INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA

TUESDAY, MAY 5, 2015 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

2. APPROVAL OF PLANNING COMMISSION MINUTES FOR APRIL 7, 2015.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 CITY OF INVER GROVE HEIGHTS – CASE NO. 15-14X
Consider the capital improvement project, City Project; 2014-11 for **consistency with the Comprehensive Plan.**

Planning Commission Action _____

4. OTHER BUSINESS

5. ADJOURN

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PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, April 7, 2015 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Maggi called the Planning Commission meeting to order at 7:06 p.m.

Commissioners Present: Armando Lissarrague
Joan Robertson
Annette Maggi
Pat Simon
Tony Scales
Dennis Wippermann
Harold Gooch
Bill Klein

Commissioners Absent:

Others Present: Tom Link, Community Development Director
Allan Hunting, City Planner
Heather Botten, Associate Planner
Scott Thureen, Public Works Director

APPROVAL OF MINUTES

The minutes from the March 17, 2015 Planning Commission meeting were approved as submitted.

CITY OF INVER GROVE HEIGHTS – CASE NO. 15-108PA

Public Hearing (continued)

Mr. Hunting noted that the Planning Commission opened the public hearing at its last meeting and took testimony. The request is for a comprehensive plan amendment for the realignment of Argenta Trail. The City Council chose Option 2 for the south alignment on February 23. On March 23 they chose Alternative 3A for the north alignment.

Commissioner Simon asked how wide the right-of-way was for Highway 55, noting that it was only two lanes all the way to Minneapolis.

Mr. Thureen replied that he was unsure of the right-of-way width for Highway 55.

Denny Wolfe, 6742 Argenta Trail, advised that the neighborhood was very much in favor of Alignment 3A, stating it was a compromise on both sides.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Klein asked how wide the right-of-way would be for ArgentaTrail.

Mr. Thureen replied that they are preserving a 200 foot wide right-of-way based on the Regional Roadway System Visioning Study showing a potential future need of up to six lanes.

Commissioner Klein asked about the cost sharing.

Mr. Thureen replied that the County's transportation policy states that for a typical four-lane divided

highway the County would pay 55% and the City 45%. If there is additional width, which is a regional need, the percentage changes to the County paying 75% and the City 25%.

Chair Maggi noted that the Planning Commission does not make decisions based on financial considerations.

Planning Commission Recommendation
Motion by Commissioner Klein, second by Commissioner Scales, to approve a comprehensive plan amendment consisting of a change to Chapter 5: Transportation, by identifying a corridor for the realignment of Argenta Trail between the points at Highway 55 on the south end and near I-494 on the north end.

Motion carried (8/0). This item goes to the City Council on April 13, 2015.

ELEANOR SCHMANDT – CASE NO. 15-10Z

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from R-1A, Single-Family Residential to R-1C, Single-Family Residential, for property located on the south side of 49th Street and Brent Avenue. 138 notices were mailed.

Presentation of Request
Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is requesting to rezone two parcels currently zoned R-1A to R-1C. The lots in question had not been developed due to steep topography and lack of sewer, water, and streets. The City will be making sewer available to the two lots this year and they will also have access to 49th Street so it now makes sense to rezone these properties to R-1C, which is the smallest lot size designed for lots with sewer and water. The landowner will sell these lots at some future time for development of a single-family home on each lot. Staff recommends approval of the request.

Commissioner Wippermann asked what the square footage was of the two lots, noting that they were smaller than the 12,000 square foot minimum for R-1C.

Mr. Hunting replied that he did not have the exact number offhand; but that he had done the calculations and they fell within the 70% rule for existing lots of record.

Commissioner Wippermann asked why the R-1A properties to the south of the subject lots were not being rezoned as well.

Mr. Hunting replied that the lots in question were owned by NSP and were undevelopable.

Commissioner Robertson asked who maintained those lots.

Mr. Hunting replied they were maintained by NSP.

Commissioner Simon asked what would happen to the right-of-way between the two subject lots.

Mr. Hunting replied that the right-of-way would be used as a secondary emergency access for the future senior living facility to the south.

Opening of Public Hearing
Mr. Hunting advised that the applicant was not present and he believed it may have been due to a

miscommunication.

Chair Maggi closed the public hearing.

Planning Commission Discussion
Commissioner Wippermann asked for clarification regarding the waiver of assessment appeal agreement.

Mr. Hunting advised that the City Council has already approved the project and the adjacent property owners have signed a waiver of assessment appeal signifying that they understand that an assessment will be levied against their properties.

Planning Commission Recommendation
Motion by Commissioner Gooch, second by Commissioner Wippermann, to approve the request for a rezoning from R-1A, Single-Family Residential to R-1C, Single-Family Residential, for property located on the south side of 49th Street and Brent Avenue.

Motion carried (8/0). This item goes to the City Council on April 27, 2015.

MATTHEW GENS – CASE NO. 15-06ZA

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for an ordinance amendment to Title 10 of the City Code (Zoning Regulations) to modify the definition of 'Family' to expand on the unrelated persons exception. No notices were mailed.

Presentation of Request
Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant has submitted a request to allow a non-profit organization the ability to house international college students in a single-family home. The applicant's non-profit organization New Aspiration International House (NAIH) offers students from Mongolia an opportunity to further their education at Inver Hills Community College and then onto a university. Currently NAIH has six students living with them but they wish to be closer to the college. The zoning code's definition of 'family' allows individuals related by blood or marriage or a group of not more than four unrelated people to occupy one single-family home. The code's definition of 'dwelling/dwelling unit' also limits the dwelling to single-family occupancy. Staff feels that allowing this as a permitted use in all residential districts would be difficult to administer and could open the doors for some to take advantage of the code. Additionally, a conditional use would stay with the property, even if the applicants would move. If the Planning Commission supports the request, staff recommends an interim use permit so if the host family or the organization decides to move then the permit would no longer be valid. Also, during the interim use permit process the number of students and the business operation could be reviewed. In addition to amending the interim use permit section of the code, staff is also proposing an addition to the definition of 'dwelling/dwelling unit' to allow supervised student housing as an interim use. The applicants are requesting to allow up to ten students in the future. Staff is recommending eight students as a maximum, with a total of twelve people living in a single-family home when you include the applicants and their two children. If the applicants' need increases in the future they would have the ability to come back and ask for an interim use amendment. Staff supports the request with the condition listed in Alternative A with an addition to Sections 10-2-2 and 10-14-2(H)b to add the word 'organization' after 'host family'.

Chair Maggi asked if this zoning change would apply to all single-family residential properties in the City rather than to one specific property.

Ms. Botten replied in the affirmative, stating that once the applicants found a home they would request an interim use permit for that specific property which would be good until such time as they moved.

Commissioner Scales noted that the organization currently does not allow the students to have vehicles and asked if the City would have any recourse should that change in the future.

Ms. Botten replied that at this point they would not, but when the applicants come in for an interim use permit they could attach specific conditions to it.

Commissioner Robertson questioned the language related to supervised student housing, asking who could supervise and what were the necessary qualifications and credentials.

Ms. Botten replied that the intent was for the students to be under the supervision of an actual single family by the City's definition; for it not to be turned into a fraternity or random college students being able to live there with no supervision.

Commissioner Robertson asked if there would be any potential liabilities to the City associated with the requested use, such as insurance coverage.

Ms. Botten replied that the applicants would have to meet all building and fire code requirements, and insurance coverage would be the applicants' responsibility.

Commissioner Klein asked if staff recalled a previous instance in which a home was used by the County to house individuals, the neighbors were not notified, and it ended up being an issue.

Mr. Link replied that he did not recall the specific situation being referred to, but noted that by State Statute group homes are allowed within single-family zoning districts as a permitted use and no notification is necessary.

Commissioner Robertson asked if the neighbors would have any recourse should an interim use permit be requested.

Ms. Botten replied that neighbors would be notified and could voice their concerns at the public hearing. Specific conditions could be added to the permit, and if those conditions were violated they could make a complaint to the City and the City would then enforce it; ultimately the interim use permit could be revoked.

Commissioner Lissarrague asked what the turnaround time would be on an interim use permit request.

Ms. Botten replied approximately 6-8 weeks.

Commissioner Simon asked if an interim use permit had to be renewed periodically.

Ms. Botten replied that it did not.

Commissioner Simon asked if the City could put a timeline on an interim use permit.

Ms. Botten replied that the timeline in this instance would be when the organization sold the house.

Commissioner Robertson asked what assurances the City would have that the host family could

not move out but continue to use the property for student housing.

Ms. Botten stated that is why staff is proposing to add the word 'organization'. A condition could also be added requiring them to notify the City when the house is sold; however, typically it would be dissolved once the home was sold.

Commissioner Klein asked if there were any space requirements for number of bathrooms, bedrooms, total square feet, etc.

Ms. Botten replied that currently there was nothing in the zoning ordinance regulating the number of bedrooms and bathrooms a family must have in a single-family dwelling.

Commissioner Lissarrague asked if there were any guidelines for how many families could live in a single-family home.

Ms. Botten replied that only one family can live in a single-family home, however, if you have a very large family as long as you are related by marriage, blood, or adoption you can have all your children living in your house.

Commissioner Robertson stated the distinction is that in this case we are moving away from the family being the basic criteria.

Ms. Botten replied in the affirmative, stating that is why the proposed code amendments are necessary.

Opening of Public Hearing

Matthew and Jessica Gens, 16856 Whitewood Avenue, Credit River Township, advised they were available to answer any questions.

Chair Maggi asked the applicants if they read and understood the report.

Mr. Gens replied in the affirmative.

Ms. Gens advised they would meet all building code requirements, such as having at least 150 square feet per bedroom for three people and 250 square feet for four.

Commissioner Lissarrague asked the applicants how many students were currently living with them in Credit River Township.

Ms. Gens replied they had six Mongolian students plus their two children living in a four bedroom house with two bathrooms.

Commissioner Robertson asked if their current home was in a residential area.

Ms. Gens replied that their property was zoned residential.

Mr. Gens replied that they lived on a typical suburban residential street lined with houses. He stated that the students were very studious and took this opportunity very seriously. The students must adhere to the organization's code of conduct and for the sake of their academic success the students are not allowed some of the freedoms that they could normally have at their age.

Commissioner Lissarrague asked the applicant if his current neighbors had an opportunity to voice their opinion prior to them providing student housing.

Mr. Gens replied that prior to bringing in students they proactively approached the nearby neighbors, the County, and anyone else who had jurisdiction over them. The only potential concern was the septic system; however, septic experts evaluated the system and found them to be in compliance.

Ms. Gens advised that other than the septic system issue, Credit River required no other formal proceedings (i.e. public hearing, city council meeting, etc.).

Commissioner Wippermann asked what gender the students were.

Mr. Gens replied they had a combination; girls in one room and boys in another.

Commissioner Wippermann asked the applicants how they became involved with Mongolian students.

Mr. Gens replied that they lived in Mongolia for a few years and the students that were currently living in their home were his students in Mongolia. They continue to have a relationship with the current teachers and school administration and will recruit students for subsequent years through those avenues.

Commissioner Klein questioned whether this would be for students going to Inver Hills Community College, stating that he previously heard reference to the University of Minnesota.

Mr. Gens advised that the program's intent is for students to build two years of credits at Inver Hills Community College and then finish out their bachelors degree or beyond at the University of Minnesota.

Commissioner Klein asked the Gens's if they planned to relocate from Credit River or were they looking to find another host family for a home in Inver Grove Heights.

Mr. Gens replied that they were looking to relocate. He advised that their organization was a non-profit 501c3 with a Board of Directors, and that if they moved out it would only be because there would be new staff in their positions to lead the organization.

Commissioner Robertson stated her previous understanding was that when the persons owning the home left the organization would be out.

Mr. Gens clarified that the organization would actually own the house.

Chair Maggi stated that was why staff had recommended that the word 'organization' would be added to the proposed language.

Commissioner Robertson was concerned that she was being asked to consider an interim use permit for an organization that she knows nothing about.

Chair Maggi advised that the Commission's role was to determine whether this was an appropriate land use.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Gooch advised that he was uncomfortable with the fact that this was an

organization rather than just the two applicants, and he stated that having an organization own the property and various people providing the supervision, transportation, etc. seemed like a group home, of which there were definitions and regulations already in place.

Commissioner Robertson asked who would be doing the supervising and what their credentials were.

Mr. Gens replied that they were a self-governing organization and it would be up to the discretion of their Board or Director to determine the best fit for a supervisor.

Chair Maggi asked if there was a reason they would not go through the process of becoming State licensed as a group home.

Ms. Gens replied that they did not meet the qualifications for being a licensed group home as their students did not fit the criteria of needing supervision (i.e. special needs, battered women, etc.).

Commissioner Simon asked how long New Aspirations had been in existence.

Ms. Gens replied they were incorporated on December 30, 2013.

Commissioner Lissarrague asked what would happen to the Credit River property once they relocated.

Ms. Gens replied that currently they were renting.

Commissioner Wippermann asked whether something like this would have an effect on the neighboring property values.

Ms. Botten replied that she was not aware of any impact on neighboring property values.

Commissioner Wippermann commended the Gens's for what they were trying to do, but stated he was concerned about the neighbors' reaction to putting this in the middle of a residential neighborhood.

Mr. Gens responded that because their students come from a country very rural in nature, the ultimate goal would be to purchase a property in an agricultural area where they could grow plants.

Ms. Gens added that they may want to have farm animals as well, such as chickens or goats.

Commissioner Gooch asked the Gens's if they were the owners of the organization.

Ms. Gens replied in the affirmative.

Mr. Gens advised that they have a three member Board of Directors consisting of him and two others.

Commissioner Robertson asked for clarification regarding a previous statement by the applicants that they were under the supervision of someone else.

Mr. Gens replied that they were overseen by the Board of Directors as per IRS guidelines.

Commissioner Robertson was concerned about the potential for culpability because they agreed to something believing there was supervision that was credentialed in some way.

Commissioner Lissarrague asked if the organization was church sponsored.

Mr. Gens replied that Bethlehem Baptist was a donor of theirs.

Ms. Botten commented that the word 'supervised' was suggested by staff to ensure this would not turn into a fraternity or unsupervised college students living in a home. She advised that they could remove the word 'supervised' if the Commission had an issue with that word.

Commissioners Wippermann and Klein advised that they preferred the word 'supervised' be left in.

Chair Maggi asked for clarification of whether the applicants would essentially be turning over the 501c3 to someone else if they left.

Mr. Gens replied that the organization is a separate legal entity, and if he and his wife left it would just be a matter of replacing them.

Commissioner Lissarrague advised that he would be more inclined to support the request if the Gens's owned the property rather than the organization, and he was also concerned about approving a permit without allowing the neighbors to comment on it.

Chair Maggi noted that the current request was just for an ordinance amendment; the applicants would have to come back for an interim use permit which would include neighbor notification and a public hearing.

Mr. Gens added that if they moved to a different house within the City they would have to come back again for an interim use permit at the new location.

Commissioner Scales felt that all the questions being raised tonight could be answered at such time as the applicants come back for an interim use permit.

Chair Maggi agreed with Commissioner Scales, stating that a key issue for her was that a single family could have a similar number of people living in their home and no approvals would be necessary.

Commissioner Robertson asked if the definitions being requested tonight would apply to any other organization coming in to request an interim use permit, and also if it was approved and came back as a request later on, would the fact that they initially approved it restrict what they could approve later on in the second phase.

Ms. Botten replied that the answer to the first question was that it would apply to other organizations or families wanting to apply for an interim use permit for students participating in part of an educational program located in Dakota County under the general supervision of a single family. In regard to the second question, they would not be tying any conditions to it at this point except the fact that they would need an interim use permit and that the maximum number of students would be eight.

Chair Maggi asked if the City could approve interim use permits for an amount less than eight students if so desired.

Ms. Botten replied in the affirmative.

Commissioner Klein noted that the students would eventually go to the University of Minnesota and

asked who would monitor whether or not they were attending Dakota County schools.

Ms. Botten replied that it would be treated the same as conditional use permits in that it would be on your honor. She noted that enforcement could be done if there were complaints about non-compliance.

Chair Maggi asked Commissioner Klein if he was suggesting that the ordinance not specify education in Dakota County.

Commissioner Klein replied that he would not specify Dakota County because there would always be someone wanting to go to the University of Minnesota or another school outside of Dakota County.

Commissioner Gooch asked staff to state the definition of family.

Ms. Botten replied that the definition of family is an individual, or two or more persons related by blood, marriage or adoption, or a group of not more than four persons not so related, living together as a single housekeeping unit using common cooking facilities.

Commissioner Gooch questioned whether one person could be hired to come in and supervise.

Ms. Botten advised that one person could be a family.

Chair Maggi stated the two questions she heard were do they want to limit it to Dakota County schools and are they comfortable with allowing a maximum of eight students.

Commissioner Lissarrague stated that he supported what the applicants were doing but had a concern with the term organization.

Commissioner Scales felt that any issues could be added as a condition of approval for the interim use permit. Also, he was uncomfortable worrying about eight college students when there were likely many homes in the City with more people than that living in them.

Commissioner Robertson commended the applicants on their intent to provide educational opportunities for young people, but was concerned about the potential for the host family to move out of the residential home and it then being supervised by an organization.

Chair Maggi noted that an interim use permit could be revoked if there was an issue.

Commissioner Lissarrague asked staff if any interim use permits had ever been revoked.

Ms. Botten replied that she was not aware of any interim use permits or conditional use permits being revoked.

Mr. Link recalled a few times when the City Council had considered revoking a conditional use permit; however, ultimately they did not revoke it.

Commissioner Wippermann asked for clarification that conditions could be attached to the interim use permit such as no vehicles and code of conduct issues.

Mr. Hunting replied that conditions directly related to the land use or impacts to the neighbors could be added, but he questioned whether code of conduct issues might be overreaching their authority.

Planning Commission Recommendation
Motion by Commissioner Scales, second by Commissioner Klein, to approve the request for a zoning code amendment to amend the definition of Dwelling and to add Supervised Student Housing to the list of Interim Uses, as well as the addition of the word 'organization' as recommended by staff.

Motion failed (2/6 – Gooch, Wippermann, Robertson, Simon, Lissarrague, Klein). This item goes to the City Council on April 13, 2015.

Commissioner Scales felt it was a mistake to approach this from a point of view that they expected failure and that this application should have been dealt with the same as any issue from any business or home owner.

CLASSIC CONSTRUCTION – CASE NO. 15-0CV

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for a one lot, five outlot subdivision to be known as Lighthouse Holding Addition, a conditional use permit to allow the service of semi-tanks, trucks, and trailers, a variance from the parking lot setback, a variance to exceed the maximum curb opening and driveway width, and a vacation of certain existing easements on Outlot A, Gainey 2nd Addition, for the property located on the west side of Clark Road. 10 notices were mailed.

Presentation of Request
Mr. Hunting, City Planner, explained the request as detailed in the report. He advised that after doing further research on this request it was determined that no easement vacations were necessary. North American Trailer currently operates on Concord Boulevard and is proposing to relocate their operation to a vacant lot on the west side of Clark Road. They plan to construct an 82,352 square foot facility which would be a 24 hour truck repair operation. This use is conditional in the I-1 zoning district. The existing lot is an outlot from the Gainey Addition plat that was created in 1999. The applicant is proposing to resubdivide the property into one lot and five outlots. The lot would contain the building and parking lot; the outlots would contain the wetlands and storm ponding. The outlots would be undevelopable and would remain in one ownership. In regard to the landscaping plan, the applicants are short 38 trees from the required 110; there will also have to be some shifting done as they are proposing trees that are either on the property line or within the future drainage and utility easement. The applicant is requesting a variance to allow the storage parking areas to have a zero setback from the outlots, whereas five feet is required. They are also requesting a variance from maximum driveway width and curb openings. Staff supports both variances as having a zero setback on internal outlots would not impact neighboring properties and they understand the need for a wider driveway radius to accommodate the turning radius of large trucks and trailers. Staff recommends approval of the request with the conditions listed in the report.

Commissioner Klein asked if the City allowed larger driveway openings for I-State.

Mr. Hunting replied that he believed they did.

Commissioner Wippermann asked for clarification of why there so many outlots were being created.

Mr. Hunting replied that because of the many storm water systems and pipes running across the lot, the city attorney and the applicant's attorney felt outlots were the best way to address the

situation.

Commissioner Wippermann referred to the trees shown in the landscape plan along Clark Road, and asked if the parking area would have to be moved to the west as well.

Mr. Hunting replied in the affirmative, stating there would have to be some shifting of the site plan alignment.

Opening of Public Hearing
Dean Dally, 7649 Concord Boulevard, advised that he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Dally replied in the affirmative.

Commissioner Wippermann asked the applicant to address having outlots versus one parcel.

Mr. Dally responded that because of the past easements and encumbrances on the property the attorneys felt this was the cleanest way to deal with the plat.

Commissioner Wippermann noted that the property would be all one tax parcel so none of the outlots would be buildable.

Commissioner Klein noted that a new law would soon be in effect requiring 50 foot setbacks from wetlands and asked if this parcel would be grandfathered in.

Mr. Hunting replied in the affirmative.

Commissioner Wippermann asked the applicant what his response was to the request by staff that the landscaping and parking along Clark Road be shifted to the west.

Mr. Dally replied that they would have to come to some type of agreement where they could get the necessary trees in while preserving enough parking for the employees and the equipment. He advised that the parcel is 34 acres in size; however, only 16 acres were buildable and they needed all 16 acres for their operation.

Commissioner Lissarrague asked how many employees were at the present location.

Mr. Dally replied that they have over 60 employees at their present location but anticipate needing approximately 100 at the new location.

Commissioner Simon did not believe that the applicants should be charged for park dedication on the unbuildable outlots.

Mr. Dally replied that was a concern of his as well and he would like that issue to be reconsidered.

Chair Maggi asked if that would be a City Council discussion.

Mr. Hunting replied in the affirmative, stating that the Park and Recreation Commission would be making a recommendation but ultimately the Council would make that determination.

Chair Maggi asked if park dedication typically applied to total acreage or buildable property.

Mr. Hunting replied that the subdivision ordinance excludes wetland areas from park dedication but does not necessarily automatically exclude the unbuildable areas.

Mr. Dally advised that the wetlands take water in from other properties in the area. He advised that they currently have 225 employees between their five North American Trailer locations and the other company they own, which has three locations.

Commissioner Wippermann stated he was pleased to hear that the company was growing and would be remaining in the city. He asked if the proposed concrete panels would be painted.

Mr. Dally replied they would be using Fabcon panels which, if the budget allowed, would be painted white with a navy stripe along the top.

Commissioner Klein asked if the screening of rooftop mechanicals was a city-wide requirement.

Mr. Hunting replied in the affirmative.

Planning Commission Recommendation
Motion by Commissioner Klein, second by Commissioner Simon, to approve the request for a preliminary and final plat for a one lot, five outlot subdivision to be known as Lighthouse Holding Addition, a conditional use permit to allow the service of semi-tanks, trucks, and trailers, a variance from the parking lot setback, and a variance to exceed the maximum curb opening and driveway width, for property located on the west side of Clark Road, with the conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on April 27, 2015.

OTHER BUSINESS
Mr. Hunting advised that the April 21, 2015 Planning Commission meeting has been cancelled.

Mr. Link reminded Commissioners that the Commissioners Appreciation Dinner was scheduled for April 13.

The meeting was adjourned by unanimous vote at 8:32 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: April 30, 2015 **CASE NO:** 15-14X

HEARING DATE: May 5, 2015

APPLICANT: City of Inver Grove Heights

PROPERTY OWNER: N/A

REQUEST: Review Public Improvement Project for Consistency with the Comprehensive Plan

LOCATION:

COMPREHENSIVE PLAN: N/A

ZONING: N/A

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

BACKGROUND

On April 27, 2015, the City Council received the feasibility report and scheduled a public hearing for City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West. The attached memo from the Public Works Director provides some background on this project.

This specific capital improvement project was not part of the overall five year CIP and therefore the Planning Commission is being asked to make a recommendation on this capital improvement project.

EVALUATION OF THE REQUEST

Compliance with the Comprehensive Plan. Minnesota Statute 462.356, subd. 2, provides that the planning commission shall review capital improvement projects to determine compliance with a City's comprehensive plan.

On April 27, 2015, the Council approved the comprehensive plan amendment for the realignment of Argenta Trail which included the area that is part of the city project listed above. The construction of the project would be consistent with the recent comprehensive plan amendment.

ALTERNATIVES

A. **Approval**. If the Planning Commission finds the request acceptable, the following actions should take place:

- An Approval recommendation that capital improvement project, City Project; 2014-11, is consistent with the Comprehensive Plan

B. **Denial**. If the Planning Commission does not find the proposed capital improvement projects consistent with the Comprehensive Plan, the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff finds the capital improvement project to be consistent with the comprehensive plan.

Attachments: Public Works Director Memo

AGENDA ITEM 7C REVISED

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Receiving Feasibility Report and Scheduling a Public Hearing for the 2014 Improvement Program, City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project 63-25)

Meeting Date:	April 27, 2015
Item Type:	Regular
Contact:	Scott D. Thureen, 651.450.2571
Prepared by:	Scott D. Thureen, Public Works Director
Reviewed by:	

Fiscal/FTE Impact:

	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
X	Other: Mn/DOT, Dakota County, Street Improvement Bonds

PURPOSE/ACTION REQUESTED

Resolution receiving feasibility report and scheduling a public hearing for the 2014 Improvement Program, City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project 63-25).

SUMMARY

The project was initiated by the City Council as part of the City's Capital Improvement Program. The City approved a Joint Powers Agreement (JPA) with Dakota County for preliminary and final design on September 8, 2014. That JPA was amended on November 10, 2014 to extend the study limits.

The City is the lead entity for the preliminary and final design, per the JPA. The City contracted with Kimley-Horn and Associates, Inc. on September 8, 2014 to complete preliminary engineering for the project. That effort resulted in three preliminary design reports, which in aggregate, cover the entire project area. Those reports were received by the City Council on February 23, 2015.

The project includes the realignment and reconstruction of approximately 3700 feet of Argenta Trail, realignment and reconstruction of approximately 1490 feet of 77th Street West, reconstruction of approximately 730 feet of Amana Trail, a permanent traffic signal at the intersection of Trunk Highway 55 and Argenta Trail, additional turn lanes and intersection approach improvements on Trunk Highway 55, pedestrian trails and sidewalks, storm water management features, street lights, restoration and appurtenances.

The total estimated project cost is $14,425,000. The cost will be shared by Mn/DOT, Dakota County and the City. The City's share is proposed to be funded via street reconstruction bonds or another source as determined by the City Council.

The resolution that will be considered at the public hearing will recommend that the ordering be contingent on a Council-approved financing plan and Council approval of a joint powers agreement with Dakota County for property acquisition and project construction.

I recommend passage of the resolution receiving feasibility report and scheduling a public hearing for the 2014 Improvement Program, City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project 63-25).

SDT/kf
Attachments: Resolution
Feasibility Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION RECEIVING FEASIBILITY REPORT AND SCHEDULING A PUBLIC HEARING FOR THE 2014 IMPROVEMENT PROGRAM, CITY PROJECT NO. 2014-11 – ARGENTA TRAIL SOUTH PROJECT AREA STREET IMPROVEMENTS, INCLUDING AMANA TRAIL AND 77TH STREET WEST (COUNTY PROJECT 63-25)

WHEREAS on September 8, 2014 the Council approved a Joint Powers Agreement (JPA) with Dakota County for preliminary and final design for City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project 63-25), and approved an amendment to that JPA on November 10, 2014; and

WHEREAS, on September 8, 2014 the City Council approved an engineering services proposal from Kimley-Horn and Associates, Inc. for preparation of preliminary design for City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West; and

WHEREAS a feasibility report has been prepared by the Public Works Director with reference to the 2014 Improvement Program, City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project 63-25); and

Project No.	**Improvements**
2014-11	Roadway improvements (bituminous removal, concrete removal, subgrade excavation/correction, grading, granular subgrade, aggregate base, bituminous pavement, concrete pavement), milling, curb and gutter, storm sewer, storm water management facilities, retaining walls, a traffic signal, street lights, pedestrian trails and sidewalks, appurtenances and restoration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS THAT: Said report is hereby received by the City Council of the City of Inver Grove Heights on April 27, 2015.

1. The City Council will consider the above-mentioned improvements in accordance with the report and consider street improvement bonds for all or a portion of the cost of the improvements, pursuant to Chapter 475.58, Subd 3b of the Minnesota Statutes, or another source as determined by the City Council, at an estimated cost of $6,600,000.

2. A public hearing will be held on such improvements at 7:00 p.m. on May 26, 2015 in the City Council Chambers at 8150 Barbara Avenue and the City Clerk shall give mailed and published notice of such hearing and improvements as required by law.

Adopted by the City Council of Inver Grove Heights this 27th day of April 2015.

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Joe Lynch, City Clerk

FEASIBILITY REPORT

2014 IMPROVEMENT PROGRAM
INVER GROVE HEIGHTS, MINNESOTA

CITY PROJECT NO. 2014-11
Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project No. 63-25)

LOCATION: Argenta Trail from 1200 feet south of Trunk Highway (TH) 55 to 2565 feet north of TH 55, Amana Trail from Argenta Trail to Alverno Avenue, the realignment of the 77th Street West connection to Argenta Trail, and TH 55 as it approaches Argenta Trail.

IMPROVEMENTS: Grading, aggregate base, concrete paving, bituminous paving, concrete curb and gutter, traffic signal, turn lanes, drainage improvements, street lights, bituminous trail, and concrete sidewalk.

INITIATION: Council initiated

OWNERS ABUTTING: Twenty-two (22) abutting or affected, including five (5) total acquisitions, seven (7) with partial right-of-way acquisition and three (3) with temporary easement for construction (see Right-of-Way Map).

ISSUES: The preliminary engineering and feasibility study for this joint project with Dakota County was led by the City, per a Joint Powers Agreement (JPA), between the entities that was approved by the City Council on September 8, 2014 and an amendment to that JPA that was approved on November 10, 2014.

The project study was advanced as scheduled in both the City and the County Capital Improvement Programs. The realignment and expansion of Argenta Trail to a four-lane road was driven by three issues: a developer wanted to know the final alignment so they could complete a development that was on hold until the road alignment and right-of-way needs were known, MnDOT had an intersection safety improvement project programmed for 2016 and the City and the County desired to coordinate projects and funding, and the owners or developers of land north of Amana Trail wanted to know what the future road alignment and right-of-way needs would be so they could plan for development of their property.

The City contracted with Kimley-Horn and Associates, Inc. to complete the study. A project management team consisting of staff from the City, County, MnDOT and Kimley-Horn (with input from Eagan City staff) worked together to prepare three reports that considered different alignment alternatives. These studies, listed below, are included in this feasibility study by reference.

- Argenta Trail (CSAH 28/63) Realignment
  South Project Area, Preliminary Design Report, February 2015
  Kimley-Horn and Associates, Inc.

- Argenta Trail (CSAH 63) Realignment
  77th Street Study Area, Preliminary Design Report, February 2015
  Kimley-Horn and Associates, Inc.

- Argenta Trail (CSAH 63) Realignment
  North Study Area, Preliminary Design Report, Revised – April 2015
  Kimley-Horn and Associates, Inc.

ISSUES (CONT.): The City Council received the reports on February 23, 2015 and selected alignments for the South Project Area (Alignment 2), and the 77th Street Study Area (Alignment Option A) at that same meeting. The alignment for the North Study Area (Alignment 3A) was selected on March 23, 2015. The cost estimate shown in this feasibility study is for the work involved in the three aforementioned alignment components.

RIGHT-OF-WAY: Right-of-way (ROW) must be acquired for the project; five (5) parcels would be acquired in whole; partial ROW acquisition would be required on seven (7) additional parcels. Dakota County would be the lead entity for the negotiation or condemnation of the right-of-way.

EASEMENTS: Temporary construction easements, affecting three (3) parcels, would be needed. Dakota County would be the lead entity for the negotiation or condemnation of the easements.

FEASIBILITY: The improvement project as proposed is necessary, cost-effective and technically feasible. The project and the project easements should be implemented as proposed in this study. The improvements, once completed, will be a benefit to the properties served.

SCHEDULE:

Council Receives Feasibility Report, Authorizes Preparation of Plans and Specifications, and Orders Public Improvement Hearing ..... April 27, 2015

Council Approves Final Design Proposal from Kimley-Horn ..... May 11, 2015

Public Improvement Hearing and Council Orders Public Improvement Project, Approves Plans and Specifications, Approves Joint Powers Agreement with Dakota County for Right-of-Way and Easement Acquisition, and Project Construction Maintenance ..... May 26, 2015

Dakota County will bid project and handle contract administration

COST: **Total Estimated Project Cost $14,425,000**
(includes construction, construction contingency, right-of-way, easements, utility relocation and engineering)

PROJECT FUNDING: The project will be funded by Mn/DOT, Dakota County and the City. Mn/DOT has programmed $425,000 for intersection safety improvements at TH 55 and Argenta Trail. Dakota County will pay 55 percent of the project cost after adjusting for the MnDOT contribution. The City will pay the remaining 45 percent. The City's share of the cost is proposed to come from Street Reconstruction Bonds, or another funding source as determined by the City Council.

Cost Contribution

MnDOT Contribution	$ 425,000
Dakota County Contribution	$7,700,000
Inver Grove Heights Contribution	$6,600,000

LEGEND

NEW RIGHT OF WAY

TOTAL TAKES

REMNANTS

0 100 200 400

HORIZONTAL SCALE IN FEET

MINNESOTA DEPARTMENT OF TRANSPORTATION

Dakota

Inver Grove Heights

Kimley»Horn

2550 UNIVERSITY AVENUE WEST, SUITE 238N
SAINT PAUL, MINNESOTA 55114
Ph: 651-645-4197 www.kimley-horn.com

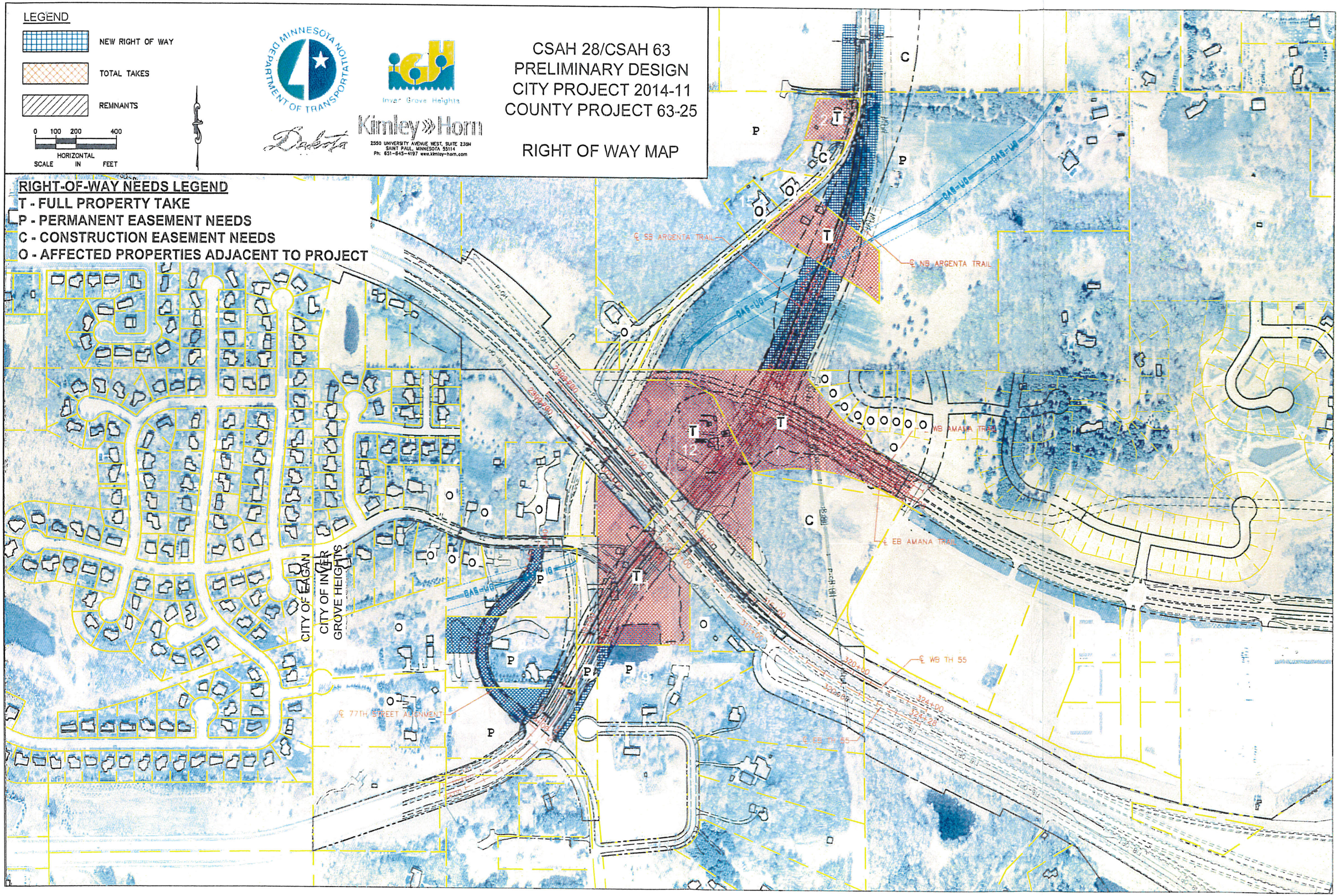
CSAH 28/CSAH 63
PRELIMINARY DESIGN
CITY PROJECT 2014-11
COUNTY PROJECT 63-25

RIGHT OF WAY MAP

RIGHT-OF-WAY NEEDS LEGEND

T - FULL PROPERTY TAKE

P - PERMANENT EASEMENT NEEDS

C - CONSTRUCTION EASEMENT NEEDS

O - AFFECTED PROPERTIES ADJACENT TO PROJECT