

## **PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS**

Tuesday, March 18, 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  
Harold Gooch  
Tony Scales  
Armando Lissarrague  
Dennis Wippermann  
Bill Klein

Commissioners Absent: Annette Maggi (excused)  
Victoria Elsmore (excused)  
Pat Simon (excused)

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

### **APPROVAL OF MINUTES**

The minutes from the February 5, 2014 Planning Commission meeting were approved as submitted.

### **ANDERSON – JOHNSON ASSOCIATES, INC. (Simley High School) CASE NO. 14-06CA**

#### **Reading of Notice**

Commissioner Scales read the public hearing notice to 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.

#### **Presentation of Request**

Allan Hunting, City Planner, explained that 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 turf to capture storm water. Since the artificial surface would be considered impervious by code definition, and amendment to the existing CUP must be processed. Impervious surface coverage is limited to 25 percent of the lot; however, this may be increased by conditional use. Existing impervious surface on the lot is at 32 percent. The proposal artificial turf and minor changes around the athletic field would increase the impervious surface to 36 percent. This is an additional 4 percent increase of impervious surface. Allan indicated that the Engineering Department has been working with the applicant on the design of a stormwater infiltration system under the turf. There would be a storm water facilities agreement, easement agreements and an improvement agreement to address the specific improvements to the site and address the storm water.

#### **Opening of Public Hearing**

Mr. Dave Rey, Anderson-Johnson Associates, Inc., Project Civil Engineer for the school district, was available for questions.

Commissioner Klein asked how they were going to capture the storm water. Mr. Rey explained that the turf system is fully porous and they are planning to have a drain tile system and below the drain tile there is additional 4 feet of sand that will allow the water to infiltrate and it will hold the water. If the water rises to the drain tile, it will then run into the storm water system. It will be able to handle a 2 to 4 inch rainfall event; however the runoff never leaves the surface of the field.

Commissioner Klein opined that the Ordinance regarding impervious surface should probably be reviewed. He thought the Ordinance was creating a lot of problems for homeowners.

Chair Hark closed the public hearing.

### **Planning Commission Recommendation**

Motion by Commissioner Gooch, second by Wippermann, to approve the request for 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 with the four conditions: (1) The site shall be developed in substantial conformance with the following plans on file with the Planning Department; (2) An improvement agreement, stormwater facilities maintenance agreement and easement agreements shall be required to be entered into between the City and the developer addressing the improvements on the site. The agreements shall be approved by the City Council prior to release of the final plat; (3) All grading, erosion control and utility plans, or modifications thereof, shall be approved by the City Engineer prior to construction; (4) Any easements required for any utility or roadway needs shall be granted by the school district as part of this project.

Motion carried (6/0). This item goes to the City Council on March 24, 2014.

### **School District Presentation**

Superintendent Dr. Deirdre Wells and Paul Youngquist, Architect for the school district gave a brief overview of some of the improvements the school district is planning.

There are eight bid packages and they include: replacing the athletic field, reroofing work for some of the schools, Salem Hills school will undergo remodeling, card access work in all of the schools, indoor air quality work, technology updates and the Simley High School will undergo remodeling and will include additional parking. Dr. Wells indicated that the School District website has the most up-to-date information on the district's improvements.

### **MERIDIAN LAND COMPANY – CASE NO. 14-07PA**

Commissioner Scales read the public hearing notice to 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.

Allan Hunting, City Planner, explained that 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 application 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 requesting a change to LMDR which has a density range of 3-6 units per acre.

The task at hand with the comprehensive plan review is to determine if Low-Medium Density Residential is an appropriate land use.

Allan Hunting explained that 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 with approximately 480 units. The application also included the parcels immediately to the north and south, but those two parcels are not part of this request.

Due to the changes in market demand, the City may need to be flexible in density demands and housing mixes.

Allan Hunting indicated that whenever the City is considering development in the Northwest Area, it must consider the financial implications in order to fund the installation of City utilities. 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 \$370,000.

Allan Hunting explained that 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 requests could be approved.

Allan Hunting indicated that staff recommends approval of the applicant's request with the inclusion of Option A which is to: *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. The new designation would be called LMDR-NWAPUD.*

### **Opening of Public Hearing**

Mr. Rick Murray, 3600 American Boulevard W. (United Properties) was present on behalf of Meridian Land Company to answer any questions.

Mr. Murray said that he agreed with staff's recommendation and Option A.

Chair Hark closed the public hearing.

### **Planning Commission Discussion**

Commissioner Klein said he supported the project and thought it honorable that the applicant was willing to pay the \$370,000 costs to cover fees.

Commissioner Scales asked staff if this situation were to go the other way (from low density to high density), would their costs be lower?

Tom Link, Community Development Director, answered that that type of situation does not happen often and he remembers it only to have happened on one occasion. Tom indicated that this language does give the City more flexibility because it will have more leeway with the financials.

Commissioner Scales commented that if the City were doing it this way to benefit the City, he opined that it should be able to work the other way where it doesn't always only benefit the City. Commissioner Scales said he realizes this issue is not being dealt with at this time, but that part of going forward the reverse situation needs to be considered.

Chair Hark commented that he favored the high density, but he supported the proposal since the developer is more aware of the market needs.

Commissioner Gooch commented that he was on the Planning Commission when the land use was first approved, but he thought this is the way it should have been all along and he supports the lower density since this type of density is the same as what is presently across the street from this development.

**Planning Commission Recommendation**

Motion by Commissioner Gooch, second by Commissioner Klein, to 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 with the incorporation of Option A with two conditions as listed: *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. The new designation would be called LMDR-NWAPUD.*

- 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.*

Motion carried (6/0). This item goes to the City Council on February 24, 2014.

**OTHER BUSINESS**

Tom Link, Community Development Director, mentioned that the Commissioner Appreciation Dinner is Thursday, April 17, 2014 at 6:00 p.m. Tom Link encouraged commissioners to attend.

**ADJOURNMENT**

The meeting was adjourned by unanimous vote at 7:43 p.m.

Respectfully submitted,

Kathleen J. Fischer  
Public Works Support Specialist