INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA

TUESDAY, JULY 21, 2015 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

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

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 ATHLOS ACADEMIES – CASE NO.15-23PAZ
Consider the following requests for the property located at 9725 S. Robert Trail:

a) A **Comprehensive Plan Amendment** to change the land use from LI, Light Industrial to P/I, Public/Institutional.

Planning Commission Action _____

b) A **Rezoning** of the property from I-1, Limited Industry to P, Institutional.

Planning Commission Action _____

3.02 JASON AND KATHLEEN HOPKINS – CASE NO. 15-26V
Consider a **Variance** to allow more than one detached accessory building on the property located at 8545 Ann Marie Trail.

Planning Commission Action _____

3.03 MICHAEL FOSTER/SOUTHVIEW ANIMAL HOSPITAL – CASE NO. 15-27CA
Consider the following requests for the property located at 32 Mendota Road:

a) A **Conditional Use Permit Amendment** to allow for an addition onto the existing building.

Planning Commission Action _____

b) A **Variance** from the exterior building material requirements.

Planning Commission Action _____

3.04 IMH SPECIAL ASSET 175 (HANNAH MEADOWS) – CASE NO. 15-21PUD
Consider TABLING the following request until further notice.

a) A **Preliminary Plat and Preliminary PUD Development Plan** for a single-family, townhome, and apartment complex development to be known as Hannah Meadows.

Planning Commission Action _____

b) A **Rezoning** of the parcels to R-1C/PUD and R-3C/PUD in the Northwest Area Planned Unit Development.

Planning Commission Action _____

4. OTHER BUSINESS

5. ADJOURN

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

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

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

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

Commissioners Present:	Armando Lissarrague Joan Robertson Annette Maggi Tony Scales Dennis Wippermann Pat Simon Elizabeth Niemioja Bill Klein
Commissioners Absent:	Harold Gooch
Others Present:	Tom Link, Community Development Director Allan Hunting, City Planner

APPROVAL OF MINUTES

The minutes from the June 16, 2015 Planning Commission meeting were approved as submitted.

CHURCH OF ST. PATRICK/CEMETERY – CASE NO. 15-22ZA

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 allow a columbarium as a permitted or conditional use in the P, Public/Institutional zoning district. No notices were mailed.

Presentation of Request

Mr. Hunting explained the request as detailed in the report. He advised that the applicant would like to place a columbarium in their cemetery and are requesting a zoning code amendment to allow columbariums as a permitted use associated with a cemetery. City Code currently allows mausoleums on cemetery property. A columbarium is similar to a mausoleum, housing urns instead of bodies. There are currently four cemeteries in Inver Grove Heights. Staff recommends approval of the request.

Opening of Public Hearing

Father Bob Hart, 3535 – 72nd Street East, and Cindy Reckinger, 6521 Craig Avenue East, advised they were available to answer any questions.

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

Father Hart replied in the affirmative.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Klein, to approve the request for an ordinance amendment to Title 10 of the City Code (Zoning Regulations) to allow a columbarium as a permitted use in the P, Public/Institutional zoning district.

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

CARIBOU COFFEE COMPANY – CASE NO. 15-24PDV

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a zoning code amendment to the Bishop Heights Ordinance to allow for a 3,160 square foot restaurant with a drive-through on Lot 3, Block 1 Bishop Heights 4th Addition, and a variance from the required perimeter setbacks for a drive lane, and any other variances related thereto, for the property located at 5743 Blaine Avenue. 9 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is proposing to add a drive-through to the existing Caribou Coffee location on the south side of the building at 5743 Blaine Avenue. They also plan to expand their restaurant space in the building from 1,760 square feet to 3,160 square feet. Because restaurant space has a different parking and traffic demand, the Bishop Heights Ordinance needs to be amended to reflect the additional restaurant space. The applicant is also requesting a variance to allow a portion of the drive-through pavement to encroach four feet into the 10 foot setback along Upper 55th Street. Justification for the variance is that the property to the west has a right-of-way width about 25 feet less than the subject property. The requested encroachment would extend no further toward the street than the drive isles on the property to the west. Staff recommends approval of the request with the conditions listed in Alternative A.

Chair Maggi asked for clarification regarding the additional restaurant space being added.

Mr. Hunting stated they were not adding onto the building, but rather expanding their space within the existing building. Staff is not concerned about losing parking spaces, especially since many customers will likely use the drive-through rather than walking into the store.

Commissioner Robertson asked what was currently in the additional space they would be occupying.

Various Commissioners advised it was vacant space.

Commissioner Wippermann asked if the fire hydrant near the Caribou Coffee space needed to be relocated.

Mr. Hunting replied it did not.

Commissioner Wippermann noted two transposed numbers on Page 4 of the staff report.

Planning Commission Discussion

Paul Meyer, Paul Meyer Architects, 15650 – 36th Avenue N, Plymouth, representing Caribou Coffee, advised he was available to answer any questions.

Chair Maggi asked Mr. Meyer if he read and understood the report.

Mr. Meyer replied in the affirmative. He stated that the proposed improvements would have minimal impact to the utilities and would not require fire hydrant relocation.

Commissioner Klein asked if there would be ample room for snow storage.

Mr. Meyer replied that the proposed project would actually add green space. Snow removal would be handled the same as previous years by either being pushed to the green space or hauled offsite.

Chair Maggi asked what the estimated timing was for the expansion.

Mr. Meyer stated his understanding was that Caribou Coffee had the project scheduled for 2016. He advised the expansion for the restaurant would include Einstein Bagels, and the drive-through was necessary to support that expansion.

Chair Maggi closed the public hearing.

Planning Commission Recommendation
Motion by Commissioner Simon, second by Commissioner Wippermann, to approve the zoning code amendment to the Bishop Heights Ordinance to allow for a 3,160 square foot restaurant with a drive-through on Lot 3, Block 1 Bishop Heights 4th Addition, for the property located at 5743 Blaine Avenue, with the two typo corrections as noted.

Motion carried (8/0).

Motion by Commissioner Simon, second by Commissioner Robertson, to approve the request for a variance from the required perimeter setbacks for a drive lane, with the practical difficulty as stated by staff.

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

JON SKOGH – CASE NO. 15-13ZA (continued from June 16, 2015 meeting)
Mr. Hunting summarized the request to allow for an accessory dwelling unit in a detached structure on a lot over 2.5 acres in size in the E-1 zoning district, and the staff's decision to look at the broader picture of allowing ADUs throughout the City. A draft ordinance was provided which was based on ordinances from other cities. The ADU would have to meet building and fire code requirements and a detached unit should have as separate address.

Commissioner Lissarrague recommended that detached ADUs have separate utilities from the principle structure, questioned whether a new septic system would be necessary on large lots, and was concerned about the City's ability to enforce the ordinance.

Mr. Link advised that septic systems were subject to MPCA regulations, and an ADU would require analysis of the existing septic system to determine whether it is functioning properly and is large enough to accommodate the ADU or whether a new or enlarged septic system must be installed.

Chair Maggi asked if the regulations addressed utilities as well.

Mr. Link replied he was unsure of the State requirements regarding utilities. He advised that the City Council is currently considering a rental licensing program. The program would require someone renting to get a license from the City, as well as meet certain minimum requirements. The way the ordinance is currently drafted an accessory dwelling unit would be exempt if it is being rented out by a family member; an affidavit would have to be signed by the owner affirming that the person renting is a family relative. This would give the City some control; however, the difficulty would be in monitoring it.

Chair Maggi asked if there were likely multiple regulations in the City that were difficult to enforce.

Mr. Link replied in the affirmative. He stated the City does not have a proactive code enforcement program, but rather reacts to citizen complaints. If a complaint is received they follow up on it; in most cases people are willing to comply with the code and simply were not aware of the requirements.

Commissioner Klein stated once the family member moved out or died most vacant units would likely be rented out to a non-family member.

Commissioner Robertson was concerned about the impact detached ADUs would have on the aesthetic of neighborhoods with small lot sizes and the potential for them to be a permitted use, which would give the neighbors no control over the situation.

Chair Maggi asked Commissioner Robertson what she would recommend for a minimum lot size for detached ADUs.

Commissioner Robertson replied one acre.

Commissioner Niemioja asked what the minimum lot size should be for ADUs that are part of the principle structure.

Commissioner Robertson stated she was not concerned about a minimum lot size for an interior unit because of the multiple codes in place for single-family homes (i.e. setbacks, impervious surface, etc.).

Commissioner Scales did not feel lot size was an issue for detached ADUs as the regulations in place regarding detached accessory structures would likely prohibit most small lots from having a detached ADU.

Commissioner Robertson was not comfortable with assuming the regulations would disallow detached ADUs on smaller lots, stating there were always exceptions.

Commissioner Wippermann stated that having a detached garage was much different than having a detached living space.

Commissioner Niemioja stated that aesthetically a garage would be similar to an ADU.

Commissioner Wippermann stated that character, livability, and privacy would be impacted significantly more with a family living in a unit versus a garage.

Commissioner Scales asked if a detached ADU required a full driveway.

Mr. Hunting replied in the affirmative, stating that would not be possible on most standard city lots.

Commissioner Niemioja stated with an interior ADU; however, the only issue would be parking and notification to the City.

Commissioner Robertson stated many of the cities that allowed ADUs were in tight urban areas with significant density; therefore, adding an ADU did not result in a drastic change. She was concerned; however, about the impact it would have on the neighbors in a more suburban area.

Commissioner Lissarrague stated there seemed to be two issues at hand; a homeowner wanting to convert their garage into living quarters for their elderly parents and someone wanting to create a separate living space for their children. He felt the Skogh application was an ideal testing ground for this type of living arrangement.

Commissioner Simon questioned whether they would consider portable ADUs, stated the ADU should not be allowed to be sold separately from the primary residence, questioned whether deed restrictions would be necessary, and stated other cities defined the difference between a duplex and a single-family home as having separate utilities.

Chair Maggi asked if the draft ordinance addressed temporary structures.

Mr. Hunting replied the draft ordinance did not have any provisions to allow for temporary structures.

Chair Maggi asked if deed restrictions would be applicable in Minnesota.

Mr. Hunting replied he was unsure if that was necessary.

Mr. Link advised that in some parts of the country they do not have strong zoning laws and therefore rely more heavily on private restrictions. That is typically not the case in Minnesota. He stated that conditional use permits, and any related restrictions, were filed with Dakota County. An advantage of the conditional use permit is that the City is the enforcing body; with deed restrictions the enforcement responsibility lies with the neighboring property owners.

Commissioner Scales asked how many local communities had licensing requirements.

Mr. Link replied that most cities in the vicinity had license requirements for rental units.

Commissioner Scales asked if the City currently required separate utilities for detached accessory structures.

Mr. Link replied he was unsure.

Commissioner Scales believed that utilities for a detached accessory structure were currently allowed to come off the primary structure. If that is the case, he did not see any reason to require separate utilities for a detached ADU.

Commissioner Robertson asked if staff was aware of language in current ordinances regarding utilities for a detached structure.

Mr. Link replied he did not believe it was addressed in City Code, and was unsure if it was regulated by State Building Code.

Commissioner Niemioja referred to City Code regarding accessory farm residences, stating a person with a primary farm residence owning over 20 acres is allowed to have someone else living on their property as long as that person is working on the farm and the residence is compliant with other city code. Therefore, there are codes existing that start to address the ADU issue. She noted that the Urban Land Institute's Inver Grove Heights Housing Audit advised with our growing population the City is going to need to increase the number of households; ADUs would be a way to do that. She stated the aging population does not necessarily want to live in a retirement community, but rather would like to live near their children. ADUs would also be a good way for millennials to be able to afford to live independently. She stated that ADUs already exist in the

community and by codifying them they could be controlled and regulated. She pointed out that there are no occupancy rules for related people in the city and a homeowner could have 20 people living in their home. She stated that in established neighborhoods with smaller lot sizes it does not seem like a detached ADU would necessarily fit; however, perhaps they could have an interior ADU. She stated that while additional people living in an ADU could result in less privacy, the extra people could also provide extra safety. She suggested a one acre minimum for detached ADUs.

Commissioner Robertson stated there was a different set of issues with detached ADUs versus interior and she asked if they should have two separate ordinances.

Mr. Hunting replied he would prefer to have only one ordinance. He advised that the draft ordinance addressed both interior and detached ADUs, and that appropriate requirements could be added for the two types of ADUs.

Commissioner Lissarrague asked for more information regarding portable structures.

Commissioner Simon replied that portable structures were typically small units with wheels.

Chair Maggi stated that ADUs were not necessarily for aging parents, stating there was a significant small home movement amongst millenials.

Commissioner Lissarrague stated he would like detached ADUs to have separate utilities, be allowed only on lots over one acre in size, and recommended at such units be licensed and monitored annually.

Opening of Public Hearing

Jon Skogh and Kayla Harren, 1355 – 96th Street East, advised they were available to answer any questions.

Mr. Skogh advised that they already have separate electric service to the building in question, will bring in gas service, are planning to install a separate septic system, and would do whatever was required for the well.

Chair Maggi noted that current codes and policies in place would dictate many of the decisions regarding ADUs.

Mr. Skogh advised that when they originally built this garage they had no intention of using it as living space. Because a larger setback is needed for living space than for a garage, they would have to come back for a variance from setback requirements.

Commissioner Robertson asked what Mr. Skogh's thoughts were on the accessory unit should his daughter decide to move out.

Mr. Skogh stated they had no plans to rent it and would likely use it as a guest house for visitors.

Commissioner Niemioja advised that an ADU would likely increase his property value.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Commissioner Klein asked for clarification regarding a specific property in the City that had servants' quarters on it.

Mr. Link stated that would not be allowed by current code and may have been considered a legal non-conforming use.

Chair Maggi stated the Planning Commission seemed to be generally supportive of allowing accessory dwelling units, believed interior and detached ADUs should be treated differently, and recommended establishing a minimum lot size. She asked Commissioners if they were comfortable with a one acre minimum lot size for detached structures.

Commissioner Wippermann stated he would prefer a 2.5 acre minimum as it would provide property owners more flexibility in regard to location of the ADU.

Commissioner Klein agreed with a 2.5 acre minimum.

Commissioner Scales advised that he favored a one acre minimum, stating he was hesitant to limit it to 2.5 acres because of the many lots in the outlying areas in which the acreage was sold off in five acre parcels but the original home was on a one or two acre parcel.

Chair Maggi stated Commissioners should also discuss the maximum structure size allowed on a one acre parcel versus 2.5.

Mr. Hunting advised that lots less than 2.5 acres are allowed one 1,000 square foot detached accessory structure, lots greater than 2.5 acres are allowed one 1,600 square foot structure, and lots five acres or greater are allowed up to two accessory structures with a maximum of 2,400 gross square feet combined.

Chair Maggi stated it would seem reasonable to use the same size limitations for ADUs as are currently allowed for detached accessory structures.

Commissioner Klein stated if a property owner had an existing accessory building they would have to look at a smaller footprint when adding an ADU.

Commissioner Robertson noted that properties less than five acres were allowed only one detached building so the existing detached structure would have to be removed if they wanted an ADU.

Commissioner Simon stated they also had the option of putting the ADU in the existing accessory structure.

Chair Maggi asked if ADUs were inclusive of the existing code regarding number of allowed accessory buildings.

Mr. Hunting replied in the affirmative.

Commissioner Wippermann recommended that ADUs be allowed by conditional use permit which would require neighbor notification and provide an opportunity for them to provide input on a situation that may interfere with their quality of life.

Commissioner Robertson stated she also supported allowing ADUs by conditional use permit.

Chair Maggi stated staff's recommendation was for ADUs to be a permitted use because of the time and cost involved in the conditional use permit process.

Commissioner Lissarrague suggested the Commission first address the Skogh application because of the time constraints and then move onto ADUs in general.

Chair Maggi advised there was no way to separate the two; approving the Skogh request would be approving an ordinance.

Commissioner Niemioja responded they could separate out the Skogh application by requiring conditional use permits only on lots less than 2.5 acres.

Chair Maggi asked staff to discuss permitted use versus conditional use.

Mr. Hunting stated staff felt that ADUs within the principle dwelling would not have a significant impact on the neighbors and should be a permitted use. The Commission may want to consider a conditional use permit for detached ADUs; however, which would have a greater potential impact to residents. Conditional use permits require additional fees and 7-8 weeks time.

Chair Maggi asked Commissioner Wippermann what his rationale was for wanting to require a conditional use permit for an ADU when a garage of the same size would be a permitted use.

Commissioner Wippermann stated that living space had more potential impact to neighbors than would a garage (lights, people coming and going, etc.).

Commissioner Lissarrague stated the conditional use permit process could result in one person being allowed to have an ADU and another person being denied.

Commissioner Wippermann stated that was no different than variance requests.

Commissioner Niemioja asked if the draft ordinance was written for both interior and detached ADUs to be a permitted use.

Mr. Hunting replied in the affirmative. He clarified that it would be difficult to deny a conditional use permit request as long as the applicant met the performance standards.

Commissioner Scales asked if there were restrictions on wells.

Mr. Link stated he was unsure of how the State plumbing code addressed wells, but stated each single-family lot must have their own well.

Commissioner Scales stated that must be a new regulation as there were many shared wells in the City and he wanted to make sure the City was not putting restrictions in place for ADUs that were different from what was allowed for other structures.

Commissioner Robertson questioned whether it was necessary to get this detailed since issues such as shared wells were already addressed in code.

Commissioner Scales stated it should be addressed since Commissioner Lissarrague was recommending separate utilities for detached ADUs.

Mr. Hunting stated that utilities were regulated by state building, plumbing and electrical code and the City must abide by those codes and cannot be more restrictive.

Chair Maggi asked if Commissioners were comfortable with a one acre minimum for detached ADUs.

Half of the Commissioners responded they would prefer a 2.5 acre minimum.

Commissioner Scales believed that one acre would be appropriate because of the increased setbacks necessary for an ADU.

Chair Maggi stated the trend was for smaller lots and homes and she would support a one acre minimum.

Commissioner Klein stated many ADUs would likely be installed on lots with well and septic and he was concerned about the impact of additional wells and septic.

Chair Maggi questioned how many requests they would receive because of the significant cost of constructing an ADU.

Commissioner Scales stated most property owners would likely run a line from their house rather than dig an additional well for an ADU.

Commissioner Klein stated it was more an issue of septic systems creating problems in well fields.

Commissioner Niemioja stated because there currently was no occupancy maximum anyone in the City could have extra people in their home, which would impact the well system, and she felt they were muddling the issue a bit on the septic matter.

Commissioner Robertson commented that currently the trend may be for smaller lots and larger houses, but she was uncomfortable compiling ordinances based on trends that would likely shift.

Commissioner Wippermann asked what the lot size requirements were for the E-1 and E-2 zoning districts.

Mr. Hunting advised that E-2 was an older designation which had a 1.75 acre minimum, E-2 required a 2.5 acre minimum, R-1A required a 40,000 square foot minimum, R-1B required a 20,000 square foot minimum, and R-1C required a 12,000 square foot minimum.

Commissioner Niemioja felt that ADUs would offer a different and creative housing solution which would help fulfill the Comprehensive Plan's goal of diversifying the housing options in the community. She felt this was a good alternative to something like a high-rise.

Commissioner Wippermann asked if ADUs would count towards the maximum number of dwelling units allowed for existing developments.

Mr. Hunting replied there was nothing prohibiting the addition of ADUs from subdivisions.

Commissioner Wippermann stated that having a number of ADUs in a neighborhood could result in an exceedance of the units allowed in a specific development. He stated some of the reports that were provided to Commissioners made note that ADUs counted towards the overall density and in many cases was a limiting factor as there were only so many units allowed in a specific development.

Commissioner Niemioja advised that Apple Valley allowed only three ADUs per neighborhood.

Commissioner Wippermann asked for clarification of whether occupancy could be restricted to relatives.

Mr. Link replied there were two different sets of regulations. The draft ordinance in the zoning regulations does not specify who lives in an ADU; however, when you get into rental licensing in some cases if you have a relative living there you are exempt from licensing requirements.

In regard to minimum lot size, Commissioner Scales suggested the Commission leave the split vote as is and let Council read the minutes and make their own decision.

Commissioner Robertson questioned whether there was a third option for minimum lot size.

Commissioner Niemioja advised that for consistency in code she would like to opt for either one or 2.5 acres.

Chair Maggi asked if the Commission could move the application forward with a split recommendation on the minimum lot size.

Mr. Hunting replied in the affirmative.

Chair Maggi asked Commissioners if detached ADUs should be allowed by permitted use or conditional use.

Commissioner Klein recommended it be a permitted use because of the paperwork and cost involved in a conditional use permit.

Commissioner Niemioja stated the conditional use permit process seemed unnecessarily burdensome.

Commissioner Scales agreed with allowing detached ADUs as a permitted use, and stated likely there would be very few of these structures.

Commissioner Robertson stated she would prefer they be allowed by conditional use permit to allow the neighbors to have some input.

Chair Maggi read through the draft ordinance to see if there were any comments.

Commissioner Niemioja questioned whether Commissioners wanted to require registration for interior ADUs.

Mr. Hunting replied that the draft ordinance required city registration for both interior and detached.

Commissioner Wippermann suggested limiting the number of occupants to two versus three which would cover a situation of caring for elderly parents and would minimize parking impacts from a potential rental situation with three unrelated individuals.

Commissioner Scales stated he was uncomfortable limiting it to two occupants, stating if a couple had a child they would no longer qualify.

Chair Maggi asked if anyone other than Commissioner Wippermann felt strongly about reducing the total occupancy to two.

No other Commissioners responded.

Planning Commission Recommendation
Motion by Commissioner Scales, second by Commissioner Niemioja, to approve the request for an ordinance amendment allowing accessory dwelling units (ADU) on a city-wide basis, which would also address the property located at 1355 – 96th Street East, with the minimum lot size for a detached ADU to be either one acre or 2.5 acres on a split vote.

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

CITY OF INVER GROVE HEIGHTS – CASE NO. 15-25ZA

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 allow restaurants as an accessory use to a golf course in a P, Public/Institutional zoning district. No notices were mailed.

Presentation of Request
Allan Hunting, City Planner, explained the request as detailed in the report. He advised that it was discovered that a restaurant use was inadvertently left out of the uses allowed at golf courses. Staff is presenting this ordinance amendment as a housekeeping item to make clear a restaurant is allowed as part of a golf course; the ordinance amendment is for publicly owned golf courses only.

Commissioner Klein suggested allowing a restaurant at both public and private golf courses.

Mr. Hunting stated the Planning Commission could add that to their recommendation; however, at this point staff was addressing the ordinance specifically for Inverwood. He stated if Arbor Pointe Golf Course was ever interested in adding a restaurant they could make a request to the City at that time.

Commissioner stated he would prefer to include it now rather than making them go through a separate process.

Commissioner Wippermann questioned why they would not want to include both public and private.

Mr. Hunting replied that staff did not analyze the private golf course situation and therefore were not sure if there were any issues or not.

Planning Commission Recommendation
Motion by Commissioner Klein, second by Commissioner Wippermann, to approve the request for an ordinance amendment to Title 10 of the City Code (Zoning Regulations) to allow restaurants as an accessory use to a golf course, **whether it is publicly or privately owned**.

Chair Maggi noted that she did not open the public hearing as there was no one in the audience.

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

ATHLOS ACADEMIES – CASE NO. 15-23PAZ

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from I-1, Limited Industry to P, Institutional and a Comprehensive Plan Amendment from

LI, Light Industrial to P/I, Public/Institutional, for the property located at 9725 S. Robert Trail.

Mr. Hunting advised that this item is being tabled to the July 21, 2015 Planning Commission meeting.

Commissioner Klein asked where the applicants were intending to locate.

Mr. Hunting provided the requested information.

Motion by Commissioner Scales, second by Commissioner Robertson, to table the request for a rezoning of the property from I-1, Limited Industry to P, Institutional and a Comprehensive Plan Amendment from LI, Light Industrial to P/I, Public/Institutional to July 21, 2015.

Motion carried (8/0).

The meeting was adjourned by unanimous vote at 8:50 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

DRAFT

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: July 1, 2015 **CASE NO:** 15-23PAZ

HEARING DATE: July 7, 2015

APPLICANT: Athlos Academies

PROPERTY OWNER: Paul Miller

REQUEST: Rezoning and Comprehensive Plan Amendment

LOCATION: 9725 S. Robert Trail

COMPREHENSIVE PLAN: LI, Light Industrial

ZONING: I-1, Limited Industry

REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner

BACKGROUND

The applicant would like to operate a charter school on the property located at 9725 S. Robert Trail. The property is currently zoned and guided for industrial. A school is a permitted use in the Institutional zoning district. The property is about 19 acres in size and has challenging topography with a limited developable area. The existing building on site has been vacant for about 10 years.

The applicants are requesting to change the land use designation and rezone the property from I-1, Light Industrial to P, Public/Institutional. If the rezoning and comprehensive plan amendment is successful, the applicant would be required to submit a major site plan review application for the desired 90,000 square foot school. Because of timing and the applicant's goal to start construction this fall, the application for a major site plan has been submitted and the review process will be a few weeks behind the rezoning and comp plan request; with the understanding the rezoning and comp plan request could be denied.

The specific request includes the following:

a. A **Rezoning** of the property from I-1, Limited Industry to P, Institutional
b. A **Comprehensive Plan Amendment** to change the land use from LI, Light Industrial to P, Public/Institutional.

EVALUATION OF THE REQUEST

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

North–	Residential; zoned R-1C, Single-family; guided LDR, Low Density Residential
West–	Residential; Eagan property
South–	Mini-storage and liquor store; zoned I-1, Limited Industrial and B-3 General Business; guided LI, Light Industry and CC, Community Commercial
East–	Trailer Sales; zoned I-1, Limited Industrial; guided LI, Light Industry

COMPREHENSIVE PLAN AMENDMENT AND REZONING

One of the guiding principles of the comprehensive plan is to maintain a well balanced tax base. "Inver Grove Heights will preserve its fiscal integrity by maintaining a mix of land uses that result in a balanced tax base. A proper mix of land uses in the community will provide desired employment, goods, and services while helping to maintain manageable residential tax rates."

The subject area is guided for LI, Light Industry which is defined in the 2030 Comprehensive Plan as:

"Light industrial areas in Inver Grove Heights include lots or parcels containing light manufacturing, goods movement and wholesale trade. Light industrial parcels are located in a number of sites throughout the community with concentrations in the northeast and extreme southern portions of the city."

Light Industrial areas 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.

Examples of Light Industrial uses include manufacturing, mini-storage facilities, or data centers. The comprehensive plan estimates the existing industrial building, 55,000 square feet in size, could employ an average of 27-37 people.

Public/Institutional is defined in the 2030 Comprehensive Plan as:

"Public/Institutional uses in Inver Grove Heights include churches, buildings and land adjacent to schools, cemeteries, government facilities and other parcels that are owned by a public agency or institution. The public/ institutional category does not include parks and recreation areas. They are classified separately under this plan. The most prominent public/institutional land uses in Inver Grove Heights include schools and local government facilities."

Public Institutional land uses provide sufficient land to meet the public/institutional service needs of the community.

The City Code, Title 10-3-5 states that a rezoning request must be "in the best interest of the physical development of the City" in order to be approved. This suggests that the request should be reviewed against such factors as infrastructure availability; compatibility with existing land uses in the neighborhood; and consistency with the Comprehensive Plan.

Infrastructure Utilities and infrastructure are in place. The property would be connected to City water and sewer.

Neighborhood Compatibility A school would be more compatible than an industrial use with the residential areas to the north and west of the property. A school may not be as compatible with the commercial and industrial businesses to the south and east.

Rezoning All rezoning requests must be reviewed against the City's Comprehensive Plan. Review against the various components of the Comprehensive Plan follows.

- *Wastewater Treatment* Wastewater from the building would be handled through the existing city sewer system.
- *Transportation* The site is located along Robert Street. No additional roads would be required. The applicants are sensitive to the high volume traffic on Robert Street and are reviewing the entrance point to be as safe as possible.
- *Employment* Because of the limited development potential of this land, a change of land use designation would not have a negative impact on employment generation in the area, in fact, the number of people employed could be greater than an industrial use.
- *Natural Resources* The topography of the lot is challenging with limited buildable area, the applicants are planning to save the natural resources in the area by leaving a majority of the 19 acres undisturbed.
- *Land Use* The proposed rezoning also requires an amendment to the comprehensive plan.

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

RATIONAL TO SUPPORT THE LAND USE CHANGE

- The building/site has been vacant for about 10 years.
- Reinvestment in the property; the old building would be demolished and a new building constructed.
- A school may be more compatible with the neighboring residential uses to the north and west.
- The proposed school would add about 75 full time jobs and 25 part time jobs.
- Access to Hwy 3 may not be the best for industrial type of uses

- The site has development limitations consisting of steep topography and storm ponding requirements, not ideal for industrial type of uses.
- Applicants looking to start construction fall of 2015 and open fall of 2016; City would gain building permit fees.
- Property is not part of an industrial complex nor is it in an area with high industry demand.

RATIONAL AGAINST THE LAND USE CHANGE

- Lose industrial tax base as a school would be tax exempt.
- Site has access to a state highway which could be beneficial for an industrial use.
- Council's past policy has been to retain industrial/commercially zoned property for tax base and employment.
- Industrial use would be more compatible with the properties to the south and east.

ALTERNATIVES

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

A. **Approval.** If the Planning Commission finds the application acceptable, the Commission should make a recommendation approving the Comprehensive Plan Amendment from LI, Light Industry to P, Public/Institutional and the Rezoning from I-1, Light Industry to P, Institutional subject to the following conditions:

1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.

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

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

RECOMMENDATION

Based on the comprehensive plan language to maintain a well balanced tax base and allow redevelopment of existing industrial uses to expand employment opportunities and to serve existing businesses in the community and more specifically the industrial access to a state highway and the industrial zoning is more compatible with the property to the south and east staff does not support the comprehensive plan amendment and rezoning request.

Attachments: a- Zoning and Location Map
b- Applicant Narrative
c- Sketch plan of proposed school

Map not to scale

Athlos Academies
Case No. 15-23PAZ

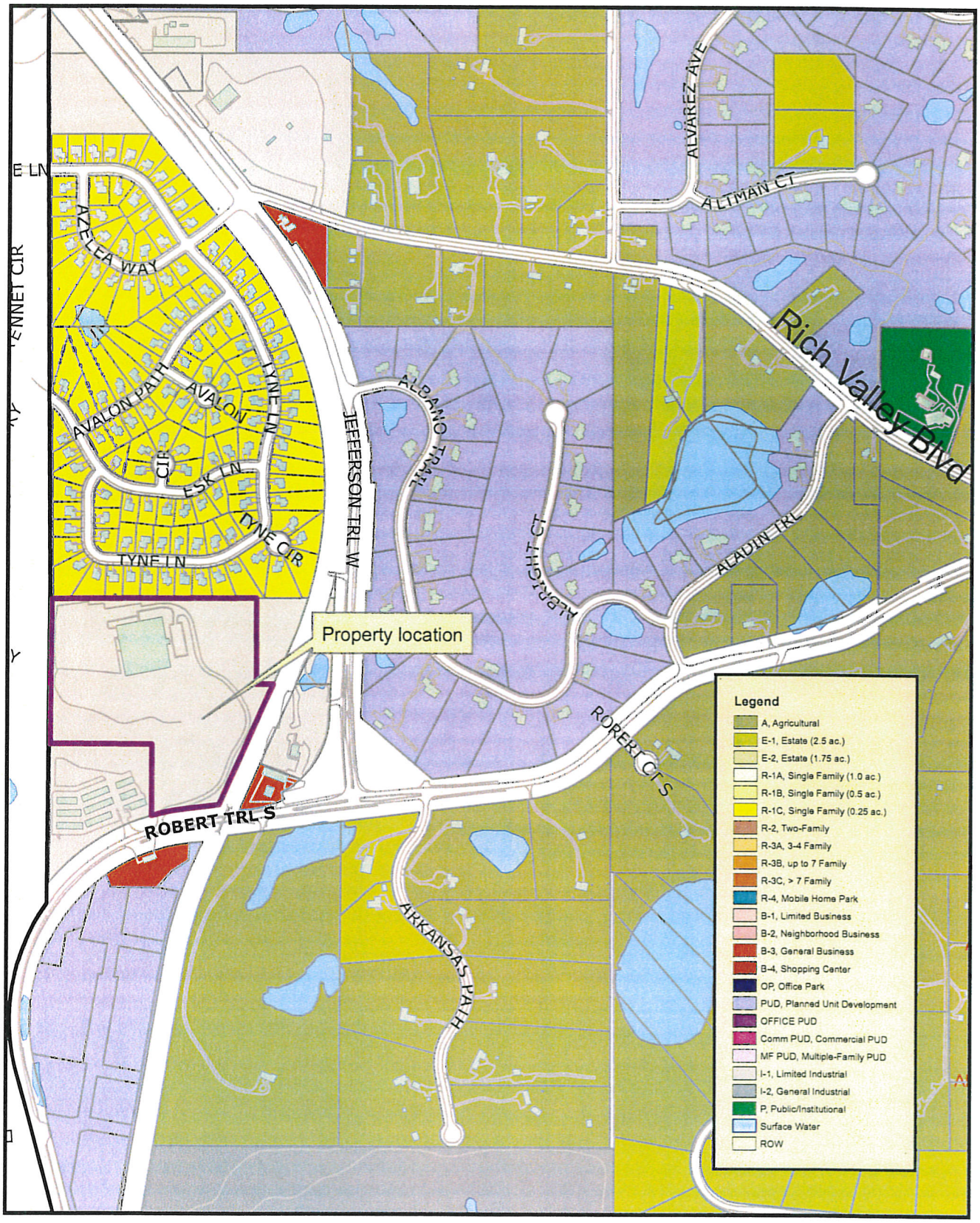

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Exhibit A
Zoning and Location Map

ATHLOS
ACADEMIES

6/5/2015

Heather Botten
Associate Planner
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

APPLICATION FOR RE-ZONE AND COMPREHENSIVE PLAN AMENDMENT
9725 S. ROBERT TRAIL
INVER GROVE HEIGHTS, MN

Dear Ms. Botten,

Athlos Academies is pleased to submit these requests for re-zone and comprehensive plan amendment for your consideration. It is our intention to utilize this site for a public charter school that will serve grades K-8.

CURRENT ZONING AND CONDITION
The property is currently zoned I-1, Limited Industrial. There is no existing, operating use on the property. The building (approximately 45,000 SF) has been vacant for approximately 10 years. The property has been marketed to industrial/commercial users during that time period with no results. The improvements on the site, including the building, have severely deteriorated over that same period.

PROPOSED ZONING
The proposed zoning for this site is that of P, Institutional District. During our search for suitable sites in the city of Inver Grove Heights we determined that <u>any</u> location we might pursue would require a zone change to the P zone. The only parcels within the city currently zoned P are existing operating parks, schools, colleges, and athletic complexes.

COMMUNITY BENEFIT
The proposed zone change for this use would be a benefit to the city in many respects.
Good Neighbor – we believe that the proposed use would be a better fit for the immediate area as the property is surrounded by residential properties to the North and residential properties and a park to the West.
Education Opportunity – Athlos Academies provides a unique education opportunity that is not currently available in this area. According to the city's 2010 resident survey, one of the top 10 concerns for residents was school spending. The proposed facility would be a new, state of the art educational facility with indoor and outdoor athletic amenities that will be a great asset to the community.

ECONOMIC ENHANCEMENT
The proposed use would provide approximately 75 full time jobs, 25 part time jobs and also employ numerous other ancillary services such as cleaning, maintenance, and ongoing support positions to the school. The proposed use change would also allow the large construction spending required for re-developing the current blighted building and site.

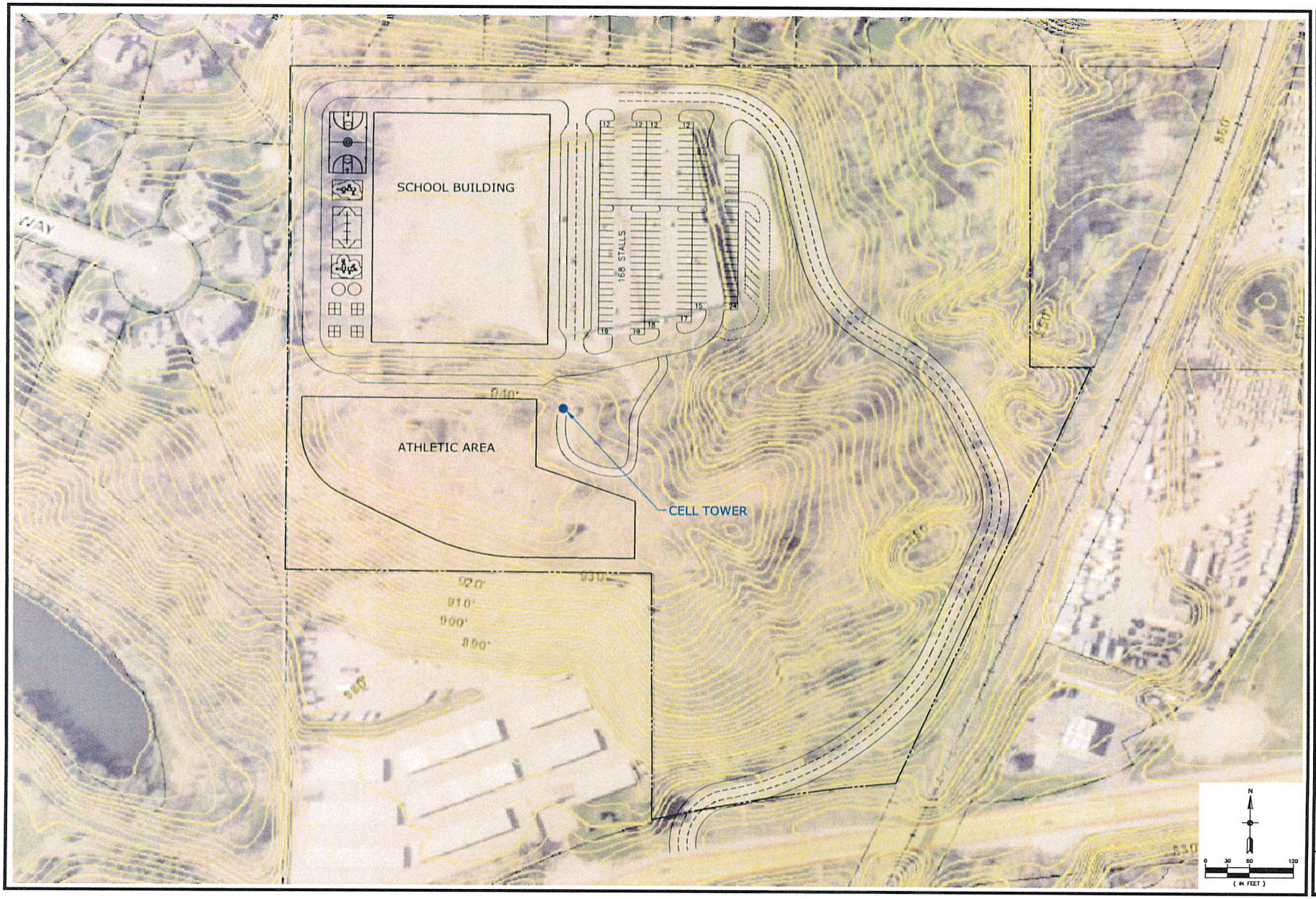
Enclosed with this letter, please find the following attachments:

- Completed applications for Rezoning and Comprehensive Plan Amendment.
- 10 copies of the survey map showing the area to be re-zoned/amended.
- 10 copies of the topographic survey.
- Legal Description of the property.
- Abstractors certificate.
- Photos of the type of facility proposed.

Thank you in advance for considering this application. Please feel free to contact me at (208) 908-5536 if there are any questions.

Best Regards,
Athlos Academies

Aaron Carroll
Director of Development



Carlson McCain
ENVIRONMENTAL · ENGINEERING · SURVEYING
248 Apollo Dr, Suite 100, Lino Lakes, MN 55014
Phone: 763-489-7900 Fax: 763-489-7959

SITE EXHIBIT - ALT. 3

ATHLOS - INVER GROVE HEIGHTS
Inver Grove Heights, Minnesota

ATHLOS ACADEMIES
418 S. 9th Street, Suite 201
Boise, Idaho 83702

REVISIONS
1.
2.
3.
4.
5.
6.

DRAWN BY:	JTR
DESIGNED BY:	JTR
ISSUE DATE:	05/19/15

NOTES

ATHLOS LEADERSHIP ACADEMY

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: July 15, 2015 **CASE NO:** 15-26V

HEARING DATE: July 21, 2015

APPLICANT/PROPERTY OWNER: Jason & Kathleen Hopkins

REQUEST: Variance to allow two detached accessory buildings on a property whereas one is the maximum allowed.

LOCATION: 8545 Ann Marie Trail

COMPREHENSIVE PLAN: Rural Density Residential

ZONING: E-2, Estate Zoning

REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner

BACKGROUND

The applicant is requesting a variance to allow a second accessory building on the property whereas the total number of detached accessory buildings shall be limited to one. The property is 2.06 acres in size, located in the E-2 zoning district. There is a pipeline easement that runs through the middle of the property and topographical grade changes limiting the buildable area on the site. There is currently an attached garage and a 240 square foot detached structure on the property. The applicants are proposing to construct a new 624 square foot detached accessory building located off the existing driveway. The zoning code permits a maximum of one detached accessory structure in the E-2 zoned district; sheds 120 square feet or less are exempt from this requirement.

The applicant has stated the additional structure is needed to store his own personal items. The accessory building would be in compliance with setbacks, exterior building materials and impervious surface standards.

SPECIFIC REQUEST

The following specific application is being requested:

1) A variance to allow two detached accessory buildings on a property whereas one is the maximum allowed in the E-2 zoning district.

EVALUATION OF THE REQUEST

SURROUNDING USES: The subject site is surrounded by the following uses:

North: Single Family Residential; zoned R-1A; guided Low Density Residential
South: Single Family Residential; zoned E-2; guided Rural Density Residential
West: Single Family Residential; zoned E-1; guided Rural Density Residential
East: Single Family Residential; zoned E-2; guided Rural Density Residential

VARIANCE REVIEW

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 variance, 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.*

The surrounding properties are zoned and developed residential. Allowing accessory buildings on the property would be in harmony with the general purpose and intent of the comprehensive plan which is a single family housing neighborhood. The zoning code allows one structure up to 1,000 gross square feet in the E-2 zoning district; the two accessory buildings combined would be less than 1,000 square feet. The structure would meet all other code requirements including setbacks, impervious surface and exterior building material requirements.

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

In all single-family residential districts the Zoning Ordinance considers detached accessory buildings to be a reasonable use. The property is a little over 2 acres in size. The size of the two accessory buildings combined on the applicant's property would be less than 1,000 square feet, complying with the maximum size typically allowed. Adding onto the existing structure would require extensive tree removal and grading of the property. Allowing an additional structure off the existing driveway seems like a reasonable use.

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

In addition to a pipe line easement going through the middle of the property, the topography on the property is a challenge. The property slopes downward towards the back of the house. Adding on to the existing garage would require a variance from the front setbacks. The well is also located along the side of the garage which would require relocation adding to the burden on the property to comply with the code. There would

be more disturbances to the property adding on to the existing detached structure including removal of trees along with added grading and impervious surface to gain access to the building.

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

Aesthetically the proposed location of the structure would meet setbacks and would be located behind existing mature pine trees, tucked into a hill. Architecturally the structure would match the existing attached garage, complying with exterior building material requirements. The closest neighboring home would be to the east, over 100′ feet away from the structure. There are existing significant trees that would screen the building from neighbors and the right-of-way.

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

Economic considerations do not appear to be a basis for this request; allowing a second structure would reduce the amount of grading and tree removal on the property.

ALTERNATIVES

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

A. Approval If the Planning Commission finds the setback variance to be acceptable, the Commission should recommend approval of the request with at least the following conditions:

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
2. A grading/erosion control plan shall be required at the time of the building permit application; this shall include drainage swales around the building.

B. Denial If the Planning Commission does not favor the proposed variance, 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 request is not out of character for the neighborhood and is consistent with the comprehensive plan. The structure does not appear to have any adverse impact on neighboring properties. There is limited buildable area on the property due to a pipe line easement, and challenging topography and location of the well. Adding on to existing structures would require more disturbances to the property. The two accessory structures combined would comply with maximum size requirements. Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the variance to allow an additional 624 square foot accessory building.

Attachments:

- Location Map
- Applicant Narrative
- Site Plan
- Photos of the property

Map not to scale

Hopkins
Case No. 15-26V

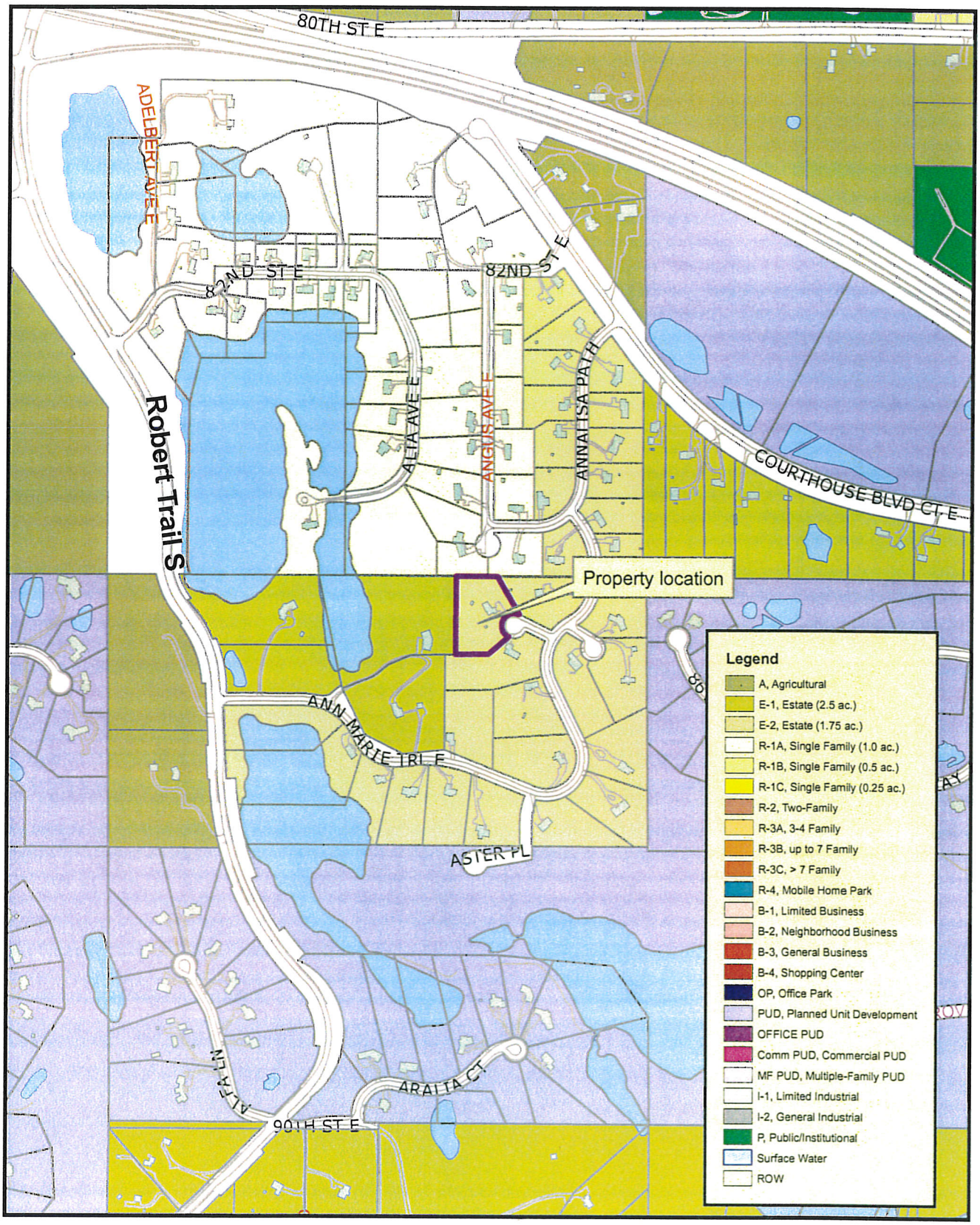


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Exhibit A
Zoning and Location Map

To: Inver Grove Heights Planning Commission

Date: June 19, 2015

Re: Request for Variance

From: Jason and Kathleen Hopkins

Dear Inver Grove Heights Planning Commission,

We are writing this detailed request as a supplement to the Variance Application as per its instructions. I am seeking your consideration for a variance for my property, 8545 Ann Marie Trail, Inver Grove Heights, MN 55077; Plat Vali Hi, Lot 2 Block 2 and zoned E2 built in 1984. Specifically, I am seeking a variance to have 1 additional building on my property over 120 square feet. The usage of this second stand alone building will be for a detached garage roughly 26 feet by 24 feet in dimension. Currently, I have a storage shed built in 2013 with 240 square feet which stores my yard tools, lawn tractor, snowmobile, tiller, outdoor furniture and attachments for my lawn tractor. This is located in the back portion of my 2.06 acre lot tucked into a heavily wooded area. We have an attached garage 20 feet by 20 feet in size. The current garage houses my wife's car, tools and limited storage. We cannot get both of our vehicles into the garage and open the vehicle doors and access the entry door due to the small size of the structure. I intend to use this new detached garage to store my vehicle, utility trailer (currently stored on the driveway) and future car for our teenage daughters.

We purchased this home in 2012 as a foreclosure after being unoccupied for two years and have focused much of our energy on restoring it back to livable condition. The home had extensive water damage and mold which needed rebuilding on the inside. In addition we had the front yard re-graded in 2013 to fix the water drainage problem in the front yard. The topography of the lot is very hilly rendering much of the lot unbuildable without very significant alteration of the lot itself. The lot is also very heavily wooded with approximately 75% of the property fully wooded. We would like to maintain the trees for privacy and to prevent erosion of the lot itself. We also want to maintain the existing natural landscape for wildlife, one of the main reasons we purchased this home. This also maintains the character of the neighborhood as most lots are acreage and heavily wooded with rolling hills.

There is a small area east of the existing garage for expansion but space is limited for construction due to a very mature tree. The well head supplying the home along with the termination of the natural gas line and electrical panels are located in this space would need relocation if an addition was added. We consulted an architect and the tree and well head pose constraints in the addition size and also would change the overall look of the home which would not blend with the existing homes in the neighborhood. We are aware of the 3 foot setback from well heads per state code. Options would be to relocate and re-drill the existing well head but this would also require disruption of the large tree root system on the property. Expanding into this area would require relocation of the main natural gas line

for the home without building over it and having concrete covering the gas and main electrical lines supplying the home.

Expanding upon the existing detached shed would require the removal of approximately 30 mature trees, significant movement, grading of the land and large overlay of blacktop on the property. The location of this new driveway to reach the expanded shed would be directly in front of the house to avoid this being visible to the abutting neighbors.

The proposed location of the one level detached garage would be on the north east side of the property adjacent to the existing driveway (see included diagram). The proposed plan would locate the garage tucked behind 5 mature pine trees (approximately 35-40 feet tall) and recessed into the existing hill rendering it barely visible from the street and hidden from our 2 closest neighbors. In our proposed plans we intend to match the existing homes roof lines and elevation so it looks natural and blending into the existing home structure is a priority for us. We would tie the garage concrete apron into the existing asphalt driveway so no additional expansion of the current driveway would be needed. The location of this garage would not affect light or air flow to the adjacent properties as the height of the structure would be well below the existing tree line. Utility placement would be easy via a newly placed buried tube for electrical to run through, would comply with electrical code.

The proposed garage is planned to be 26 feet wide by 24 feet deep and one story tall. This matches the existing garage roof dimensions and would total 624 square feet. The garage combined with the existing shed would total 864 square feet, still under the existing 1000 square foot lot requirement. Setbacks from the street would be approximately 60 feet and the setback from the side property line would be 20 feet, both within city code limits of 30 feet from the street easement and 10 feet from side property lines.

We have discussed our intended expansion plans with all of our abutting neighbors and informed them of the variance process we are engaging in.

Thank you for your consideration of this request for a variance. Please feel free to contact us with any further questions or information you need in order to make your recommendation.

Sincerely,

Jason and Kathleen Hopkins

Property: 8545 Ann Marie Trail, Inver Grove Heights, MN 55077 with impervious surfaces diagramed and property lines from Dakota County GIS map

8545 Ann Marie Trail

Proposed garage location, existing site. Trees will not be removed.

Existing Garage and roofline, proposed garage would match this design and height.

East side of yard

East side of yard.

Street view

Street view

Front Yard topography

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: July 15, 2015 **CASE NO:** 15-27CA

HEARING DATE: July 21, 2015

APPLICANT/PROPERTY OWNER: Michael Foster

REQUEST: A conditional use permit amendment to add an addition to the existing building and a variance from the exterior building material requirements.

LOCATION: 32 Mendota Road

COMPREHENSIVE PLAN: RC, Regional Commercial

ZONING: B-3, General Business

REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner

BACKGROUND

The applicant is requesting a conditional use permit amendment to add a 675 square foot building addition to the existing animal hospital. The one-story addition would be located behind the existing building, on existing impervious surface.

The specific request consists of the following:

A.) A **Conditional Use Permit Amendment** to add an addition to the existing building.
B.) A **Variance** from the exterior building material requirements to allow steel siding to match the existing building.

EVALUATION OF THE REQUEST

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

North	Commercial; West St. Paul
East	Car dealership; zoned B-3; guided RC, Regional Commercial
South	Car dealership; zoned B-3; guided RC, Regional Commercial
West	Car dealership; zoned B-3; guided RC, Regional Commercial

SITE PLAN REVIEW

Setbacks. The building addition exceeds the required perimeter setbacks for the site.

Parking Lot. With the building addition the parking lot would be restriped. With the new configuration the property gains two additional parking space; meeting the required 29 spaces.

Access. Public access to the site would not be changing; there is one entrance off of Mendota Road share by the abutting property to the west.

Landscaping. No additional landscaping would be required with the proposed addition. The applicants would not be removing any of the existing landscaping on the property.

Engineering. Engineering has reviewed the plans and takes no exception to the proposed addition. The addition will be located over existing impervious surface and no new impervious surface will be added to the site.

Fire Marshal Review. All plans shall be subject to the review and approval of the City Fire Marshal for fire lane designation and the signage or marking of the fire lanes at time of building permit review.

GENERAL CONDITIONAL USE PERMIT REVIEW

This section reviews the plans against the CUP criteria in the Zoning Ordinance (Section 10-3A).

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

   The use is consistent with the goals, policies, and plans of the Comprehensive Plan. The future land use of this parcel is Regional Commercial and a veterinary clinic would be consistent with the uses envisioned in this district.

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 commercial. The use is consistent with the intent of the B-3 zoning district.

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

   The proposed use would not have a detrimental effect on public improvements in the vicinity of the project. A veterinary clinic in the B-3 zoning district is a allowed conditional use.

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 use does not appear to have any negative effects on City facilities or services. The Fire Marshal will review the plans at the time of building permit submittal.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*
   i. Aesthetics/exterior appearance
   The proposed addition will match the existing building material. The steel siding does require a variance discussed later in the report.
   ii. Noise
   The expansion to the vet clinic will not generate noises that are inconsistent with the B-3 zoning.
   iii. Fencing, landscaping and buffering
   No additional screening or landscaping is required.

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 amount of traffic would not be out of the ordinary for a commercial area. The expansion of the building will have little effect on the surrounding properties.

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

   This use does not appear to have any negative effects on the public health, safety or welfare.

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

   This use would not have an undue adverse impact on the environment; no additional runoff would be generated from the site as the addition would be located on existing hard surface.

Variance

The applicant is requesting the 675 square foot addition to be steel siding to match the existing structure. The city code allows a maximum of 1/3 a building wall to be sheet or corrugated steel siding.

City Code Title 10, 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.*

   The comprehensive plan guides the property for regional commercial which would allow for this use and expansion. The general purpose for regional commercial is retail and service type uses. This request appears consistent with the intent of the comprehensive plan.

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

   The existing site was developed in 1947, prior to the adoption of a city code. The addition is located behind the existing structure not visible from the right-of-way and the siding would match the existing building material. It seems reasonable to have the siding match the existing siding on the building.

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

   The existing site was developed prior to the adoption of a city code; the proposed steel siding would match the existing building material.

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

   The addition is located behind the existing structure and the material would match the existing building material. The steel siding would not alter the character of the locality as it would blend in with the existing building.

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

   Economic considerations do not appear to be a basis for this request.

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 a **Conditional Use Permit Amendment** to allow a 675 square foot building addition 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 06-22-15
Exterior Elevations	dated 06-22-15

2. 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.

3. All final development plans shall be subject to the review and approval of the City Fire Marshal.

4. No display pennants, flags, searchlights, balloons or other similar devices shall be used on the subject property.

- Approval of a Variance to allow the addition to be steel siding based on the following practical difficulty;

    a. The request is in harmony with the general purposes and intent of the City Ordinance and is consistent with the Comprehensive Plan.

    b. The existing site was developed in 1947, prior to the adoption of the city code. The addition is located behind the existing building, not visible from the right-of-way. The steel siding would match the existing siding on the building.

    c. The request is not out of character for the neighborhood and it does not appear to have any adverse impacts on the neighboring properties.

B. <u>Denial</u>. 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

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the requested conditional use permit amendment and variance.

Attachments: Location Map
Narrative
Site Plan
Exterior Elevation

Map not to scale

Michael Foster
Case No. 15-27CA

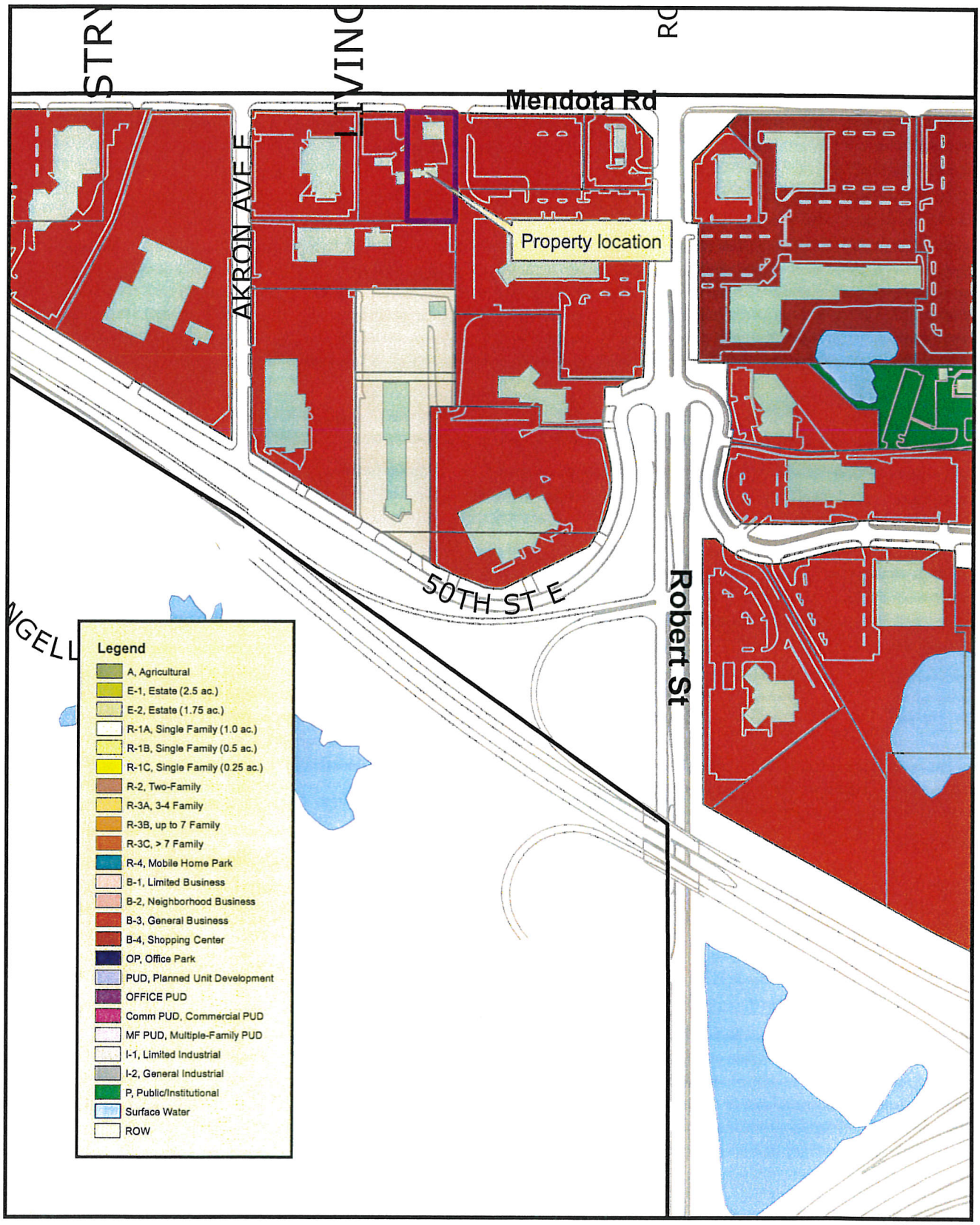

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Exhibit A
Zoning and Location Map

Vanney Associates, Inc.

22 June, 2015

City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

RE: Conditional Use Permit
Southview Animal Hospital
32 Mendota Road West
Inver Grove Heights, MN 55077

To Whom It May Concern,

Southview Animal Hospital would like to apply for an amendment to their conditional use permit. They are an existing veterinary clinic serving small animals at the above listed address, which is located in a General Business District – Zone B-3.

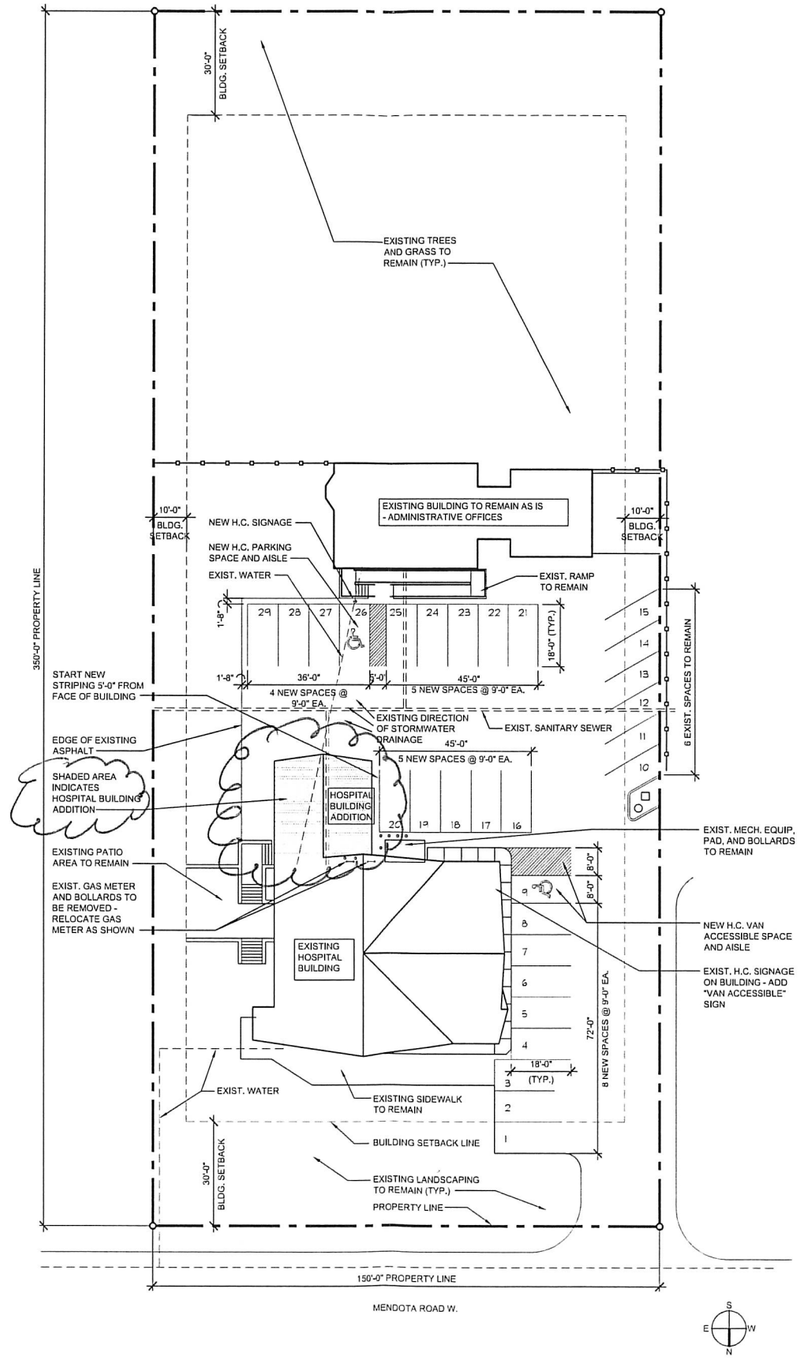
The scope of work for this project will include a one story, 675 square foot addition to their existing hospital building. The addition will be located off of the southeast corner of the existing building. The addition will encroach into the existing asphalt parking area. As a result, the existing parking area will be re-striped. All of the hardscaping and landscaping on the site will be existing to remain. The exterior of the addition will be finished in steel siding and asphalt shingles to match the existing building. For additional information, please reference the attached plans.

If you have any questions about the above-mentioned items, please feel free to contact me at your convenience at (651) 222-4642.

Thank you,

Michael Tiedman

360 North Robert Street, Suite 201
(651)222-4642 FAX(651)222-3034
Saint Paul, Minnesota
55101



1 SITE PLAN
A1.0 1" = 20'-0"

PARKING DATA

REQUIRED:

ADMINISTRATIVE OFFICE USABLE AREA	1,097 S.F. @ 1 SPACE/200 S.F.	= 5 SPACES
EXISTING HOSPITAL USABLE AREA	4,144 S.F. @ 1 SPACE/200 S.F.	= 21 SPACES
HOSPITAL ADDITION USABLE AREA	674 S.F. @ 1 SPACE/200 S.F.	= 3 SPACES
TOTAL REQUIRED		= 29 SPACES

ACCESSIBLE SPACES REQUIRED:

26-50 TOTAL SPACES PROVIDED:	ACCESSIBLE REQUIRED	= 2 SPACES
1 OF EVERY 6 ACCESSIBLE SPACES TO BE A VAN SPACE		= 1 SPACE

PROVIDED:

STANDARD SPACES	= 27 SPACES
ACCESSIBLE SPACES	= 1 SPACE
VAN ACCESSIBLE SPACES	= 1 SPACE
TOTAL PROVIDED	= 29 SPACES

SITE PLAN NOTES

1. THE MAX. SLOPE IN ANY DIRECTION AT H.C. PARKING STALLS AND ACCESS AISLES SHALL NOT EXCEED 1:48 (2%)
2. EXISTING PARKING AREA, DRIVE AISLES, SIDEWALKS, CURB CUTS, LANDSCAPING, ETC. TO REMAIN. G.C. TO RE-STRIPE PARKING AREA AS SHOWN ON THE PLAN

VANNEY ASSOCIATES INC.
ARCHITECTS ♦ DESIGNERS
350 N. ROBERT STREET STE. 201
SAINT PAUL, MINNESOTA 55101
651 222 4642 FAX 651 222 5634

FOR CONDITIONAL USE PERMIT SUBMITTAL

Consultants

HOSPITAL REMODELING:

SOUTHVIEW ANIMAL HOSPITAL
32 MENDOTA RD. W.
INVER GROVE HEIGHTS, MINNESOTA

space

commission number 50-1015

drawn MGT

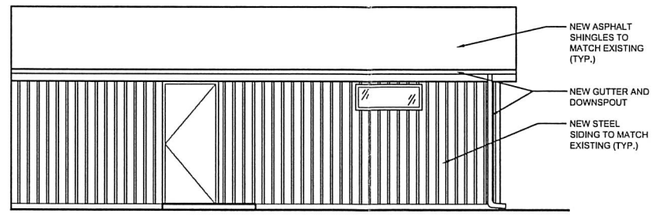
reviewed RFV

■ preliminary 06/22/15
□ final
□ bidding
□ permit
□ revisions

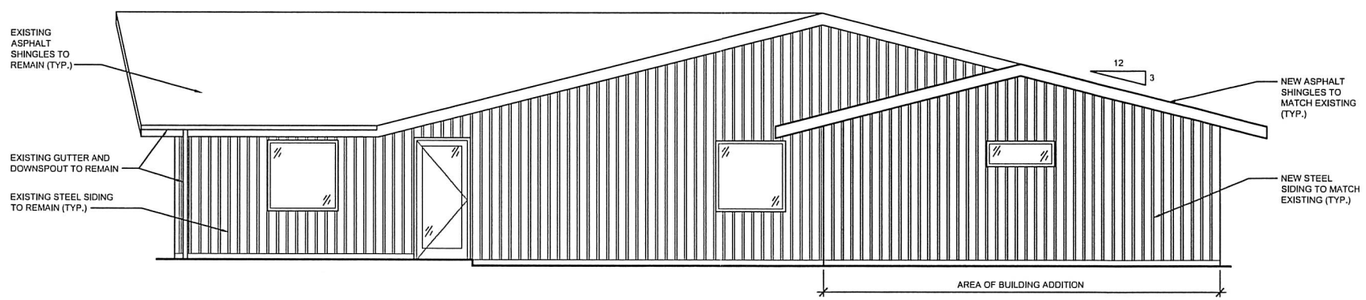
drawing title

SITE PLAN

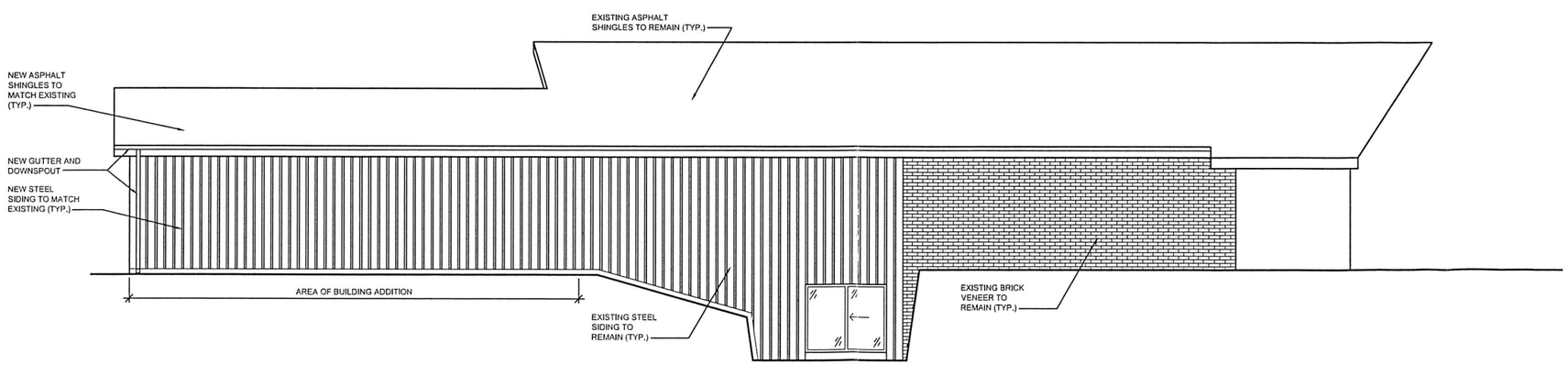
sheet number A1.0



3 A6.1 WEST ELEVATION
1/4" = 1'-0"



2 A6.1 SOUTH ELEVATION
1/4" = 1'-0"



1 A6.1 EAST ELEVATION
1/4" = 1'-0"

VANNEY ASSOCIATES INC.
ARCHITECTS ♦ DESIGNERS
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FOR CONDITIONAL USE PERMIT SUBMITTAL

Consultants

HOSPITAL REMODELING:

SOUTHVIEW ANIMAL HOSPITAL
32 MENDOTA RD. W.
INVER GROVE HEIGHTS, MINNESOTA

space

commission number 50-1015

drawn MGT
reviewed RFV

■ preliminary 06/22/15
□ final
□ bidding
□ permit
□ revisions

drawing title
EXTERIOR ELEVATIONS

sheet number A6.1

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Inver Grove Heights Planning Commission

FROM: Allan Hunting, City Planner

DATE: July 16, 2015

SUBJECT: IMH Special Asset 175 Application - Case No. 15-21PUD

The applicant is requesting the item be tabled until further notice in order to provide time to sort out some site plan issues. The City, County and State are working on the final design of the future round-a-bout at the intersection of Hwy 3 and Co Rd 26 (70th Street). The right-of-way needs for the round-a-bout have an impact on the project design and some fine details are not yet known. Also, some of the storm water design is being finalized to work around the round-a-bout.

When the right-of-way information is finalized, plans will be resubmitted, reviewed and then placed on a Planning Commission agenda.

A pubil hearing notice was published in the paper and notices were sent to surrounding property owners. The Planning Commission should read the notice, open the public hearing and then hold the public hearing open and table until further notice.