



**PLANNING COMMISSION**

<b>AGENDA SECTION</b>	<b>PUBLIC HEARING</b>
<b>MEETING DATE</b>	<b>5/4/2021</b>

<b>ITEM:</b>	<b>Preliminary Plat; Planned Unit Development; Easement Vacations to allow for the construction of a 4-story, 62-unit affordable housing building that includes a remainder parcel for the potential future development of SACA Food Shelf</b>	
<b>DEPARTMENT:</b>	Community Development	<b>BY/DATE:</b> Minerva Hark, 5/4/2021

**BACKGROUND:**

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**CASE NUMBER:** 2021-0502

**DATE:** May 4, 2021

**TO:** Columbia Heights Planning and Zoning Commission

**APPLICANT:** Reuter Walton Development

**DEVELOPMENT:** Affordable Housing Building; Planning Unit Development; Preliminary Plat

**LOCATION:** 825 41<sup>st</sup> Avenue NE (northern undeveloped portion of Columbia Heights Public Safety Center)

**REQUEST:** Preliminary Plat; Planned Unit Development; and Easement Vacations

**PREPARED BY:** Minerva Hark, Community Development Planner

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**INTRODUCTION**

Reuter Walton Development has applied for a Preliminary Plat; Planned Unit Development; and Easement Vacations for a portion of the property located at 825 41<sup>st</sup> Avenue NE.

The property was previously the original home of Columbia Heights High School, constructed in 1926. It later became the Columbia Heights Junior High School in 1961, and then sold to the Northwestern Electronics Institute (NEI) in 1981. It operated as a technical college until 2002. After NEI merged with Dunwoody, the City of Columbia Heights purchased the vacant building and parcel. The building was demolished in 2004, making way for the Public Safety Center, which was constructed in 2009. The portion of the existing lot in which development is proposed served as both the school’s recreational field and parking lot, with approximately 500 parking stalls. Historical aerial imagery even suggests that one or two single-family homes were once present on the site. The current use of the portion of the lot in question is snow storage by the City’s Public Works Department, as well as minimal parking for the neighboring Crest View development.

The site is zoned R-4, Multiple Family Residential District. The site is adjacent to the One- and Two-Family Residential District (R-2A) to the north and west, as well as the Multiple Family Residential District to the east (R-4) and the south (R-3).

The applicant is proposing to subdivide the existing lot into three separate parcels. One parcel will include the existing Public Safety Center. One of the newly created parcels will include a 4-story, 62-unit affordable housing building with amenities and subterranean and at-surface parking. The remainder Lot 3 is intended for the potential future relocation and development of SACA Food Shelf.

### **ZONING ORDINANCE**

The site is currently zoned R-4, Multiple Family Residential District. The applicant is proposing to rezone the site to Planned Unit Development (PUD). The Planned Unit Development District will allow the applicant flexibility with setbacks, building height, building design, parking stall design, and the overall use of the property. The Planned Unit Development rezoning is discussed later in this report.

### **COMPREHENSIVE PLAN**

The Comprehensive Plan guides this area for Transit Oriented Development. Transit Oriented Development seeks to develop properties to have a mix of residential, retail, and office. Transit Oriented Development also seeks to include pedestrian friendly access and design.

In review of the site and building plans for this project, the site contains sidewalks on two sides of the site, a playground, trees and boulevard areas, and planters. The design of the site is consistent with the goals of the 2040 Comprehensive Plan.

### **SITE PLAN**

#### **1. Setbacks**

The subject property is currently located in the Multiple Family Residential District. The proposed plan is to rezone the site to Planned Unit Development District. The R-4 district is subject to setback standards, while the PUD district is not. Setbacks of properties in the PUD district are subject to Staff review and Council approval. The following table displays what is currently allowed in the R-4 district versus what is applicant is proposing for their building under the rezoned PUD district:

<b>Building Setbacks</b>	<b>Existing R-4</b>	<b>Proposed PUD – Lot 2</b>
<b>Front Yard</b>	15 feet	12 feet
<b>Side Yard</b>	10 feet	10 feet
<b>Corner Side Yard</b>	15 feet	10 feet
<b>Rear Yard</b>	15 feet	15 feet

In review of Lot 2's proposed building setbacks, Staff finds the site plan acceptable as presented. Setbacks for Lot 3 will be determined at a later date, once the site is ready to be developed. It is likely that the future applicant will have to apply for a PUD Amendment to establish reasonable setbacks for their site.

#### **2. Lot Area**

City Zoning Ordinance requires a minimum lot area for Multiple Family Residential District (R-4) zoning of 10,000 square feet for a multi-family dwelling, and a minimum lot width of 70 feet. The proposed lot area for Lot 2 is 1.3 acres (56,628 square feet), and the proposed lot width is 207.3 feet. The proposed lot area and lot width meets the minimum dimensions for the proposed use.

In regards to remainder Lot 3, City Zoning Ordinance requires a minimum lot area of 6,000 square feet for Limited Business (LB) District and for General Business (GB) District, with a minimum lot width of 50 feet for the LB Zone and 40 feet for the GB Zone. The proposed lot area for Lot 3 is 0.4 acres (17,424 square feet), and the proposed lot width is 79.6 feet. The proposed lot area and lot width meets the minimum dimensions for either district.

**3. Parking**

The proposed site plan includes 62 apartment units. Based on the number of units and unit occupancy, the total number of required parking stalls for the proposed apartment building is 108. The applicant is proposing a total of 108 parking spaces to accommodate the residential uses onsite. The proposed design includes 46 underground stalls (43 standard stalls, 1 compact stall, and 2 ADA spaces), and 62 exterior, surface-level stalls (35 standard stalls, 24 compact stalls, and 3 ADA spaces).

**4. Parking Setbacks**

The underlying R-4 zoning for Multiple Family requires standard parking setbacks, while a PUD district does not. Parking setbacks in the PUD district are subject to Staff review and Council approval. The applicant is proposing the following reductions to surface-level parking setbacks in order to maintain adequate parking spaces and to potentially support shared parking with the future development of Lot 3:

Parking Setbacks	R-4 (existing)	Proposed PUD – Lot 2
Front Yard	30 feet	85.3 feet
Side Yard	10 feet	0 feet
Corner Side Yard	30 feet	85.7 feet
Rear Yard	10 feet	2 feet

In review of the proposed parking setbacks, Staff finds the site plan is acceptable as presented.

**5. Multi-Family Parking Standard**

Multi-Family Districts require one parking stall for each bedroom unit, and two parking stalls for each two-bedroom or larger unit. Under this equation, the total required number of resident parking stalls equals 108. The site plan provides 108 resident parking stalls, satisfying the minimum requirement.

The site plan shows a total of 25 compact parking stalls for resident parking. This means the project proposes 23% of the total spaces to be designed as compact. Staff is supportive of providing this percentage of compact spaces as PUD flexibility.

**6. Vehicle Access**

The main entrance will be from Jackson Street NE, accessing the underground parking. The other entrance will be from 42<sup>nd</sup> Avenue NE, accessing the at-grade parking stalls. The 42<sup>nd</sup> Avenue NE parking entry may also be accessed from 41<sup>st</sup> Avenue NE. Vehicles leaving from the at-surface parking lot can either drive south down the alley to access 41<sup>st</sup> Avenue NE, or north to access 42<sup>nd</sup> Avenue NE.

**7. Loading and Deliveries**

In regards to the proposed use of Lot 2, deliveries will be made through the entrance on 42<sup>nd</sup> Avenue NE and packages will be placed in a secure package room located adjacent to the entry vestibule. Postal service will also access through the 42<sup>nd</sup> Avenue entrance and proceed through the lobby to the mail area to the south.

Loading and unloading of larger items for move-in will be mainly handled through the garage parking lot, directly through the elevator or through the 42<sup>nd</sup> Avenue NE entry for delivery vehicles.

The trash room will be located at the inside corner of the basement parking level next to the elevator. Each residential floor above will have trash rooms with chutes for trash and recycling. For routine trash pickup, the appropriate trash trucks will park on Jackson Street NE as trash carts are brought up the garage access ramp and out to the truck for disposal.

## **8. Landscaping**

The proposed landscaping plan shows a total of 15 trees including a mix of deciduous trees and conifer trees. The tree sizes and diameters meet the City's requirements for sizes at the time of planting. The remaining area on the site will be covered with grass and shrubs.

Several existing trees have been identified on the landscaping plans to remain on the project site, including three apple trees and an oak tree in the southwest portion of Lot 2. The project will be conditioned to have these trees protected in place. Additionally, all adjacent boulevard trees on City property shall also be protected in place.

## **9. Easement Dedication / Vacation**

The existing site has four separate easements that will need to be vacated and/or replaced, or amended as part of this project: a platted perimeter drainage and utility easement, a storm water drainage utility easement, a utility easement, and a parking easement.

The first easement proposed to be vacated is a drainage and utility easement around the perimeter of Lot 1, with the exception of the northeast corner, where the easement runs along the north and east boundaries shared with 42<sup>nd</sup> Avenue NE and the existing alley. The project is proposing to vacate this easement over the portion of land that is to be subdivided. The proposed plat will define a new perimeter drainage and utility easement and reduce the width of the easement from five feet to three feet to provide adequate room for the future development of the remainder lot.

The second easement is octagonal in shape and exists to provide additional live storage capacity for the existing adjacent stormwater pond and to protect the existing water main. The project proposes to construct an apartment building where the easement currently resides. The applicant proposes to relocate this easement by constructing an underground stormwater chamber capable of storing a volume of runoff that will eliminate the need for the surface storage. The proposed project would also establish a new drainage and utility easement around the proposed underground stormwater chamber. Additionally, the project proposes to relocate the existing water main with a minimum horizontal distance of 10 feet from the future building envelope on proposed Lot 3.

The purpose of the third easement (utility easement) was to preserve the rights to construct new sanitary sewer or water mains within the former street right-of-way, if deemed necessary. There is no longer a need to preserve this land for running utilities, as sewer and water mains have already been constructed within the alley. This easement has been proposed to be vacated as part of this project.

The final easement is located on Outlot E, and currently provides the rights to the existing Columbia Court Townhomes complex to park 11 vehicles. This project proposes to relocate the parking rights for 11 stalls from Outlot E to Outlot C. With the creation of Lot 3 and its future development, the future applicant shall work

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with the City to ensure that a new easement is prepared providing similar terms to the existing easement that are acceptable to the owners of Columbia Court Townhomes.

As a condition of approval, the applicant shall provide recordable documents of the easement vacations to be recorded at the County Recorder's Office. Said legal descriptions are subject to review by the City Attorney.

#### **10. Park Dedication**

The proposed plat will not include a park dedication. Instead, the applicants will make a financial contribution to satisfy this requirement. This will be included in the development contract.

#### **11. Mechanical Screening**

The applicant has not indicated any mechanical equipment on the roof top of the building. Most mechanical equipment will be on the lower level of the structure (underground parking area). If mechanical screening is to be placed on the roof, it shall comply with the City's requirements for screening. This will be a condition of approval.

#### **12. Drainage**

The applicant is proposing a stormwater management system that would adequately address the storm water design requirements for both rate control and water quality for both Lots 2 and 3. The Public Works Department will review the final plans and submitted Stormwater Management Report prior to approval of construction.

#### **13. Fire Department Connection and Fire Hydrants**

The site has existing fire hydrants onsite that are sufficient for Fire Safety purposes. As a condition of approval, the applicants shall indicate where the fire department connection is intended to connect to the building. This is subject to further review by the Fire Department.

#### **14. Building Design and Materials**

Exterior materials will include brick on the first floor with a cast stone base. The second, third, and fourth floors will have a combination of brick, fiber cement lap siding, and fiber cement panel. These materials are of high architectural quality and will add to the value of the neighborhood.

#### **15. Floor Area Ratio**

The applicants are proposing a Floor Area Ratio (FAR) of 1.24. This is a unit of measurement used to measure the amount of square footage in a building compared to the overall site. The Comprehensive Plan recommends a FAR between 1.00 and 3.00 for transit oriented design areas in the City. A floor area ratio of 1.24 is consistent with the Comprehensive Plan Goals.

#### **16. Lighting**

The applicant has submitted a photometric plan that complies with City Code. The exterior lighting proposed at the project site provides ample parking lot lighting for residents and does not emit light onto adjacent properties.

#### **17. Neighborhood Notification**

Notifications went out to surrounding property owners within 350 feet of the subject site. The notice was also posted in "Life" Newspaper, and posted on the City's website. The City received several emails of comments, questions, and concerns, including other uses for the parcel, changes in adjacent property values, ownership

of the site, design, density, traffic, noise, and drainage. All comments were acknowledged by Staff, and questions were answered to the best of Staff’s abilities.

**PLANNED UNIT DEVELOPMENT**

In order to accommodate the proposed density at this site and the potential future mixed use element of the plan, the applicant is proposing to rezone the property to a Planned Unit Development (PUD). The PUD will allow flexibility with the City’s strict zoning requirements, while also requiring a high standard of building quality and site design. The PUD ordinance requires the Planning Commission to hold an informal public hearing and a formal hearing at the City Council Meeting.

**1. Density / Units-Per-Acre**

The following table shows the units per acre for this project. It should be noted that units-per-acre is a different measurement than floor area ratio (discussed earlier in this report).

<b>825 41<sup>st</sup> Avenue NE – Units Per Acre Analysis</b>	
Units	62
Site Acreage	1.3
<b>Units Per Acre</b>	<b>48</b>

48 units per acre fall in line with the target residential density for urban centers adjacent to highways and transit ways. The project site is well within a half-mile radius of Central Avenue NE, which aims for 40-75+ units per acre under transit oriented development guidelines. The following table is an analysis of the mixed-use development that is underway at 3989 Central Avenue NE as a comparison of density:

<b>3989 Central Ave NE – Units Per Acre Analysis</b>	
Units	265
Site Acreage	2.3
<b>Units Per Acre</b>	<b>116</b>

The development on 40<sup>th</sup> & Central has a much higher density calculation, but is also immediately adjacent to a highway. By this comparison, this proposed project has a lower density calculation.

Staff has also completed a bedroom analysis of the site since the apartment complex will offer three different types of rental units.

<b>825 41<sup>st</sup> Avenue NE Bedroom Analysis</b>			
<b>Unit</b>		<b>Times number of bedrooms</b>	<b>Total Bedrooms</b>
1 Bedroom	16	1	16
2 Bedroom	30	2	60
3 Bedroom	16	3	48
<b>Total Number of Units:</b>	<b>62</b>	<b>Total Number of Bedrooms:</b>	<b>124</b>

**2. Parking Stalls per Bedroom**

The site will have a total of 124 bedrooms. As noted earlier in this report, the site will have 108 parking spaces for residents. This equates to 0.87 parking spaces per bedroom. Staff feels that this is an acceptable amount of parking for the residents as some of the larger units will not need one parking space per bedroom. For example, a three bedroom apartment may include two adults, and two children; thus only two parking spaces are needed.

### **3. Neighborhood Meeting**

As part of the PUD approval, a neighborhood meeting is required as part of the process. The City hosted the neighborhood meeting on April 21, 2021 virtually via Zoom. The meeting was well-attended and included members of the immediate neighborhood, as well as members of the Planning Commission and City Council. The applicant presented the project to attendees and answered questions regarding the proposal. Staff heard concerns related to increased traffic and density, parking, privacy, and drainage. Staff noted that traffic is not projected to increase a detrimental amount, and that the proposed density is on the lower end of what is guided for transit-oriented development. Staff also noted that this project will actually help alleviate the drainage issues in the area.

Concerns were also raised about the size, height, quality, and design of the proposed apartment building, and the future commercial/retail use of SACA. The applicant and Staff noted that the height of the proposed building is lower than the existing adjacent development to the east (Crest View), and that the proposed materials are of high quality. Staff also noted that the future potential use of SACA is not part of the proposal at this time. The subdivision of land is under review for this project, and SACA will have to go through a PUD amendment when their proposal is ready.

## **FINDINGS OF FACT**

### **Preliminary Plat**

Section 9.104 (L) of the Zoning Ordinance outlines three conditions that must be met in order for the City to grant a Preliminary Plat. They are as follows:

- (a) The proposed Preliminary Plat conforms to the requirements of City Code Section 9.116 [Subdivision Ordinance].

Staff Comment: In review of the preliminary plat that was submitted, Staff finds that the preliminary plat generally conforms to the City's Subdivision Ordinance for a Planned Unit Development. The applicant is compliant in this regard.

- (b) The proposed subdivision is consistent with the Comprehensive Plan.

Staff Comment: The Comprehensive Plan supports the redevelopment of this site. In addition, the Comprehensive Plan supports transit-oriented development on this site. The proposed Subdivision is consistent with the Comprehensive Plan's goals.

- (c) The proposed subdivision contains parcel and land subdivision layout that is consistent with good planning and site engineering design principles.

Staff Comment: Staff has reviewed the proposed subdivision plan and feels that the parcel and land layout are consistent with these principles. Further, the site plan removes and replaces old easements. The project

proposes to improve the area storm water management conditions by creating increased storm water storage capacity, thereby eliminating the overland flooding condition that currently exists on the development site.

### **Planned Unit Development District Plan**

The zoning ordinance contains the following four findings that must be satisfied before the City Council can approve the PUD District Plan at a City Council Meeting:

- (a) The PUD District plan conforms to all applicable requirements of this article [Section 9.113, PUD District].

Staff Comment: In review of Section 9.113, Staff finds that the application is consistent with the City's requirements.

- (b) The PUD District plan is consistent with the applicable provisions of the comprehensive plan.

Staff Comment: The Comprehensive Plan has this area targeted for redevelopment to a transit-oriented development project. The proposed PUD is consistent with the Comprehensive Plan's goals.

- (c) The PUD District plan is consistent with any applicable area plan.

Staff Comment: The area plan (as noted in the Comprehensive Plan) marks this area and other sites in the area for redevelopment. The PUD is consistent with the area plan.

- (d) The PUD District plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

Staff Comment: The site will utilize underground and at-grade parking to prevent on-street parking. The PUD District Plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

### **Rezoning to PUD, Planned Unit Development District**

The zoning ordinance contains the following four findings that must be satisfied before the City Council can approve rezoning to PUD, Planned Unit Development District at a City Council meeting:

- (a) The amendment is consistent with the Comprehensive Plan.

Staff comment: The amendment is consistent with the applicable provisions of the Comprehensive Plan.

- (b) The amendment is in the public interest and is not solely for the benefit of a single property owner.

Staff comment: The amendment is in the public interest and not solely for the benefit of a single property owner.

- (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 the property within the general area of the property in question are compatible with the proposed zoning classification.

Staff comment: The amendment is compatible with existing land uses and zoning classifications in the general area.



- (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.

Staff comment: The amendment reflects changes in development trends in the general area.

### **SUMMARY AND RECOMMENDATION**

The applicant is seeking approval of a preliminary plat; easement vacations; and a rezoning to PUD, Planned Unit Development District to construct a 4-story, 62-unit affordable housing building that includes a remainder parcel for the potential future development of a new facility for the SACA Food Shelf at the northern undeveloped portion of the City's Public Safety Center. The project will include underground and at-grade parking for residents, with the potential for a shared parking agreement with the future tenants of Lot 3. Staff is recommending approval of the project with the conditions outlined below:

#### Preliminary Plat

Staff recommends that the Planning Commission recommend approval of the Preliminary Plat as presented subject to the conditions outline below:

1. All required state and local codes, permits, licenses and inspections will be met and in full compliance.
2. The applicant shall be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.
3. An approved Preliminary Plat shall be valid for a period of one year from the date of the approval. In the event that a Final Plat is not presented for approval within this time period, the Preliminary Plat will become void.
4. The applicant shall enter into a Developer's Agreement with the City. Said documentation shall be reviewed by the City Attorney.

#### Vacation of Easements

The applicants are proposing to vacate two easements on the property. The easement vacations are necessary in order accommodate the project. The applicants have provided descriptions of the easements to be vacated. Staff recommends that the Planning Commission recommend to the City Council approval of the easement vacations with the following conditions:

1. The applicant shall be responsible for providing legal descriptions of all easements that are subject to be created. Said descriptions are subject to review by the City Attorney.
2. The applicant shall be responsible for recording the easement vacations with the Anoka County Recorder's Office.

#### PUD, Planned Unit Development District Plan

By Code, the Planning Commission shall hold an informal hearing related to the Planned Unit Development. The Planning Commission shall make a recommendation to the City Council. The City Council will hold the formal hearing for approval of the PUD. Staff recommends approval of the PUD with the following conditions:

1. The building and site shall meet all requirements found in the Fire Code and the Building Code.

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2. Any proposed exterior lighting shall be reviewed and approved by City Staff before installation.
  3. All other applicable local, state, and federal requirements shall be met at all times.
  4. The City shall require a pre-construction conference prior to the start of any land alteration activities.
  5. All storm water best management practices (BMP's) shall have designated drainage and utility easements recorded with the Final Plat or as a separate document with Anoka County.
  6. The property owner and the City will enter in to a development contract governing the public site improvements and any off-site public improvements that are necessary for the project, and such contract shall be executed by the property owner and the City prior to the issuance of a building permit.
  7. Developer shall provide financial guarantee in the form of a cash escrow or irrevocable letter of credit for landscaping and public improvements. The guarantee amount is to be determined by the City Engineer.
  8. If mechanical screening is to be placed on the roof, it shall comply with the City's requirements for screening.
  9. The applicants shall provide recordable documents of the easement vacations to be recorded at the County Recorder's Office.
  10. The City Engineer shall review and approve the final site grading plans, utility plans and storm water management plans.
  11. The developer shall enter into a storm water maintenance and management agreement with the City for all on-site BMP's, to be prepared by the City Attorney.
  12. Existing catch basins on Jackson Street NE or 42<sup>nd</sup> Avenue NE, located downstream of the site, shall have inlet protection provided during construction.
  13. Applicant shall obtain a Site NPDES Construction Permit prior to any site disturbance activities.
  14. Perimeter and entrance erosion control measures shall be installed and inspected by the Engineering Department prior to any site grading activities. Applicant shall coordinate erosion control measures with the Engineering Department if building construction is initiated prior to general site grading.
  15. Site access during construction shall be limited to 42<sup>nd</sup> Avenue NE. Parking and deliveries during construction along Jackson Street NE shall be prohibited.
  16. All slopes greater than 4:1 shall be provided erosion control blanket.
  17. The site utility plans shall be subject to review and final approval by the City Engineer, and Fire Chief.

18. All utilities and storm water features serving the development shall be privately owned and maintained. All utilities shall meet the City of Columbia Heights' specifications for materials and installation.
19. The City of Columbia Heights does not allow PVC as a material type in the Right-of-Way; please change to DIP.
20. Retaining wall heights in excess of 4 vertical feet shall have protective delineation, such as fencing or landscaping, at the top of the wall.
21. Developer shall pay park dedication fees as outlined in the City Code.
22. Developer will provide record plans or as-built drawings to the City following project completion in both hardcopy and digital format.
23. The existing boulevard trees on Jackson Street, as well as the four existing trees south of the new drive, shall be protected, installed, and approved by the City Urban Forester prior to construction.
24. Location of tree installations per the landscape plan and utility locations should be coordinated to maintain 10 feet separation from all utilities.
25. Developer will complete the necessary amendments to the existing storm water easement(s) recorded against the development site to allow for the proposed underground storm water system.
26. Developer will ensure proper recording of the amended storm water easement(s) with Anoka County.

Rezoning / Ordinance Amendment

Attached to this report is a draft ordinance amendment to allow the site to be rezoned to planned unit development. The applicants are seeking the following flexibilities from the zoning ordinance in order to complete this project:

1. Parking. The City Council approves the parking stall dimensions, quantity of compact stalls, and total number of stalls as shown on the plans.
2. Setbacks. The City Council approves the building setbacks as shown on the plans.
3. Units-per-Acre. The City Council approves the units per acre of up to 55.

<b>RECOMMENDED MOTION(S):</b>
<b>Motion:</b> Move to waive the reading of draft Resolution No 2021-XXXX, Preliminary Plat Approval, there being ample copies available to the public.
<b>Motion:</b> Motion to recommend that the Planning Commission recommend to the City Council approval of the Preliminary Plat as presented, subject to the following conditions:

1. All required state and local codes, permits, licenses and inspections will be met and in full compliance.
2. The applicant shall be responsible for the cost of filing and recording written easements with the Anoka County Recorder's Office.
3. An approved Preliminary Plat shall be valid for a period of one year from the date of the approval. In the event that a Final Plat is not presented for approval within this time period, the Preliminary Plat will become void.
4. The applicant shall enter into a Developer's Agreement with the City. Said documentation shall be reviewed by the City Attorney.

**Motion:** Move to waive the reading of draft Resolutions No 2021-XXXX and No 2021-XXXX, Easement Vacations, there being ample copies available to the public.

**Motion:** Motion to recommend that the Planning Commission recommend to the City Council approval of the Easement Vacations as presented, subject to the following conditions:

1. The applicant shall be responsible for providing legal descriptions of all easements that are subject to be created. Said descriptions are subject to review by the City Attorney.
2. The applicant shall be responsible for recording the easement vacations with the Anoka County Recorder's Office.

**Motion:** Move to waive the reading of draft Resolution No. 2021-XXXX, PUD, Planned Unit Development District Plan, there being ample copies available to the public.

**Motion:** Motion to recommend that the Planning Commission recommend to the City Council approval of the PUD, Planned Unit Development District Plan as presented, subject to the following conditions:

1. The building and site shall meet all requirements found in the Fire Code and the Building Code.
2. Any proposed exterior lighting shall be reviewed and approved by City Staff before installation.
3. All other applicable local, state, and federal requirements shall be met at all times.
4. The City shall require a pre-construction conference prior to the start of any land alteration activities.
5. All storm water best management practices (BMP's) shall have designated drainage and utility easements recorded with the Final Plat or as a separate document with Anoka County.
6. The property owner and the City will enter in to a development contract governing the public site improvements and any off-site public improvements that are necessary for the project, and such contract shall be executed by the property owner and the City prior to the issuance of a building permit.
7. Developer shall provide financial guarantee in the form of a cash escrow or irrevocable letter of credit

for landscaping and public improvements. The guarantee amount is to be determined by the City Engineer.

8. If mechanical screening is to be placed on the roof, it shall comply with the City's requirements for screening.
9. The applicants shall provide recordable documents of the easement vacations to be recorded at the County Recorder's Office.
10. The City Engineer shall review and approve the final site grading plans, utility plans and storm water management plans.
11. The developer shall enter into a storm water maintenance and management agreement with the City for all on-site BMP's, to be prepared by the City Attorney.
12. Existing catch basins on Jackson Street NE or 42nd Avenue NE, located downstream of the site, shall have inlet protection provided during construction.
13. Applicant shall obtain a Site NPDES Construction Permit prior to any site disturbance activities.
14. Perimeter and entrance erosion control measures shall be installed and inspected by the Engineering Department prior to any site grading activities. Applicant shall coordinate erosion control measures with the Engineering Department if building construction is initiated prior to general site grading.
15. Site access during construction shall be limited to 42nd Avenue NE. Parking and deliveries during construction along Jackson Street NE shall be prohibited.
16. All slopes greater than 4:1 shall be provided erosion control blanket.
17. The site utility plans shall be subject to review and final approval by the City Engineer, and Fire Chief.
18. All utilities and storm water features serving the development shall be privately owned and maintained. All utilities shall meet the City of Columbia Heights' specifications for materials and installation.
19. The City of Columbia Heights does not allow PVC as a material type in the Right-of-Way; please change to DIP.
20. Retaining wall heights in excess of 4 vertical feet shall have protective delineation, such as fencing or landscaping, at the top of the wall.
21. Developer shall pay park dedication fees as outlined in the City Code.
22. Developer will provide record plans or as-built drawings to the City following project completion in both hardcopy and digital format.
23. The existing boulevard trees on Jackson Street, as well as the four existing trees south of the new drive, shall be protected, installed, and approved by the City Urban Forester prior to construction.

24. Location of tree installations per the landscape plan and utility locations should be coordinated to maintain 10 feet separation from all utilities.

25. Developer will complete the necessary amendments to the existing storm water easement(s) recorded against the development site to allow for the proposed underground storm water system.

26. Developer will ensure proper recording of the amended storm water easement(s) with Anoka County.

**Motion:** Move to waive the reading of draft Ordinance No. 1666, PUD District #2021-01, Rezoning of Property, there being ample copies available to the public.

**Motion:** Motion to recommend that the Planning Commission recommend to the City Council approval of the Ordinance Amendment.

**ATTACHMENT(S):**

**Resolution No. 2021-XXXX, Preliminary Plat**

**Resolution No. 2021-XXXX, Easement Vacation (1 of 2)**

**Resolution No. 2021-XXXX, Easement Vacation (2 of 2)**

**Resolution No. 2021-XXXX, PUD, Planned Unit Development District Plan**

**Ordinance No. 1666, PUD District #2021-01**

**Neighbor Correspondence**

**Application**

**Applicant Narrative**

**Project Plans**