



PLANNING COMMISSION
City Hall—Council Chambers, 590 40th Ave NE
Wednesday, July 05, 2023
6:00 PM

MINUTES

CALL TO ORDER/ROLL CALL

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

Commissioners Present: Laurel Deneen, John Gianoulis, Tom Kaiser, Mike Novitsky, Eric Sahnaw, Mark Vargas, Clara Wolfe

Staff Present: Aaron Chirpich, Assistant City Manager/Community Development Director; Andrew Boucher, City Planner; and Alicia Howe, Administrative Assistant; Tim Stone, Architect and representative of CUP applicants

APPROVE MINUTES

- 1. Approve May 2, 2023 Planning Commission Meeting Minutes.**
Motion by Wolfe, seconded by Novitsky, to approve the Planning Commission Meeting Minutes of May 2, 2023. All ayes of present. MOTION PASSED.

PUBLIC HEARINGS

- 2. Conditional Use Permit to allow a Banquet Hall at 2201 37th Avenue NE.**
Boucher stated Mohamed Abdulle and Abdul Salah have hired Tim Stone to represent them and requested approval of a conditional use permit to allow a banquet hall within a portion of an existing 42,000 square foot commercial building located at 2201 37th Avenue NE. The site, located north of 37th Avenue and west of McKinley Street, was previously occupied by the Unique Thrift Store.

Boucher noted the banquet hall is intended to provide assembly space for graduation, celebrations, weddings, receptions and similar events. The proposal is consistent with the City's 2040 Comprehensive Plan and uses allowed in the General Business (GB) District. Section 9.107(C)(54) imposes the following required conditions for a "banquet hall" use followed by Staff comments.

Boucher added that the space is one of four tenant spaces including an office, storage, retail furniture, and retail market.

Boucher displayed an image of the site layout and parking study to the Planning Commission. The two retail spaces will potentially change since they are speculative at the moment. The applicant has provided a parking study as one of the conditions of approval which showed the event center peak parking demand would occur at different peak parking demand times than the other uses. A total of 161 off-street parking spaces are

required of the five proposed uses. The parking study concludes that the existing parking supply will accommodate expected parking demand based on the uses having the different peaks at different hours so long as the capacity of the banquet hall does not exceed the occupant load. The applicant will be required to post the max occupancy of 311 people within the banquet space.

Boucher stated Staff is in agreement with the applicant that peak parking demands for the banquet hall will likely coincide with the lower parking demands for the other uses and believe the parking provided is sufficient. They expect the peak parking demand for the banquet hall to occur Fridays and Saturdays from 7:00 pm to 2:00 am while the retail stores will have peak parking demand during the work day.

Boucher mentioned the banquet hall specific development standards which include:

- New construction additions and exterior materials shall be compatible with those used in the immediate neighborhood.
 - The applicant is proposing no exterior building modifications at this time.
- An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the community.
 - There is existing fencing and some landscaping in between the multifamily residential areas that Staff believe is adequate at this time.
- The facility shall meet all applicable building and fire codes, and shall be licensed as required by the state or county.

Boucher added that there are no changes to the existing sites access locations, no exterior site modifications, parking meets City code and ADA requirements. The applicant will provides signs when the tenants and Staff have reviewed them administratively.

Boucher noted trash, handling and loading, will occur on the north side of the building and no activities of those kind are going to be used in the drive-thru lane. The use will be required to adhere to performance standards for odors, and sounds. If sounds can be observed from the neighboring properties or the right of way, then it is grounds for revoking or re-reviewing the Conditional Use Permit. Staff have not received any comments from neighboring properties owners regarding the development proposal.

Boucher stated the applicant was required to provide a transportation management plan to address off street parking, bus loading and unloading traffic control and the impact of the facility on the surrounding roadways. The applicant provided a parking study that was revised to be based on Columbia Heights City code. Staff is in agreement that the amount of parking provided is sufficient.

Boucher explained that all sidewalks and alleys are within 100 feet of the use shall be inspected regularly and cleared of any litter found thereon. Hall music or amplified sound shall not be audible from adjacent residential uses and must meet the requirements of City ordinances to ensure consistent enforcement by the Police Department.

Boucher reviewed the floor plan and noted both sections are allowed to hold 311 people per the occupancy code which will be required to be posted within the facility. Fire and Police have the ability to go in and inspect it.

Boucher explained the findings of facts which include:

- The banquet hall use is specifically listed as a conditional use in the General Business District under Section 9.110(E)(3)(c). This requirement has been satisfied.
- The proposed uses are permitted within the (GB) District and as conditioned, will bring harmony with the general purpose and intent of the Comprehensive Plan guiding the subject site for commercial use.
- The use will not impose hazards or disturbing influences on neighboring properties if conditions related to parking management and monitoring of performance standards are satisfied.
- The use will not substantially diminish the use of property in the immediate vicinity as the area includes both commercial and multiple family residential uses are not expected to negatively impact properties in the immediate vicinity.
- The proposed uses will occupy an existing building and with the likely exception of new site signage at some point, no exterior changes to the site and building design are proposed. Thus, the character of the neighborhood is not expected to change.
- The site is presently serviced by adequate utilities and services. No changes to public services or facilities are proposed.
- Adequate parking supply will be provided upon the subject site as required and described in the parking study. In this regard, steps are being taken to minimize potential traffic congestion on public streets which could result from overflow on-street parking.
- The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
- In review of the application materials and recognizing that the existing building setback along McKinley Street NE represents a legal nonconforming condition, the banquet hall and other uses comply (or will comply) with all other applicable GB, General Business District regulations.

Boucher stated it is Staff's recommendation for the Planning Commission to consider the following conditions of approval.

1. All new signage shall be subject to City review and approval.
2. Loading activities shall take place on the north side of the building and the former drive-up donation lane located south of the building shall not be used for loading activities.
3. All uses within the building shall comply with the standards governing the odor emissions as adopted and enforced by the Minnesota Pollution Control Agency and any applicable performance standards.
4. The applicant shall adhere to any and all recommendations provided by the Public Works Department.

5. The building shall meet all applicable building and fire codes.
6. The subject site and all adjacent streets and sidewalks within 100 feet of the site shall be inspected regularly for the purposes of removing any litter found thereon.
7. No music or amplified sounds which would be audible from adjacent residential uses shall be allowed on the subject site and the site will comply.
8. All required state and local codes, permits, licenses and inspections shall be met and be in full compliance; the use of the commercial kitchen is limited to licensed caterers and alcohol providers.
9. Music performance may be allowed as an accessory use to the banquet hall for a party, banquet, wedding, reception or other social events; music performances may not be the primary function.
10. Verify exterior lighting is in working order and appropriate for the site.
11. An emergency management plan is required and shall include on-site management; functioning security cameras with 30 days of digital storage and cover the parking lot, alley, main areas, and interior spaces; how the ingress/egress will be maintained; and parking lot management to ensure that odors, noise, and any on-site alcohol consumption does not occur outside of the building.

Sahnow asked if any of the Commissioners had any questions.

Kaiser asked why the property owner was not looking to make any exterior modifications or landscaping upgrades. He noted the applicant is ensuring that it fits with the neighborhood character but the neighborhood directly adjacent to the property is undergoing significant changes.

Tim Stone, architect and representative of the CUP applicants, replied that the majority of the frontage is parking. At this point the owner has done landscaping and re-striping and re-tarring of the existing parking lot area. He added he assumes the owner is planning on doing some painting.

Sahnow asked if Staff had additional discussions with Mr. Stone and the applicants about increasing the amount of lighting since the event center is anticipating having people there late at night.

Boucher replied there have not been discussions on increasing the lighting but have discussed ensuring the lighting is in working order and that is it appropriate for the uses surrounding it since there are residential areas adjacent to the property.

Sahnow asked if a lighting report would be included as a final submittal to the City. Boucher stated it could be included and added as a condition.

Sahnow proposed amending condition 10 to include that the lighting report is included with the submittal to the City.

Sahnow opened the public hearing.

There were no public comments.

Motion by Kaiser, seconded by Wolfe, to close the public hearing and waive the reading of draft Resolution attached, there being ample copies available to the public. All ayes of present. MOTION PASSED.

Motion by Kaiser, seconded by Wolfe, to recommend that the Planning Commission recommend to the City Council approval of the Conditional Use Permit as amended, subject to the conditions stated in the draft resolution with condition 10 being amended to include a light report. All ayes of present. MOTION PASSED.

OTHER BUSINESS

3. Review Purchase of 941 44th Avenue NE.

Boucher stated Pursuant to State Statue, 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 941 44th Avenue NE, Columbia Heights, MN 55421 (the "Subject Property") to determine if its acquisition conforms to the Comprehensive Plan of the City.

Boucher added that 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.

Boucher noted the land use and redevelopment goal is to provide mechanisms for successful redevelopment of vacant lands and targeted areas within the community. This includes:

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.

Kaiser asked if the intent is to eventually become commercial since it is adjacent to a residential area.

Chirpich replied that it is commercially zoned. One of the EDA's long standing initiatives is to acquire the commercially zoned single-family homes along the corridor. It would be a hold for future commercial use in order to try to coordinate a land assembly with some of

the other commercial property owners in the vicinity. Staff expects an increased redevelopment pressure on the corner once the Rainbow site redevelops.

Deneen asked what was wrong with the home that brought it to the City's attention. Chirpich replied that he believed a Councilmember had heard that it was going to be for sale because the owner recently passed away. It is in significant disrepair and a candidate for demolition.

Motion by Kaiser, seconded by Novitsky, to waive the reading of Resolution 2023-PZ04, there being ample copies available to the public. All ayes of present. MOTION PASSED.

Motion by Wolfe, seconded by Vargas, to adopt Resolution 2023-PZ04, 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 of present. MOTION PASSED.

RESOLUTION NO. 2023-PZ04

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.

WHEREAS, the Columbia Heights Economic Development Authority (the "Authority") proposes to purchase certain property (the "Property") located at 941 44th Avenue NE, (PID 36-30-24-22-0050) in the City of Columbia Heights (the "City") and described on the attached Exhibit A, for the purposes of eventual redevelopment; and

WHEREAS, Minnesota Statutes, Section 462.356, subd. 2 requires the City's Planning Commission to review the proposed acquisition or disposal of publicly-owned real property within the City prior to its acquisition or disposal, to determine whether in the opinion of the Planning Commission, such acquisition or disposal is consistent with the comprehensive municipal plan; and

NOW, THEREFORE BE IT RESOLVED, the Planning Commission has reviewed the proposed acquisition of the Property, and has determined that the Authority's purpose is to redevelop the Property, and that the proposed acquisition is therefore consistent with the City's comprehensive plan. BE IT FURTHER RESOLVED that this resolution be communicated to the Board of Commissioners of the Authority.

ORDER OF THE PLANNING COMMISSION

Passed this 5th day of July 2023.

Offered by: Wolfe
Seconded by: Vargas

Roll Call: All ayes. *Motion Passes.*

Chair

Alicia Howe, Administrative Assistant II

ADJOURNMENT

Motion by Wolfe, seconded by Vargas, to adjourn the meeting at 6:29 pm. All ayes. MOTION PASSED.

Respectfully submitted,



Alicia Howe, Administrative Assistant