

RESOLUTION NO. 2026-026

A RESOLUTION APPROVING A VARIANCE FOR THE PROPERTY 999 50TH AVE NE COLUMBIA HEIGHTS, MN 55421

BE IT RESOLVED BY the City Council (the “Council”) of the City of Columbia Heights, Minnesota (the “City”) as follows:

A proposal (Planning Case 2026-PZ04) has been submitted by Tanek, Inc on behalf of A&A Properties LLP to the Planning Commission requesting approval of a Variance at the following location:

ADDRESS: 999 50th Avenue NE (25-30-24-23-0002)

LEGAL DESCRIPTION:

THAT PART OF LOTS 8 & 9 AUDITORS SUBDIVISION NO 153 LYG ELY & SLY OF ALDI ADDITION, WLY OF MATHAIRE ADDITION & NELY OF 50TH AVE NE

THE APPLICANT SEEKS THE FOLLOWING:

1. Variance to allow a reduction of required parking by 12 spaces. City Code Section 9.106 (L) requires parking spaces for 30% of building capacity for a food service, full-service use.

The Planning Commission held a public hearing as required by the City Zoning Code on April 7, 2026;

The City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variances upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concern related to traffic, property values, light, air, danger of fire, and risk to public safety, in the surrounding area;

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council makes the following:

FINDINGS OF FACT

1. 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.

2. 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 classifications.
3. 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.
4. The granting of the variance is in harmony with the general purpose and intent of the Comprehensive Plan.
5. 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.

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.

ORDER OF COUNCIL

Passed this _____ day of _____, 2026

Offered by:

Seconded

by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk / Council Secretary