



CITY COUNCIL MEETING

AGENDA SECTION	ITEMS FOR CONSIDERATION
MEETING DATE	APRIL 13, 2026

ITEM:	Vacation of Existing Drainage and Utility Easement at 1515 44th Avenue NE	
<i>Presenting Item: Ursula Brandt, City Planner</i>		
DEPARTMENT: Community Development	BY/DATE: Ursula Brandt, City Planner, 3/25/26	

BACKGROUND

In 2025, Duffy Development Company, Inc was selected by Anoka County, the property owner of 1515 44th Avenue NE, to redevelop the lot into an affordable apartment building. The applicant approached Staff to discuss possible options that would be compliant with current City Code. During this discussion the applicant noted that the lot had existing easements that if maintained would hinder the process of redevelopment.

Upon review, the applicant and staff determined that the “utility and drainage easement” labeled Easement ‘B’ is the fire lane easement that allowed fire truck access around the assisted living facility on the adjoining property. A land survey was conducted it was determined that the constructed fire lanes are misaligned with the easements.

CURRENT STATUS

Staff has coordinated with City Engineering and the City Fire Chief to confirm the findings. Comments attached. Staff will continue to work to ensure that all requirements will be met in the redevelopment of the site for access to the buildings on the adjoining properties.

Attached is the plat and land survey identifying the easement to be vacated. Once approved, the applicant is responsible for filing the vacations with Anoka County.

ZONING ORDINANCE

The Zoning Ordinance requires the Planning Commission to hold a public hearing on the application for the vacation of a street, alley, or other public right-of-way and submit its recommendation to the City Council. The subject property at 1515 44th Ave NE is zoned R-3 Limited multiple family residential. The surrounding area is zoned residential, R-3 to the east, R-2A - two family residential to the west and R-1 - Single family residential to the south, with open space to the north.

COMPREHENSIVE PLAN

The City’s 2040 Comprehensive Plan guides the subject sites as “High Density Residential” as well as the area to the east, “Low Density Residential” to the south and west and “Park” space to the north.

FINDINGS OF FACT

Section 9.104 (J) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for an easement vacation. The findings are as follows:

The City Council shall make each of the following findings before vacating a street, alley, or other public right-

of-way:

- a) No private rights will be injured or endangered as a result of the vacation.

This is correct.

- b) The public will not suffer loss or inconvenience as a result of the vacation.

This is correct.

SUMMARY OF PLANNING COMMISSION DISCUSSION

The Planning Commission held the required public hearing on April 7, 2026. Staff presented the item and summarized the comments received by the Fire Department. No members of the public provided any comments during the public hearing.

Following the public hearing, commissioners asked questions and discussed the proposed easement vacation. The Planning Commission voted unanimously to recommend approval of the easement vacation, including findings of fact and conditions of approval outlined by staff.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend Resolution 2026-019 to the City Council with the following conditions:

- 1. Existing fire access must not be reduced or eliminated.
- 2. A temporary fire access plan is required prior to easement vacation and must meet Fire Code standards.
- 3. Final Site Plan must include a compliant fire lane and/or easement with adequate building access and turning movements.
- 4. Required fire access easements must be reestablished prior to building permit issue.
- 5. The applicant shall be responsible for recording the easement vacations with the Anoka County Recorder’s Office.

RECOMMENDED MOTION(S):
MOTION: Move to waive the reading of draft Resolution No. 2026-019, there being ample copies available to the public.
MOTION: Move to approve Resolution 2026-019, vacating the drainage and utility easement, easement ‘B’ at 1515 44 th Avenue NE, Columbia Heights, MN 55421, as presented.

ATTACHMENT(S):

- 1. Resolution No. 2026-019
- 2. Application Narrative
- 3. Plat
- 4. Land Survey
- 5. Fire Comments

6. Engineering Comments
7. Public Hearing Notice Affidavit