

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**TUESDAY, MARCH 18, 2014 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

1. **CALL TO ORDER**

2. **APPROVAL OF PLANNING COMMISSION MINUTES FOR FEBRUARY 5, 2014.**

3. **APPLICANT REQUESTS AND PUBLIC HEARINGS**

3.01 ANDERSON – JOHNSON ASSOCIATES, INC (Simley High School) – CASE No. 14-06CA

Consider a **Conditional Use Permit Amendment** to exceed the maximum impervious surface allowed in the Shoreland Overlay District on the property located at 2920 – 80th Street.

Planning Commission Action _____

3.02 MERIDIAN LAND COMPANY – CASE NO. 14-07PA

Consider a **Comprehensive Plan Amendment** to change the land use designation from HDR, High Density Residential to LMDR, Low-Medium Density Residential for the property identified as PID No. 20-00800-51-013.

Planning Commission Action _____

4. **OTHER BUSINESS**

5. **ADJOURN**

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Kim Fox at 651.450.2545 or kfox@invergroveheights.org

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Wednesday, February 5, 2014 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Hark called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Paul Hark
Pat Simon
Tony Scales
Armando Lissarrague
Annette Maggi
Victoria Elsmore
Dennis Wippermann

Commissioners Absent: Harold Gooch
Bill Klein (excused)

Others Present: Allan Hunting, City Planner
Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the January 21, 2014 Planning Commission meeting were approved as submitted.

MIKE THOMAS – CASE NO. 14-03C

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to operate an automobile and off highway vehicle sales lot, for the property located at 7537 Concord Boulevard. 23 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is proposing to operate a used car sales lot at 7537 Concord Boulevard and to use the existing vacant restaurant building as a sales office. An automobile sales lot is a conditional use in the B-3, General Business District. Access to the property would remain the same, the applicant would be required to maintain the existing wood fence, and no additional impervious surface is being added to the property at this time. The City's Engineering Department supports the proposed request, but advised that the applicant would have to add a stormwater facility if there were ever any future impervious surface changes or site improvements. Staff recommends approval of the request with the 11 conditions listed in the report. Staff received comment from two property owners, both opposed to the request.

Chair Hark asked if the applicants intended to sell off highway vehicles as well, as listed in the public hearing notice.

Ms. Botten replied that the applicant was proposing to sell automobiles only. She advised that off highway vehicles were listed in the public hearing notice because that is how it is listed in the Zoning Code's land use table. She noted that one of the conditions of approval limits the property to automobile sales only.

Commissioner Simon asked if the conditions should be modified to specifically prohibit bull dozers,

cranes, and other vehicles which are included in the State definition of off highway vehicles but were not specifically listed in Condition 5 of the staff report.

Ms. Botten stated the Planning Commission could add that to the conditions; however, Condition 5 states that only automobile sales are allowed.

Commissioner Lissarrague noted that the applicant was moving from another location in Inver Grove Heights, and asked if they had similar guidelines at that location to what was being proposed with the current request.

Ms. Botten replied in the affirmative. She advised it was unlikely that their current CUP referenced specific off highway vehicles as it was typically assumed that auto sales lots would not sell bulldozers, cranes, etc.

Commissioner Lissarrague asked if staff was aware of any complaints or violations at the current location.

Ms. Botten replied they were not.

Opening of Public Hearing

Mike Thomas, 26752 Denmark Avenue, Farmington, advised he was available to answer any questions.

Chair Hark asked if the applicant had read the staff report.

Mr. Thomas replied in the affirmative, and stated he would not be selling any off highway vehicles.

Chair Hark asked if only automobiles would be sold.

Mr. Thomas replied in the affirmative, and stated he would agree to an additional condition prohibiting off highway vehicle sales if it would make the Commission more comfortable.

Commissioner Elsmore stated the letters received from neighbors referenced two concerns; one in regard to off highway vehicles being sold and the other in regard to lighting. She asked if the lights at the current location were left on all night.

Mr. Thomas replied in the affirmative, stating they were left on all night for security purposes. He advised that the proposed lighting; however, would be less bright than his current lighting due to the change in standards over the years. He noted that the proposed hours of operation would be 9-5 Friday and Saturday, closed Sunday, and standard business hours the remainder of the week.

Commissioner Wippermann stated that removal of the two lights to the extreme west of the property would help alleviate neighbor concerns.

Mr. Thomas replied he would be willing to eliminate those lights and then perhaps bump up the lighting on the two east of them. He advised that using low-lux lighting or putting the two westernmost lights on a timer would be a possibility as well if the lighting becomes a problem.

Chair Hark closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Elsmore, second by Commissioner Maggi, to approve the request for a conditional use permit to operate an automobile and off highway vehicle sales lot, for the property

located at 7537 Concord Boulevard, with the 11 conditions listed in the report.

Motion carried (7/0). This item goes to the City Council on February 10, 2014.

HEIGHTS DEVELOPMENT – CASE NO. 14-04IUP

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for an interim use permit (IUP) amendment to allow for a one time extension to continue limited onsite gravel crushing and recycling operations for an additional 25 years, for the property located at 7280 Dickman Trail. 15 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the landowner, Heights Development, is requesting a onetime only interim use permit extension to allow crushing of concrete and asphalt in the I-1 zoning district. The crushing would be done by the business operator, Ace Blacktop. The City Council approved the original IUP in November 2006 for a five year period. That permit has expired and the applicant is requesting a 25 year extension. The applicant is proposing the same restrictions as the original interim use permit. The actual crushing would be restricted to eight consecutive working days per calendar year. Crushing would be allowed only November 15 through April 15 during the hours of 7:00 am to 5:00 pm. The quantity of recycled material produced per year would be limited to 10,000 tons. He advised that historically they have brought the equipment on site and then crushed for 5-7 days in December and then crushed another week in January while the machine. Essentially it is like crushing every other year. Engineering has noted that eventually the businesses in this area will have to address stormwater and erosion due to stricter State requirements for discharge going into the Mississippi River. Staff's only concern is the applicant's request for 25 years. Staff feels that 25 years exceeds the intent of the interim use permit. Also, the City's long-range plan is to redevelop this area, in which case crushing would not be a compatible use. Staff recommends the term of the permit be no longer than 10 years. Staff recommends approval of the request with the conditions listed in the report.

Chair Hark asked if staff was aware of any interim use permit being issued for more than 20 years.

Mr. Hunting replied he was not; 20 years was the longest.

Commissioner Maggi asked what properties the City currently owned in this area.

Mr. Hunting replied that the City did not own any property in the immediate area; however, they have been discussing some potential acquisitions. He noted that both the City and the County owned properties north of this neighborhood.

Commissioner Maggi asked what the rate of acquisition has been of land in these redevelopment areas by the City.

Mr. Hunting stated it was a voluntary program so the acquisitions have occurred sporadically as homeowners have approached the City wanting to sell their property.

Commissioner Maggi asked if the applicants would be allowed to continue to operate their existing business after the expiration of the proposed interim use permit.

Mr. Hunting replied in the affirmative, stating the interim use permit pertained only to the crushing

portion of their business.

Commissioner Maggi stated because they could continue to operate their business, with the exception of the one week of crushing, the length of the IUP did not seem related to the potential redevelopment of the area.

Mr. Hunting replied that because of the noise associated with a crushing operation it would not necessarily be the best neighbor in a redevelopment situation. Because of this, staff is recommending 10 years.

Commissioner Scales asked if this was the applicant's only chance to come back for an extension.

Mr. Hunting replied in the affirmative, stating the other avenue they could take would be to request a code amendment to allow crushing in the I-1 zoning district.

Commissioner Scales stated he would not want to limit a local business to 10 years when there were no set plans for development.

Commissioner Wippermann asked if Condition 9 limited the storage capability, noting that the report showed the current stockpile at 20,000 tons.

Mr. Hunting replied that the conditions did not limit the storage capability; only the amount of crushed material produced.

Commissioner Wippermann asked if the permit had to be renewed while it was still in effect, noting that the former permit expired two years ago.

Mr. Hunting replied there was nothing in the Code stating that the permit must be in effect at the time of extension.

Opening of Public Hearing

Ryan Stanton, 15 Hingham Circle, Mendota Heights, stated his family owned the subject property (Heights Development).

Chair Hark asked if the applicant understood the staff report.

Mr. Stanton replied in the affirmative.

Commissioner Wippermann asked why there was a two year delay in requesting the permit extension.

Mr. Stanton advised that the crushing essentially takes place every other year, with the gravel making up approximately 1% of the revenue of the site. Heavy equipments is needed for the crushing to take place; this equipment is expensive to set up and bring to the site. Because of this they wait until they have enough material built up, and then they straddle the new year as this gives them a continuous time to crush. They had not accumulated enough material to have to crush and so the permit was left unconsidered. Recently it came to the forefront that crushing was needed and that is when it was discovered that the permit had expired.

Commissioner Simon asked for clarification that the rubble was only 1% of the revenue.

Mr. Stanton replied that while it was only 1% of the revenue, the bigger issue was that the crushing allowed the business to operate more efficiently. He explained that because the demolition

landfills have limited hours, having the ability to dump their trucks full of asphalt and other construction materials on their site allows them to work around pit hours. If they could not dump material on their site and intermittently crush it, they would have to wait in line for the pits to open in the morning or stop work early so as to make it to the dump site before they close.

Commissioner Simon asked what the applicants did with the rubble prior to getting an interim use permit.

Mr. Stanton advised that this site has been involved with sorting and crushing since the 1950's. In the 1970's his father purchased the land and Ace Blacktop began functioning as the primary business on site. During that time they would screen it off and a lot of rubble built up over the years. For various reasons it came to a head in 2006 and it was determined that the best way to address it was through an interim use permit.

Commissioner Simon stated it sounded as if not having the ability to crush would adversely affect the business.

Mr. Stanton stated another problem that a ten year IUP presents is that Ace Blacktop has an active lease from the owners of Heights Development.

Chair Hark asked how long the lease was for.

Mr. Stanton replied he believed there were 13-14 years remaining on the lease. The other problem is that since they straddle the new year for crushing, ten years could be almost like eight years. Also, with stormwater recently becoming a big issue, the City's Engineering Department has advised that the stormwater in the area will likely have to be addressed. This will likely be a significant cost, and therefore they would like to keep as many tenants on site as possible to help amortize these expenditures. If they are given only 10 years there is a chance the tenant could move his business to another location where crushing would be allowed. He advised that although 20 years sounded like a long time, development moves slowly, with most comprehensive plans being 20-30 years out. Mr. Stanton stated that when a higher and better use came to the site he would not be opposed to moving at that point.

Commissioner Wippermann stated because what they are proposing is movable, and since the applicant has stated he is not married to the site, the property would still be available for redevelopment even if the IUP was extended for a longer period of time.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated he was uncomfortable approving an extension for a period beyond the longest existing IUP, and therefore suggested a 20 year extension.

Commissioner Maggi stated she was comfortable with a 20 year extension as well. She did not feel it made sense to limit the business by approving a 10 year extension when there were no clear plans in place for acquisition of land.

Commissioner Elsmore added that 20 years would also cover the remainder of the tenant lease in place.

Mr. Stanton stated they would be in comfortable with 20 years.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Wippermann, to approve an interim use permit amendment to allow for a one time extension to continue limited onsite gravel crushing and recycling operations for an additional **20 years**, for the property located at 7280 Dickman Trail, with the conditions listed in the report **with a modification to Condition No. 12 to specify 20 years rather than 10 years.**

Motion carried (7/0). This item goes to the City Council on February 24, 2014.

OTHER BUSINESS

The meeting was adjourned by unanimous vote at 7:45 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

DRAFT

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

REPORT DATE : March 13, 2014 **CASE NO.:** 14-06CA
APPLICANT: Anderson-Johnson Associates, Inc. (Simley High School)
PROPERTY OWNER: ISD 199
REQUEST: Conditional Use Permit Amendment to exceed 25% impervious surface in the Shoreland Overlay District of Simley Lake
LOCATION: 2920 80th Street
HEARING DATE: March 18, 2014
COMPREHENSIVE PLAN: Public/Institutional
ZONING: P, Institutional District
REVIEWING DIVISIONS : Planning **PREPARED BY:** Allan Hunting
City Planner

BACKGROUND

The School District is proposing to remove the existing grass field in the athletic field complex and replace it with an artificial turf system. They will also be installing an in ground infiltration system below the turn to capture storm water. Since the artificial surface would be considered impervious by code definition, an amendment to the existing CUP must be processed.

EVALUATION OF THE REQUEST

The following land uses, zoning districts and comprehensive plan designations surround the subject property:

North -single family residential, commercial; zoned R-1C, R-1B, B-2; guided LDR and CC.

East - Simley Lake, single family residential; zoned R-1C; guided LDR

West - Inver Hills Community College; zoned P; guided Public/Institutional.

South -Single family residential, zoned; R-1C, guided; LDR

CONDITIONAL USE PERMIT TO EXCEED 25% IMPERVIOUS SURFACE

The site is within the shoreland overlay of Bohrer Pond or DNR Lake #19-34. Impervious surface coverage is limited to 25% of the lot. This may be increased by conditional use provided the City has approved and implemented a stormwater management plan affecting the subject site.

Existing impervious surface on the lot is at 32%. The proposed artificial turf and minor changes around the athletic field would increase the impervious surface to 36%.

The DNR has reviewed the plans and they have no comment on the request.

Engineering has been working with the applicant on the design of the stormwater infiltration system under the turf. The City Engineer has written a memo with the engineering details that need to be followed for approval of the project. In general, the approved plan will be consistent with the City's overall stormwater plan for the area and the system will address stormwater needs. An independent review by Barr Engineering will confirm storm water management requirements that are consistent with the City's stormwater management plan and Simley Lake watershed.

Improvement Agreement. An improvement agreement would be required with this development to address specific improvements to the site, and storm water. There will also be the need for a storm water maintenance facilities agreement and easement agreements. Final details of the Improvement agreement would be worked out prior to City Council review.

ALTERNATIVES

The Planning Commission has the following actions available on the following request:

- A. Approval. If the Planning Commission finds the application to be acceptable, the following action should be taken:
 - o Approval of the Conditional Use Permit Amendment to exceed 25% impervious surface within the Shoreland Overlay District for the change in turf for the athletic field subject to the following conditions:
 1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department
 - Grading and Drainage Plan sheet C1.4
 - Utility Plan sheet C1.5

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ARCHITECTS REGO + YOUNGQUIST INC.
 5115 WINDY HILL ROAD, ST. LOUIS PARK, MINNESOTA 55416 (952) 544-9441

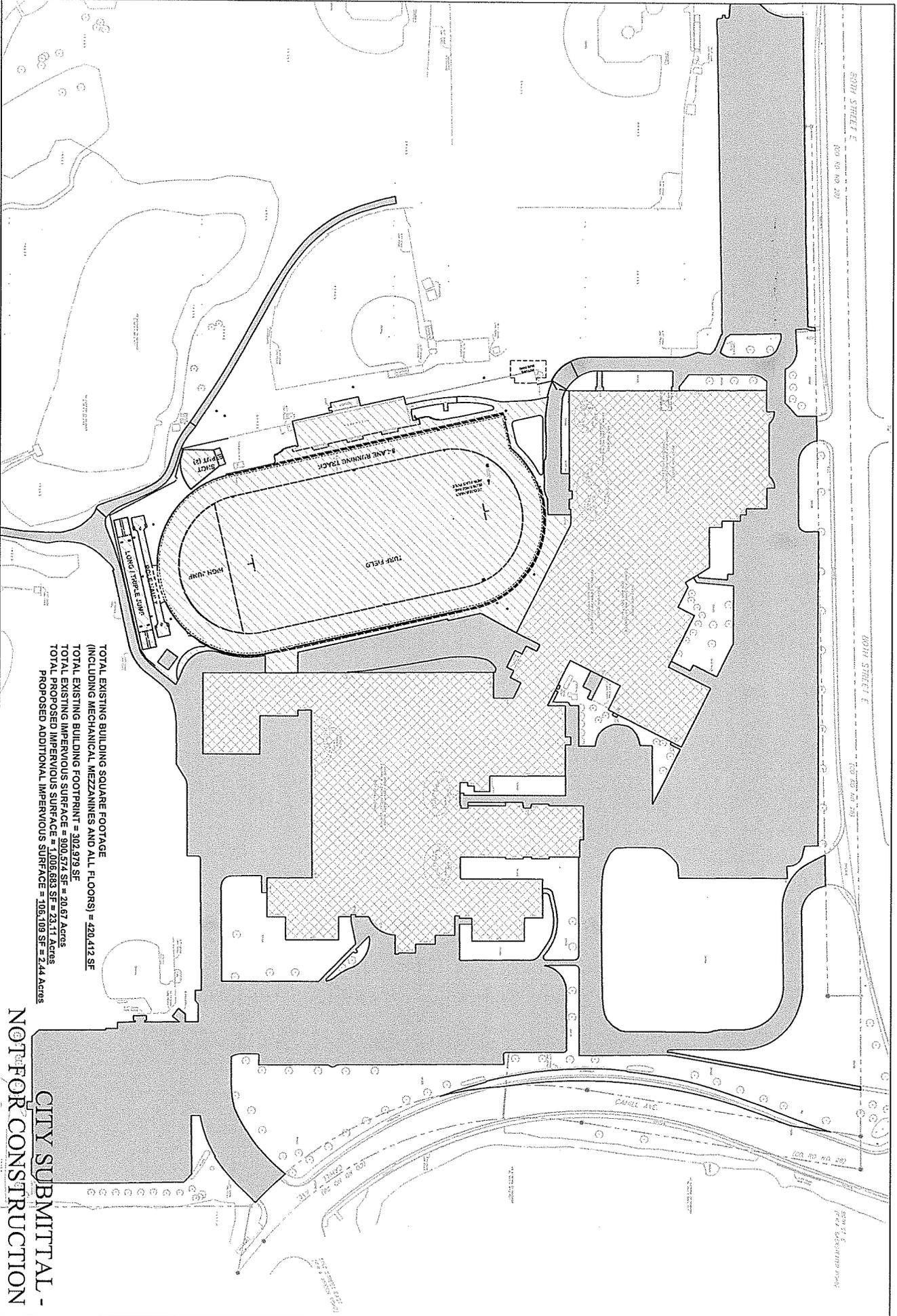
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PROJECT NO. 2014
 DATE: 03/14/14
 SCALE: 1" = 50'
 INTERFERING SURFACE -
 PROPOSED CONDITIONS



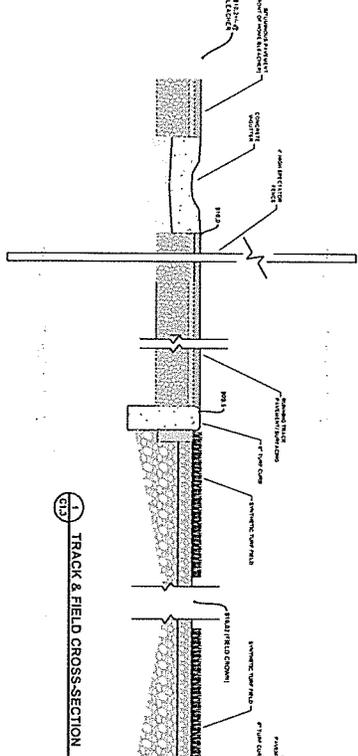
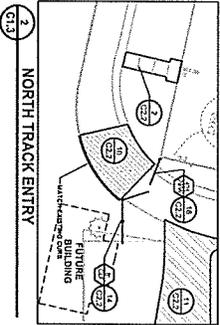
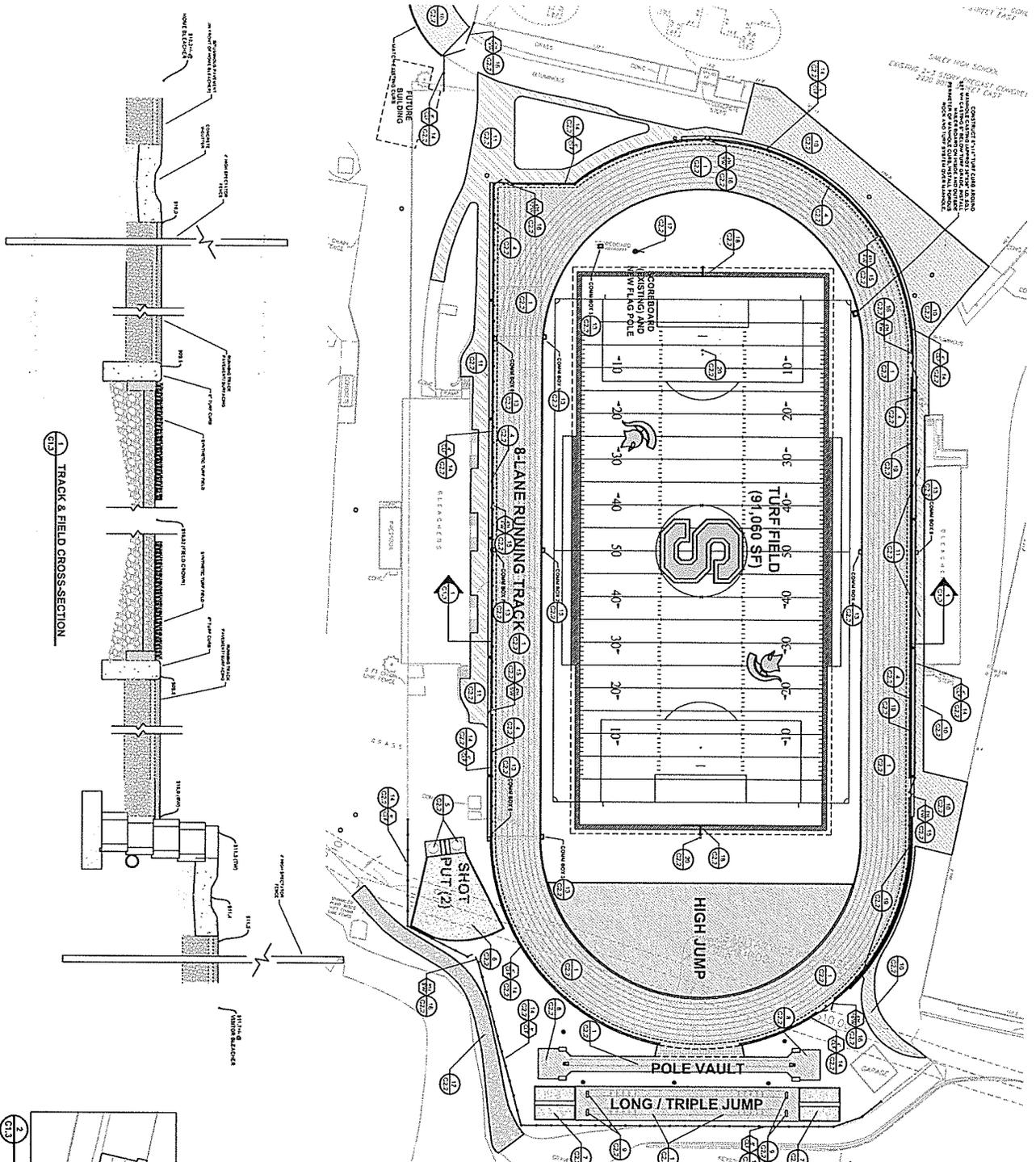
2014 HEIGHTS
 HIGH SCHOOL
 AND MIDDLE SCHOOL

SHEET NO. C2
 OF 3 SHEETS



TOTAL EXISTING BUILDING SQUARE FOOTAGE (INCLUDING MECHANICAL, MEZZANINES AND ALL FLOORS) = 420,412 SF
TOTAL EXISTING BUILDING FOOTPRINT = 302,979 SF
TOTAL EXISTING IMPERVIOUS SURFACE = 800,574 SF = 20.67 Acres
TOTAL PROPOSED IMPERVIOUS SURFACE = 1,005,683 SF = 23.11 Acres
PROPOSED ADDITIONAL IMPERVIOUS SURFACE = 205,109 SF = 4.44 Acres

**CITY SUBMITTAL -
 NOT FOR CONSTRUCTION**



- FENCING KEY NOTES**
- 1. HIGH CHAIN LINK FENCE WITH TOP AND BOTTOM RAIL
 - 2. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE
 - 3. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE
 - 4. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE
 - 5. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE
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 - 18. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE
 - 19. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE
 - 20. HIGH 4" WIDE SHIELD SWING GATE WITH LOCKING DEVICE

- LEGEND**
- 1. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 2. ALL OUTLINED AREAS WHICH ARE NOT DESIGNATED TO BE PAVED OR RECEIVED SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE PLANTED WITH GRASS.
 - 3. WHERE HIGH AND BEST EXISTING CURB EXISTING TYPICAL FENCE SHALL BE CUT TO ALLOW FOR A CONSISTENT UNDER STRAIGHT EDGE JOINTS ON EITHER SIDE AND NEW ASSIGNED TO EXISTING CURB AND SHALL BE TO BE FLUSH WITH EXISTING.
 - 4. FAILURE OF TYPICAL PAVEMENT IN THE EVENT THE CONTRACTOR FAILS TO MAINTAIN PAVEMENT AT AN ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.
- REFERENCE KEY TO SHEET DETAILS**
- 1. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 2. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 3. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 4. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 5. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
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 - 10. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 11. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 12. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
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 - 15. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 16. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
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 - 19. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.
 - 20. REFER TO SHEET C1.4, GRADING AND DRAINAGE PLAN FOR GENERAL LAYOUT.

NOTES:

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4. FAILURE OF TYPICAL PAVEMENT IN THE EVENT THE CONTRACTOR FAILS TO MAINTAIN PAVEMENT AT AN ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.

C1.3

Project Title
2014 IMPROVEMENTS TO
 Sinley High School Athletic Fields

ISD # 199 - INVER GROVE HEIGHTS
 Commission Number 2025 / 13125

Checked by: JRP
 Date: 11-17-25

ARCHITECTS REGO + YOUNGQUIST

7601 Wayzata Boulevard Suite 200 St. Louis Park, Minnesota 55426
 Phone: 952-544-8941 Fax: 952-544-0585 aryarch.com

ANDERSON-JOHNSON ASSOCIATES, INC.

AJA

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M E M O

CITY OF INVER GROVE HEIGHTS

TO: Inver Grove Heights Planning Commission
FROM: Allan Hunting, City Planner
DATE: March 14, 2014
SUBJECT: MERIDIAN LAND COMPANY - CASE NO. 14-07PA

Staff is still working out final details with the applicant on this request. The report is being sent out without a recommendation. A staff recommendation will be forthcoming and stated at the Tuesday night meeting.

**PLANNING REPORT
CITY OF INVER GROVE HEIGHTS**

REPORT DATE: March 13, 2014 **CASE NO.:** 14-07PA

APPLICANT: Merridan Land Company

PROPERTY OWNER: SI, LLC

REQUEST: Comprehensive Plan Amendment to change land use from HDR, High Density Residential to LMDR, Low-Medium Density Residential

LOCATION: 80th Street between Hwy 3 and Babcock Trail

HEARING DATE: March 18, 2014

COMPREHENSIVE PLAN: High Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning **PREPARED BY:** Allan Hunting
City Planner

BACKGROUND

The applicant has submitted an application for a comprehensive plan land use change for a future proposed single family development located in the Northwest Area on land located on the north side of 80th Street, east of Hwy 3. The applicant is proposing an overall project density less than the minimum density allowed under the current designation. The current designation would allow for 12+ units per acre. The applicant is proposing a project with an anticipated density of 3.0 units per acre. The applicant is requesting a change to LMDR which has a density range of 3-6 units per acre. The project site consists of a single parcel of 20.1 gross acres or approximately 18.43 net developable acres.

The property is currently zoned A, Agricultural and guided High Density Residential. The property is also located within the Northwest Area Overlay District.

The applicant has chosen to request the land use change portion of the application first before a detailed PUD application is submitted. A concept plan of the development is included with this report. Some elements of the concept plan may need some changes to meet the Northwest Area's requirements and that would be addressed with the PUD plan review. The task at hand with the comprehensive plan review is to determine if Low-Medium Density Residential is an appropriate land use.

SURROUNDING USES

The subject property is surrounded by:

North	Large lot residential; zoned A, Agricultural; guided High Density Residential and Low Density Residential.
East	Inver Wood Golf Course.
West	Large Lot Residential; Zoned A, Agricultural; guided Low-Medium Density Residential.
South	Residential, Vacant; Zoned A, Agriculture; guided High Density Residential and Industrial Office Park

EVALUATION OF REQUEST

Comprehensive Plan Amendment

When the City began its work on the 2020 Comprehensive Plan back in 1996, detailed land use and utility studies had not yet been done for the Northwest Area. The land use designation for this property and the surrounding properties to the north and west were guided for Low Density Residential.

When the Alternative Urban Areawide Review (AUAR) was conducted for the Northwest Area in 2005, the land use designation was identified as Low-Medium Density in order to address overall unit counts and density projections.

During the planning of the 2030 Comprehensive Plan, it was brought up by the landowners of some of the parcels in the Northwest Area (including the subject parcels) that some of the land had greater density potential than shown in the AUAR and in initial drafts of the comp plan. It was later determined that the subject parcels and surround parcels would have the ability to change some land use densities. The subject parcels were reclassified to Medium Density. The property to the north and west of the subject site was split with a mixed density of Low Density to the north and Low-Medium Density to the west.

In 2010, the landowners applied for and received a comprehensive plan amendment to High Density Residential. The project at that time was to be a multiple family project of approximately 480 units. The application also included the parcels immediately to the north and south. Those two parcels are not part of this request.

The Land Use Chapter of the comprehensive plan has a description of the Northwest Area which includes the following:

“This comprehensive plan update modifies some of the land uses previously guided for the Northwest Area. These modifications are based on what we have learned over the last eight years of planning work completed in the Northwest Area as well as reflections

of recent development proposals and comprehensive plan amendments. Two key guidelines were adhered to in modifying the land uses in the Northwest Area. 1) the development projections assumed within the Northwest AUAR remain higher than those projected for the 2030 Comprehensive Plan update, thus rendering the AUAR still effective and not impacting the design capacity of future infrastructure. 2) the assumptions used to determine how infrastructure improvements are financed remain on the low side, thus making sure that we project to exceed the amount of development needed to ensure the delivery of infrastructure to the Northwest Area is financially feasible.”

This indicates that when the change to Medium Density occurred, the overall land use assumptions for the AUAR were still higher and so there was no negative impact with this change. A redesignation back to Low-Medium Density Residential on the parcel would be the same as the findings of the AUAR.

Based on the current land use designation (HDR 12+ units/acre) and net developable acreage of 18.43, the number of units allowed would be 221 on up. Based on the proposed single family detached product type, an R-1C zoning would be the required zoning approved with a PUD. The R-1C zoning in the Northwest Area has a minimum density requirement of 2 units/acre. Therefore, the project would be required to contain at least 37 units. The applicant is proposing 44 units.

The following provides some rationale for approval and denial of the proposed land use change.

RATIONAL FOR THE LAND USE CHANGE

- Through numerous discussions with developers and identified by other land use and real estate professionals, it has been stated that there is a high demand for detached single family development in the suburban communities right now. The demand for higher density apartments or mid density townhome projects is very low outside of the central city areas. Due to the changes in market demand, the City may need to be flexible in density demands and housing mixes until the demand for higher densities increases, which is expected to occur in the next few years.
- The property is surrounded by the city golf course to the east and the Malensek property to the west and north. Mr. Malensek has been in discussions with the County for many years now regarding the possibility of putting his 49 acre parcel into permanent open space through a conservation easement. If the Malensek property is put into a conservation easement with no development, the subject parcels would be isolated and creates an island for planning purposes. The parcels would have to be looked at on their own as far as land use and development potential.

- The applicant has gone through the required sketch plan review process per the Northwest Area and has submitted preliminary information pertaining to the Natural Resource Inventory, net developable area, and development capacity plan. The proposed single family development would fall short 47 units of the anticipated 91 units based on financial and original density calculations. The applicant has indicated that they will pay the difference in connection fees for the units lost so the city costs are covered as part of the original projections.
- The property abuts 80th Street or County Road 28. The County has control of access. The County has approved a preliminary alignment of future 80th Street that will connect to the round-about at Hwy 3. Access points have been identified and the developer's proposed access point appears to be consistent with the county's preliminary alignments. 80th Street would also be widened in the future to accommodate the increased traffic once more development occurs.
- The property to the south is guided Industrial Office Park. A change to a lower density single family residential would not necessarily be inconsistent with the guiding of the land to the south. Any future industrial development would be southeast of this project. Hwy 55 MnDOT right-of-way is directly across the street.
- The land use designation to the west and north is a split of Low Density (1-3 units/acre) to the north and Low-Medium Density (3-6 units/acre) to the west. A change to Low-Medium Density would be consistent with surrounding projects. There would remain two small isolated parcels that are designated HDR from the last application. Based on current market demands, and if the surrounding parcels are developed single family, it would be anticipated that these parcels would be redesignated and developed as a lower density single family or townhouse project sometime in the future.
- The property abuts the Inverwood Golf Course to the east. This land is guided Public. Residential is typical along golf courses as it provides a good open space amenity.

RATIONALE AGAINST THE LAND USE CHANGE

- The current HDR designation can provide more flexibility in the product type proposed. There is no minimum density required in the Comprehensive Plan and in the HDR designation, there is no maximum density. Maximum density would be governed by the specific regulations of the proposed multiple family zoning district. A developer has more opportunity to provide a mix of housing types. The LMDR designation has a range of 3-6 units per acre with a maximum density of 6 units per acre. Typical products in this range are single family and townhome developments.

- The density from the current HDR designation would help support the commercial designation for the property on both sides of the Hwy 3/80th Street intersection.

NORTHWEST AREA IMPLICATIONS

During the initial steps for studying development in the Northwest Area, the City conducted land use and financial studies to determine the densities and costs per unit in order to fund the installation of city utilities. Since no assessments were levied, fees are collected when a parcel of land is developed. Minimum densities have been established for each parcel to achieve these goals. Based on those assumptions, the subject parcel calculation assumed 91 units would be developed to cover city utility costs. The concept plan submitted shows a total of 44 units. The project would be 47 units short and therefore would come up short in providing its fair share of the overall utility costs. This same scenario occurred with the Argenta Hills project and the developer did agree to and pay the difference in the units they were short. The applicant has stated they are willing to pay the difference in fees to cover costs for their share of the overall utility extensions. A preliminary number based on permit fee collections for 47 lots would be approximately \$370,000.

Since we are addressing a land use change before the site plan approval review, the City needs greater controls in place in order to make sure that any fee shortages will be paid since the City would be approving a comp plan change that reduces the amount of units allowed. The City Attorney has helped staff with this issue and we offer three options by which this request, as well as any other similar future request, could be approved:

1. Create a new land use category in the Comprehensive Plan that establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category. A new designation would be called LMDR-NWAPUD. This new category would pertain to only those areas where a land use change from a higher density to the LMDR density is requested in the Northwest Area prior to a PUD application. This category would state the same uses and goals but add that any development is subject to PUD approvals and agreements with the city must be in place which obligates the developer to pay any difference in utility fees collected between financial assumptions and those approved.

The proposed language is as follows:

The land use designation of LMDR-NWAPUD (Low and Medium Density Residential/ Northwest Area PUD) means that the property so classified has the same density and development requirements of the LMDR designation, together with the additional following requirements:

1. The property must be zoned, platted and developed as a PUD within an approved PUD contract and approved PUD plans.
2. At the time the plat is recorded, the landowner/developer by written agreement with the city must pay the city the difference between (a) the Northwest Area utility connections fees (including those usually payable at time of plat as well as building permit issuance) and the hook-up fees (including the water treatment plant fee, water connection and core connection fee and sewer connection and core connection fee) that would have been payable for the densities shown for the subject property in the city's financial and connection fee study (prepared by Ehlers & Associates dated _____ and amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook up fees that will be collected for the subject property per the actual density at which the subject property develops.

The land use designation of LMDR-NWAPUD will typically be applied to land in the Northwest Area which previously was guided for higher density residential development, but for which the city determines that a lower density is satisfactory if the connection fees and hook up fees actually paid, together with the additional payment by the landowner/developer due to the reduction in density, equals the total amount required by the city to pay for the utility infrastructure as stated in the financial and connection fee study prepared by Ehlers & Associates for the Northwest Area.

This insures the City that fee assumptions would be paid if the City approves the comp plan land use plan with a lower project unit count than what was projected before a PUD application is approved. We would expect this scenario to be repeated in the future. This establishes the category for future requests. These same extra conditions may have to be added to other land use categories.

2. Amend the comp plan land use plan and require upfront the developer enter into an agreement which obligates the developer to pay any shortages in fee assumptions. Under this scenario, this agreement would have to be drafted and approved by the Council simultaneously with the comp plan amendment.

In this case, this would be difficult to execute since final details are not known and projected revenues could be affected. Also, this would delay action by City Council as the details of the agreement would have to be worked out in a final form before taking to Council.

3. City Council action to authorize submittal of the application to the Metropolitan Council for their review/action and not take final action until final development plans, all agreements and rezoning has been approved by the City Council.

This scenario leaves the comp plan approval somewhat open ended and not finalized until PUD plan approval. Nothing is complete and clear until a PUD is approved and could still be affected by changes.

ALTERNATIVES

The Planning Commission has the following alternatives available for the proposed request:

A. Approval If the Planning Commission finds the application acceptable, the Commission has the following options on a recommendation approving the Comprehensive Plan Amendment from HDR, High Density Residential to LMDR, Low-Medium Density Residential:

a. Create a new land use category in the Comprehensive Plan that establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category. A new designation would be called LMDR-NWAPUD.

b. Amend the comp plan land use plan and require upfront the developer enter into an agreement which obligates the developer to pay any shortages in fee assumptions. Under this scenario, this agreement would have to be drafted and approved by the Council simultaneously with the comp plan amendment.

c. City Council action to authorize submittal of the application to the Metropolitan Council for their review/action and not take final action until final development plans, all agreements and rezoning has been approved by the City Council.

With any option, the following two conditions should be added to any recommendation:

1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
2. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.

B. Denial If the Planning Commission does not favor the comprehensive plan amendment, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

The previous application and approval in 2010 anticipated a stronger market for higher density development. Based on current market trends and expected longer range trends, it does not appear as likely that higher density residential development would occur at this location.

Attachments: Existing/Proposed Comp Plan Map
Map of Land Use Designations for Northwest Area
Concept Plan
Applicant Narrative

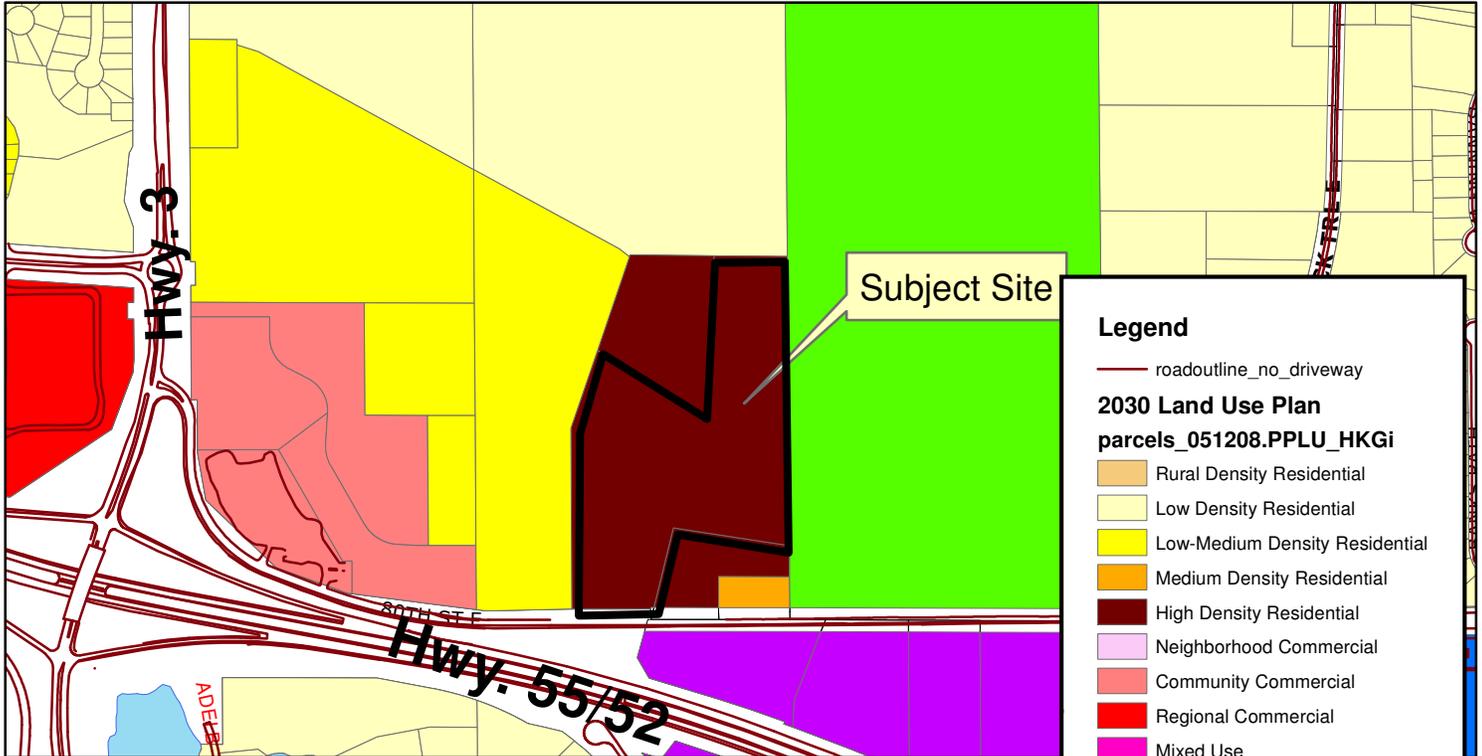


Fox Glen Comp Plan Amendment

Case No. 14-07PA



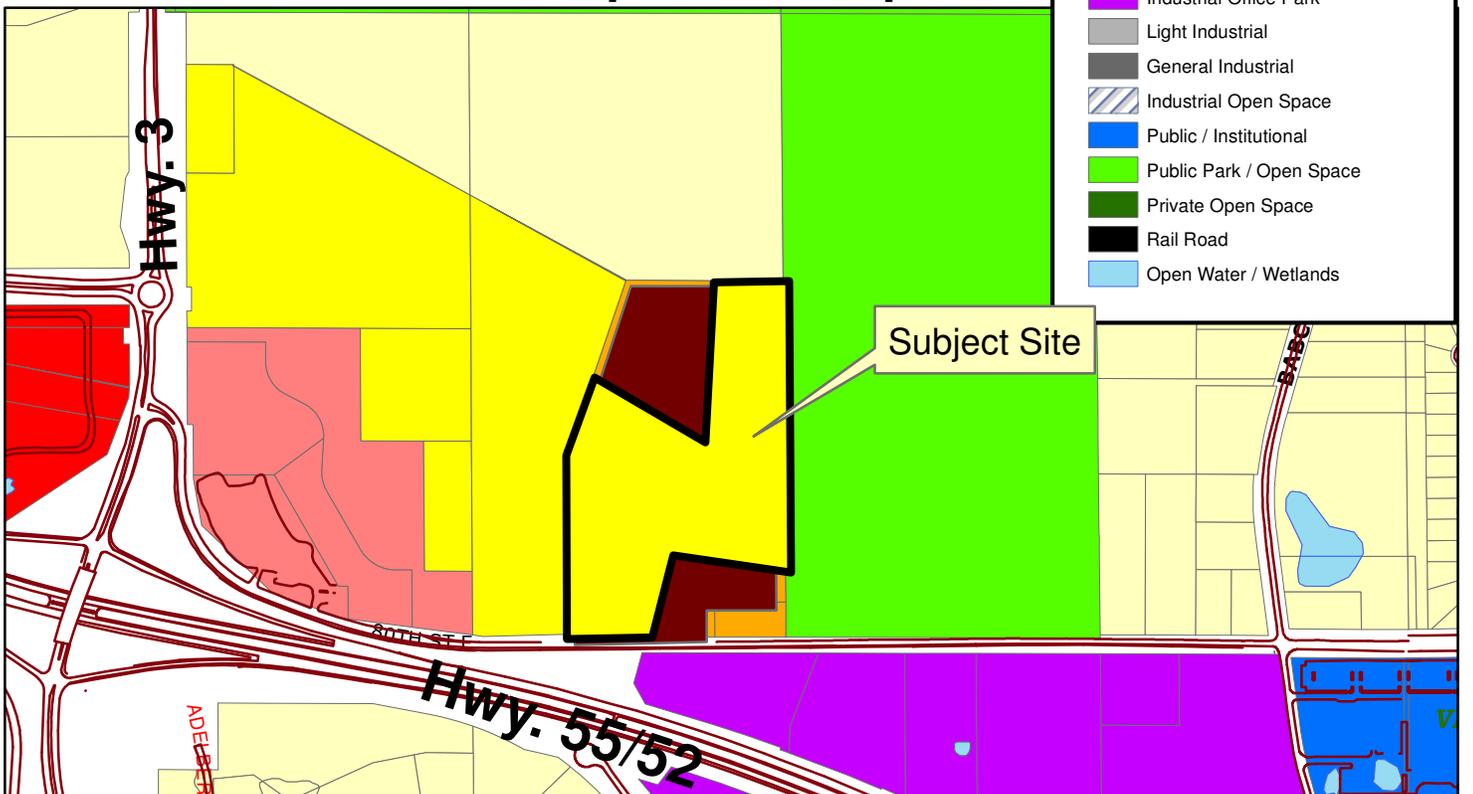
Existing Comp Plan



Legend

- roadoutline_no_driveway
- 2030 Land Use Plan**
- parcels_051208.PPLU_HKGi**
- Rural Density Residential
- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Regional Commercial
- Mixed Use
- Office
- Industrial Office Park
- Light Industrial
- General Industrial
- Industrial Open Space
- Public / Institutional
- Public Park / Open Space
- Private Open Space
- Rail Road
- Open Water / Wetlands

Proposed Comp Plan



Client
**MERIDIAN
 LAND
 COMPANY**

Project
FOX GLEN

Location
**1401 80TH
 STREET EAST
 INVER GROVE
 HEIGHTS,
 MINNESOTA**

Certification

Summary
 Designed: JA Drawn: JN
 Approved: MBD Book / Page:
 Phase: CONCEPT Initial Issue: 02.18.2014

Revision History
 No. Date By Submittal / Revision

Sheet Title
**DEVELOPMENT
 CAPACITY
 PLAN**

Sheet No. Revision
C1.02

Project No. MER19880

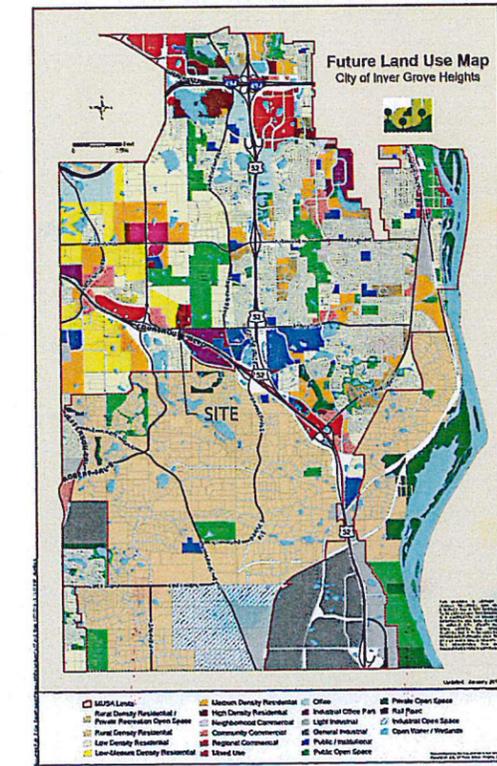
SITE PLAN



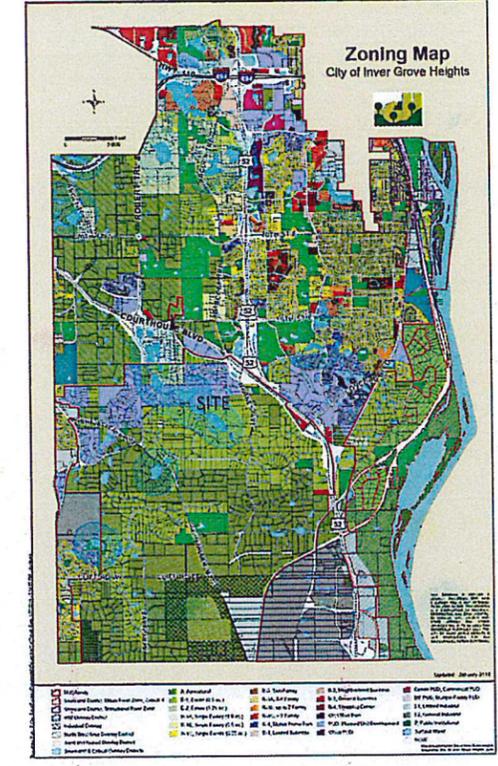
AERIAL



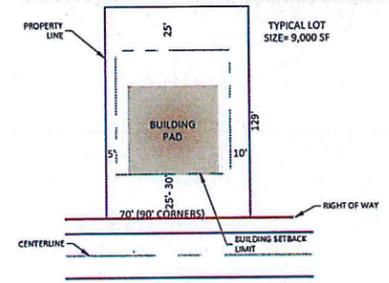
LAND USE MAP



ZONING MAP



TYPICAL LOT DETAIL



MET COUNCIL DENSITY CALCULATION

AREA	20.10 AC
GROSS SITE AREA	20.10 AC
LESS WETLAND	1.39 AC
LESS WETLAND BUFFER	0.73 AC
LESS OPEN SPACE/TREE PRESERVATION	3.98 AC
NET SITE AREA	14.00 AC

LOT SUMMARY	44
NUMBER OF LOTS	44
DENSITY	3.12 UNITS/ACRE
OUTLOTS	2

CITY OF INVER GROVE HEIGHTS DENSITY CALCULATION

AREA	20.10 AC
GROSS SITE AREA	20.10 AC
ARTERIAL ROADS	0.00 AC
BELOW OHW IN SHORELAND OVERLAY	0.00 AC
LESS WETLAND (WET. BUFFER NOT INCLUDED)	1.39 AC
BLUFFS	0.00 AC
LAND DEDICATED TO CITY FOR PUBLIC PARK/RECREATION	4.71 AC
NET SITE AREA	14.00 AC

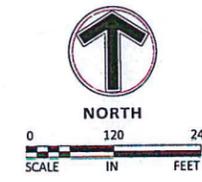
LOT SUMMARY	44
NUMBER OF LOTS	44
DENSITY	3.0 UNITS/ACRE
OUTLOTS	2

DENSITY CALCULATION

ZONING	AREA	MIN. LOT SIZE	ALLOWABLE UNITS	ALLOWABLE DENSITY	ACTUAL UNITS	ACTUAL DENSITY
PUD (R-1C)	14.00 AC	9,000 SF	56 UNITS	3.63 U/A	44	3.14 U/A

DEVELOPMENT SUMMARY

SETBACKS	
FRONT YARD	VARIES 25-30 FEET
REAR YARD	25 FEET
SIDE YARD	10/5 FEET
MINIMUM LOT FRONTAGE	70' MIN & 90' CORNERS
ZONING	
EXISTING ZONING	A- AGRICULTURAL
FUTURE LAND USE	HIGH DENSITY RESIDENTIAL
PROPOSED REZONING	PUD (LOW-MEDIUM DENSITY RESIDENTIAL (3-6 U/A))



**Project Narrative
Fox Glen
1401 80th Street East
Inver Grove Heights, Minnesota**

Existing Conditions/ Project Description

Meridian Land Company is proposing a new 44 small lot single family residential subdivision called Fox Glen. Fox Glen at 1401 80th street east is located in the Northwest Area Overlay District of Inver Grove Heights. The parcel has an irregular boundary configuration that consists of approximately 20.10 gross acres of land. Fox Glen has been designed as a small lot single family subdivision with an overall density of 3.14 units per acre. The property consists of several natural features including two wetlands, mature woods and rolling topography interspersed with farm fields adjacent to the golf course. There are no steep slopes or bluffs on the property.

Utilizing the existing site features and natural topography of the site the subdivision was designed to locate the majority of the single family lots in the farm fields. By locating the majority of the lots in the farm fields we are able to minimize grading and able to protect the natural features, wetlands and woods on the property.

Designing the subdivision with the intent of protecting natural features at the forefront, allowed the creation of 3.96 acres (21.2% of net site) of contiguous natural area/ open space and a total of 4.71 acres (25.2% of net site) of natural area/ open space.

The Fox Glen Storm water Management Plan shall be designed in accordance with the Northwest Area (NWA) Inver Grove Heights Storm water Management Plan. The treatment train approach to storm water management shall be used to treat the runoff from the site. The following techniques, as shown on the Sketch Plan, will be implemented to treat the quantity and quality of the runoff.

Infiltration basins will be constructed to control the runoff volume of the site. Storm water ponds will be constructed to provide storm water quality and rate control. The infiltration ponds and storm water quality ponds shall be designed in accordance with the City of Inver Grove Height engineering criteria.

Comprehensive Plan Amendment

As part of this application we are requesting a comprehensive plan amendment for the property. The 2030 Comprehensive Plan designated this property as medium density residential at 6 to 12 units per acre and was amended at a later date to high density residential. The parcel has been marketed for high density residential since the Fall of 2010 and received no development interest due to the location and overall size of the parcel. Traditionally high density residential housing is located in a more urban environment as users seek to be closer in proximity to retail and office as well as immediate access to public and multi-modal transportation. High density residential is best suited for smaller parcels with the aforementioned characteristics.

We are requesting that the comprehensive plan be amended to guide the property to low-medium density at 3 to 6 units per acre. It was identified in the 2030 comprehensive plan that 3% of the housing in the city was designated as low-medium density. The change in density would benefit the site, the City of Inver Grove Heights and the public by better protecting the sites natural features, reduce traffic, allow better quality open space from the natural area/ open space to the east of the property and provide a better transition to the adjacent future land uses of low density and low-medium density residential to the north and west.