

**MINUTES  
CITY OF COLUMBIA HEIGHTS  
PLANNING COMMISSION MEETING  
TUESDAY, DECEMBER 03, 2024**

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

**CALL TO ORDER/ROLL CALL**

Commissioners present: Eric Sahnou, Tom Kaiser, Paul Moses, Clara Wolfe, Ahmed Maameri, and John Gianoulis

Commissioners absent: Laurel Deneen

Also present: Andrew Boucher, City Planner; Sarah LaVoie, Administrative Assistant; Mitch Forney, Community Development Director; Rachel James, Council Liaison.

**APPROVAL OF MINUTES**

**1. Approval of November 06, 2024 Planning Commission Meeting Minutes**

*Motion by Sahnou, seconded by Maameri, to approve the minutes from the meeting of November 04, 2024. All ayes. MOTION PASSED.*

**OTHER BUSINESS**

**2. Planning Commission Workshop Items**

- a. Zoning Permits in 9.104 (Seasonal Sales Stands, Accessory Structures under 200 sq. ft., Fencing over 6 feet in height, and Parking/Impervious Surfaces)**
- b. Permitted and Conditional Uses in Zones**
- c. Accessory Dwelling Unit Permits.**
- d. Parking Discussion**

Introduction: Boucher explained that Staff desire to have the Planning Commission more engaged with the City Code and Ordinances in order to receive feedback. Forney mentioned that the meeting would be more informal since Staff simply want to get feedback from the commissioners. Boucher added that he would like to have motions if there is anything specific the Planning Commission would like to move forward with.

Boucher mentioned the first discussion item is 9.104 Administration and Enforcement - Interim Uses are no longer applicable in the Zoning Code as there are no uses at this point that would require an Interim Use Permit. Staff would like to bring forward a zoning text amendment in the future to replace Interim Uses with a Zoning Review Permit. This would allow for certain items such as over-height fences, seasonal sales stands, accessory structures under 200 sq. ft., and parking/impervious surface additions to be reviewed administratively as well as establishing a permit for Accessory Dwelling Units.

Forney explained that the City Attorney gave an opinion on the conditional use permit approval process with the Planning Commission. If the Planning Commission finds something wrong with the

engineering of the fence, there is no way for the Planning Commission to consider disapproving it without opening up for liability for the lawsuit. The opinion from the City Attorney would remove that option from the conditional permit perspective and have an administrative review. If the fence meets building permit and engineering requirements than it will be approved.

Questions/Comments from Members:

Kaiser asked for an example of when Staff may want the Planning Commission to have oversight for an over-height fence. Boucher replied that the Public Safety since it needed a variance to exceed the 8-foot height. Forney added that there are not many other examples.

Sahnaw asked questions about the ADU process and how staff planned to enforce the owner-occupied recording requirement if someone doesn't inform the City of their intention to build an ADU. Forney explained the ADU permit. The City Code requires ADUs to show ownership of the units. By having a permit process, the City is able to know if people are doing ADUs correctly and have recorded it against the property.

Kaiser asked if there was going to be an issue with recording the correct documents with the County. Boucher replied that he did not know if it would amplify anything that they are currently dealing with, but having a process in place allows people to be more willing to speak with City Staff and to do it correctly. There is also a requirement to provide proof that the owner-occupancy was recorded.

Introduction: Boucher reviewed Zoning Code 9.107 Specific Development Standards changes would include requiring a sound study as a specific condition for car washes as well as considering adding a minimum of one acre of property to this use along with recreational vehicle sales.

Questions/Comments from Members:

Wolfe asked if there were other uses that should include a requirement of a sound study as a specific development standard. Forney replied that Staff had the same question. He added that he could not think of any other businesses that would have a blower similar to a car wash.

Kaiser asked Staff what they envisioned for using a sound study. Boucher replied that it would be subject to the performance standards that the MPCA has. A sound study helps Staff from a negotiation perspective to make specific conditions based on the results of the sound study.

Wolfe wondered if a sound study could be included for a car wash. Forney replied that it was possible, especially for gas stations with vacuums out front.

Gianoulis asked how a sound study would be conducted for a brand-new auto shop. Forney replied that they would test similar properties. He added that the sound study would apply to new properties. If there is already an auto shop in place it would not trigger the site plan review.

Gianoulis wondered if it would make the most sense to have the applicant cover the cost of the

sound study. Boucher agreed.

Forney explained that by having the sound study in the beginning of the project, it will allow sound engineers to propose changes. If the applicant cannot perform the changes, than the project would not be viable.

Introduction: Forney explained that 9.110 Commercial Districts and 9.111 Industrial Districts will include removing fences greater than six feet in height from conditional uses to permitted accessory uses as well as adjusting General Business (GB) to move minor automobile and motorcycle repair and car washes from permitted uses to conditional uses along with consignment/secondhand stores from conditional uses to permitted uses. In I-1 and I-2 Districts, major and minor automobile repair shops could have changed from permitted to conditional uses unless there is a desire to continue to have these as permitted uses.

Boucher asked if the commissioners had a desire to change automobile uses in the Industrial Districts from permitted to conditional.

Questions/Comments from Members:

Wolfe commented on whether there was anything in City Code that identifies a specific trigger for a traffic study. Boucher explained that there is not anything specifically in Code but Staff replies on the concept of levels of service. If a development is shown to decrease the levels of service or bring them to believe a certain standard they would not be able to be approved.

Forney noted that it would be a good topic for another work session so Staff can do research on sound studies and bring back what other cities are doing with regard to requirements for traffic studies and metrics that they use. Boucher added the banquet hall was required to provide a transportation management plan.

Maameri mentioned that there are going to be businesses that will say they cannot afford to do a traffic study or question how it makes sense for them to do one. He added that Staff will need to show businesses where it is in the Code so that it is clear that it is a requirement.

Introduction: Boucher explained 9.106 General Development Standards includes parking items for discussion, specifically around multi-family parking standards. The City currently does not define parking requirements by zone apart from the Central Business District, which is an off-street parking district where off-street parking is not required for nonresidential land uses but is required for residential uses. Many multi-family developments proposed within the City are handled as PUDs rather than proceeding by right or requiring only rezoning. The Limited Business (LB) district also has difficulty meeting off-street parking requirements and as a result, the majority of these properties are considered legally nonconforming.

Forney wondered if it was time to change the standard since there are a number of projects around parking standards. Some past projects such as the COL have not received any complaints about parking. The Grand Central Lofts does not have enough parking. As part of their approval process,

they were not required to include parking in the rent of the affordable units, so many people moved to parking on the streets. The Council has shifted the requirements of having developers include parking in the rent. The Planning Commission will need to consider how much surface parking should be allowed. While underground parking is ideal, the water table is high. They will also need to determine how much parking should be outside of a building versus underground.

Questions/Comments from Members:

Wolfe expressed her understanding from a developer's side and a community member's side of the issue. Parking can limit the developer's ability to have more space for units. She added that she likes Richfield's wording of allowing the Council to have discretion to change if needed. Boucher agreed and added that there is some language in the general development standards that allows some flexibility to parking requirements.

Forney asked the commissioners what they thought about Richfield's language. Moses stated he liked the idea of allowing the Council to have discretion. He added that it depends on the location of the development. If the development is on Central Avenue there is going to be more traffic and on-street parking would be more difficult. By having the Council have discretion, it would allow for more flexibility.

Kaiser stated he likes the simplicity of the Richfield requirement. He added that two off-street spaces per unit is too high. He mentioned the fractionals that Fridley does is too rigid. Wolfe mentioned having a little bit more parking than one per unit helps when residents have a guest in the apartment. Sahnaw replied that if there are fractionals, there needs to be language like Saint Louis Park where 5% of the required parking is added for guest stalls.

Sahnaw explained he likes the Richfield language. Two spaces for a studio or one-bedroom apartment are too high. He suggested requiring a certain percentage to be covered or enclosed parking so that there is not a lot of asphalt on a lot.

Gianoulis agreed with the Staff's proposal.

Moses asked if there was any date on a unit that has been built that has too much parking. He asked what the median of the amount of bedrooms is and the amount of parking spaces that are available. Forney explained that there have been no complaints about the COL. Councilmember James added that there is mixed parking at the COL. She mentioned that there is plenty of parking with the 1.7 ratio. Forney stated the 1.7 ratio seems to be the sweet spot. He added that Staff can look into the best balance for underground versus above-ground parking.

Boucher stated that parking with developments seems to be a case-by-case issue. Robbinsdale requires that parking spots be fee-free, or included in the rent. Kaiser mentioned he was in favor of that since many community members bring up the same dynamic and would like to have a consistent answer for them. Forney replied that it could be something added to the City Code.

Moses asked if the COL had free parking. Forney replied that it does.

Boucher summarized that the Planning Commission is suggesting to drop the two enclosed parking space requirements to one space. He added that they were suggesting adding a percentage of parking to be designated for visitor parking and potentially looking at fee-free, or included parking spaces.

Wolfe asked if having fee-free parking would affect the property's ability to collect assistance payments. Forney replied that it does which is why it has been in the negotiation phase in the past.

Boucher mentioned that the last discussion item would be on limited business. Staff have tried to identify properties that are considered legally non-conforming. The minimum lot size requirement was decreased during the last zoning amendment. He noted in the limited business district, the bakery had difficulty meeting the off-street parking requirement which put them into a legal non-conforming status. Staff have been looking into the Central Business district which is designed as an off street parking district. There is an opportunity to remove the legal non-conforming status because of parking.

Forney explained that the limited business is pretty much 40<sup>th</sup> Avenue, some neighborhood businesses on 37<sup>th</sup> Avenue, and some along University Avenue. Those areas would more than likely be looked at to rezone to General Business since they are on University Avenue. He added that they would need to see how much of the neighborhood would require off-street parking. The City only allows certain sizes and types of businesses to have off-street parking due to traffic.

Sahnaw mentioned that businesses in the limited business district have more interaction with residential districts than in the Central Businesses district. He wondered if it would create potential issues for businesses that are connected to residential areas if there are no requirements for off-street parking.

Boucher described the purpose of the limited business district as to provide appropriate locations for limited retail sales and services for the convenience of adjacent residential neighborhoods. The areas are located along collector arterial roadways in close proximity to residential neighborhoods, arranged and designed to be a functional and harmonious part of the neighborhood, and accessible by public sidewalks, trails, or roadways. Permitted uses for the limited business district include medical, dental, veterinary clinics, offices, professional studios, professional service, retail sales, limited food service like a coffee shop or deli without a drive-through, museums, and galleries.

Gianoulis explained that many large corporations are buying single-family homes for rental properties which makes it difficult for people to purchase a first-time home. He noted he did not want that to happen in Columbia Heights and asked what Staff recommends to limit large corporations buying single-family homes in the City. Wolfe asked if there was still a moratorium on single-family homes. Forney replied that the moratorium had been lifted. The Council saw the same issue in the City since there was an article that mentioned cities like Columbia Heights are cities that are targeted by large corporations since they are typically more affordable. The Council put a moratorium in place and established a 10% rental density cap.

Councilmember James mentioned the rental density cap is a way that is legal to prevent an overwhelming number of rentals in the City. The Council has implemented the time of sale program. In addition, there is more rental enforcement with the Fire Department.

Moses asked what the time of sale program entailed. Councilmember James replied there is a list of life and safety that the enforcers use to make sure that the code is met on all of the items when a house is being sold. If they are not up to standard, the homeowner and fix it and get re-inspected, or they can write up a list for the buyer and the seller to negotiate and it has to be put in escrow. Additionally, there has to be a scope of the water line so that it is disclosed to people.

Boucher explained during the process, a lot of zoning issues have come up. It has given Staff an opportunity to correct the issues before the property changes ownership and someone else has to deal with the mess.

Sahnaw explained there are a number of properties in the City that developers come in and develop through a TIF, or a planned unit development, or some other vehicle within the City. He wondered what vehicle the City could use to ensure there is a high standard for developers coming in. He suggested increasing sustainability metrics, having a certain percentage below the energy code, and other ways to tie in PV or solar production of energy on-site. He explained that if there are going to be City dollars used, the City needs to make sure to hold the developments to a higher standard since they are a partner with the City. Councilmember James agreed and added that Boucher is working on a complete streets program. She added that she would like to see Staff do some additional research.

Forney explained that through the TIF there is a negotiation piece. The easiest way vehicle the City could use is to have the Council bring it up. He added that Councilmember Buesgens has been bringing up similar suggestions to new developers. Boucher added that eventually there will need to be updates to the design guidelines. He noted that having best practices in place is going to help the City achieve the goals as a standard.

Moses asked if the City has any say in the infrastructure of the grid and what needs to be updated. He mentioned if there is going to be renewable influx into the grid, it is important to ensure that the transformers have the capacity to be updated. Forney replied that he would run that past the City Engineer.

## ADJOURNMENT

*Motion by Wolfe, second by Moses, to adjourn the meeting at 7:31 pm.*

Respectfully submitted,

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Sarah LaVoie, Administrative Assistant