of a Minor Subdivision)
- PREPARED BY:** Andrew Boucher, City Planner

**INTRODUCTION:**

The Architects Partnership, LTD on behalf of Chase Bank and La Casita has requested approval of a Site Plan Review proposing to establish a new 3,365 square foot banking facility with a drive-thru ATM located at the newly created parcel from a portion of 5085 Central Avenue NE (between 51<sup>st</sup> Ave/CT NE and Central Avenue NE). The Site Plan Review will be contingent upon the successful application of a Minor Subdivision as a condition of approval since the subdivision will have to be approved by the City Council apart from the Site Plan Review, which only requires Planning Commission approval.

The applicant is proposing to subdivide the existing 1.67 acre parcel and remove 52 of the 135 parking spaces on-site to create two separate lots, the La Casita parcel would be 1.18 acres and the Chase Bank parcel (5075 Central Avenue) would be 0.48 acres. The subject site is located at the northern end of the municipal boundary along Central Avenue and the surrounding adjacent properties are all zoned for Commercial use through the General Business District; further to the south, east, and west of those commercial properties are pockets of multi-family, duplexes, and single-family residential zoning adjacent to Central Avenue.

The subject site is zoned, General Business District, and the use as a financial institution with a drive-thru ATM is permitted use in the district subject to Specific Development Standards 9.107 (18) for a drive-up facility. The proposed site plan demonstrates compliance with those standards as it is accessory to the financial institution use and served by a major collected or higher functional classification of roadway.

The proposed subdivision and site plan would reduce the required parking for the restaurant to 83 parking spaces which is below the minimum requirements of 91 parking spaces for the restaurant, a deficit of 8 spaces. A total of 20 parking spaces are required for the financial institution, one (1) per 300 gross floor area and up to nine (9) employees at any one time; the applicant is proposing 14 parking spaces creating a combined deficit of 14 spaces. A shared parking agreement is a necessary condition of approval subject to approval by the City Attorney and filed with the Anoka County Recorder’s Office within 60 days after approval

of the shared parking use to ensure that both uses have compliant parking. As conditioned, the proposed minor subdivision and site plan shall accommodate vehicle access and stacking, performance standards, and subdivision regulations in accordance with City Code.

**COMPREHENSIVE PLAN**

The City’s 2040 Comprehensive Plan guides the subject site, as well as properties to the north, south, east and west for “commercial land use” with “medium density and low density residential” further to the south and east of the commercial parcels. The Plan describes the “commercial” designation as follows:

*The Commercial land use designation is primarily located along major transportation corridors and includes a variety of retail uses, services, and office uses.*

The subject site also lies within “Opportunity Area #2B” of the Comprehensive Plan which overlays the segment of the Central Avenue from 37<sup>th</sup> Avenue NE to the Fridley Border, specifically between Central Avenue NE and 49<sup>th</sup> Avenue NE. In this regard, the Plan identifies the area as having development potential for future commercial use. Some of the guiding principles for redevelopment include commercial uses with appropriate parking and pedestrian accesses to Central Avenue and emphasizing on businesses that provide goods or services that appeal to the community at large as well as the adjacent neighborhoods. This area is described as having an emphasis on providing sidewalks, four season landscaping, and lighting.

**SITE PLAN REVIEW**

**1. Access**

Access to the site is proposed from the southeast via 51<sup>st</sup> Court NE, a 50-foot wide public right of way, and a 27.3 foot existing driveway with directional marking proposed splitting a 24 foot drive aisle between the properties and marking the eastern egress as Do Not Enter for one-way traffic. There is a recorded nonexclusive mutual easement appurtenant, no. 664049.0 for driveway purposes, both vehicular and pedestrian, over the property that will provide access to both parcels from 51<sup>st</sup> Court NE. As a condition of approval, a cross access easement for vehicular movement is required to be filed and recorded to provide access perpetually for all current and future owners.

As shown on the submitted site plan, a row of 90-degree off-street parking stalls are located in the western corner of the site, along Central Avenue NE. In this regard, access to such row of parking is provided via a 24 foot divided aisle between the La Casita and Chase Bank structures, with the remaining spots located on the eastern side of the property.

**2. Off-Street Parking**

Supply Requirements. The submitted site plan illustrates a total of 14 off-street parking stalls. The Zoning Ordinance requires 1 space per 300 sq. ft., gross floor area plus 6 stacking spaces for the one drive-through lane. The Zoning Ordinance also specifies that that employee parking is only required when the parking requirements are based on employee counts, as such, the parking requirements for financial institutions are determined by gross floor area/stacking spaces and not employee counts.

Use	Ratio	Required Parking	Provided Parking
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		<b>Stalls</b>	
Restaurant (8,494 sq. ft.)	30% of building capacity	91	83 (-8)
Financial Institution with a drive-through ATM (3,365 sq. ft.)	1 space per 300 gross square feet; plus six (6) stacking spaces	11	14 (+3)
<b>Total</b>		<b>102 spaces</b>	<b>97 spaces (-5)</b>

The proposed subdivision and site plan would reduce the amount of required parking for the restaurant to 83 parking spaces which is below the minimum requirements of 91 parking spaces for the restaurant, a deficit of eight (8) spaces. A total of 11 parking spaces are required for the financial institution, one (1) per 300 gross floor area; the applicant is proposing 14 parking spaces, a surplus of three (3) spaces creating a combined deficit of 5 spaces. Appropriately, two off-street parking spaces on the site has been designated as a disability stall (in accordance with the American Disability Act).

A shared parking agreement and transportation management plan are necessary conditions of approval and shall be subject to approval by the City Attorney and filed with the Anoka County Recorder’s Office within 60 days after approval of the shared parking use to ensure that both uses have compliant parking. As conditioned, the proposed minor subdivision and site plan shall accommodate vehicle access and stacking, performance standards, and subdivision regulations in accordance with City Code.

Dimensional Requirements. The proposed off-street parking stalls meet the minimum dimensional requirements of the Ordinance (9 feet in width and 20 feet in depth, 18 feet for stalls which abut curbs) and the provided 24 foot-wide drive aisle is the minimum width required by the Ordinance.

Building and Parking Area Setbacks. Within GB zoning districts, the following parking area setbacks are imposed:

Parking Setbacks:				Building Setbacks:			
Front: 15 feet	Corner Side: 15 feet	Rear: 5 feet	Side: 5 feet	Front: 15 feet	Corner Side: 15 feet	Rear: 20 feet	Side: 0 feet

The proposed minor subdivision and site plan configuration would result in the following setbacks for La Casita and Chase Bank, respectively:

La Casita Parking Setbacks:				La Casita Building Setbacks:			
Front: 15 feet	Corner Side: N/A	Rear: 5 feet	Side: 5 feet	Front: 48.7 feet	Corner Side: N/A	Rear: 81.2 feet	Side: 84 feet and 9 feet

Chase Bank Parking Setbacks:	Chase Bank Building Setbacks:

Front: 18 feet	Corner Side: 15 feet	Rear: 5 feet	Side: 15 feet	Front: 42 feet	Corner Side: 15 feet	Rear: 35 feet	Side: 15 feet
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Both parcels will have building and parking lot setbacks that conform with 9.110 Commercial Districts (C) Lot dimension, height, and bulk requirements. The lot area, setback, height and lot coverage proposed satisfy these requirements.

**3. Business Hours**

It is understood that the financial institution is proposing traditional business hours of operation, Monday through Friday from 9 AM – 6 PM and Saturday from 9AM – 2 PM, with a 24 hour drive-thru ATM. The operating hours are anticipated to have peak demands occurring opposite the peak demands of the restaurant.

**4. Trash**

A trash enclosure is shown on the site plan on the eastern side of the property alongside a portion of the parking lot and in the architectural renderings as being 6 feet, 6 inches from the slab and surrounded by at least three sides with screening walls that are similar to the construction material used on the banking facility. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.

**5. Signage**

The applicant has not submitted drawings for on-site signage. Signs are required to have a building permit and are subject to review for compliance by City Staff. As a condition of approval, all signage shall be reviewed by the City for approval.

**6. Fire Access**

The fire lane shall be marked with yellow curb paint and signage that states “No Parking – Fire Lane”. As a condition of approval, this will be required to remain.

**7. Pedestrian and Bicycle Access**

The site has existing pedestrian access along the western side of the property in alignment with Central Ave, the applicant is proposing sidewalk from the edge of the right-of-way connection as well as crosswalk areas across the parking lot to connect the parking area to the building and the City’s sidewalk system so pedestrians may access the site. It does not appear that the site provides access or parking of bicycles. The 2040 Comprehensive Plan land use goals state that sites should have pedestrian and bicycle access. Pedestrian access is satisfied, but the site should incorporate a bicycle parking area to satisfy this goal. Staff is recommending that a bicycle rack capable of accommodating four bicycles be a condition of approval.

**8. Exterior Lighting**

The applicant has provided a lighting plan and specifications for the proposed lighting fixtures satisfying the requirements of 9.106 General Development Standards (K) and addresses potential security concerns from Public Safety.

**9. Loading Area**

The applicant is not proposing any discernable loading areas and the code requirements for off-street loading spaces apply to non-residential uses receiving or distributing materials or merchandise by trucks or sim

vehicles and has a gross floor area of 5,000 sq. ft. or more are not applicable to this proposal, the loading area requirements are satisfied per 9.106 General Development Standards (L) (12).

**10. Landscaping and Screening**

The landscaping and screening requirements described in 9.106 General Development Standards (M) includes submission of a landscaping plan showing location, size, quantity, and species of all existing and proposed plant materials subject to design standards and considerations reviewed by the Urban Forester. The applicant is proposing maintaining the two trees along 51<sup>st</sup> Court NE and two along Central, adding the required two trees along 51<sup>st</sup> Court NE, and adding landscaping in a five-foot-wide strip along the street and sidewalk as well as providing landscaping along the parking lot and frontage containing native bee lawn seed and low maintenance turf seed. The combination of items described above meets the requirements of 9.106 General Development Standards (M). All rooftop or mechanical equipment shall be screened in a manner that minimizes the visual impact on adjacent properties and from public streets as a condition of approval.

**11. Building Design**

The proposed site is considered part of the Highway District in the City Design Guidelines and is subject to the standards and requirements of that design district. The proposed site plan demonstrates compliance with the design objectives of the Highway District, the building is set back from the street behind a parking lot and along a frontage road. The architectural renderings and site plan, as conditioned, show compliance with building configuration, façade and roof treatments, window and door openings, building equipment, drive-through facilities, landscaping and parking meet the design guidelines. Any proposed signage will be subject to the design standards as a condition of approval.

**12. Sustainability**

The applicant narrative details several project components that they state will contribute to sustainability practices including tree preservation and using native seed plantings, LED lighting, future use of solar panels, and LEED Silver certification as well as a reduction of overall impervious surface area by approximately 2,000 sq. ft.

**13. Neighborhood Notification**

As required, neighborhood notification of the minor subdivision and site plan review applications have been provided to property owners within 350 feet of the subject property.

At the time of this report, City Staff has received no comments.

**14. Staff Review**

The Public Works Department, Police Department, and Fire Department have been provided copies of the application materials. The Police Department was satisfied with the proposed site plan and had no concerns. The Fire Department had a few comments regarding the fire lane, keybox, and other fire related items that are conditions of approval.

In review of the application materials, Public Works/Engineering provided their department’s requirements and comments on the proposed plat and site plan in a memo dated April 17, 2024. General comments and plat requirements include:

1. Scheduling a pre-construction conference prior to any land alteration activities beginning;
2. Showing proposed drainage and utility easements over any new drainage way/utility;
3. All stormwater best management practices (BMPs) shall have designated drainage and utility easement

recorded with the Plat or as a separate document at Anoka County.

Public Works and Engineering reviewed the erosion control plan and SWPPP as part of the submitted plan sets and had additional comments and requirements that are included in the attached memo, dated April 17, 2024 and added as conditions of approval for both the minor subdivision and site plan review.

These recommendations have been included in the minor subdivision and site plan approval language as conditions of approval.

**FINDINGS OF FACT**

Section 9.104 (N) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to approve a site plan review. The findings are as follows:

***(a) The site plan conforms to all applicable requirements of this article.***

Upon approval of both the Minor Subdivision and Site Plan Review, as conditioned, the proposed site plan will conform to all applicable requirements of the General Business (GB) District as well as City Code 9.106 General Development Standards.

***(b) The site plan is consistent with the applicable provisions of the City’s comprehensive plan.***

The use and site plan is consistent with the applicable provisions of the City’s comprehensive plan.

***(c) The site plan is consistent with any applicable area plan.***

With conditions imposed to ensure compatibility, the site plan will be consistent with the applicable Design Guidelines of the Highway District.

***(d) The site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.***

As conditioned, the site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

**RECOMMENDATION**

Staff recommends the following to the Planning Commission:

- A. Approval of the Site Plan Review for property located at 5085 Central Avenue (PID: 25-30-24-22-0065) subject to the following conditions:
  - 1. The Site Plan Review is contingent upon approval of the Minor Subdivision per Resolution No. 2024-036.

2. The building and site plans adhere to the building and site plans dated April 1, 2024 as conditioned.
3. The applicant shall adhere to the requirements and comments provided by the City Public Works and Engineering Departments in a memo dated April 17, 2024. The applicant is responsible for filing and recording any proposed easements with Anoka County Recorder’s Office.
4. A cross access easement for vehicular movement is required to be filed and recorded with Anoka County Recorder’s Office to provide access perpetually for all current and future owners.
5. A shared parking agreement and transportation management plan are necessary conditions of approval and shall be subject to approval by the City Attorney and filed with the Anoka County Recorder’s Office within 60 days after approval of the shared parking use to ensure that both uses have compliant parking.
6. The applicant is required to maintain a 20 foot fire lane and shall be striped with “No Parking – Fire Lane”.
7. All rooftop or mechanical equipment shall be screened in a manner that minimizes the visual impact on adjacent properties and from public streets as a condition of approval.
8. The building and site shall be meet all requirements found in the Fire Code and the Building Code.
9. All new site signage shall require sign permits.
10. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.
11. Provide a bicycle rack capable of accommodating four bicycles.
12. The applicant is required to receive final approval by the Fire Department or Authority Having Jurisdiction for the location of the keybox, fire alarm panel, fire annunciator, and FDC connection.
13. All required state and local codes, permits, licenses, and inspections will be met and in full compliance.

**RECOMMENDED MOTION(S):**

**MOTION:** Move to waive the reading of draft Resolution No. 2024-037, a Site Plan Review for 5075 Central Avenue NE, there being ample copies available to the public.

**MOTION:** Move to recommend the Planning Commission approve draft Resolution No. 2024-037, a Site Plan Review for 5075 Central Avenue NE, as presented and subject to the conditions of approval listed in the draft resolution.

**ATTACHMENT(S):**

- Draft Resolution No. 2024-037
- Site Plan Review Application
- Applicant Narrative
- Existing Conditions
- Proposed Lot Split
- Civil Plans
- Recorded Document No. 664049 – Driveway access
- Architectural Elevations
- Floor Plan
- Public Notice to Newspaper
- Public Notice to Neighbors



**RESOLUTION NO. 2024-037**

A resolution of the Planning Commission for the City of Columbia Heights, Minnesota, recommending approval of a Site Plan Review for property located at 5075 Central Avenue NE in the City of Columbia Heights, MN;

**Whereas**, a proposal (Planning Case # 2024-0508) has been submitted by Terron Wright of the Architects Partnership, LTD on behalf of Chase Bank and La Casita as the property owner to the Planning Commission requesting approval of a Site Plan Review at the following location:

ADDRESS: 5075 Central Avenue NE

LEGAL DESCRIPTION:

(5075 Central Avenue – Chase Bank Parcel)

The west 210 feet of the south 100 feet of that part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows.

Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 80.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

THE APPLICANT SEEKS THE FOLLOWING:

1. Approval of a Site Plan Review for a new construction financial institution with a drive-through ATM on a 0.48 acre parcel in accordance with City Code Section 9.104 (N).

**Whereas**, the Planning Commission held a public hearing as required by the City Zoning Code on May 7, 2024;

**Whereas**, the Planning Commission has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed site plan upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concern related to traffic, property values, light, air, danger of fire, and risk to public safety, in the surrounding area;

**Now, therefore**, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City of Columbia Heights Planning Commission makes the following:

## FINDINGS OF FACT

1. The site plan conforms to all applicable requirements of this article.
2. The site plan is consistent with the applicable provisions of the City's comprehensive plan.
3. The site plan is consistent with any applicable area plan.
4. The site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

## CONDITIONS

1. The Site Plan Review is contingent upon approval of the Minor Subdivision per Resolution No. 2024-036.
2. The building and site plans adhere to the building and site plans dated April 1, 2024 as conditioned.
3. The applicant shall adhere to the requirements and comments provided by the City Public Works and Engineering Departments in a memo dated April 17, 2024. The applicant is responsible for filing and recording any proposed easements with Anoka County Recorder's Office.
4. A cross access easement for vehicular movement is required to be filed and recorded with Anoka County Recorder's Office to provide access perpetually for all current and future owners.
5. A shared parking agreement and transportation management plan are necessary conditions of approval and shall be subject to approval by the City Attorney and filed with the Anoka County Recorder's Office within 60 days after approval of the shared parking use to ensure that both uses have compliant parking.
6. The applicant is required to maintain a 20 foot fire lane and shall be striped with "No Parking – Fire Lane".
7. All rooftop or mechanical equipment shall be screened in a manner that minimizes the visual impact on adjacent properties and from public streets as a condition of approval.
8. The building and site shall be meet all requirements found in the Fire Code and the Building Code.
9. All new site signage shall require sign permits.

- 10. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.
- 11. Provide a bicycle rack capable of accommodating four bicycles.
- 12. The applicant is required to receive final approval by the Fire Department or Authority Having Jurisdiction for the location of the keybox, fire alarm panel, fire annunciator, and FDC connection.
- 13. All required state and local codes, permits, licenses, and inspections will be met and in full compliance.

Passed this 7<sup>th</sup> day of May, 2024

Offered by:  
Seconded  
by:  
Roll Call:

\_\_\_\_\_  
Clara Wolfe, Chair

Attest:

\_\_\_\_\_  
Andrew Boucher, City Planner

# COLUMBIA HEIGHTS

Community Development Department  
590 40<sup>th</sup> Ave. NE, Columbia Heights, MN 55421

## SITE PLAN APPLICATION (UNDER 1 ACRE) ORDINANCE NO. 9.104 (N)

This application is subject to review and acceptance by the City. Applications will be processed only if all required items are submitted.

### PROPERTY INFORMATION

Proposed name of development: Chase Bank - Columbia Heights  
Project Address/Location: 5085 Central Ave NE. (Parent Parcel)  
Legal Description of property involved: See attached

Present use of property Restaurant use which is to remain  
Proposed use of property a subdivision plat is being requested for the proposed Chase Bank leasehold area

### PROPERTY OWNER (As it appears on property title):

Name: SAH Partnerhip  
Mailing Address: 4737 CR 101, Suite 343  
City: Minnetonka State: MN Zip: 55345  
Daytime Phone: 612-385-3797 Cell Phone: 612-385-3797  
E-mail Address: chadanvary@outlook.com

Signature/Date:  4/3/24

### APPLICANT:

Company Name (please print): The Architects Partnership, LTD.  
Contact Person (please print): Terron Wright  
Mailing Address: 200 S Michigan Ave.  
City: Chicago State: IL Zip: 60604  
Daytime Phone: 561-628-9845 Cell Phone: \_\_\_\_\_  
Email Address: wright@tapchicago.com  
Signature/Date: 03/26/2024

**Disclaimer: Information submitted, including contact information shall be made available to the public, unless otherwise noted.**

# COLUMBIA HEIGHTS

REASON FOR REQUEST (please attach a written narrative describing your proposal, the intended use of the property and justification for your request.)

## FOR OFFICE USE ONLY

CASE NO: \_\_\_\_\_

APPLICATION REC'D BY: \_\_\_\_\_

\$500 APPLICATION FEE REC'D: \_\_\_\_\_

DATE APPLICATION REC'D: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_



Aaron Chirpich  
Community Development  
Director  
City of Columbia Heights  
3989 Central Ave. NE  
Columbia Heights, MN

April 01, 2024

Re: Project narrative for the property NEC Central Ave. and 51<sup>st</sup> Ave.

Dear Mr. Chirpich,

This letter is to detail our application for Site plan Review and Minor subdivision to build a new single-story +/- 3,384 SF freestanding retail banking center with an attached ATM drive up lane. The proposed Chase Bank building, DU ATM lane and associated parking lot will be located at the northeast corner of Central Avenue and 51<sup>st</sup> Avenue. The new parking and landscaping will be implemented to improve the aesthetics of the area. The proposed bank intends to complement the architecture of the area to boost commercial activity within the Village. Secondly, the aim of this branch is to bring more job opportunities to the area to contribute to the economic growth of the community.

As previously mentioned, the design intent of the proposed Chase Bank is to complement the surrounding architecture of the area. The proposed Banking Center is comprised of cultured stone (hewn stone color), fiber cement panels in color “Ash” and “Bark”, ACM in “DG Silver”, along with a black anodized storefront system, and clear glassing. All the exterior cladding options are modern finishes and are long lasting cladding materials that will mesh well with the development growth of the area. Additionally, the proposed floor to ceiling glazing was incorporated to provide connectivity to the retail customers navigating the area and pedestrians traversing the adjacent public thoroughfares.

**Lighting Design and Locations:**

To provide the best and most efficient lighting design and locations, a photometric study has been developed and included in this submittal. A fully new layout of site lighting will be proposed along with complementary architectural lighting within the building which will enrich the architectural design of the site at night and will also add to the security for the users during night hours.

**Sustainability Components:**

The project will contain the following components which would contribute to sustainability practices the Village is encouraging:

- Installation of additional trees/landscaping within development area
- LED lighting
- Future use of solar panels
- Project Sustainability goal - LEED Silver certification



The proposed schedule has construction commencing by late Summer – early Fall 2024 (pending regulatory approvals) and an anticipated occupancy date of Winter 2025.

Parties Involved:

Applicant

The Architects Partnership, LTD (TAP)

Architect of Record

Timothy Meseck  
The Architects Partnership, LTD (TAP)

Property Tenant

Theodore Foggy  
Obo JPMorgan Chase Bank, N.A.

Landscape & Civil Engineer

Matthew Lingam  
Kimley-Horn and Associates, INC.

Application Contact

Terron Wright  
The Architects Partnership, LTD (TAP)

**Zoning Classification:**

The property in question is in a zoning district classified as GB – General Business.

**Type of Business:**

The type of business is a retail banking center. The hours of operation will be Monday – Friday 9 AM – 6 PM and Saturday 9 AM – 2 PM. The total number of employees and any one time will be nine. The nine employees will consist of two (2) teller, one (1) lead teller, two (2) bankers, one (1) branch manager, one (1) mortgage loan officer, one (1) financial advisor and one (1) business banker.

A handwritten signature in black ink, appearing to read 'Timothy R. Meseck', written in a cursive style.


Timothy R. Meseck  
The Architects Partnership, LTD.

**CERTIFICATE OF SURVEY FOR:** Item 6.  
**La Casita**

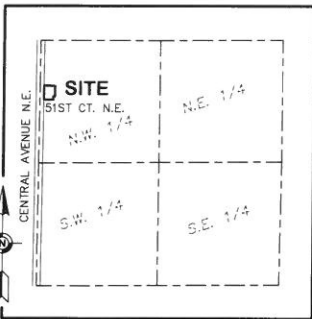
**LEGAL DESCRIPTION:**  
 That part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:  
 Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described; thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westery from Southeast corner of said Lot 1, and said line there terminating.

- GENERAL SURVEY NOTES:**
- The orientation of this bearing system is based on the Anoka County coordinate grid (NAD 83-2011 Adj).
  - Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify ownership, the legal description, or the existence of any easements or encumbrances.
  - The total area of the property described hereon is 72,835 square feet or 1.67205 acres.
  - The contours depicted hereon are per elevation data collected while conducting the fieldwork. The contour interval is 1 foot.
- BENCHMARK:** Top of Minnesota Department of Transportation Geodetic Monument "0207M" GSD Station #103133  
 Elevation = 929.32 feet. (NAVD88)
- SITE BENCHMARK:** Top nut of hydrant located on the south side 51st Court Northeast.  
 Elevation = 923.97 feet. (NAVD88)
- As of the date of this survey the property described hereon contains a total of 135 parking spaces of which 132 are standard spaces and 3 are handicapped spaces.
  - Existing utilities, services and underground structures shown hereon were located either physically, from existing records made available to us, by resident testimony, or by locations provided by Gopher State One Call, per Ticket No. 211314372. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Other utilities and services may be present and verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.

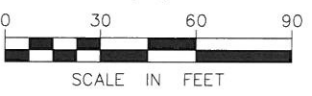
- LEGEND:**
- ⊕ BENCHMARK
  - ⊙ SANITARY MANHOLE
  - MANHOLE
  - ⊙ STORM MANHOLE
  - ⊙ CATCH BASIN
  - ⊙ DRAIN (INLET)
  - ⊙ ROOF DRAIN (OUTLET)
  - ⊙ AUTO SPRINKLER
  - ⊙ GATE VALVE
  - ⊙ HYDRANT
  - ⊙ ELECTRIC BOX
  - ⊙ HANDHOLE
  - ⊙ LIGHT
  - ⊙ UTILITY POLE
  - ⊙ GUY WIRE
  - ⊙ COMMUNICATION BOX
  - ⊙ SIGN
  - ♿ HANDICAPPED PARKING SPACE
  - ♿ HANDICAPPED PARKING SIGN
  - ⊙ VENT
- F.F.E. (15) FINISH FLOOR ELEVATION
  - PARKING COUNT
  - CHAIN LINK FENCE
  - SANITARY SEWER
  - STORM SEWER
  - WATERMAIN
  - UNDERGROUND ELECTRIC
  - UNDERGROUND FIBER OPTIC
  - UNDERGROUND GAS
  - EXISTING CONTOUR LINE
  - TREE
  - BITUMINOUS SURFACE
  - CONCRETE SURFACE
  - LANDSCAPE SURFACE

**CERTIFICATION:**  
 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
 Date of survey: May 26, 2021.  
 Date of signature: June 02, 2021.  
  
 Eric A. Roeser  
 Minnesota License No. 47476  
 eroeser@efnsurvey.com

SECTION 25, T 30 N, R 24 W

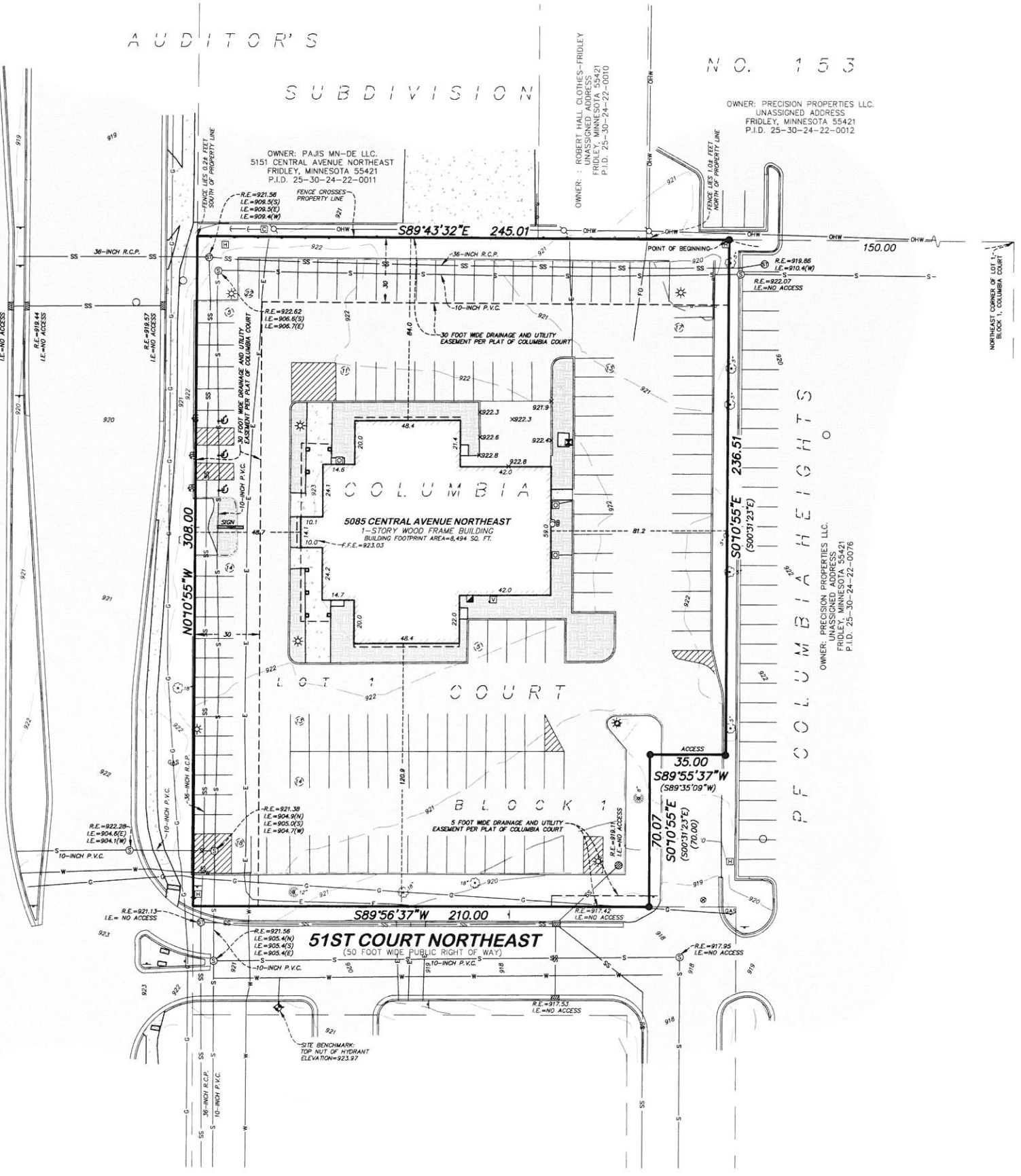


**VICINITY MAP**  
NO SCALE



● (123.45)  
 (N01°02'03"E)  
 FOUND IRON MONUMENT  
 RECORD DISTANCE  
 RECORD BEARING

CENTRAL AVENUE NORTHEAST  
 (VARIABLE WIDTH PUBLIC RIGHT OF WAY)



FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
			NO.	DATE
		LH		
DRAWN BY: RRR				
CHECKED BY: ER				

**CERTIFICATE OF SURVEY**

**SURVEY FOR:**  
 La Casita

**PROPERTY ADDRESS:**  
 5085 Central Avenue Northeast  
 Columbia Heights, Minnesota 55421



**Egan, Field & Nowak, Inc.**  
 land surveyors since 1872

1229 Tyler Street NE, Suite 100  
 Minneapolis, Minnesota 55413  
 PHONE: (612) 466-3300  
 FAX: (612) 466-3383  
 WWW.EFNSURVEY.COM  
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# CERTIFICATE OF SURVEY FOR: KIMLEY-HORN AND ASSOCIATES

## EXISTING LEGAL DESCRIPTION:

That part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:  
Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

## PROPOSED LEGAL DESCRIPTIONS:

Parcel 1:  
That part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:  
Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

Parcel 2:  
The west 210 feet of the south 100 feet of that part of Lot 1, Block 1, COLUMBIA COURT, Anoka County, Minnesota, lying Westerly of a line described as follows:  
Commencing at the Northeast corner of said Lot 1, thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the North line of said Lot 1, to the point of beginning of the line to be described, thence South 00 degrees 31 minutes 23 seconds East a distance of 236.51 feet, thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet, thence South 00 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the South line of said Lot 1, distance of 185.00 feet Westerly from Southeast corner of said Lot 1, and said line there terminating.

## GENERAL SURVEY NOTES:

- The orientation of this bearing system is based on the Anoka County coordinate grid (NAD 83-2011 Adj).
- Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify ownership, the legal description, or the existence of any easements or encumbrances.
- The total area of the property described herein is 72,834 square feet or 1.6720 acres. The areas for proposed Parcels 1 and 2 are as follows:  
Parcel 1: 21,000 Square Feet 0.4821 Acres  
Parcel 2: 51,834 Square Feet 1.1899 Acres
- The contours depicted hereon are per elevation data collected while conducting the fieldwork. The contour interval is 1 foot.  
BENCHMARK: Top of Minnesota Department of Transportation Geodetic Monument "0207M" GSD Station #103133  
Elevation = 929.32 feet. (NAVD88)  
SITE BENCHMARK: Top nut of hydrant located on the south side 51st Court Northeast.  
Elevation = 923.97 feet. (NAVD88)
- As of the date of this survey the property described hereon contains a total of 135 parking spaces of which 132 are standard spaces and 3 are handicapped spaces.
- Existing utilities, services and underground structures shown hereon were located either physically, from existing records made available to us, by resident testimony, or by locations provided by Gopher State One Call, per Ticket No. 211314372. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Other utilities and services may be present and verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.

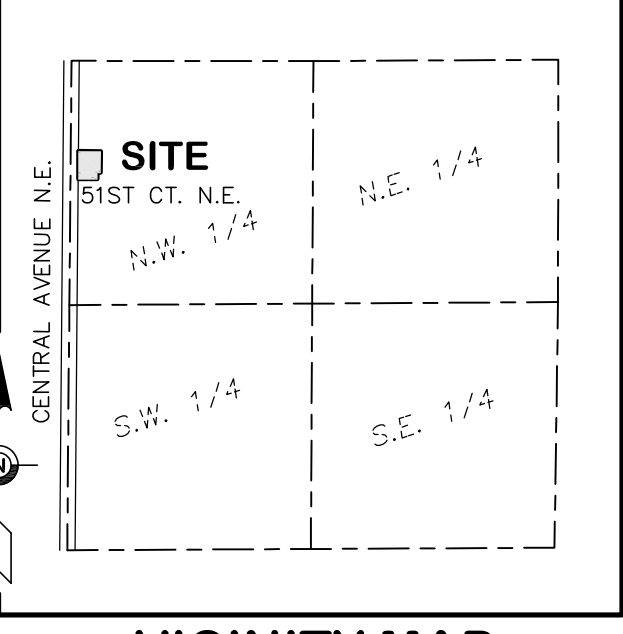
## LEGEND:

- BENCHMARK
- SANITARY MANHOLE
- MANHOLE
- STORM MANHOLE
- CATCH BASIN
- DRAIN (INLET)
- ROOF DRAIN (OUTLET)
- AUTO SPRINKLER
- GATE VALVE
- HYDRANT
- ELECTRIC BOX
- HANDHOLE
- UTILITY POLE
- GUY WIRE
- COMMUNICATION BOX
- SIGN
- HANDICAPPED PARKING SPACE
- HANDICAPPED PARKING SIGN
- VENT
- F.F.E. FINISH FLOOR ELEVATION
- PARKING COUNT
- CHAIN LINK FENCE
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- UNDERGROUND FIBER OPTIC
- UNDERGROUND GAS
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- BITUMINOUS SURFACE
- CONCRETE SURFACE
- LANDSCAPE SURFACE

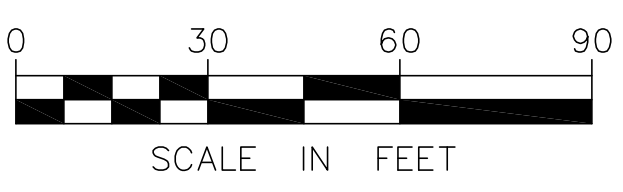
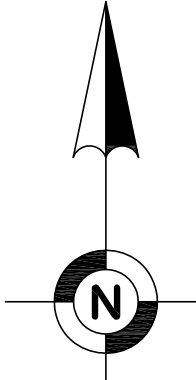
## CERTIFICATION:

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Date of survey: May 26, 2021.  
Date of signature: February 28, 2024.  
  
Christopher A. Terwedo  
Minnesota License No. 53536  
cterwedo@efnsurvey.com

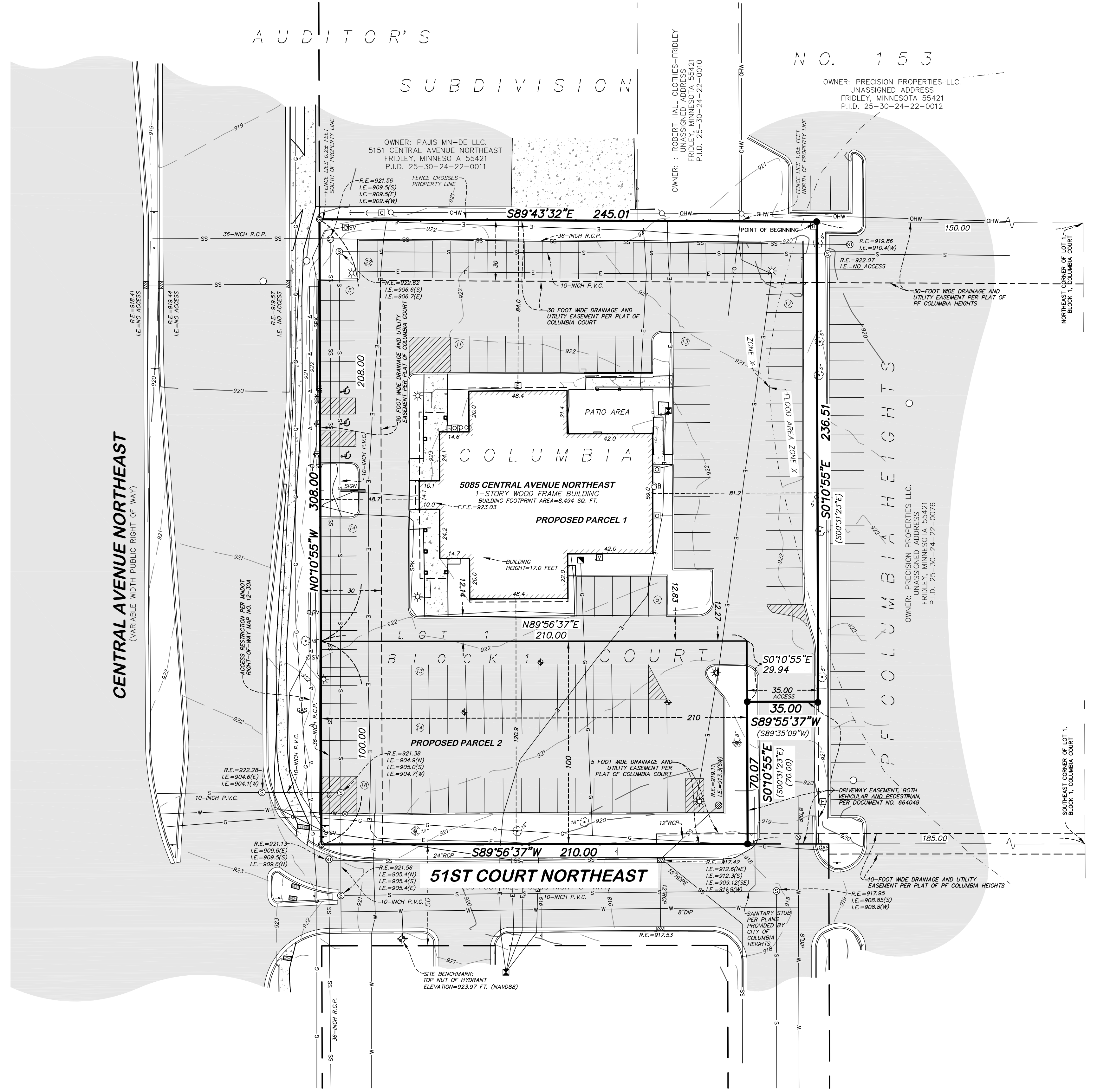
SECTION 25, T 30 N, R 24 W



VICINITY MAP  
NO SCALE



● FOUND IRON MONUMENT  
(123.45)  
(N01°02'03"E)  
○ RECORD DISTANCE  
○ RECORD BEARING



FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
			NO.	DATE
DRAWN BY:				
CHECKED BY:				
DRAWING NAME:				
JOB NO. 39770				
FILE NO.				

# CERTIFICATE OF SURVEY

SURVEY FOR:  
**KIMLEY-HORN AND ASSOCIATES**

PROPERTY ADDRESS:  
**5085 Central Avenue Northeast  
Columbia Heights, Minnesota 55421**

**Egan, Field & Nowak, Inc.**  
land surveyors since 1872

1229 Tyler Street NE, Suite 100  
Minneapolis, Minnesota 55413  
PHONE: (612) 466-3300  
FAX: (612) 466-3383  
WWW.EFNSURVEY.COM  
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# SITE DEVELOPMENT PLANS FOR CHASE BANK- CENTRAL AVE AND 51ST AVE

**5085 CENTRAL AVENUE NORTHEAST  
S25, T30N, R24W  
COLUMBIA HEIGHTS, ANOKA COUNTY, MN**

**PROJECT TEAM:**

ENGINEER & LANDSCAPE ARCHITECT  
KIMLEY-HORN AND ASSOCIATES, INC.



PREPARED BY: BRIAN M. WURDEMAN &  
RYAN A. HYLLESTAD, PLA  
11995 SINGLETREE LANE, SUITE 225  
EDEN PRAIRIE, MN 55344  
TELEPHONE (651) 645-4197

OWNER / DEVELOPER  
THE ARCHITECTS PARTNERSHIP  
200 SOUTH MICHIGAN AVENUE  
SUITE 200  
CHICAGO, IL 60604  
CONTACT: TERRON WRIGHT  
TELEPHONE: (561) 628-9845

SURVEYOR  
EGAN, FIELD & NOWAK, INC.  
475 OLD HIGHWAY 8 NW, SUITE 200  
NEW BRIGHTON, MN 55112  
TELEPHONE: (612) 466-3300  
CONTACT: CHRISTOPHER TERWEDO



**VICINITY  
N.T.S.**

**SITE**

Sheet List Table	
Sheet Number	Sheet Title
C000	COVER SHEET
C100	GENERAL NOTES
C200	DEMO & EROSION AND SEDIMENT CONTROL PLAN
C201	EROSION AND SEDIMENT CONTROL PLAN - PHASE 2
C202	EROSION AND SEDIMENT CONTROL DETAILS
C300	SITE PLAN
C301	SITE DETAILS
C302	SITE DETAILS
C400	GRADING AND DRAINAGE PLAN
C401	GRADING ENLARGEMENT PLAN
C402	GRADING DETAILS
C500	UTILITY PLAN
L100	LANDSCAPE PLAN
L101	LANDSCAPE DETAILS

**NOTES:**

- CONTRACTOR SHALL CONFIRM THAT THE EXISTING CONDITIONS FOR THE SITE MATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.
- IF REPRODUCED, THE SCALES SHOWN ON THESE PLANS ARE BASED ON A 22x34 SHEET.
- ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICES COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.
- ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

BENCHMARKS	
SITE BENCHMARKS: (LOCATIONS SHOWN ON SURVEY)	
SBM #1 TOP NUT OF HYDRANT LOCATED ON THE SOUTH SIDE 51ST COURT NORTHEAST. ELEVATION=923.97	



2024 KIMLEY-HORN AND ASSOCIATES, INC.  
11995 SINGLETREE LN SUITE 225, EDEN PRAIRIE, MN 55344  
PHONE: 651-645-4197  
WWW.KIMLEY-HORN.COM

KHA PROJECT: 160094050  
DATE: 04/01/2024  
SCALE: AS SHOWN  
DESIGNED BY: BSK  
DRAWN BY: BSK  
CHECKED BY: MTL

THE ARCHITECTS PARTNERSHIP  
COLUMBIA HEIGHTS, MN

PRELIMINARY - NOT FOR CONSTRUCTION

CHASE BANK- CENTRAL AVE AND 51ST AVE  
PREPARED FOR THE ARCHITECTS PARTNERSHIP  
COLUMBIA HEIGHTS, MN

**COVER SHEET**

DATE: 03/28/2024  
LIC. NO.: 5313

ITEM 6

REVISIONS

DATE

SHEET NUMBER

**C000**

154



PHASE 1 BMP QUANTITIES	
INLET PROTECTION	2 EA
ROCK CONSTRUCTION ENTRANCE	1 EA
BIO ROLL	±25 LF
SILT FENCE	±365 LF

### PHASE 1 SEQUENCE OF CONSTRUCTION

- INSTALL PERIMETER EROSION CONTROL (I.E. SILT FENCE) AND INLET PROTECTION AT EXISTING STORMWATER INLETS.
- CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE AND CONCRETE WASHOUT.
- PREPARE TEMPORARY PARKING AND STORAGE AREA.
- CONSTRUCT AND STABILIZE DIVERSIONS AND TEMPORARY SEDIMENT BASINS.
- CLEAR AND GRUB THE SITE.
- BEGIN MASS SITE GRADING AND ROUGH GRADE SITE SUFFICIENTLY TO ESTABLISH PROPOSED DRAINAGE PATTERNS.
- START CONSTRUCTION OF THE BUILDING PAD AND STRUCTURES.
- TEMPORARILY SEED, THROUGHOUT CONSTRUCTION, DISTURBED AREAS THAT WILL BE INACTIVE FOR 14 DAYS OR MORE OR AS REQUIRED BY THE NPDES AND/OR CITY GRADING PERMITS(S).

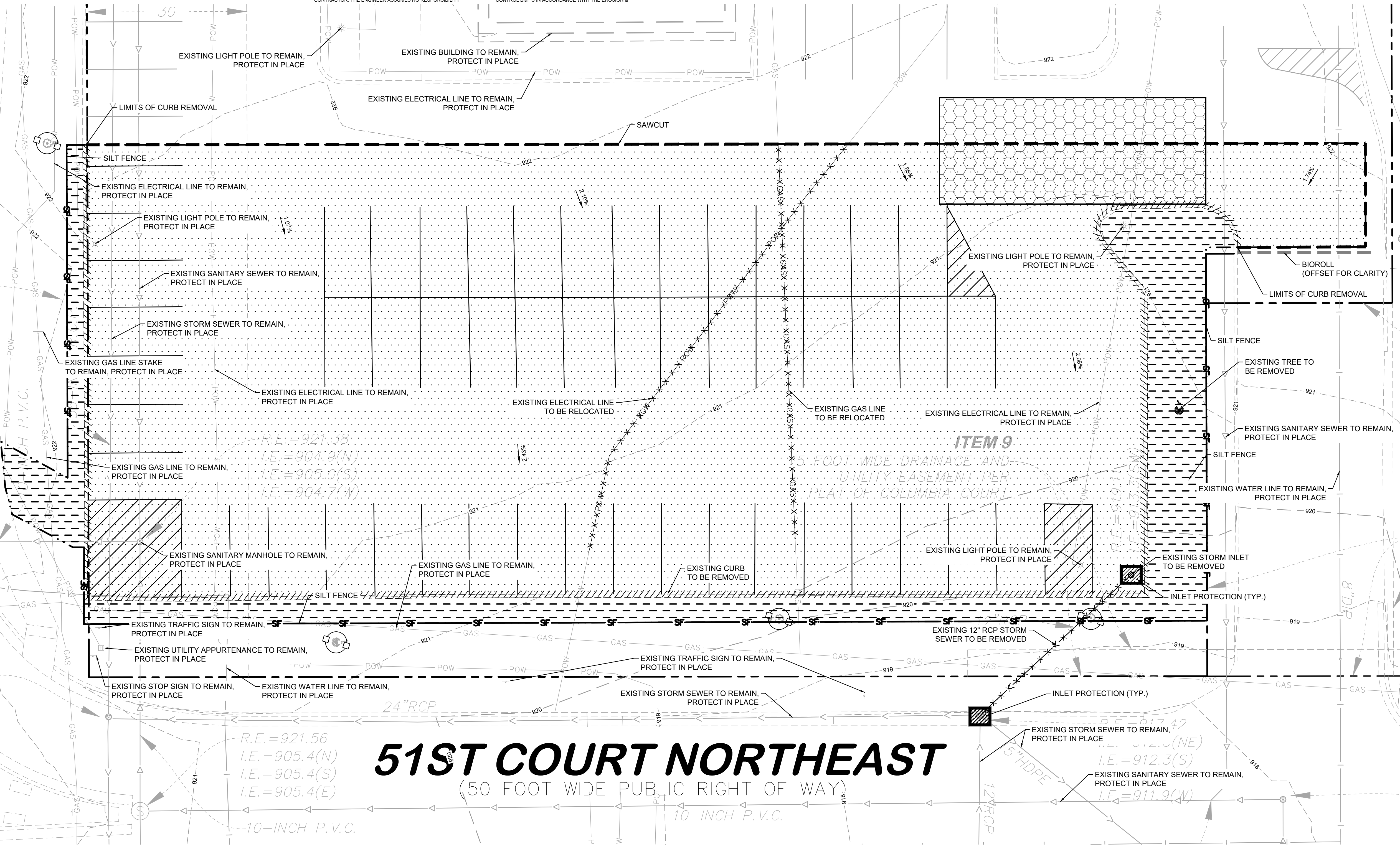
NOTE: THE SEQUENCE OF CONSTRUCTION IS INTENDED TO CONVEY THE GENERAL CONCEPTS OF THE EROSION CONTROL DESIGN AND SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETAILED PHASING AND CONSTRUCTION SEQUENCING NECESSARY TO CONSTRUCT THE PROPOSED IMPROVEMENTS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING IMMEDIATELY, PRIOR TO AND/OR DURING CONSTRUCTION IF ANY ADDITIONAL INFORMATION ON THE CONSTRUCTION SEQUENCE IS NECESSARY.

### DEMOLITION PLAN NOTES

- THE CONTRACTOR IS RESPONSIBLE FOR THE DEMOLITION, REMOVAL, AND DISPOSAL (IN A LOCATION APPROVED BY ALL GOVERNING AUTHORITIES) OF ALL STRUCTURES, PADS, WALLS, FENCES, FOUNDATIONS, PARKING DRIVES, DRAINAGE STRUCTURES, UTILITIES, ETC. SUCH THAT THE IMPROVEMENTS ON THE PLANS CAN BE CONSTRUCTED. FACILITIES TO BE REMOVED SHALL BE UNDERCUT TO SUITABLE MATERIAL AND BROUGHT TO GRADE WITH SUITABLE COMPACTED FILL MATERIAL PER THE PROJECT DOCUMENTS.
- THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL DEBRIS FROM THE SITE AND DISPOSING OF THE DEBRIS IN A LAWFUL MANNER AND IN ACCORDANCE WITH LOCAL AND STATE REGULATIONS. THE CONTRACTOR SHALL OBTAIN ANY REQUIRED PERMITS FOR DEMOLITION AND DISPOSAL FROM THE APPROPRIATE LOCAL AND STATE AGENCIES. CONTRACTOR SHALL PROVIDE COPIES OF THE PERMIT AND RECEIPTS OF DISPOSAL OF MATERIALS TO THE OWNER AND OWNERS REPRESENTATIVE, INCLUDING THE TYPE OF DEBRIS AND LOCATION WHERE IT WAS DISPOSED.
- THE CONTRACTOR SHALL MAINTAIN UTILITY SERVICES TO ADJACENT PROPERTIES AT ALL TIMES. UTILITY SERVICES SHALL NOT BE INTERRUPTED WITHOUT APPROVAL FROM THE CONSTRUCTION MANAGER AND COORDINATION WITH THE ADJACENT PROPERTIES AND/OR THE CITY.
- THE CONTRACTOR SHALL COORDINATE WITH RESPECTIVE UTILITY COMPANIES PRIOR TO THE REMOVAL AND/OR RELOCATION OF UTILITIES. THE CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANY CONCERNING PORTIONS OF WORK WHICH MAY BE PERFORMED BY THE UTILITY COMPANY'S FORCES AND ANY FEES WHICH ARE PAID TO THE UTILITY COMPANY FOR THEIR SERVICES. THE CONTRACTOR IS RESPONSIBLE FOR PAYING ALL FEES AND CHARGES.
- THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THE PLAN HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE AND ARE GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THEIR ACCURACY. PRIOR TO THE START OF ANY AFFECTED UTILITY COMPANIES TO PROVIDE LOCATIONS OF EXISTING UTILITIES WITHIN PROPOSED WORK AREA.
- EXISTING SEWERS, PIPING AND UTILITIES SHOWN ARE BASED ON AVAILABLE RECORD PLAN DATA AND/OR FIELD UTILITY MARKINGS AND ARE NOT TO BE INTERPRETED AS THE EXACT LOCATION. ADDITIONAL UNMARKED OBSTACLES MAY EXIST ON THE SITE. VERIFY EXISTING CONDITIONS AND PROCEED WITH CAUTION AROUND ANY ANTICIPATED UNDERGROUND FEATURES. GIVE NOTICE TO AFFECTED UTILITY COMPANIES REGARDING REMOVAL OF SERVICE LINES AND CAP ANY ABANDONED LINES BEFORE PRECEDING WITH THE PROPOSED WORK.
- ELECTRICAL, TELEPHONE, CABLE, WATER, FIBER OPTIC, AND/OR GAS LINES NEEDING TO BE REMOVED OR RELOCATED SHALL BE COORDINATED WITH THE AFFECTED UTILITY COMPANY. ADEQUATE TIME SHALL BE PROVIDED FOR RELOCATION AND CLOSE COORDINATION WITH THE UTILITY COMPANY IS NECESSARY TO PROVIDE A SMOOTH TRANSITION IN UTILITY SERVICE. CONTRACTOR SHALL PAY CLOSE ATTENTION TO EXISTING UTILITIES WITHIN ANY ROAD RIGHT-OF-WAY DURING CONSTRUCTION.
- CONTRACTOR MUST PROTECT THE PUBLIC AT ALL TIMES WITH FENCING, BARRICADES, ENCLOSURES, ETC. (AND OTHER APPROPRIATE BEST MANAGEMENT PRACTICES) AS APPROVED BY THE CONSTRUCTION MANAGER. MAINTENANCE OF TRAFFIC CONTROL SHALL BE COORDINATED IN ACCORDANCE WITH THE CITY, COUNTY, AND STATE DOT AS NECESSARY.
- CONTRACTOR SHALL MAINTAIN ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION, AND SHALL NOTIFY ADJACENT PROPERTY OWNERS IF ACCESS WILL BE INTERRUPTED OR ALTERED AT ANY TIME DURING CONSTRUCTION.
- PRIOR TO THE START OF DEMOLITION, INSTALL EROSION CONTROL BMP'S IN ACCORDANCE WITH THE EROSION & SEDIMENT CONTROL PLANS / SWPPP.
- CONTRACTOR MAY LIMIT SAW-CUT AND PAVEMENT REMOVAL TO ONLY THOSE AREAS WHERE IT IS REQUIRED AS SHOWN ON THESE CONSTRUCTION PLANS BUT IF ANY DAMAGE IS INCURRED ON ANY OF THE SURROUNDING PAVEMENT OR CURB, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS REMOVAL AND REPAIR.
- THE CONTRACTOR SHALL COORDINATE WATER MAIN WORK WITH THE CITY WATER AND FIRE DEPARTMENTS TO ENSURE ADEQUATE FIRE PROTECTION IS CONSTANTLY AVAILABLE TO THE SITE AND SURROUNDING PROPERTIES THROUGH ALL PHASES OF CONSTRUCTION. CONTRACTOR WILL BE RESPONSIBLE FOR ARRANGING/PROVIDING ANY REQUIRED WATER MAIN SHUT OFFS WITH THE CITY. ANY COSTS ASSOCIATED WITH WATER MAIN SHUT OFFS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NO EXTRA COMPENSATION WILL BE PROVIDED.
- IN THE EVENT A WELL IS FOUND, THE CONTRACTOR SHALL CONTACT THE ENGINEER AND OWNER IMMEDIATELY. ALL WELLS SHALL BE SEALED BY A LICENSED WELL CONTRACTOR IN ACCORDANCE WITH STATE REQUIREMENTS.
- IN THE EVENT THAT UNKNOWN CONTAINERS OR TANKS ARE ENCOUNTERED, THE CONTRACTOR SHALL CONTACT THE OWNER AND/OR OWNERS REPRESENTATIVE IMMEDIATELY. ALL CONTAINERS SHALL BE DISPOSED OF AT A PERMITTED LANDFILL PER THE PROJECT DOCUMENTS.
- CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY EXISTING DRAINILES IS ENCOUNTERED ON SITE. ACTIVE DRAINILES SHALL NOT BE REMOVED WITHOUT APPROVAL FROM THE ENGINEER.
- IF CONTAMINATED MATERIAL IS ENCOUNTERED ON THE PROJECT SITE, THE CONTRACTOR SHALL STOP WORK AND NOTIFY THE OWNER AND ENGINEER IMMEDIATELY.

### LEGEND

	PROPERTY LINE		EXISTING UNDERGROUND TELEPHONE
	REMOVE BITUMINOUS SURFACE		EXISTING UNDERGROUND CABLE
	REMOVE CONCRETE SURFACE		EXISTING CONTOUR
	REMOVE BUILDING		EXISTING CURB & GUTTER
	CLEARING & GRUBBING		EXISTING SIGN
	FULL DEPTH SAWCUT		EXISTING FLARED END SECTION
	REMOVE TREE		EXISTING STORM MANHOLE
	REMOVE CONCRETE CURB & GUTTER		EXISTING STORM CATCHBASIN
	REMOVE UTILITY LINES		EXISTING GAS METER
	FILL & ABANDON UTILITY LINES		EXISTING POST INDICATOR VALVE
	LIMITS OF CONSTRUCTION		EXISTING AUTOMATIC SPRINKLER
	EXISTING OVERHEAD POWER LINE		EXISTING ROOF DRAIN
	EXISTING CHAINLINK FENCE		EXISTING GATE VALVE
	EXISTING J-BARRIER		EXISTING HYDRANT
	EXISTING RETAINING WALL		EXISTING METAL COVER
	EXISTING SANITARY SEWER		EXISTING ELECTRICAL METER
	EXISTING STORM SEWER		EXISTING AIR CONDITIONER
	EXISTING WATERMAIN		EXISTING TELEPHONE MANHOLE
	EXISTING GAS MAIN		EXISTING CABLE BOX
			EXISTING GUY WIRE
			EXISTING POWER POLE



# 51ST COURT NORTHEAST

(50 FOOT WIDE PUBLIC RIGHT OF WAY)

Know what's below.  
Call before you dig.

NORTH

GRAPHIC SCALE IN FEET

0 5 10 20

**PRELIMINARY - NOT FOR CONSTRUCTION**

**CHASE BANK-CENTRAL**  
**AVE AND 51ST AVE**

PREPARED FOR  
**THE ARCHITECTS**  
**PARTNERSHIP**

COLUMBIA HEIGHTS, MN

**Kimley-Horn**

© 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
11995 SINGLETREE LN SUITE 225, EDEN PRAIRIE, MN 55344  
PHONE: 651-454-1977  
WWW.KIMLEY-HORN.COM

ITEM 6

NO.	REVISIONS	DATE

KHA PROJECT: 160094050  
DATE: 04/01/2024  
SCALE: AS SHOWN  
DESIGNED BY: BSK  
DRAWN BY: BSK  
CHECKED BY: MTL

**DEMO & EROSION AND SEDIMENT CONTROL PLAN**

SHEET NUMBER  
**C200**

156

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PHASE 2 BMP QUANTITIES	
INLET PROTECTION	4 EA
ROCK CONSTRUCTION ENTRANCE	1 EA
BIO ROLL	±25 LF
SILT FENCE	±365 LF

**PHASE 2 SEQUENCE OF CONSTRUCTION**

- TEMPORARILY SEED, THROUGHOUT CONSTRUCTION, DENuded AREAS THAT WILL BE INACTIVE FOR 14 DAYS OR MORE.
- CONSTRUCT UNDERGROUND SITE UTILITIES AND STORM SEWER, INCLUDING UNDERGROUND STORMWATER MANAGEMENT SYSTEM.
- INSTALL APPROPRIATE INLET PROTECTION AT ANY NEW STORM SEWER STRUCTURES AS EACH STRUCTURE IS CONSTRUCTED.
- COMPLETE SITE GRADING AND PERMANENTLY STABILIZE AREAS TO BE VEGETATED AS THEY ARE BROUGHT TO FINAL GRADE.
- PLACE PAVEMENT BASE MATERIAL AND INSTALL SUBDRAINAGE SYSTEM.
- CONSTRUCT PAVEMENTS, CURB & GUTTER, AND SIDEWALKS.
- AS APPROPRIATE, REPLACE & MAINTAIN INLET PROTECTION DEVICES WITHIN PAVED AREAS AS WORK PROGRESSES.
- COMPLETE FINAL GRADING AND INSTALL OF PERMANENT STABILIZATION (SEEDING, SODDING, ETC.) WITHIN LANDSCAPED AREAS.
- WHEN THE SITE HAS ACHIEVED FINAL STABILIZATION AS DEFINED BY THE APPLICABLE EROSION CONTROL PERMITS, REMOVE ALL REMAINING TEMPORARY EROSION & SEDIMENT CONTROL BMP'S AND RE-STABILIZE ANY AREAS DISTURBED BY THE REMOVAL.

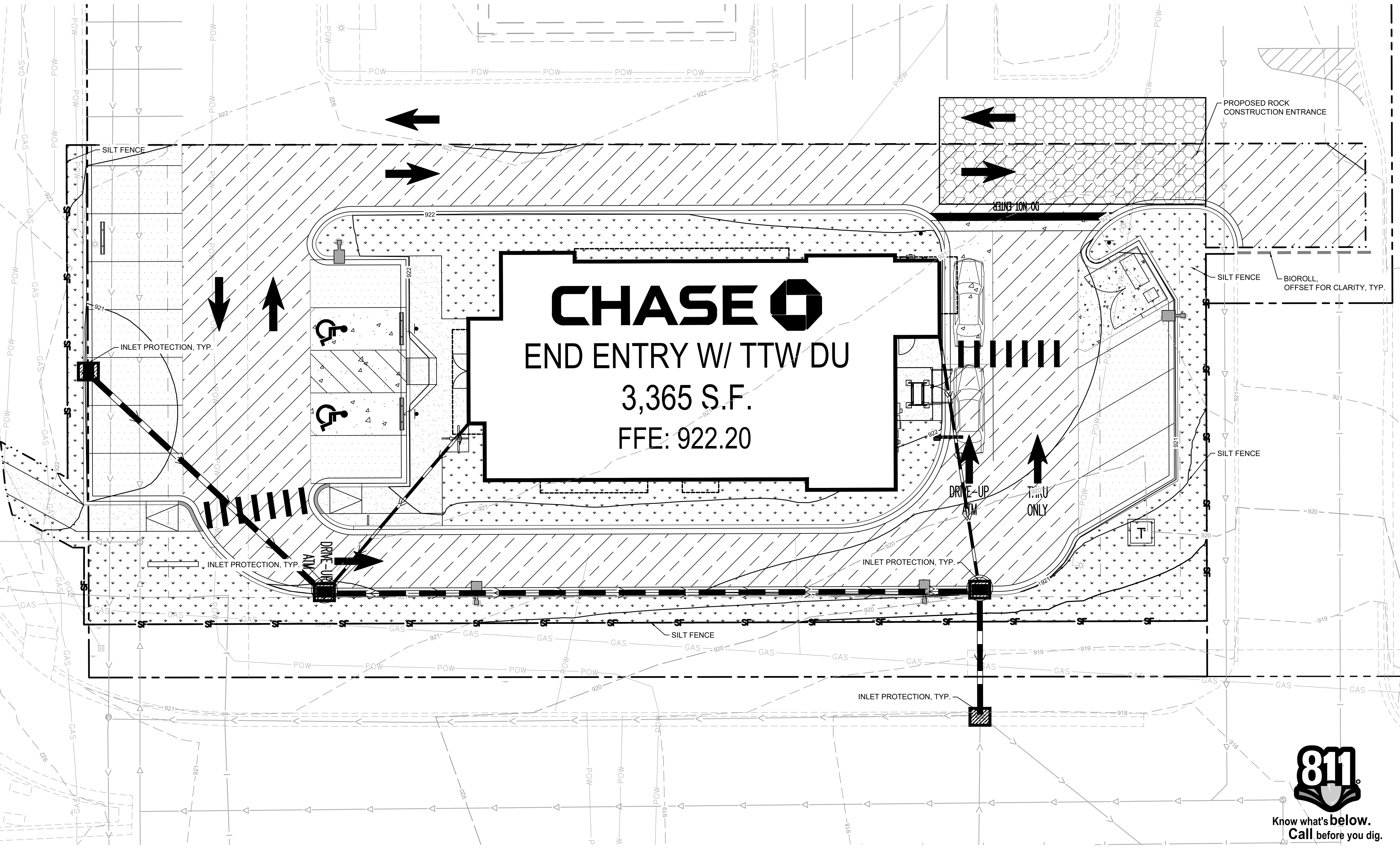
NOTE: THE SEQUENCE OF CONSTRUCTION IS INTENDED TO CONVEY THE GENERAL CONCEPTS OF THE EROSION CONTROL DESIGN AND SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETAILED PHASING AND CONSTRUCTION SEQUENCING NECESSARY TO CONSTRUCT THE PROPOSED IMPROVEMENTS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING IMMEDIATELY, PRIOR TO AND/OR DURING CONSTRUCTION IF ANY ADDITIONAL INFORMATION ON THE CONSTRUCTION SEQUENCE IS NECESSARY.

**EROSION CONTROL PLAN NOTES**

- THE STORM WATER POLLUTION PREVENTION PLAN ("SWPPP") IS COMPOSED OF THE EROSION CONTROL PLAN, THE STANDARD DETAILS, THE PLAN NARRATIVE, ATTACHMENTS INCLUDED IN THE SPECIFICATIONS OF THE SWPPP, PLUS THE PERMIT AND ALL SUBSEQUENT REPORTS AND RELATED DOCUMENTS.
- ALL CONTRACTORS AND SUBCONTRACTORS INVOLVED WITH LAND DISTURBING ACTIVITIES SHALL OBTAIN A COPY OF THE SWPPP AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT, AND BECOME FAMILIAR WITH THEIR CONTENTS.
- BEST MANAGEMENT PRACTICES (BMP'S) AND CONTROLS SHALL CONFORM TO FEDERAL, STATE AND LOCAL REQUIREMENTS, AS APPLICABLE. THE CONTRACTOR SHALL IMPLEMENT ADDITIONAL CONTROLS AS DIRECTED BY THE PERMITTING AGENCY, ENGINEER OR OWNER.
- SITE ENTRY AND EXIT LOCATIONS SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT THE TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADWAYS. SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO A PUBLIC ROADWAY FROM THE CONSTRUCTION SITE MUST BE REMOVED AS SOON AS PRACTICABLE. WHEN WASHING IS REQUIRED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO A PUBLIC ROADWAY, IT SHALL BE DONE IN AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT BASIN. ANY FINES IMPOSED FOR DISCHARGING SEDIMENT ONTO A PUBLIC RIGHT OF WAY SHALL BE PAID BY THE CONTRACTOR.
- TEMPORARY SEEDING OR OTHER APPROVED METHODS OF STABILIZATION SHALL BE INITIATED WITHIN 7 DAYS OF THE LAST DISTURBANCE ON ANY AREA OF THE SITE.
- THE CONTRACTOR SHALL MINIMIZE LAND DISTURBANCE AND CLEARING TO THE MAXIMUM EXTENT PRACTICAL OR AS REQUIRED BY THE GENERAL PERMIT.
- CONTRACTOR SHALL DENOTE ON THE PLAN THE TEMPORARY PARKING AND STORAGE AREA WHICH SHALL ALSO BE USED AS THE EQUIPMENT MAINTENANCE AND CLEANING AREA, EMPLOYEE PARKING AREA, AND AREA FOR LOCATING PORTABLE FACILITIES, OFFICE TRAILERS, AND TOILET FACILITIES.
- ALL WASH WATER FROM THE CONSTRUCTION SITE (CONCRETE TRUCKS, VEHICLE CLEANING, EQUIPMENT CLEANING, ETC.) SHALL BE DETAINED AND PROPERLY TREATED BEFORE DISPOSAL.
- SUFFICIENT OIL AND GREASE ABSORBING MATERIALS AND FLOTATION BOOMS SHALL BE MAINTAINED ON SITE OR READILY AVAILABLE TO CONTAIN AND CLEAN-UP FUEL OR CHEMICAL SPILLS AND LEAKS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL ON SITE. THE USE OF MOTOR OILS AND OTHER PETROLEUM BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION OPERATIONS IS PROHIBITED.
- RUBBISH, TRASH, GARBAGE, LITTER, OR OTHER SUCH MATERIALS SHALL BE DEPOSITED INTO SEALED CONTAINERS. MATERIALS SHALL BE PREVENTED FROM LEAVING THE PREMISES THROUGH THE ACTION OF WIND OR STORM WATER DISCHARGE INTO DRAINAGE DITCHES OR WATERS OF THE STATE.
- STAGING AREAS, STOCKPILES, SPOILS, ETC. SHALL BE LOCATED OUTSIDE OF DRAINAGE WAYS SUCH THAT STORM WATER RUNOFF WILL NOT BE ADVERSELY AFFECTED. PROVIDE STABILIZATION MEASURES SUCH AS PERIMETER EROSION CONTROL BMP'S, SEEDING, OR OTHER COVERING AS NECESSARY TO PREVENT EROSION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR RE-ESTABLISHING ANY EROSION CONTROL BMP DISTURBED DURING CONSTRUCTION OPERATIONS. NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DEFICIENCIES IN THE ESTABLISHED EROSION CONTROL MEASURES THAT MAY LEAD TO UNAUTHORIZED DISCHARGE OF STORM WATER POLLUTANTS. UNAUTHORIZED POLLUTANTS INCLUDE (BUT ARE NOT LIMITED TO) EXCESS CONCRETE DUMPING, CONCRETE RESIDUE, PAINTS, SOLVENTS, GREASES, FUELS, LUBRICANT OILS, PESTICIDES, AND SOLID WASTE MATERIALS.
- EROSION CONTROL BMP'S SHOWN ON THESE PLANS SHALL BE INSTALLED PRIOR TO THE START OF LAND-DISTURBING ACTIVITIES ON THE PROJECT, AND INITIATED AS SOON AS PRACTICABLE.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLYING WITH THE REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION, AND SHALL MAINTAIN COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS FOR THE DURATION OF CONSTRUCTION.
- THE CONTRACTOR SHALL FIELD ADJUST AND/OR PROVIDE ADDITIONAL EROSION CONTROL BMP'S AS NEEDED TO PREVENT EROSION AND OFF-SITE SEDIMENT DISCHARGE FROM THE CONSTRUCTION SITE. LOG AND RECORD ANY ADJUSTMENTS AND DEVIATIONS FROM THE APPROVED EROSION CONTROL PLANS WITHIN THE SWPPP DOCUMENTS STORED IN THE JOB SITE TRAILER.

**LEGEND**

- ROCK ENTRANCE
- EROSION CONTROL BLANKET
- INLET PROTECTION
- SILT FENCE
- LIMITS OF DISTURBANCE
- SAFETY FENCE
- BIOROLL



**PRELIMINARY - NOT FOR CONSTRUCTION**

**CHASE BANK - CENTRAL**  
**EROSION AND SEDIMENT CONTROL PLAN - PHASE 2**

PREPARED FOR  
**THE ARCHITECTS PARTNERSHIP**  
 COLUMBIA HEIGHTS, MN

**811**  
 Know what's below.  
 Call before you dig.

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 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
 11995 SINGLETREE LN SUITE 225, EDEN PRAIRIE, MN 55344  
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 WWW.KIMLEY-HORN.COM

NO.	REVISIONS	DATE

KHA PROJECT AS SHOWN	DATE	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
	04/01/2024				

DATE: 03/28/2024 LIC. NO. 53113

SHEET NUMBER **C201**

157



K:\TWC\_LDEV\the architects partnership\columbia heights-chase bank\3 Design\CAD\plansheets\C4-SITE PLAN.dwg April 01, 2024 - 9:38am  
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PROPERTY SUMMARY	
TOTAL PROPERTY AREA	0.49 AC / 21,372 SF
DISTURBED AREA	0.46 AC / 19,903 SF
EXISTING IMPERVIOUS AREA	0.41 AC / 17,668 SF / 88.77%
EXISTING PERVIOUS AREA	0.05 AC / 2,235 SF / 11.23%
PROPOSED IMPERVIOUS AREA	0.36 AC / 15,474 SF / 77.75%
PROPOSED PERVIOUS AREA	0.10 AC / 4,429 SF / 22.25%
NET DECREASE IN IMPERVIOUS AREA	0.05 AC / 2,194 SF

SITE DATA	
EXISTING ZONING	GB- GENERAL BUSINESS
PARKING SETBACKS	FRONT = 15' CORNER SIDE = 15' REAR = 5' SIDE = 5'
BUILDING SETBACKS	FRONT = 15' CORNER SIDE = 15' REAR = 20' SIDE = 0'

BUILDING DATA	
TOTAL BUILDING AREA	3,365 SF
PERCENT OF TOTAL PROPERTY AREA	15.74%

PARKING SUMMARY	
REQUIRED PARKING	11 SPACES @ 1/300 SF PLUS 2 STACKING SPACES PER ATM
TOTAL PROPOSED PARKING	14 SPACES
REQUIRED ACCESSIBLE PARKING	1 STANDARD SPACES 1 VAN ACCESSIBLE
PROPOSED ACCESSIBLE PARKING	2 STANDARD SPACES 2 VAN ACCESSIBLE

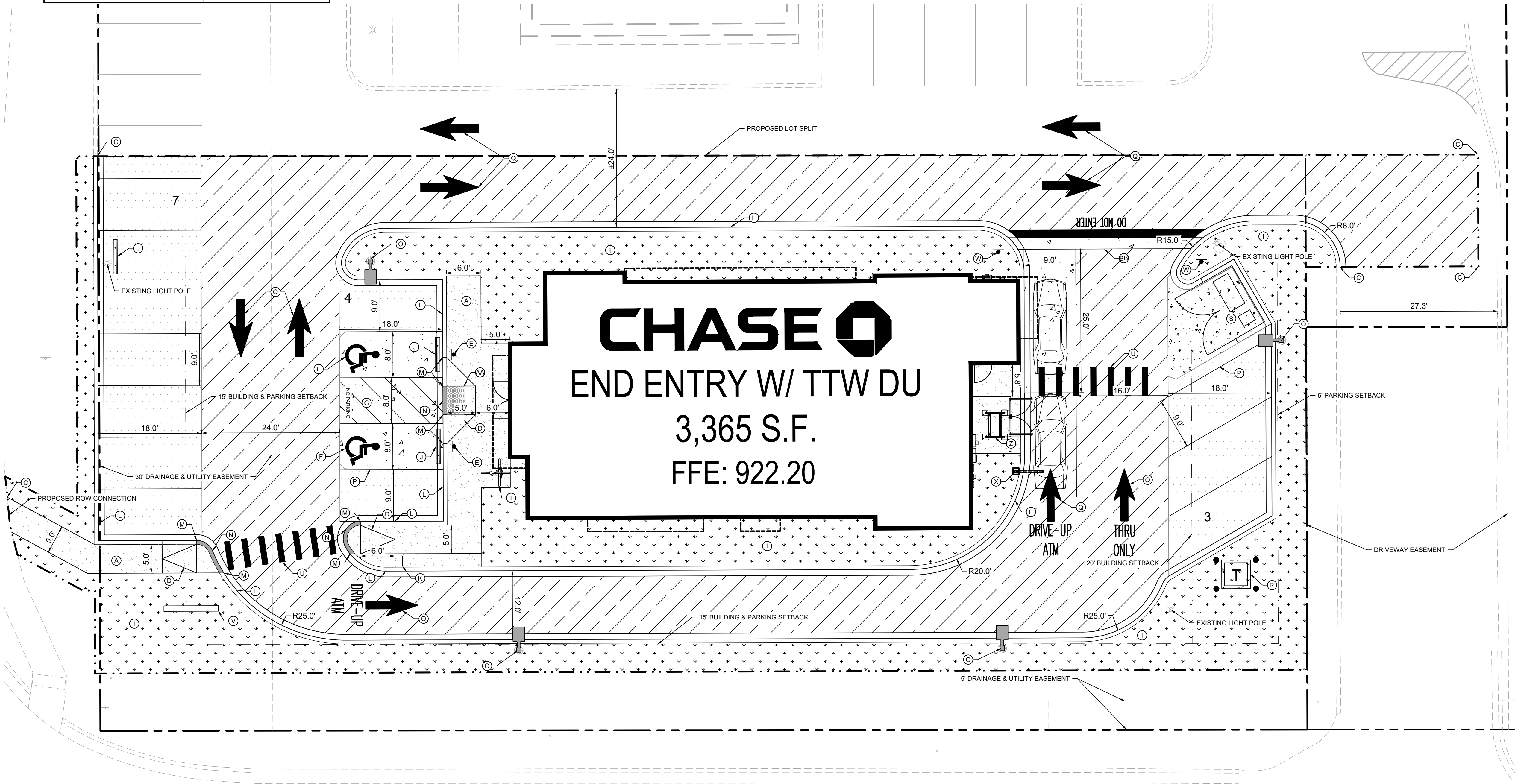
- ### SITE PLAN NOTES
- REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STOOPS, TRUCK DOCKS, TRASH ENCLOSURES & PRECISE BUILDING DIMENSIONS. REFER TO THE SITE ELECTRICAL PLAN FOR LOCATIONS OF PROPOSED LIGHT POLES, CONDUITS, AND ELECTRICAL EQUIPMENT.
  - REFER TO CERTIFIED SITE SURVEY OR PLAT FOR EXACT LOCATION OF EXISTING EASEMENTS, PROPERTY BOUNDARY DIMENSIONS, AND ADJACENT RIGHT-OF-WAY & PARCEL INFORMATION.
  - DIMENSIONS AND RADII ARE DRAWN TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT, AND AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
  - UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING EXISTING SITE IMPROVEMENTS THAT CONFLICT WITH THE PROPOSED WORK, INCLUDING BUT NOT LIMITED TO TRAFFIC SIGNS, LIGHT POLES, ABOVEGROUND UTILITIES, ETC. PERFORM WORK IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS. COST SHALL BE INCLUDED IN BASE BID.
  - TYPICAL PARKING STALL DIMENSIONS SHALL BE 9.0-FEET IN WIDTH AND 20-FEET IN LENGTH UNLESS OTHERWISE INDICATED. (16-FEET IN LENGTH WHEN ABUTTING A CURB.)
  - ALL INTERIOR CURBED RADII ARE TO BE 3' AND OUTER CURBED RADII ARE TO BE 8' UNLESS OTHERWISE NOTED.
  - MONUMENT SIGN(S) ARE DETAILED ON THE ARCHITECTURAL PLANS AND ARE SHOWN FOR GRAPHICAL & INFORMATIONAL PURPOSES ONLY. CONTRACTOR TO VERIFY SIGN DIMENSIONS, LOCATION AND REQUIRED PERMITS WITH THE OWNER.
  - THE CURB & GUTTER AND CONCRETE WHEEL STOPS LOCATED IN FRONT OF THE PROPOSED ADA STALLS ARE TO BE PAINTED THE SAME AS THE ADA STRIPING.

### LEGEND

	PROPERTY LINE
	LIMITS OF DISTURBANCE
	EASEMENT
	PROPOSED FENCE
	SETBACK LINE
	PROPOSED CURB AND GUTTER
	PROPOSED HEAVY DUTY ASPHALT
	PROPOSED STANDARD DUTY ASPHALT
	PROPOSED CONCRETE SIDEWALK
	PROPOSED HEAVY DUTY CONCRETE

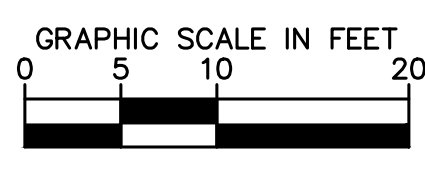
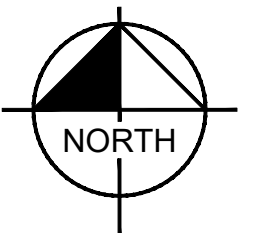
### KEYNOTE LEGEND

(A)	CONCRETE SIDEWALK
(B)	6" CONCRETE FILLED PIPE BOLLARD
(C)	MATCH EXISTING EDGE OF PAVEMENT/ CURB & GUTTER
(D)	ACCESSIBLE CURB RAMP
(E)	ACCESSIBLE PARKING SIGN, SIGN AND POST FURNISHED BY CHASE SIGN VENDOR. BOLLARD AND CONCRETE FOUNDATION PROVIDED BY GC
(F)	ACCESSIBLE PARKING SYMBOL
(G)	AREA STRIPED WITH 4" SYSL @ 45° Z' O.C.
(H)	'NO PARKING' SIGN
(I)	LANDSCAPE AREA - SEE LANDSCAPE PLANS
(J)	CONCRETE WHEEL STOP. SEE DETAIL
(K)	SITE DIRECTIONAL SIGN (SEE ARCH PLANS FOR DETAILS)
(L)	6" CURB AND GUTTER (TYP.), SEE DETAIL
(M)	TRANSITION CURB
(N)	FLUSH CURB
(O)	LIGHT POLE (SEE ARCH SITE PLAN FOR DETAILS)
(P)	4" WIDE PAINTED SOLID LINE, TYP.
(Q)	TRAFFIC FLOW PAVEMENT MARKINGS, TYP. (SEE DETAILS)
(R)	PROPOSED TRANSFORMER, CONCRETE PAD, & BOLLARDS (SEE MEP PLANS FOR DETAILS)
(S)	TRASH ENCLOSURE (SEE ARCH PLANS FOR DETAILS)
(T)	BIKE RACK WITH ASSOCIATED CONCRETE PAD FLATWORK (SEE ARCH PLANS)
(U)	ACCESSIBLE CROSSWALK
(V)	PYLON SIGN (SEE ARCH PLANS FOR DETAILS)
(W)	DO NOT ENTER' SIGN
(X)	CLEARANCE BAR (SEE ARCH PLANS FOR DETAILS)
(Y)	HEAVY DUTY CONCRETE PAD
(Z)	VRF ENCLOSURE (SEE ARCH PLANS FOR DETAILS)
(AA)	TRUNCATED DOMES
(BB)	CONCRETE VALLEY GUTTER. SEE DETAIL



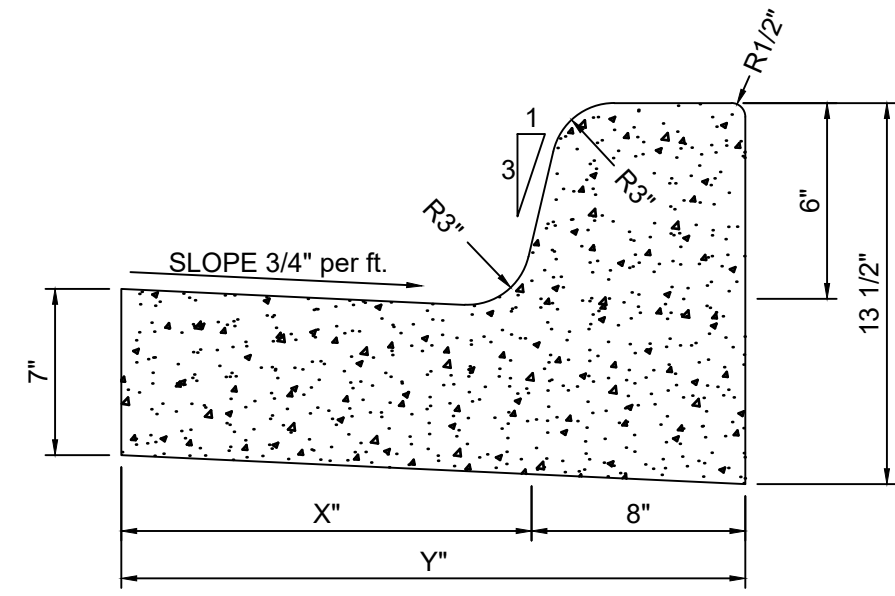
# 51ST COURT NORTHEAST

(50 FOOT WIDE PUBLIC RIGHT OF WAY)



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KHA PROJECT 160094050	DATE 04/01/2024	SCALE AS SHOWN
DESIGNED BY BSK	DRAWN BY BSK	CHECKED BY MTL
PRELIMINARY - NOT FOR CONSTRUCTION		SHEET NUMBER <b>C300</b>
CHASE BANK- CENTRAL AVE AND 51ST AVE PREPARED FOR <b>THE ARCHITECTS PARTNERSHIP</b> COLUMBIA HEIGHTS MN		DATE 03/28/2024 LIC. NO. 53113

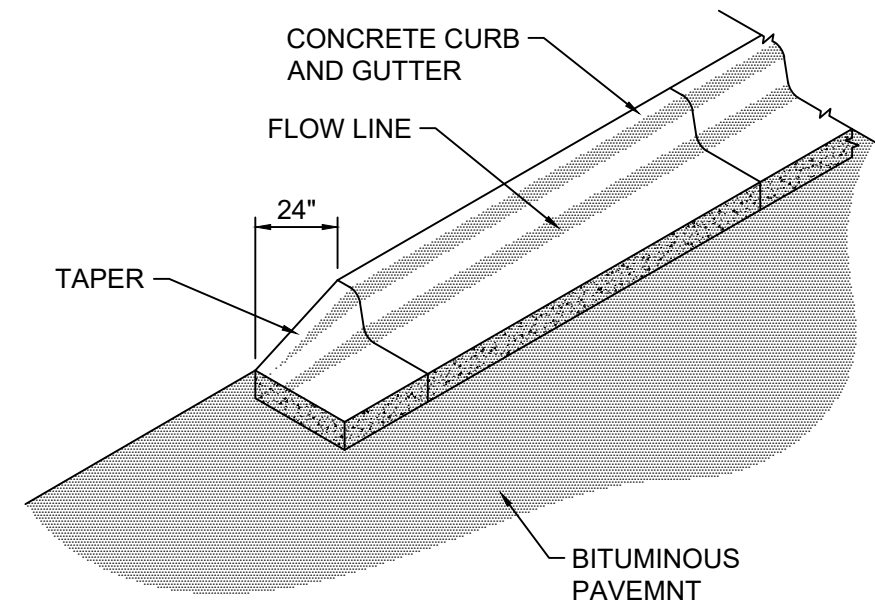
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NOTE: EXPANSION JOINT SPACING IS 100'  
MIN. 3" CL. 5 UNDER C.&G.

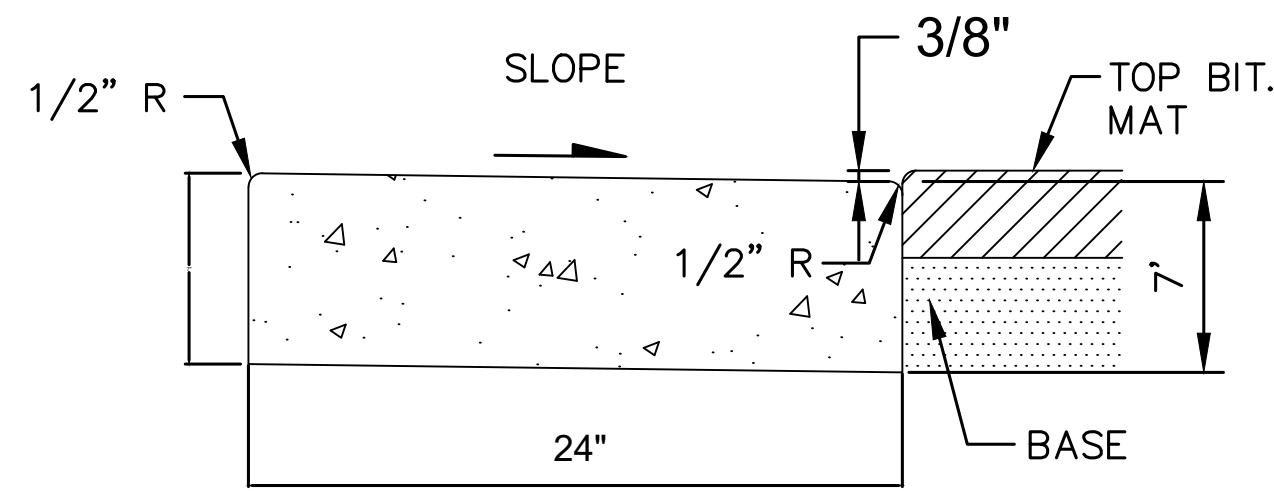
Curb Type	X	Y
B612	12"	20"
B618	18"	26"
B624	24"	32"

**1 B6 CURB AND GUTTER** NO SCALE



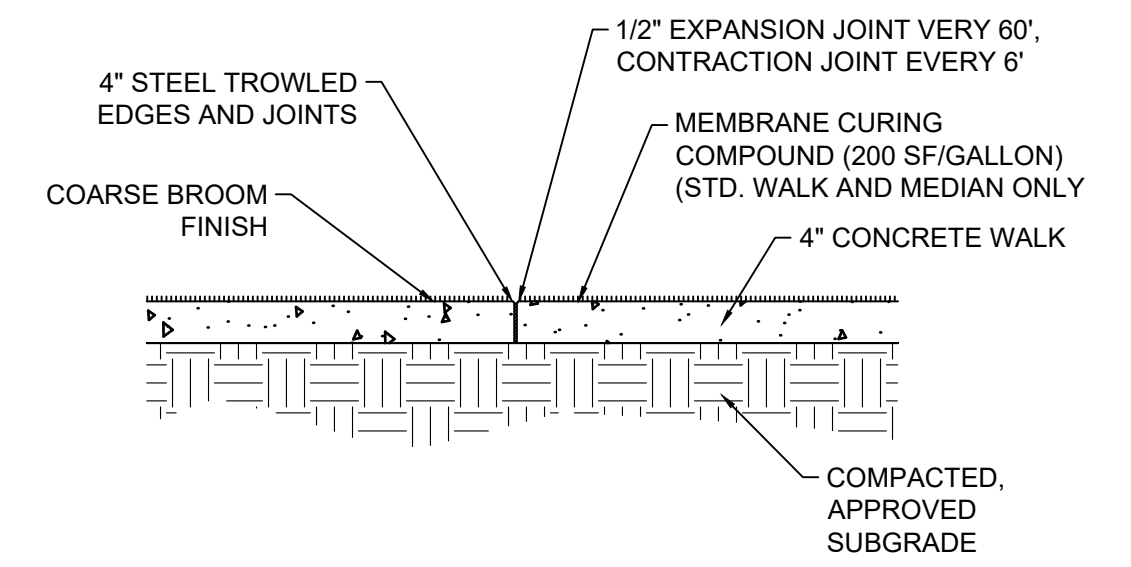
PERSPECTIVE

**2 CURB TAPER** NO SCALE



FLUSH CURB

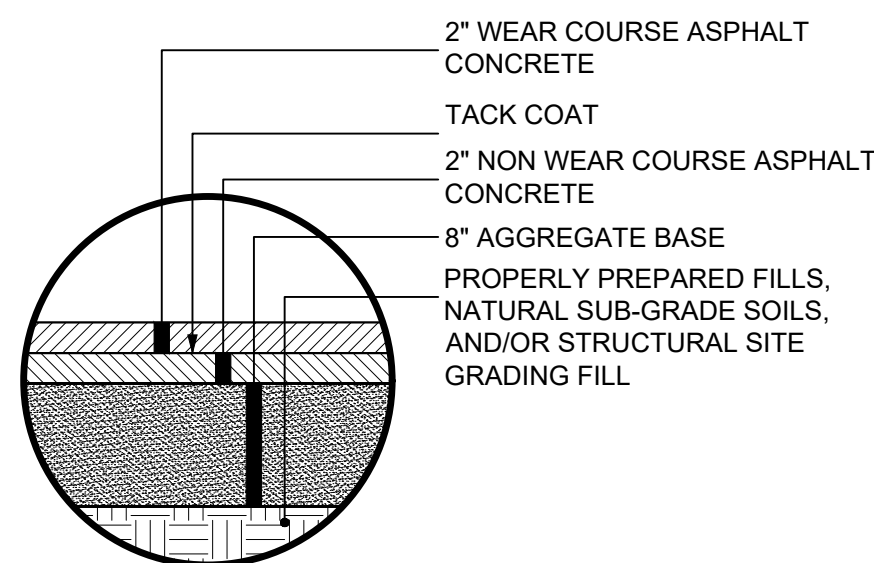
**3 STANDARD DETAIL** SCALE: NTS



NOTES:  
1. ALL EXCAVATION, COMPACTION AND BACKFILL INCIDENTAL TO UNIT PRICE BID FOR 4" SIDEWALK

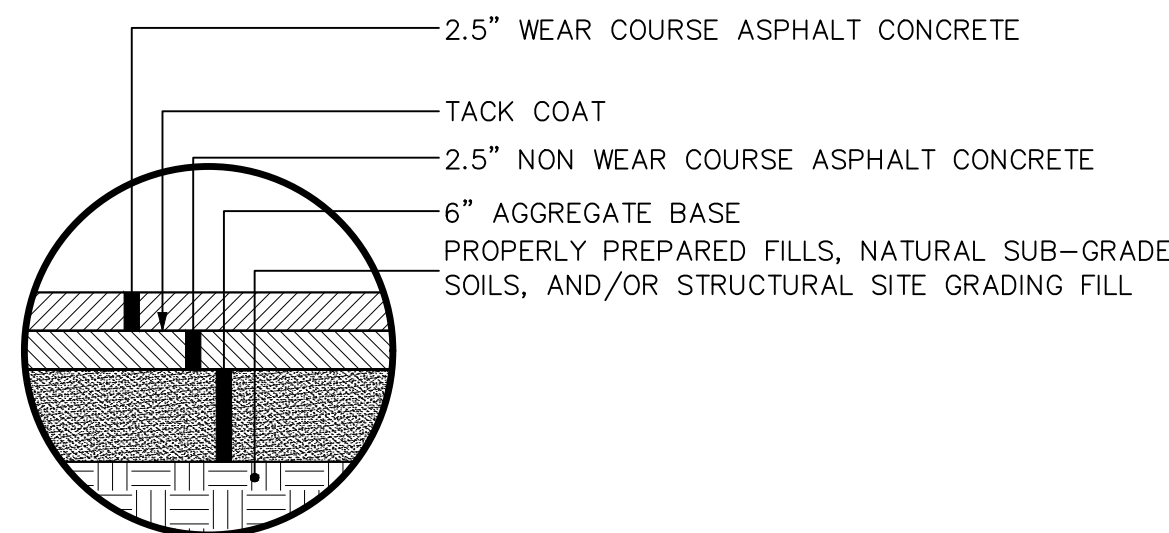
**4 CONCRETE SIDEWALK** NO SCALE

PAVEMENT SECTIONS SHOWN ARE PROVIDED AS A REFERENCE ONLY. REFER TO GEOTECHNICAL REPORT FOR ALL PAVEMENT, SUBGRADE PREPARATION AND COMPACTION REQUIREMENTS.



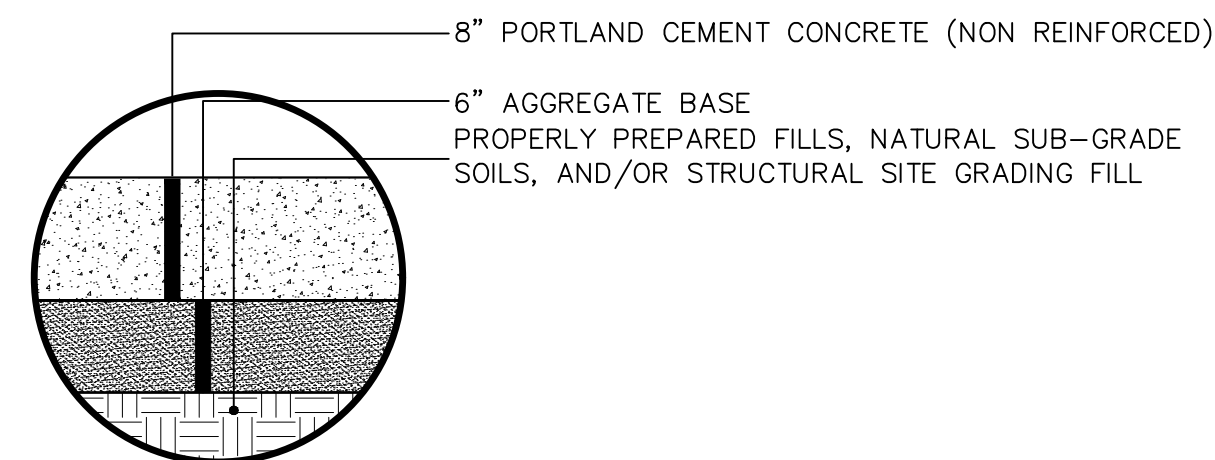
**5 LIGHT DUTY ASPHALT PAVEMENT SECTION** NO SCALE

PAVEMENT SECTIONS SHOWN ARE PROVIDED AS A REFERENCE ONLY. REFER TO GEOTECHNICAL REPORT FOR ALL PAVEMENT, SUBGRADE PREPARATION AND COMPACTION REQUIREMENTS.

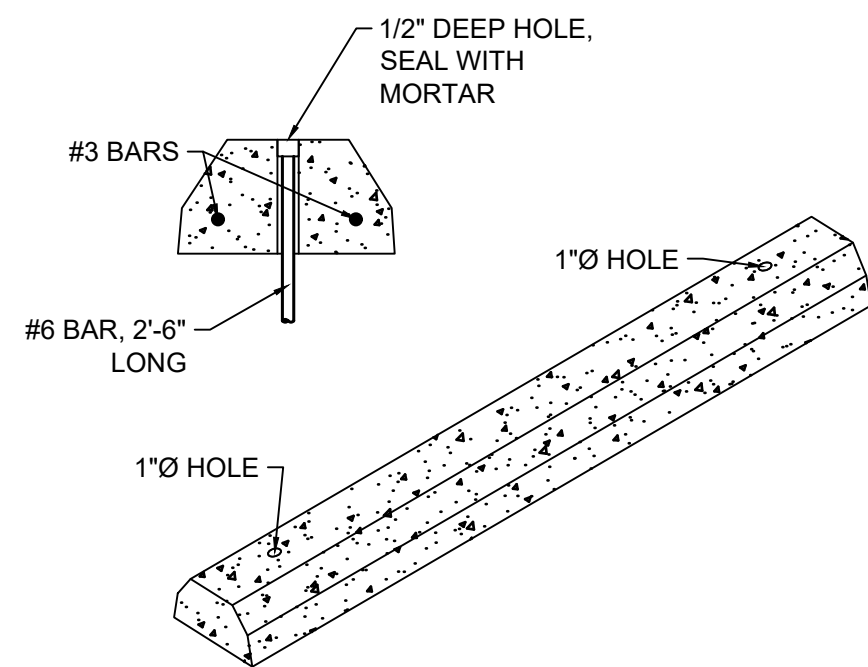


**6 HEAVY DUTY ASPHALT PAVEMENT SECTION** NO SCALE

PAVEMENT SECTIONS SHOWN ARE PROVIDED AS A REFERENCE ONLY. REFER TO GEOTECHNICAL REPORT FOR ALL PAVEMENT, SUBGRADE PREPARATION AND COMPACTION REQUIREMENTS.



**7 HEAVY DUTY CONCRETE PAVEMENT SECTION** NO SCALE



**8 PRECAST WHEEL STOP** NO SCALE

Item	No.	REVISIONS	DATE
6			

**Kimley Horn**  
 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
 11996 SINGLETREE LN SUITE 225, EDEN PRAIRIE, MN 55344  
 PHONE: 651-452-4197  
 WWW.KIMLEY-HORN.COM

I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
*Brian M. Wurdeiman*  
 BRIAN M. WURDEIMAN  
 MN LIC. NO. 53113  
 DATE: 03/28/2024

KHA PROJECT	160094050
DATE	04/01/2024
SCALE	AS SHOWN
DESIGNED BY	BSK
DRAWN BY	BSK
CHECKED BY	MTL

PRELIMINARY - NOT FOR CONSTRUCTION

**CHASE BANK- CENTRAL AVE AND 51ST AVE**  
 PREPARED FOR  
**THE ARCHITECTS PARTNERSHIP**  
 COLUMBIA HEIGHTS, MN

SHEET NUMBER  
**C301**



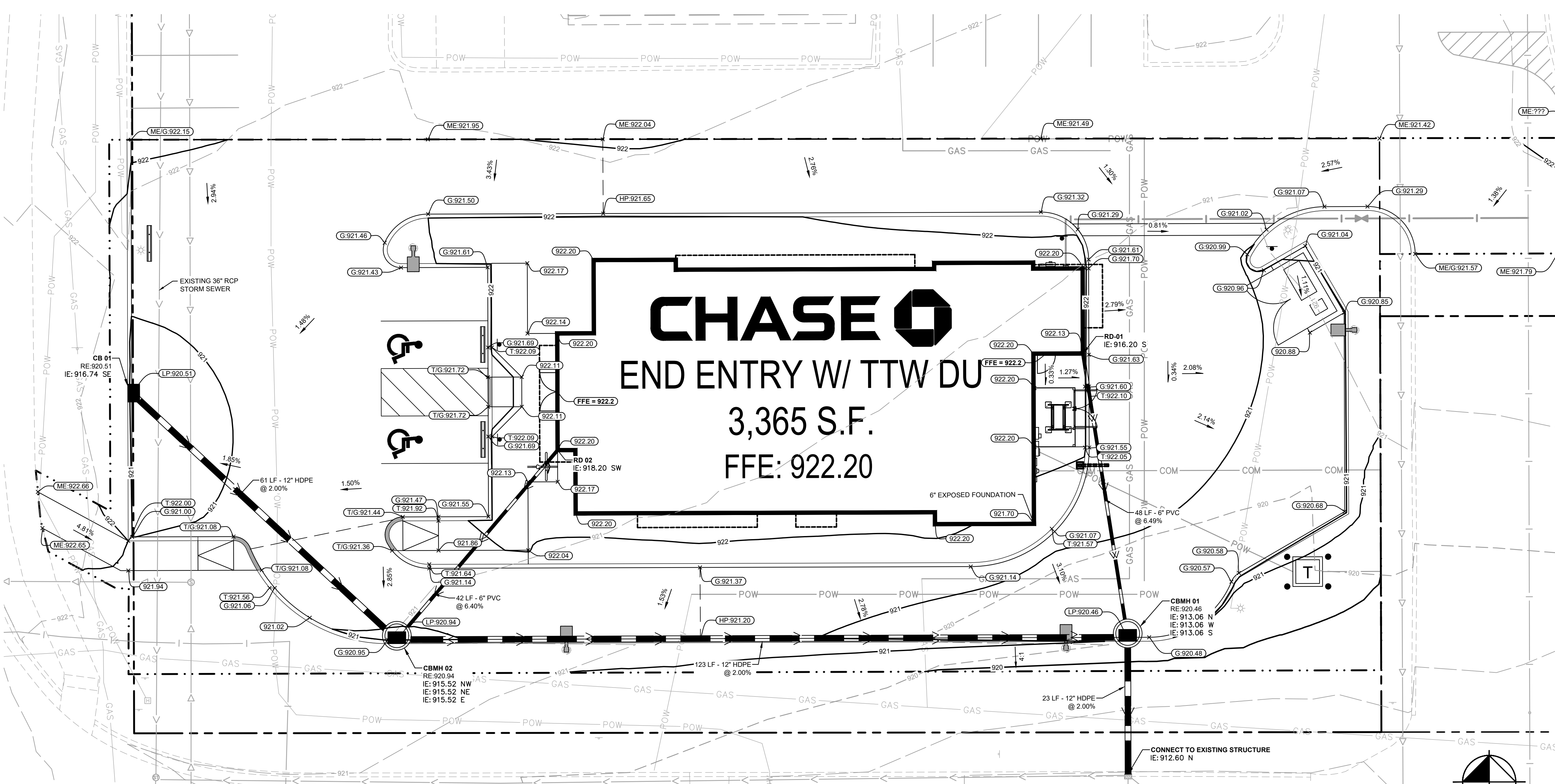


**GRADING PLAN NOTES**

- PERFORM GRADING WORK IN ACCORDANCE WITH APPLICABLE CITY SPECIFICATIONS AND BUILDING PERMIT REQUIREMENTS.
- CONTACT STATE 811 CALL-BEFORE-YOU-DIG LOCATING SERVICE AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION FOR UNDERGROUND UTILITY LOCATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL HORIZONTAL AND VERTICAL CONTROL.
- FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO THE START OF LAND DISTURBING ACTIVITIES. NOTIFY THE PROJECT ENGINEER OF ANY DISCREPANCIES OR VARIATIONS IMPACTING THE PROPOSED DESIGN OF THE PROJECT.
- IN PAVED AREAS, ROUGH GRADE TO SUBGRADE ELEVATION AND LEAVE THE SITE READY FOR SUB-BASE.
- SUBGRADE EXCAVATION SHALL BE BACKFILLED IMMEDIATELY AFTER EXCAVATION TO HELP OFFSET ANY STABILITY PROBLEMS DUE TO WATER SEEPAGE OR STEEP SLOPES. WHEN PLACING NEW SURFACE MATERIAL ADJACENT TO EXISTING PAVEMENT, THE EXCAVATION SHALL BE BACKFILLED PROMPTLY TO AVOID UNDERMINING OF EXISTING PAVEMENT.
- ELEVATIONS SHOWN REPRESENT FINISHED SURFACE GRADES. SPOT ELEVATIONS ALONG CURB & GUTTER REPRESENT THE FLOW LINE UNLESS OTHERWISE NOTED
- EXCESS MATERIAL, BITUMINOUS SURFACING, CONCRETE ITEMS, ABANDONED UTILITY ITEMS, AND OTHER UNSTABLE MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OFF THE CONSTRUCTION SITE.
- CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION OF PAVEMENTS AND CURB AND GUTTER WITH SMOOTH UNIFORM SLOPES THAT PROVIDE POSITIVE DRAINAGE TO COLLECTION POINTS. MAINTAIN A MINIMUM SLOPE OF 1.25% IN ASPHALT PAVEMENT AREAS AND A MINIMUM SLOPE OF 0.50% IN CONCRETE PAVEMENT AREAS.
- MAINTAIN A MINIMUM SLOPE OF 0.50% ALONG CURB & GUTTER. REVIEW PAVEMENT GRADIENT AND CONSTRUCT "INFALL" CURB WHERE PAVEMENT DRAINS TOWARD THE GUTTER, AND "OUTFALL" CURB WHERE PAVEMENT DRAINS AWAY FROM THE GUTTER.
- INSTALL A MINIMUM OF 4-INCHES OF AGGREGATE BASE MATERIAL UNDER PROPOSED CONCRETE CURB & GUTTER, SIDEWALKS, AND TRAILS UNLESS OTHERWISE DETAILED.
- GRADING FOR SIDEWALKS AND ACCESSIBLE ROUTES, INCLUDING CROSSING DRIVEWAYS, SHALL CONFORM TO CURRENT STATE & NATIONAL ADA STANDARDS:  
 ACCESSIBLE RAMP SLOPES SHALL NOT EXCEED 8.3% (1:12).  
 SIDEWALK GROSS SLOPES SHALL NOT EXCEED 2.0%.  
 LONGITUDINAL SIDEWALK SLOPES SHALL NOT EXCEED 5.0%.  
 ACCESSIBLE PARKING STALLS AND ACCESS AISLES SHALL NOT EXCEED 2.0% IN ANY DIRECTION. A MAXIMUM SLOPE OF 1.50% IS PREFERRED.
- SIDEWALK ACCESS TO EXTERNAL BUILDING DOORS AND GATES SHALL BE ADA COMPLIANT. NOTIFY ENGINEER IMMEDIATELY IF ADA CRITERIA CANNOT BE MET IN ANY LOCATION PRIOR TO PAVEMENT INSTALLATION. CHANGE ORDERS WILL NOT BE ACCEPTED FOR ADA COMPLIANCE ISSUES.
- UPON COMPLETION OF LAND DISTURBING ACTIVITIES, RESTORE ADJACENT OFFSITE AREAS DISTURBED BY CONSTRUCTION TO MATCH OR EXCEED THE ORIGINAL CONDITION. LANDSCAPE AREAS SHALL BE RE-VEGETATED WITH A MINIMUM OF 4-INCHES OF TOPSOIL.
- EXCAVATE DRAINAGE TRENCHES TO FOLLOW PROPOSED STORM SEWER ALIGNMENTS.  
 REFER TO THE UTILITY PLANS FOR LAYOUT AND ELEVATIONS FOR PROPOSED SANITARY SEWER, WATER MAIN, AND OTHER BUILDING UTILITY SERVICE CONNECTIONS.

**LEGEND**

- PROPERTY LINE
- LIMITS OF DISTURBANCE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED RIDGE LINE
- PROPOSED SWALE
- PROPOSED STORM MANHOLE (SOLID CASTING)
- PROPOSED STORM MANHOLE (ROUND INLET CASTING)
- PROPOSED STORM MANHOLE/ CATCH BASIN (CURB INLET CASTING)
- PROPOSED STORM SEWER CLEANOUT
- PROPOSED FLARED END SECTION
- PROPOSED RIPRAP
- PROPOSED STORM SEWER
- PROPOSED SPOT ELEVATION
- PROPOSED HIGH POINT ELEVATION
- PROPOSED LOW POINT ELEVATION
- PROPOSED GUTTER ELEVATION
- PROPOSED TOP OF CURB ELEVATION
- PROPOSED FLUSH PAVEMENT ELEVATION
- MATCH EXISTING ELEVATION
- PROPOSED EMERGENCY OVERFLOW ELEVATION
- PROPOSED TOP/BOTTOM OF WALL ELEVATION
- PROPOSED DRAINAGE DIRECTION



**51ST COURT NORTHEAST**  
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DATE 04/01/2024	SCALE AS SHOWN	DESIGNED BY BSK	DRAWN BY BSK
CHECKED BY MTL	DATE 03/28/2024	LIC. NO. 93113	MINN. BRIAN M. WURDEMAN
PRELIMINARY - NOT FOR CONSTRUCTION		CHASE BANK - CENTRAL AVE AND 51ST AVE	
GRADING AND DRAINAGE PLAN		PREPARED FOR THE ARCHITECTS PARTNERSHIP	
COLUMBIA HEIGHTS MN		SHEET NUMBER C400	



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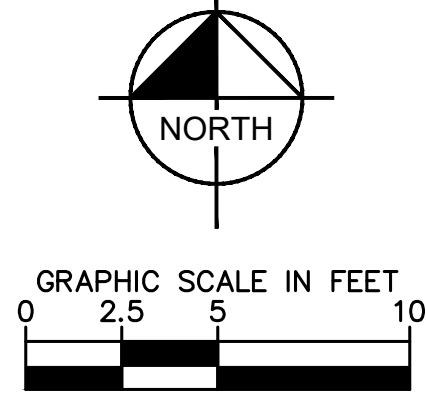
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### GRADING PLAN NOTES

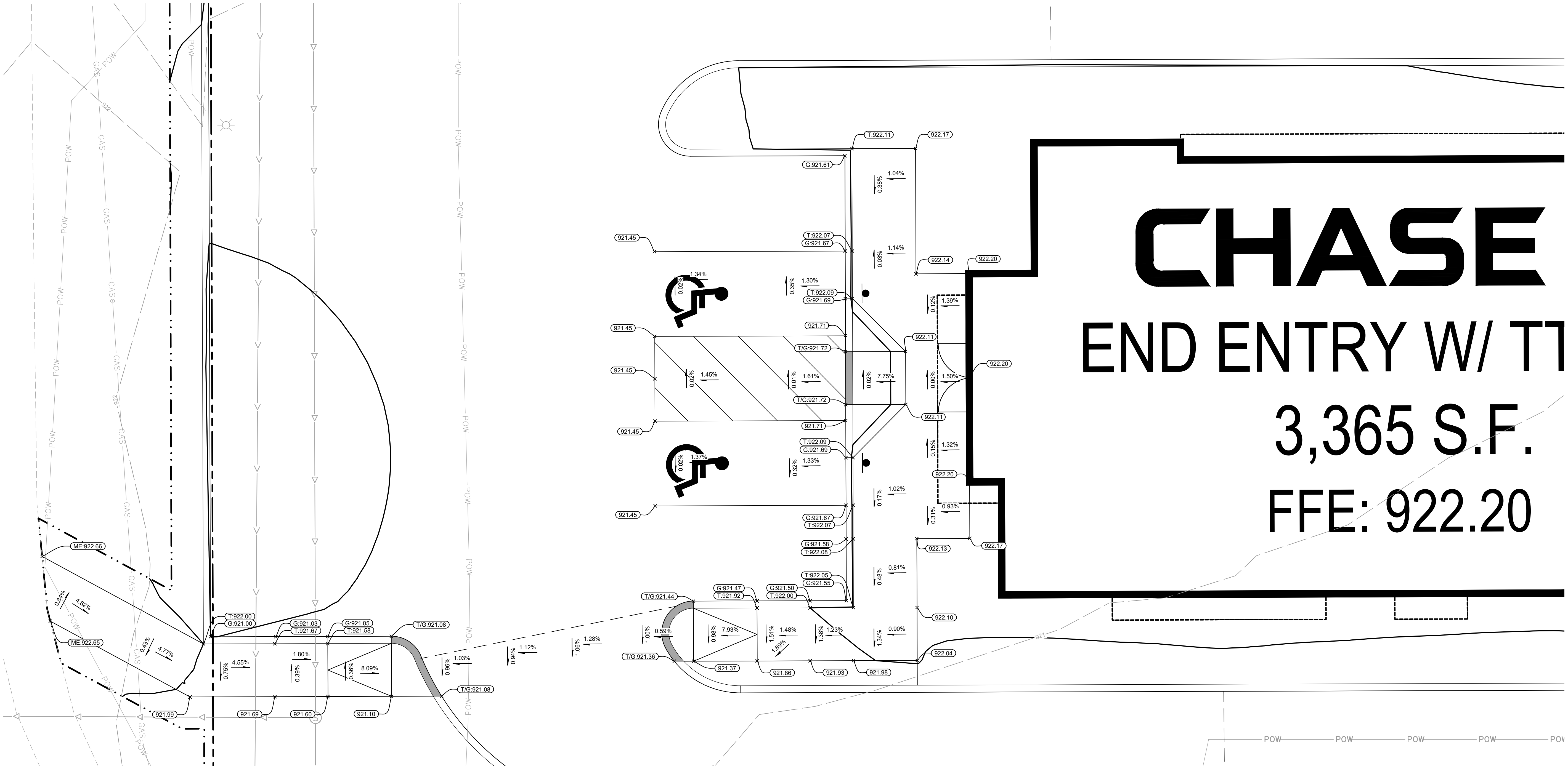
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- CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION OF PAVEMENTS AND CURB AND GUTTER WITH SMOOTH UNIFORM SLOPES THAT PROVIDE POSITIVE DRAINAGE TO COLLECTION POINTS. MAINTAIN A MINIMUM SLOPE OF 1.25% IN ASPHALT PAVEMENT AREAS AND A MINIMUM SLOPE OF 0.50% IN CONCRETE PAVEMENT AREAS.
- MAINTAIN A MINIMUM SLOPE OF 0.50% ALONG CURB & GUTTER. REVIEW PAVEMENT GRADIENT AND CONSTRUCT "INFALL" CURB WHERE PAVEMENT DRAINS TOWARD THE GUTTER, AND "OUTFALL" CURB WHERE PAVEMENT DRAINS AWAY FROM THE GUTTER.
- INSTALL A MINIMUM OF 4-INCHES OF AGGREGATE BASE MATERIAL UNDER PROPOSED CONCRETE CURB & GUTTER, SIDEWALKS, AND TRAILS UNLESS OTHERWISE DETAILED.
- GRADING FOR SIDEWALKS AND ACCESSIBLE ROUTES, INCLUDING CROSSING DRIVEWAYS, SHALL CONFORM TO CURRENT STATE & NATIONAL ADA STANDARDS:  
ACCESSIBLE RAMP SLOPES SHALL NOT EXCEED 8.3% (1:12).  
SIDEWALK GROSS-SLOPES SHALL NOT EXCEED 2.0%.  
LONGITUDINAL SIDEWALK SLOPES SHALL NOT EXCEED 5.0%.  
ACCESSIBLE PARKING STALLS AND ACCESS AISLES SHALL NOT EXCEED 2.0% IN ANY DIRECTION. A MAXIMUM SLOPE OF 1.50% IS PREFERRED.
- SIDEWALK ACCESS TO EXTERNAL BUILDING DOORS AND GATES SHALL BE ADA COMPLIANT. NOTIFY ENGINEER IMMEDIATELY IF ADA CRITERIA CANNOT BE MET IN ANY LOCATION PRIOR TO PAVEMENT INSTALLATION. CHANGE ORDERS WILL NOT BE ACCEPTED FOR ADA COMPLIANCE ISSUES.
- UPON COMPLETION OF LAND DISTURBING ACTIVITIES, RESTORE ADJACENT OFFSITE AREAS DISTURBED BY CONSTRUCTION TO MATCH OR EXCEED THE ORIGINAL CONDITION. LANDSCAPE AREAS SHALL BE RE-VEGETATED WITH A MINIMUM OF 4-INCHES OF TOPSOIL.
- EXCAVATE DRAINAGE TRENCHES TO FOLLOW PROPOSED STORM SEWER ALIGNMENTS. REFER TO THE UTILITY PLANS FOR LAYOUT AND ELEVATIONS FOR PROPOSED SANITARY SEWER, WATER MAIN, AND OTHER BUILDING UTILITY SERVICE CONNECTIONS.



Know what's below.  
Call before you dig.

### LEGEND

- PROPERTY LINE
- LIMITS OF DISTURBANCE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED RIDGE LINE
- PROPOSED SWALE
- PROPOSED STORM MANHOLE (SOLID CASTING)
- PROPOSED STORM MANHOLE (ROUND INLET CASTING)
- PROPOSED STORM MANHOLE/CATCH BASIN (CURB INLET CASTING)
- PROPOSED STORM SEWER CLEANOUT
- PROPOSED FLARED END SECTION
- PROPOSED RIPRAP
- PROPOSED STORM SEWER
- PROPOSED SPOT ELEVATION
- PROPOSED HIGH POINT ELEVATION
- PROPOSED LOW POINT ELEVATION
- PROPOSED GUTTER ELEVATION
- PROPOSED TOP OF CURB ELEVATION
- PROPOSED FLUSH PAVEMENT ELEVATION
- MATCH EXISTING ELEVATION
- PROPOSED EMERGENCY OVERFLOW ELEVATION
- PROPOSED TOP/BOTTOM OF WALL ELEVATION
- PROPOSED DRAINAGE DIRECTION



PRELIMINARY - NOT FOR CONSTRUCTION

CHASE BANK - CENTRAL  
AVE AND 51ST AVE  
PREPARED FOR  
THE ARCHITECTS  
PARTNERSHIP  
COLUMBIA HEIGHTS MN

GRADING  
ENLARGEMENT  
PLAN

KHA PROJECT  
160094050  
DATE  
04/01/2024  
SCALE AS SHOWN  
DESIGNED BY BSK  
DRAWN BY BSK  
CHECKED BY MTL

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No.	REVISIONS	DATE

SHEET NUMBER  
**C401**

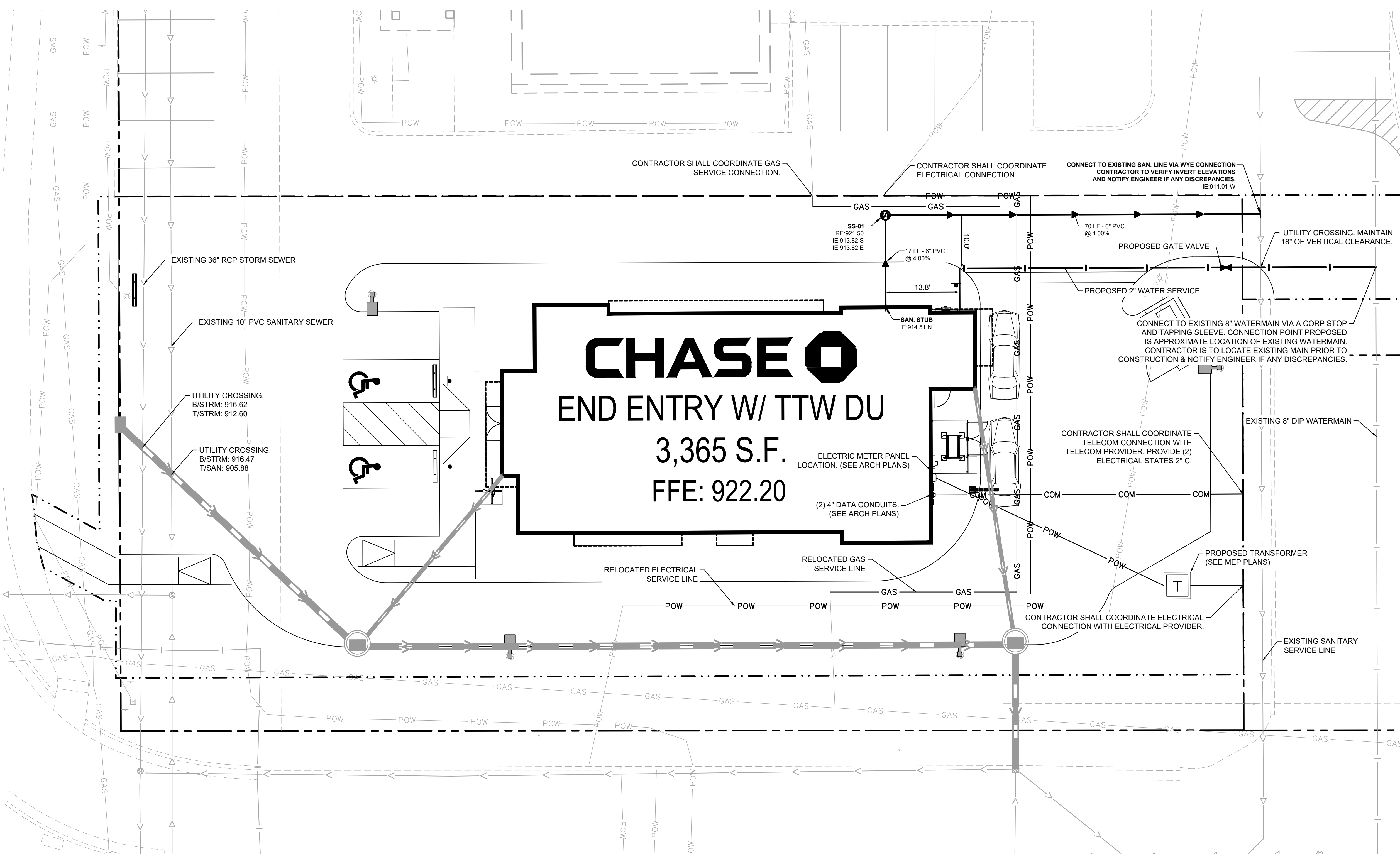
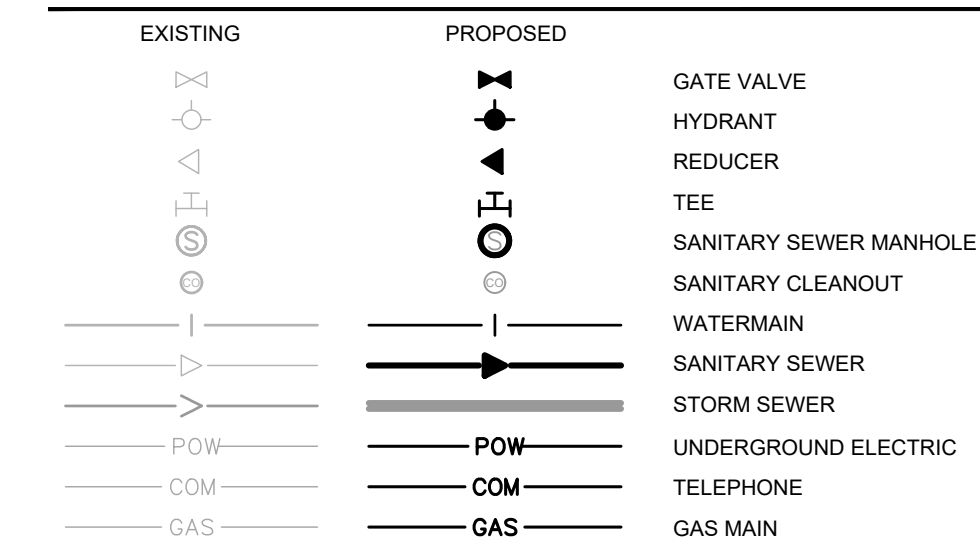


K:\TWC\_LDEV\the architects partnership\columbia heights- chase bank\CAD\plansheets\CG-UTILITY PLAN.dwg April 01, 2024 - 9:39am  
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**UTILITY PLAN NOTES**

- INSTALL UTILITIES IN ACCORDANCE WITH APPLICABLE CITY SPECIFICATIONS, STATE PLUMBING CODE, AND BUILDING PERMIT REQUIREMENTS.
- CONTACT STATE 811 CALL-BEFORE-YOU-DIG LOCATING SERVICE AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION FOR UNDERGROUND UTILITY LOCATIONS.
- CONTRACTOR IS RESPONSIBLE FOR ALL HORIZONTAL AND VERTICAL CONTROL.
- SANITARY SEWER PIPE SHALL BE:  
 PVC: ASTM D-2729, D-3034  
 PVC SCH 40: ASTM D-1785, F-714, F-894  
 SANITARY SEWER FITTINGS SHALL BE:  
 PVC: ASTM D-2729, D-3034  
 PVC SCH40: ASTM D-2665, F-2794, F-1866
- WATER MAIN PIPE SHALL BE:  
 PVC: ASTM D-1785, D-2241, AWWA C-900  
 DUCTILE IRON: AWWA C115  
 WATER MAIN FITTINGS SHALL BE:  
 PVC: ASTM D-2464, D-2466, D-2467, F-1970, AWWA C-907  
 DUCTILE IRON: AWWA C-153, C-110, ASME 316.4
- STORM SEWER PIPE SHALL BE:  
 RCP: ASTM C-76  
 HDPE: ASTM F-714, F-894  
 PVC: ASTM D-2729  
 PVC SCH40: ASTM D-1785, D-2665, F-794, F-1866  
 DRAIN TILE SHALL BE:
- PE: ASTM F-6667  
 PVC: ASTM D-2729  
 STORM SEWER FITTINGS SHALL BE:  
 RCP: ASTM C-76, JOINTS PER ASTM C-361, C-990, AND C-443  
 HDPE: ASTM D-3212  
 PVC: ASTM D-2729, JOINTS PER ASTM D-3212  
 PVC SCH40: ASTM D-2665, F-794, F-1866
- WHEN CONNECTING TO AN EXISTING UTILITY LINE, FIELD VERIFY THE LOCATION, DEPTH, AND SIZE OF THE EXISTING PIPE(S) PRIOR TO INSTALLATION OF THE NEW LINES. NOTIFY THE PROJECT ENGINEER OF ANY DISCREPANCIES OR VARIATIONS IMPACTING THE PROPOSED DESIGN OF THE PROJECT.
- PLACE AND COMPACT ALL FILL MATERIAL PRIOR TO INSTALLATION OF PROPOSED UNDERGROUND UTILITIES. MINIMUM TRENCH WIDTH SHALL BE 2 FEET.
- MAINTAIN A MINIMUM OF 7'-6" COVER ON ALL WATER LINES.
- FOR WATER LINES AND STUB-OUTS UTILIZE MECHANICAL JOINTS WITH RESTRAINTS SUCH AS THRUST BLOCKING, WITH STAINLESS STEEL OR COBALT BLUE BOLTS, OR AS INDICATED IN THE CITY SPECIFICATIONS AND PROJECT DOCUMENTS.
- STORM SEWER PIPE SHALL BE SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES. COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.
- REFER TO THE SITE ELECTRICAL PLANS FOR SPECIFICATIONS OF THE PROPOSED SITE LIGHTING AND ELECTRICAL EQUIPMENT.
- EXCAVATE DRAINAGE TRENCHES TO FOLLOW PROPOSED STORM SEWER ALIGNMENTS. REFER TO THE UTILITY PLANS FOR LAYOUT AND ELEVATIONS FOR PROPOSED SANITARY SEWER, WATER MAIN, AND OTHER BUILDING UTILITY SERVICE CONNECTIONS. REFER TO THE GRADING PLAN FOR DETAILED SURFACE ELEVATIONS.
- EXCESS MATERIAL, ABANDONED UTILITY ITEMS, AND OTHER UNUSABLE MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OFF THE CONSTRUCTION SITE.
- COORDINATE WITH THE PLUMBING PLANS FOR THE LOCATION, SIZE AND ELEVATION OF THE PROPOSED UNDERGROUND ROOF DRAIN CONNECTIONS.
- WHERE STORM SEWER ROOF DRAINS HAVE LESS THAN 4'-FEET OF COVER IN PAVED AREAS OR 3'-FEET OF COVER IN LANDSCAPE AREAS, PROVIDE 3-INCH THICK INSULATION A MINIMUM OF 5'-FEET IN WIDTH, CENTERED ON THE PIPE.
- ALL STORM SEWER PIPE JOINTS SHALL BE WATER-TIGHT CONNECTIONS.
- ALL STORM SEWER PIPE CONNECTIONS TO MANHOLES SHALL BE GASKETED AND WATER TIGHT. BOOTED COUPLERS AT THE STRUCTURE OR A WATER STOP WITH NON-SHRINK GROUT MAY BE USED IN ACCORDANCE WITH LOCAL CODES.
- CONTRACTOR SHALL AIR TEST ALL STORM SEWER PIPE IN ACCORDANCE WITH LOCAL CODE REQUIREMENTS.

**LEGEND**



**811**  
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GRAPHIC SCALE IN FEET  
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UTILITY PLAN  
 PREPARED FOR THE ARCHITECTS PARTNERSHIP  
 COLUMBIA HEIGHTS, MN

PRELIMINARY - NOT FOR CONSTRUCTION  
 CHASE BANK - CENTRAL AVE AND 51ST AVE  
 SHEET NUMBER C500

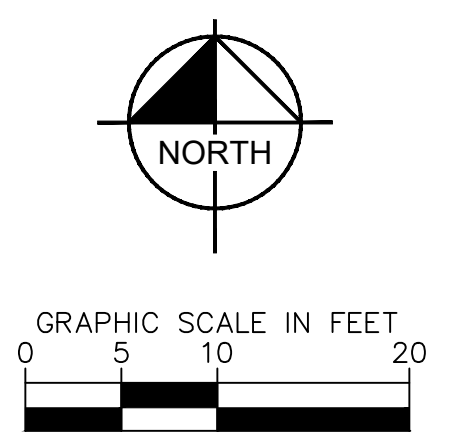
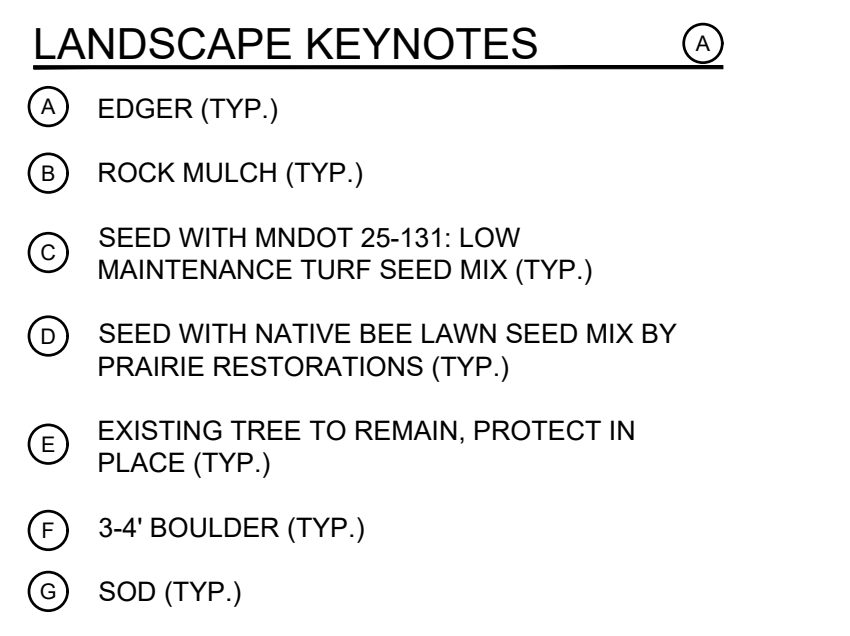
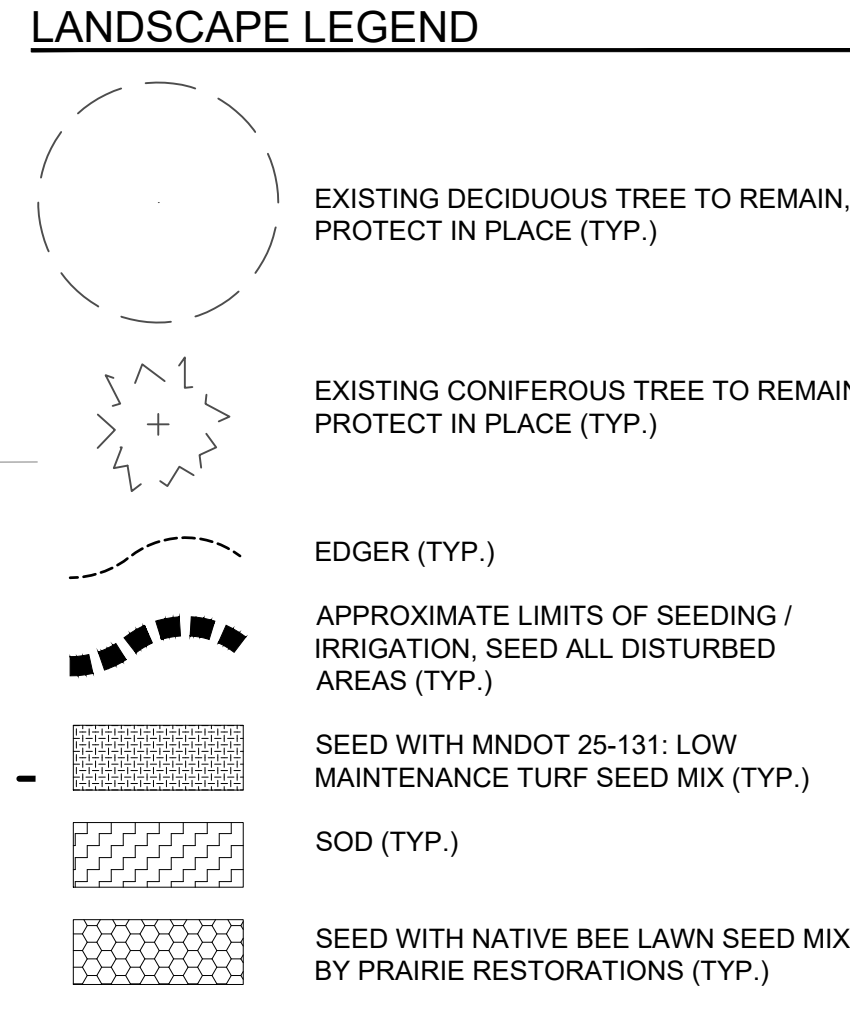
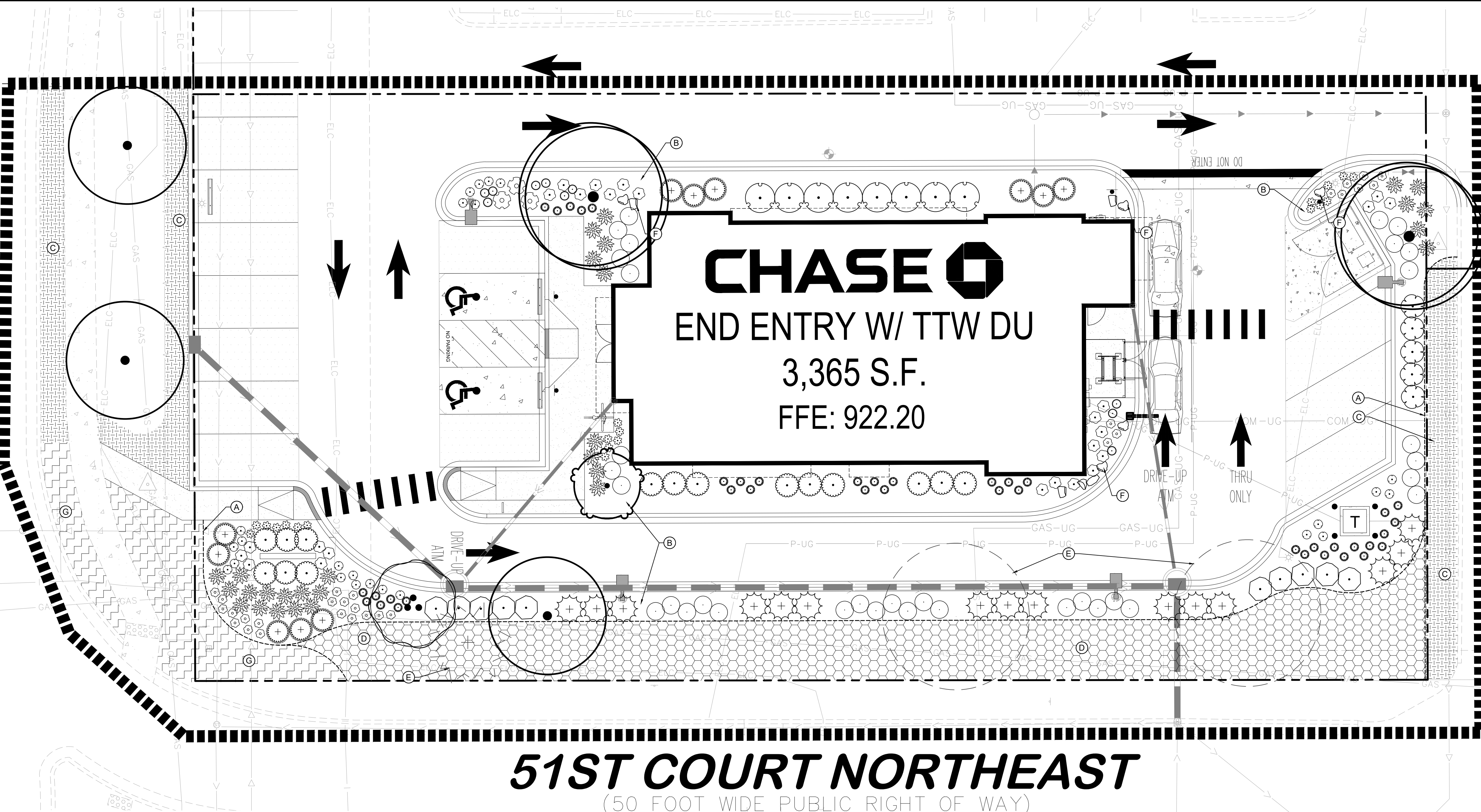
No.	REVISIONS	DATE

KHA PROJECT: 160094050  
 DATE: 04/01/2024  
 SCALE: AS SHOWN  
 DESIGNED BY: BSK  
 DRAWN BY: BSK  
 CHECKED BY: MTL

BRIAN M. WURDEMAN  
 MINN. LIC. NO.: 5313

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#### LANDSCAPE SUMMARY

**LANDSCAPE REQUIREMENTS**

**FRONTAGE REQUIREMENTS**

MINIMUM TREES REQUIRED: 1 TREE / 50 L.F. OF FRONTAGE

REQUIRED 51ST COURT NE: 5 TREES = 210 L.F. / 50  
REQUIRED CENTRAL NE: 2 TREES = 100 L.F. / 50

PROVIDED 51ST COURT NE: 5 TREES = 2 EXISTING + 3 PROPOSED  
PROVIDED CENTRAL NE: 2 TREES

**PARKING LOT REQUIREMENTS**

LANDSCAPE FRONTAGE REQUIRED: LANDSCAPE FRONTAGE STRIP AT LEAST FIVE FEET WIDE ALONG THE PUBLIC STREET OR SIDEWALK  
LANDSCAPE FRONTAGE PROVIDED: SEE PLAN

SCREENING REQUIRED: MINIMUM 3' HEIGHT, 50% OPAQUE, ALONG FRONTAGE  
SCREENING PROVIDED: SEE PLAN

TREE REQUIREMENT: TREES SHALL BE PLANTED AT REGULAR INTERVALS NO GREATER THAN 50' WITHIN THE FRONTAGE STRIP

#### PLANT KEY

SYMBOL	CODE	COMMON NAME	DECIDUOUS SHRUBS	PERENNIALS
<b>ORNAMENTAL TREE</b>			BLC	ALL
ALS	ALS	AUTUMN BRILLANCE SERVICEBERRY CLUMP	DBH	BES
<b>OVERSTORY TREE</b>			DVB	BMW
BOL	BOL	BOULEVARD LINDEN	GGD	NW
CSO	CSO	CRIMSON SPIRE OAK	GLS	PCF
IHL	IHL	IMPERIAL HONEYLOCUST	<b>ORNAMENTAL GRASSES</b>	
GOJ	GOJ	GREY OWL JUNIPER	HMS	
SGJ	SGJ	SEA GREEN JUNIPER	KFG	
			PDS	

NOTE: SEE SHEET L101 FOR FULL PLANT SCHEDULE



PRELIMINARY - NOT FOR CONSTRUCTION

CHASE BANK- CENTRAL AVE AND 51ST AVE

PREPARED FOR THE ARCHITECTS COLUMBIA PARTNERSHIP HEIGHTS

LANDSCAPE PLAN

SHEET NUMBER L100

166

KIMLEY-HORN & ASSOCIATES, INC. 11995 SINGLETREE LN SUITE 225, EDEN PRAIRIE, MN 55344 PHONE: 651-454-1177 WWW.KIMLEY-HORN.COM

KHA PROJECT 160094050 DATE 04/01/2024 SCALE AS SHOWN DESIGNED BY CFK DRAWN BY CFK CHECKED BY RAH

MNDOT LICENSE NO. 53828 DATE: 04/01/2024 MN LIC. NO. 53828

REVISIONS

DATE

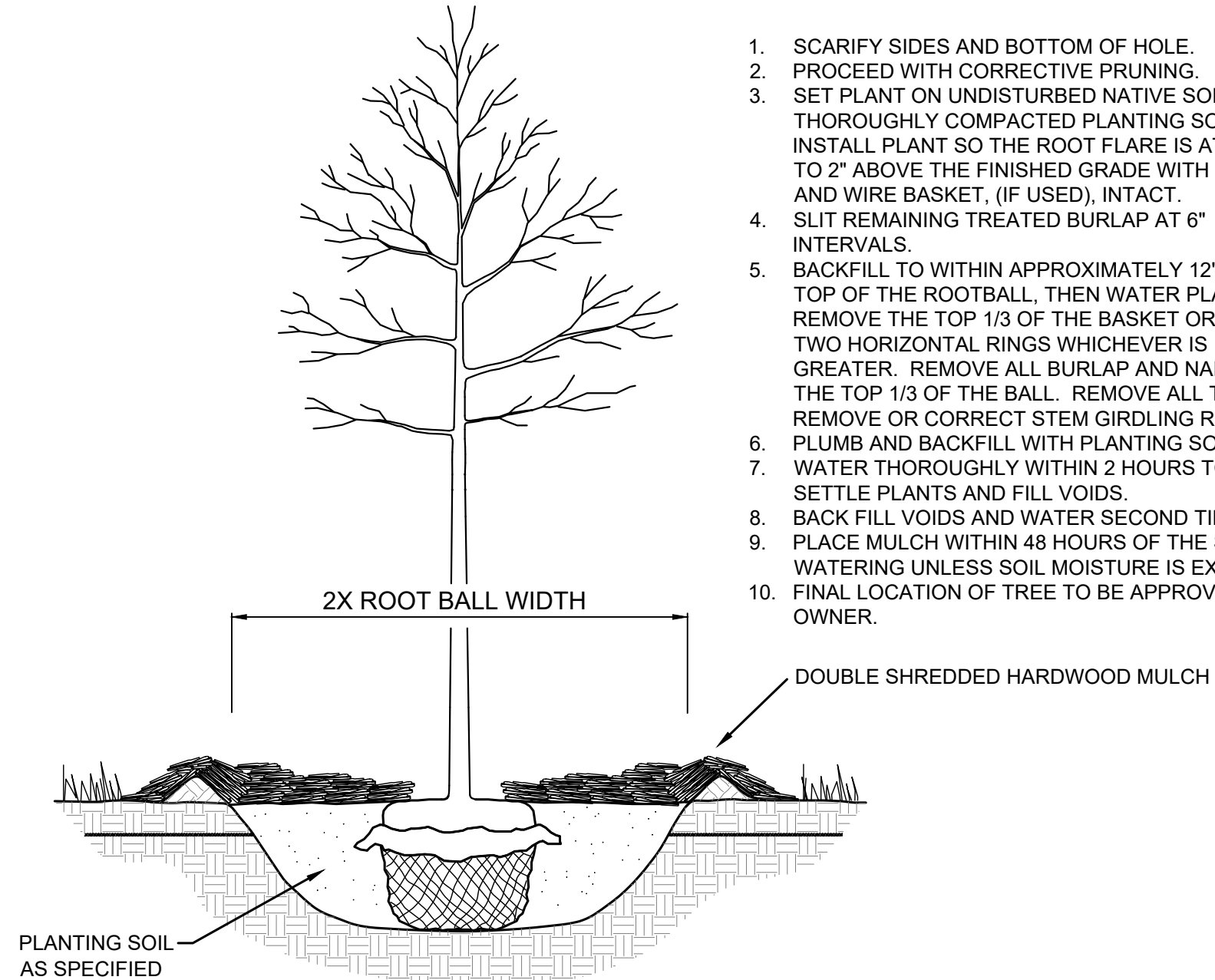
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NOTES:

1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING.
3. SET PLANT ON UNDISTURBED NATIVE SOIL OR THOROUGHLY COMPACTED PLANTING SOIL. INSTALL PLANT SO THE ROOT FLARE IS AT OR UP TO 2" ABOVE THE FINISHED GRADE WITH BURLAP AND WIRE BASKET, (IF USED), INTACT.
4. SLIT REMAINING TREATED BURLAP AT 6" INTERVALS.
5. BACKFILL TO WITHIN APPROXIMATELY 12" OF THE TOP OF THE ROOTBALL, THEN WATER PLANT. REMOVE THE TOP 1/3 OF THE BASKET OR THE TOP TWO HORIZONTAL RINGS WHICHEVER IS GREATER. REMOVE ALL BURLAP AND NAILS FROM THE TOP 1/3 OF THE BALL. REMOVE ALL TWINE. REMOVE OR CORRECT STEM GIRDLING ROOTS.
6. PLUMB AND BACKFILL WITH PLANTING SOIL.
7. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL VOIDS.
8. BACK FILL VOIDS AND WATER SECOND TIME.
9. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.
10. FINAL LOCATION OF TREE TO BE APPROVED BY OWNER.



1 TREE PLANTING DETAIL

SCALE: N.T.S.

L101

ON CENTER SPACING PER PLANT SCHEDULE.

EXTEND HOLE EXCAVATION WIDTH A MINIMUM OF 6" BEYOND THE PLANTS ROOT SYSTEM.

FINISHED GRADE

EDGER, AS SPECIFIED

PREPARED PLANTING BED AND BACKFILL SOIL (THOROUGHLY LOOSENED)

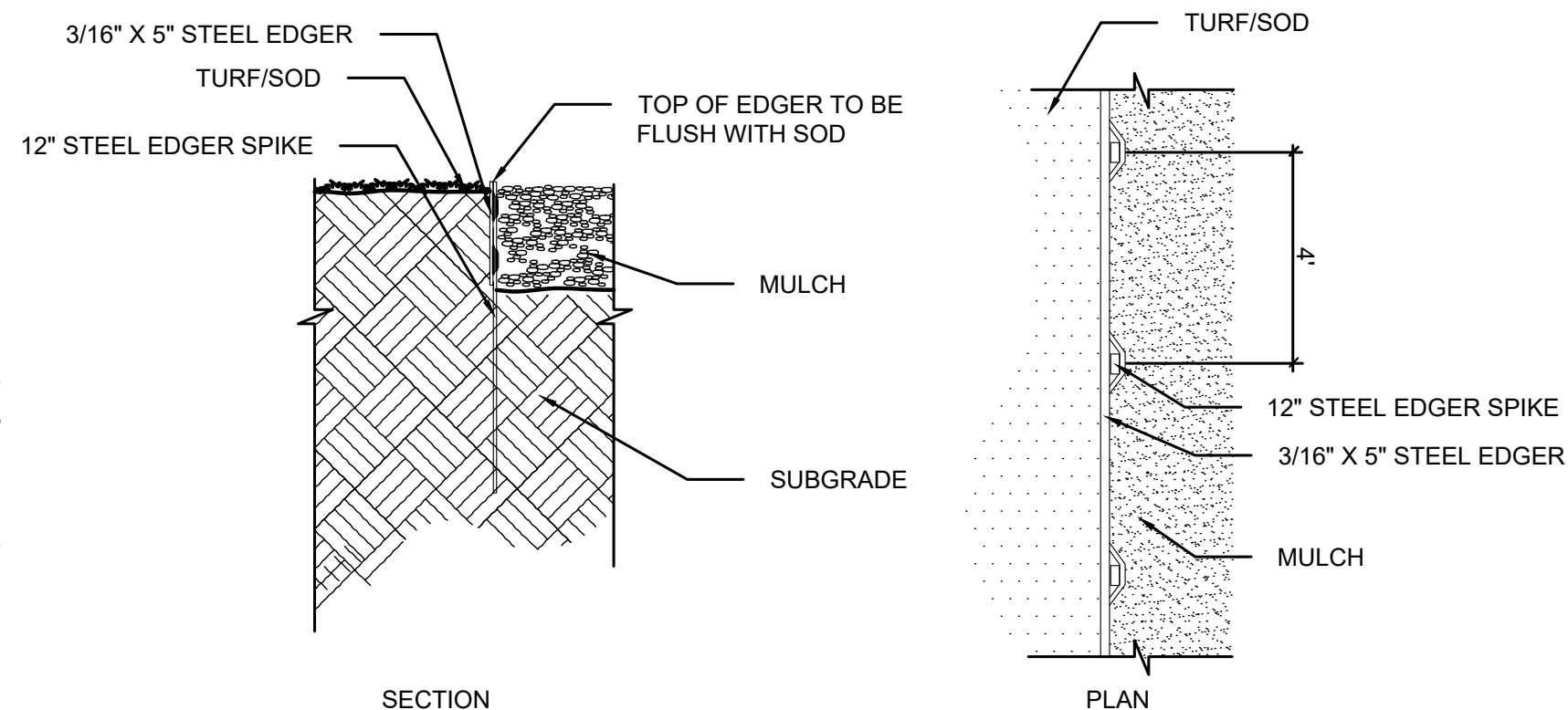
NOTES:

1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING OF TOP AND ROOT.
3. REMOVE CONTAINER AND SCORE OUTSIDE OF SOIL MASS TO REDIRECT AND PREVENT CIRCLING FIBROUS ROOTS. REMOVE OR CORRECT STEM GIRDLING ROOTS.
4. PLUMB AND BACKFILL WITH PLANTING SOIL.
5. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL VOIDS.
6. BACK FILL VOIDS AND WATER SECOND TIME.
7. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.
8. MIX IN 3-4" OF ORGANIC COMPOST.

2 SHRUB / PERENNIAL PLANTING DETAIL

SCALE: N.T.S.

L101



3 STEEL EDGER DETAIL

SCALE: N.T.S.

L101

PLANT SCHEDULE

SYMBOL	CODE	QTY	COMMON NAME	BOTANICAL NAME	CONTAINER	CAL/SIZE
<b>ORNAMENTAL TREE</b>						
	ALS	1	AUTUMN BRILLANCE SERVICEBERRY CLUMP	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLANCE'	B & B	6' HT.
<b>OVERSTORY TREE</b>						
	BOL	2	BOULEVARD LINDEN	TILIA AMERICANA 'BOULEVARD'	B & B	2.5" CAL.
	CSO	1	CRIMSON SPIRE OAK	QUERCUS ROBUR X ALBA 'CRIMSCHMIDT'	B & B	2.5" CAL.
	IHL	3	IMPERIAL HONEYLOCUST	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPERIAL'	B & B	2.5" CAL.
SYMBOL	CODE	QTY	COMMON NAME	BOTANICAL NAME	CONTAINER	SPACING
<b>CONIFEROUS SHRUBS</b>						
	GOJ	11	GREY OWL JUNIPER	JUNIPERUS VIRGINIANA 'GREY OWL'	#5 CONT.	4' O.C.
	SGJ	15	SEA GREEN JUNIPER	JUNIPERUS CHINENSIS 'SEA GREEN'	#5 CONT.	5' O.C.
<b>DECIDUOUS SHRUBS</b>						
	BLC	10	IROQUOIS BEAUTY BLACK CHOKEBERRY	ARONIA MELANOCARPA 'IROQUOIS BEAUTY' TM	#5 CONT.	4' O.C.
	DBH	3	DWARF BUSH HONEYSUCKLE	DIERVILLA LONICERA	#5 CONT.	3' O.C.
	DVB	5	DWARF EUROPEAN VIBURNUM	VIBURNUM OPULUS 'NANUM'	#5 CONT.	4' O.C.
	GGD	8	GARDEN GLOW DOGWOOD	CORNUS HESSEI 'GARDEN GLOW'	#5 CONT.	5' O.C.
	GLS	15	GRO-LOW FRAGRANT SUMAC	RHUS AROMATICA 'GRO-LOW'	#5 CONT.	4' O.C.
<b>ORNAMENTAL GRASSES</b>						
	HMS	34	HEAVY METAL SWITCHGRASS	PANICUM VIRGATUM 'HEAVY METAL'	#1 CONT.	3' O.C.
	KFG	41	KARL FOERSTER FEATHER REED GRASS	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	#1 CONT.	18" O.C.
	PDS	25	PRAIRIE DROPSEED	SPOROBOLUS HETEROLEPIS	#1 CONT.	24" O.C.
<b>PERENNIALS</b>						
	ALL	10	MILLENNIUM ORNAMENTAL ONION	ALLIUM X 'MILLENNIUM'	#1 CONT.	1.5' O.C.
	BES	29	BLACK-EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTURM'	#1 CONT.	18" O.C.
	BMW	24	BUTTERFLY MILKWEED	ASCLEPIAS TUBEROSA	#1 CONT.	24" O.C.
	NW	29	WALKER'S LOW CATMINT	NEPETA X 'WALKER'S LOW'	#1 CONT.	18" O.C.
	PCF	20	PURPLE CONEFLOWER	ECHINACEA PURPUREA	#1 CONT.	18" O.C.

LANDSCAPE NOTES

- PLANTING**
1. CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
  2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
  3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
  4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
  5. PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
  6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS: ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC. ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES. ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES. ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING. CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
  7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
  8. PLANTS TO BE INSTALLED AS PER MNL & ANSI STANDARD PLANTING PRACTICES.
  9. INSTALL PLANTS BY PLANT INSTALLATION PERIOD INFORMATION IN THE LATEST STANDARD PLANTING DETAILS FROM MNDOT. PLANTINGS BEFORE OR AFTER THESE DATES ARE DONE AT RISK.
  10. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
  11. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLARE IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLARE. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLARE SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
  12. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
  13. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
  14. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
  15. STAKING OF TREES AS REQUIRED; REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
- SOIL**
16. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
  17. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MNDOT STANDARD SPECIFICATION 3877 (LOAM TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
- MULCH**
18. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL AND MAINTENANCE AREAS. ROCK MULCH TO BE RIVER ROCK, 1 1/2" DIAMETER, AT MINIMUM 3" DEPTH, OR APPROVED EQUIV. APPLY PREMENEGRANT HERBICIDE PRIOR TO MULCH PLACEMENT PER MANUFACTURER RECOMMENDATIONS. USE PREEN OR PRE-APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
- EDGER**
19. EDGING TO BE COMMERCIAL GRADE COL-MET (OR EQUAL) STEEL EDGING; 3/16" THICK X 5" TALL, COLOR BLACK, OR SPADED EDGE, AS INDICATED. STEEL EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH TOP OF EDGER AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. WHERE EDGING TERMINATES AT A SIDEWALK, BEVEL OR RECESS ENDS TO PREVENT TRIP HAZARD. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
- SEED/SOD**
20. ALL DISTURBED AREAS TO BE SEEDED, UNLESS OTHERWISE NOTED. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED, PER MNDOT SPECIFICATIONS AND SUPPLIER/MANUFACTURER RECOMMENDATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
- IRRIGATION**
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. PROVIDE SHOP DRAWINGS TO CONSULTANT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM TO BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM TO HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR/CONTROLLER TO BE. INTEGRATED FLOW FEATURES, WEATHER BASED INTERNET SERVICE INCLUDED, AND EPA WATERSENSE APPROVED. IRRIGATION SYSTEM TO INCLUDE SOIL SENSORS, 2 REQUIRED; ONE FOR SOD AREAS AND ONE FOR LANDSCAPE BED AREAS. REFER TO MANUFACTURERS GUIDELINES ON SOIL MOISTURE PER PLANT MATERIAL TYPE AND REGION. SYSTEM TO INCLUDE WIRED RAIN / FREEZE AND FLOW SENSOR. NATIVE SEED AREA TO BE ON A SEPARATE TEMPORARY ZONE TO IRRIGATE UNTIL ESTABLISHED OR PROVIDE QUICK COUPLERS FOR MANUAL / HAND WATERING. THE IRRIGATION SYSTEM SHALL BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS. ZONE PARAMETERS: HEAD-TO-HEAD COVERAGE AND NO SPRAYING OVER WALKS. SEPARATE LAWN ZONES BY MICROCLIMATE- LAWN ON NORTH SIDE OF BUILDING VS LAWN ON SOUTH SIDE OF BUILDING, LAWN ON SLOPE VS LAWN ON LEVEL GRADE. LAWN AREAS TO HAVE MULTI-STREAM ROTARY SPRINKLERS/ SPRAYS/ ROTORS. SHRUB AND PERENNIAL BED AREAS TO HAVE DRIP. TREES IN LAWN AREA TO BE COVERED BY MULTI-STREAM ROTARY SPRINKLERS/ SPRAYS/ ROTORS. TREES IN SHRUBS / PERENNIAL BED AREA TO BE WATERED WITH DRIP IRRIGATION. PROVIDE MASTER VALVE. ALL IRRIGATION HEADS TO BE PRESSURE REGULATED. THE INTENT FOR THIS SYSTEM IS TO ESTABLISH PLANTS IN THEIR FIRST 3 GROWING SEASONS. WORK WITH OWNER ON PROGRAMMING SYSTEM TO ADJUST ONCE PLANTS ARE INITIALLY ESTABLISHED.
- ESTABLISHMENT**
21. PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
  22. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
- WARRANTY**
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
  24. MAINTAIN TREES, SHRUBS, SEED AND OTHER PLANTS UNTIL PROJECT COMPLETION, BUT IN NO CASE, LESS THAN FOLLOWING PERIOD: 1 YEAR AFTER PROJECT COMPLETION. MAINTAIN TREES, SHRUBS, SEED AND OTHER PLANTS BY PRUNING, CULTIVATING, AND WEEDING AS REQUIRED FOR HEALTHY GROWTH. RESTORE PLANTING SAUCERS. TIGHTEN AND REPAIR STAKE AND GUY SUPPORTS AND RESET TREES AND SHRUBS TO PROPER GRADES OR VERTICAL POSITION AS REQUIRED. RESTORE OR REPLACE DAMAGED WRAPPINGS. SPRAY AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE. REPLENISH MULCH TO THE REQUIRED DEPTH. MAINTAIN LAWNS FOR 60 DAYS AFTER INSTALLING SOD INCLUDING MOWING WHEN SOD RECITES 4" IN HEIGHTS BEDS AND MULCH SAUCERS AT MINIMUM ONCE A MONTH DURING THE GROWING SEASON. PROVIDE A MONTHLY REPORT TO THE OWNER ON WEEDING AND OTHER MAINTENANCE RESPONSIBILITIES.
  25. SEE ELECTRICAL PLANS FOR SITE LIGHTING.

PRELIMINARY - NOT FOR CONSTRUCTION

CHASE BANK- CENTRAL AVE AND 51ST AVE

PREPARED FOR THE ARCHITECTS COLUMBIA PARTNERSHIP HEIGHTS

LANDSCAPE DETAILS

KHA PROJECT 160904050 DATE 04/01/2024 SCALE AS SHOWN DESIGNED BY CFK DRAWN BY CFK CHECKED BY RAH

Kimley Horn 2024 KIMLEY-HORN AND ASSOCIATES, INC. 11996 SINGLETREE LN SUITE 225, EDEN PRAIRIE, MN 55344 PHONE: 651-454-4197 WWW.KIMLEY-HORN.COM

NO.	REVISIONS	DATE

Corporation or Partnership to  
Corporation or Partnership

Item 6.

664049

No delinquent taxes and transfer entered; Certificate  
of Real Estate Value (  filed ( ) not required  
Certificate of Real Estate Value No. \_\_\_\_\_

January 25, 19 85

Charles R. Fejely  
County Auditor

by [Signature]  
Deputy

STATE DEED TAX DUE HEREON: \$ 297.00

Date: As of August 30, 19 84

(reserved for recording data)

FOR VALUABLE CONSIDERATION, FIRST EDITION, INC.  
\_\_\_\_\_, a corporation under the laws of  
Minnesota, Grantor, hereby conveys and warrants to 5085 BUILDING PARTNERSHIP  
\_\_\_\_\_, Grantee, a  
partnership under the laws of Minnesota, real property in  
Anoka County, Minnesota, described as follows:

That part of Lot 1, Block 1, Columbia Court, according to the recorded plat thereof, lying  
Westerly of a line described as follows:

Commencing at the northeast corner of said Lot 1; thence South 89 degrees 56 minutes 00  
seconds West, assumed basis for bearings, 150.00 feet along the north line of said Lot 1,  
to the point of beginning of the line to be described; thence South 0 degrees 31 minutes  
23 seconds East a distance of 236.51 feet; thence South 89 degrees 35 minutes 09 seconds  
West a distance of 35.00 feet; thence South 0 degrees 31 minutes 23 seconds East a dis-  
tance of 70.00 feet to a point on the south line of said Lot 1, distant 185.00 feet  
westerly from the southeast corner of said Lot 1, and said line there terminating.

Together with an easement appurtenant for driveway purposes created and described on Exhibit  
A attached hereto and incorporated herein. (if more space is needed, continue on back)  
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Subject to a certain mortgage executed by Grantor in favor of Robert G. Ostlund and Donald  
W. Ostlund, dated March 28, 1984, filed April 4, 1984, as Document No. 639462, to secure  
an original principal amount of \$233,552.21, which mortgage Grantee hereby assumes and  
agrees to pay in accordance with its terms, and subject to a certain mortgage executed  
(see reverse side for further exceptions)

FIRST EDITION, INC.

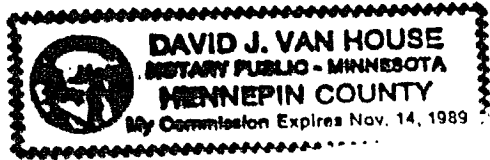
By [Signature]  
Its President

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF HENNEPIN } ss.

The foregoing was acknowledged before me this 11<sup>th</sup> day of January, 1985.  
by James Domoracki and \_\_\_\_\_,  
the President and \_\_\_\_\_  
of First Edition, Inc., a corporation  
under the laws of Minnesota, on behalf of the corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



[Signature]  
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should  
be sent to (Include name and address of Grantee):

Grantee:  
5085 Building Partnership  
P.O. Box 24073  
Edina, MN 55424

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

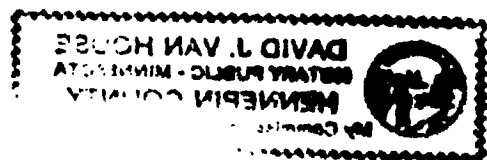
GUSTAFSON & ADAMS, P.A.  
7400 Metro Boulevard, Suite #411  
Edina, Minnesota 55435  
(612) 835-7277



11/11/85

by Grantor in favor of George O. Holm and John W. Holm, dated May 18, 1984, filed May 24, 1984, as Document No. 643778, to secure an original principal amount of \$1,050,000.00, which mortgage Grantee hereby assumes and agrees to pay in accordance with its terms, up to an aggregate principal amount of \$850,000.00, plus accrued interest thereon.

APPROVED FOR TRANSFER  
 with without Conditions  
 City of Columbia Heights  
 Date: 11-11-85  
 By: William Clute  
 (SEAL)



## EXHIBIT A

Grantor does hereby grant to Grantee, and reserves unto itself, a nonexclusive mutual easement appurtenant for driveway purposes, both vehicular and pedestrian, over real property located in Anoka County, Minnesota, and legally described as follows:

The Westerly 35.00 feet of the Southerly 70.00 feet of the following described property:

That part of Lot 1, Block 1, Columbia Court, according to the recorded plat thereof, lying Easterly of a line described as follows:

Commencing at the northeast corner of said Lot 1; thence South 89 degrees 56 minutes 00 seconds West, assumed basis for bearings, 150.00 feet along the north line of said Lot 1, to the point of beginning of the line to be described; thence South 0 degrees 31 minutes 23 seconds East a distance of 236.51 feet; thence South 89 degrees 35 minutes 09 seconds West a distance of 35.00 feet; thence South 0 degrees 31 minutes 23 seconds East a distance of 70.00 feet to a point on the south line of said Lot 1, distant 185.00 feet westerly from the southeast corner of said Lot 1, and said line there terminating.

APPROVED FOR TRANSFER  
 WITH [unclear] [unclear]  
 CITY OF Columbia Heights  
 Date: 1-11-85  
 By: [Signature]  
 (SEAL)

(SEAL)

664049

Recorded  
 Grants  
 Grants  
 AUN

OFFICE OF COUNTY RECORDER  
 STATE OF MINNESOTA, COUNTY OF ANOKA

I hereby certify that the within instrument was filed in this office for record on the JAN 25 1985 A.D., 19

10:10 o'clock P.M., and was duly recorded in book \_\_\_\_\_ page \_\_\_\_\_

[Signature]  
 County Recorder

By [Signature]

72



WEST ELEVATION - PRIMARY PARKING

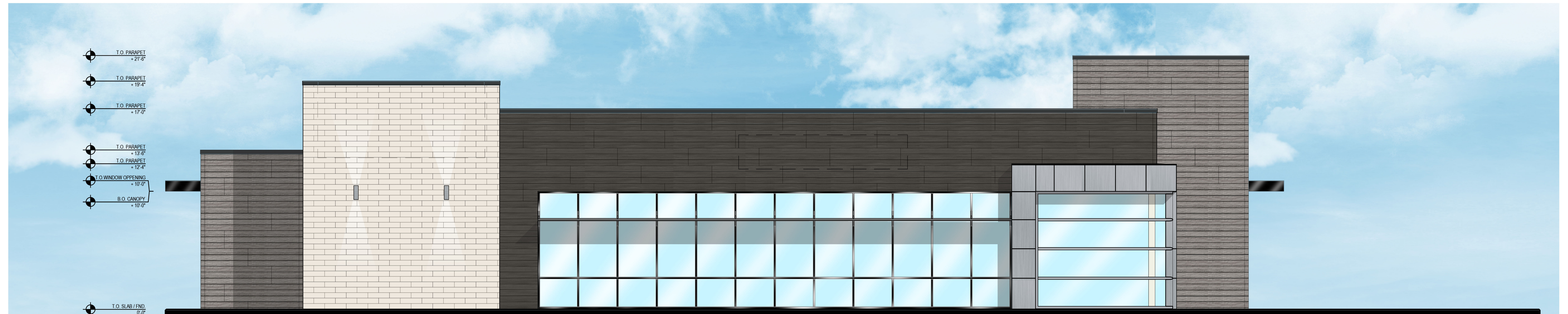
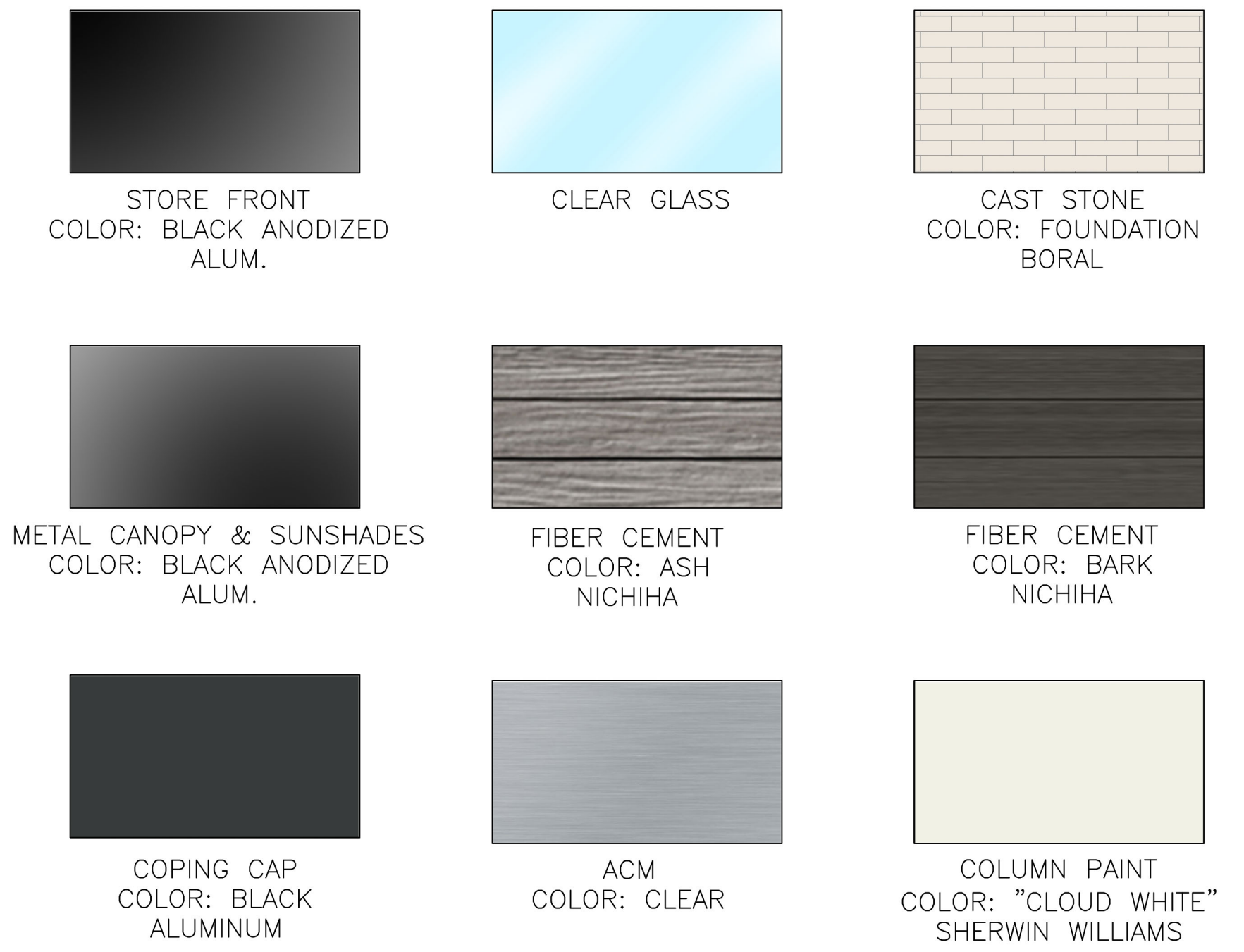


SOUTH ELEVATION





EAST ELEVATION



NORTH ELEVATION

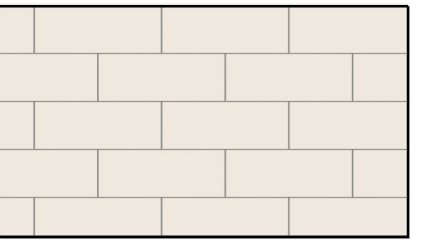


**CHASE**   
**CENTRAL AVE AND 51ST AVE**  
 NE corner of Central Ave and 51st Ave,  
 Columbia Heights, MN 55421

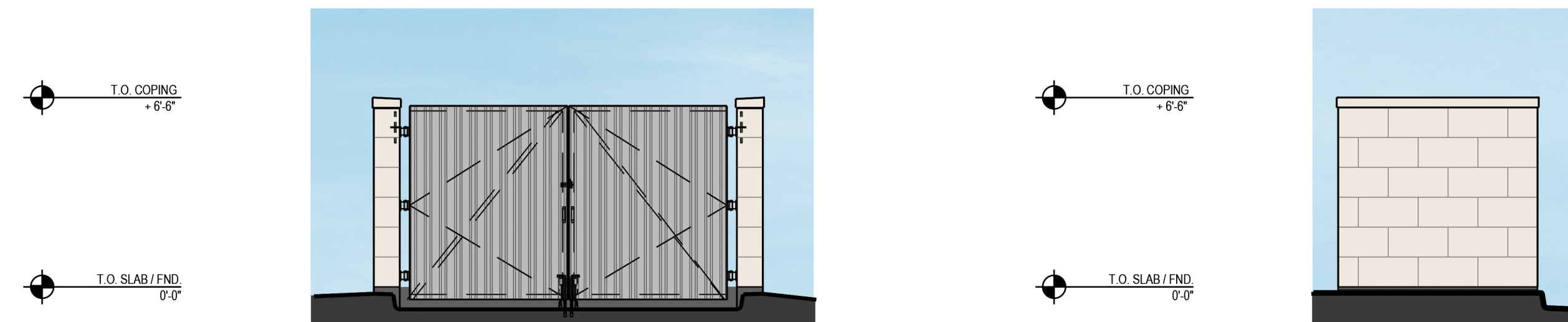
**ARCHITECTURAL ELEVATIONS**  
 02.29.2024

Architect/Designer  
 The Architects Partnership, Ltd.  
 200 South Michigan Avenue  
 Chicago, IL 60604  
 t: 312.583.9800  
 f: 312.583.9890  
 TAP Project Number: 24023





CAST STONE  
COLOR: LIMESTONE  
CORONADO WITH  
STONE CAP

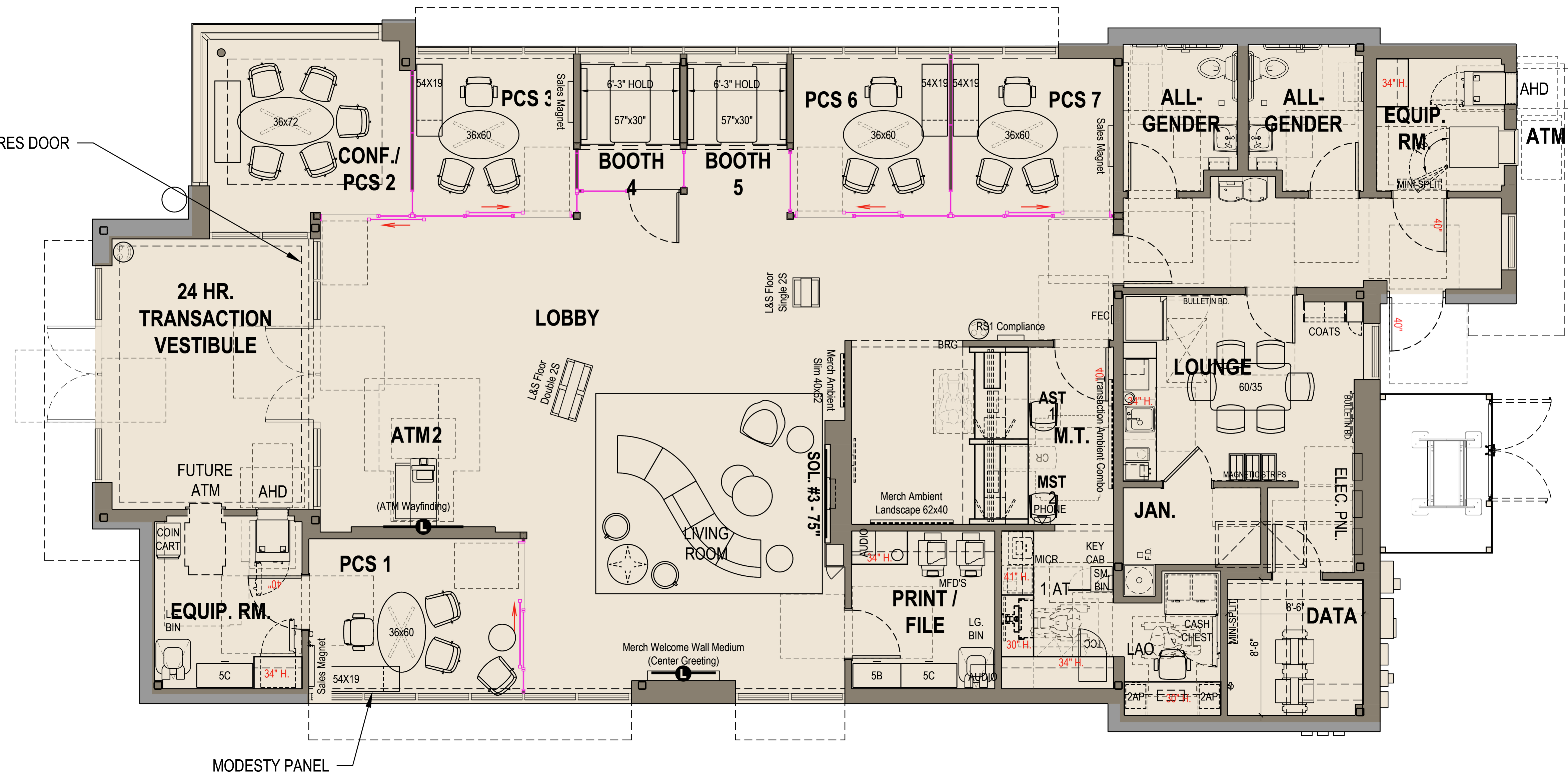


TRASH ENCLOSURE

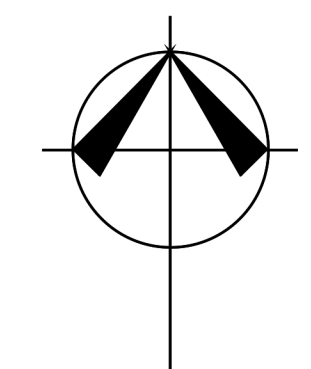


CENTRAL AVENUE NE  
PRIMARY PARKING

OPENING PROCEDURES DOOR



MODESTY PANEL



SCALE: 3/8" = 1'



**CHASE** 

**CENTRAL AVE AND 51ST AVE**  
NE corner of Central Ave and 51st Ave,  
Columbia Heights, MN 55421

**FLOOR PLAN**  
03.29.2024

Architect/Designer  
The Architects Partnership, Ltd.  
200 South Michigan Avenue  
Chicago, IL 60604  
t: 312.583.9800  
f: 312.583.9890  
TAP Project Number: 24023



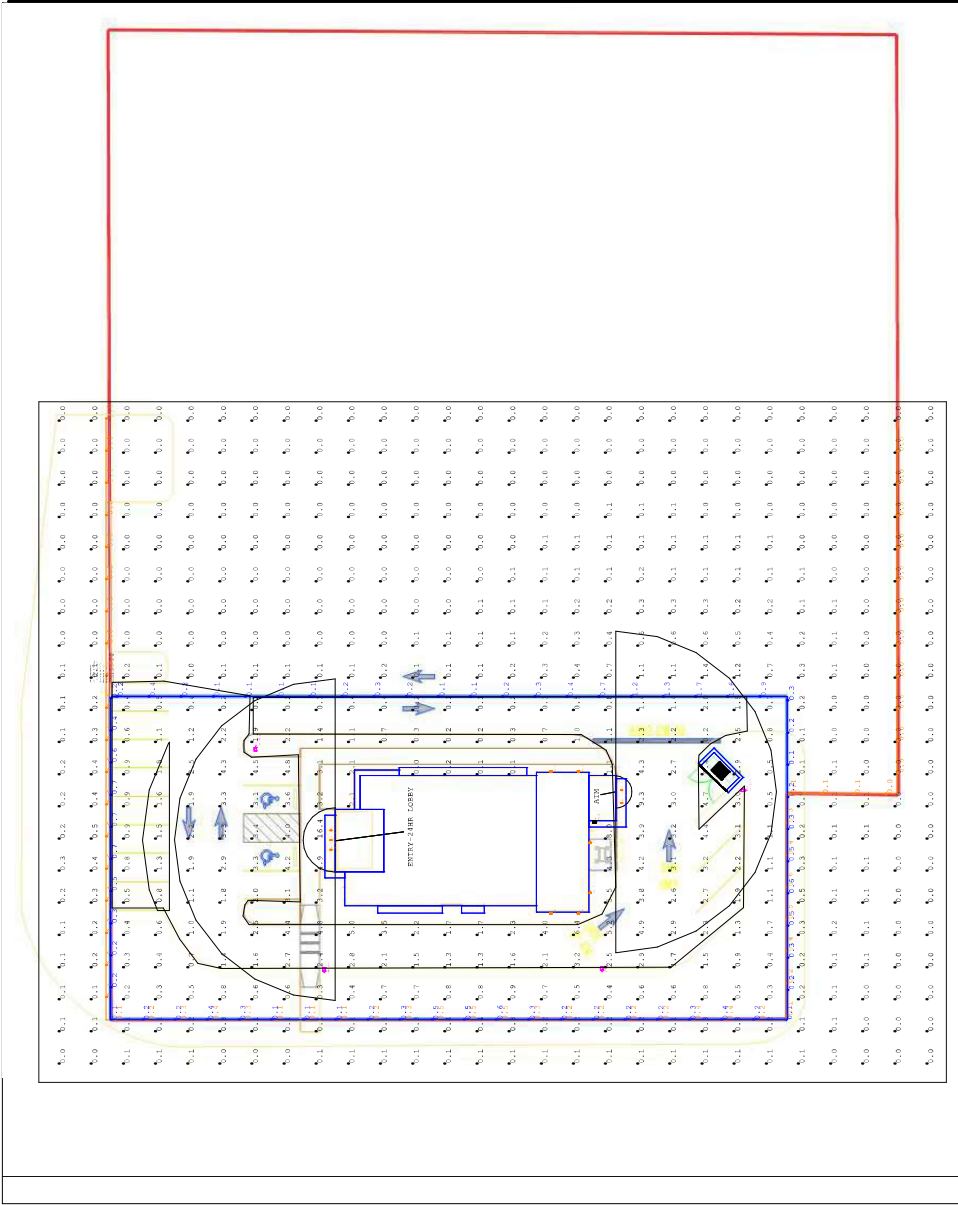


#	Date	Comments

Revisions	

JPMC COLUMBIA HEIGHTS, MN FIGHTING LAYOUT PHOTOMETRIC CALCULATIONS
Drawn By: JJM Checked By: Date: 3/29/2024

Page M of 1



Calculation Summary

Label	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
60" PARABEDS	FC	1.44	2.2	0.7	2.05	3.14	FC TAKEN 60" FROM ENTRY # 3'-10" ARC
48" 50"	FC	2.39	35.1	0.0	N.A.	N.A.	FC TAKEN 50" FROM ROW B 3'-10" ARC
ATMS	FC	25.93	30.3	6.6	3.93	5.80	FC TAKEN 5" FROM ROW B 3'-10" ARC
ENTRY 15"	FC	16.24	12.4	2.4	6.77	21.53	FC TAKEN 15" FROM ENTRY # 3'-10" ARC
ENTRY 30"	FC	3.44	12.0	0.0	N.A.	N.A.	FC TAKEN 30" FROM ENTRY # 3'-10" ARC
PERIMETRY LINE	FC	0.29	0.9	0.0	N.A.	N.A.	FC TAKEN 8' GRADE
UNCOVERED ROOFTOP LAMP	FC	0.38	1.7	0.1	3.80	17.00	FC TAKEN 8' GRADE
DATE	FC	0.48	16.4	0.0	N.A.	N.A.	FC TAKEN 8' GRADE
FFPC PARABEDS	FC	2.13	3.3	0.1	21.80	59.00	FC TAKEN 8' GRADE

Symbol	Label	Qty	Part Number	Description
1	ALL2	1	ALL2	SEQUENTIALLY LIGHT
4	PARABEDS	4	PARABEDS	PARABEDS WITH PUBLIC CLOFFICE AREA LIGHT W/SHIELD
4	ATMS	4	ATMS	ATMS
1	UNCOVERED ROOFTOP LAMP	1	UNCOVERED ROOFTOP LAMP	UNCOVERED ROOFTOP LAMP
1	PERIMETRY LINE	1	PERIMETRY LINE	PERIMETRY LINE

- DUE TO CHANGING LIGHTING ORDINANCES IT IS THE CONTRACTORS RESPONSIBILITY TO SUBMIT THE SITE PHOTOMETRICS AND LUMINAIRE SPECS TO THE LOCAL INSPECTOR BEFORE ORDERING TO ENSURE THIS PLAN COMPLIES WITH LOCAL LIGHTING ORDINANCES

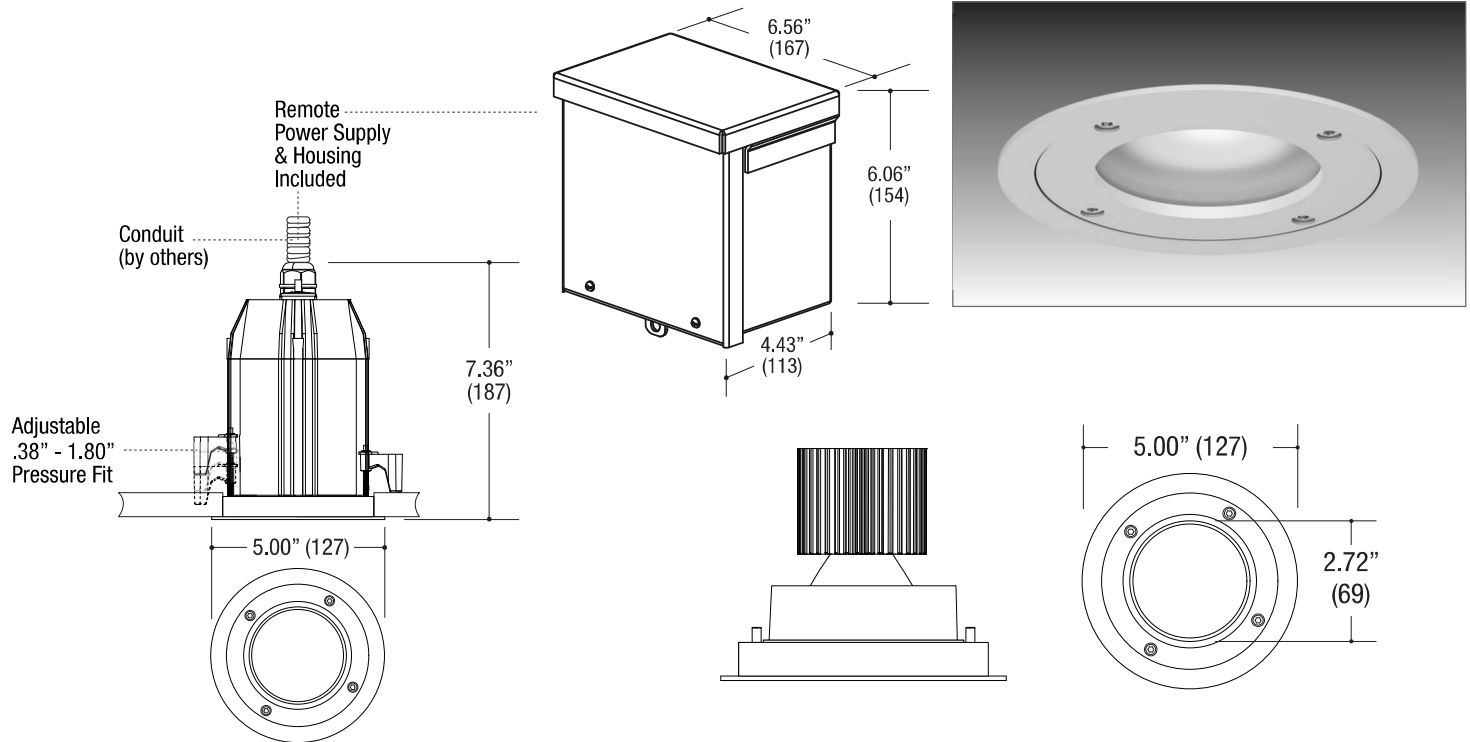
- THIS LIGHTING DESIGN IS BASED ON INFORMATION SUPPLIED BY OTHERS. CHANGES IN ELECTRICAL SUPPLY, AREA GEOMETRY AND OBJECTS WITHIN THE LIGHTED AREA MAY PRODUCE ILLUMINATION VALUES DIFFERENT FROM THE PREDICTED RESULTS SHOWN ON THIS LAYOUT.

- THIS LAYOUT IS BASED ON IES FILES THAT WERE LAB TESTED OR COMPUTER GENERATED. ACTUAL RESULTS MAY VARY

- MH IS AN OVERALL MOUNTING HEIGHT.



PROJECT	TYPE	CATALOG NUMBER
---------	------	----------------



### DOWNLIGHT

- Recessed fixed downlight
- Die-cast aluminum trim
- Powder coat finish

### HOUSING

- Extruded aluminum central housing
- Powder coat finish
- Dust and water jet tight sealed
- **Ceiling Cut-Out - Ø4.65"**

### LED SOURCE

- Field-changeable optic
- 20W / 1670lm, 80CRI / 3000K

### ELECTRICAL

- Remotely installed LED driver included
- Separated primary wiring compartment with power supply
- Double cable entry for through wiring
- Superpure aluminum reflector
- Dimmable

### MOUNTING

- Swing out pressure fit mounting clips
- Adjustable up to 1.80" max. ceiling thickness

### LABELS

- Suitable for wet location
- IP66 rated

**5 YEAR WARRANTY**  
Limited



### ORDERING INFO

SERIES	WATTAGE	CRI / COLOR	BEAM	DRIVER	FINISH
<b>5811-1SA-T</b>	<b>20L</b> 20W LED 1670lm nom.	<b>8027</b> 80CRI / 2700K <b>8030</b> 80CRI / 3000K <b>8035</b> 80CRI / 3500K <b>8040</b> 80CRI / 4000K <b>9027</b> 90CRI / 2700K <b>9030</b> 90CRI / 3000K <b>9727</b> 97CRI / 2700K <b>9730</b> 97CRI / 3000K	<b>N</b> Narrow 25° <b>M</b> Medium 45° <b>W</b> Wide 55°	<b>DMU</b> Dimming Multiple Forward/Reverse (120V only) 0-10V Wires Present (120-277V) <b>D31</b> Lutron Hi-Lume™ Forward Phase 2 wire 1% (120V only) <b>DEU</b> Lutron Hi-Lume™ EcoSystem™ 1% w/Soft-On, Fade-to-Black™ 1% (120-277V)	<b>SS</b> Silver

Ordering Example: **5811-1SA-T-20L-8030-M-DMU-SS**

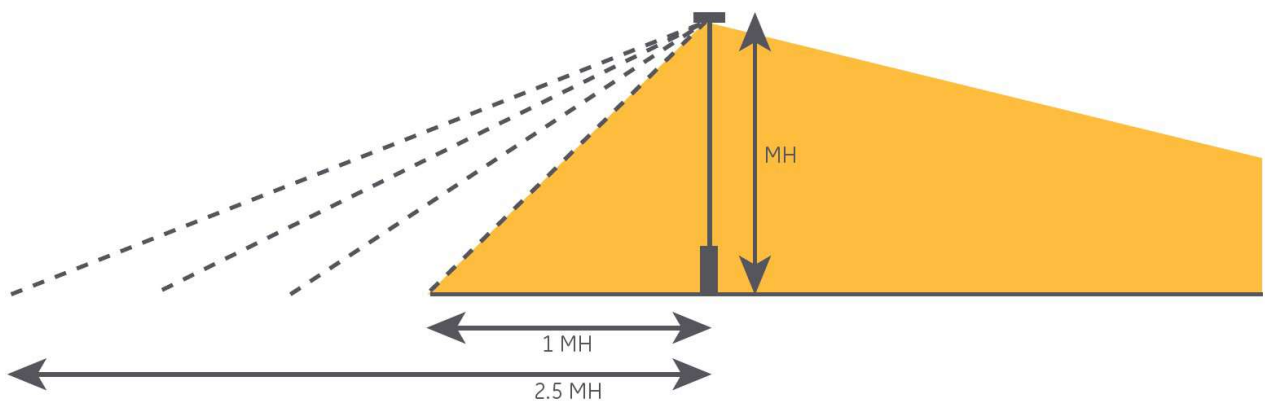


The next evolution of the **Evolve**® LED Area Light delivers even better trespass control. Current's exclusive reflective optical ring design produces superior vertical illuminance and efficiently directs the light without wasteful and unwelcomed light spill into neighboring properties. Due to the extensive variation of parking lot configurations coupled with tightening ordinances,

*Current now offers a full array of shielding to accommodate challenging sites.*

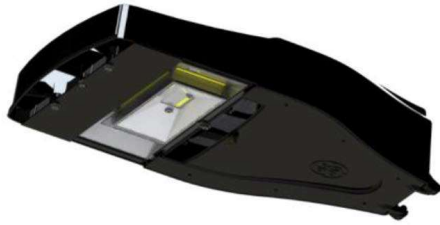
The shielding options available for the Evolve® Area Light focus on the following applications:

- Left & Right Cutoff
- Front Cutoff
- Backlight Control & B-U-G Improvement

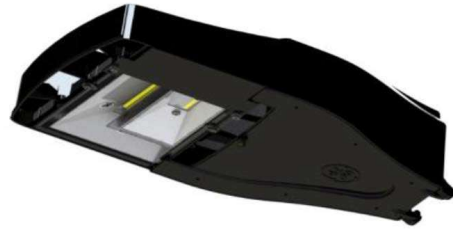


Within each of the shielding families, there are multiple shielding cutoff levels that are categorized in mounting height (MH) increments. Current accommodates cutoff distance from the pole from 1MH to 2.5 MH in 0.5 MH increments. The shields that are listed are for the most common applications. Please contact the manufacturer if your need is not listed.

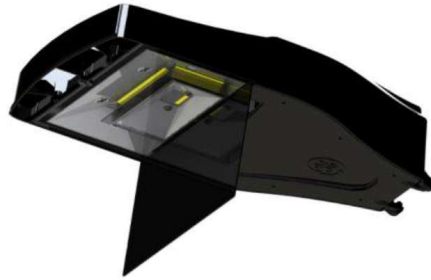
All shields can be installed easily in the field. The next evolution of the Evolve® LED Area Light and shielding options will help you meet any parking lot challenge.



Front Shield



Left/Right Side Shield



Back Shield

**TYPE IV SHIELDING**

Shield Orientation	Cutoff Distance	Shield Order Logic
Front	1.5	ELS-EACL-RF3-BLCK
	2	ELS-EACL-RF4-BLCK
Side	1	ELS-EACL-RS2-BLCK
Back	Long	ELS-EACL-RBL-BLCK

**TYPE III SHIELDING**

Shield Orientation	Cutoff Distance	Shield Order Logic
Front	1.5	ELS-EACL-RF3-BLCK
Side	1	ELS-EACL-RS2-BLCK
Back	Long	ELS-EACL-RBL-BLCK

**TYPE II SHIELDING**

Shield Orientation	Cutoff Distance	Shield Order Logic
Side	1	ELS-EACL-RS2-BLCK
Back	Long	ELS-EACL-RBL-BLCK

\*All shields listed on this page are "BLACK" in color.



CUSTOMER NAME \_\_\_\_\_ Item 6.

PROJECT NAME \_\_\_\_\_

DATE \_\_\_\_\_ TYPE \_\_\_\_\_

CATALOG NUMBER \_\_\_\_\_

## EACL® Series

LED Area Light/Compact Low Wattage

Current's EAL Series of Area Light

Luminaires offer a wide range of optical patterns, color temperatures, lumen packages, and mounting configurations to optimize area light applications, as well as provide versatility in lighting design within the same form factor.

### Construction

<b>Housing:</b>	Die-cast aluminum housing with integral heat sink for maximum heat transfer
<b>Paint:</b>	Corrosion resistant polyester powder paint, minimum 2.0 mil thickness Standard = Black, Dark Bronze Gray, White (RAL & custom colors available) Optional coastal finish available.
<b>Weight:</b>	18 lbs (8.16 kg) Max depending on configuration

### Optical System

<b>Lumens:</b>	2,900 - 20,400
<b>Distribution:</b>	Asymmetric Forward Type IV Asymmetric Wide Type III Asymmetric Narrow/Auto Type II
<b>Efficacy:</b>	123 - 143 LPW
<b>CCT:</b>	3000K, 4000K, 5000K
<b>CRI:</b>	≥70

### Electrical

<b>Input Voltage:</b>	120-277V & 347-480V
<b>Input Frequency:</b>	50/60Hz
<b>Power Factor:</b>	> 90% at rated watts
<b>Total Harmonic Distortion:</b>	< 20% at rated watts

### Surge Protection\*

TYPICAL (120 STRIKES)	ENHANCED (40 STRIKES)
6kV/3kA*	10kV/5kA*

\*Per ANSI C136.2-2015

### Warranty

5 Year (Standard)

### Lumen Maintenance

#### Projected Lxx per IES TM-21-11 at 25°C

LUMEN CODES	LXX(10K) @ HOURS		
	25,000 HR	50,000 HR	60,000 HR
<b>A2, A3, A4, B2, B3, B4, C2, C3, C4D2, D3, D4, E2, E3, E4, F2, F3, F4</b>	L94	L90	L88
<b>H2,H3, H4</b>	L97	L96	L96

Note: Projected Lxx based on LM80 (≥ 10,000 hour testing). Accepted Industry tolerances apply to initial luminous flux and lumen maintenance measurements.

### Luminaire Ambient Temperature Factor

AMBIENT TEMP (°C)	INITIAL FLUX FACTOR	AMBIENT TEMP (°C)	INITIAL FLUX FACTOR
10	1.02	30	0.99
20	1.01	40	0.98
25	1.00	50	0.97

### Ratings

<b>Operating Temperature:</b>	-40°C to 50°C
<b>Vibration:</b>	3G vibration per ANSI C136.31-2018
<b>LM-79:</b>	Testing in accordance with IESNA Standards

### Controls

<b>Dimming:</b>	Standard - 0-10V Optional - DALI (Option U)
<b>Sensors:</b>	Photo Electric Sensors (PE) available LightGrid™ and Daintree Compatible



Not all product variations listed on this page are DLC qualified. Visit [www.designlights.org/search](http://www.designlights.org/search) to confirm qualifications.

CUSTOMER NAME \_\_\_\_\_ Item 6.

PROJECT NAME \_\_\_\_\_

DATE \_\_\_\_\_ TYPE \_\_\_\_\_

CATALOG NUMBER \_\_\_\_\_

### Ordering Information

EACL 01 \_\_\_\_\_ 7 \_\_\_\_\_

----- -- - -- -- - -- - -- - -- - -- - -- -

PROD. ID	GEN	VOLTAGE	OPTIC CODE	DISTRIBUTION	CRI (MIN)	CCT	DIMMING <sup>2</sup>	CONTROLS	MOUNTING ARM	COLOR	OPTIONS
E = Evolve	01	0 = 120-277V <sup>1</sup>	Ax=3000 lm	AF = Asymmetric Forward	7 = 70	30 = 3000K <sup>11</sup>	N = Dimming thru PE receptacle	1 = None	C1 = Integral Slip-fitter for 1.25"- 2" Pipe (1.66in. OD - 2.378 in. OD) <sup>4</sup>	GRAY = Gray	F = Fusing
AC = Compact Area Light		H = 347-480V <sup>1</sup>	Bx=5000 lm	AW = Asymmetric Wide		40 = 4000K	D = External Dimming 18/2-3ft cable	A = ANSI 7-pin PE receptacle (no control)	D1 = Universal Mounting Arm, fitted for round or square pole mounting <sup>5</sup>	BLCK = Black	H1 = Motion Sensor w/ LightGrid
L = Low Voltage		1 = 120V	Cx=7500 lm	AN = Asymmetric Narrow/Auto		50 = 5000K	X = No External Dimming Leads	D = ANSI 7-pin PE receptacle with shorting cap provided	K1 = Knuckle Slipfitter for 1.9 in - 2.3in. OD Tenon <sup>5,6</sup>	DKBZ = Dark Bronze	H2 = Motion Sensor (Daintree) <sup>8</sup>
		2 = 208V	Dx=10000 lm					E = ANSI C136.41 7-pin with Non-Dimming PE Control <sup>3</sup>	S1 = Knuckle Slipfitter for 2.3in. - 3.0in OD Tenon <sup>5,6</sup>	WHITE = White	H4 = Motion Sensor (Wattstopper)
		3 = 240V	Dx=10000 lm						V1 = Knuckle Wall Mount <sup>5,6</sup>		J = cUL/Canada
		4 = 277V	Ex=12500 lm								L = Tool-Less Entry
		5 = 480V	Fx=15000 lm								R = Enhanced Surge Protection (10kV/5kA)
		D = 347V	Hx=20000 lm								U = DALI dimming <sup>7</sup>
											V = 3-Position Terminal Block
											Y = Coastal Finish <sup>9</sup>
											XXX = Special Options

<sup>1</sup> Not Available with Fusing, Must Choose a Discrete Voltage with "F" Option Code

<sup>2</sup> Note Standard Dimming is 0-10V

<sup>3</sup> PE Control only available for 120-277V, 347V or 480V Discrete Voltage.

<sup>4</sup> Supplied with 3ft leads

<sup>5</sup> Supplied with 16/3 ft Cable

<sup>6</sup> Restricted Aiming Angle of 0-45°

<sup>7</sup> Compatible with LightGrid+™ Wireless Control Nodes, Not Compatible with Motion Sensor Control

<sup>8</sup> H2 Sensor is not available in High Voltage ( 347V, 480V or 347-480V)

<sup>10</sup> Recommended for installations within 750 feet from coast. Lead time varies, check with factory.

<sup>11</sup> Select 3000K CCT for IDA approved fixtures.

CUSTOMER NAME \_\_\_\_\_ Item 6.

PROJECT NAME \_\_\_\_\_

DATE \_\_\_\_\_ TYPE \_\_\_\_\_

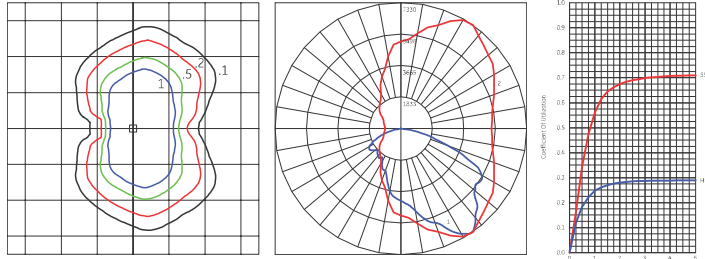
CATALOG NUMBER \_\_\_\_\_

OPTICAL CODE	DIST CODE	CLASSIFICATION	TYPICAL LUMENS		TYPICAL SYSTEM WATTAGE		BUG RATING	
			3000K	4000K & 5000K	120-277V	347-480V	3000K	4000K & 5000K
A4	AF	TYPE IV	2900	2900	21	23	B1-UO-G1	B1-UO-G1
B4			4900	4900	36	38	B1-UO-G1	B1-UO-G1
C4			7300	7300	55		B1-UO-G2	B1-UO-G2
D4			9800	9800	73		B2-UO-G2	B2-UO-G2
E4			12200	12200	95		B2-UO-G2	B2-UO-G2
F4			14700	14700	122		B2-UO-G2	B2-UO-G2
H4			19000	19000	153		B3-UO-G3	B3-UO-G3
A3			AW	TYPE III	2900	3000	21	23
B3	4900	5100			36	38	B1-UO-G1	B1-UO-G1
C3	7400	7600			55		B1-UO-G2	B1-UO-G2
D3	9900	10200			73		B2-UO-G2	B2-UO-G2
E3	12400	12700			95		B2-UO-G2	B2-UO-G2
F3	14900	15300			122		B2-UO-G2	B2-UO-G2
H3	19300	20400			153		B3-UO-G2	B3-UO-G2
A2	AN	TYPE II			2900	3000	21	23
B2			4900	5000	36	38	B1-UO-G1	B1-UO-G1
C2			7300	7500	55		B2-UO-G1	B2-UO-G2
D2			9800	10100	73		B2-UO-G2	B2-UO-G2
E2			12300	12600	95		B2-UO-G2	B2-UO-G2
F2			14700	15100	122		B3-UO-G2	B3-UO-G3
H2			19100	20200	153		B3-UO-G3	B3-UO-G3

For additional information on Non-Shielded and Shielded EACL IES files, please refer to LED.com

### EACL - Type II - Very Short

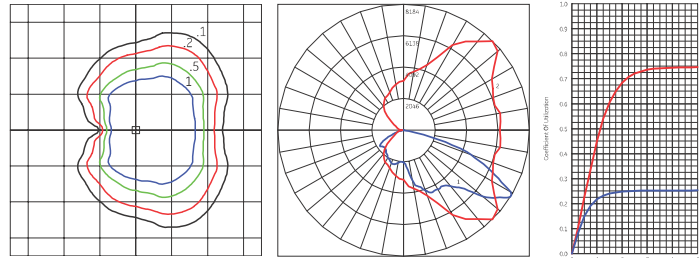
15,100 lumens  
EACL01\_F2AN750\_\_\_IES



Grid Distance in Units of Mounting Height at 20° Initial Footcandle Values at Grade — Vertical plane through horizontal angle of maximum candlepower at XX°  
— Vertical plane through horizontal angle of XX°

### EACL - Type III - Short

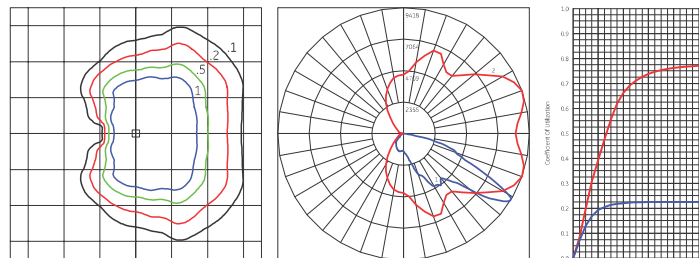
15,300 lumens  
EACL01\_F3AW750\_\_\_IES



Grid Distance in Units of Mounting Height at 20° Initial Footcandle Values at Grade — Vertical plane through horizontal angle of maximum candlepower at XX°  
— Vertical plane through horizontal angle of XX°

### EACL - Type III - Very Short

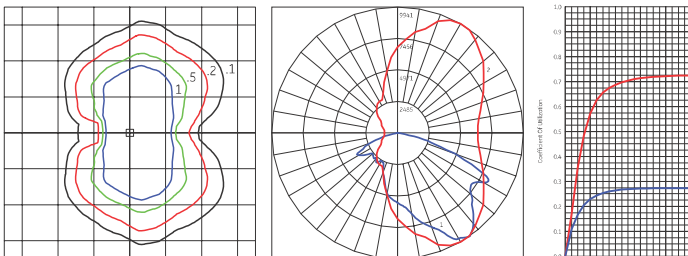
15,000 lumens  
EACL01\_F4AF750\_\_\_IES



Grid Distance in Units of Mounting Height at 20° Initial Footcandle Values at Grade — Vertical plane through horizontal angle of maximum candlepower at XX°  
— Vertical plane through horizontal angle of XX°

### EACL - Type II - Very Short

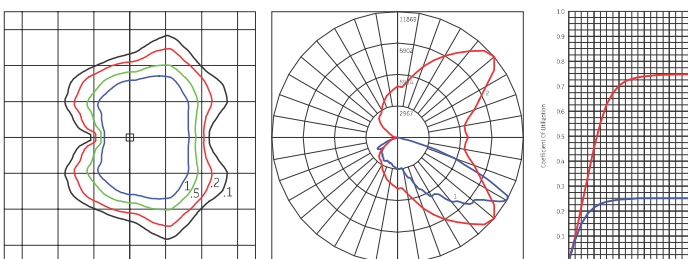
20,200 lumens  
EACL01\_H2AN750\_\_\_IES



Grid Distance in Units of Mounting Height at 20' Initial Footcandle Values at Grade — Vertical plane through horizontal angle of maximum candlepower at XX°  
— Vertical plane through horizontal angle of XX°

### EACL - Type III - Short

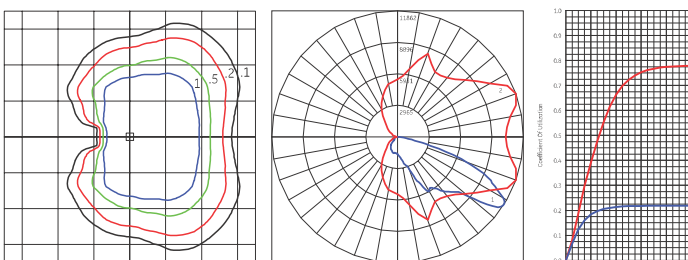
20,400 lumens  
EACL01\_H3AW750\_\_\_IES



Grid Distance in Units of Mounting Height at 20' Initial Footcandle Values at Grade — Vertical plane through horizontal angle of maximum candlepower at XX°  
— Vertical plane through horizontal angle of XX°

### EACL - Type IV - Very Short

20,000 lumens  
EACL01\_H4AF750\_\_\_IES



Grid Distance in Units of Mounting Height at 20' Initial Footcandle Values at Grade — Vertical plane through horizontal angle of maximum candlepower at XX°  
— Vertical plane through horizontal angle of XX°



CUSTOMER NAME \_\_\_\_\_ Item 6.

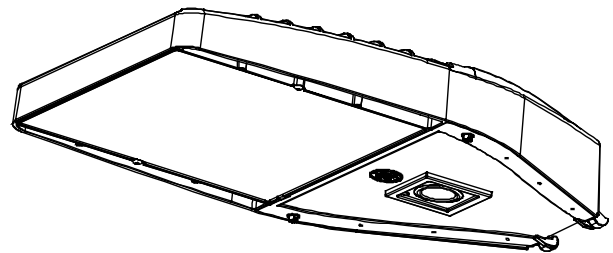
PROJECT NAME \_\_\_\_\_

DATE \_\_\_\_\_ TYPE \_\_\_\_\_

CATALOG NUMBER \_\_\_\_\_

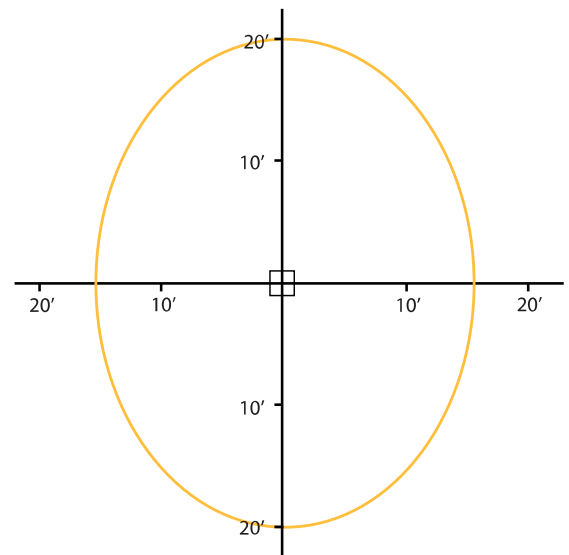
### H-Motion Sensing Option

- Recommended Mounting Height: 15-30' (4.6-9.1m)
- For mounting heights exceeding 30 ft., pole mounted sensors are recommended
- Coverage Radius: 15-20' (4.6-6.1 m).
- Provides 270 degree of coverage (approx 90 is blocked by the pole)
- Default Settings:
  - Output: Occupied - 100%/Unoccupied - 50%
  - Integral PE Sensor.
  - 5 minute post-occupancy time delay, 5 minute dimming ramp-down.
- Fixture power increase of 1W expected with sensor use.



### H1/4 - Motion Sensing Option (WattStopper)

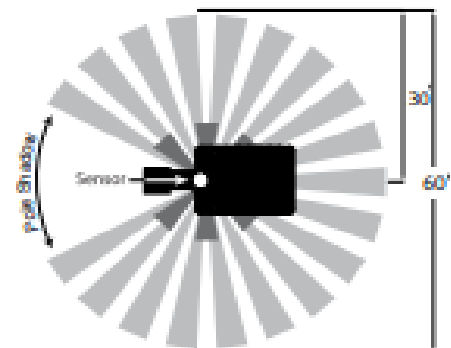
- Recommended Mounting Height: 15-30' (4.6-9.1m)
- For mounting heights exceeding 30 ft., pole mounted sensors are recommended
- Coverage Radius: 15-20' (4.6-6.1 m).
- Provides 270 degree of coverage (approx 90 is blocked by the pole)
- Default Settings:
  - Output: Occupied - 100%/Unoccupied - 10%
  - PE Sensor: Disabled
  - Ramp/Fade: Disabled
- Adds < 1W to fixture power rating
- Field programmable using FSIR-100 hand held programmer



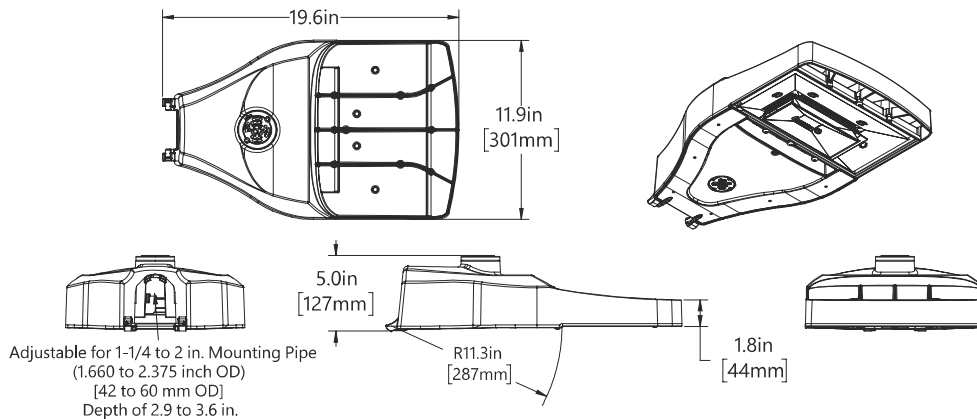
Sensing Pattern Area Fixture  
Up to 30 ft. Mounting Height

### H2 - Motion Sensing Option (Daintree)

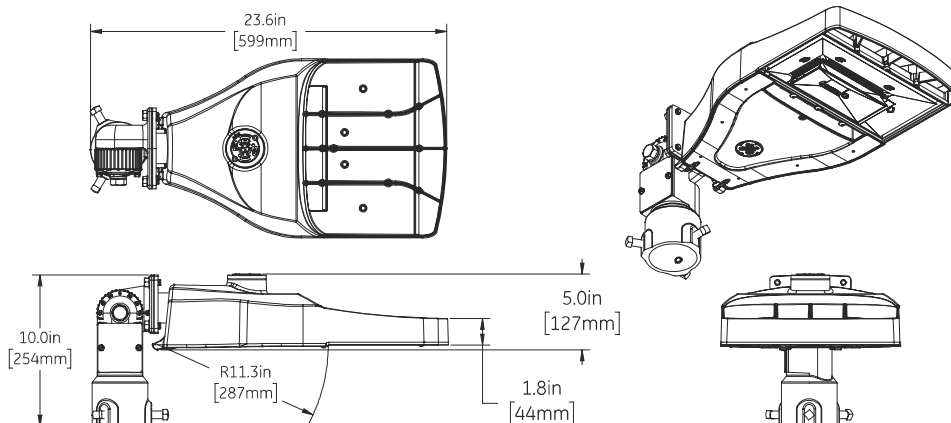
- Recommended Mounting Height: 15-30' (4.6-9.1m)
- For mounting heights exceeding 30 ft., pole mounted sensors are recommended
- Provides a coverage area radius for walking motion of 15-20 ft. (4.57-6.10m)
- Provides 270 degree of coverage (approx 90 is blocked by the pole)
- Default Settings:
  - Output: Occupied - 100%/Unoccupied - 50%
  - PE Sensor: None
  - Ramp/Fade: 5 Minutes/5 Minutes
- Adds < 1W to fixture power rating
- Requires Daintree Enterprise and wide area control (WAC)



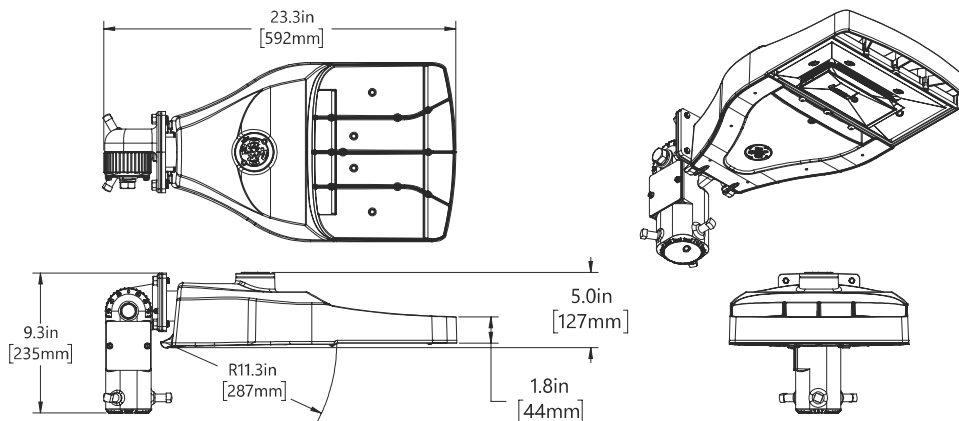
### Integral Slipfitter: C1



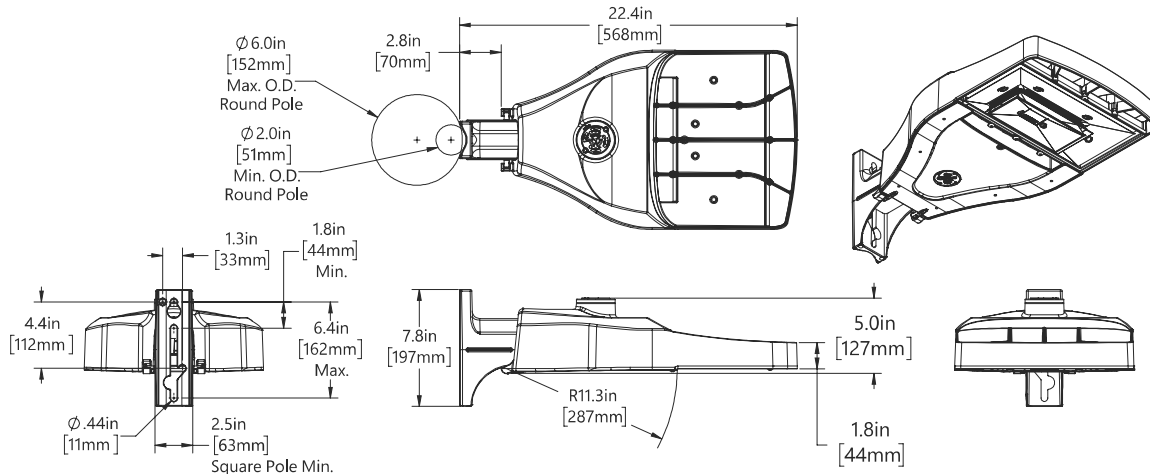
### Knuckle Slipfitter: S1



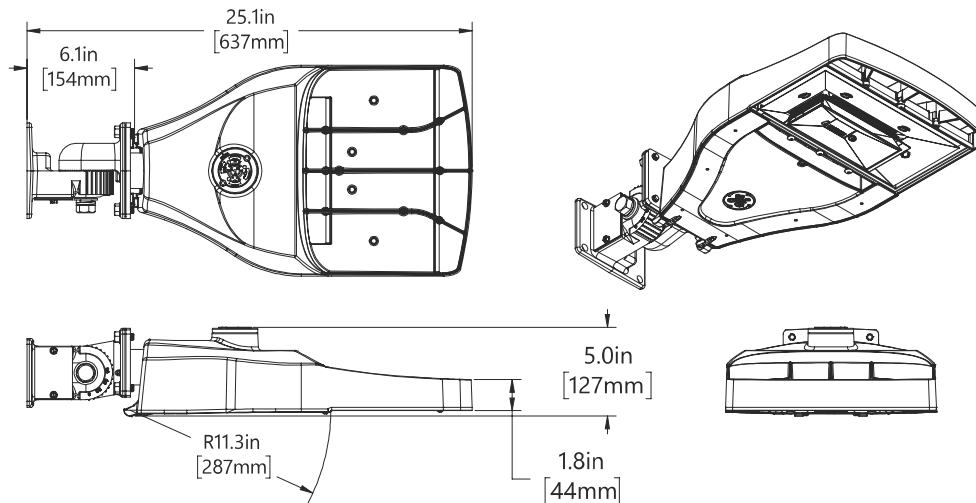
### Knuckle Slipfitter: K1



### Universal Mounting Arm: D1



### Knuckle Wall Mount: V1



### Weight

- 18 lbs (8.16 kg) Max depending on configuration

### Effective Projected Area

- Integral Slipfitter C1, EPA = 0.31 Min/0.37 Max
- Universal Arm Mount D1, EPA = 0.31 Min / 0.52 Max
- Knuckle Slipfitter S1, K1 downward aim, EPA = 0.46 Min / 0.56 Ma
- Knuckle Slipfitter S1, K1 45° aim, EPA = 0.56 Min / 1.03 Max

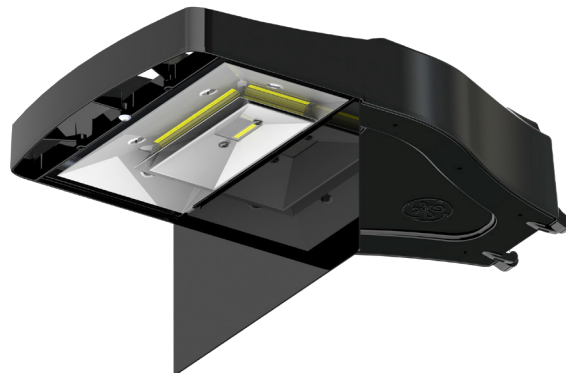
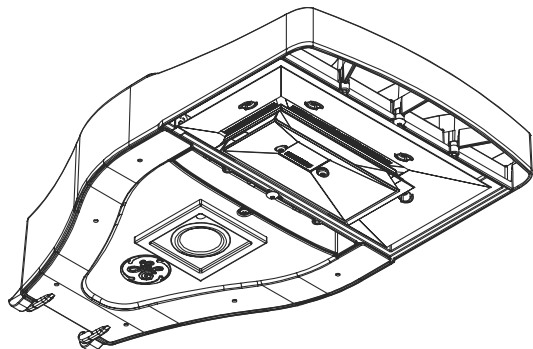
CUSTOMER NAME \_\_\_\_\_

PROJECT NAME \_\_\_\_\_

DATE \_\_\_\_\_ TYPE \_\_\_\_\_

CATALOG NUMBER \_\_\_\_\_

Item 6.



### PE Accessories (To Be Order Separately)

SAP NUMBER	PART NUMBER	DESCRIPTION
93123552	WANSI - 277	ANSI 136.41 Dimming PE Danitree Enable, 105-305V
93123553	WANSI - 480	ANSI 136.41 Dimming PE Danitree Enable, 312-530V
93029237	PED-MV-LED-7	ANSI C136.41 Dimming PE, 120-277V
93029238	PED-347-LED-7	ANSI C136.41 Dimming PE, 347V
93029239	PED-480-LED-7	ANSI C136.41 Dimming PE, 480V

SAP NUMBER	PART NUMBER	DESCRIPTION
28299	PEC0TL	STANDARD 120-277V
28294	PEC5TL	STANDARD 480V
80436	PECDTL	STANDARD 347V
73251	SCCL-PECTL	Shorting cap

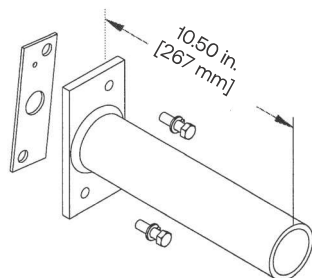
### Back Light Shield

SHIELD ORIENTATIONS	CUTOFF DISTANCE	SHIELD ORDER LOGIC
Back	Long	ELS-EACL-RBL-BLCK

### Mounting Arms for Slipfitter Order separately with Mounting Option C1 (Slipfitter)

#### Square pole mounting arm

- 3.5 to 4.5-inch (89 to 114mm) square (will allow 4 fixtures per pole @ 90 degrees.)

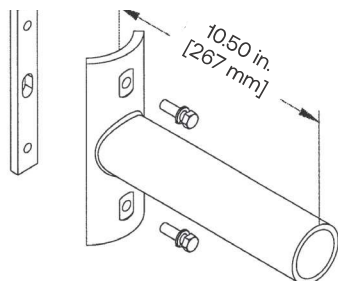


#### Order separately from fixture as catalog number

- SPA-EAMT10BLCK "Black"
- SPA-EAMT10DKBZ "Dark Bronze"
- SPA-EAMT10WHT "White"
- SPA-EAMT10GRAY "Gray"

#### Round Pole Mounting Arm

- 3.5 to 4.5-inch (89 to 114mm) od (will allow 4 fixtures per pole @ 90 degrees.)



#### Order separately from fixture as catalog number

- RPA-EAMT10BLCK "Black"
- RPA-EAMT10DKBZ "Dark Bronze"
- RPA-EAMT10WHT "White"
- RPA-EAMT10GRAY "Gray"

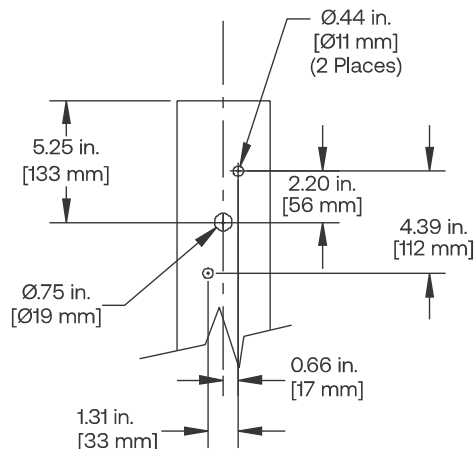
#### Wall Mounting Bracket Adapter Plate

Order separately from fixture as catalog number  
WMB-EAMT06

\*NOTE: For Wall Mounting, order luminaire with mounting arm: C1 = Slipfitter 2" Pipe (2.378 in. OD) supplied with leads.

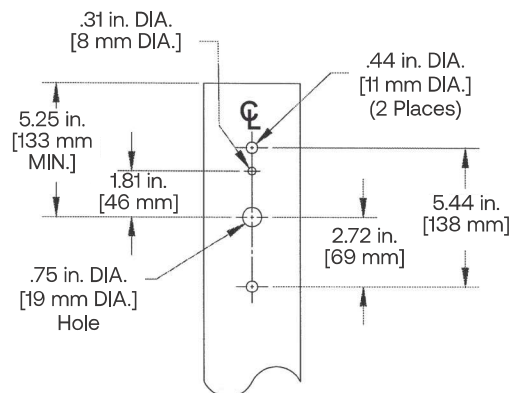
Other mounting patterns are available for retrofit installations. Contact manufacturing for other available mounting patterns.

#### Square pole mounting drilling template

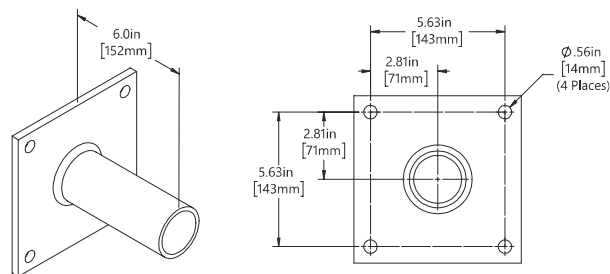


#### Round Pole Mounting Drilling Template

- 3.5 TO 4.5-inch (89 to 114mm) OD round pole mounting arm



#### Wall MOUNTING Bracket Hole Pattern



**DESCRIPTION**

Lanterra 9004-W1 (Up or Down) and 9004-W2 (Up and Down) are 4.25" O.D., line voltage cylinder fixtures with dimmable LED. The luminaire comes in various mountings, surface mount with integral driver in the housing, remote driver mount with round and square wall plates and square wall integral driver, all of which can be mounted over standard 4 inch j-box. The luminaire also comes with various field replaceable optics and premium color tuning option. It also comes with various lens, louvers and colors or dichroic filters, which can combine up to two at once to create multiple lighting effects. The fixture may be used indoors or outdoors and carries IP66 rating.

**SPECIFICATION FEATURES**

**Material**

Housing, hood and mounting stem are precision-machined from corrosion resistant billet stock 6061-T6 aluminum.

**Finish**

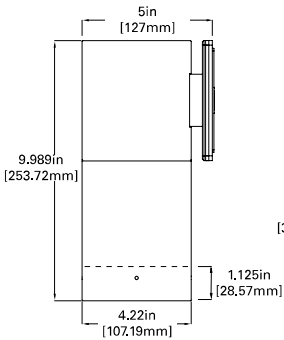
Fixtures constructed from 6061-T6 aluminum are double protected by an ROHS complaint chemical film undercoating and polyester powder coat paint finish, surpassing the rigorous demands of the outdoor environment. A variety of standard colors are available.

**Hood**

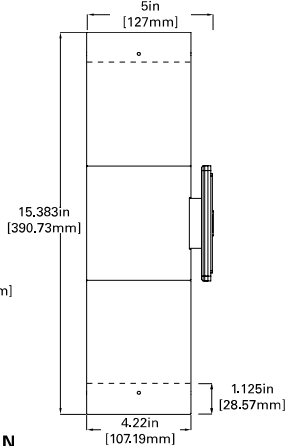
Hood is removable and accepts up to two internal accessories at once (lenses, louvers and filters) to achieve multiple lighting effects. Weep holes prevents water and mineral stains from collecting on the lens, even in the straight up position. The flush lens design reduces fixture length, minimizes debris collection and prevents water and mineral stains from collecting on the lens.

**DIMENSIONS**

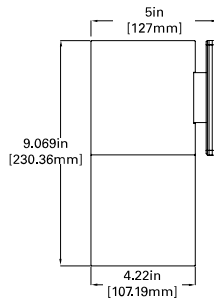
**9004-W1-RW**



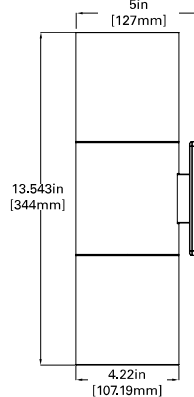
**9004-W2-RW**



**9004-W1-FL**



**9004-W2-FL**



**ORDERING INFORMATION**

DOMESTIC PREFERENCES 9	SERIES	DIRECTION	HOOD	LED CCT & CRI	FIELD REPLACEABLE OPTIC 1	FIELD REPLACEABLE OPTIC 2 2	FINISH	LIGHT LEVEL	VOLTAGE	MOUNTING	OPTIONS
[Blank]=Standard BAA=Buy American Act	9004	W1 Up or Down W2 5 Up and Down	RW Standard-Recessed Lens with weep holes - Outdoor RI Recessed Lens with no weep holes - Indoor FL Flush lens hood	<b>Standard CRI</b> LED2790 - 2700K, 90 CRI LED 3090 - 3000K, 90 CRI LED 3590 - 3500K, 90 CRI LED 4080 - 4000K, 80 CRI LED 5080 - 5000K, 80 CRI <b>Premium CRI</b> LED 2797 - 2700K, 97 CRI LED 3097 - 3000K, 97 CRI LED 3597 - 3500K, 97 CRI LED 4097 - 4000K, 97 CRI	S Spot M Medium F Flood W Wide Flood	S Spot M Medium F Flood W Wide Flood	<b>Standard Paint Finish</b> BK Black BZ Bronze CS City WT Silver White	L1 Light Level 1 (10W) L2 Light Level 2 (20W) LC1 Light Level 3 (30W) LC2 Light Level Color 1 (12W) Light Level Color 2 (20W)	UNV 120-277V	Surface Mount - Wall, Ceiling, Ground RSM Round Surface Mount- mounts directly to junction box Thermal Limitations (unless otherwise noted 50C) 9004-W1-xxx-L3-xxx-WRx (45C) 9004-W2-xxx-L3-xxx-RSM (35C) 9004-W2-xxx-LC2-xxx-WRx (40C) Remote Driver Housing WRR 8 Remote Driver Housing - Round Wall Plate WRS 8 Remote Driver Housing - Square Wall Plate Thermal Limitations (unless otherwise noted 50C) 9004-W1-xxx-L3-xxx-WRx (45C) 9004-W2-xxx-L3-xxx-WRx (35C) 9004-W2-xxx-LC2-xxx-WRx (40C) Integral Driver Mount WIS 3,4 Wall Integral Driver Plate Thermal Limitations (unless otherwise noted 45C) 9004-(W1,W2)-xx-L1-xx-WIS (50C)	SVPD25 Stand-alone integral sensor

Notes: 1. Order LC remote separately

2. Only available for double head option (W2)

3. 9004-W1 not available in LC2, L3

4. 9004-W2 not available in L2, L3, LC1 and LC2

5. Only available for Single head, Up or down (W1) with RSM only

6. W2 doubles input wattage listed

7. Only available for LEDCR

8. Remote Driver distance up to 60', For L3 (30W) remote distance up to 15'

9. Only product configurations with this designated prefix are built to be compliant with the Buy American Act of 1933 (BAA). Please refer to DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.

10. Accessories sold separately will be separately analyzed under domestic preference requirements. Consult factory for further information.

Catalog #		Type	
Project		Date	
Comments			
Prepared by			

industry leading high output with 87% lumen maintenance at 60,000hrs.

**Compliance**

Components are UL recognized and luminaires are cULus listed for 50°C ambient environments unless noted otherwise, wet location listed, and ROHS compliant. IP66 Rated. Options to meet Buy American Act requirements

**Warranty**

Lumiere warrants the Lanterra series of fixtures against defects in material and workmanship for five (5) years. Auxiliary equipment such as LED drivers carries the original manufacturer's warranty.



**Lanterra 9004**

LED  
INTERIOR / EXTERIOR  
CYLINDER FLOOD LIGHT  
CERTIFICATION DATA  
cULus - 1598



Wet Location Listed - IP66  
LM79/LM80 Compliant  
ROHS Compliant

10W LED, L70/102,000@25° Celcius  
20W LED, L70/102,000@25° Celcius  
30W LED, L70/102,000@25° Celcius

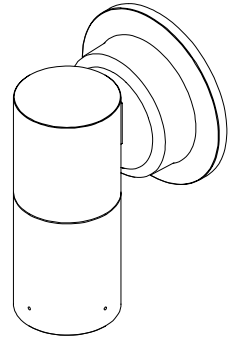
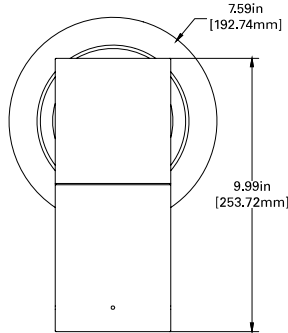
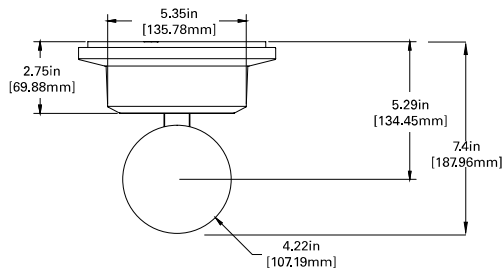
ACCESSORIES - ORDER SEPARATELY

		ACCESSORIES <sup>10</sup>			OPTICS	
LCTL1RZRT452L-PK	Light Comissioning Tool (LCT)	<b>Filters</b>		<b>Lens</b>	<b>Louwer</b>	LLR-S-3-4 15° Spot
ISHH01LUM	Programming Remote for sensor	F71-4 Peach Dichroic		LSL-4 Linear Spread Lens	LVR-4 45° Hex Cell Louwer	LLR-M-3-4 25° Medium
ISHH02LUM	Personal Control Remote for sensor	F72-4 Amber Dichroic		DIF-4 Diffused Lens		LLR-F-3-4 36° Flood
		F73-4 Green Dichroic		OSL-4 Overall Spread Lens		LLR-W-3-4 60° Wide Flood
		F74-4 Medium Blue				LLR-K-3-4 Spot, Medium, Flood, Wide Flood Optic Kit
		F75-4 Yellow Dichroic				
		F76-4 Red Dichroic				LLR-S-LC-3-4 20° Spot - Color tuning optic
		F77-4 Dark Blue Dichroic				LLR-M-LC-3-4 32° Medium - Color tuning optic
		F78-4 Light Blue Dichroic				LLR-F-LC-3-4 42° Flood - Color tuning optic
		F79-4 Neutral Density Dichroic				LLR-W-LC-3-4 56° Wide Flood - color tuning optic
		F80-4 Magenta Dichroic				LR-K-LC-3-4 Spot, Medium, Flood, Wide Flood Color tuning optic Kit
		F22-4 Red Color				
		F33-4 Blue Color				
		F44-4 Green Color				
		F55-4 Yellow Color				
		F66-4 Mercury Color				

MOUNTINGS

ROUND SURFACE MOUNT (RSM)

RSM-W1 (Up or down)



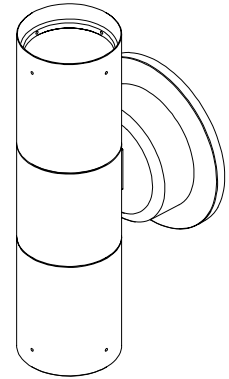
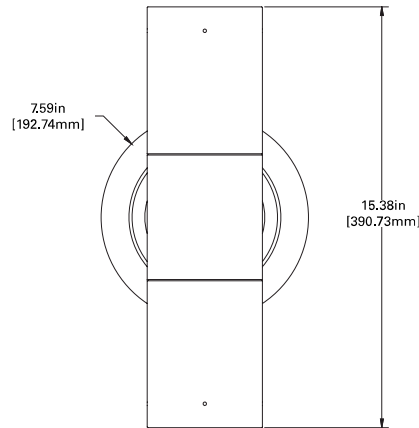
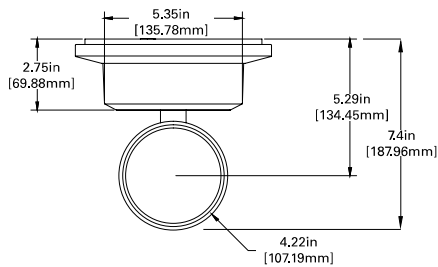
TOP VIEW

FRONT VIEW

ISO VIEW

ROUND SURFACE MOUNT (RSM)

RSM-W2 (Up and down)



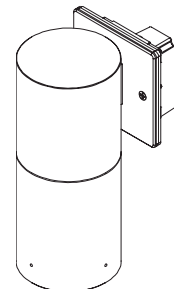
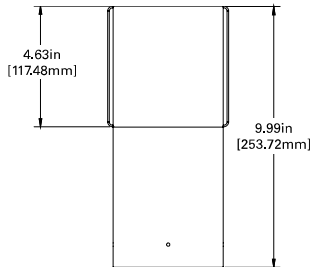
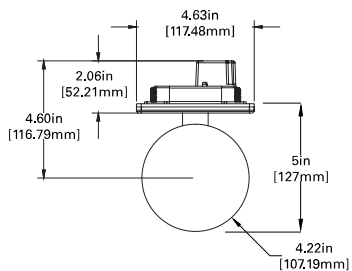
TOP VIEW

FRONT VIEW

ISO VIEW

WALL INTEGRAL DRIVER PLATE (WIS)

WIS-W1 (Up or down)



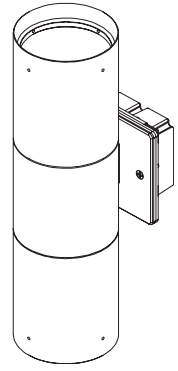
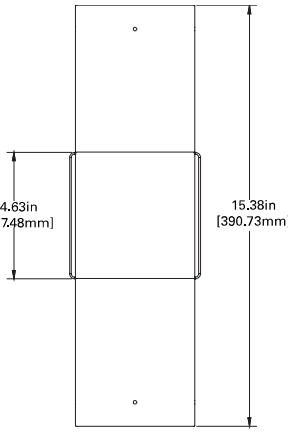
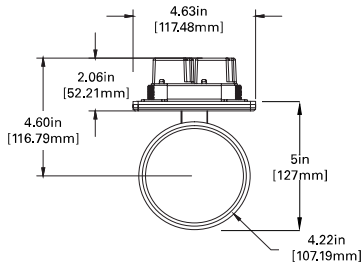
TOP VIEW

FRONT VIEW

ISO VIEW

**WALL INTEGRAL DRIVER PLATE (WIS)**

**WIS-W2 (Up and down)**



TOP VIEW

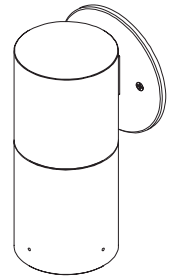
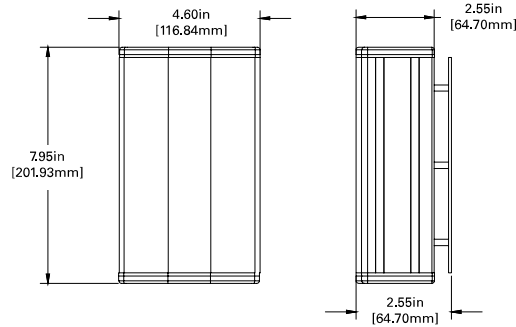
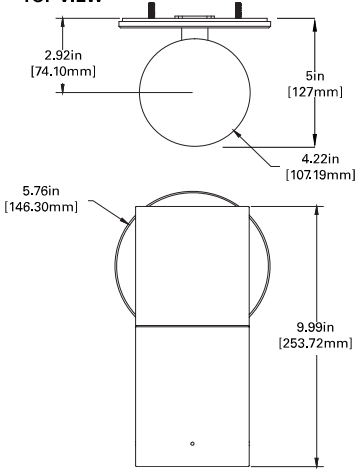
FRONT VIEW

ISO VIEW

**REMOTE DRIVER HOUSING ROUND WALL (WRR)**

**WRR-W1 (Up or down), as shown**  
**WRS-W1 (Square option also available)**

TOP VIEW



Remote Driver distance up to 60',  
For L3 remote distance up to 15'

FRONT VIEW

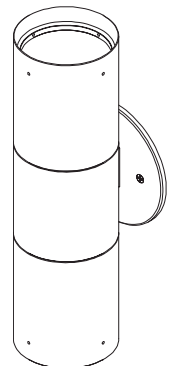
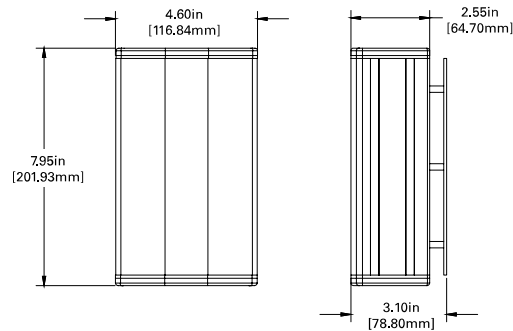
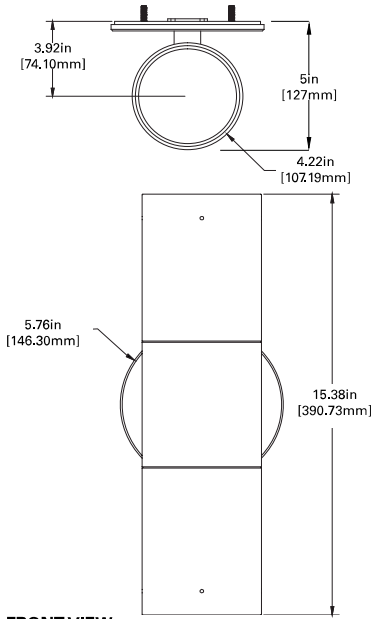
REMOTE BOX

ISO VIEW

**REMOTE DRIVER HOUSING ROUND WALL (WRR)**

**WRR-W2 (Up and down)**  
**WRS-W2 (Square option also available)**

TOP VIEW



Remote Driver distance up to 60',  
For L3 remote distance up to 15'

FRONT VIEW

REMOTE BOX

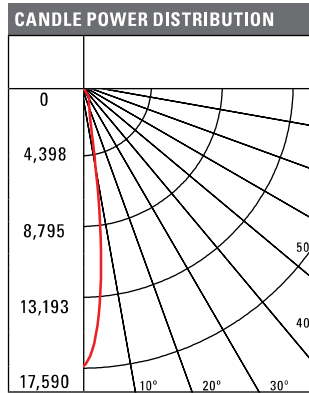
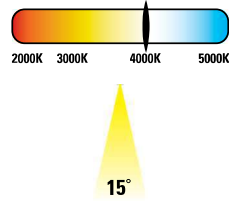
ISO VIEW



PHOTOMETRICS

Test Number	P29496
Lumcat	9004-[W1]-X-FL-LED4080-S-BK-L3-UNV
Lumens	2801 Lm
Watts	28.6 W
LPW	97.9 Lm/W
CCT	4000K
SC (0/90/45)	0.27 / 0.27 / 0.27
Beam Angle	15.9°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 82.5 Rg = 94.3
CRI/CIE	Ra = 83.1 R9 = 11.4

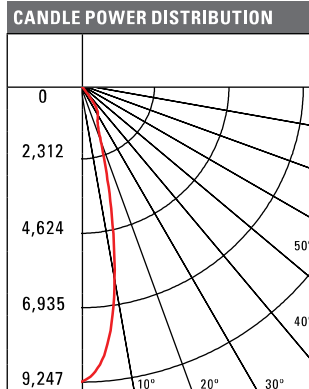
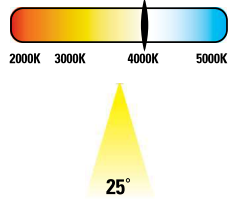


CONE OF LIGHT			
Horizontal Illuminance on Floor			
MH	FC	L	W
2'	4397.5	0.4	0.4
4'	1099.4	1	1
6'	488.6	1.6	1.6
8'	274.8	2	2
10'	175.9	2.6	2.6
15'	78.2	4	4
20'	44	5.4	5.4
30'	19.5	8.2	8.2
40'	11	10.8	10.8

CANDELA TABLE	
Angle	0-deg
0	17590
5	13640
10	5616
15	2329
20	1555
30	1057
40	161
50	11
60	4
70	1
80	0
90	0

Test Number	29497
Lumcat	9004-[W1]-X-FL-LED4080-M-BK-L3-UNV
Lumens	2826 Lm
Watts	28.6 W
LPW	98.8 Lm/W
CCT	4000K
SC (0/90/45)	0.43 / 0.43 / 0.44
Beam Angle	25.5°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 82.5 Rg = 94.3
CRI/CIE	Ra = 83.1 R9 = 11.4

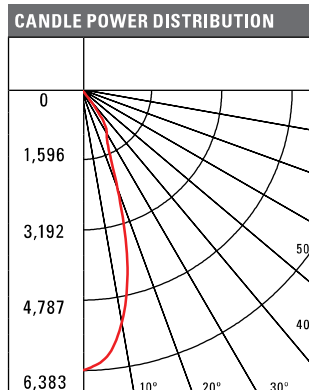
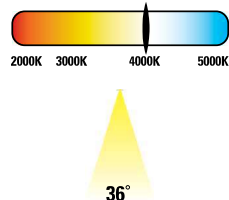


CONE OF LIGHT			
Horizontal Illuminance on Floor			
MH	FC	L	W
2'	2311.8	0.8	0.8
4'	577.9	1.6	1.6
6'	256.9	2.4	2.4
8'	144.5	3.4	3.4
10'	92.5	4.2	4.2
15'	41.1	6.4	6.4
20'	23.1	8.6	8.6
30'	10.3	12.8	12.8
40'	5.8	17.2	17.2

CANDELA TABLE	
Angle	0-deg
0	9247
5	8453
10	6140
15	3506
20	1860
30	1098
40	170
50	13
60	4
70	1
80	0
90	0

Test Number	P29498
Lumcat	9004-[W1]-X-FL-LED4080-F-BK-L3-UNV
Lumens	2871 Lm
Watts	28.5 W
LPW	100.7 Lm/W
CCT	4000K
SC (0/90/45)	0.58 / 0.58 / 0.56
Beam Angle	35.1°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 82.5 Rg = 94.3
CRI/CIE	Ra = 83.1 R9 = 11.4

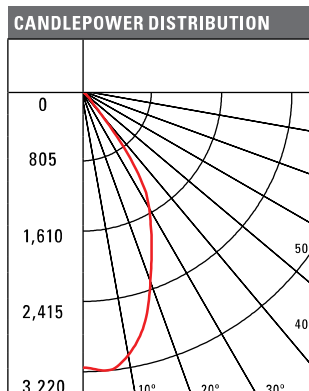
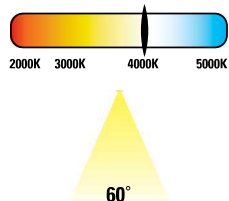


CONE OF LIGHT			
Horizontal Illuminance on Floor			
MH	FC	L	W
2'	1595.8	1	1
4'	398.9	2.2	2.2
6'	177.3	3.4	3.4
8'	99.7	4.6	4.6
10'	63.8	5.8	5.8
15'	28.4	8.6	8.6
20'	16	11.6	11.6
30'	7.1	17.4	17.4
40'	4	23.2	23.2

CANDELA TABLE	
Angle	0-deg
0	6383
5	6141
10	5345
15	4027
20	2423
30	1153
40	178
50	6
60	4
70	1
80	0
90	0

Test Number	P29499
Lumcat	9004-[W1]-X-FL-LED4080-W-BK-L3-UNV
Lumens	2790 Lm
Watts	28.5 W
LPW	97.9 Lm/W
CCT	4000K
SC (0/90/45)	0.86 / 0.86 / 0.91
Beam Angle	58.5°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 82.5 Rg = 94.3
CRI/CIE	Ra = 83.1 R9 = 11.4



CONE OF LIGHT			
Horizontal Illuminance on Floor			
MH	FC	L	W
2'	796.9	1.6	1.6
4'	199.2	3.4	3.4
6'	88.5	5	5
8'	49.8	6.8	6.8
10'	31.9	8.4	8.4
15'	14.2	12.8	12.8
20'	8	17	17
30'	3.5	25.6	25.6
40'	2	34.2	34.2

CANDELA TABLE	
Angle	0-deg
0	3173
5	3220
10	3082
15	2784
20	2321
30	1560
40	366
50	95
60	25
70	3
80	0
90	0

CCT/CRI	LED2790	LED3090	LED3590	LED4080	LED5080	LED2797	LED3097	LED3597	LED4097
FC Multiplier	0.754	0.798	0.808	1.000	1.039	0.699	0.706	0.801	0.793

Light Level	L1	L2	L3
FC Multiplier	0.418	0.772	1.000

Note: Photometric tables show lumen output for W1 only. For W2 (Up and Down) option, uplight and downlight both match lumen output as W1.

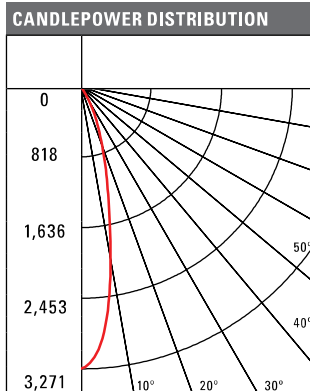
PHOTOMETRICS (PREMIUM COLOR TUNING)

Test Number	P29571
Lumcat	9004-[W1]-X-FL-[LEDCB, LEDCR]-S-BK-LC-UNV
Lumens	853 Lm
Watts	24 W
LPW	35.5 Lm/W
CCT	3500K
SC (0/90/45)	0.41 / 0.41 / 0.45
Beam Angle	24.1°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 90.6 Rg = 100.4
CRI/CIE	Ra = 92.7 R9 = 67.5

2700K 3000K 3500K 4000K

20°



CONE OF LIGHT				
Horizontal Illuminance on Floor				
MH	FC	L	W	
2'	817.8	0.8	0.8	
4'	204.4	1.6	1.6	
6'	90.9	2.4	2.4	
8'	51.1	3.2	3.2	
10'	32.7	4	4	
15'	14.5	6	6	
20'	8.2	8	8	
30'	3.6	12	12	
40'	2	16.2	16.2	

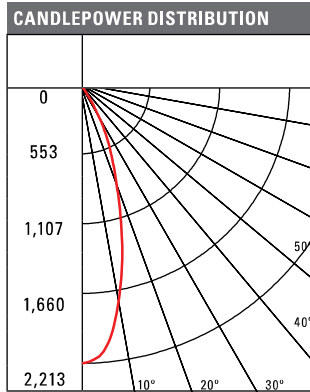
CANDELA TABLE	
Angle	0-deg
0	3271
5	2929
10	2021
15	1231
20	747
30	227
40	5
50	1
60	0
70	0
80	0
90	0

Test Number	P29572
Lumcat	9004-[W1]-X-FL-[LEDCB, LEDCR]-M-BK-LC-UNV
Lumens	853 Lm
Watts	24 W
LPW	35.5 Lm/W
CCT	3500K
SC (0/90/45)	0.55 / 0.55 / 0.58
Beam Angle	33.7°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 90.6 Rg = 100.4
CRI/CIE	Ra = 92.7 R9 = 67.5

2700K 3000K 3500K 4000K

32°



CONE OF LIGHT				
Horizontal Illuminance on Floor				
MH	FC	L	W	
2'	553.2	1	1	
4'	138.3	2.2	2.2	
6'	61.5	3.2	3.2	
8'	34.6	4.4	4.4	
10'	22.1	5.4	5.4	
15'	9.8	8.2	8.2	
20'	5.5	11	11	
30'	2.5	16.4	16.4	
40'	1.4	22	22	

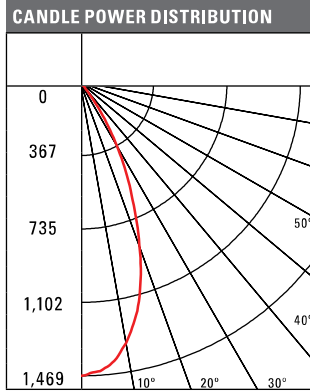
CANDELA TABLE	
Angle	0-deg
0	2213
5	2126
10	1754
15	1279
20	845
30	288
40	3
50	1
60	1
70	0
80	0
90	0

Test Number	P29573
Lumcat	9004-[W1]-X-FL-[LEDCB, LEDCR]-F-BK-LC-UNV
Lumens	834 Lm
Watts	24 W
LPW	34.8 Lm/W
CCT	3500K
SC (0/90/45)	0.72 / 0.72 / 0.71
Beam Angle	44.7°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 90.6 Rg = 100.4
CRI/CIE	Ra = 92.7 R9 = 67.5

2700K 3000K 3500K 4000K

42°



CONE OF LIGHT				
Horizontal Illuminance on Floor				
MH	FC	L	W	
2'	367.2	1.4	1.4	
4'	91.8	2.8	2.8	
6'	40.8	4.2	4.2	
8'	23	5.6	5.6	
10'	14.7	7	7	
15'	6.5	10.6	10.6	
20'	3.7	14.2	14.2	
30'	1.6	21.4	21.4	
40'	0.9	28.6	28.6	

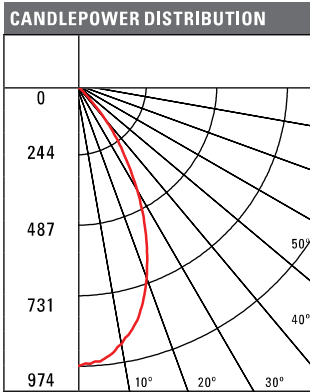
CANDELA TABLE	
Angle	0-deg
0	1469
5	1435
10	1324
15	1135
20	865
30	368
40	36
50	3
60	3
70	0
80	0
90	0

Test Number	P29574
Lumcat	9004-[W1]-X-FL-[LEDCB, LEDCR]-W-BK-LC-UNV
Lumens	806 Lm
Watts	24 W
LPW	33.6 Lm/W
CCT	3500K
SC (0/90/45)	0.85 / 0.85 / 0.86
Beam Angle	55.8°

COLOR METRIC SUMMARY	
TM-30-15	Rf = 90.6 Rg = 100.4
CRI/CIE	Ra = 92.7 R9 = 67.5

2700K 3000K 3500K 4000K

56°



CONE OF LIGHT				
Horizontal Illuminance on Floor				
MH	FC	L	W	
2'	243.5	1.6	1.6	
4'	60.9	3.4	3.4	
6'	27.1	5	5	
8'	15.2	6.8	6.8	
10'	9.7	8.4	8.4	
15'	4.3	12.8	12.8	
20'	2.4	17	17	
30'	1.1	25.6	25.6	
40'	0.6	34	34	

CANDELA TABLE	
Angle	0-deg
0	974
5	960
10	910
15	835
20	715
30	424
40	157
50	6
60	4
70	3
80	0
90	0

Note: Photometric tables show lumen output for W1 only. For W2 (Up and Down) option, uplight and downlight both match lumen output as W1.

LUMEN TABLE

		9004-[W1] Regressed Hood - Black								
		L1 - 10 W			L2 - 20 W			L3 - 30W		
		CBCP	Lumens	LPW	CBCP	Lumens	LPW	CBCP	Lumens	LPW
Spot 15°	LED2790	5584	783	79.5	10310	1445	71.9	13357	1872	65.7
	LED3090	5907	828	84.1	10906	1529	76.1	14130	1981	69.5
	LED3590	5983	839	85.1	11047	1549	77.0	14311	2006	70.4
	LED4080	7401	1038	105.3	13666	1916	95.3	17705	2482	87.1
	LED5080	7689	1078	109.4	14197	1990	99.0	18393	2578	90.5
	LED2797	5175	726	73.7	9556	1340	66.6	12380	1736	60.9
	LED3097	5224	732	74.4	9646	1352	67.3	12497	1752	61.5
	LED3597	5926	831	84.3	10941	1534	76.3	14175	1987	69.7
	LED4097	5869	823	83.5	10836	1519	75.6	14038	1968	69.1
Medium Flood 25°	LED2790	2907	781	79.2	5368	1441	71.7	6954	1867	65.5
	LED3090	3075	826	83.8	5678	1525	75.8	7357	1975	69.3
	LED3590	3115	836	84.9	5751	1544	76.8	7451	2001	70.2
	LED4080	3853	1035	105.0	7115	1910	95.0	9218	2475	86.8
	LED5080	4003	1075	109.1	7391	1984	98.7	9576	2571	90.2
	LED2797	2695	723	73.4	4975	1336	66.5	6446	1731	60.7
	LED3097	2720	730	74.1	5022	1348	67.1	6505	1747	61.3
	LED3597	3085	828	84.1	5696	1529	76.1	7380	1981	69.5
	LED4097	3055	820	83.3	5642	1515	75.4	7309	1962	68.9
Flood 36°	LED2790	2006	792	80.4	3704	1463	72.8	4799	1895	66.3
	LED3090	2122	838	85.1	3918	1547	77.0	5076	2004	70.1
	LED3590	2149	849	86.2	3969	1567	78.0	5142	2030	71.0
	LED4080	2659	1050	106.6	4910	1939	96.4	6361	2512	87.8
	LED5080	2762	1091	110.7	5101	2014	100.2	6608	2609	91.2
	LED2797	1859	734	74.5	3233	1356	67.4	4448	1756	61.4
	LED3097	1877	741	75.2	3466	1368	68.1	4490	1773	62.0
	LED3597	2129	841	85.3	3931	1552	77.2	5093	2011	70.3
	LED4097	2108	832	84.5	3893	1537	76.5	5044	1991	69.6
Wide Flood 60°	LED2790	1012	753	76.4	1869	1390	69.2	2422	1801	63.0
	LED3090	1071	796	80.8	1977	1470	73.2	2562	1905	66.6
	LED3590	1085	807	81.9	2003	1489	74.1	2595	1929	67.5
	LED4080	1342	998	101.3	2478	1842	91.7	3210	2387	83.5
	LED5080	1394	1037	105.2	2574	1914	95.2	3335	2480	86.7
	LED2797	938	698	70.8	1733	1288	64.1	2245	1669	58.4
	LED3097	947	704	71.5	1749	1300	64.7	2266	1685	58.9
	LED3597	1074	799	81.1	1984	1475	73.4	2570	1911	66.8
	LED4097	1064	791	80.3	1965	1461	72.7	2545	1893	66.2

TM30 DATA

9004	CCT/CRI	Rf	Rg	Ra	R9
	2790	90.9	98.9	91.7	58.3
	3090	90.8	99.1	92.5	62.6
	3590	90.6	100.4	92.7	67.5
	4080	82.5	94.3	83.1	11.4
	5080	81.6	94.1	82	6
	2797	94.9	100	98.1	86.9
	3097	94	100.3	97.8	88.9
	3597	92.9	99.3	97.2	89.1
	4097	91.5	98.7	95.4	84

LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (60,000 Hours)	Theoretical L70 (Hours)
25°C, 40°C, 50°C	> 87%	> 102,000

POWER TABLE

Number of Heads	Light Level	Input Current (A) at 120 VAC	Input Current (A) at 277 VAC	Input Power (W)
W1	L1	0.08	0.03	10
	L2	0.177	0.088	20.93
	L3	0.252	0.118	30.02
	LC1	0.1	0.085	11.4
	LC2	0.183	0.088	21.44
W2	L1	0.16	0.06	20
	L2	0.354	0.176	41.86
	L3	0.504	0.236	60.04
	LC1	0.2	0.17	22.8
	LC2	0.366	0.176	42.88

**INTEGRATED SENSOR - SVPD2**

The Lanterra Cylinder 9004 with Integrated Sensor technology provides automatic energy savings without sacrificing performance. Traditionally, these types of energy savings required coordination between the luminaire and a lighting control system. The Lanterra Cylinder 9004 delivers superior lighting with integrated PIR occupancy sensing and daylighting controls.

Capture the benefits of traditional lighting controls, without complicated circuit planning or special wiring. The Lanterra Cylinder 9004 delivers automatic ON to an energy saving light level, while ensuring lighting is turned OFF when the space is unoccupied.

The SVPD2 sensor is configured for outdoor use, so the integral daylight sensor will enable the luminaire to automatically adjust to daylight conditions by turning off when sufficient sunlight is present. Consult factory for indoor configuration.

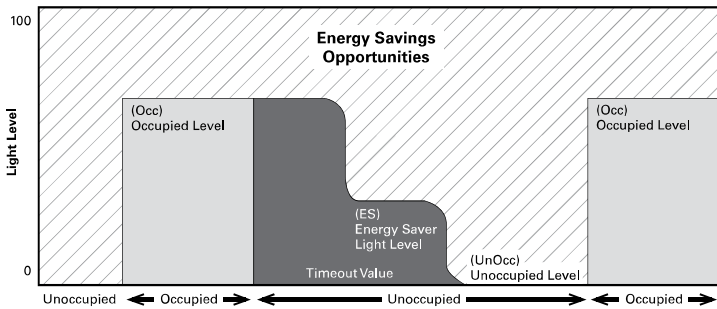
Occupied light levels and unoccupied light levels can be adjusted using the integrated sensor programming remote (Catalog Number: ISHH01LUM). While the default unoccupied level is OFF, a lower light level can be saved instead using the programming remote. The integrated sensor personal remote (Catalog Number: ISHH02LUM) provides code compliant manual raise, lower, ON, OFF control.

The Lanterra Cylinder 9004 with Integrated Sensor is easy to install with no special wiring and ensures energy savings out-of-the-box with default control settings.



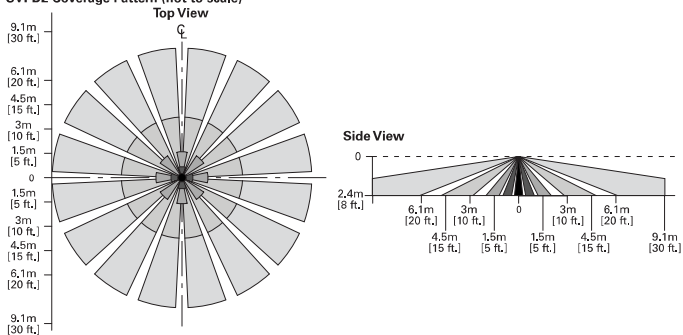
**HOW IT WORKS**

- As the user enters the space controlled by the integral sensor, the lighting turns ON to the occupied light level.
- Lighting will remain at the occupied level until the space is unoccupied. This will start the occupancy timeout period (default 20 minutes).
- If the space remains unoccupied for half of the timeout period, the lighting will automatically reduce to the Energy Saver light level (default matches occupied level). This adjustable light level is often set to half of the occupied daylight level using the programming remote.
- At the end of the timeout period the lighting will go to the unoccupied light level. This adjustable light level uses the OFF default setting.
- If sufficient sunlight is present, the luminaire will remain OFF, regardless of occupancy.

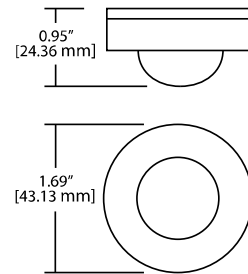


**Coverage**

SVPD2 Coverage Pattern (not to scale)



**Sensor Dimensions**



**Optional Remote Controls**



ISHH01LUM Programming Remote



ISHH02LUM Personal Control Remote

Catalog Number	Item 6.
Notes	
Type	

## FEATURES & SPECIFICATIONS

**INTENDED USE** — Ideal for applications requiring low-profile, attractive emergency lighting with Optional normally-off or normally-on with photocell control. Provides a minimum of 90 minutes of illumination both indoors and outdoors upon loss of AC power. **Certain airborne contaminants can diminish the integrity of acrylic and/or polycarbonate.** [Click here for Acrylic-Polycarbonate Compatibility table for suitable uses.](#)

**CONSTRUCTION** — Compact, low-profile, architectural design with die-cast aluminum housing. Finishes are texturized powder coat paint for dark bronze, white, black and non-texturized for natural aluminum. Test switch indicator light and remote enabled are located on the bottom of the housing and are easily accessible and visible from the floor.

**OPTICS** — LEDs with L70 of 55,000 hours. Delivers 635 lumens in Normal-On and Emergency operation. Optional field configurable for wide and forward throw distribution (**U.S. Patent No. - US10236712 B2**). Outdoor wide throw distribution: 70' (3' path of egress) at a 7.5' mounting height with 1 FC Average. 4,000K correlated color temperature (CCT). 70 CRI.

**ELECTRICAL** — UVOLT (120 thru 347V, 50/60hz). Current-limiting charger maximizes battery life and minimizes energy consumption to provide low operating costs. Small battery chargers Certified in the CA Title 20 Appliance Efficiency Database

Short-circuit protection — current-limiting charger circuitry protects printed circuit board from shorts. Regulated charge voltage maintains a stable charge voltage over a wide range of line voltages.

Prevents over/undercharging that shortens battery life and reduces capacity. Filtered charger input minimizes charge voltage ripple and extends battery life.

Photocell option (PEL) for normally on product in order to discontinue illumination during periods when ambient light is present. Photocell option (PEL) for normally on products allow the user to force lamp illumination by user control (external switch). When power is not connected to switched line, illumination will respond to internal daylight sensor. For switched line applications, no other types of products shall be connected on the switched leg.

Remote units (OELR) are normally off. Emergency only functionality with DC power from an external battery.

**BATTERY:** Sealed, maintenance-free Lithium Iron Phosphate battery.

**SELF-DIAGNOSTICS AND REMOTE TEST (SDRT OPTION):** Automatic 24-hour recharge after a 90-minute discharge. Advanced electrical design provides constant light output throughout the entire discharge period for non-CW batteries. (For cold weather and cold temperature applications, the light may diminish though the discharge cycle). Brownout protection is automatically switched to emergency mode when supply voltage drops below approximately 80 percent nominal of 120, 220, 277 or 347. Other input voltages may vary. AC/LVD re-set allows battery connection before AC power is applied and prevents battery damage from deep discharge.

Self-Diagnostics: Continuously monitors AC functionality. Standard derangement monitoring will indicate disconnected battery, charger failure and displays green flashing indicator light while in emergency mode. Single multi-chromatic LED indicator to display two-state charging, test activation and three-state self-diagnostics.

Self-diagnostic testing: Five minutes every 30 days and 90 minutes annually. Diagnostic evaluation of lamps, AC to DC transfer, battery charging and condition of microprocessor. Automatic test is easily postponed for eight hours by activating manual test switch or use of remote tester (RTKIT accessory).

Manual testing: Test switch and remote tester (RTKIT accessory) provides manual activation of 60-second diagnostic testing for on-demand visual inspection. 90 minute manual testing can be enabled by pressing the test switch again while in test mode.

**INSTALLATION** — Wall mount: typically meets 7.5' to 14' mounting height from ground or floor. Power supplied by either mounting directly to a 4" square or 4" octagon j-box (wall mount) and accepts rigid or flex conduit.

**LISTINGS** — UL wet location listed standard at 32-122°F (0-50°C). Unit with CW battery (cold weather) listed for -22°F to 122°F (-30° to 50°C). Remote listed for -40°F to 122°F (-40° to 50°C). Meets or exceeds all applicable requirements for UL 924, NFPA 101 (current Life Safety code), NFPA 70 (NEC), NOM (Norma Oficial Mexicana), California Energy Commission Title 20 section 1605.3 (W)(4), FCC Title 47, Part 15, Subpart B and OSHA. List and labeled to comply with Canadian Standards C22.2 No. 141-10. Meets City of Chicago Code.

**BUY AMERICAN ACT** — Product with the BAA option is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT regulations. Please refer to [www.acuitybrands.com/buy-american](http://www.acuitybrands.com/buy-american) for additional information.

**WARRANTY** — 5-year limited warranty (Battery is prorated). This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: [www.acuitybrands.com/support/warranty/terms-and-conditions](http://www.acuitybrands.com/support/warranty/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.

Premium Die-Cast Architectural Emergency Light

# AFF



without photocell (white)



without photocell (natural aluminum)



with photocell (white)



with photocell (dark bronze)

## MOUNTING

All dimensions are inches (centimeters).

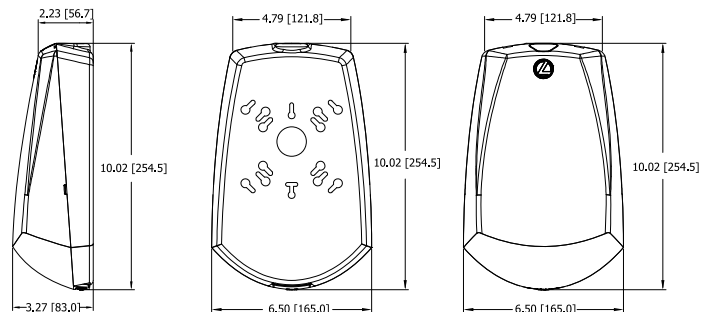
Shipping weight: 3.5 lbs. (1.59 kgs.)

Length: 6 1/2 (16.51)

Depth: 3 27/100 (8.30)

Height: 10 (25.45)

Weight : 3.5 lbs ( 1.59kg)



† Small Battery Chargers Certified in the CA Title 20 Appliance Efficiency Database.



## SELF-POWERED MODELS

### ORDERING INFORMATION

For the shortest lead times, configure product using **bolded options**.

**Example:** AFF PEL DWHGXD UVOLT LTP SDRT WT

Series	Unit Type <sup>1</sup>	Housing Color	Voltage	Battery Type	Automatic Testing	Optics	Options
AFF Signature® Premium	<b>PEL</b> Photocell: Normally-ON with internal battery <b>OEL</b> Normally-OFF with internal battery	<b>DWHGXD</b> White textured <b>DBLBXD</b> Black textured <b>DNAXD</b> Natural aluminum <b>DDBTXD</b> Dark bronze textured	<b>UVOLT</b> 120-347VAC, 50/60Hz	<b>LTP</b> Lithium Iron Phosphate	<b>SDRT</b> Self-diagnostics remote test	<b>WT</b> Wide Throw <b>FCT</b> Field configurable throw <sup>2</sup>	<b>CW</b> Cold Weather (-30 - 50C) BAA Buy America(n) Act Compliant

**Notes**

1 AFF with internal battery is not remote capable.

## REMOTE MODELS listed for -40°F to 122°F (-40° to 50°C)

### ORDERING INFORMATION

For the shortest lead times, configure product using **bolded options**.

**Example:** AFF OELR DWHGXD WT

Series	Unit Type	Housing Color	Voltage	Optics	Options
AFF Signature® Premium	<b>OELR</b> Remote fixture, Normally OFF (requires external battery source)	<b>DWHGXD</b> White textured <b>DBLBXD</b> Black textured <b>DNAXD</b> Natural aluminum <b>DDBTXD</b> Dark bronze textured	<b>(blank)</b> Universal DC voltage (8-30VDC)	<b>WT</b> Wide Throw <b>FCT</b> Field configurable throw <sup>1</sup>	BAA Buy America(n) Act Compliant

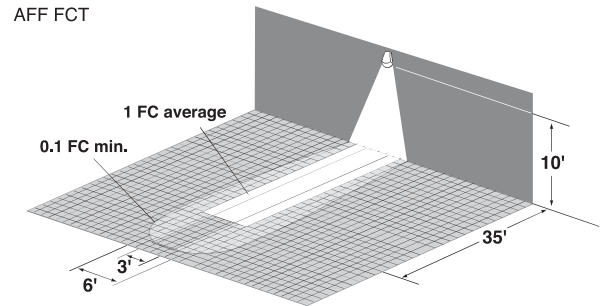
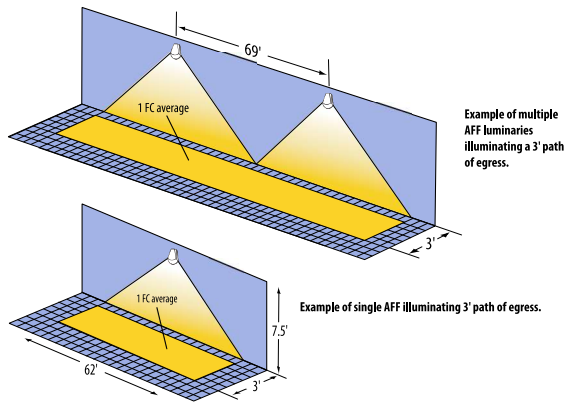
**Notes**

1 FCT optics ships standard in the WT (wide throw) mode. Upon installation, configuration can be changed to the FCT mode.

**Accessories:** Order as separate catalog number.

RTKIT Remote test kit, up to 40' away (includes goggles, laser and battery)

## AFF SPACING GUIDELINES



### Maximum Spacing Guidelines - AFF (WT)

Mounting Height	Illumination Level	Single Luminaire		Multiple Luminaire		Application Notes *
		3' Path of Egress	6' Path of Egress	3' Path of Egress	6' Path of Egress	
7.5'	1FC Avg	62'	46'	69'	53'	200' Open Space 80/50/20 reflectances
10'		48'	34'	55'	46'	
12'		28'	22'	46'	41'	
14'		6'	N/A	38'	36'	

\* Also meets the additional illumination requirements of NFPA 101: 1FC minimum and max/min ratio of 40:1.

### Maximum Spacing Guidelines - AFF (FCT)

Mounting Height	Illumination Level	Single Luminaire		Application Notes *
		3' Path of Egress	6' Path of Egress	
7.5'	1FC Avg	24'	23'	200' Open Space 80/50/20 reflectances
10'		35'	35'	
12'		37'	31'	
14'		31'	N/A	

\* Also meets the additional illumination requirements of NFPA 101: 1FC minimum and max/min ratio of 40:1.

**SPECIFICATIONS**

**Electrical: Primary Circuit**

Unit Type	Battery Type	Input Voltage(V)	Input Current(A)	Watts(W)
PEL WT	LTP	120-347	0.053-0.086	11.28
	LTP CW	120-347	0.089-0.167	20.39
PEL FCT	LTP	120-347	0.053-0.086	11.28
	LTP CW	120-347	0.089-0.167	20.39
OEL WT	LTP	120-347	0.025-0.032	2.50
	LTP CW	120-347	0.075-0.097	11.60
OEL FCT	LTP	120-347	0.025-0.032	2.50
	LTP CW	120-347	0.075-0.097	11.60
OELR WT	N/A	8-30	0.248 - 1.225	8.57*
OELR FCT	N/A	8-30	0.254 - 1.168	8.22*

\*OELR watts data is in addition to the lamp heads on the product

**BATTERY**

Lithium Iron Phosphate					
Type	Voltage	Typical Shelf Life <sup>1</sup>	Typical Life <sup>1</sup>	Maintenance <sup>2</sup>	Temperature range <sup>3,4</sup>
STD	12.8V	1 year	6-8 years	none	32 - 122°F (0 - 50°C)
CW	12.8V	1 year	6-8 years	none	-22 - 122°F (-30 - 50°C)

**Notes**

- 1 At 77°F (25°C).
- 2 Battery life is negatively impacted by many variables including temperature, charging rates, number of cycles and deep discharges due to long periods of time without AC power.
- 3 All life safety equipment, including emergency lighting for path of egress must be maintained, serviced, and tested in accordance with all National Fire Protection Association (NFPA) and local codes. Failure to perform the required maintenance, service, or testing could jeopardize the safety of occupants and will void all warranties.
- 4 Temperature range where unit will provide capacity for 90 minutes. Higher and lower temperatures affect life and capacity. See option packages for expanded temperature ranges.



**CITY OF  
COLUMBIA HEIGHTS  
PLANNING COMMISSION**

**NOTICE OF  
PUBLIC HEARING**

Notice is hereby given that the Planning Commission of the City of Columbia Heights will conduct a public hearing in the City Council Chambers of City Hall at 3989 Central Avenue NE on Tuesday, May 7, 2024, at 6:00 p.m. The order of business is as follows:

A request for a Minor Subdivision and Site Plan Review for The Architects Partnership, LTD on behalf of Chase Bank to subdivide a portion of the parking lot of 5085 Central Avenue NE (La Casita) and create a separate lot for a new construction Chase Bank facility with a drive-thru ATM, per Code Section 9.110 Commercial Districts (E). Section 9.104 (K) and (N) of the Zoning Ordinance requires the Planning Commission to hold a public hearing to review the Minor Subdivision and Site Plan Review and make findings before submitting a recommendation to the City Council.

Notice is hereby given that all persons having an interest will be given an opportunity to be heard. For questions, contact Andrew Boucher, City Planner, at (763) 706-3673.

Published in  
The Life  
April 19, 2024  
1388218

# -Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully. If changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@apgecm.com

Date: 04/12/24  
Account #: 414681  
Customer: CITY OF COLUMBIA HEIGHTS  
Address: 3989 CENTRAL AVE NE  
COLUMBIA HEIGHTS  
Telephone: (763) 767-6580  
Fax: (763) 706-3637

**Publications:**  
BSLP Col Hght Frid Life

Ad ID: 1388218  
Copy Line: May 7 PH Minor Subdivision  
PO Number:  
Start: 04/19/24  
Stop: 04/19/2024  
Total Cost: \$63.25  
# of Lines: 46  
Total Depth: 5.139  
# of Inserts: 1  
Ad Class: 150  
Phone # (763) 691-6000  
Email: publicnotice@apgecm.com  
Rep No: CA700  
  
Contract-Gross



City of Columbia Heights | *Community Development Department*

3989 Central Avenue NE, Columbia Heights, MN 55421 ▪ Ph: 763-706-3670 ▪ Fax: 763-706-3671 ▪  
www.columbiaheightsmn.gov

## NOTICE OF PUBLIC HEARING

Date of Hearing: May 7, 2024

Subject: Public Hearing Notice – Minor Subdivision and Site Plan Review for The Architects Partnership, LTD representing Chase Bank

Subject Property: 5085 Central Avenue NE  
Columbia Heights, MN 55421

Dear Resident/Affected Property Owner:

The City of Columbia Heights has received an application for a Minor Subdivision and Site Plan Review from The Architects Partnership, LTD representing Chase Bank to subdivide a portion of the parking lot of 5085 Central Avenue NE and create a separate lot for a new construction Chase Bank facility with a drive-thru ATM, per Code Section 9.110 Commercial District (E) General Business. Section 9.104 (K & N) of the Zoning Ordinance requires the Planning Commission to hold a public hearing to approve the Minor Subdivision and Site Plan Review.

You are receiving this notice because the property that you own (Affected Property), and/or reside in, is located within 350 feet of the Subject Property. The Planning Commission of the City of Columbia Heights will hold a Public Hearing on this matter on Tuesday, May 7, 2024 at 6:00 p.m. in the City Council Chambers of Columbia Heights City Hall, located at 3989 Central Avenue NE. A map of the Subject Property is attached. A full copy of the application is on file at City Hall and is available for review upon request.

You are welcomed and encouraged to participate in the Public Hearing for this matter by attending the May 7, 2024 Planning Commission meeting. If you cannot attend the meeting, but would like to provide input, you can submit correspondence via email to [aboucher@columbiaheightsmn.gov](mailto:aboucher@columbiaheightsmn.gov) or by mail at:

City of Columbia Heights  
Attn: Community Development  
590 40<sup>th</sup> Ave NE  
Columbia Heights, MN 55421

You can participate in the meeting live and online by using Microsoft Teams at the login link below or call-in:

### Join Microsoft Teams Meeting Online

Meeting ID: 252 58 988 371  
Passcode: ugquG3

### Dial-in for Microsoft Teams Meeting

+1-312-626-6799

If you have any questions about this proposal, please do not hesitate to contact the City of Columbia Heights Community Development Division at (763) 706-3673.

Sincerely,

Andrew Boucher  
Community Development Planner, City of Columbia Heights

**\*\* Landowners (Commercial and Residential):** If you do not reside on the Affected Property, located 350 feet from the Subject Property, it is your responsibility to share this notice with your tenants. This notice should be posted in a public place on your property or mailed directly to the tenants residing or leasing space on the Affected Property.

**-SUBJECT PROPERTY LOCATION-  
(Highlighted in orange)**

