



CITY COUNCIL MEETING

AGENDA SECTION	ITEMS FOR CONSIDERATION
MEETING DATE	APRIL 13, 2026

ITEM:	Variance for reduced parking requirement for 999 50th Ave NE		
<i>Presenting Item: Ursula Brandt, City Planner</i>			
DEPARTMENT:	Community Development	BY/DATE:	Ursula Brandt, City Planner, April 4, 2026
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>			
<input checked="" type="checkbox"/>	Community that Grows with Purpose and Equity	<input type="checkbox"/>	Engaged, Effective and Forward-Thinking
<input type="checkbox"/>	High Quality Public Spaces	<input type="checkbox"/>	Resilient and Prosperous Economy
<input type="checkbox"/>	Safe, Accessible and Built for Everyone	<input type="checkbox"/>	Inclusive and Connected Community

BACKGROUND

In 2016, the last remaining tenant, a dental office, vacated the property at 999 50th Avenue, resulting in the building remaining fully vacant to the present day. Over the past decade, City staff have received multiple inquiries regarding potential redevelopment of the site; however, none have advanced to an approved or completed project.

In 2022, A & A Properties acquired the subject property and initiated an evaluation of potential uses for the existing building. The applicant has engaged in ongoing discussions with City staff to identify site constraints and applicable regulatory requirements. Staff have advised that any proposed use would require the building to be brought into compliance with current building and fire codes, including accessibility requirements under the Americans with Disabilities Act and the installation of an approved fire suppression system.

Based on these discussions, both staff and the applicant have concluded that establishing a viable use within the approximately 12,000 square foot building would present significant challenges. Specifically, compliance with applicable health and safety standards, in combination with the need to maintain a parking demand not exceeding 41 spaces, substantially limits feasible reuse options for the property.

A & A Properties is requesting approval of a variance from the off street parking requirements for the property located at 999 50th Avenue NE. The applicant is proposing to establish a café/restaurant (food service, full-service) within the existing building. For this use City Code 9.106 (L), requires off street parking equal to 30 % of the building’s occupant capacity, which results in a requirement of 53 parking spaces. The subject property currently contains 41 parking spaces, resulting in a deficiency of 12 spaces. The applicant seeks a variance for the following:

1. Variance to allow a 12 space reduction in required parking, from 53 to the existing 41 parking spaces.

ZONING ORDINANCE

The Zoning Ordinance requires the Planning Commission to hold a public hearing on the application for the variance and submit its recommendation to the City Council. The subject property is zoned GB (General Business) and the surrounding area is zoned GB to the east and north, with R-2B (One and Built as Duplex Residential) to the south and R-2A (One and Two Family Residential) to the east. The use of the property as a business and food service complies with the Zoning Code and is otherwise code compliant.

COMPREHENSIVE PLAN

The City's 2040 Comprehensive Plan guides the subject site as "Commercial" as well as the area to the south, east and north and the west as "Medium Density Residential". The proposed use and parking variance is consistent with the goals and intent of the Comprehensive Plan.

CURRENT STATUS

Staff has reviewed the variance materials submitted including floor plans, applicant narrative, and site plan illustrating the proposed use of the building and its relation to adjacent properties and structures as well as the existing parking associated with this property.

FINDINGS OF FACT

Section 9.104 (G) of the Zoning Ordinance outlines required findings of fact that must be met for the City to grant approval for a Variance. The findings are as follows:

The City Council shall make each of the following findings 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.

This is correct. Strict adherence to the off-street parking requirements would result in practical difficulties due to the specific conditions of the subject property. The existing building occupies a significant portion of the site, and the parcel is further constrained by surrounding development, limiting the ability to expand or reconfigure the site to accommodate additional parking. In addition, since the construction of the building, the City's zoning ordinance has been amended, resulting in increased parking requirements. As a result, if the entire building is utilized only three uses allowed in the General Business District could meet current parking standards on this property. Despite these constraints, the applicant is proposing a reasonable use of the property by establishing a café/restaurant within the existing structure, which is consistent with the intent of the zoning district.

- (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.

This is correct. The site contains an existing building that occupies a substantial portion of the parcel, limiting opportunities for site modification. In addition, physical constraints, including a change in elevation between the subject property and adjacent parcels, restricts the ability to expand parking or establish shared parking arrangements with neighboring properties. These site specific conditions distinguish the property from others in the General Business zoning district.

(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.

This is correct. The practical difficulties are not caused by the current property owner or any person having legal interest but due to changes in the zoning code.

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

This is correct. The Comprehensive plan calls for reinvestment, renovation, and modernization of the City's commercial districts.

(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.

This is correct. The granting of this variance will result in a new restaurant in a building that has been left vacant for more than a decade.

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 from the public. No members of the public provided any comments during the public hearing.

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

STAFF RECOMMENDATION

Staff recommends the City Council approve Resolution 2026-026 with the following conditions:

1. The variance applies to the use of food service, full-service, any change in the proposed use will require a reassessment of the parking requirement.
2. The building construction and remodel shall comply with all applicable local and State building code.
3. A Building Permit Application must be submitted prior to any demo or construction.

RECOMMENDED MOTION(S):

MOTION: Move to waive the reading of Resolution No. 2026-026, there being ample copies available to the public.

MOTION: Move to approve Resolution No. 2026-026, a Variance allowing a 12 parking space reduction for 999 50th Ave NE, Columbia Heights, MN 55421.

ATTACHMENT(S):

1. Resolution 2026-026
2. Applicant Narrative

3. Site Location Map
4. Site Plan
5. Proposed Use Upper Level
6. Proposed Use Lower Level
7. Building Department Comments
8. Comments received from the public
9. Public Hearing Notice Affidavit