



PLANNING COMMISSION MEETING

AGENDA SECTION	PUBLIC HEARING
MEETING DATE	MARCH 1, 2022

ITEM:	FINAL PLAT APPROVAL AND EASEMENT VACATION FOR EXISTING LOT LOCATED AT 825 41 ST AVENUE NE		
DEPARTMENT: COMMUNITY DEVELOPMENT		BY/DATE: Minerva Hark, City Planner / 2/22/2022	

CASE NUMBER: 2022-0301

DATE: March 1, 2022

TO: Columbia Heights Planning Commission

APPLICANT: Reuter Walton Development

DEVELOPMENT: Reuter Walton Development, 62-unit affordable housing building

LOCATION: 825 41st Avenue NE (PID 35-30-24-14-0151)

REQUEST: Final Plat Approval and Easement Vacation

PREPARED BY: Minerva Hark, City Planner

INTRODUCTION

Reuter Walton Development has applied for a Final Plat Review with Easement Vacation for the property located at 825 41st Avenue NE. The Final Plat, once approved, would create three separate lots: Lot 1, which currently houses the City's Public Safety Campus; Lot 2, which is proposed to be developed into a 62-unit, 4-story affordable apartment building; and Lot 3, which is proposed to be developed into a new retail, office, and warehouse space for SACA Food Shelf.

In addition to the Final Plat, the applicant is requesting the vacation of an existing storm water drainage utility easement (per Document No. 1554478), which burdens the underlying property to retain storm water on the surface of the existing parking lot. With the vacation of this easement, the applicant proposes to construct a new underground storm water chamber on proposed Lot 2 and record a new easement to store storm water in the underground chamber. This effectively eliminates the need to continue to maintain existing easement 1554478.

On May 4, 2021, the Planning Commission reviewed and recommended approval of this Planned Unit Development's Preliminary Plat and several other Easement Vacations. The applicant is now submitting the Final Plat, which requires approval prior to project construction.

ZONING ORDINANCE

The Zoning Ordinance requires the Planning Commission to hold a public hearing on the applications for a Final Plat and Easement Vacation, and submit its recommendation to the City Council. The site is zoned as a

Planned Unit Development District (PUD District #2021-01), with flexibilities on parking, building setbacks, and units-per-acre through the approval of Ordinance No. 1666. The newly-platted lots intend to accommodate multi-family housing, retail, office space, and warehouse space. The project 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).

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. Through the approval of the Final Plat, two additional developable lots will be created with the intention to developing housing, retail, office, and warehouse space.

FINDINGS OF FACT

Section 9.104 (M) of the Zoning Code outlines two conditions that must be met in order for the City to grant a Final Plat. They are as follows:

(a) The final plat substantially conforms to the approved preliminary plat.

The final plat submitted substantially conforms to the preliminary plat that was approved by the City Council on June 14, 2021 through Resolution No. 2021-44.

(b) The final plat conforms to the requirements of Section 9.116 (Subdivision Ordinance).

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

Additionally, Section 9.104 (J) of the Zoning Code outlines two conditions that must be met in order for the City to grant an Easement Vacation. They are as follows:

(a) No private rights will be injured or endangered as a result of the vacation.

This is correct.

(b) The public will not suffer loss or inconvenience as a result of the vacation.

This is correct. The applicant proposes an easement dedication to replace the vacated storm water drainage utility easement, which would help alleviate drainage issues in the area.

RECOMMENDATION

Staff review finds that the proposed Final Plat and Easement Vacation applications meet the requirements of the Zoning Ordinance. As a result, Staff recommends that the Planning Commission recommend approval of the proposed Final Plat and Easement Vacation for the property located at 825 41st Avenue NE, subject to certain conditions.

RECOMMENDED MOTION(S):
MOTION: Move to waive the readings of the draft resolutions attached, there being ample copies available to the public.
MOTION: Move to recommend that the Planning Commission recommend to the City Council approval of the

Final Plat as presented, subject to the following conditions of approval:

1. An approved Final Plat shall be valid for a period of one (1) year from the date of the City Council approval and must be recorded within that timeframe. In the event that a Final Plat is not recorded within this time period, the Plat will become void.
2. The applicant shall be responsible for the cost of filing and recording the Final Plat and related written easements with the Anoka County Recorder's Office.
3. The Storm Water Drainage Utility Easement per Doc. No. 1554478 must be vacated prior to the recording of the Final Plat with the Anoka County Recorder's Office.
4. Developer shall pay park dedication fees as outlined in the Development Contract.

MOTION: Move to recommend that the Planning Commission recommend to the City Council approval of the Easement Vacation as presented, subject to the following conditions of approval:

1. The applicant shall be responsible for providing legal descriptions of all easements that are subject to be created or amended as a result of the easement vacation. Said descriptions are subject to review by the City Attorney. Once approved, the applicant shall be responsible for recording the newly created or amended easements with the Anoka County Recorder's Office.
2. The applicant shall be responsible for recording the easement vacations with the Anoka County Recorder's Office.
3. The vacation of easement is contingent upon the recording of the associated Final Plat with the Anoka County Recorder's Office.

ATTACHMENTS:

Draft Resolutions
Application
Narrative
ALTA Survey
Final Plat
Utility Easement Exhibit