

RESOLUTION NO. 2025-058

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF COLUMBIA HEIGHTS, MINNESOTA,
APPROVING A SHORELAND VARIANCE FOR THE PROPERTY LOCATED AT 800 53RD AVENUE NE
IN THE CITY OF COLUMBIA HEIGHTS, MN**

A proposal (Planning Case # 2025-PZ04) has been submitted by Kaas Wilson Architects, on behalf of Lincoln Avenue Communities, to the Planning Commission requesting approval of a Shoreland Variance at the following location:

ADDRESS: 800 53rd Avenue NE, Columbia Heights, MN 55421

LEGAL DESCRIPTION: On file at City Hall.

THE APPLICANT SEEKS THE FOLLOWING:

1. Shoreland variance to exceed the 35% impervious surface lot coverage limit as stipulated in City Code Section 9.114 (C) (2) Overlay Districts.

The Planning Commission held a public hearing as required by the City Zoning Code on July 1, 2025;

The City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance 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 of Columbia Heights Planning Commission 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 shoreland variance shall comply with the standards set forth in the Overlay District Section 9.114 (C) (2):
 - (i) All structures, additions or expansions shall meet setback and other requirements of this code.
 - (ii) The lot shall be served with municipal sewer and water.
 - (iii) The lot shall provide for the collection and treatment of stormwater in compliance with Chapter 9 of the city code if determined that the site improvements will result in increased runoff directly entering a public water. All development plans shall require review and approval by the City Engineer and the underlying watershed district.
 - (iv) Measures will be taken for the treatment of stormwater runoff and/or prevention of stormwater from directly entering a public water. The measures may include, but not limited to the following:
 - A. Appurtenances as sedimentation basins, debris basins, desilting basins, or silt traps.
 - B. Installation of debris guards and microsilt basins on store sewer inlets.
 - C. Use where practical, oil skimming devices or sump catch basins.
 - D. Direct drainage away from the lake and into pervious, grassed yards through site grading, use of gutters and down spouts.
 - E. Construction of sidewalks of partially pervious raised materials such as decking, which has natural earth or other pervious material beneath or between the planking.
 - F. Use grading and construction techniques that encourage rapid infiltration, such as sand and gravel under impervious materials with adjacent infiltration swales graded to lead into them.
 - G. Install berms, water bars, or terraces, which temporarily detain water before dispersing it into the pervious area.

2. The applicant shall adhere to all stormwater requirements and permitting required by state and local codes, permits, licenses and inspections will be met and in full compliance.

Passed this ___ day of _____, 2025

Offered by:

Seconded

by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary