



## PLANNING COMMISSION

City Hall—Council Chambers, 3989 Central Ave NE

Wednesday, March 3, 2026

6:00 PM

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### MINUTES

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

#### CALL TO ORDER/ROLL CALL

Commissioners present: Jeffrey Johnson, Dirk Schmitz, Karl Rehfuss, Paul Moses, Clara (Wolfe) Christopherson, John Gianoulis, and Kyannah McKinney (Youth Commissioner)

Commissioners absent: Ahmed Maameri

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

#### APPROVAL OF MINUTES

##### 1. Approval of February 04, 2026, Planning Commission Meeting Minutes

*Motion by Rehfuss, seconded by Schmitz, to approve the minutes from the meeting of February 04, 2026. All ayes. MOTION PASSED.*

#### PUBLIC HEARINGS

##### 2. Zoning Ordinance Amendments to Chapter 9 – Land Use:

9.103 Definitions

9.105 Nonconformities 9.106 General Development Standards

9.107 Specific Development Standards

Introduction: Brandt stated that during the February 4 Planning Commission Meeting, staff brought forward four areas in the Zoning Code to be updated with the goal of adjusting the Zoning Code to better reflect community needs while promoting consistency in future development and being in compliance with State and Federal laws and other city ordinances.

Brandt reviewed the current status of the Ordinance. Places of Worship: The Religious Land Use and Institutionalized Persons Act (RLUIPA), passed in 2000, mandates that religious assemblies and institutions be treated at least as well as non-religious assemblies and institutions. The City's zoning code restricts "religious facilities/places of worship" to residential zones with a conditional use permit, while allowing "auditorium/places of assembly", "banquet hall", "club or lodge", "theater-live performance", and "theater – movie" in commercial zones. This creates a conflict with RLUIPA.

Brandt noted that staff is recommending the code be updated to add "religious facilities/places of worship" as permitted with a conditional use permit in General Business (GB) and Central Business District (CBD). Based on Planning Commission comments staff is also recommending updating the specific development standards associated with "religious facilities/places of worship" to include requiring a transportation management plan to address

off-street parking, traffic control, and the impact of the facility on surrounding roadways.

Brandt noted the current state for non-conformities explains that State Statute 462.357 Subdivision 1e states: "Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion". The City's zoning code does not allow for "replacement" and is therefore in conflict with the State Statute. Staff is recommending amending 9.105 Nonconformities (C) Nonconforming Structures (4) Repair and maintenance to include replacement that does not increase the nonconformity in any way.

Brandt explained that the current status for Multiple-family dwelling include that when above a first-floor commercial use The City's zoning code permits "multiple-family dwelling, when above a first-floor commercial use" in the Central Business District (CBD), but restricts "Single family dwelling, when accessory to a commercial use" to the Limited Business (LB) district with a conditional use permit. Staff is recommending changing the allowed use to "single and multiple family dwelling, when above a street-level commercial use" in the Central Business District (CBD) to allow single apartments above commercial uses. Staff is recommending the language to be

changed from first floor to street level to account for properties that have lower levels that exit out into parking lots.

Brandt noted On November 24, 2025, the City Council adopted Ordinance 1720 regarding Chapter 5.3 Tobacco Regulations. 9.103, 9.106 and 9.107 in the Zoning Code need to be updated to reflect the changes. Staff Recommends the following changes:

#### 9.103 Definitions

~~SMOKE~~ TOBACCO PRODUCT SHOP. A retail establishment that has obtained an appropriate license, in which greater than 90% of the business's gross revenue must be from the sale of tobacco, tobacco products or smoking related accessories, and prohibits persons under 21 from being present or enter at all times. ACCESSORY TOBACCO RETAILER. A retail establishment that has obtained an appropriate license from the City and that derives no more than 45% of its gross revenues from the sale of licensed products.

#### 9.106 General Development Standards

##### Table of Uses

Add the Accessory Tobacco Retailer use to the table as permitted in all commercial districts.

#### 9.107 Specific Development Standards

##### (43) ~~Smoke~~ Tobacco Product shops.

- a) ~~The smoke shop~~ Must have an entrance door opening directly to the outdoors.
- b) Share no wall with, and has no part of its structure adjoined to any other business or retailer, unless the wall is permanent, completely opaque and without doors, windows and pass-throughs to the other business or retailer
- c) Shall share no walls with, and has no part of its structure directly adjoined to, another tobacco retailer
- ~~b) Greater than 90% of the business's gross revenue must be from the sale of tobacco, tobacco products or smoking related accessories.~~
- ~~c) A tobacco department or section of any individual business establishment with any type of liquor, food or restaurant license shall not be considered a smoke shop~~
- ~~d) The total number of city issued smoke shop licenses shall at no time exceed five~~
- d) Any existing ~~smoke~~ tobacco product shops at the time of the passage of Ord. ~~1570~~ 1720 shall comply fully with the ordinance by ~~December 31, 2010~~ January 1, 2026.

Brandt noted Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

- a) The amendment is consistent with the comprehensive plan. The City's 2040 Comprehensive Plan identifies strengthening the identify and image of the community as a desirable place to live, work, and play as well as preserving and enhancing the existing viable commercial and industrial areas within the community. The zoning code amendments proposed will help achieve more consistency with the 2040 Comprehensive Plan.
- b) The amendment is in the public interest and is not solely for the benefit of a single property owner. The zoning text amendments are to come into compliance with current City, State and Federal regulations to ensuring consistency across zoning districts.
- c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification. The amendment is not to change the zoning classification of a particular property.
- d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification. The amendment is not to change the zoning classification of a particular property.

Recommendation: Staff is recommending the following amendments to the Zoning Code:

1. 9.103 Definitions update Smoke Shop to Tobacco Product Shop, make the definition consistent with the definition in Ordinance 1720 and add the definition of Accessory Tobacco Retailer.
2. 9.105 Nonconformities to include replace in Repair and Maintenance of a Nonconforming structure but does not allow for an increase in nonconformity with the replacement.
3. 9.106 General Development Standards (S) Table of Uses
  - a. Amend 'Multiple family dwelling, when above a first-floor commercial use' to 'Single and Multiple family dwelling, when above street level commercial use'.
  - b. Change the name of Smoke Shops to Tobacco Product Shops.
  - c. Add Accessory Tobacco Retailer as permitted in all Commercial Districts.
  - d. Add Religious facility/place of worship as a Conditional Use in General Business and Central Business District.
4. 9.107 Specific Development Standards
  - a. Amend (35) Religious facilities/places of worship for consistency and to require a transportation management plan.
  - b. Amend (43) Smoke Shops to be in alignment with Ordinance 1720 as presented in the Agenda Packet.

Questions/Comments from Members:

Johnson wondered what the stance would be if someone tore down their one-car garage and replaced it with a three-car, two-story garage. Brandt replied that the individual would need to get

building permits and meet all of the zoning requirements, including setbacks and 35% impervious surface.

Gianoulis asked about the change in language regarding the location of the dwelling about a first floor for commercial use. He wondered if someone could have a residence in the basement level that goes out to the street. Brandt replied that the residence could only be above the street level. Gianoulis asked if the residence could be on the main level if the commercial space was in the basement. Brandt replied that the residential space would have to be above the street level.

Public Hearing Opened.

There were no comments.

Public Hearing Closed.

*Motion by Moses, seconded by Rehfuss, to waive the reading of the draft Ordinance amendment NO. 1725, there being ample copies available to the public. All ayes. MOTION PASSED.*

*Motion by Christopherson, seconded by Rehfuss, to close the Public Hearing. All ayes. MOTION PASSED.*

*Motion by Moses, seconded by Gianoulis, to recommend City Council approve draft Ordinance amendment No. 1725, a Zoning Ordinance Amendment, as presented. All ayes. MOTION PASSED.*

**3. Comprehensive Plan Amendment for 4300 Central Avenue from Commercial and Park to Transit Oriented Development**

Introduction: Forney stated the City of Columbia Heights is initiating a Comprehensive Plan Amendment for the property located at 4300 Central Avenue NE. The proposed amendment would re-guide the site from "Commercial" and "Park" to "Transit Oriented Development." The 13-acre property is currently vacant, other than a stormwater pond to the west. Over the years, concepts that have been explored for the site have included a mix of commercial and residential uses. However, the current guidance of "Commercial" does not allow for any residential uses of the site. The intent of the Comprehensive Plan Amendment is for the future land use designation to facilitate potential redevelopment of mixed-use on the site. The stormwater pond is included in the Comprehensive Plan Amendment, as it may be relocated as part of a development project.

Forney explained that from the late 2000s through the early 2010s, this property operated as a shopping center and was home to a variety of businesses over the years, including the last establishments being: Rainbow Foods, Slumberland, Ace Hardware, Dollar Tree, and Meineke Car Care. By 2015, the property had fallen into disrepair and was not well-maintained, leading many of the businesses to close. In 2016, the site was purchased by Hy-Vee. The City worked closely with Hy-Vee's development team to create a framework for a Tax Increment Financing (TIF) district to support redevelopment; however, ultimately, no project moved forward. In 2021, the property was sold to the developer Alatus, who proceeded to demolish the remaining structures and clean up the site to prepare it for future redevelopment. The City utilized the Tax Increment Financing (TIF) framework previously developed with Hy-Vee to begin mortgage-bond structuring and contract negotiations with Alatus.

Forney noted that since then, Alatus has been evaluating a range of mixed-use development concepts for the site. The concepts have considered incorporating apartments, commercial uses, single-family homes, and townhomes or rowhouses. At this time, there are no formal plans or upcoming development applications. The future project is also expected to address stormwater, sewer, sidewalk, and roadway improvements as there are major infrastructure improvements needed in the surrounding neighborhood. When a formal redevelopment proposal comes forward, it will likely require a rezoning and additional land-use approvals. Updating the Comprehensive Plan's future land use guidance is an essential first step to enabling a viable redevelopment pathway.

Brandt noted that the City's current 2040 Comprehensive Plan guides the eastern portion of this property for "Commercial", limiting the site only for nonresidential uses such as retail, office, and service-oriented businesses. To make future mixed-use redevelopment possible, the City is proactively initiating this land-use guidance change to "Transit Oriented Development". The proposal to re-guide the site as "Transit Oriented Development" will allow significantly greater flexibility for the opportunity for both residential and commercial uses.

Brandt stated areas guided as TOD have an expected mix of uses of 85% residential and 15% commercial, and a density of 25 to 65 units per acre. The site is well-suited for a re-guidance to a TOD designation, as several properties along the Central Avenue corridor are already guided similarly. In addition, the corridor is slated for a major MnDOT-led reconstruction project proposed for 2028, which may include the planned F-Line Bus Rapid Transit (BRT) route. These factors, combined with evolving market conditions and the property's long-term vacancy, provide support for a Comprehensive Plan Amendment. Providing greater land-use flexibility will help facilitate

redevelopment, strengthen the City's tax base, and introduce new residential and commercial activity.

Brandt noted that the land use change may necessitate technical changes related to wastewater, trip generation, and other key plan elements. These tables spread throughout the plan, will be updated, and associated implementation measures will be identified based on the impacts. Any necessary improvements will be development-driven or completed in conjunction with other planned infrastructure improvements.

Brandt explained that City Community Development Staff, along with HKGi, held a neighborhood meeting on February 18, 2026, at 5:30 pm at the library to share the proposed amendment to the 2040 Comprehensive Plan. There were around 10 participants who attended the presentation, and there was an opportunity to join the meeting online to ask questions. The following questions and concerns raised from the neighborhood meeting are summarized below:

- Concerns regarding necessary improvements and maintenance to the on-site stormwater pond, surrounding neighborhood flooding, and infrastructure issues that are requested to be heavily considered as part of future development proposals.
- Clarification on the details for the Transit-Oriented Development designation.
- Concerns about the size and quantity of apartment units.
- Concerns about an increase in traffic and access management on Central Avenue, especially if apartments are proposed.

Brandt stated that, subsequent to the meeting, a two-question public survey, the neighborhood meeting presentation, and Planning Commission public hearing information were made available on the City's website, along with an informational post on the City's Facebook page. While the Facebook post generated more than 250 comments, as of February 25, 2026, only 46 responses have been received on the survey.

Brandt mentioned that overall, many respondents expressed concerns about the proposed Comprehensive Plan Amendment allowing residential uses on the site. A common sentiment has been that the City already has a sufficient number of apartment developments, and that additional apartments would worsen traffic patterns. The preference is for maintaining the property as a commercial use, particularly for a grocery store, indoor recreation, or other retail-focused uses.

Forney stated that staff acknowledge the concerns raised by the community and have been carefully evaluating potential impacts. If the property were to retain its commercial future land use designation, it may remain undeveloped for several more years, as the market does not currently

support stand-alone nonresidential uses without the density provided by adjacent residential. There is a well-documented housing shortage in the Twin Cities, and the concepts have focused on incorporating a mix of housing types to help meet the community's diverse housing needs.

Forney explained that this site is well-positioned for increased residential density, given its planned transit access and location within an already walkable corridor. These factors make the proposed redevelopment a strong fit for the area and could help facilitate a more viable project in the near term. Additionally, the development would address both onsite and surrounding neighborhood infrastructure needs.

Forney mentioned that in order for the City to amend its Comprehensive Plan, a public hearing is required to be held by the Planning Commission and a recommendation forwarded to the Council. The plan must also be submitted to affected jurisdictions, including adjacent communities, school districts, watershed commissions, county, and state agencies. These agencies are to be allowed to review the amendment and provide comment prior to the City submitting the plan to the Metropolitan Council. Following review by the City Council, the plan amendments are submitted to the Metropolitan Council for review of its compatibility and conformity with the regional system plans. Upon a favorable review by the Metropolitan Council, the City Council puts the amendment into effect.

Recommendation: Brandt stated staff recommends approval of this Comprehensive Plan Amendment to re-guide the properties at 4300 Central Avenue NE from the current future land use of Commercial and Park to Transit Oriented Development.

Questions/Comments from Members:

Schmitz asked how long the process would take with the Met Council. Brandt replied that the City would take 60 days for the adjacent community review, and then the Met Council would have 60 days to review.

Gianoulis noted that many of the commits included having more green space. He asked if that could be a parameter as a community need. Forney explained that it could be included in the negotiation process.

Christopherson mentioned that the amendment would allow the City more options for what can be built on the site. Forney agreed and explained that it would allow the site to be residential and commercial instead of being limited to what could be on the site.

Public Hearing Opened.

Peter Kopp, City resident explained that it would be helpful for citizens if the Commission explained which section of the amendment they were speaking on. He asked why the City was not proposing to zone the site as strictly residential. Brandt replied that the City is not proposing a zoning change, but they are proposing a land-use change. She added that the developers who have come forward have proposed mixed-use. Mr. Kopp asked what businesses the City envisioned on the site. Brandt replied that there are no proposed businesses currently. Right now, the land is open to the potential of commercial uses. Mr. Kopp asked if the change would put the City at risk and use tax money to prepare the site. Brandt replied that the developer would be building the business. She added that the City is working with the developer for bonds to purchase the site. Mr. Kopp explained that he has worked with terrible landlords in the City that are operating general-use properties where they have residents and businesses. He asked how the City would handle trash collection since it would be mixed-use. Brandt replied that when proposals come through, City staff can address trash collection and its location. Forney added that the tax implications are not fully determined until the City has a unit count. The goal for the project is to complete the infrastructure improvements without major assessments on the neighboring properties.

Matt Sherin, City resident, mentioned that the site has been an issue for years. He mentioned that the plan should include stormwater and sanitary sewer because they intersect on the site. He explained that there is an issue with the sanitary sewer and stormwater mixing. He added that the pond should have been created wider or deeper. There is no correct fluid hydraulic dynamics between the sanitary sewer and the stormwater. He explained that he has worked with his neighbors and the City to fix the issue in the area. He shared instances when the City has made improvements, but there have been negative impacts on the neighborhoods. He expressed his concern about adding additional residential units to an old sanitary sewer and stormwater system. He noted that the fluid hydraulic dynamics need to be big enough to accommodate the flow.

Public Hearing Closed.

*Motion by Christopherson, seconded by Reh fuss, to close the Public Hearing. All ayes. MOTION PASSED.*

*Motion by Schmitz, seconded by Gianoulis, to waive the reading of the draft Resolution 2026-018, there being ample copies available to the public. All ayes. MOTION PASSED.*

*Motion by Gianoulis, seconded by Rehfuss, to recommend the adoption of Resolution 2026-018, a resolution for City Council approval of the proposed land use designation of the properties at 4300 Central Avenue to Transit Oriented Development. All ayes. MOTION PASSED.*

**ADJOURNMENT**

*Motion by Christopherson, 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