



**PLANNING COMMISSION**  
City Hall—Council Chambers, 590 40th Ave NE  
Tuesday, February 07, 2023  
6:00 PM

---

**MINUTES**

**CALL TO ORDER/ROLL CALL**

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

Commissioners Present: Laurel Deneen, Stan Hoium, Tom Kaiser, Eric Sahnou, Mark Vargas, Clara Wolfe

Commissioners Not Present: Mike Novitsky

Staff Present: Aaron Chirpich, Community Development Director; Bob Kirmis, Consultant Planner; Alicia Howe, Administrative Assistant; Jessen Como, Ruff Love Dogs Owner; Anthony Courtright, City Resident; Jeffery Dobberpuhl, City Resident; Megan Dobberpuhl, City Resident; Sara Ion, City Resident

**1. Election of Planning Commission Officers**

Chirpich stated election of Planning Commission Officers typically occurs during the first Planning Commission meeting of the year. He noted in 2022, the election did not occur until June which is why the terms were shorter than normal. He stated they would take nominations for each position and if there was more than one nomination, they would take a roll call vote before moving to elect. He added, for a member to be considered for an officer position, they must be nominated by another Planning Commission member or nominate themselves.

Vargas nominated Sahnou as President of the Planning Commission. Wolfe agreed and added she would like the roles to remain the same since there have only been a few meetings.

*Motion by Vargas, seconded by Wolfe to elect Sahnou as Chair of the Planning Commission. A roll call vote was taken. All ayes of present. MOTION PASSED.*

Vargas nominated Kaiser for Vice Chair of the Planning Commission.

*Motion by Vargas, seconded by Sahnou to elect Kaiser as Vice Chair of the Planning Commission. A roll call vote was taken. All ayes of present. MOTION PASSED.*

Kaiser nominated Vargas as Secretary/Treasurer of the Planning Commission.

*Motion by Kaiser, seconded by Hoium to elect Vargas as Secretary/Treasurer of the Planning Commission. A roll call vote was taken. All ayes of present. MOTION PASSED.*

## APPROVE MINUTES

### 2. Approve November 1, 2022 Planning Commission Meeting Minutes

*Motion by Wolfe, seconded by Hoium to approve the Planning Commission Meeting Minutes of November 1, 2022. All eyes of present. MOTION PASSED.*

Chirpich noted they will have a new Planner with the City in the next meeting and are in the process of hiring for that position.

## PUBLIC HEARINGS

### 3. Zoning Ordinance Amendment and Conditional Use Permit

Kirmis stated Ruff Love, LLC, on behalf of LOC and KEA Holdings, LLC, has requested approval of a Zoning Ordinance Amendment and Conditional Use Permit to accommodate the establishment of dog daycare and boarding facility upon a 10,890 square foot site located at 3801 3rd Street NE (north of 38th Avenue NE between 3rd Street NE and University Avenue NE).

Kirmis noted the applicant plans to convert an existing 6,300 square foot industrial building located on the site (previously occupied by "Paddle North") into a dog daycare and boarding facility. The proposed use would occupy the entire building.

Kirmis stated the subject site is bordered on the north and south by industrial uses, on the east by University Avenue NE and multiple family residential uses and on the west by single and two-family dwellings.

Kirmis added the site is presently zoned I-1, Light Industrial which currently does not make an allowance for animal kennels, dog daycare or boarding uses. As a result, the approval of a Zoning Ordinance Amendment to allow "animal kennels" in the I-1 District (as a conditional use) must precede action on the requested conditional use permit approval.

Kirmis noted at present, only the City's GB, General Business District makes an allowance for "animal kennels." Such uses are "conditional" and therefore are subject to conditional use permit processing.

Kirmis stated the requested Zoning Ordinance change would apply to all properties located within I-1, Industrial zoning district. The subsequent conditional use permit application, however, applies only to the subject site.

Kirmis mentioned if approved, the dog daycare and boarding facility will be relocated from its current location in northeast Minneapolis. According to the applicant, the new Columbia Heights location will accept up to 100 dogs a day and will have a maximum six employees on-site at one time. Except for a new dog run area on the east side of the building, no exterior modifications to the existing site and building are proposed.

Kirmis stated the first action is the zoning ordinance amendment. It is the opinion of Staff that animal kennels and/or shelters can compatibly exist within I-1 Districts provided various precautions are taken to address potential adverse impacts. He added it is common to allow this type of use in light industrial districts.

Kirmis noted that while the Zoning Ordinance presently includes several animal kennel-specific performance standards, Staff recommends that such standards be expanded to address potential adverse impacts in a more comprehensive manner. In this regard, Staff researched “animal kennel” standards presently imposed by several other metropolitan area cities. The additional standards included in the draft Zoning Ordinance Amendment primarily reflect standards imposed by the City of New Hope which incorporate Humane Society recommendations. Kennel size recommendations of the Association of Shelter Veterinarians (ASV) have also been incorporated (in the amendment language).

Kirmis reviewed the modifications that are recommended by Staff:

1. The existing definition of “kennel” be expanded to provide clarity regarding the allowance of animal daycare uses.
2. The City’s existing performance standards pertaining to animal kennels and/or shelters be expanded to add consistency.

Kirmis noted the second part of the amendment adds animal kennels as an allowed conditional use in the light industrial zoning district. He explained the third part of the amendment is the addition to some conditions related to the activity. He added, presently the ordinance has a set of 4 conditions that apply to animal kennels with a number of kennel related conditions proposed.

Kirmis reviewed the current ordinance references the need to apply for a conditional use permit and states outdoor kennels are prohibited and says outdoor spaces related to kennel use must be screened from neighborhood uses and indoor activities must have sound proofing. He noted in regard to the outdoor spaces, Staff is recommending the space shall be cleaned regularly so as not to create a nuisance as defined by the City Code. He added animal waste produced within the space shall not be allowed to directly enter the City’s storm sewer system. He stated this feedback has been received by the City Engineer in regard to the draining in the outdoor run area.

Kirmis stated the conditional use permit is specific to the site. He reviewed the conditional use permit:

**1. Access**

Access to the site is proposed from the south via 38th Avenue NE. No changes related to site access are proposed.

As shown on the submitted site plan, a row of 90-degree off-street parking stalls are located in the southeast corner of the site, along 38th Avenue NE. In this regard, access

to such row of parking is provided via an 80- foot-wide surmountable curb along 38th Avenue NE.

Also, to be noted is that a loading area located at the southwest corner of the building is likewise accessed from the south via 38th Avenue NE.

## **2. Off-Street Parking**

Supply Requirements. The submitted site plan illustrates a total of 10 off-street parking stalls. The Zoning Ordinance does not include a specific off-street parking supply requirement for “animal kennels.” Rather, the Ordinance states that supply requirements are to be determined by Staff.

In researching parking supply requirements for animal daycare/kennel uses, the most common city standard applies an office supply standard to that area of a kennel devoted to office use and a warehouse standard to that area of the building devoted to kennel uses.

The applicant has indicated that a maximum of six employees will be on-site at one time. With this in mind, an off-street parking supply requirement of five stalls is considered deficient. Staff does, however, consider the 10 spaces provided on site to be adequate to accommodate expectant parking demand (six spaces for employees and four spaces for customers). As a condition of conditional use permit approval, it is recommended that a minimum of 10 off-street parking stalls be provided to accommodate the proposed use. Appropriately, one off-street parking space on the site has been designated as a disability stall (in accordance with the American Disability Act).

Parking Area Setbacks. Within I-1 zoning districts, the following parking area setbacks are imposed:

Front Yard: 20 feet  
Corner  
Side Yard: 5 feet  
Rear Yard 5 feet

The existing parking area upon the subject site extends to side (south) and rear (east) lot lines with no setback. In this regard, the existing parking area is considered a legally non-conforming condition as it fails to meet the City’s current parking area setback requirements.

## **3. Outdoor Activities (Dog Run)**

As shown on the submitted site plan, an approximate 1,300 square foot outdoor dog run area is proposed on the east side of the building. The dog run area is considered well-placed in terms of minimizing impacts upon residential uses in the area. The run area abuts industrial buildings to the north and west and faces an industrial use to the south (along 38th Avenue NE). The outdoor run area will be screened from view of the

homes located along the east side of University Avenue NE via a six-foot-high wood panel fence. The proposed fence meets applicable requirements of Section 9.106(E)(3) of the Zoning Ordinance pertaining to nonresidential fences.

Also, to be noted is that a significant amount of vegetation exists along the easter boundary of the site, within the Central Avenue NE right-of-way. While technically “off-site,” such vegetation provides additional screening of the outdoor activity area.

Kirmis added as a condition of conditional use permit approval, the property owner or custodian of the property shall have the obligation and responsibility to prevent such animal from committing any act which constitutes a public nuisance as provided in Section 8.101(D) of the City Code.

#### **4. Indoor Activities (Kennels)**

The Zoning Ordinance Amendment includes several standards which apply to indoor activities on the site. In this regard, the following requirements are recommended as conditions of conditional use permit approval:

1. All indoor activities shall include soundproofing and odor control.
2. The kennel or shelter shall provide a minimum floor area of 48 square feet per dog and 20 square feet per cat or any other animal boarded at any one time, exclusive of office or storage area.
3. The air temperature within the kennel or shelter shall be maintained between 60 degrees and 80 degrees Fahrenheit.
4. Within the kennel area, wall finish materials below 48 inches in height shall be impervious, washable materials such as sealed masonry, ceramic tile, glass board, or fiberglass reinforced plastic (FRP) panels.
5. Floor finishes shall be sealed concrete, or another impervious surface approved by the City.
6. Animal waste shall be immediately cleaned up with solid waste enclosed in a container of sufficient construction to eliminate odors and organisms. All animal waste shall be disposed of daily.
7. The kennel or shelter shall provide sufficient, uniformly distributed lighting to the kennel area.

#### **5. Business Hours**

It is understood that dog daycare and boarding activities on the site will be conducted on a 24-hour basis. It has not, however, been indicated what, if any, business hours for customer drop-off and pick-up activities are proposed.

To ensure land use compatibility, it is recommended that customer business hours, as deemed appropriate by the City, be established.

#### **6. Trash**

While a loading area exists on the south side of the building, it is not clear if trash handling equipment is to be located within the building or outside. If trash handling equipment is to be stored outdoors, its location should be illustrated on the site plan.

Also, consistent with Ordinance requirements, exterior trash and/or recycling collection areas on the site must be enclosed on at least three sides by an opaque screening wall or fence no less than six feet in height. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.

**7. Licensing**

As a condition of conditional use permit approval, the kennel must be appropriately licensed in accordance with Section 5.607 of the City Code.

**8. Neighborhood Notification**

As required, neighborhood notification of the conditional use permit application has been provided to property owners within 350 feet of the subject property.

Kirmis mentioned City Staff have received 3 neighborhood comments and highlighted that a comment from the owner of property located at 3754 3rd Street NE (southwest of the subject site) has expressed opposition to the applicant's request. A copy of the property owner's letter is attached to the report.

Kirmis added they have received a letter from a property owner who asked questions regarding the use of the property. He stated in addition, a property owner who lived next to the applicant's previous property sent a letter endorsing the use of the property.

**9. Staff Review**

The Public Works Department, Police Department, and Fire Department have been provided copies of the application materials.

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

- A. Approval of the Zoning Ordinance Amendment which makes an allowance for animal kennels and/or shelters as a conditional use in the City's I-1, Light Industrial District.

Approval of the Conditional Use Permit for property located at 3801 3rd Street NE (PID# 35-30-24-33- 0078) subject to the following conditions:

1. Outdoor storage upon the subject site shall be limited to vehicles which are accessory to the principal use of the property (automobile repair) and awaiting repair and/or pick-up. Vehicles which are not awaiting repair and/or pick-up on the site are not considered an accessory to the principal use and therefore are not allowed to be stored on the property.
2. There shall be no storage of junk vehicles used for parts on the premises.

3. There shall be no vehicles for sale on the property, and customers shall not buy vehicles from the site.
4. All vehicles stored on the premises shall be currently licensed, registered and insured.
5. The outdoor storage of vehicles within the public rights-of-way shall be prohibited.
6. All vehicles to be stored outdoors shall be located on an impervious surface.
7. In accordance with the submitted site plan dated August 29, 2022, a maximum of 79 vehicles shall be stored upon the site at one time.
8. Outdoor storage activities shall be limited to the rear yard of the site (south of the automobile repair building).
9. All individual vehicle parking stalls within the outdoor storage area shall meet the required dimensions outlined in Section 9.106(L) of the Zoning Ordinance, and be delineated with pavement striping, as depicted on the submitted site plan dated August 29, 2022.
10. Drive aisles within the outdoor storage area, as depicted on the submitted site plan dated August 29, 2022, shall be maintained to ensure proper site circulation and emergency vehicle access.
11. The Fire Department shall be provided access to the site from the south (from 38th Place NE) in the event of emergency. This issue shall be subject to further comment and recommendation by the Fire Department.
12. The site plan shall be modified to illustrate the required off-street parking stalls (11 spaces, plus one space per service bay). Of the required spaces, one shall be designated on the site plan and on the property as a disability parking stall.
13. All new signage shall be subject to a sign permit and shall be reviewed and approved by the City.
14. The submitted site plan shall be modified to illustrate trash handling and loading locations.
15. All exterior lighting on the site shall comply with the preceding requirements as provided in Section 9.106(K) of the Zoning Ordinance.
16. All required state and local codes, permits, licenses and inspections shall be met and be in full compliance.

Wolfe asked what the distinction was between light and heavy industrial. Kirmis stated heavy industrial refers to manufacturing project while light industrial refers to distribution. Wolfe asked if Columbia Heights typically has more light industrial zones. Chirpich stated it is primarily light industrial.

Wolfe asked if they adopted the change in the zoning ordinance would there still be the requirement of the conditional use regardless of where it is applied. Chirpich agreed and stated if there was a subsequent applicant on I-1 that came forward they would go through the conditional use process with the Planning Commission and City Council.

Vergas asked where the conditional use permit goes when a property owner moves. Chirpich stated the permit stays with the land unless the use is discontinued for a period of one year.

Vergas asked if Rocky's Gym was light industrial. Chirpich stated it was considered a limited business district.

Vergas asked what the sprinkler system requirements would be. Chirpich mentioned the EDA approved a significant grant for installation of a fire suppression system. He added that the city building code is strict and requires sprinkler systems for buildings over 2,000 square feet when there is a change of use.

Hoium asked who oversees the requirements of the conditional uses. Chirpich stated there will be a number of permits throughout the build out but Planning Staff will verify the fence, dog run improvements and interior improvements. He added it is likely there will be a plumbing permit and they would lean on the building official for that. He stated in addition, the nuisance requirements would be enforced by the city.

Hoium asked if animal waste would go down the sanitary sewer. Chirpich stated they would not and there would be floor drains for non-solids; he added the applicant could provide more insight.

Sahnow asked if they were anticipating the same provisions being changed to the general business district based on the I-2 conditional use. Kirmis explained that the ordinance lists allowed uses and provides a separate section where specific standards are established. He added no matter the zoning district, the requirements would apply. He noted existing facilities must abide by the conditions of their original approval.

Sahnow asked if Staff found any recommendation for the level or type of soundproofing. Chirpich stated they did not research detailed information. Ruff Love Dogs Owner, Jessen Como stated the goal is to keep the dogs calm and quiet and have a staff attending to each dog. He stated they have not had sound proofing in place in the past and did not have complaints about it. He added if a dog is barking consistently, they speak with the owner about it not being the right fit; in addition, they have high requirements for dogs they board.

Hoium asked how waste would be managed. Mr. Como stated all waste is put into compostable bags that go into the garbage each night. He added that urine and extra waste is sprayed down with OdoBan. He mentioned they have been in business for 13 years and desire to work with the community and do not want to be a nuisance.

Deneen asked if their current location is in a residential area. Mr. Como stated it is the same layout as the Columbia Heights building.



Wolfe asked what Mr. Como anticipated for traffic. Mr. Como stated he currently has 5 parking spots and is rarely full and does not anticipate much disturbance to the residents in the area.

Deneen asked if the facility allows for more dogs. Mr. Como stated it allows for a few more.

Sahnaw asked what the business hours would be for pick up and drop off. Mr. Como noted it would be 6:30 am to 8 pm Monday through Friday and 9 am to 5 pm on the weekends.

Sahnaw opened the public hearing.

Jeffery Dobberpuhl, City Resident stated he lives within 350 feet of the zoned location. He asked if the business was called Ruff Love Dogs LLC. Mr. Como confirmed. Mr. Dobberpuhl stated it was not a valid business in the State of Minnesota since they have been inactive administratively since 2015. He asked if the application could be legally submitted. He questioned if they would be able to follow simple rules if they were not registered.

Mr. Dobberpuhl noted he objects to having the business put in. He added after reviewing the information from the League of Minnesota Cities, if there are zoning changes, they need to make specific legal factual findings regarding public health, safety, morals, and general welfare. He mentioned he researched the minimal decibel levels for kennels and found the minimal levels is 100 dB, which is louder than a motorcycle. He added that because of this, the recommended minimum distance from any residence is 400 feet. He stated it is an issue for the neighborhood because increased sound volume could decrease property values.

Mr. Dobberpuhl stated the business would be on a zero-traffic street and by adding the business it would add 80 cars coming and going. He noted the waste going into outdoor bins would provide a stench in the air and increase black flies. He noted, none of his concerns have been addressed indicated by the League of Minnesota Cities in their consideration. He stated the increase sound and traffic would be a nuisance to the community.

Mr. Dobberpuhl stated there are no yield or stop signs in the area and has concerns whether the area could support the traffic. Vargas stated there was a stop sign on 38<sup>th</sup> Avenue. Mr. Dobberpuhl stated that the stop sign has been gone for years. Mr. Dobberpuhl expressed his concerns for the safety of children with the increased traffic.

Mr. Dobberpuhl stated he did not believe they had the authority to modify the zoning since they do not have the facts to support it. He added that they cannot create the problem they are asking to get permitted. He stated there were three things to look at: the company's inability to follow state law, the safety concerns have not been properly addressed, and property values decreasing. He stated he does not believe it is supported by Minnesota law or facts.

Chirpich stated Staff does not believe there is a process error and could not confirm registration status. He mentioned the City Clerk looked it up and found that it was a registered business. He added he would need the insight of the city attorney but added the zoning decision would transcend the business alone. He noted the findings of fact that Mr. Dobberpuhl mentioned from the League of Minnesota Cities are listed in the report. He added that the Planning Commission is an advisory board and does not make the final decision, but the Commission's recommendation gets forwarded to the City Council for final approval.

Chirpich stated Staff did not identify a 400-foot recommendation from residential areas and the kennel. He added most industrial properties have residential zones next to them. He stated there has been an effort through the site planning to isolate outdoor dog activity and to have it against a highway to drown out noise. He mentioned there is action that the city can take if there are noise complaints. He added since most industrial zones are by residential zones, it is unavoidable but believes the ordinance is crafted in a way that is protecting against nuisance and added the findings of facts support this.

Hoium asked if a conditional use permit would still be needed for the kennel if the ordinance passed. Chirpich agreed.

Wolfe asked if there would be overnight traffic since they are not open in the night. Mr. Como stated dogs are in their suites from 8:30 pm until 6:15 am. He added there is a vetting process to make sure the right dogs stay overnight. Wolfe asked if traffic would be staggered during pick up and drop off times. Mr. Como stated it is more staggered.

Anthony Courtright, City Resident stated their dogs are regular day care attendees at Ruff Love Dogs. He noted they are professional, clean, and kind. He mentioned they have a stringent screening process for the dogs that are welcomed and added the staff are always in control. He stated all dogs are required to be up to date on their vaccines to attend. He added that the business is currently in a light industrial zone that is near a residential zone so it would be nothing new to them. He stated he is in support of the amendment and would be a welcomed addition to Columbia Heights.

Megan Dobberpuhl, City Resident expressed her concerns on the impact on the residents in the area and how the noise and odor could affect her home life. She added there are real people being affected by the decision. She stated her concerns on decreased home values due to the noise and odor.

Sahnow closed the public hearing and opened the time for discussion for the commissioners.

Deneen stated she believes the applicant has been thoughtful in where to put the outdoor portion of the dog run for a high traffic street to buffer the noise and added the noise ordinance protects the neighborhood from any nuisances.

Kaiser stated from a comprehensive plan perspective, the type of use seems well-suited to the idea of a transitional area. He added it makes sense to amend the zoning to allow for the kind of use for the location. He stated the City did an exceptional job on creating the framework on if an issue could arise.

Vergas proposed Ruff Love Dogs is accordance with the Comprehensive 2040 plan and added it is more in line with light industrial than the two heavy industrial neighbors on both sides of the property. He stated he understands the concerns but noted it conforms to the plan.

*Motion by Hoium, seconded by Kaiser to waive the reading of draft Ordinance amendment No. 1682, there being ample copies available to the public. All ayes of present. MOTION PASSED.*

*Motion by Hoium, seconded by Wolfe to recommend that the City Council approve draft Zoning Ordinance Amendment No. 1682 as presented. All ayes of present. MOTION PASSED.*

*Motion by Wolfe, seconded by Hoium to waive the reading of draft Resolution No. 2023-09, there being ample copies available to the public. All ayes of present. MOTION PASSED.*

*Motion by Wolfe, seconded by Hoium to recommend that the City Council adopt draft Resolution No. 2023-09, being a resolution approving a Conditional Use Permit for Ruff Love, LLC for the proposed animal kennel (dog daycare and boarding facility), subject to the conditions listed in the draft resolution. All ayes of present. MOTION PASSED.*

## **OTHER BUSINESS**

### **4. Review Purchase of 841 49th Avenue NE**

Chirpich 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 841 49th Avenue NE, Columbia Heights, MN 55421 (the "Subject Property") to determine if its acquisition conforms to the Comprehensive Plan of the City.

Chirpich added that the EDA reviewed the purchase of the property and is in support of it. He mentioned they have been able to get in contact with a direct family member and believe it is a strategic acquisition for a number of reasons. He stated it has potential for

commercial use redevelopment in the future and could be zoned to withstand a twin home, two town homes or a single-family home.

Chirpich noted the land use and redevelopment goal is to provide mechanisms for successful redevelopment of vacant lands and targeted areas within the community. He stated the Central Avenue corridor would be a strategic acquisition area of the city. He stated in addition it would enhance the image and viability of the Central Avenue corridor while protecting and enhancing adjacent residential areas. It would also encourage redevelopment discussions for the northern corridor of Central Avenue at 49<sup>th</sup> Avenue to the City limits. He mentioned redevelopment of that nature is supported through the comprehensive plan.

Wolfe asked what the timeline would be after purchasing the site. Chirpich stated the first step would be remediation of all personal items, and demolition in the spring. He added there is no rush in the timeline.

Hoium asked if it was zoned as residential. Chirpich agreed stating it is R-2-A.

Kaiser stated it is “ripe for redevelopment.”

*Motion by Hoium, seconded by Kaiser to waive the reading of Resolution 2023-PZ01, there being ample copies available to the public. All ayes of present. MOTION PASSED.*

*Motion by Wolfe, seconded by Deneen to adopt Resolution 2023-PZ01, 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-PZ01**

#### **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 841 49th Avenue NE, (PID 26-30-24-14-0136) 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 7th day of February, 2023

Offered by: Wolfe

Seconded by: Deneen

Roll Call: All ayes of present. *MOTION PASSED.*

\_\_\_\_\_  
Chairperson

Attest:  
  
\_\_\_\_\_  
Secretary

**5. Review Purchase of 4243 5th Street NE**

Chirpich 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 4243 5th Street NE, Columbia Heights, MN 55421 (the “Subject Property”) to determine if its acquisition conforms to the Comprehensive Plan of the City.

Chirpich mentioned the property is a single-family acquisition of a blighted property by a property owner who is moving into an assisted living facility. He added Staff had an existing relationship with the realtor that has facilitated previous acquisitions for the city. He stated the house has suffered from deferred maintenance and is a small lot of 40 foot wide. He noted Staff will propose this property to the EDA in an upcoming meeting but decided to address it with the Planning Commission.

Chirpich stated the intent of the property would be acquisition for demolition. He added redevelopment for what they are going to propose is potentially going to be an affordable housing project in partnership with Habitat for Humanity. He explained the reason being is

that the City has a scattered site tax increment financing district that has been idle for many years with funds that need to be utilized. He noted another option would be a market rate deal and would need to go through the EDA.

Chirpich highlighted the main goal as “strengthen the identity and image of the community as a desirable place to live, work, and play.” He added this is accomplished by enhancing the physical appearance of the community through clean-up initiatives, redevelopment opportunities, and housing renovation programs. He reviewed the housing goals and policies stating the goal to “preserve the single-family neighborhoods as one of the community’s strongest assets.” He mentioned the sub-goals include:

1. Enhance and maintain the quality and appearance of single-family neighborhoods and the housing stock through code enforcement and clean-up efforts.
2. Identify redevelopment areas that could support new single-family housing.
3. Evaluate new higher valued housing opportunities to provide move-up housing for existing and new residents.

Hoium asked if the property would be demolished. Chirpich stated it would be and added it would be either a single-family market rate or a single-family affordable in partnership with Habitat for Humanity.

Wolfe asked how much the funds were that could be lost. Chirpich stated \$385,000 and added it is in a TIF district which would generate revenue annually for the next 5-6 years. He mentioned the houses that were redeveloped under that district are contributing about \$50,000 a year.

Sahnaw asked what would happen to the fund in 5-6 years. Chirpich stated they would decertify the TIF district, deal with any fund balance that is in the district and determine what to do with the surplus funds.

*Motion by Hoium, seconded by Kaiser to waive the reading of Resolution 2023-PZ02, there being ample copies available to the public. All ayes of present. MOTION PASSED.*

*Motion by Kaiser, seconded by Deneen to adopt Resolution 2023-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 of present. MOTION PASSED.*

#### **RESOLUTION NO. 2023-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.**

**WHEREAS**, the Columbia Heights Economic Development Authority (the “Authority”) proposes to purchase certain property (the “Property”) located at 4243 5th Street NE, (PID 35-30-24-24-0049) 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 7th day of February, 2023

Offered by: Kaiser

Seconded by: Deneen

Roll Call: All ayes of present. *MOTION PASSED.*

\_\_\_\_\_  
Chairperson

Attest:  
  
\_\_\_\_\_  
Secretary

Chirpich stated there are not many updates on the Rainbow site project but mentioned the developer partner expects to reboot and get revised site plans out to the community and begin the engagement process after speaking with the Council. He noted they would like to have entitlements and land use approvals concluded in 2023 and have an expected groundbreaking in spring 2024. He mentioned the grocery store that was going to go into the site has backed out. Chirpich stated they would like to bring the building down in July 2023, and the developer is taking demo bids.

Chirpich stated the Medtronic site is for sale with a lot of developers looking at it. He added they are viewing it as a redevelopment opportunity.

Chirpich mentioned there are adaptive reuse redevelopers looking at the Fairview building.

Wolfe asked if they would be having a meeting next month. Chirpich stated they would not since the application deadline was yesterday. Hoium stated it was his last meeting. Sahnaw congratulated Hoium for his career. Chirpich stated there would be recognition during a Council meeting.

Buesgens noted there would be a sustainability commission during the spring and should have it set up in July, with interviews happening in May and June. She noted they are pushing to have a larger group of people on the commission.

**ADJOURNMENT**

*Motion by Sahnaw, seconded by Vargas, to adjourn the meeting at 7:26 pm. All ayes. MOTION PASSED.*

Respectfully submitted,



---

Alicia Howe, Administrative Assistant