

**MINUTES**  
**CITY OF COLUMBIA HEIGHTS**  
**PLANNING COMMISSION MEETING**  
**July 01, 2025**

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

**CALL TO ORDER/ROLL CALL**

Commissioners present: Jeffrey Johnson, Dirk Schmitz, Karl Reh fuss, Paul Moses, and Clara Wolfe

Commissioners absent: John Gianoulis, Ahmed Maameri

Also present: Aaron Chirpich, City Manager; Sarah LaVoie, Administrative Assistant; Mitch Forney, Community Development Director; Laurel Deneen, Council Liaison.

**APPROVAL OF MINUTES**

**1. Approval of June 03, 2025 Planning Commission Meeting Minutes**

*Motion by Schmitz, seconded by Johnson, to approve the minutes from the meeting of June 03, 2025. All ayes. MOTION PASSED.*

**PUBLIC HEARINGS**

**2. Shoreland Overlay District Variance to exceed the 35% impervious surface lot coverage to allow for the construction of a multi-phased redevelopment project at 800 53rd Avenue NE.**

Forney explained that the Council would be discussing the Medtronic site project during the July 28<sup>th</sup> Council meeting and encouraged public comment during that meeting. He introduced HKGI Consulting Planner Rita Trapp, who is filling in for the City since the previous City Planner left the City.

Introduction: HKGI Consulting Planner Rita Trapp stated that Kaas Wilson Architects, on behalf of Lincoln Avenue Communities, has submitted a shoreland variance application to exceed the 35% impervious surface lot coverage limit. This request is part of the multi-phase Medtronic redevelopment project, located at the 11.74-acre vacant Medtronic corporate campus abutting Sullivan Lake. The entire property is located within the Shoreland Overlay District as it is within 1,000 feet of the lake. The proposed plans and preliminary plat show an impervious surface coverage exceeding the maximum allowed under the City's shoreland regulations. Therefore, a variance is required to permit the impervious surface beyond the 35% threshold.

Ms. Trapp noted that the proposed project includes demolishing the existing Medtronic building and redeveloping the site into a multi-phased project entailing two 6-story, 132-unit affordable multifamily buildings, a mixed-use building with 12,000 sq. ft. of commercial space, and a range of 150–175-unit market-rate apartments, 58 townhomes, and associated park and infrastructure improvements as well as multi-modal transportation facilities. The property is still owned by Medtronic, but under a purchase agreement with the applicant/developer. The Planning

Commission has reviewed and recommended for approval with conditions the Preliminary Plat, Planned Unit Development - Mixed Use Development, and Easement Vacation. Additional project information can be found in the June 3, 2025, Planning Commission staff report.

Forney explained that the current Shoreland Overlay District Ordinance, last amended in 2008, is intended to guide the development along shoreland of public waters. An overlay buffer is applied on property within 1,000 feet of a designated waterway, as determined by the Department of Natural Resources (DNR). Since the proposed project's property is abutting Sullivan Lake, which is designated as a General Development Lake, development must follow the standards of the shoreland overlay district, including the maximum amount of impervious surface.

Ms. Trapp noted that currently, the site consists of the former 135,000 square foot Medtronic building and an 812-stall bituminous parking lot. According to the project's development plans, there is currently 54% of impervious surface coverage, which is approximately 296,208 square feet or 6.8 acres. It is important to note that the Medtronic site was built in 1979 with no stormwater treatment. As this was before the current DNR regulations were adopted, the property is nonconforming.

Ms. Trapp explained that the proposed project includes a multi-phase, full-site redevelopment with several new buildings and reconfigured parking and circulation. The proposal increases the existing impervious surface on the property from 54% to 67.7%. A lot-by-lot impervious surface breakdown is attached. Although the project will be phased, processing one shoreland variance permit will allow for a streamlined approval process and construction timeline. In order to meet the City requirements, the project must receive approval of the shoreland variance and ensure proper stormwater management. As part of the recent approval, the applicant has demonstrated adequate stormwater management utilizing various infiltration features for the site.

Ms. Trapp mentioned that, as there is currently no existing treatment on-site, the proposed improvements will reduce runoff volumes and improve water quality. In addition, the applicant will also meet the MPCA's NPDES stormwater permit requirements. It is projected that the stormwater features will be installed in the initial construction phases with the affordable housing project.

Ms. Trapp stated that due to the size and complexity of the project, the shoreland variance requires two tiers of review criteria for City review and consideration. The first tier is the City's standard variance criteria, and the second tier is the shoreland overlay district variance requirements.

Ms. Trapp reviewed the provisions from Section 9.104 (G) outlining the City's standard variance findings of fact that are required before granting a variance.

- (a) Because of the particular physical surroundings, or the shape, configuration, topography, or other conditions of the specific parcel of land involved, strict adherence to the provisions of this article would cause practical difficulties in conforming to the zoning ordinance. The applicant, however, is proposing to use the property in a reasonable manner not permitted by the zoning ordinance.

Staff Comment: The applicant is proposing to use the property in a reasonable manner not permitted by the zoning ordinance through a unique development proposal that offers higher quality land usage and amenities that follow the intent of the Comprehensive Plan and city-generated concepts for the site. The approval of a shoreland variance will allow for the construction of the project as proposed.

(b) The conditions upon which the variance is based are unique to the specific parcel of land involved and are generally not applicable to other properties within the same zoning classification.

Staff Comment: The existing property is a relatively large site that has been vacated and is not able to be sold to a new commercial user. The proposed development, as outlined in the preliminary plat and development plan, represents an efficient and beneficial use of the land, aligning with the highest and best use principles while also addressing key community needs. Importantly, the proposed impervious surfaces will be situated over 200 feet from Sullivan Lake, with Sullivan Lake Park serving as a natural buffer. The developer has committed to parkland improvements that will help mitigate runoff and prevent erosion, thereby protecting the lake's ecological health.

Additionally, the City Engineer has approved the schematic design, and city staff are coordinating with the DNR and the Mississippi Watershed Management Organization to address any additional stormwater concerns. The development will incorporate new stormwater filtration systems, which are an improvement over the current site, which lacks any such infrastructure. Given that Central Avenue currently has no stormwater filtration, incremental improvements on sites between Central Avenue and Sullivan Lake will contribute positively to the area's environmental management.

(c) The practical difficulties are caused by the provisions of this article and have not been created by any person currently having a legal interest in the property.

Staff Comment: The site presents practical challenges, notably that it currently exceeds the Shoreland District's impervious surface limit of 35%, with existing coverage at approximately 54% and no stormwater treatment in place. While the proposed development will result in a modest increase in impervious surface, it will also incorporate enhanced stormwater management features. These improvements are designed to offset the net increase in hard cover by promoting better water quality and providing added environmental and recreational benefits for the City.

(d) The granting of the variance is in harmony with the general purpose and intent of the Comprehensive Plan.

Staff Comment: The Comprehensive Plan supports the redevelopment of this site. In addition, the Comprehensive Plan supports mixed-use development and transit-oriented development, which is implemented through this proposal.

(e) The granting of the variance will not be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements

in the vicinity.

Staff Comment: Granting the shoreland variance would not be detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property in the vicinity. The project will improve the land usage of the site by providing a mix of buildings and use types, as well as amenities, increasing the value of property and amenities in the city.

As part of the second tier of review criteria, the City may establish reasonable conditions that are deemed necessary to mitigate adverse impacts directly associated with the granting of the variance and to protect neighboring properties. Since the variance is related to the Shoreland Overlay District, Staff are recommending that the additional conditions set forth in the Overlay District Section 9.114 (C) shall apply. The provisions below outline the additional review criteria that must be met in order for the City to grant a variance in the shoreland and exceed the impervious surface. They are as follows:

- i. All structures, additions, or expansions shall meet setback and other requirements of this code.
- ii. The lot shall be served with municipal sewer and water.
- iii. The lot shall provide for the collection and treatment of stormwater in compliance with Chapter 9 of the city code if determined that the site improvements will result in increased runoff directly entering a public water. All development plans shall require review and approval by the City Engineer and the underlying watershed district
- iv. Measures will be taken for the treatment of stormwater runoff and/or prevention of stormwater from directly entering a public water. The measures may include, but are not limited to the following:
  - a. Appurtenances as sedimentation basins, debris basins, desilting basins, or silt traps.
  - b. Installation of debris guards and micro silt basins on store sewer inlets.
  - c. Use where practical, oil skimming devices or sump catch basins.
  - d. Direct drainage away from the lake and into pervious, grassed yards through site grading, use of gutters and downspouts.
  - e. Construction of sidewalks of partially pervious raised materials such as decking, which has natural earth or other pervious material beneath or between the planking.
  - f. Use grading and construction techniques that encourage rapid infiltration, such as sand and gravel under impervious materials with adjacent infiltration swales graded to lead into them.
  - g. Install berms, water bars, or terraces, which temporarily detain water before dispersing it into the pervious area.

Staff Comment: Ms. Trapp stated the proposed project is meeting setback requirements and is being processed as Planned Unit Development. The current estimated setback distance from Sullivan Lakes Ordinary High-Water Level is 180.8 feet. Which city code only requires a setback of 50 ft. The initial review of the project has been recommended for approval, demonstrating that other requirements have been met or are undergoing separate reviews. The site is currently served by municipal sewer and water. The proposed development will also provide utility improvements

to expand the capacity and accommodate additional demand, and add stormwater management.

Recommendation: Staff recommends approval of the shoreland variance as presented, subject to the conditions outlined below:

1. The applicant shall adhere to all stormwater requirements and permitting required by state and local codes, permits, licenses, and inspections will be met and in full compliance.

Questions/Comments from Members:

Schmitz asked if the system would work fast enough since the water table is by the lake. He asked if there was an overflow option if the system became full. He asked to clarify the storm basin diagram and asked what the depth of it was. He asked if it would be sod covered or deeper with native plantings. Forney stated that the storm basin would be under the parking areas. Civil Engineer, PJ Disch, explained that there would be three tanks that are three feet above groundwater, with a sand basin in the middle, to meet MPCA standards. The outlet of the tanks will be designed underneath the elevation. The first 1.1 inch of water in a storm event would not go into the lakes but would go into the tanks, and the ground would infiltrate into the ground. After that, there would be a control structure on each tank that would allow the stormwater to discharge at a certain rate. He explained that while the impervious surface will increase on the site due to the project, there is no stormwater treatment currently, so having a stormwater treatment added to the project will help the site. The tanks have the capacity to hold up to a 100-degree storm event, and then it would slowly discharge into the City storm sewer before draining into the lake. He added that the storm basin would be similar to a rain garden.

Moses asked if there was a proposed filtration system. Mr. Disch replied that the tanks were infiltration.

Public Hearing Opened.

Wolfe opened the Public Hearing.

Lori Averette Osbourne read a letter from Karen Smith, who is an administrator at Little Voyagers Montessori, which is inside St. Timothy Lutheran Church. The letter read that Ms. Smith “felt like the density of the planned property is too high and there is no green space in the design, which is required. Requesting a variance is telling you that there is more development planned than there is space. The number of buildings, proposed residents, and businesses is more than the property size by the City Code. Therefore, the variance should not be approved. It is the responsibility of the Planning Commission and the City Council to abide by the Code. Yes, variances can be requested. My concern is that no one seems to be listening to lifetime residents and how it truly affects the lifestyle of the people in the area. The density of the area will flow over to a nearby park and the streets. It appears that the park is being considered as the green space for the development. This is not the purpose of the City parks. It is additional space to gather family homes, have some green space, and a development is required to provide some green space, especially one of this size. The nature and wildlife that are unique to Sullivan Lake Park are used by local families, wildlife, and

area learning programs, and it will be overtaken and destroyed. There is a reason that cities require green space in new developments. Please do not give up the uniqueness of the area that the City designed for the community for a developer, and their bottom line, and the City's bottom line. Please maintain quality areas for all families to enjoy, and want to live in that area. The Planning Commission and the City Council are responsible for zoning and City Codes and for the quality of life within the City. Do not allow the variance for this project. If the project needs to go through, it can be redesigned to fit the area within the Code that protects the community. Please consider this: where would you choose to live, either in the development or beside it? This developer is not from the area, and it does not affect their lifestyle. Please really consider the feedback from the residents in their City. An additional thought, there is no possible truth that there will not be a big increase in traffic on 53<sup>rd</sup> Avenue. Since changes were made at the light on University Avenue, I avoid that area and use residential streets to go north on 694. Thank you for your time and consideration."

Walter Horishnyk, City resident, asked if there is a specific height requirement that designates commercial use for buildings in the commercial zoning district. Forney replied that there are, and he could look up the information. Mr. Horishnyk explained that if there is a zoning requirement that does not allow a commercial site to go to six stories high, why would there be a variance that is granted for a residential apartment. He asked if there was an environmental study on a four-story building instead of a six-story building. He wondered if there was any difference between the two regarding bird migration, or environmental impacts on the nature around the park. He strongly advised not to go over four stories because all around the surrounding area in the City, only go to four stories. He suggested not including the fitness court in the project because it has a lot of concrete and goes against having more nature, since it takes away the green space. He added that Sullivan Lake Park is small and that there are other areas in the City that have more space for a fitness court. Forney explained that he could not find the height limit, but he would follow up with the Planning Commission. He added that the City is still accepting comments on the environmental assessment worksheet. He recommended that community members provide comments through July 10<sup>th</sup>. He noted that comments are accepted through the City's website. The Parks and Recreation Commission and the City Council will address the fitness court at the park.

Ann Scanlon, City resident, explained that she is opposed to the project and expressed her understanding that the City needs to adjust housing and put something on the site. She added that she disagrees with the scope and size of the project. She mentioned that the 180-foot variance that was discussed is too small and does not give enough space for wildlife. She stated that more impervious surface would be added to the park and to the development. She wondered how adding a pickleball court and fitness court would add green space. She asked if the City cared about the residents in the area. She explained that by putting in much into the site, it is destroying habitats for wildlife. She agreed that the Medtronic site needed to be developed and that housing should be added. She encouraged the commission to see what kind of housing they were putting in and how they were putting it in. She stated that the commissioners were not doing due diligence if they passed the variance as is.

Julienne Wyckoff, City resident, stated that taking away green space is wrong. She explained that she learned that 85 different species of birds have been seen in Sullivan Lake Park. She encouraged the Commission to think about all the critters and wildlife that could be hurt due to the development. She asked if there was a contact person from the DNR that residents could reach out to. Forney replied that the DNR's comments will be included in the City Council's packet moving forward. The contact person is Alex Cell. He added that he could provide the contact information and DNR packet after the meeting to residents who were in attendance. Ms. Wyckoff stated that she would like to see development in the area, but to decrease the density and keep the green space.

Ms. Scanlon asked who would manage the infiltration tanks after the developer leaves. Forney replied that the City and the developer would work out a maintenance agreement.

Wolfe explained that the final decisions would be made at the City Council meeting.

Public Hearing Closed.

*Motion by Wolfe, seconded by Moses, to close the Public Hearing. All ayes. MOTION PASSED.*

*Motion by Schmitz, seconded by Rehfuss, to waive the reading of Resolution 2025-057, there being ample copies available to the public. All ayes. MOTION PASSED.*

*Motion by Moses, seconded by Wolfe, to recommend that the City Council approve Resolution 2025-057, a resolution approving a Shoreland Variance for the property located at 800 53rd Avenue NE in the City of Columbia Heights, MN. All ayes. MOTION PASSED.*

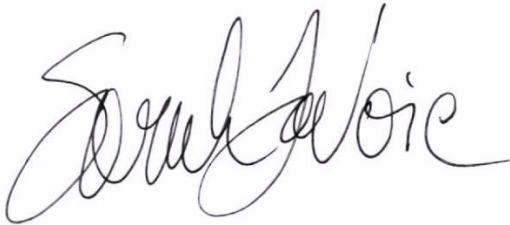
#### **OTHER BUSINESS**

Forney stated that staff are interviewing candidates for the new City Planner position.

#### **ADJOURNMENT**

*Motion by Clara Wolfe, seconded by Rehfuss to adjourn the meeting at 6:50 pm. All ayes. MOTION PASSED*

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah LaVoie". The signature is written in a cursive, flowing style.

Sarah LaVoie, Administrative Assistant