

## MEMORANDUM

TO: Mitchell Forney  
FROM: PJ Disch  
CC: Kyle Brassler  
DATE: 6/23/2025  
PROJECT: LAC Columbia Heights 800 53<sup>rd</sup> Ave NE Loucks # 23226.0C  
SUBJECT: Shoreland Impervious Variance Narrative

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This memo is requested to ask for a variance on the city's Shoreland District requirement that limits properties to a maximum of 35% impervious surface. The 35% impervious requirement was implemented by the city to provide protection to Sullivan Lake for future residential development as there is typically not the stormwater incorporated into their design as there is in commercial development.

The existing site is currently a vacant office building with 53.0% impervious and not compliant with the code. The site is 12.682 acres (includes 0.164 acres of the additional park property) with 6.723 acres of impervious. Of that impervious, only 0.490 acres goes to an onsite ponding area before draining to Sullivan Lake. There are 6.233 acres of impervious surface that drains directly to Sullivan Lake without being treated.

The proposed development is to have 3 apartment buildings and approximately 52-58 townhomes. The proposed site is to have approximately 8.581 acres of impervious surface or 67.7% of the site. The proposed site will meet stormwater requirements of the city of Columbia Heights, The Mississippi Watershed Management Organization and the MPCA standards. The standards are to meet for rate control (for the 1-year, 10-year, 100-year and 10 day snowmelt), volume control (stormwater runoff volume retention shall be achieved onsite in the amount equivalent to the runoff generated from the 1.1" event over the impervious surfaces from the proposed development) and water quality (no increase in total TP or TSS from existing site to proposed site). This will be provided by multiple below ground infiltration vaults and a infiltration/filtration basin. With only a small part of the existing sites impervious area being treated, and the proposed site being brought up to today's standards for stormwater the water being discharged into Sullivan Lake will be now treated and clean water to help improve and clean up Sullivan Lake. For the variance the proposed site would like to get a variance for up to 70% impervious area. We are currently working on the site plan to minimize the impervious as much as possible.

As part of the variance there are five findings that the city council will review before granting their variance.

- a) 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.

Response: The proposed site meets the standards of the current multifamily zoning and comprehensive plan. The project proposes to meet the DNR shoreland ordinance with a variance to meet the impervious requirements.

- b) 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 classification.

Response: The proposed site meets the zoning and density requirements of the comprehensive plan and therefore needs the variance to comply with those standards.

- c) 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.

Response: Noted, there is nothing to the proposed project that is not of a typical use to the site.

- d) The granting of the variance is in harmony with the general purpose and intent of the Comprehensive Plan.

Response: The variance is needed to meet the needed amount of impervious surface area for the proposed development.

- e) 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.

Response: The proposed project will improve the Sullivan Lake Park area, improve the water quality to Sullivan Lake with the proposed treated stormwater from the proposed site. There will be nothing from the proposed project that will be detrimental to the public welfare.