INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA

TUESDAY, OCTOBER 6, 2015 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

2. APPROVAL OF PLANNING COMMISSION MINUTES FOR SEPTEMBER 1, 2015.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 XCEL ENERGY – CASE NO.15-36CV
Consider the following requests for the property located 10326 South Robert Trail:

a) A **Conditional Use Permit** to construct a 3,200 square foot building.

Planning Commission Action _____

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

Planning Commission Action _____

3.02 JENNIFER CHRISTENSEN – CASE NO.15-37V
Consider the following requests for the property located at 4701 Barbara Avenue:

a) A **Variance** from the minimum lot size and width requirements for a new single-family lot.

Planning Commission Action _____

b) A **Variance** from the rear yard setback for the existing home.

Planning Commission Action _____

4. OTHER BUSINESS

4.01 Planning Commission Recommendation on Consistency with the Comprehensive Plan for two City Improvement Projects.

Planning Commission Action _____

4.02 NW Area Update relating to approved developments

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, September 1, 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 Dennis Wippermann Pat Simon Elizabeth Niemioja
Commissioners Absent:	Bill Klein (excused) Harold Gooch (excused) Tony Scales (excused)
Others Present:	Tom Link, Community Development Director Allan Hunting, City Planner Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the August 5, 2015 Planning Commission meeting were approved as corrected.

DAVID VOLKERT – CASE NO. 15-33V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow a handicap ramp 20 feet from the front property line whereas 24 feet is the required setback, for the property located at 3252 – 72nd Street. 5 notices were mailed.

Presentation of Request

Ms. Botten explained the request as detailed in the report. She advised that the applicant is requesting a variance from the front yard setback to construct a wheelchair ramp 20 feet from the front property line whereas 24 feet is the allowed encroachment for an uncovered ramp. The applicant's home was built prior to the adoption of the City Code and, along with others in the neighborhood, does not comply with the current front yard setback code requirements. The house has two access points; one in the front and one on the side. Because of the topography and the impact of the driveway there is not enough room on the side of the house to construct the ramp. By placing the structure in the proposed location, it would allow for a turn-around area from the front door and immediate access to the driveway. Staff recommends approval of the request. Ms. Botten advised that the building permit was already approved with the condition that if the variance would be denied the ramp would have to be altered to meet setbacks. The ramp has since been constructed. The applicants applied for the permit after the variance request was submitted. Staff has not heard from any of the neighboring property owners.

Chair Maggi asked if the ramp would essentially abut the home if they were to comply with the required setback.

Ms. Botten replied in the affirmative, stating there would be no turnaround area.

Commissioner Wippermann questioned why a building permit was issued prior to approval of a

variance.

Ms. Botten stated this was a unique situation in which the property owner was not able to get in and out of his home, and staff felt fairly confident issuing the permit as they were planning to recommend approval of the request and were aware that the ADA had some flexibility that could be used as a reason to grant the variance.

Commissioner Wippermann stated he had no issue with the request, but hoped this would not occur again as the City had no choice but to approve the variance since the building permit had already been granted.

Commissioner Niemioja felt that not allowing them to build the ramp would be an undue hardship on the homeowner as they would be essentially excluded from their home.

Commissioner Simon stated that Planning Commissioners have always been told that medical considerations could not be used a hardship.

Commissioner Niemioja replied that staff, rather than the Planning Commission, approved the building permit and their decision was likely based on ADA guidelines.

Opening of Public Hearing
David Volkert, 3181 – 171st Street, Rosemount, advised that he was available to answer any questions.

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

Mr. Volkert replied in the affirmative. He advised that the homeowner suffered from myopathy, and had recently fallen and broken a leg, which was the reason for needing the ramp.

Chair Maggi closed the public hearing.

Planning Commission Discussion
Chair Maggi stated that she supported the request.

Planning Commission Recommendation
Motion by Commissioner Wippermann, second by Commissioner Lissarrague, to approve the request for a variance to allow a handicap ramp 20 feet from the front property line whereas 24 feet is the required setback, for the property located at 3252 – 72nd Street, with the practical difficulty as described in the report.

Motion carried (6/0). This item goes to the City Council on September 14, 2015.

BEREA LUTHERAN CHURCH – CASE NO. 15-34V

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a variance to allow a monument sign with a zero foot setback whereas 10 feet is required, for the property located at 9308 Rich Valley Boulevard. 4 notices were mailed.

Presentation of Request
Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the church is requesting a variance to allow a freestanding sign to be located on the front property line.

In 2001, the church submitted a subdivision plat application that was required as part of an expansion. During this process the County required additional right-of-way, and it was not detected until recently that the existing freestanding sign for the church is now contained in the County right-of-way. This came to light when the church requested a building permit to change the face of the sign. The City cannot issue a permit until the location is resolved. The County has stated that no signs are allowed within the right-of-way. The applicant is proposing to reconstruct a new freestanding sign outside of the right-of-way, but due to other site improvements and limitations, the sign is being proposed adjacent to the property line whereas 10 feet is required. Staff believes there are practical difficulties and they recommend approval of the request.

Chair Maggi asked for clarification that the sign was proposed to be moved further north.

Mr. Hunting replied in the affirmative.

Opening of Public Hearing
Joe Gullerud, 9308 Rich Valley Boulevard, advised that he was available to answer any questions.

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

Mr. Gullerud replied in the affirmative, and advised that the County was not willing to allow the sign to remain in its current location.

Commissioner Niemioja asked if the proposed sign would likely take up two parking spaces if it were to be moved to the parking lot.

Mr. Gullerud replied in the affirmative.

Commissioner Niemioja stated it would also likely cut off the parking lot if it was kept in the high visibility area rather than being placed in the treed area.

Mr. Gullerud replied that if the variance was not granted the sign would need to be moved into the parking lot, which would reduce visibility and substantially increase the cost of the project.

Mr. Hunting advised that staff received an email from the resident across the street from the church stating they were in support of the request.

Chair Maggi closed the public hearing.

Planning Commission Discussion
Commissioner Robertson asked if the County could overrule the City if they were to approve the variance.

Mr. Hunting replied that the County only wants the sign out of its right-of-way and is not concerned about its location on the church property.

Planning Commission Recommendation
Motion by Commissioner Niemioja, second by Commissioner Robertson, to approve the request for a variance to allow a monument sign with a zero front setback, whereas 10 feet is required, for the property located at 9308 Rich Valley Boulevard.

Motion carried (5/0 with one abstention - Maggi). This item goes to the City Council on September 14, 2015.

HEMANT BHAKTA – CASE NO. 15-32PAZ

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from B-2, Neighborhood Business to B-3, General Business and a Comprehensive Plan Amendment from NC, Neighborhood Commercial to CC, Community Commercial. 5 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant would like to construct a hotel and is proposing to change the land use from Neighborhood Commercial to Community Commercial and the zoning from B-2, Neighborhood Business to B-3, General Business. Mr. Hunting advised that the property to the north was rezoned from B-4 to B-3 a few years ago when the owner was having difficulty leasing tenants because of the limited uses allowed in the B-4 district. Staff recommends approval of the request with the conditions listed in Alternative A.

Commissioner Wippermann noted a typo on page 3 of the report in which the word 'west' should have been 'east'.

Mr. Hunting noted the error.

Commissioner Lissarrague asked if the neighbors were informed of the public hearing.

Mr. Hunting replied in the affirmative, stating staff received no comments from neighbors.

Commissioner Simon asked if the neighboring apartment building was notified as well.

Mr. Hunting replied in the affirmative, stating notice was mailed to the owner or management company of the apartment building. He advised that a sign was posted on the subject property as well.

Opening of Public Hearing

Hemant Bhakta, 2020 Wilson Avenue, South St. Paul, advised he was available to answer any questions.

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

Mr. Bhakta replied in the affirmative, and advised he had been in the hotel business for 35 years.

Commissioner Wippermann asked what the hotel brand name would be.

Mr. Bhakta replied that decision would not be made until the land use request had been approved, but it would be some type of extended stay hotel. He noted that a feasibility study had been done, which came back positive.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Commissioner Niemioja advised that she supported the request as the proposed hotel would fulfill the comprehensive plan's goal of providing a diversity of services, would be in an area conducive to the proposed rezoning, and would provide additional hotel space in the City.

Motion by Commissioner Robertson, second by Commissioner Wippermann, to approve the request for a rezoning of the property from B-2, Neighborhood Business to B-3, General Business and a Comprehensive Plan Amendment from NC, Neighborhood Commercial to CC, Community Commercial, for the property located on the southwest corner of 54th Street and Alta Avenue.

Motion carried (5/0 with one abstention - Simon). This item goes to the City Council on September 28, 2015.

OTHER BUSINESS

Mr. Hunting advised that the September 15, 2015 Planning Commission meeting has been cancelled.

The meeting was adjourned by unanimous vote at 7:29 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

DRAFT

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: October 1, 2015 **CASE NO:** 15-36CV

HEARING DATE: October 6, 2015

APPLICANT/PROPERTY OWNER: Xcel Energy

REQUEST: A conditional use permit to add a 3,200 square foot building and a variance from the exterior building material requirements.

LOCATION: 10326 South Robert Trail

COMPREHENSIVE PLAN: GI, General Industrial

ZONING: I-2, General Industrial

REVIEWING DIVISIONS: Planning, Engineering

PREPARED BY: Heather Botten, Associate Planner

BACKGROUND

The applicant is requesting a conditional use permit to add a 3,200 square foot building to the existing Xcel Energy Wescott fuel storage campus. The structure would be located on the east side of the property and would consist of metal siding around the entire building. The property is about 150 acres in size, with an additional 100 acres in property owned by Xcel surrounding the 150 acres for a total of 250+ acres in property.

The specific request consists of the following:

A.) A **Conditional Use Permit** to add a 3,200 square foot building.
B.) A **Variance** from the exterior building material requirements to allow steel siding.

EVALUATION OF THE REQUEST

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

North	Xcel property and residential; zoned E-1, Estate Residential; guided RDR, Rural Density Residential
East	Xcel property and residential; zoned E-1 & A; guided RDR, Rural Density Residential
South	Xcel property; zoned I-2, General Industrial; guided Private Open Space
West	R/R Right-of-way and Robert Trail

SITE PLAN REVIEW

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

Access. Secured access to the site would not be changing; there is one entrance off of Robert Trail.

Engineering. Engineering has reviewed the plans and has been working with the applicant on storm water and grading requirements. Engineering has made some recommendations on conditions that should be added to the approval; these conditions are included in the list of conditions at the end of this report. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer.

Fire Marshal Review. All plans shall be subject to the review and approval of the City Fire Marshal 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 General Industrial and fuel storage 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 industrial. The use is consistent with the intent of the I-2 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. Fuel storage is a conditional use in the I-2 district. The proposed building is located towards the east side of the property, not visible from abutting properties.

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 building will match the other buildings on the site. The steel siding does require a variance discussed later in the report.
   ii. Noise
   The new building will not generate noises that are inconsistent with the I-2 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 new building will have little to no effect on the surrounding properties. The size, shape and topography of the property is appropriate for the proposed building.

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 applicant is required to treat stormwater on the property for the new impervious surface being added.

VARIANCE

The applicant is requesting the building to be steel siding to match the existing structures on the site. 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 industrial which would allow for the fuel tank use and expansion of buildings. The request to add a building to the Xcel property appears consistent with the intent of the comprehensive plan and heavy industrial uses.

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

   One of the purposes of the exterior building material ordinance is to provide aesthetic appeal to structures in the City. The proposed building is located towards the eastern portion of the property, not visible from the right-of-way or adjoining properties. The building is not open to the public. The proposed building is a multi-purpose structure and is planned to be used on the property in a reasonable matter.

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

   The property was first developed in the early 60's; the siding would match the existing buildings on site. The proposed building is located on the eastern portion of the property, not visible from the right-of-way and the closest neighboring home is over 1,000 feet away. The property is unique in that Xcel owns over 250 acres of property and is a secured site; the exterior building material requirements are not practical for this type of structure and use.

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

   The building is located towards the back of the property and the material would match the existing buildings on site. The steel siding would not alter the character of the locality as it would blend in with the existing buildings and not be visible from any right-of-way or abutting properties.

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** to allow a 3,200 square foot building 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 09-04-15

    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. Prior to any construction occurring on site, all grading, drainage, erosion control, storm water management and utility plans shall be subject to the review and approval of the City Engineer.

    5. A stormwater facilities maintenance agreement shall be required to be executed between the City and the developer.

    6. Prior to any work being done on the site, an Engineering cash escrow shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.

    7. The developer shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence.

- Approval of a **Variance** to allow the building 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. Aesthetically the proposed structure would meet setbacks and all other code requirements. The structure is located toward the back of the 150 acre property and would not be visible from the right-of-way or abutting properties; architecturally the siding would be consistent with the other buildings on the property.

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

d. The property is a secured property not open to the public; the use of a fuel storage site is a heavy industrial use where steel buildings are a reasonable building material.

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

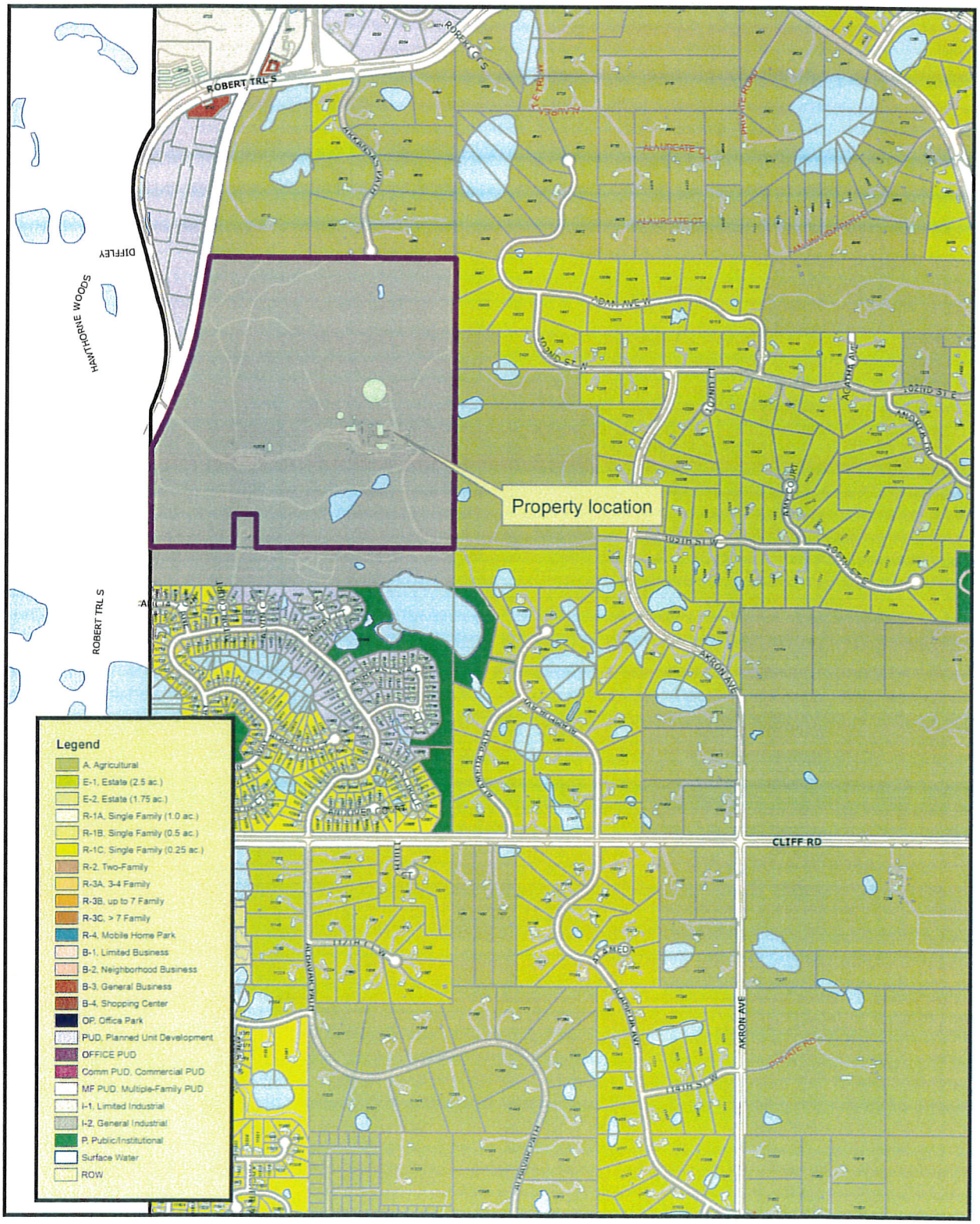
RECOMMENDATION

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 and variance.

Attachments: Location Map
Narrative
Site Plan
Exterior Elevation

Map not to scale

Xcel Energy - Wescott
Case No. 15-36CV



N

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

Exhibit A
Zoning and Location Map

4 September 2015

To: City of Inver Grove Heights
Attn: Heather Botton
8150 Barbara Ave
Inver Grove Heights, MN 55077
hbotten@invergrovehieghts.org
651.450.2569

From: Brandon Cramer
Xcel Energy
10326 South Robert Trail
Inver Grove Heights, MN 55075
Brandon.T.Cramer@xcelenergy.com
952.220.1180

RE: Conditional Use Permit Narrative

Scope:

Wescott Multi-Purpose Shed Installation Project.

Install a 3200 square foot, 40' by 80' shed in which to store oil for equipment, house a compressor and add dry storage for the Wescott plant for Excel Energy.

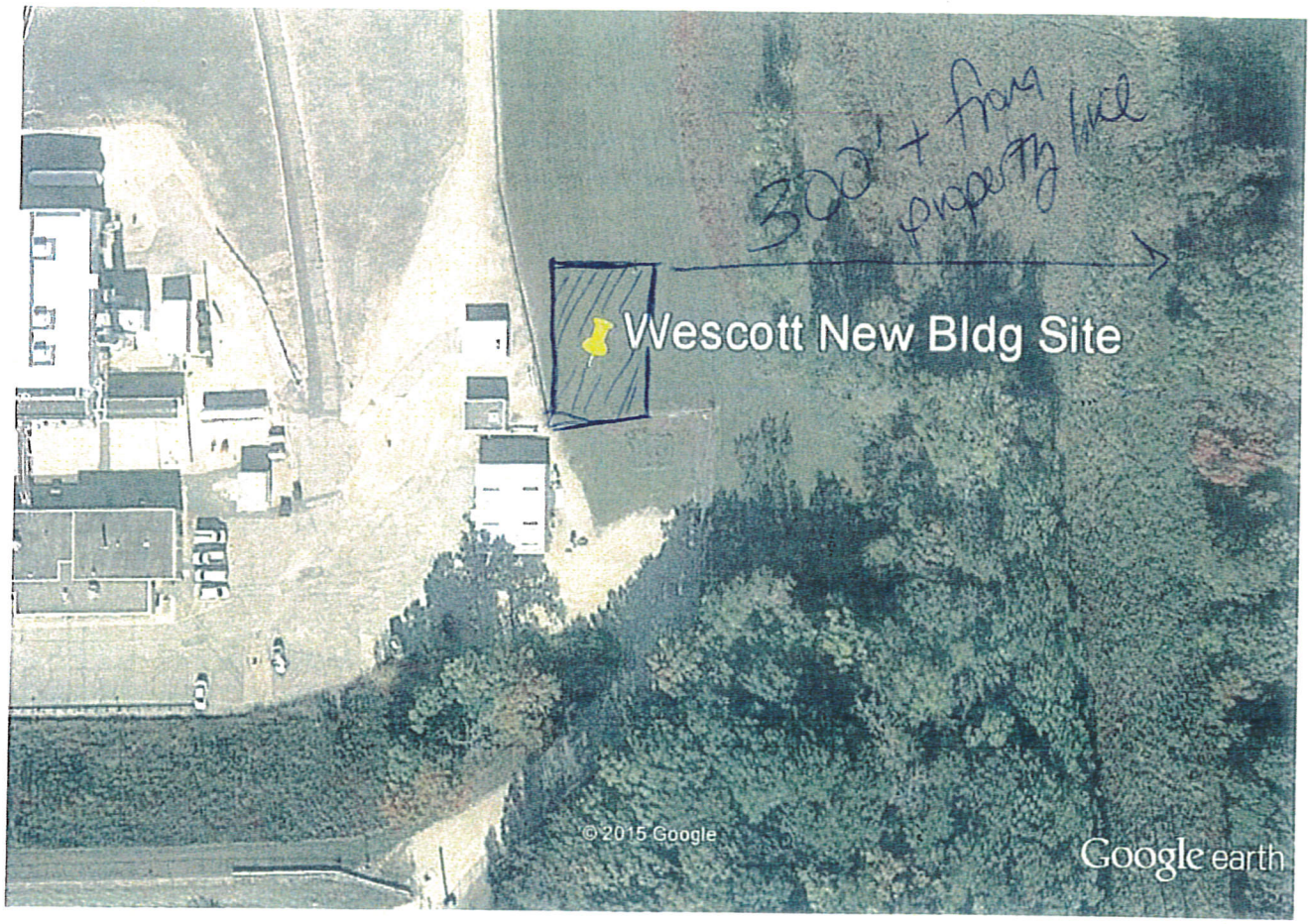
The site is to be located on the eastern edge of the facility.

The building will be divided into 3 sections.

The installation needs to be complete in 2015.

Respectfully,

Brandon Cramer
Xcel Energy

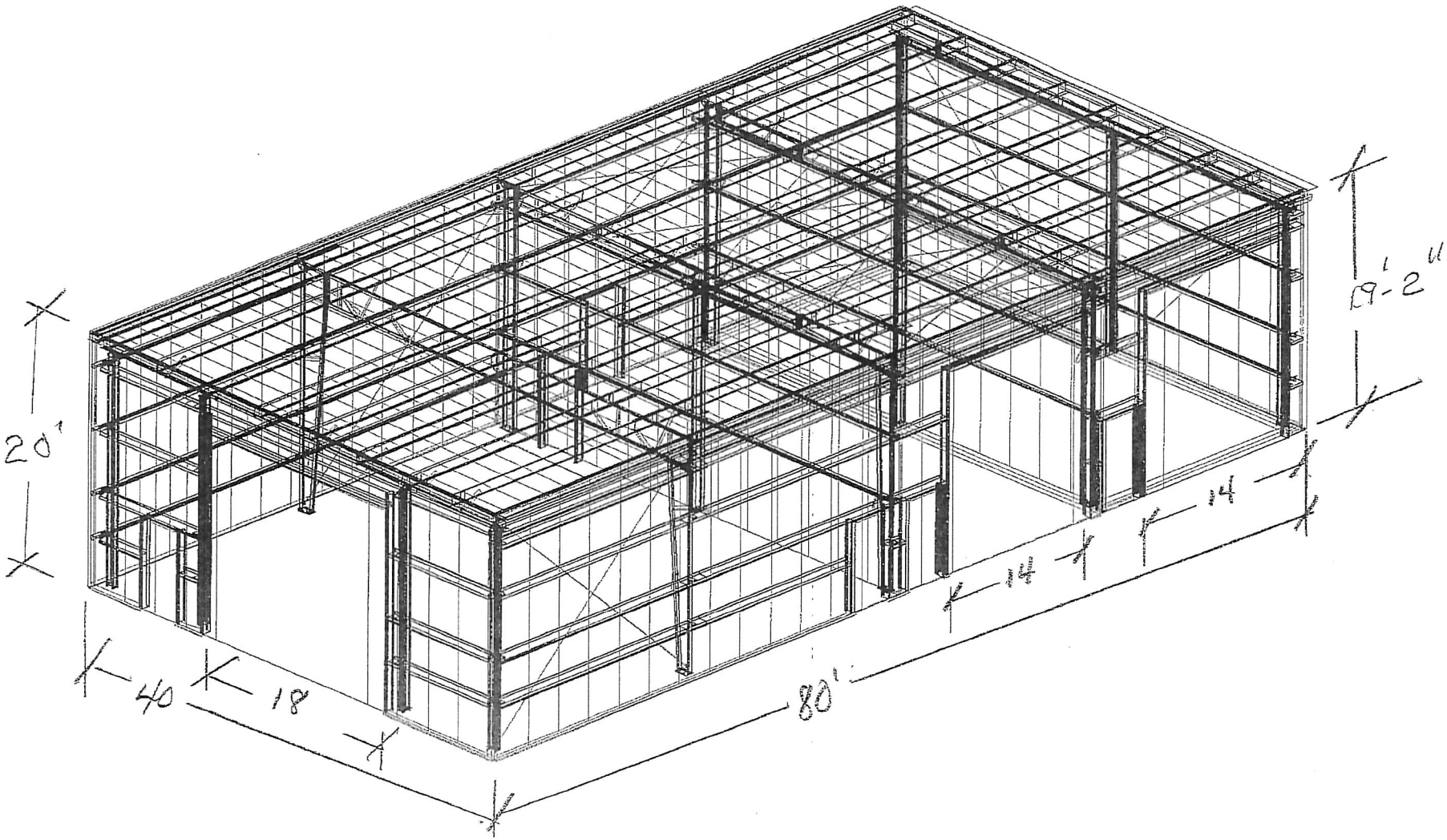


Google earth

feet 300
meters 100

9-4-15

XCEL ENERGY
WESCOTT COMPANY 2


20'
19'-2"
14'
14'
40
18'
80'

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: September 30, 2015 **CASE NO.:** 15-37V

HEARING DATE: October 6, 2015

APPLICANT & PROPERTY OWNER: Jennifer Christensen

REQUEST: Variances from the minimum lot size, width and rear setback

LOCATION: 4701 Barbara Avenue

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: R-1C, Single-family Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant's property is .50 acres in size and zoned R-1C, single family. It is the applicant's desire to subdivide her property. In order to do so variances are required from the minimum lot size and width requirements and also a rear yard setback variance for the existing home. If the variances are approved the applicant would then proceed with the lot subdivision.

The code has a provision that allows existing lots of record to be considered conforming if they contain at least 70% of the minimum lot size and width. In this case, the minimum lot size in the R-1C district is 12,000 square feet, 70% is 8,400 square feet and 70% of the 85 foot minimum lot width is 59.5 feet. The applicant is proposing Lot 1 at 12,500 square feet (minimum for a corner lot) and 100' wide, complying with code requirements. Lot 2, is proposed at 8,900 square feet and 69' in width, complying with the 70% rule but requiring a variance as it would be a new lot.

Lot 2 would be the smallest lot in the neighborhood but it would provide an affordable housing opportunity for the family currently renting the existing home. The 8,900 square foot lot size, comparable to lot sizes in the Argenta Hills neighborhood, can accommodate a single family home that complies with setback and impervious surface requirements. The City's comprehensive plan states that affordable housing is an important part of a communities vitality; the proposed variances would provide an opportunity for affordable housing.

In regards to the rear yard variance for the existing home, the lot is a corner lot. By definition the lot has two "front yards". The way our code defines rear yard is the side opposite the shortest road dimension, making the "new" southern lot line the rear property line for Lot 1

even though the west lot lines functions as the rear lot line. Additionally, the boundary line in question would act as the side lot line for the new lot.

The specific applications being requested are the following:

A.) A **Variance** from the minimum lot size and width requirements for a new single family lot.

B.) A **Variance** from the rear yard setback for an existing home.

SURROUNDING USES

The subject site is surrounded by the following uses:

North – Residential; zoned R-1C, single-family; guided LDR, Low density
East - Residential; zoned R-1C, single-family; guided LDR, Low density
West - Residential; zoned R-1C, single-family; guided LDR, Low density
South - Residential; zoned R-1C, single-family; guided LDR, Low density

EVALUATION OF REQUEST

Lot size and width. The minimum lot size and width requirements would be met for Lot 1; Lot 2 would meet the 70% rule the City has for existing lots of record but since this would be a new lot a variance is required from the minimum lot size and width standards.

Access. Both lots would access onto Barbara Avenue; spacing requirements between driveways would exceed minimum requirements.

Engineering. A custom grading agreement would be required with the new home. City water and sewer is available to the property but not stubbed to the property lines. Connection to city services would be at the owners expense. Engineering has made some recommendations on conditions that should be added to the approval; these conditions are included in the list of conditions at the end of this report.

VARIANCE CRITERIA

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

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

The surrounding neighborhood is guided for low density residential. The use of the property for single family residential would be consistent with the surrounding neighborhood.

Lot size and width variance
The comprehensive plan states that affordability is an important component to the overall housing plan. The City will need to work to reduce the barriers that are not conducive to affordable housing. The proposed lot split meets the goals of the comprehensive plan to provide an affordable housing opportunity.

Rear setback variance for the existing home
The property is a corner lot with two front yards; the general purpose and intent of the city code are met as the property complies with all other setback and impervious surface requirements.

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

The existing lot size of .50 acre is too small to be a PUD to allow for flexibility in lot sizes. The R-1C zoning requires minimum lot sizes that may be considered unreasonable to provide an affordable housing option. The proposed lot size for Lot 2 is similar to other new lots being platted in the city and has proven to have enough space to provide a single family home, complying with setback and impervious surface requirements. The lots on the north side of 47th Street are of a smaller lot size, below the R-1C minimum standards.

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

Lot size and width variance
The minimum lot size and width requirements in the R-1C district are not practical when trying to provide affordable housing in the City. The property owner was able to meet minimum lot size and width requirements for one of the lots and the other lot complies with the 70% rule allowed for existing lots of record.

Rear setback variance for the existing home
Lot 1 would be a corner lot; the zoning code defines a rear yard as the side opposite the shortest road dimension, making the "new" southern lot line the rear property line for Lot 1 even though the west lot line functions as the rear lot line. Additionally, the boundary line in question would act as the side lot line for the new lot. The existing home meets the rear setback for the west property line and the side setback for the south property line.

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

Lot size and width variance
Allowing a lot split on this property may not alter the character of the neighborhood. Even though the new lot would be the smallest lot in the neighborhood the area is developed with single family homes with a variety of lot sizes including lots to the north that do not meet minimum lot size standards.

Rear setback variance for the existing home
The way our code defines rear yard is the side opposite the shortest road dimension, making the "new" southern lot line the rear property line for Lot 1 even though the west lot lines functions as the rear lot line. Additionally the boundary line in question would act as the side lot line for the new lot. The home meets the rear yard setback for the west property line and the side yard setbacks for the south lot line.

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 alternatives available for the requested action:

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

- Approval of the minimum lot size and width **Variances** for the creation of a new single family lot and a **Variance** from the rear yard setback for the existing home subject to the following conditions:

  1. The site shall be developed in substantial conformance with the site plan dated 09-08-15 on file with the Planning Division.

  2. The property owner shall make application and obtain approval of a lot split to become a lot of record.

  3. A custom grading agreement shall be required by City Code to ensure proper drainage and erosion control standards are met. Said agreement shall be signed and executed prior to issuance of a building permit.

  4. The applicant shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence.

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

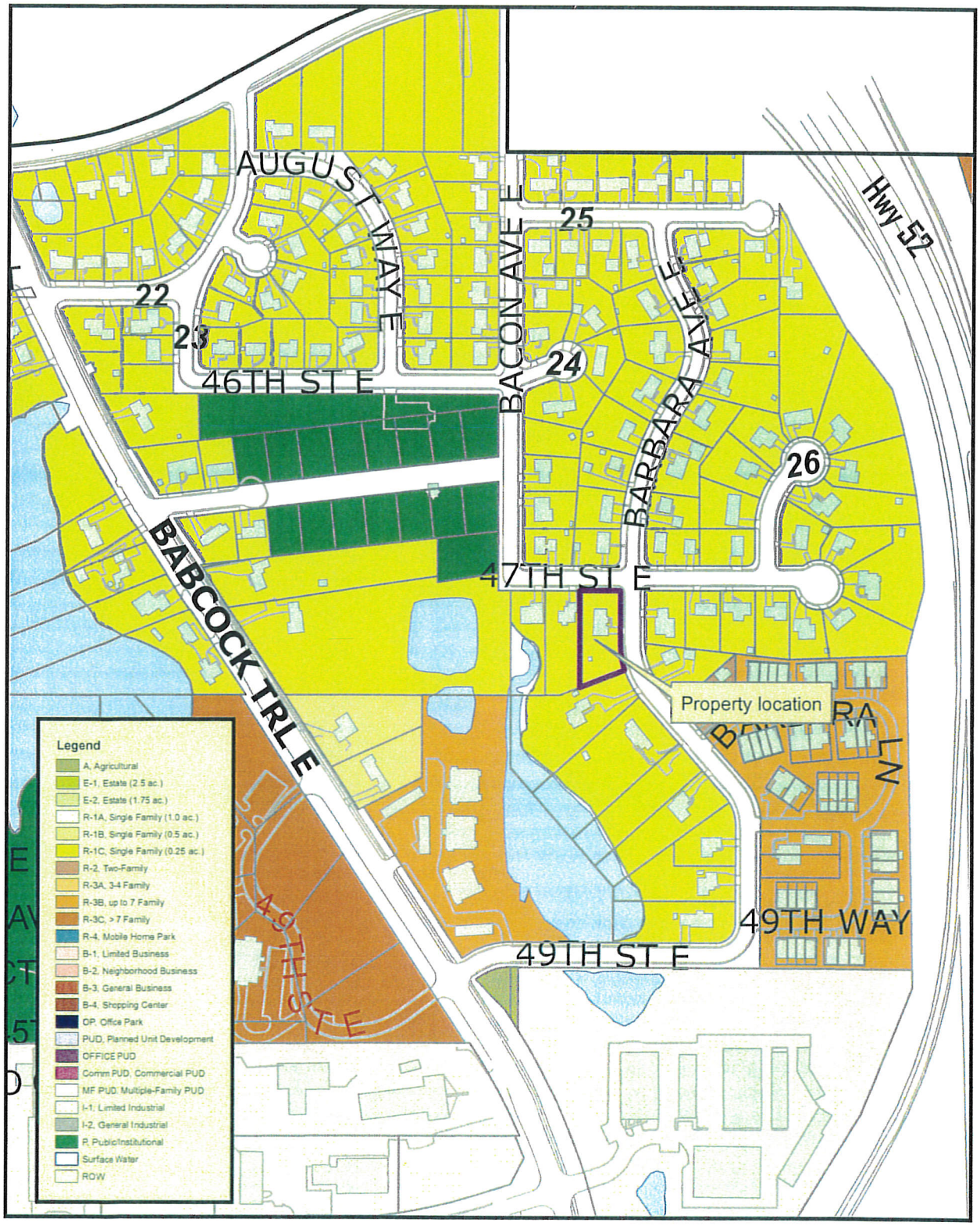
Staff believes the request is not out of character for the neighborhood and is consistent with the zoning code and comprehensive plan designations. The request reduces the barriers that are not conducive to affordable housing. The variance requests do not appear to have any adverse impacts on neighboring properties and setback and impervious surface requirements would be met for the new home.

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the minimum lot size, width, and setback variance requests.

Attachments: Exhibit A - Location/Zoning Map
Exhibit B - Applicant Narrative
Exhibit C - Site Plan

Map not to scale

Christensen
Case No. 15-37V



N

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

Exhibit A
Zoning and Location Map

Request For A Variance

We are requesting a variance from the strict interpretation of the Inver Grove Heights Zoning Code as it pertains to lot size + lot requirements for a lot split to build a home. The applicant wishes to split the lot at 4701 Barbara Avenue and sell it to her current tenants so that they may build a small single family dwelling in an established neighborhood that they have dwelled in for the past year and a quarter.

The owner is currently renting her home at 4701 Barbara to a young couple with 2 children. They have expressed a desire to stay in the house + neighborhood where they have felt welcomed + in the school district

(2)

Their children have grown accostumed too. The home owner is currently teaching out of the country but will be moving back home next spring/summer to take care of her special needs brother. She would welcome her tenants as new neighbors.

We believe the lot split variances should be granted because:

[1] The lot is .5 acres and could accomidate 2 houses (SFD).

[2] There are many homes in the neighborhood that are .25 acres.

(i) (The variance must be in harmony with the general purposes and intent of the Zoning ORD)

[3] The variance if granted will provide for affordable housing for a current member of the neighborhood - which is consistent with the Comp. Plan

[4] The strict size guidelines for a lot split of 12,500 for the corner lot and 13,000 for any additional lot split is not practical with trying to provide addition affordable housing in the area.

(a) Building a SFD is a reasonable use of the property but is not permitted by the strict interpretation of the Zoning ORD.

(3)

(b) The layout of the lot and the contour of the lot are unique to the property and were not created by the landowner.

(c) The lot split and subsequent building of an economical single family dwelling on the new lot will not change or alter the character of the neighborhood.

(d) Although the home owner will receive compensation for the lot if the variance and subsequent lot split are granted, we are exploring this option for the benefit of our tenant and new neighbors, who are hard working and liked by the existing neighbors including me (the applicant).

In summary the south end of the lot has not been used for many years for anything but brush storage and weed growth. By granting a variance of the lot size, the Planning Commission will be allowing a family an opportunity to build an affordable home in their neighborhood and continue to live & work

(4)

where they are comfortable & a member of the community. The home owner has no further need for the additional yard area as her family has grown up and moved away. The current tenants are an asset to the neighborhood and the community.

Also the Planning Commission through the Preliminary Plat & Final Plat (Lot Split) process can be sure to condition the size & location of ~~the~~ any SFD proposed so the new dwelling & lot will satisfy the intent of the ~~IGH~~ Zoning Ordinance

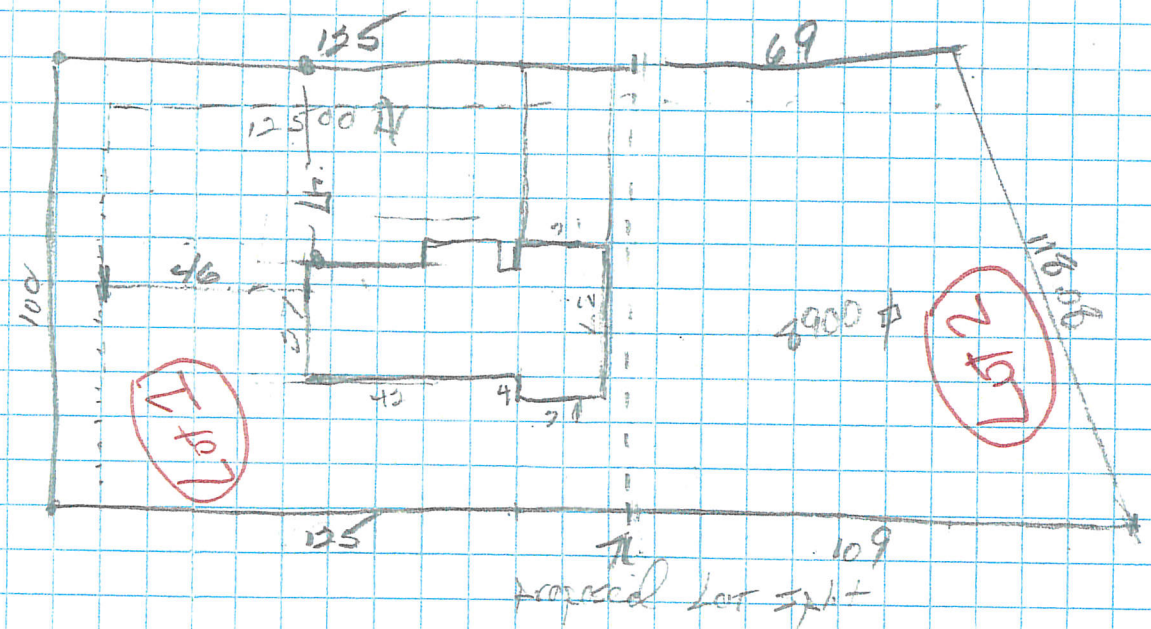
Thank you for your Consideration

Jess Hawkins

651-345-1127

hawkhotel365@gmail.com

BARBARA Ave



1/10
1 square = 10 feet

SITE Plan

4701 Barbara Ave

RECEIVED
SEP 8 2015

County Home

Dakota COUNTY

Property Information Search

RECEIVED
SEP 8 2015

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: October 1, 2015 **CASE NO:** 15-42X

HEARING DATE: October 6, 2015

APPLICANT: City of Inver Grove Heights

PROPERTY OWNER: N/A

REQUEST: Review of City Project Numbers 2015-12 and 2015-16 for Consistency with the Comprehensive Plan

LOCATION: Trunk Utilities from Argenta Trail to Blackstone Ridge and Trunk Water Main 65th Street Loop

COMPREHENSIVE PLAN: N/A

ZONING: N/A

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner
Tom Kaldunski
City Engineer

BACKGROUND

The City Engineer has prepared two memos covering two capital improvement projects for trunk sewer and water in the Northwest Area. Please review the attached memos for details.

Per State Statures, the Planning Commission must review capital improvement projects for consistency with the Comprehensive Plan (Minnesota Statute 462.356 subd. 2).

EVALUATION OF THE REQUEST

Compliance with the Comprehensive Plan. Minnesota Statutes requires the Planning Commission to review capital improvement projects to verify they are in compliance with the City's Comprehensive Plan.

The projects are part of the overall Northwest Area trunk sewer and water extension plan that is described in the Comprehensive Plan. These two projects would be consistent with the Sewer and Water Chapters of the Comprehensive Plan.

ALTERNATIVES

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

- An Approval recommendation that Capital Improvement Projects 2015-12 and 2015-16 are consistent with the Comprehensive Plan.

B. Denial. If the Planning Commission does not find the proposed project 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

The City Engineer and Planning Staff both recommend the projects be found consistent with the Comprehensive Plan.

Attachments: Two memos from the City Engineer Tom Kaldunski

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, City Planner

FROM: Thomas J. Kaldunski, City Engineer TJK

DATE: September 30, 2015

SUBJECT: Northwest Area Comprehensive Sanitary Sewer Plan (CSSP)
City Project No. 2015-12 - NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail)

At the November 10, 2014 City Council meeting, the Blackstone Development PUD was considered. Council action amended the City's 2005 CSSP prepared. A copy of the approved 2014 CSSP is attached for reference. A copy of the 2005 Comprehensive Water Plan is also attached.

The Planning Commission should review City Project No. 2015-12 – NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail). This project is consistent with the 2014 CSSP and the 2005 Comprehensive Water Plan. It is recommended that the Planning Commission concur with this consistency.

TJK/kf
Attachments: 2014 Comprehensive Plan Amendment Sanitary Sewer Alignments
2005 Comprehensive Water Plan
2015-12 Service Area Exhibit
2015-12 65th Street Watermain Loop

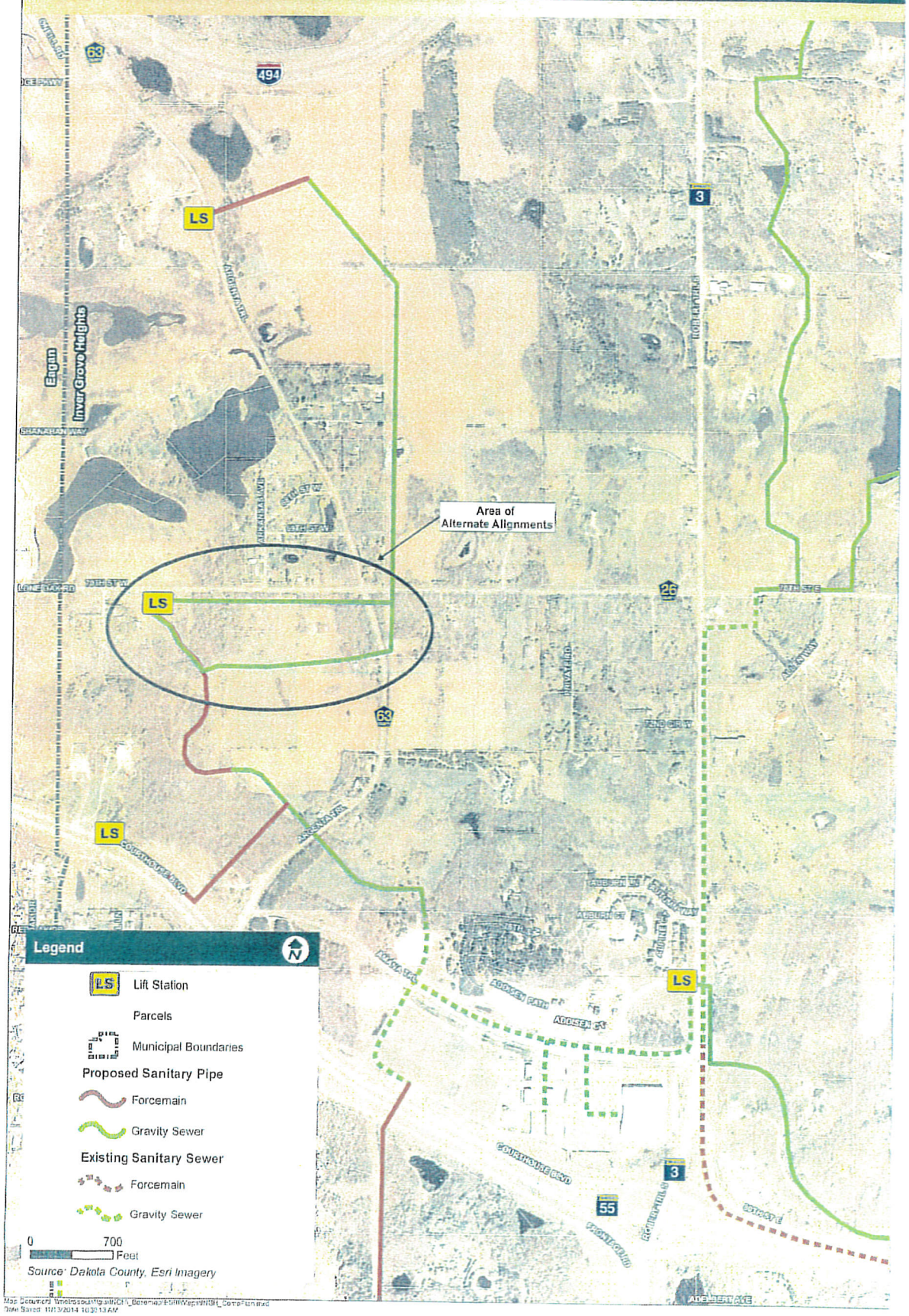
cc: Scott D. Thureen, Public Works Director
Tim Kuntz, City Attorney

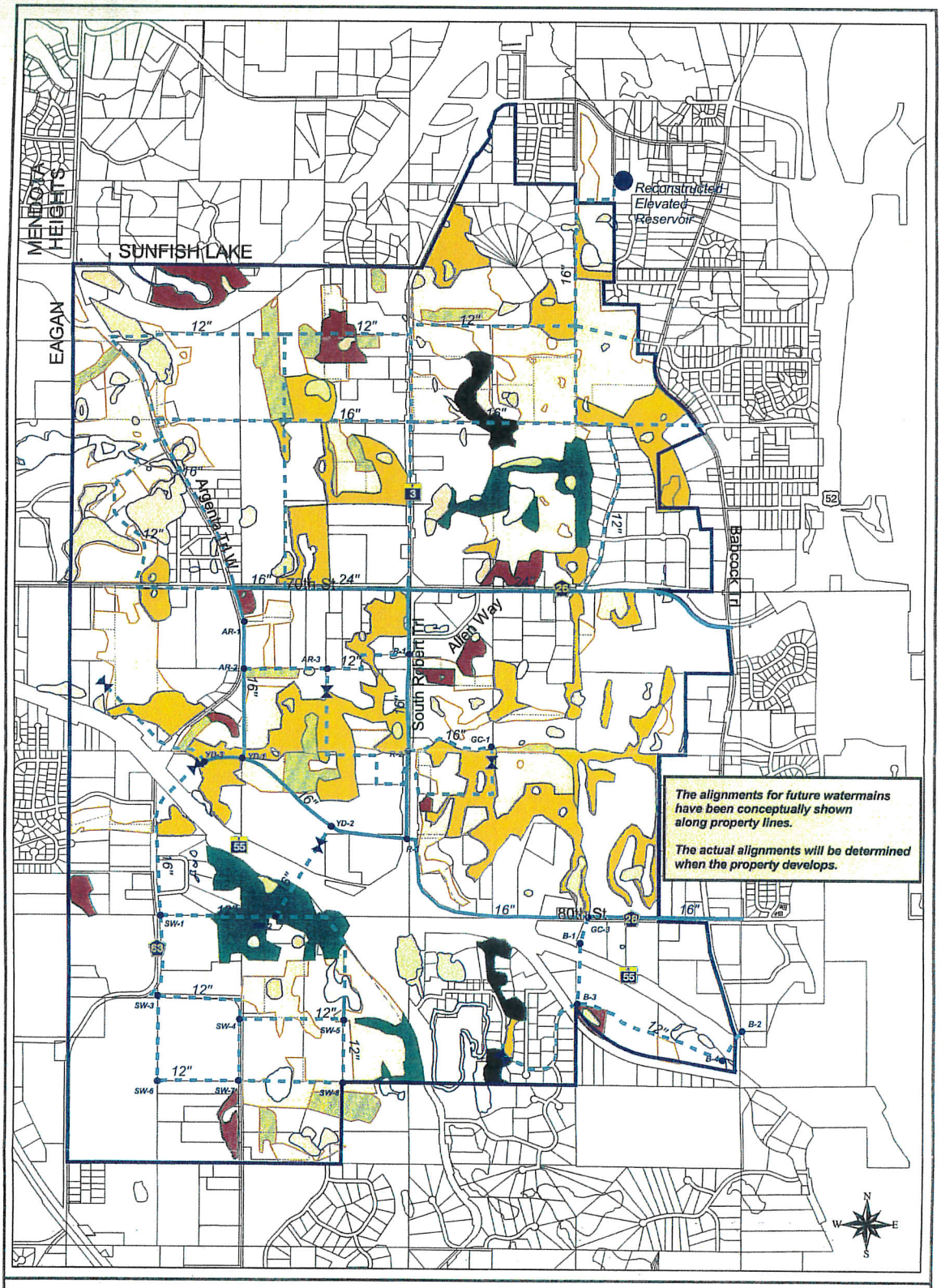
Northwest Expansion Area

City of Inver Grove Heights

Comprehensive Plan Amendment

FIGURE 7.1a - Sanitary Sewer Alignments
(November 2014)





Bonestroo Rosene Anderlik & Associates
Engineers & Architects

Feet
1500 0 1500

April 2005
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City of Inver Grove Heights

Northwest Expansion Area

Watermain Alignments with Natural Resource Inventory

Figure 9

- B-1 Water System Node
- Pressure Reduction Valve
- Elevated Reservoir
- Proposed Watermain
- Future Watermain
- AUAR Boundary

Wetlands Uplands

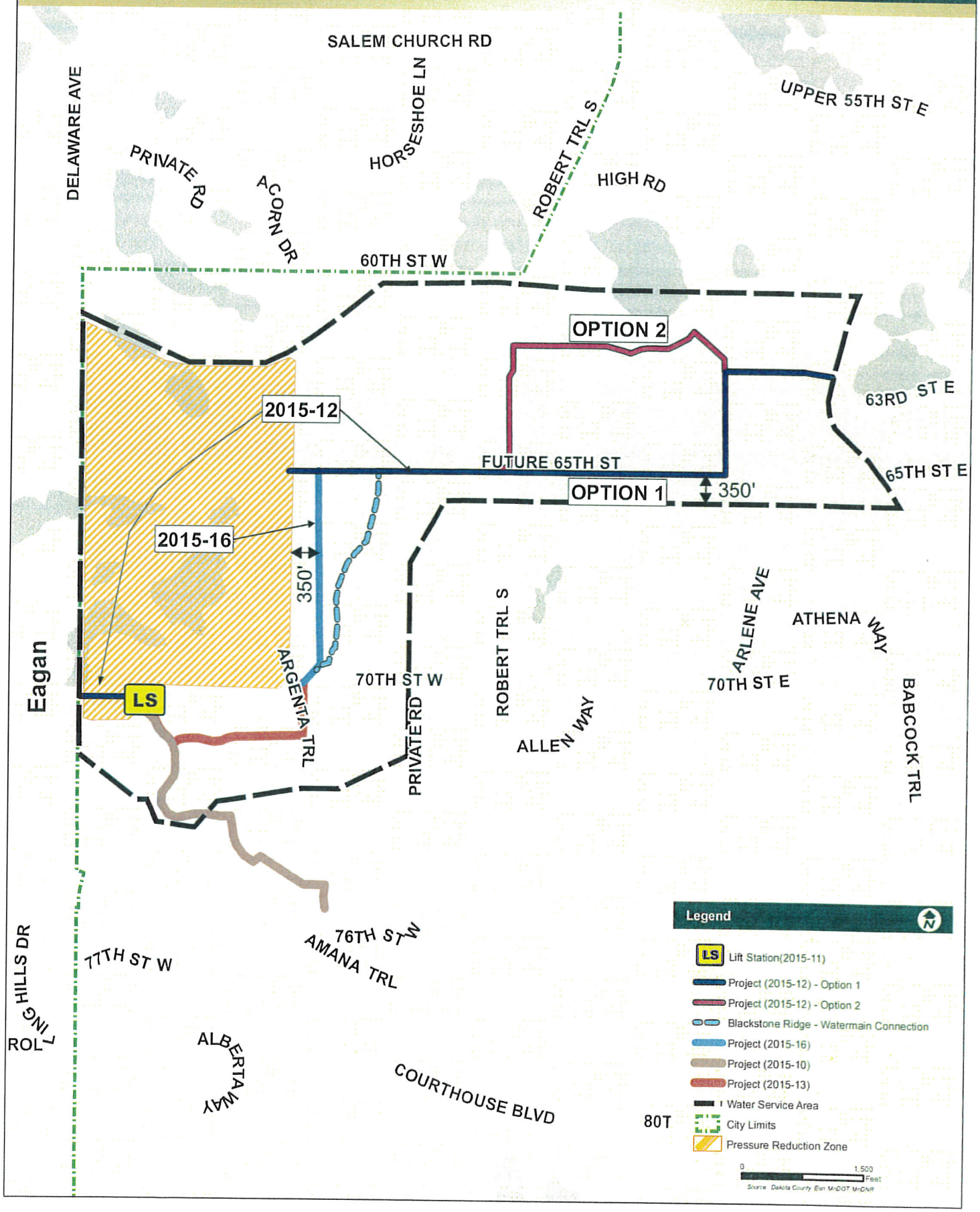
- Manage 1
- Manage 2
- Manage 3
- Manage 4
- Old Field
- Conifer Plantation

NWA TRUNK UTILITIES - ARGENTA DISTRICT

City of Inver Grove Heights

WATER SERVICE AREAS

September 2015

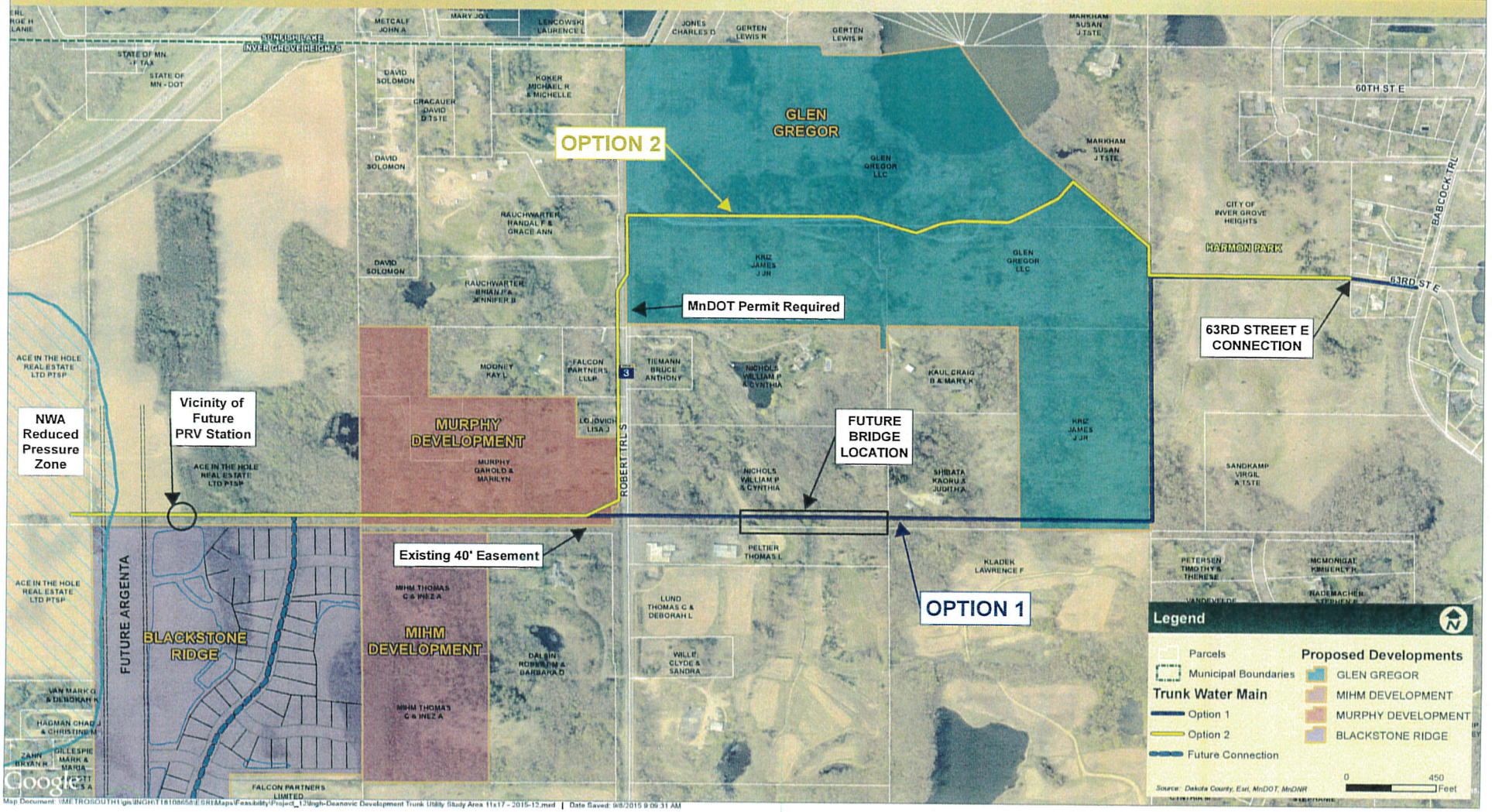


NWA TRUNK UTILITIES - ARGENTA DISTRICT

City of Inver Grove Heights

FIGURE 1 - 65th STREET WATERMAIN LOOP (2015-12)

September 2015



Map Document: \\METROSOUTH1\gis\INGH\T18108658\ESRI\Maps\Feasibility\Project_12\Ingh-Deanovic Development Trunk Utility Study Area 11x17 - 2015-12.mxd | Date Saved: 9/8/2015 9:09:31 AM

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, City Planner

FROM: Thomas J. Kaldunski, City Engineer TJK

DATE: September 30, 2015

SUBJECT: Northwest Area Comprehensive Sanitary Sewer Plan (CSSP)
City Project No. 2015-16 – NWA Trunk Utilities, Argenta Trail to Blackstone Ridge

At the November 10, 2014 City Council meeting, the Blackstone Development PUD was considered. Council action amended the City's 2005 CSSP. A copy of the approved 2014 CSSP is attached for reference. A copy of the 2005 Comprehensive Water Plan is also attached.

The Planning Commission should review City Project No. 2015-16 – NWA Trunk Utilities, Argenta Trail to Blackstone Ridge for consistency with the comprehensive plans. Attached is a plan showing the proposed trunk sewer associated with 2015-16 and water main trunks to be installed with the Blackstone Ridge PUD. This project is consistent with the 2014 CSSP and the 2006 Comprehensive Water Plan. It is recommended that the Planning Commission concur with this consistency.

TJK/kf
Attachments: Comprehensive Plan Amendment Sanitary Sewer Alignments
NWA Initial Required Trunk Utilities
Comprehensive Water Plan
2015-16 Public Hearing Notice Map

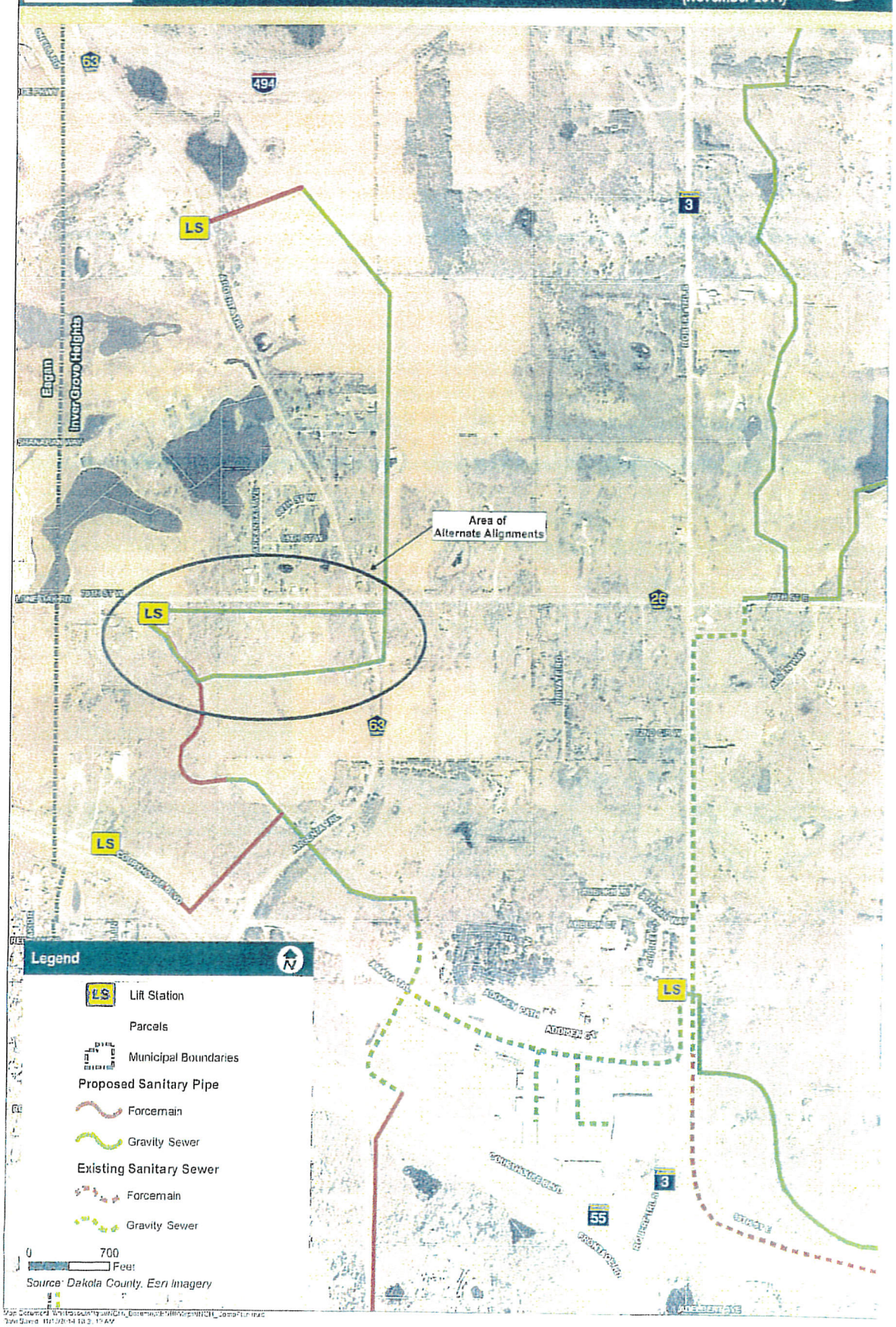
cc: Scott D. Thureen, Public Works Director
Tim Kuntz, City Attorney

Northwest Expansion Area

City of Inver Grove Heights

Comprehensive Plan Amendment

FIGURE 7.1a - Sanitary Sewer Alignments (November 2014)



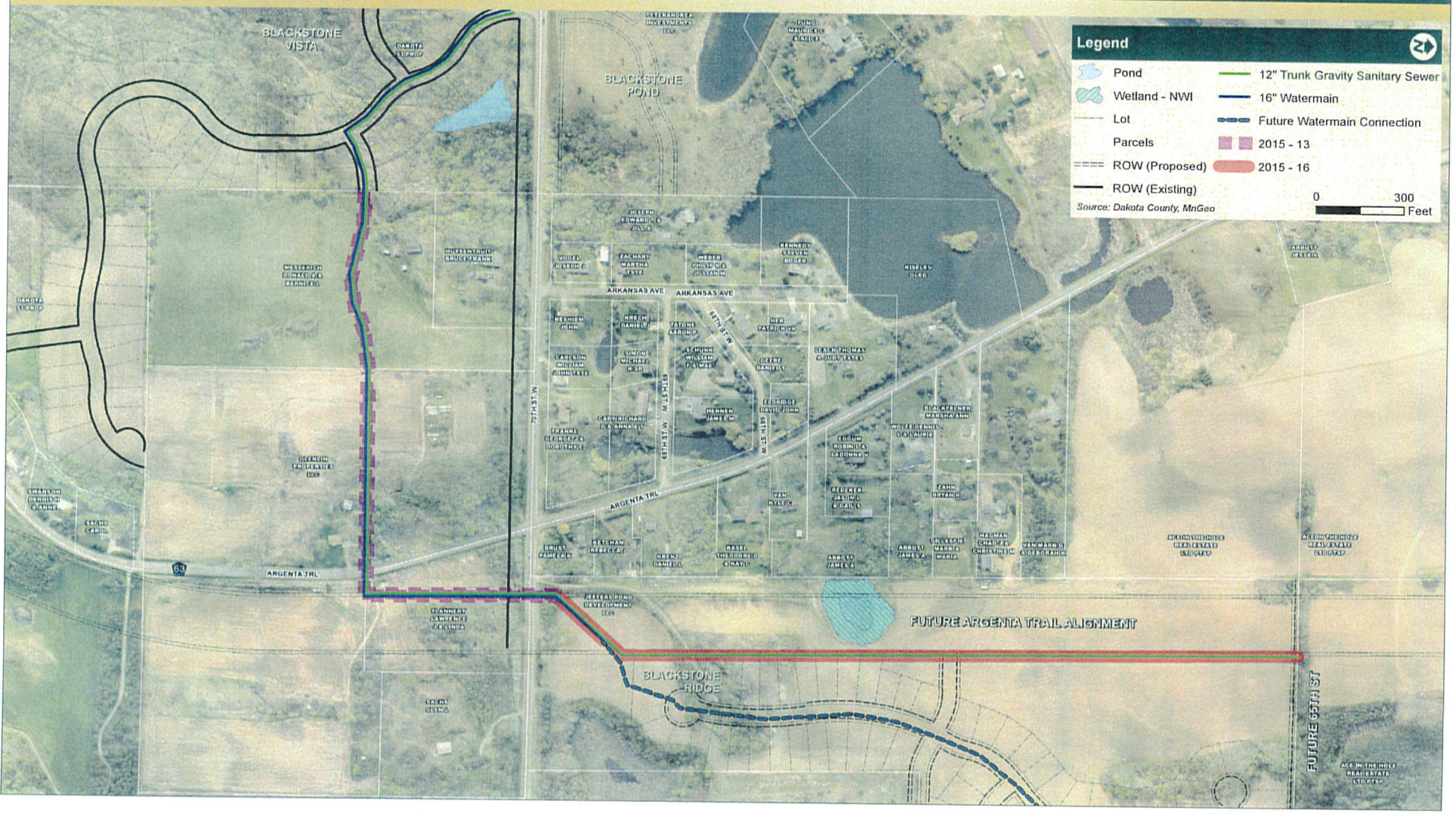
Northwest Area Trunk Utilities - Argenta District

City of Inver Grove Heights

Figure 1: 2015-16 Trunk Utility Alignment

Argenta Trail to Blackstone Ridge

August 2015



Map Document: \\METROSOUTH1\gis\INGH\T1B10B65\ESRI\Maps\Options\Figures\Figure 1 - Trunk Utility Study 70th St Opt 1\x17.mxd
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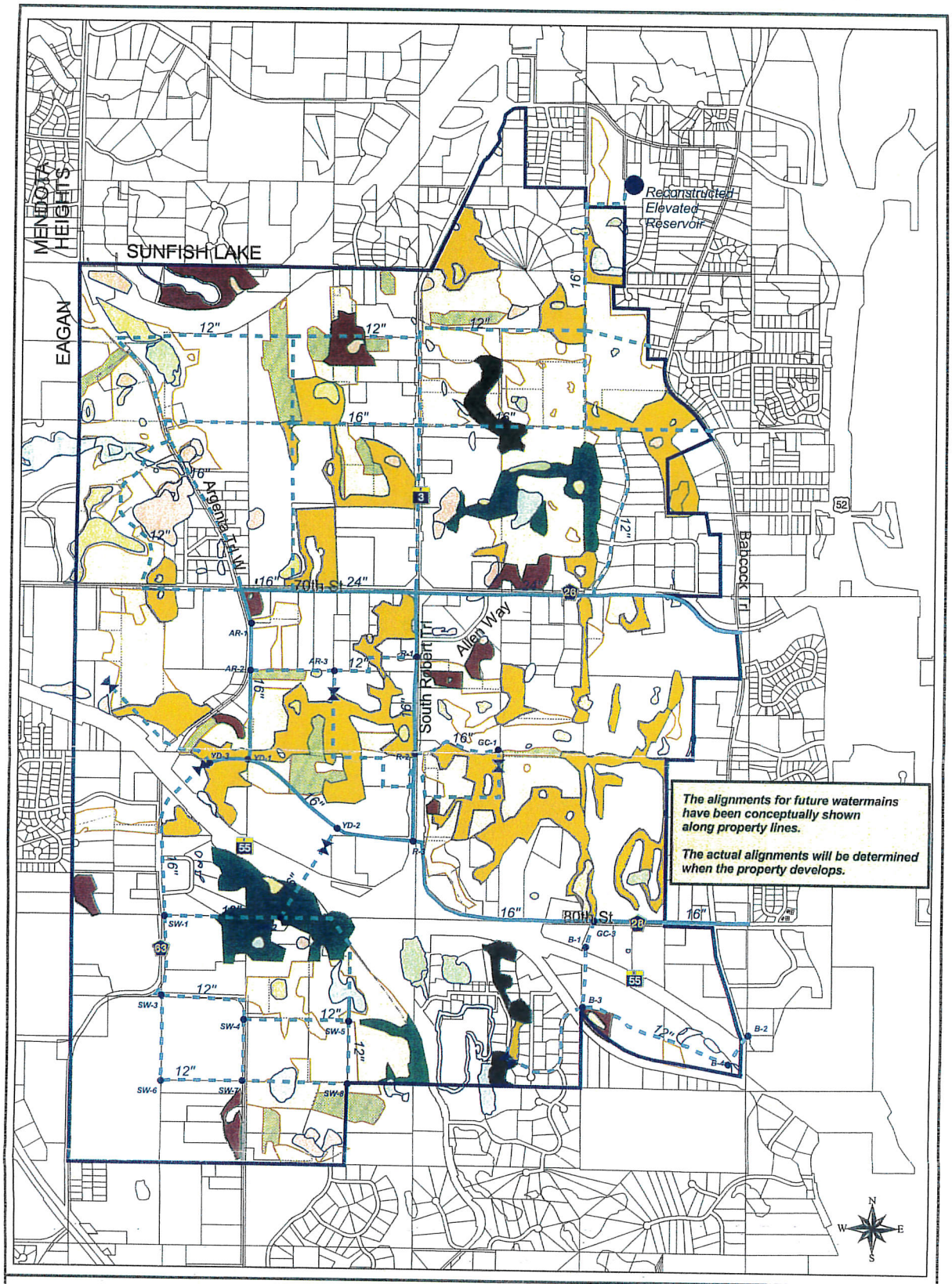

Bonestroo Rosene Anderlik & Associates
Engineers & Architects

City of Inver Grove Heights

Northwest Expansion Area

Watermain Alignments with Natural Resource Inventory

Figure 9

Feet
1500 0 1500

April 2005
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B-1 Water System Node
Pressure Reduction Valve
Elevated Reservoir
Proposed Watermain
Future Watermain
AUAR Boundary

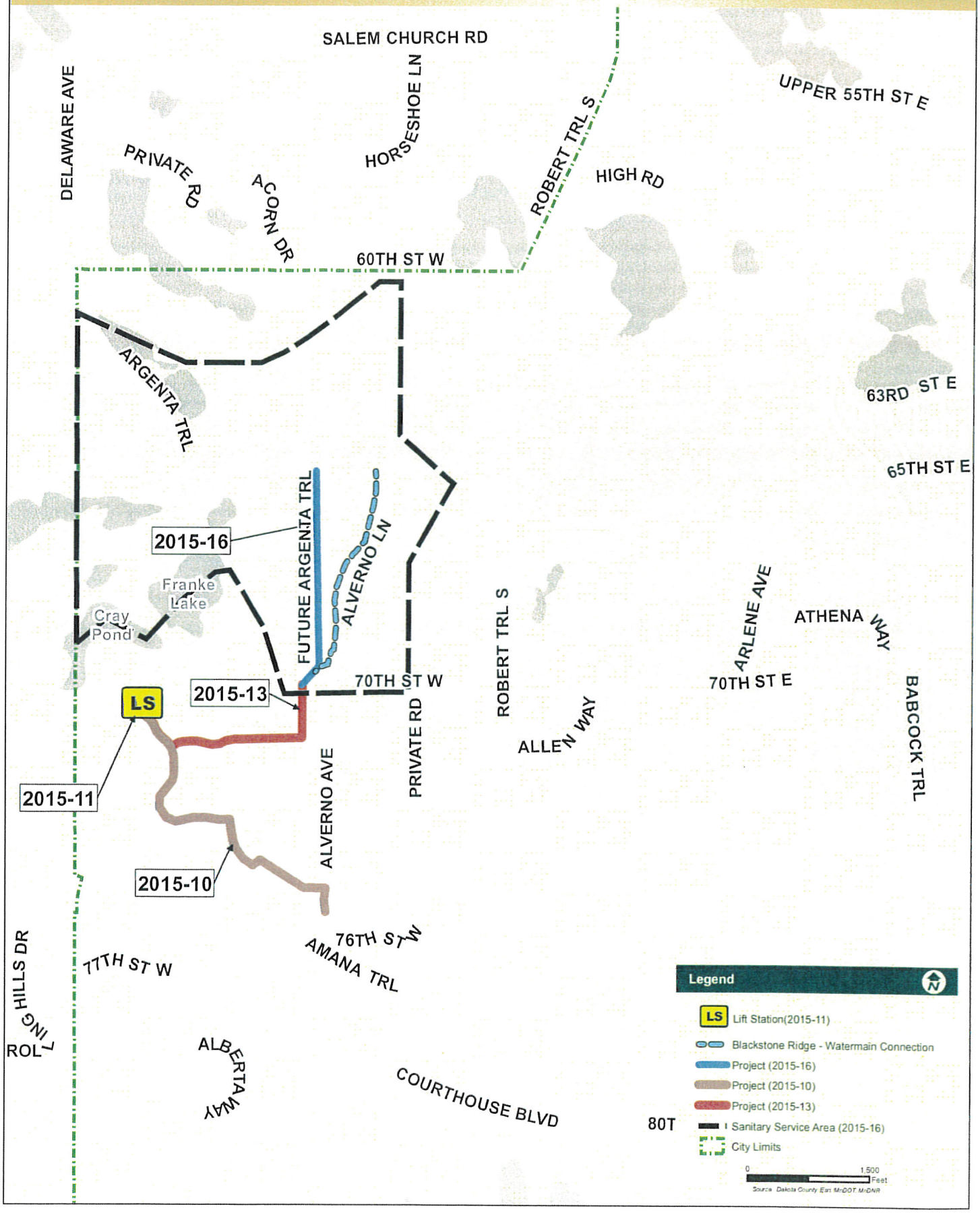
Wetlands *Uplands*
Manage 1
Manage 2
Manage 3
Manage 4
Old Field
Conifer Plantation

NWA TRUNK UTILITIES - ARGENTA DISTRICT

SANITARY SEWER SERVICE AREAS

City of Inver Grove Heights

September 2015



MEMO

CITY OF INVER GROVE HEIGHTS

TO: Inver Grove Heights Planning Commission

FROM: Allan Hunting, City Planner

DATE: September 24, 2015

SUBJECT: RECENT NORTHWEST AREA RESIDENTIAL DEVELOPMENTS

Earlier, the Planning Commission requested a summary of the residential developments that have been approved by the City Council over the last few years.

2008-2014 **Argenta Hills.** Argenta Hills was approved over 9 phases including the Target and small retail buildings. Overall, a total of 128 single family units were approved. This development has only a few vacant lots left.

2014 **Groveland Heights.** This project was approved by City Council for a total of 46 single family lots. A comprehensive plan amendment was approved to change the land use designation from HDR, High Density Residential to LDR, Low Density Residential. The project has been abandoned by the developer.

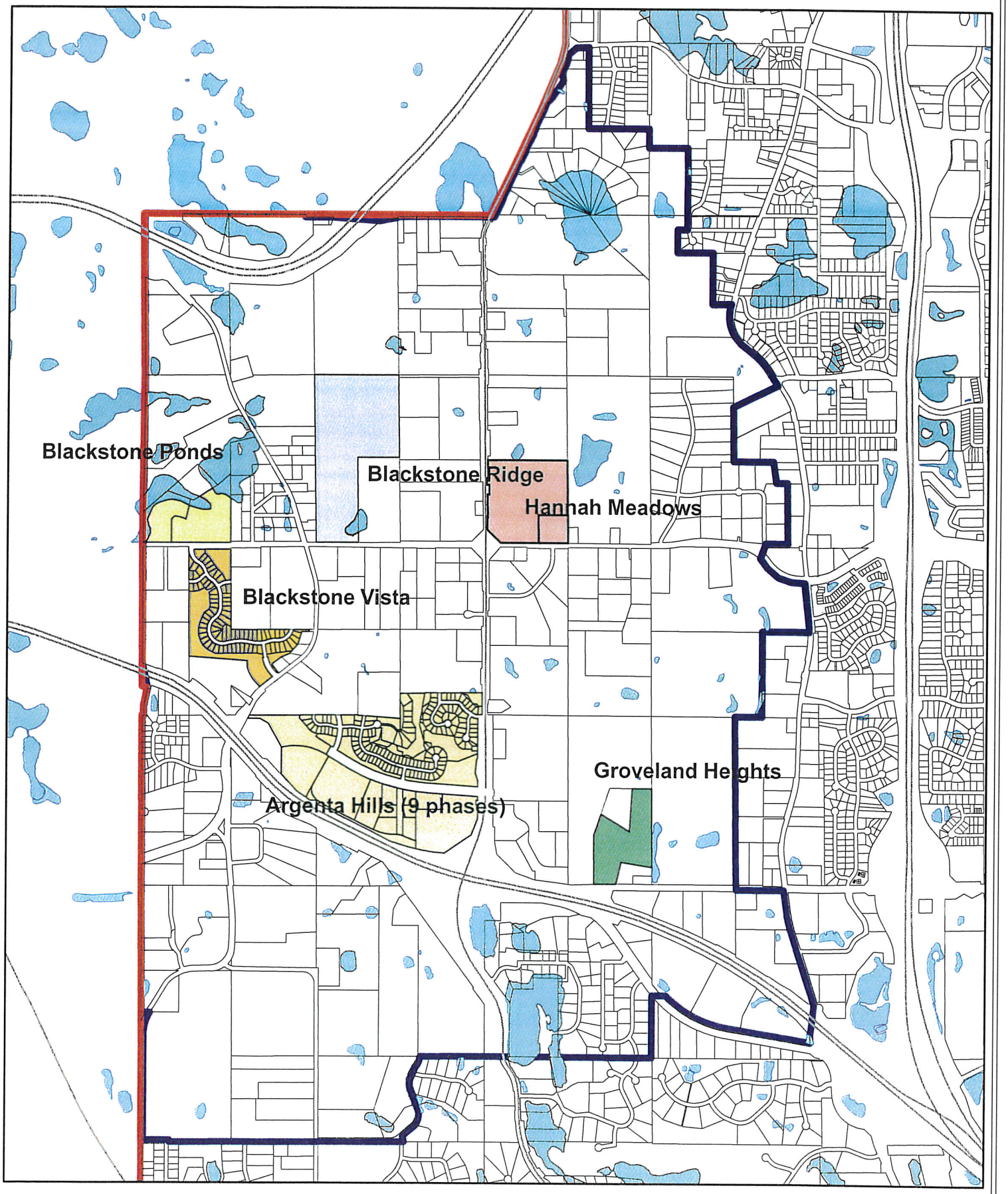
2014-2015 **Blackstone Vista, Ponds and Ridge.** Blackstone Vista was approved for 78 single family units. Phase I is under construction and the first model homes will begin shortly. A portion of the street system will be constructed this year and the balance will be constructed next year. Build out of the project is expected over the next 3-4 years.

Blackstone Ponds was approved for a total of 104 townhouse units. Phase I consisting of 38 units is now under construction. Model homes will begin shortly. This project will be developed in phases and timing is dependent upon demand for units.

Blackstone Ridge will be considered by the Planning Commission on November 4 and City Council on November 9 for Final Plat/PUD approval. The project consists of 79 single family homes. Construction would begin summer 2016.

2015 **Hannah Meadows.** This project is proposed with 46 single family units, 38 townhome units and a 160-200 unit apartment building. The project would be constructed in phases with single family and townhome phases to occur first. The plat

will be considered by Planning Commission on October 20 and City Council on October 26.

A map showing the location of the projects is attached.

Recent Developments in the Northwest Area