

**MINUTES OF
PLANNING AND ZONING COMMISSION
DECEMBER 2, 2014
7:00 PM**

The meeting was called to order at 7:00 pm by Chair Marlaine Szurek.

Commission Members present- Little, Kinney, and Szurek.

Members Absent: Lee and Fiorendino

Also present were Loren Wickham (Asst. Community Development Director), Elizabeth Holmbeck (Planner), and Shelley Hanson (Secretary) along with Council Liaison, Bobby Williams.

Motion by Little, seconded by Kinney, to approve the minutes from the meeting of September 3, 2014. All ayes. MOTION PASSED.

PUBLIC HEARINGS

CASE NUMBER: 2014-1201A
APPLICANT: Randy Rauwerdink, Venture Pass
DEVELOPMENT: Central Gateway Plaza
LOCATION: 5220 Central Avenue NE
REQUEST: Site Plan Approval

Randy Rauwerdink, representing Venture Pass Partners is requesting Site Plan Approval for the property located at 5220 Central Ave. NE. Venture Pass Partners is proposing to renovate the existing vacant building to create a multi-tenant commercial retail facility. Additionally, the applicant is requesting to subdivide and plat the existing lot into two lots of record to allow for a second freestanding restaurant to be constructed on the southern portion of the lot.

ZONING ORDINANCE

The property located at 5220 Central Ave. NE is located in the General Business (GB) Zoning District. The properties to the north, south and west are located in the General Business (GB) Zoning District and the properties to the east are located in the City of Fridley and consist of commercial uses.

COMPREHENSIVE PLAN

The Comprehensive Plan guides this area as Commercial. Renovating the existing vacant building to accommodate a multi-tenant commercial retail facility and constructing a freestanding restaurant on the property is consistent with the City's Comprehensive Plan.

DESIGN GUIDELINES

The subject property is located within the Design Guideline Overlay District, and is governed by the "Highway District" standards within the Design Guidelines. The intent of the Design Guidelines is to make the City more aesthetically appealing, by requiring a set of minimum standards for new

construction along Central Avenue and 40th Avenue. The minimum standards were created by a task force of City Officials, business owners and residents, and adopted into the City Code by the City Council. The following components are requirements of the Design Guidelines Highway District:

- Buildings may be set back a maximum of 85 feet from the sidewalk, in order to allow for two rows of parking and drive aisles plus landscaped frontage.
- The primary façade(s) of buildings of 40 feet or more in width should be articulated into smaller increments through the techniques such as using of different textures or contrasting, but compatible, materials; dividing storefronts with separate display windows and entrances or incorporating arcades, awnings, window bays, balconies or similar ornamental features.
- Building height shall be a minimum of 22 feet.
- Where commercial or office uses are found on the ground floor, at least 20 percent of the ground floor façade fronting Central Avenue and 15 percent of any two side or rear facades shall consist of window and door openings.
- The building should have a well-defined front façade with primary entrances facing the street.
- Building colors should accent, blend with, or complement surroundings.
- No more than two principal colors may be used on a façade or individual storefront. Bright or primary colors should be used only as accents, occupying a maximum of 15 percent of building facades, except when used in a mural or other public art.
- All buildings should be constructed of high-quality materials, including the following: Brick, Natural Stone, Stucco Precast concrete units and concrete block, provided that surfaces are molded, serrated or treated with a textured material in order to give the wall surface a three dimensional character. Jumbo brick may be used on up to 30 percent of any façade, provided that it is used only on the lower third of the building wall.
- Architectural details such as ornamental cornices, arched windows and warm-toned brick with bands of contrasting color are encouraged in new construction.
- Parking areas adjacent to public streets or sidewalks shall be screened with a combination of landscape material and decorative fencing or walls sufficient to screen parked cars on a year-round basis while providing adequate visibility for pedestrians.

In general, both of the proposed buildings meet the design guidelines. Since the building to the north will be renovated on the location of the previous building on the site, the parking will be located in the front of the building. The new building on the southern portion of the property will have parking in the front and rear. Signage will be addressed when the applicant or tenant applies for a Sign Permit. Signage must be consistent with Design Guidelines and with City Code.

SITE PLAN

1. Parking

According to City Code, commercial uses such as retail sales are required to provide 1 parking stall per 300 square feet of gross floor area. According to the site plan, the combined square footage for both the existing and newly constructed building will total 10,873 gross square feet, making the requirement for this development is 36.24 parking stalls. The proposed development will have 57 parking stalls, and meets the parking requirement outlined in the City's code.

2. Access

Currently, the site has access from TH 65/Central Avenue. I have attached the Minnesota Department of Transportation's Review Letter for further reference.

FINDINGS OF FACT

Section 9.104 (N) of the Zoning Ordinance outlines four findings of fact that must be met in order for the City to approve a site plan. They are as follows:

- a. The site plan conforms to all applicable requirements of this article.
The site plan meets all applicable Design Guidelines for the property. The Zoning Code requirements are achieved.
- b. The site plan is consistent with the applicable provisions of the city's Comprehensive Plan.
The Comprehensive Plan guides this area as Commercial. Renovating the existing vacant building to accommodate a multi-tenant commercial retail facility and constructing a freestanding restaurant on the property is consistent with the intent of the Comprehensive Plan.
- c. The site plan is consistent with any applicable area plan.
There is no area plan for this portion of the city.
- d. The site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.
The proposed renovation of the existing building and construction of a freestanding building meets all the minimum setback requirements and all Design Guideline requirements. Therefore, the properties in the immediate vicinity of the proposed development should not be adversely impacted.

Staff recommends approval of the Site Plan Application for this project.

Questions from members:

Little questioned whether the planned changes to the existing building, including the windows, will meet the Design Guidelines. Holmbeck stated the requirements would all be met. Little expressed his appreciation that the package was so detailed and complete which eliminated the number of questions he had.

Kinney asked if the windows would be transparent, regular windows. Randy Rauwerdink, VP from Venture Pass stated they would be. Kinney then asked about the landscaping planned for the site. Holmbeck responded that shade trees, evergreens, ornamental trees and shrubs would be added to the site as depicted on page L101 of the submitted plans. Kinney questioned whether there was adequate parking behind the building for deliveries, and access to the rear of this building as well as to the separate building in the rear that Herringer operates his business out of. She wondered whether they would have to share parking areas. Holmbeck and Herringer stated there are separate parking areas for each building and that access will not be a problem.

Little then asked Rauwerdink if the building was being built on speculation or if tenants were already lined up. Rauwerdink stated they are in active discussion with several possible tenants, but cannot disclose their identities at this time as nothing has been actually signed.

Rauwerdik explained to members that the front of the existing building will be remodeled that will include new windows and stone work. The south end will also have some windows added, but none on the north side due to maintaining the structural integrity of the building. Landscaping will be added to the north side to improve the appearance. The driveways and accesses to the properties will be maintained and are protected through recorded easements. Trash receptacles will be located on the lower level behind the building to hide it from view. The use of the lower level will continue to be used by Herringer as well as the old Comcast building located behind this building.

Kinney asked when construction would begin. He replied they are hoping to break ground by spring.

Public Hearing Opened.

No one was present to speak on this issue.

Public Hearing Closed.

Motion by Kinney, seconded by Little, to waive the reading of Resolution No. 2014-PZ04, there being ample copies available to the public. All ayes. MOTION PASSED.

Motion by Kinney, seconded by Little, to adopt Resolution No. 2014-PZ04, being a resolution approving the site plan for the Central Gateway Plaza, subject to the following conditions:

1. Applicant must meet the requirements outlined in the attached report from Public Works Director, Kevin Hansen.
2. Applicant must submit for review, elevation drawings for the proposed second freestanding building. The elevation drawings shall be similar in style and design as the proposed renovated building. Staff will review the drawings and ensure they meet the requirements of the zoning code and the Design Guidelines.
3. Applicant must meet the requirements outlined in the attached report from the Minnesota Department of Transportation.

All ayes. MOTION PASSED.

RESOLUTION NO. 2014-PZ04

RESOLUTION OF THE PLANNING AND ZONING COMMISSION APPROVING A SITE PLAN FOR THE RENOVATION AND CONSTRUCTION AT THE CENTRAL GATEWAY PLAZA LOCATED AT 5220 CENTRAL AVENUE NE.

WHEREAS, a proposal (Case #2014-1201) has been submitted by Randy Rauwerdink, of Venture Pass Partners, to the Planning and Zoning Commission requesting site plan approval from the City of Columbia Heights at the following site:

ADDRESS: 5220 Central Avenue NE

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING PERMIT: Site Plan approval for the construction of a new commercial freestanding restaurant and the renovation of the existing building on the property.

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on December 2, 2014;

WHEREAS, the Planning and Zoning Commission has considered the advice and recommendations of the City staff 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 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 by the Planning and Zoning Commission of the City of Columbia Heights after reviewing the proposal accepts and adopts the following findings:

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.

FURTHER, BE IT RESOLVED that the attached conditions, maps, and other information shall become part of this site plan and approval; and in granting this site plan the city and the applicant agree that this site plan approval 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.

CONDITIONS ATTACHED:

1. Applicant must meet the requirements outlined in the attached report from Public Works Director, Kevin Hansen.

2. Applicant must submit for review, elevation drawings for the proposed second freestanding building. The elevation drawings shall be similar in style and design as the proposed renovated building. Staff will review the drawings and ensure they meet the requirements of the Zoning Code and the Design Guidelines.
3. Applicant must meet the requirements outlined in the attached report from the Minnesota Department of Transportation.

Passed this 2nd day of December, 2014

Offered by: Kinney
Seconded by: Little
Roll Call: All Ayes

Marlaine Szurek, Chair

Attest:

Shelley Hanson
Secretary

CASE NUMBER: 2014-1201B
APPLICANT: Randy Rauwerdink, Venture Pass
LOCATION: 5220 Central Avenue NE.
REQUEST: Preliminary/Final Subdivision Plat

At this time, the applicant has requested a Preliminary & Final Subdivision Plat per Code Section 9.104 (L) & (M), for the property located at 5220 Central Avenue NE. The applicant wishes to split the existing lot into two commercial lots. The Preliminary Plat and Final Subdivision Plat would allow the current unused lot to become financially viable and open for the development of a freestanding commercial restaurant on the southern portion of the lot and the renovation of the existing building on the northern portion of the lot.

COMPREHENSIVE PLAN

The Comprehensive Plan guides this area as Commercial, which is the proposal for this site.

ZONING ORDINANCE

The property located at 5220 Central Avenue NE is located in the General Business (GB) Zoning District. The properties to the north, south and west are located in the General Business (GB) Zoning District and the properties to the east are located in the City of Fridley and consist of commercial uses.

DESIGN GUIDELINES

The subject property is located within the Design Guidelines Overlay District and is governed by the “Highway District” standards within the Design Guidelines. I have referenced the requirements in Planning Report (1).

FINDINGS OF FACT (Minor Subdivision/Lot Split)

Section 9.104 (L) (6) of the Zoning Ordinance outlines three conditions that must be met in order for the City to grant a Preliminary Plat. They are as follows:

- (a) The proposed Preliminary Plat conforms to the requirements of City code Section 9.115.
This is correct
- (b) The proposed subdivision is consistent with the Comprehensive Plan.
This is correct.
- (c) The proposed subdivision contains parcel and land subdivision layout that is consistent with good planning and site engineering design principles.
This is correct.

Section 9.104 (M) (6) of the Zoning Ordinance outlines two conditions that must be met in order for the City to grant Final Plat. They are as follows:

- (a) The Final Plat substantially conforms to the corresponding preliminary Plat.
This is correct.
- (b) The Final Plat conforms to the requirements of City Code Section 9.115.
This is correct.

Staff recommends the Planning and Zoning Commission approve the proposed Preliminary and Final Subdivision Plat request made by Randy Rauwerdink of Venture Pass Partners for the property located at 5220 Central Avenue NE.

Questions from members:

Kinney asked if they are splitting this into two parcels because it will be two separate owners. Rauwerdink stated it is because it will be two separate buildings so it should be on two separate parcels for tax purposes. He said it may one day have two separate owners but that is not the reason for the split.

Little asked how many accesses there are to this property. It was noted that there is one off 53rd Avenue that comes up through US Bank property—there is one off Central Ave in front of US Bank—there is one off Central between US Bank and 5220 Central and an access at the controlled intersection at 52nd Avenue. The entrances and drive isles are shared by all the businesses from 5150 to US Bank as there is no official service road to access the business sites.

Little then asked what the setback of the existing structure would be from the new lot line. Holmbeck said the existing building will be 5 feet from the lot line and the two buildings will be separated by 25 feet to accommodate a drive thru for the new building.

Kinney asked if the storm water plan would cover both properties. Holmbeck said the Public Works Director had reviewed this and his comments were included in the report provided to members and did cover the entire site.

Public Hearing Opened.

David Lu, the owner of the mall from 5150-5176 Central Avenue stated he is concerned with increased traffic congestion at the controlled intersection at 52nd Avenue which is the entrance for customers to access his mall. Little asked him if he had suggestions to improve the traffic flow. Little thought this access was better than most businesses have since it does have a stop light to help control the incoming and out-going traffic.

Lu suggested widening the entrances off Central Avenue, and not to build the new separate building. Little said the new building has already been approved in the previous case and motion. He went on to say that MnDot reviewed these plans and made their comments. Any additional accesses or changes to existing ones have to be approved by MnDot. He went on to say that these accesses served all the businesses in years past when this building was open for business and there never seemed to be a huge problem. He also told Lu that he probably will benefit from the increased traffic and the redevelopment next to him as more people will notice tenants in his mall also.

Szurek asked Lu about his pylon sign and thought that a monument sign was required by our code. Lu stated the sign company applied for the permit and it was approved by staff. Szurek stated if the sign were moved to a different location on the site it would allow more room for better traffic flow.

Public Hearing Closed.

Motion by Little, seconded by Kinney, to waive the reading of Resolution No. 2014-90, there being ample copies available to the public. All ayes. MOTION PASSED.

Motion by Little, seconded by Kinney, that the Planning and Zoning Commission recommends that the City Council approve the Preliminary and Final Subdivision Plat for the property located at 5220 Central Avenue NE. 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 Development Ordinance, including:

1. All required state and local codes, permits, licenses and inspections will be met and in full compliance.
2. The applicant shall provide required utility and drainage easements for all newly created lots and shall be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.
3. The applicant shall be responsible for filing the approved subdivision survey with the Anoka County Recorder's Office. The approved Preliminary Plat and Final Subdivision Plat shall become invalid if the subdivision is not filed with the Anoka County Recorder's Office within one (1) year of the date of City Council action.

All ayes. MOTION PASSED. The following Resolution will go to the City Council December 8, 2014.

RESOLUTION NO. 2014-90

**RESOLUTION APPROVING A PRELIMINARY PLAT AND FINAL SUBDIVISION PLAT
FOR 5220 CENTRAL AVENUE NE. COLUMBIA HEIGHTS**

WHEREAS, a proposal (Case #2014-1201) has been submitted by Randy Rauwerdink of Venture Pass Partners to the City Council requesting Preliminary Plat and Final Subdivision Plat approval from the City of Columbia Heights at the following site:

ADDRESS: 5220 Central Avenue NE.

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING: A Preliminary Plat and Final Subdivision Plat for the property located at 5220 Central Avenue NE.

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on December 2, 2014;

WHEREAS, the Planning and Zoning Commission has considered the advice and recommendations of the City staff regarding the effect of the proposed Preliminary Plat and Final Subdivision Plat 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 by the Planning and Zoning Commission of the City of Columbia Heights after reviewing the proposal, that the City Council accepts and adopts the following findings:

- (a) The proposed Preliminary Plat conforms to the requirements of City code Section 9.115.
- (b) The proposed subdivision is consistent with the Comprehensive Plan.

- (c) The proposed subdivision contains parcel and land subdivision layout that is consistent with good planning and site engineering design principles.
- (d) The Final Plat substantially conforms to the corresponding preliminary Plat.

FURTHER, BE IT RESOLVED that the attached conditions, survey, and other information shall become part of this Preliminary Plat and Final Subdivision Plat and approval; and in granting this Subdivision the city and the applicant agree that this request shall become null and void if the subdivision has not been filed with the Anoka County Recorder's Office within one (1) calendar year after the approval date.

CONDITIONS ATTACHED:

The Planning Commission approves the Preliminary Plat and Final subdivision Plat for 5220 Central Avenue NE. 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 Development Ordinance, including:

1. All required state and local codes, permits, licenses and inspections will be met and in full compliance.
2. The applicant shall provide required utility and drainage easements for all newly created lots and shall be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.
3. The applicant shall be responsible for filing the approved subdivision survey 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 (1) year of the date of City Council action.

Other New Business

- A. Updated Single Family Rental Map and Foreclosure Map

Holmbeck passed out maps showing the number of properties that have rental licenses and the properties that have been through the foreclosure process since 2007. Little asked if there was a cap on the number of rentals we could have in the city. Holmbeck stated there was not a cap. He then asked if the Huset Park Association had a cap on the number and was told there is a 5% cap and that an approval letter from the Association is required to get a rental license.

B. League of MN Cities Land Use Training Update

Wickham reminded members he had sent an e-mail regarding an on-line course the City would like them to take at their convenience. He told them he would like to see the class completed by January 1st if at all possible. He will have the information re-sent to each member and told them it would take about an hour of their time. Wickham explained the City receives reduced rates for Insurance that covers any type of land use claims that could potentially occur.

C. Sarna's Sign

Kinney appreciates Sarna's Business in our City, however she has a concern over their illuminating signage. She feels it is way too bright and a distraction to traffic. Little agreed with Kinney and said it is actually to the point of being dangerous. Holmbeck told members they have been receiving a lot of complaints about the signage recently. She said a letter was sent to them earlier in the year to tone down the sign and that they contacted a company who supposedly brought the sign into compliance, but it appears to have changed again. Members felt the white and green background were especially offensive and should be eliminated totally. Holmbeck said staff would address this matter with Mr. Sarna again.

D. 4001 University Avenue

There again seems to be a lack of progress on this project. Members want the owner and contractor put on notice again that they need to continue with this project or the City will have to take action to remedy the problem. Little suggested the City require Performance Bonds or Proof of Funding for future projects to eliminate situations such as this one has been.

E. Comprehensive Plan

Kinney asked when the process will begin to update the Comp Plan. Wickham told her that a memo was given to members just to notify them that we will have to undertake this project over the course of the next few years. He said the real process begins in 2016.

It was noted the next meeting would be Tuesday, January 6, 2015.

The meeting was adjourned at 8:00 pm.

Respectfully submitted,

Shelley Hanson
Secretary