

**INVER GROVE HEIGHTS  
PLANNING COMMISSION AGENDA**

**TUESDAY, JUNE 17, 2014 – 7:00 p.m.  
City Council Chambers - 8150 Barbara Avenue**

1. **CALL TO ORDER**
  
2. **APPROVAL OF PLANNING COMMISSION MINUTES FOR JUNE 3, 2014**
  
3. **OTHER BUSINESS**
  
4. **APPLICANT REQUESTS AND PUBLIC HEARINGS**

**4.01 WATRUD PROPERTIES - CASE NO. 14-19CVA**

Consider the following requests for the property located on the east side of Clark Road, identified as PID No. 20-28400-01-012:

- A) A **Zoning Code Amendment** to allow office/warehouse as a conditional use in the I-2 zoning district.

Planning Commission Action \_\_\_\_\_

- B) A **Conditional Use Permit** to allow an office/warehouse building in the I-2 zoning district.

Planning Commission Action \_\_\_\_\_

- C) A **Conditional Use Permit** to allow a contractor's yard and outdoor storage for items such as; landscaping materials, vehicles and equipment relating to a business and saleable product.

Planning Commission Action \_\_\_\_\_

- D) A **Variance** from outdoor storage requirements in the I-2 District to; allow outdoor storage to encroach into the required 100 foot buffer along property zoned A, Agricultural and not be required to install solid screen fencing.

Planning Commission Action \_\_\_\_\_

5. **ADJOURN**

## PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, June 3, 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  
Bill Klein  
Dennis Wippermann  
Harold Gooch  
Joan Robertson

Commissioners Absent:

Others Present: Allan Hunting, City Planner

Chair Hark welcomed new Commissioner Joan Robertson to the Planning Commission.

### **APPROVAL OF MINUTES**

Commissioner Simon noted an omission in the May 6, 2014 minutes.

The minutes from the May 6, 2014 Planning Commission meeting were approved as corrected.

The minutes from the May 20, 2014 Planning Commission meeting were approved as submitted.

### **NORTHWEST AREA STORMWATER UPDATE PRESENTATION**

Tom Kaldunski, City Engineer, provided an overview of the City's Northwest Area, a unique part of the City which is expected to develop in the coming years. He discussed some of the rules and regulations that apply to that area, the City's desire for low impact development, and its encouragement of cluster development practices in order to preserve open space, green corridors, and other natural features. He explained the best management practices the City was using for treating and managing stormwater and mitigating the impact of development on the water cycle.

### **THOMAS MILLAN – CASE NO. 14-18V**

#### **Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a variance to allow two detached accessory buildings on a property whereas one is allowed in the R-1C zoning district, for the property located at 3183 – 70<sup>th</sup> Street East. 6 notices were mailed.

#### **Presentation of Request**

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant has a detached, two-car garage on his property and is requesting to replace an older 8' x 10' shed with an 18' x 18' structure. The zoning code permits a maximum of one detached accessory structure in the R-1C zoning district so the applicant is requesting a variance to allow a second. While the circumstances are not completely unique to the parcel, staff feels the intent of

the ordinance was not meant to penalize properties that do not have an attached garage. The combined square footage of the two garages would be less than 1,000 square feet, complying with the maximum size allowed. The proposed building would not be directly visible from the street. Staff feels the proposed request meets the variance criteria and recommends approval of the request.

Chair Hark asked if staff would likely recommend approval if other homeowners with detached garages requested to build a second accessory structure.

Mr. Hunting replied in the affirmative, stating to his knowledge the City had not received any similar variance requests since the ordinance was amended in 2006.

Commissioner Lissarrague asked if staff heard from any of the neighbors.

Mr. Hunting replied they had not.

Commissioner Simon asked who did the impervious surface measurements.

Mr. Hunting replied that the applicant worked with Heather Botten, and staff is comfortable that the measurements are accurate and are below the allowed impervious surface maximum.

Commissioner Scales asked what maximum square footage would be allowed for a detached structure on a City lot.

Mr. Hunting replied that all residential lots were limited to 1,000 square feet. The threshold changed on lots 2 ½ acres or larger in the Estate or Agricultural zoning districts.

Commissioner Simon asked if the ordinance standards were based at all on the age of the home.

Mr. Hunting replied they were not.

Commissioner Scales stated there were many ramblers in the City without attached garages, including his own. He had no issue with the request but would like to see a standard set moving forward for houses with detached garages to be allowed a second structure for lots of all sizes throughout the City.

Mr. Hunting stated it was unlikely there would be many homes on large lots without an attached garage.

Commissioner Maggi asked Commissioner Scales to clarify his question.

Commissioner Scales stated he lived on a two acre parcel and had a detached garage. In that scenario, he questioned whether he would be allowed to build a second accessory structure as long as the combined square footage was less than 1,000 square feet.

Mr. Hunting replied that it was possible, but he would have to apply for a variance.

Commissioner Scales stated the question of this being a valid practical difficulty should be looked at as in the past applicants have been told they could attach the garage to their house to get the additional space. He questioned whether they should change the ordinance instead.

Commissioner Lissarrague stated he would like to see the ordinance addressed so the regulations would be consistent for all properties, noting that the Planning Commission recommended denial of

an accessory structure at its last meeting.

Commissioner Maggi stated the difference from her perspective was that in the era in which Mr. Millan's home was built detached garages were very common, and the ordinance was not built to manage that.

Commissioner Scales noted there were many homes in the City with detached garages.

Commissioner Robertson noted that the proposed structure would be eight feet from both the rear and side lot lines, and asked if they should take into consideration how this may impact the neighbor.

Chair Hark stated he would not consider that in his analysis because the applicant would be complying with the setback criteria.

**Opening of Public Hearing**

Thomas Millan, 3183 – 70<sup>th</sup> Street East, advised he was available to answer any questions.

Chair Hark asked the applicant if he read and understood the staff report.

Mr. Millan replied in the affirmative. He advised that the neighbor's garage would be directly behind the proposed structure and there was also a border of arborvitaes planted along the property line; therefore, it was unlikely the neighbor would see the proposed building.

Commissioner Simon asked if the patio on the east side of the existing garage was included in the impervious surface measurements.

Mr. Millan replied in the affirmative.

Commissioner Simon asked if the applicant had considered attaching a garage with a drive-through to the existing garage.

Mr. Millan replied he had considered that option, but decided against it because of moisture issues.

Chair Hark closed the public hearing.

**Planning Commission Recommendation**

Motion by Commissioner Scales, second by Commissioner Klein, to approve the request for a variance to allow two detached accessory buildings on a property whereas one is allowed in the R-1C zoning district, for the property located at 3183 – 70<sup>th</sup> Street East.

Motion carried (9/0). This item goes to the City Council on June 23, 2014.

The meeting was adjourned by unanimous vote at 7:53 p.m.

Respectfully submitted,

Kim Fox  
Recording Secretary

**PLANNING REPORT**  
**CITY OF INVER GROVE HEIGHTS**

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**REPORT DATE:** June 11, 2014

**CASE NO:** 14-19CVA

**APPLICANT & PROPERTY OWNER:** Watrud Properties, LLC

**REQUEST:** Zoning Code Amendment, Conditional Use Permits and Variances

**HEARING DATE:** June 17, 2014

**LOCATION:** Property located on the east side of Clark Road, south of Surelock Storage

**COMPREHENSIVE PLAN:** General Industrial

**ZONING:** I-2, General Industry and IRM, Integrated Resource Management Overlay District

**REVIEWING DIVISIONS:** Planning  
Engineering

**PREPARED BY:** Heather Botten  
Associate Planner 

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**BACKGROUND**

The applicant is proposing to develop the site with a 26,400 square foot office/warehouse building. The property is zoned I-2, General Industry and office/warehouse is a use not currently allowed in that zone. The proposed application requires a zoning coded amendment to allow this type of use as a conditional use in the I-2 district.

The applicant is in search of tenants to occupy the proposed building. Since the occupants are unknown at this time, the conditional use permit request is a hybrid request to accommodate a number of different users on the site without each individual renter needing to apply for their own CUP. A conditional use permit is being requested for both the office/warehouse use and a contractor's yard and outdoor storage that would include, landscaping materials, vehicles and equipment relating to a business and saleable product. This would not include vehicles for sale, storage of vehicles, propane tanks, mini-storage facility and storage containers as staff believes these uses are more intense and would require additional review.

Variances are also being requested from the outdoor storage setback requirement and screening requirements from agricultural zoned property.

The property is currently vacant; it has been the subject of other development proposals over the years, but for various reasons these projects have not come to fruition. In 2009, a development plan for Quality Propane, consisting of an 8,000 square foot building/propane storage facility was approved, but not built. In 2012, a development plan for a truck repair facility for Catco as approved, but not built.

### **EVALUATION OF THE REQUEST**

The specific requests consist of the following:

- a) A **Zoning Code Amendment** to allow office/warehouse as a conditional use in the I-2 zoning district.
- b) A **Conditional Use Permit** to allow an office/warehouse building in the I-2 zoning district.
- c) A **Conditional Use Permit** to allow a contractor's yard and outdoor storage for items such as: landscaping materials, vehicles and equipment relating to a business and saleable product.
- d) A **Variance** from outdoor storage requirements in the I-2 District to: allow outdoor storage to encroach into the required 100 foot buffer along property zoned A, Agricultural and not be required to install solid screen fencing from the A zoned property.

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

North -	Surelock Storage; zoned I-2; guided GI, General Industrial
East -	Residential; zoned A; guided GI
West -	Vacant; zoned I-2; guided GI
South -	Trucking operation; zoned I-2; guided GI

### **ZONING CODE AMENDMENT REVIEW**

The applicant is requesting the zoning code be amended to allow the use of office: warehouse to be a conditional use in the I-2, General Industry zoning district.

There are two areas of the City that are zoned I-2. The properties generally located between Clark Road and Hwy 52 north of 117<sup>th</sup> Street, including the landfill are zoned I-2. The NSP tank farm located along Hwy 3 is the other. The uses along Clark Road include; multi-tenant building containing a contractor's yard and other uses, trucking school, sand and gravel pit, other manufacturing uses and truck terminal. The City anticipated a combination of office related and contractor/manufacturing type uses when sewer was extended along the highway and when Clark Road was constructed as part of the west frontage road. Allowing office/warehouse as a conditional use would appear to continue this goal by providing a use that would generate sizable buildings with employment opportunities. Since there are still a number of vacant properties along Clark Road, this may open up greater possibilities for future development. Staff supports the addition of office/warehouse as a conditional use in the I-2 district as it would provide additional development opportunities and is not out of character with the existing pattern of development in this area.

### **SITE PLAN REVIEW**

**Lot Size/Width.** The subject site is located within the I-2, General Industry zoning district which

has a minimum lot size of 1 acre and a minimum lot width of 100 feet. The subject lot is about 7.31 acres in size and about 668 feet wide. The subject lot exceeds the minimum lot size and width requirements.

Setbacks. The proposed parking lot and building meets and/or exceeds the required perimeter setbacks for the site.

The Ordinance does have a requirement that “outdoor storage area shall be setback a minimum of 100 feet from the lot boundary of any “A”, “E” or “R” use. “ The houses to the east are zoned A, Agricultural. The applicant is requesting a variance from this requirement in order to allow them to utilize a portion of the rear property for outdoor storage.

Parking Lot. Parking for the proposed development consists of 26 parking stalls located along the west side of the building. The number of stall complies with parking requirements for a warehouse building. The parking areas and main traffic routes would be bituminous. The balance of the lot is a storage/truck circulation area that would be gravel. The project meets parking and surfacing requirements.

Impervious Surface/Building Coverage. There is no maximum impervious surface requirement for the property. The I-2 zoning districts allow a maximum of 30% of the lot to be covered by buildings. With the lot size of 7.31 acres, maximum building coverage would be 95,520 square feet. The proposed building total would be 26,400 square feet (8.3%) which complies with code standards.

Screening/Landscaping. Based on one (1) tree required per 50 lineal feet of site perimeter, a total of 45 overstory or equivalent trees are required. The plantings must be a mix of coniferous and deciduous trees. The landscape plan identifies 35 overstory trees and 101 shrubs (equivalent to 16 overstory trees). A total of 51 trees are proposed, exceeding the landscape minimum.

The Code requires any roof top or ground mounted equipment to be screened from view from the public. This means that any roof top units must be screened from view from Clark Road. This can be accomplished through either screen material around the units or through the use of parapets.

The applicant is proposing a seven (7) foot chain link fence around the outside storage area along with a seven foot privacy/screening fence along Clark Road. This should provide adequate screening for the majority of items that would be stored outside. The code also requires outdoor storage to be screened from residential uses using at minimum a six foot high solid wood fence. The properties to the east are residential; the applicant is requesting a variance from this requirement. The variance request is discussed later in this report.

Access. Access to the site would be via two entrance points onto Clark Road. The property to the west is vacant so there are no conflicts with the entrance points. The access points are acceptable as proposed.

Building Materials. The applicant has provided exterior elevations of the building. The proposed building consists of rock face block on all four sides of the building. The materials proposed comply with ordinance standards.

Engineering. Engineering has reviewed the plans against the overall storm drainage plan that was prepared for the Gainey Addition Plat. The City Engineer has made comments on the plans and is working with the applicant to address the technical aspects of the plans. A condition is included requiring approval of the plans by the City Engineer prior to work commencing on site.

Improvement Agreement. An improvement agreement will be required to be executed between the City and the developer. The agreement will address the necessary site improvements including a storm water maintenance agreement, the parties responsible for the improvements, and will require financial surety for the landscaping, erosion control and any other improvements that may be necessary. A developer is required to enter into a contract with the City addressing the improvements and construction on site. A letter of credit equal to 125% of the cost of these improvements is required before construction can begin. This requirement assures the City that these particular improvements will be constructed to the satisfaction of the City.

Lighting. All building lighting shall be designed so as to deflect light away from any adjoining public streets. The source of light shall be hooded, recessed, or controlled in some manner so as not to be visible from adjacent property or streets. A photometric plan shall be reviewed and approved by the Planning Department prior to building permit issuance.

Signage. All signage must comply with the signage allotment for the "I-2" zoning district. Signage is not approved with this plan review and would be reviewed with the submittal of a sign permit.

### CONDITIONAL USE PERMIT

This request is unique in that the applicant is proposing to construct a multi-tenant building without having all the users in place. The applicant expects a similar mix of tenants that are in his building on the west side of Clark Road, across the street. He has indicated that he has received interest from businesses that would fall under our category of "contractor's yard" and other similar, all with the need for outdoor storage.

The Zoning Code is set up to review specific uses for a parcel. The City review process is set up the same way, approving a specific use for each parcel or tenant in a building individually. The request for an essentially spec building with a general office/warehouse use is unique and requires some flexibility in review to allow the use while maintaining consistency with performance standards for what could be a multi-use building. In order to move the application along and allow this construction opportunity, staff, along with the applicant, has suggested a multi-use use type conditional use permit. The uses are generally a contractor's yard with a range of open storage allowed. By addressing the most important performance standards upfront, staff feels that the majority of uses that would fit on the site would be

contained in the conditional use permit. There are specific uses, listed earlier, that staff does not feel should be part of this multi-use type conditional use permit since they could be a more intense use and should be reviewed individually.

Section 10-3A-5 of the Zoning Regulations lists criteria to be considered with all conditional use permit requests. (This section reviews the plans against the CUP criteria in the Zoning Ordinance assuming the proposed ordinance amendment is adopted and that the City finds this to be an acceptable use.)

1. *The use is consistent with the goals, policies and plans of the City Comprehensive Plan, including future land uses, utilities, streets and parks.*

One of the policies of the industrial districts is to: "Provide opportunities for new industrial development, expansion of existing uses and the redevelopment of existing industrial uses to expand employment opportunities and to serve existing businesses in the community." The proposed use would not have a negative impact for the industrial areas as set forth in the Comprehensive Plan.

2. *The use is consistent with the City Code, especially the Zoning Ordinance and the intent of the specific Zoning District in which the use is located.*

The applicant's property is zoned I-2, General Industry. An office/warehouse use appears to be an acceptable conditional use in the I-2 district as it is a conditional use in the I-1 district which is a more restrictive district.

The outdoor storage land use is consistent with the intent of the industrial zoning district.

3. *The use would not be materially injurious to existing or planned properties or improvements in the vicinity.*

The proposed uses do not appear to have a detrimental effect on the neighborhood or public improvements in the vicinity of the project.

4. *The use does not have an undue adverse impact on existing or planned City facilities and services, including streets, utilities, parks, police and fire, and the reasonable ability of the City to provide such services in an orderly, timely manner.*

This location of the City is served by municipal sewer and water. The proposed use would not have an adverse impact on fire protection or on any city service.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*
  - i. *Aesthetics/exterior appearance*

The design of the proposed development would be compatible with the surrounding uses and with the intent of the industrial zoning.

*ii. Noise*

Any vehicle noise would not be out of the ordinary for the I-2 zoning district. The operation is a day time operation and larger trucks would utilize the site.

*iii. Fencing, landscaping and buffering*

The applicant is requesting variances from fencing and buffering requirements. The land use plan for all the surrounding properties are to be developed with industrial uses along both Clark Road and Hwy 52/55.

6. *The property is appropriate for the use considering: size and shape; topography, vegetation, and other natural and physical features; access, traffic volumes and flows; utilities; parking; setbacks; lot coverage and other zoning requirements; emergency access, fire lanes, hydrants, and other fire and building code requirements.*

The size and location would be appropriate for industrial uses. The entire area is guided for industrial development.

7. *The use does not have an undue adverse impact on the public health, safety or welfare.*

This use is similar to other industrial uses in the area and does not have any unique features that would create an adverse impact.

8. *The use does not have an undue adverse impact on the environment, including, but not limited to, surface water, groundwater and air quality.*

The project is required to meet all city storm water requirements. The area is served by city sewer and water and there would be no emissions that would create air quality issues.

### VARIANCE REVIEW

The applicant is requesting two variances: 1) from the outdoor storage setback requirement from agricultural property and 2) screening requirements for outdoor storage from agriculturally zoned property.

Title 10-15-10: EXTERIOR STORAGE, B. of the ordinance requires outdoor storage to be setback a minimum of 100 feet from the lot boundary of any "A", "E" or "R" District and also requires storage to be screened by a fence enclosure consisting of a minimum six foot high solid wood fence. In this case, the property abutting to the east is zoned A, Agricultural and thus the 100 foot buffer and fencing would apply. The applicant is proposing to utilize a portion of the rear property, up to 40 feet from the rear property line for outdoor storage with no additional screening.

City Code Title 11, Chapter 3. **Variances**, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

All of the land surrounding the subject site is guided for GI, General Industrial. Allowing storage within the 100 foot buffer would not be contrary to the intent of the Comprehensive Plan.

The property does have some unique characteristics in that the request for outdoor storage is addressed differently than other types of industrial uses abutting agricultural zoned property. Outdoor storage is required to maintain a 100 foot buffer from certain zoned properties, while other industrial uses, such as trucking operations or mini-storage do not have this requirement. They would be allowed to store trucks or storage items up to 10 feet from a property line.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

There are three houses to the east of the property that are still zoned A, Agricultural. The "A" zoning in this case is designed as more of a holding zone in that since the long range plan is industrial, the existing residences may be utilized until such time the property is rezoned and developed for industrial uses.

The intent of the ordinance requirement is to protect permanent agricultural or residential uses from being adversely affected by neighboring industrial development. The properties to the south and north of the subject site have developed with industrial uses; a trucking operation and mini-storage. Both have storage components including trucks in a large open parking lot for the trucking operation to the south, to storage of boats, trailers, campers associated with the mini-storage.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The narrow wording of the Ordinance to only require a 100 foot buffer on outdoor storage and not other industrial uses that would have an outdoor component creates a practical difficulty for this particular use on this site. Since the long range plan for the properties to the east is industrial, it would seem requiring a 100 foot buffer in this case to be a difficulty by not allowing the use of the property to its fullest extent.

The homes located east of the property are at a higher elevation than the proposed development; solid screening would not provide any benefit to the abutting residential properties.

4. *The variance will not alter the essential character of the locality.*

Allowing a chain link fence and storage within the required buffer area will not alter the character of the area. There is already a trucking operation on the property immediately to the south that contains a large parking lot for parking of trucks and trailers which also directly abuts the agricultural zoned property. The area is planned long term for industrial so eventually the buffer area will no longer be a requirement and the back of the lot can be used the same as with other industrial zoned properties. The residential properties also sit higher in elevation so a solid fence would not provide any additional screening.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be the sole basis for this request. The need for storage space for trucks and trailers is typical for this type of operation.

## **ALTERNATIVES**

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

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:

- Approval of the **Zoning Code Amendment** to allow office: warehouse as a conditional use in the I-2 zoning district.
- Approval of the **Conditional Use Permit** to allow a 26,400 square foot office/warehouse building and a contractor's yard and outdoor storage for items such as: landscaping materials, vehicles and equipment relating to a business and saleable product subject to the following conditions:

1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Site Plan	dated 5/30/14
Exterior Elevations	dated 5/14/14
Grading Plan	dated 5/16/14
Landscape Plan	dated 5/16/14

2. Any roof top mechanical equipment shall be substantially screen from view from roads. Large scale ground mounted mechanical equipment shall be screened from view with adequate landscape material.
  3. All areas of the lot shall be mowed and maintained and be free from trash and debris.
  4. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this permit.
  5. All parking lot and building lighting on site shall be a down cast “shoe-box” style or cut-off style and the bulb shall not visible from property lines. A photometric plan shall be reviewed and approved by the Planning Department prior to building permit issuance.
  6. All plans shall be subject to the review and approval of the Fire Marshal.
  7. Prior to any work being done on the site, an Engineering cash escrow and letter of credit shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.
  8. The developer shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence. Prior to commencement of any grading, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
  9. An improvement agreement shall be prepared by the City Attorney and executed by both the City and the property owner.
  10. A storm water facility maintenance agreement shall be prepared by the City Attorney and executed by both the City and the property owner to ensure long term maintenance of the facilities.
- Approval of a **Variance** to allow outdoor storage within 100 feet from the boundary and no screening of the outdoor storage abutting an A, Agricultural zoned property.

Practical Difficulty: The narrow wording of the Ordinance to only require a 100 foot buffer on outdoor storage and not other industrial uses that would have an outdoor component creates a hardship for this particular use on this site. Since the long range plan for the properties to the east is industrial, it would seem requiring a 100 foot buffer in this case to be a difficulty by not allowing the use of the property to its fullest extent. Additionally, the agriculturally zoned properties are at a higher elevation than the

proposed storage, solid screening would not provide any benefit to the abutting properties.

- B. **Denial.** If the Planning Commission does not favor the proposed application the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

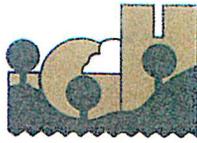
**RECOMMENDATION**

The proposed code amendment language is consistent with other uses allowed in I-2 and I-1 districts. The use is already allowed as a conditional use in I-1 zoned districts. Staff supports the code amendment.

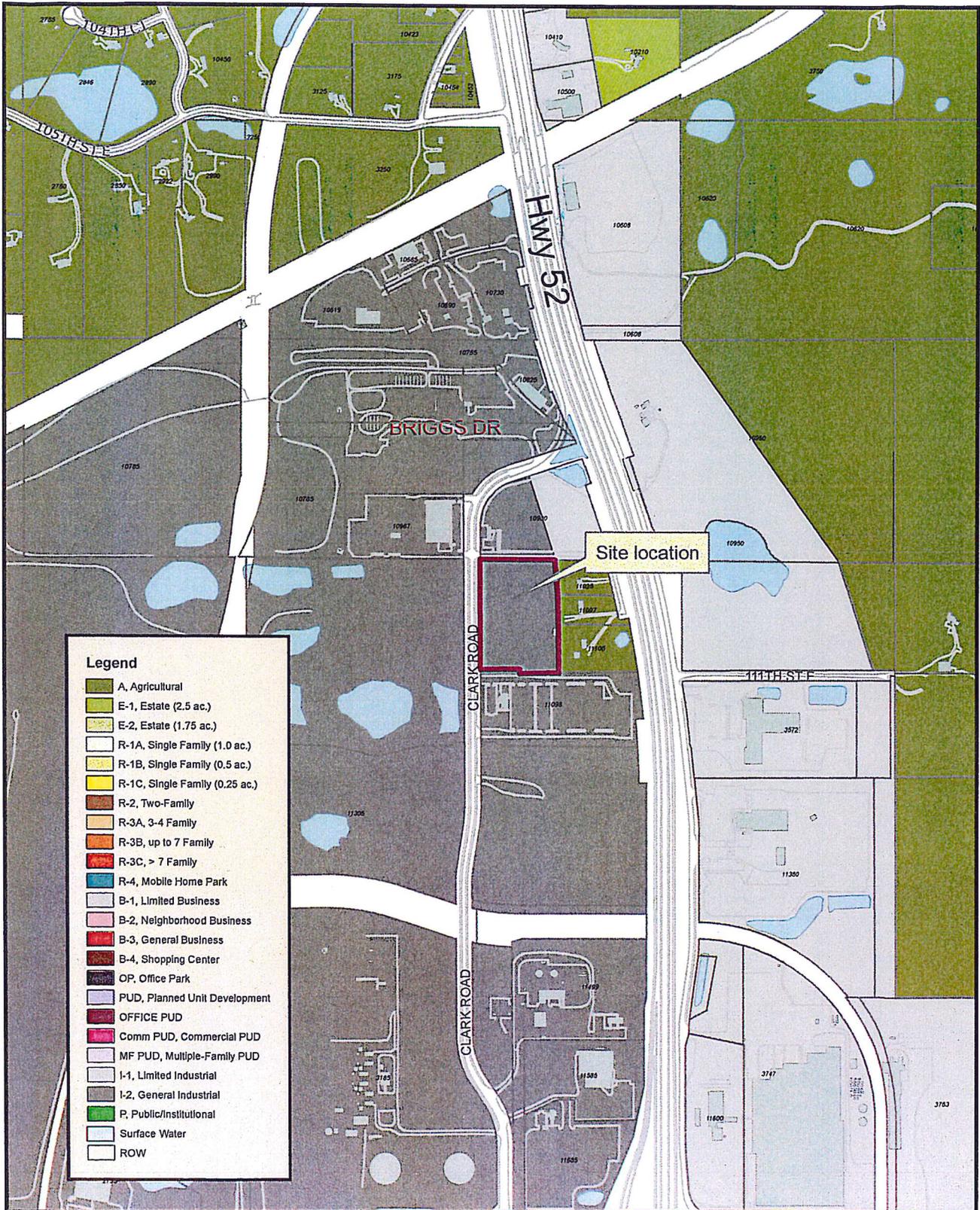
The proposed request complies with all performance standards of the I-2, except the 100 foot buffer and fencing variance request. The use is consistent with the Comprehensive Plan and meets the Conditional Use Criteria. Engineering finds the plans acceptable and is working with the applicant on the final details. Staff also supports the variance requests as the ultimate end land use for all properties in the area will be industrial. Planning Staff recommends approval of the requests as presented with the conditions listed in this report.

Attachments: Location Map  
Applicant Narrative  
Site Plan  
Grading Plan  
Landscape Plan  
Exterior Elevations

Map not to scale



# Watrud Properties Case No. 14-19CVA



Legend	
	A, Agricultural
	E-1, Estate (2.5 ac.)
	E-2, Estate (1.75 ac.)
	R-1A, Single Family (1.0 ac.)
	R-1B, Single Family (0.5 ac.)
	R-1C, Single Family (0.25 ac.)
	R-2, Two-Family
	R-3A, 3-4 Family
	R-3B, up to 7 Family
	R-3C, > 7 Family
	R-4, Mobile Home Park
	B-1, Limited Business
	B-2, Neighborhood Business
	B-3, General Business
	B-4, Shopping Center
	OP, Office Park
	PUD, Planned Unit Development
	OFFICE PUD
	Comm PUD, Commercial PUD
	MF PUD, Multiple-Family PUD
	I-1, Limited Industrial
	I-2, General Industrial
	P, Public/Institutional
	Surface Water
	ROW



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is to be used for reference purpose only. The City of IGH is not responsible for any inaccuracies herein contained.

### Exhibit A Zoning and Location Map

## Heather Botten

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**From:** Sherry [sherry@steenbergwatrud.com]  
**Sent:** Tuesday, June 10, 2014 1:01 PM  
**To:** Heather Botten  
**Subject:** FW: Watrud Properties Case #14-19c

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**From:** Sherry [mailto:sherry@steenbergwatrud.com]  
**Sent:** Tuesday, June 10, 2014 12:53 PM  
**To:** 'hbotten@ci-inver-grove-heights.mn.us'  
**Cc:** Tom Hastings  
**Subject:** Watrud Properties Case #14-19c

Allan, per our discussions we offer the following narratives:

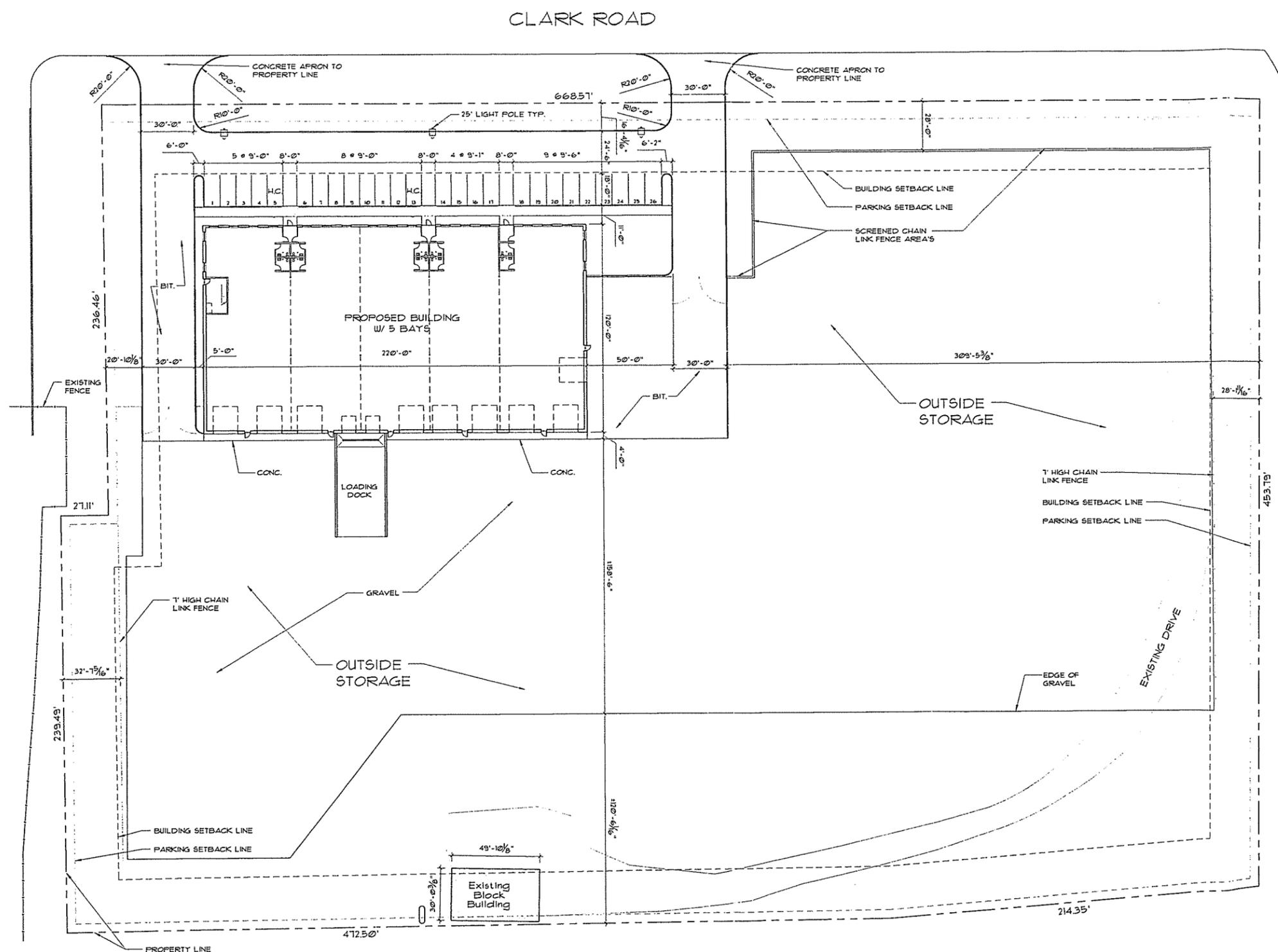
- I. Conditional use permit for 26,400 sq. ft. Office Warehouse  
We would like the availability for outside storage of, but not specifically limited to, Contractors Yard to include:  
Vehicles, Equipment, Materials, Saleable Product, Storage trailers/containers, Other Misc. storage items  
  
Examples of items not requested: Propane Tank Farms and Salvage Yards
- II. Request for variance inside of 100' set back for 26,400 sq. ft. Office Warehouse.
  - A. Due to extreme slope at east property line, adequate site lines would provide sufficient buffer zone and thus allow greater utilization of site.
  - B. Residential property adjacent to site is scheduled to change to commercial/industrial at a later date.

Sincerely,

Steven R. Watrud

CLARK ROAD  
OFFICE WAREHOUSE  
BUILDING

INVER GROVE HEIGHTS,  
MINNESOTA



1 SITE PLAN  
AU 1"=30'-0"



SITE INFORMATION  
SITE AREA: 318,392 SF.  
PARKING: 26 STALLS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DAILY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: \_\_\_\_\_  
SIGNED: \_\_\_\_\_  
DATE: \_\_\_\_\_ REG. NO. \_\_\_\_\_

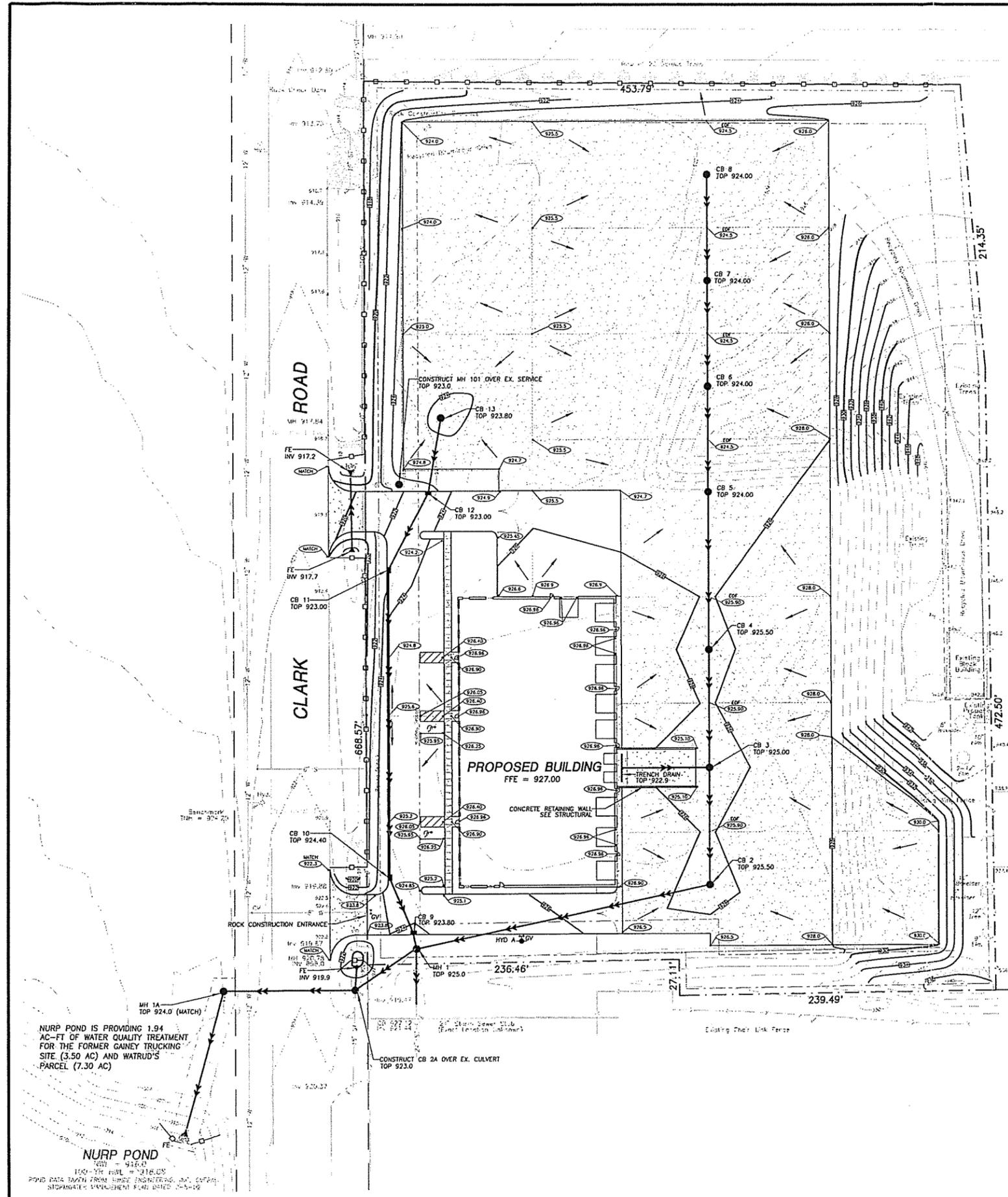
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DAILY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: \_\_\_\_\_  
SIGNED: \_\_\_\_\_  
DATE: \_\_\_\_\_ REG. NO. \_\_\_\_\_

PROJECT NUMBER: 21413  
DATE: MAY 14, 2013  
DRAWN BY: KF  
CHECKED BY: RR  
REVISIONS: 5/30/14

SITE PLAN

A1.1



**GENERAL NOTES**

- CONTRACTOR TO ADHERE TO ALL REQUIREMENTS OF THE MINNESOTA POLLUTION CONTROL AGENCY N.P.D.E.S. PERMIT.
- A COPY OF THESE PLANS MUST BE ON THE JOB SITE WHENEVER CONSTRUCTION IS IN PROGRESS.
- BMP'S REFER TO EROSION AND SEDIMENT CONTROL PRACTICES DEFINED IN THE MPCA PROTECTING WATER QUALITY IN URBAN AREAS AND THE MINNESOTA CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL PLANNING HANDBOOK.
- ALL EROSION AND SEDIMENT CONTROL FACILITIES (BMP'S) SHALL BE INSTALLED AND IN OPERATION PRIOR TO LAND DISTURBANCE ACTIVITIES.
- THE BMP'S SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS FOR THE ANTICIPATED SITE CONDITIONS. AS CONSTRUCTION PROGRESSES AND UNEXPECTED OR SEASONAL CONDITIONS DICTATE, THE CONTRACTOR SHALL ANTICIPATE THAT MORE BMP'S WILL BE NECESSARY TO ENSURE EROSION AND SEDIMENT CONTROL ON THE SITE. DURING THE COURSE OF CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADDRESS ANY NEW CONDITIONS THAT MAY BE CREATED BY CONSTRUCTION ACTIVITIES AND/OR CLIMATIC EVENTS AND TO PROVIDE ADDITIONAL BMP'S OVER AND ABOVE THE MINIMUM REQUIREMENTS SHOWN ON THE PLANS THAT MAY BE NEEDED TO PROVIDE EFFECTIVE PROTECTION OF WATER AND SOIL RESOURCES. BIOROLLS AND HYDROSEED TACKIFIER ARE EXAMPLES OF BMP'S THAT MAY BE USED IN LIEU OF SILT FENCE AND STANDARD SEEDING METHODS DURING THE WINTER WHEN CONDITIONS DO NOT ALLOW FOR STANDARD BMP INSTALLATION.
- WHEREVER POSSIBLE, PRESERVE THE EXISTING TREES, GRASS AND OTHER VEGETATIVE COVER TO HELP FILTER RUNOFF.
- OPERATE TRACK EQUIPMENT (DOZER) UP AND DOWN EXPOSED SOIL SLOPES ON FINAL PASS, LEAVING TRACK GROOVES PERPENDICULAR TO THE SLOPE, DO NOT BACK-BLADE. LEAVE A SURFACE ROUGH TO MINIMIZE EROSION.
- THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED ONTO EXISTING STREETS AND PAVED AREAS.
- IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS.
- IMMEDIATELY FOLLOWING SITE GRADING OPERATIONS AND PRIOR TO THE INSTALLATION OF UTILITIES, THE ENTIRE SITE (EXCEPT ROADWAYS) SHALL BE SEEDED AND MULCHED AND SILT FENCE SHALL BE INSTALLED AROUND ALL PONDS.
- ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PROPERLY DISPOSED OF WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED.

**GRADING NOTES**

- All elevations shown are to final surfaces.
- Contractor is responsible for obtaining a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for Construction Activity before construction begins.
- Upon completion of the site grading, a certification letter and as-built survey, from a Registered Engineer or Land Surveyor, shall be provided to the City certifying that the site's grades are as shown.
- All slopes, swales, and emergency overflows shall be seeded and blanketed within 7 days of disturbance.

**EROSION CONTROL NOTES**

- Contractor is responsible for all notifications and inspections required by General Storm Water Permit.
- All erosion control measures shown shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
- Sweep paved public streets as necessary where construction sediment has been deposited.
- Each area disturbed by construction shall be restored per the specifications within 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.
- Temporary soil stockpiles must have silt fence around them and cannot be placed in surface waters, including storm water conveyances such as curb and gutter systems, or conduits and ditches.
- All pipe outlets must be provided with temporary or permanent energy dissipation within 24 hours of connection to a surface water.
- Excess concrete/water from concrete trucks shall be disposed of in portable washout concrete basin or disposed of in a contained area per the City's detail.
- Provide Wimco's inlet protection or equal at all proposed catch basins.

**CONTROL DEVICE OPERATION SCHEDULE**

ITEM	INSTALLATION	REMOVAL
SILT FENCE	PRIOR TO ANY CONSTRUCTION	AFTER SITE HAS BEEN RESTORED
ROCK ENTRANCE	PART OF INITIAL GRADING	WHEN PARKING LOT IS PAVED
INLET PROTECTION	SAME DAY STRUCTURE IS CONSTRUCTED	AFTER SITE HAS BEEN RESTORED

**INSPECTION AND MAINTENANCE**

- The site must be inspected once every seven (7) days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours.
- All inspections and maintenance conducted must be recorded in writing and records retained with the SWPPP.
- Areas of the site that have undergone final stabilization, may have the inspection of these areas reduced to once per month.
- All silt fence must be repaired, replaced, or supplemented within 24 hours when they become nonfunctional or the sediment reaches 1/3 of the height of the fence.
- Surface waters and conveyance systems must be inspected for evidence of sediment being deposited. Removal and stabilization must take place within seven (7) days of discovery unless precluded by legal, regulatory, or physical access constraints.
- Construction site vehicle exit locations must have sediment removed from off-site paved surfaces within 24 hours of discovery.

**POLLUTION PREVENTION MANAGEMENT**

- All solid waste must be disposed of off-site per the MPCA disposal requirements.
- All hazardous waste must be properly stored with restricted access to storage areas to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA Regulations.

**OWNER**  
 WATRUD PROPERTIES LLC  
 STEVE WATRUD  
 9070 90TH COURT  
 INVER GROVE HEIGHTS, MN 55076  
 (651-457-2291)

**GRADING SEQUENCE SCHEDULE**

- INSTALL TEMPORARY ROCK CONSTRUCTION ENTRANCES AND CONTINUOUSLY INSPECT.
- INSTALL SILT FENCE AS SHOWN ON THE PLANS.
- STOCKPILE TOPSOIL FOR RE-USE.
- COMPLETE SITE GRADING.
- STABILIZE DISTURBED AREAS AND STOCKPILES WITHIN THE STABILIZATION TIME FRAMES.
- CONSTRUCT UTILITIES, STORM SEWER, CURB & GUTTER, BUILDING AND PAVING.
- WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE STABILIZED, REMOVE ACCUMULATED SEDIMENT FROM STORMWATER POND, REMOVE SEDIMENT CONTROL BMP'S, AND RESEED ALL DISTURBED AREAS.

**LEGEND**

- PROPOSED MANHOLE/CATCH BASIN
- PROPOSED CATCH BASIN
- ▲ PROPOSED FLARED END
- PROPOSED STORM SEWER
- ▭ PROPOSED CONCRETE
- ▭ PROPOSED STD. DUTY BITUMINOUS
- ▭ PROPOSED GRAVEL
- PROPOSED CONTOUR
- PROPOSED ELEVATION
- SILT FENCE
- BOUNDARY/ROW/BLOCK LINE
- - - EASEMENT
- - - BUILDING/PARKING SETBACK LINE
- DRAINAGE ARROW
- W EXISTING WATERMAIN
- S EXISTING SANITARY SEWER
- ST EXISTING STORM SEWER
- 550 EXISTING CONTOUR
- 995.50 EXISTING ELEVATION

**REHDER & ASSOCIATES, INC.**  
 Civil Engineers, Planners and Land Surveyors  
 440 Federal Drive, Suite 110 • Engen, Minnesota 55122  
 651-452-0051 • Fax: 651-452-0797 • email: info@rehder.com  
 PROJECT NO: 141-1347-024 DRAWING FILE: 1347024.DWG

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

**PRELIMINARY**  
 Name: Nicholas P. Adom Reg. No. 43856 Date: 5-18-14  
 ISSUED CONDITIONAL USE PERMIT

**GRADING & EROSION CONTROL PLAN**  
 CLARK RD OFFICE WAREHOUSE BUILDING  
 CITY OF INVER GROVE HEIGHTS  
 SHEET NUMBER **C1**

**OWNER**  
 WATRUD PROPERTIES LLC  
 STEVE WATRUD  
 9070 90TH COURT  
 INVER GROVE HEIGHTS, MN 55076  
 (651-457-2291)

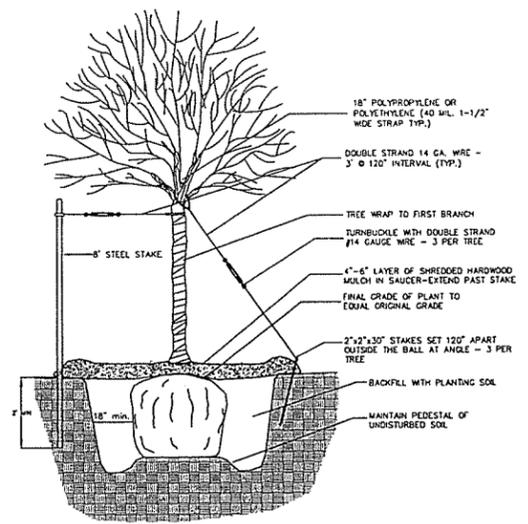
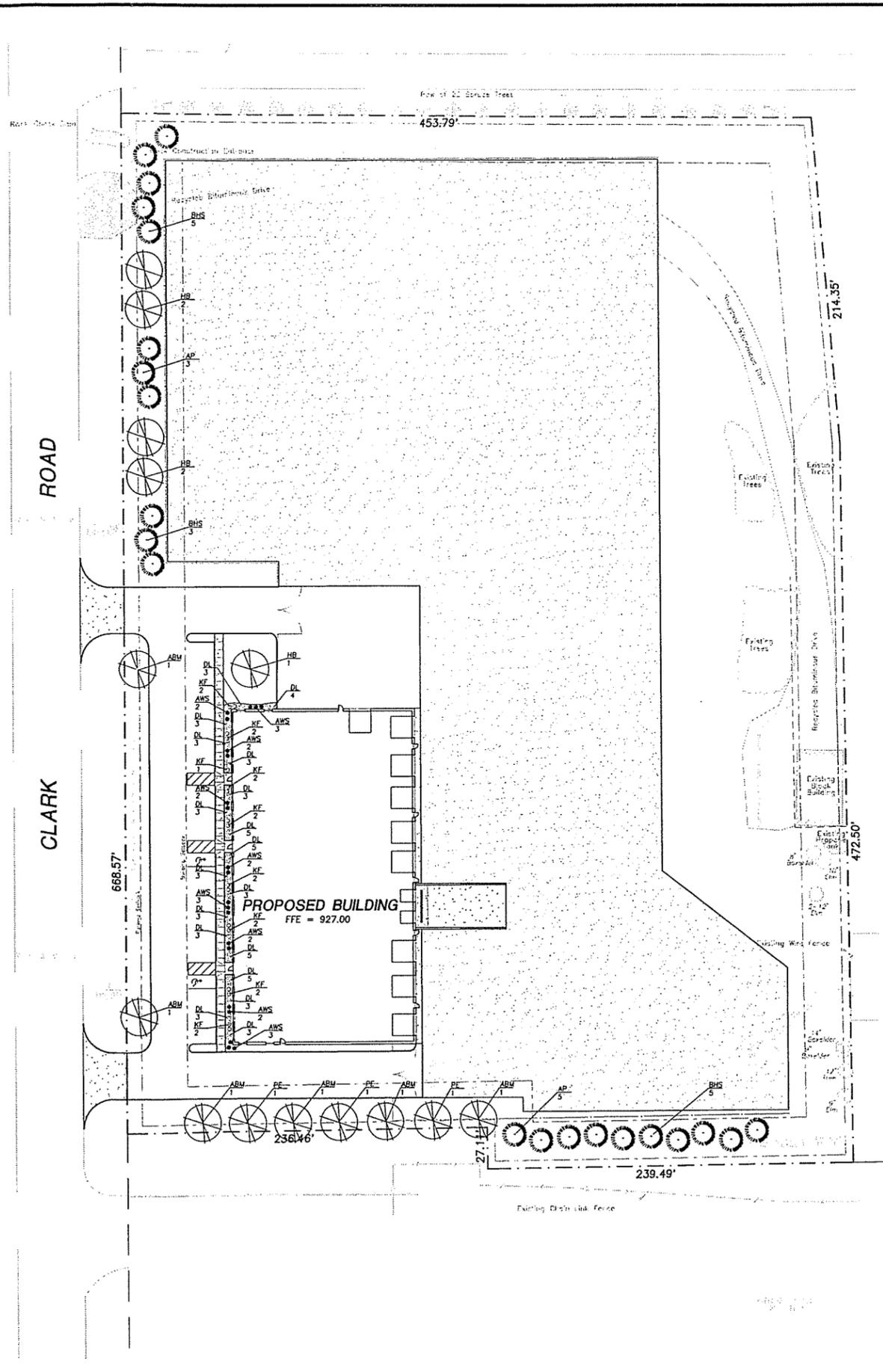
**Rehder & Associates, Inc.**  
 Civil Engineers, Planners and Land Surveyors  
 5440 Federal Drive, Suite 110 • Engen, Minnesota 55012  
 651-538-5051 • Fax: 651-562-8737 • Email: info@rehder.com  
 PROJECT NO.: 141-1347.024 DRAWING FILE: 1347024.DWG

**PRELIMINARY**

**ISSUED**  
 CONDITIONAL USE PERMIT

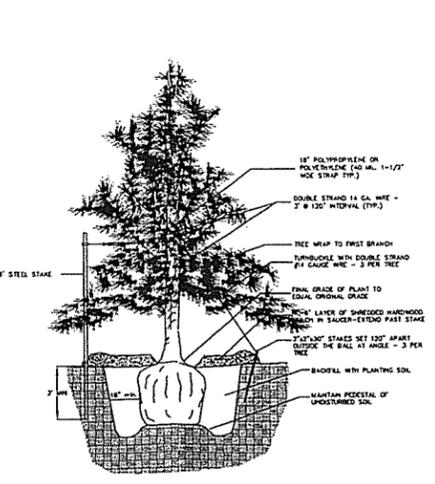
**LANDSCAPE PLAN**  
 CLARK RD OFFICE WAREHOUSE BUILDING  
 CITY OF INVER GROVE HEIGHTS

SHEET NUMBER  
**L1**



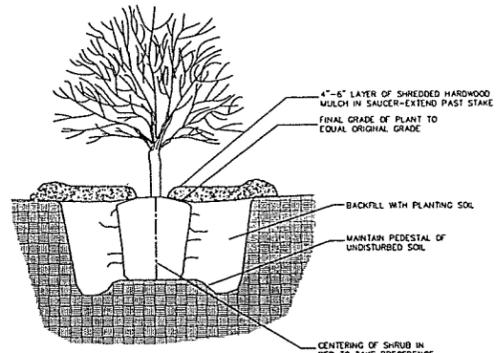
**NOTES:**  
 TWO ALTERNATE METHODS OF TREE STAKING ARE SHOWN.  
 IT IS THE CONTRACTOR'S OPTION TO STAKE TREES; HOWEVER, THE CONTRACTOR IS RESPONSIBLE FOR THE MAINTAINING TREES IN A PLUMB POSITION THROUGHOUT THE GUARANTEE PERIOD.  
 SCARIFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.  
 CENTER TO HOLE SHREDDED HARDWOOD MULCH UNLESS OTHERWISE NOTED.  
 NO MULCH TO BE IN CONTACT WITH TRUNK.

DECIDUOUS TREE PLANTING DETAIL



**NOTES:**  
 TWO ALTERNATE METHODS OF TREE STAKING ARE SHOWN.  
 IT IS THE CONTRACTOR'S OPTION TO STAKE TREES; HOWEVER, THE CONTRACTOR IS RESPONSIBLE FOR THE MAINTAINING TREES IN A PLUMB POSITION THROUGHOUT THE GUARANTEE PERIOD.  
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 CENTER TO HOLE SHREDDED HARDWOOD MULCH UNLESS OTHERWISE NOTED.  
 NO MULCH TO BE IN CONTACT WITH TRUNK.

CONIFEROUS TREE PLANTING DETAIL



**NOTES:**  
 HAND LOOSEN ROOTS OF CONTAINERIZED MATERIAL (TYP.).  
 SCARIFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.

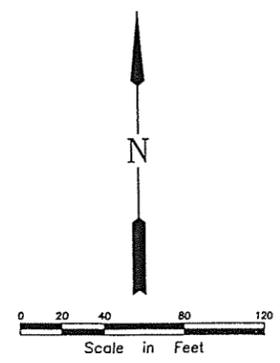
SHRUB PLANTING DETAIL

**REQUIRED LANDSCAPE MATERIALS**

Required Landscape Trees  
 1 tree per 50 LF of lot perimeter  
 1 tree per 10 parking stalls  
 Lot perimeter = approx. 2,312 linear feet  
 2,312/50 = 46 trees  
 Total Stalls Provided = 45  
 45/10 = (4.5) 5 trees  
 Total Required = 51  
 Total Provided = 38 (Not including existing trees)

**PLANT LIST: Site Plantings**

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE/ROOT
<b>TREES</b>				
6	ABM	Acer freemanii 'Jeffersred'	Autumn Blaze Maple	2-1/2" B&B
3	PE	Ulmus x 'Patriot'	Patriot Elm	2-1/2" B&B
5	HB	Celtis occidentalis	Hackberry	2-1/2" B&B
13	BHS	Picea glauca densata	Black Hills Spruce	6"-8" B&B
8	AP	Pinus nigra	Austrian Pine	6"-8" B&B
35	Total Trees			
<b>SHRUBS</b>				
9	Stella de Oro Daylily (Hemerocallis 'Stella de Oro')			
17	KF	Colomastria acutiflora	Karl Forster	5 Gal. Pot
63	DL	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	5 Gal. Pot
21	AWS	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Spiraea	5 Gal. Pot
101	Total Shrubs (6 Shrubs = 1 Tree for a Credit of 16 Trees)			

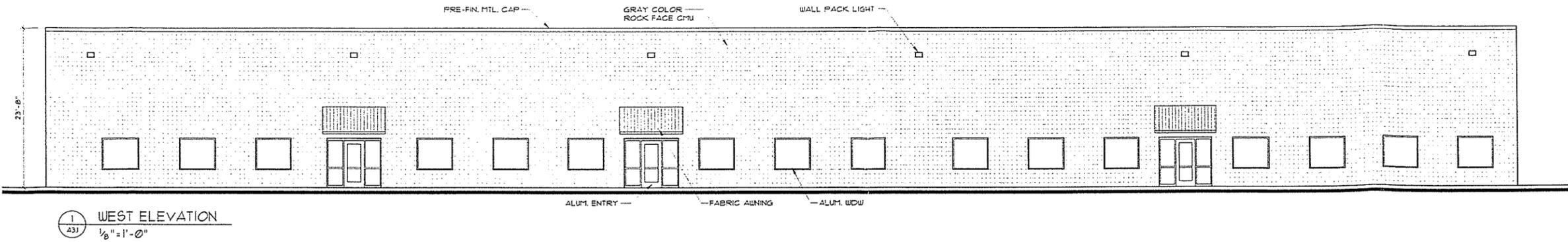


Rosa  
Architectural  
Group  
Inc.

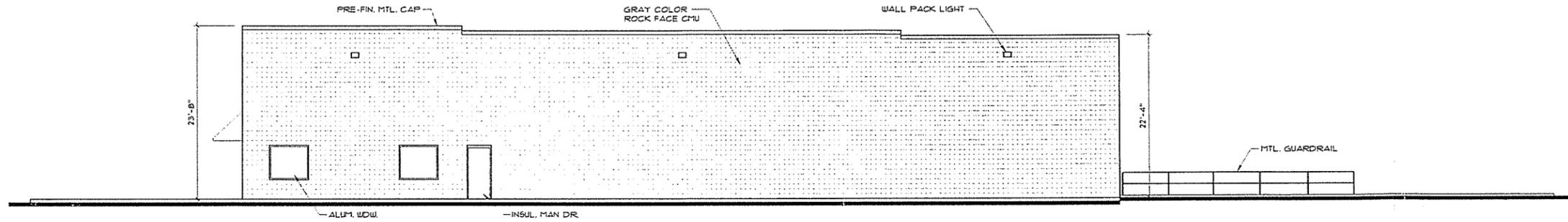
1084 Sterling Street  
St. Paul, Minnesota 55119  
tel: 651-739-7988  
fax: 651-739-3165

CLARK ROAD  
OFFICE WAREHOUSE  
BUILDING

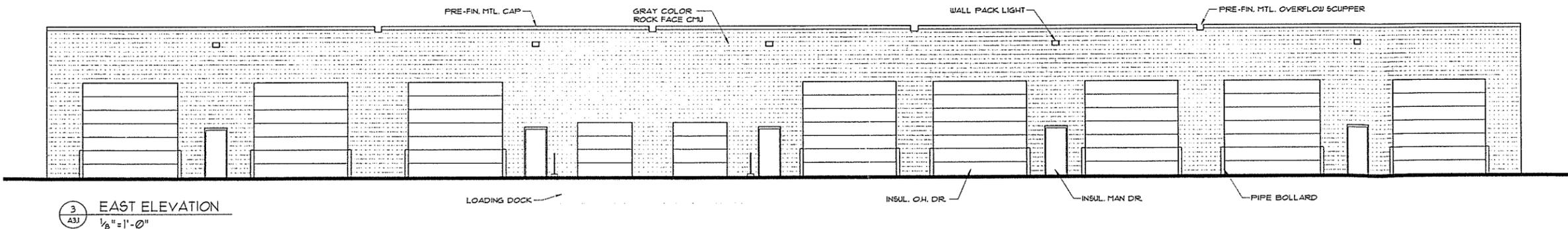
INVER GROVE HEIGHTS,  
MINNESOTA



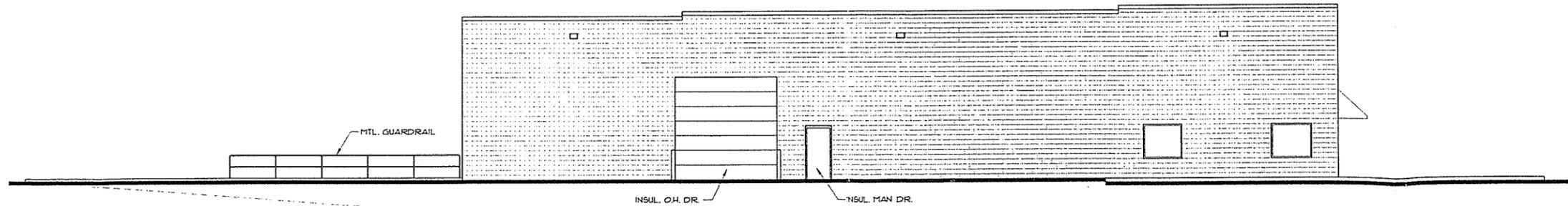
1 WEST ELEVATION  
A31  
1/8" = 1'-0"



2 SOUTH ELEVATION  
A31  
1/8" = 1'-0"



3 EAST ELEVATION  
A31  
1/8" = 1'-0"



4 NORTH ELEVATION  
A31  
1/8" = 1'-0"

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL UNDER THE LAWS OF THE STATE OF MINNESOTA.

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SIGNED: \_\_\_\_\_

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PROJECT NUMBER: 21413

DATE: MAY 14, 2013

DRAWN BY: KF

CHECKED BY: RR

REVISIONS: \_\_\_\_\_

ELEVATIONS

**A3.1**