

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**TUESDAY, FEBRUARY 16, 2016 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

1. **CALL TO ORDER**

2. **APPROVAL OF PLANNING COMMISSION MINUTES FOR JANUARY 19, 2016 and FEBRUARY 2, 2016.**

3. **APPLICANT REQUESTS AND PUBLIC HEARINGS**
 - 3.01 **MOTORS MANAGEMENT CORP. - CASE NO.16-01C**

Consider the following requests for property located at 1470 50th Street:

 - a) A **Conditional Use Permit Amendment** to allow for a building and parking lot expansion to the existing automobile dealership.

Planning Commission Action _____
 - b) A **Conditional Use Permit** to exceed the maximum impervious surface allowed in the Shoreland Overlay District.

Planning Commission Action _____

 - 3.02 **CITY OF INVER GROVE HEIGHTS – CASE NO. 16-02ZA**

Consider an **Ordinance Amendment** to Title 10 of the City Code (Zoning Regulations) to modify the definition of “Massage Therapy, Licensed” and Other Home Occupations.

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, January 19, 2016 – 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: Dennis Wippermann
Elizabeth Niemioja
Bill Klein
Pat Simon
Joan Robertson
Annette Maggi
Armando Lissarrague

Commissioners Absent: Tony Scales (excused)
Harold Gooch (excused)

Others Present: Allan Hunting, City Planner
Tom Link, Community Development Director

APPROVAL OF MINUTES

The minutes from the January 5, 2016 Planning Commission meeting were approved as submitted.

Northwest Area Park Plan Update

Eric Carlson, Parks Director, summarized the City's mission, values, and framing decisions. He advised that the park plan for the Northwest Area was originally adopted in 2007, modified as part of the 2009-2030 Comprehensive Plan, and then evaluated and adopted again in 2014 in regard to park service areas and trail connections to parks and residents. The latest revision also included the Mendota/Lebanon Greenway. The current plan for the Northwest Area includes six parks, connected by 10-15 miles of trails. The specific park amenities have not been determined as they want to remain flexible in order to respond to changing demographics. Mr. Carlson advised that currently the City has a population of 34,000 people; 28 parks, 26 miles of trails, over 600 acres of parkland, and 14 playground sites. With the development of the Northwest Area they are anticipating a population of 49,000, 34 parks, 36-41 miles of trails, over 660 acres of parkland, and 19 playground sites. This will result in a ratio of approximately 1,400 people per park versus the current ratio of 1,200 people per park. Staff anticipates collecting \$19.8 million in cash dedication to help pay for the Northwest Area park system. The Mendota/Lebanon Regional Trail will eventually connect Mendota Heights, Inver Grove Heights, and Eagan with 8.5 miles of regional trail.

Commissioner Klein asked if the proposed bridge was absolutely necessary, stating it would be cheaper to buy land for a trail.

Mr. Carlson stated the bridge in question was more like an enhanced dock and was not nearly as expensive as a typical bridge. He stated they were considering a grade separated crossing over 70th Street to provide safety for pedestrians. Mr. Carlson discussed park search 'Area C' which would serve two of the Blackstone neighborhoods. They have not yet had access to any land in this general area. Park search 'Area A' is located in the northeast corner of the proposed Hannah Meadows development and will increase in size with future developments.

Commissioner Niemioja asked if the body of water in park search 'Area A' was a fishable lake.

Mr. Carlson replied he was unsure.

Chair Maggi noted that currently they have 28 parks for 34,000 residents and anticipate adding 15,000 residents, but only six parks. She questioned what the thought process was of changing the density ratios of people versus parks in the Northwest Area compared to the rest of the City.

Mr. Carlson replied that currently there were 1,200 residents per park. In the future there will be approximately 1,400 residents per park. The direction they got from City Council was that the increase of 200 residents per park was acceptable.

Chair Maggi asked if it was the City Council direction that the current density did not need to be maintained in regard to parks per residents.

Mr. Carlson replied that staff presented the Northwest Area Park Plan and Council was comfortable with the proposed ratios.

Commissioner Robertson asked what the rationale was for accepting cash dedication versus parkland.

Mr. Carlson displayed the park plan showing the six different service areas. He explained that if the parks were too close together they would overlap service areas.

Commissioner Klein questioned why Inver Grove Heights has not been able to engage Dakota County into developing and paying for a park in a city of this size.

Mr. Carlson replied there were a number of County facilities in Inver Grove Heights, including the Mississippi River Regional Trail and the Swing Bridge Park (a City/County partnership). Dakota County is also working on developing the Pine Bend Bluffs Trailhead, the Mendota/Lebanon Greenway, and the Rich Valley Greenway. He stated although they were not parks, they were part of the park infrastructure.

Commissioner Klein stated they were not major parks though, like those found in Eagan and Lakeville.

Chair Maggi agreed that trails are an important part of the park system.

Commissioner Klein asked Mr. Carlson to look at engaging the County into taking a look at putting a park in the Northwest Area.

Chair Maggi asked if there was a process that volunteer committees like the Planning Commission would access in order to support Commissioner Klein's suggestion regarding a County park.

Mr. Carlson stated that the City has not been eager to give up developable land in the Northwest Area for parks, especially from a regional perspective.

Mr. Link did not recall any City Council or Commission discussion in regard to a desire for a County park in the Northwest Area.

Chair Maggi questioned whether there was a process that the Planning Commission, as a volunteer group, should use to support and move forward an idea such as this instead of just stating they would like someone to do it.

Mr. Link replied that the comprehensive plan update would be starting up later this year and would

be the best vehicle for such a discussion. The update will look at many different major issues, one of which will be parks. This process will include a review of all parkland in the City, including that owned by the State and County.

Commissioner Niemioja advised that the Planning Commission recently approved a housing development in which they felt a tot lot would be desirable. She asked Mr. Carlson to address the apparent shift away from that type of park.

Mr. Carlson stated they tried to space out the proposed parks to allow people a half mile walk to a park, noting that a half mile is generally acceptable as a reasonable distance for someone to push a stroller, ride a bike, etc. as long as you provide them with a safe way to get there.

Commissioner Simon advised that park search 'Area C' was on the top of a hill with steep terrain.

Mr. Carlson stated the 'Area C' circle represented a general area, not an exact location. He added that much of the Northwest Area had difficult topography which was challenging for a park, but also for developers.

Commissioner Simon stated that she attended a park and recreation meeting as a representative of the Northwest Area Task Force, at which time they talked about the southeast corner of 70th Street and Argenta Trail as being a good location for a park because it was fairly flat.

Commissioner Robertson questioned the thought process of not having a centrally located park within all the density of Blackstone, and instead taking the cash dedication for a park that will sit on top of a hill.

Chair Maggi asked what the total acreage was in the Northwest Area.

Mr. Carlson replied approximately 1,700 buildable acres.

Chair Maggi asked how many acres there were in the Blackstone developments.

Mr. Hunting replied he was unsure of the exact acreage.

Chair Maggi stated these were the first developments going into that area, however, there was a lot of land left to develop.

Mr. Link agreed, stating only a small portion of the Northwest Area has been developed at this point. He advised that typically development extends out sequentially. In this case, however, there was leapfrog development. When the Blackstone plats first came in they were about a mile from sewer, roads were not in place, and they were somewhat isolated. The land in between happens to be where they are planning on establishing a park.

Mr. Carlson agreed, stating the plan, from a sewer and water perspective, was for development to occur just north of the Argenta Hills neighborhood. Had that been the case, they would likely have taken some parkland at this point.

Chair Maggi stated this map would be a useful tool for the Planning Commission when reviewing new developments in the Northwest Area.

Commissioner Robertson asked Mr. Carlson if he felt confident that every home in the Argenta Hills and Blackstone neighborhoods would eventually be a half mile from a park.

Mr. Carlson replied they could not cover everything, but the majority of the homes would be a half mile from a park.

Commissioner Robertson asked if that was true of the properties north of 70th Street as well.

Mr. Carlson replied in the affirmative.

Commissioner Niemioja asked if the half mile radius was literally from someone's door to the park, on a roadway or safe trail.

Mr. Carlson replied roughly.

Chair Maggi thanked Mr. Carlson for his presentation.

ETERNITY HOMES LLC – CASE NO. 15-47SV

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a preliminary plat for a 23 lot single family subdivision to be known as Crosby Heights, and a variance from corner lot setback requirements, for the property located at between 64th and 65th Streets at Craig Avenue. 84 notices were mailed.

Presentation of Request

Mr. Hunting explained the request as detailed in the report. He noted that the applicant has modified their plan and withdrawn their request for a variance as it is no longer needed. The developer is proposing to construct a 23 lot, one outlot single-family subdivision on a 5.5 acre parcel. The property was originally platted in the 1880's as part of the Inver Grove Factory Addition. Since the lots were platted prior to 1965, they are eligible to re-subdivide into lots meeting the 70% rule. The lot sizes will range from 8,400 - 11,600 square feet in size with 60-80 foot lot widths, similar to the existing lot sizes in the neighborhood. As there is no need for additional parks in this area, the Parks Director will be recommending cash contribution. The developer will construct Crosby Avenue between 64th and 65th Streets. Lots in Block 1 will access existing Craig Avenue. The outlot will be used for stormwater management purposes. Staff recommends approval of the request with the conditions listed in the report.

Commissioner Simon asked if staff had heard from any of the neighbors.

Mr. Hunting replied that he received one email, which was distributed to Commissioners, and one general phone inquiry.

Commissioner Wippermann asked if the proposed setbacks were ten feet from the house and five feet from the garage.

Mr. Hunting replied in the affirmative.

Opening of Public Hearing

John Anderson, Eternity Homes, 14832 Estate Avenue SE, Prior Lake, advised he was available to answer any questions.

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

Mr. Anderson replied in the affirmative. He advised that the six lots along Craig Avenue already

had sewer and water stubbed in and the property has been assessed for those services. They plan to start construction on the Craig Avenue homes this spring or early summer while Crosby Avenue is being constructed for the other 17 lots. He advised that originally they looked at a variance request from side yard setback for the four corner lots. They have since withdrawn that request and have house plans that will fit the four narrower corner lots. The homes will be a mixture of two-story, split entry, and possibly ramblers.

Commissioner Wippermann noted that Eternity Homes was building an attractive home in Eagan, and asked if that was similar to what would be built in Crosby Heights.

Mr. Anderson replied in the affirmative. He noted that Eternity Homes is based out of Farmington, Minnesota.

Kimberly Cleary, 6361 Crosby Avenue East, was concerned about the proposed Crosby Avenue and its potential impact on the roadways in the area that were already in disrepair. She stated they have repeatedly asked for the roadways in that area to be repaired but were told they were not on the five year plan for street repavement/repair.

Commissioner Klein suggested Ms. Cleary get her neighbors involved and petition the City. He advised there would be a cost to homeowners; however, it may help get it in the five year plan.

Ms. Cleary advised that it had been previously petitioned but they have been told it was not in any way close to being within the five year plan.

Mr. Link stated he was unfamiliar with this particular situation, but explained that the Pavement Management Program classified streets according to their condition and the financial resources available. He advised that Council makes the final decision on which streets get fixed and he recommended that Ms. Cleary contact the Public Works Director.

Ms. Cleary was concerned that the construction of Crosby Avenue would add to their existing problem.

Commissioner Klein stated it would be a good time to petition the Council with the construction of Crosby Avenue being only a block away.

Mark Schwarzhoff, 6415 Coryell Court, asked what the price range was of the proposed homes, and asked if the six lots along Craig Avenue could be reconfigured to five lots instead so the lot widths would be larger and more consistent with that north of this property along Craig Avenue.

Mr. Hunting stated that the proposed lot sizes complied with the subdivision code and were consistent with those in the area. He added that the City already assessed and stubbed in utilities for six lots.

Chair Maggi asked the applicant if the home prices started at \$275,000, as stated in the report.

Mr. Anderson replied in the affirmative.

Mr. Schwarzhoff asked if they could move one of the six lots on Craig Avenue to the new Crosby Avenue.

Chair Maggi explained that it would likely remain at six lots along Craig Avenue as the proposed lots were within the size allowed for that particular area and the City had already assessed the property for six utility stubs.

Mr. Schwarzhoff reiterated that the neighborhood would prefer the lot widths be increased to 75 feet to be consistent with the houses going north along Craig Avenue.

Russ Friemann, 6433 Coryell Court, asked if there would be any condos, townhouses, etc.

Mr. Anderson replied there would not; it would only be single-family homes.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Klein, second by Commissioner Lissarrague, to approve the request for a preliminary plat for a 23 lot single family subdivision to be known as Crosby Heights, for the property located at between 64th and 65th Streets at Craig Avenue, with the conditions listed in the report.

Motion carried (7/0). This item goes to the City Council on January 25, 2016.

Commissioner Simon recommended that Ms. Cleary attend the Council meeting in regard to her concern regarding the streets.

OTHER BUSINESS

Continuation of Site Plan Review and I-2 Uses Discussion

Chair Maggi stated this discussion was a continuation of their last meeting. She noted this was not an official public hearing at this point but rather a general discussion regarding the two topics.

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that Commissioners are being asked to discuss what role staff, the Planning Commission, and City Council should have with commercial and industrial projects (i.e. should approvals be at a staff level, should there be some public involvement, planning commission involvement, etc.) Council is also requesting comment on what type of uses should be allowed in the I-2, General Industrial district and whether they should be conditional or permitted. Permitted uses are an allowed use as long as the performance standards are met, whereas conditional uses generally fit in that zoning category but may have characteristics which the City Council can address with added conditions. He asked Commissioners to look at the list of conditional uses for the I-2 district and to factor in characteristics of the uses as stated in the report, such as aesthetics, noise, traffic, drainage, fencing/landscaping, size//shape, topography, etc.. Planning Commission comments will be forwarded to the City Council for discussion at their February 1 work session.

Site Plan Review Discussion

Chair Maggi recommended the two items be discussed one at a time. She questioned why the credit union being built in Argenta Hills did not come before the Planning Commission.

Mr. Hunting replied that was approved as part of the Target PUD development plan. The Planning Commission had reviewed the general site plan for Target and the six adjoining building pads. A bank had always been planned for that location; since the credit union was generally consistent with the approved PUD plan it did not need to come back before the Planning Commission.

Chair Maggi asked if the City had received complaints from businesses about the length of time it takes to go through the process, or was staff aware of businesses that had not come to Inver

Grove Heights because of the current process.

Mr. Hunting replied that to his knowledge in general they were not seeing concerns regarding the current process, and he noted that the surrounding cities had similar processes. He stated it was difficult to determine whether businesses had not come to the City because of the site plan review process.

Commissioner Klein asked how many residents lived adjacent to I-2 zoned properties, stating he could think of only three.

Mr. Hunting replied he was aware of only three residents next to the eastern pocket of I-2 zoning. The other I-2 area in the southwestern portion of the City was owned by Northern States Power. This was surrounded by larger lot homes; however, they had an open space buffer area around their developed area which minimized the impact.

Commissioner Wippermann noted there were additional residential homes directly north of the eastern I-2 properties just north of the railroad tracks.

Mr. Hunting agreed there were some houses in the vicinity, but stated he did not believe there were any directly abutting the I-2 zoned properties. He advised that some could be vacant as Koch Refinery purchased many parcels in the area.

Commissioner Robertson asked if it was anticipated that these would remain the only two I-2 areas in the City.

Mr. Hunting replied in the affirmative, stating the current comprehensive plan had no other areas guided for heavier uses.

Mr. Link pointed out that the major site plan review process would affect all commercial and industrial properties throughout the City; not just the I-2 district.

Chair Maggi asked if it was correct that Commissioners were being asked 1) if they were comfortable with the current major site plan review process and 2) should any conditional uses in the I-2 district be changed to permitted uses.

Mr. Link replied in the affirmative.

Chair Maggi asked Commissioners if there were any recommended changes to the site plan review process or did they feel comfortable with the current process.

Commissioner Niemioja did not feel a change would be beneficial. She noted that the Parks Director previously stated that one of the missions of the City was to engage people. Allowing residents near a commercial property an opportunity to have a dialog supported that mission.

Chair Maggi agreed, stating it made sense to get public comment on the past major site plan reviews.

Commissioner Wippermann stated he would not be in favor of anything that lessened the ability of residents to have formal input into the process and questioned whether they were trying to solve a problem that does not exist.

Chair Maggi summarized that Commissioners have not seen a reason to change the existing process, based on their work on the Planning Commission.

I-2 Uses Discussion

Chair Maggi advised that the Planning Commission was not holding a public hearing this evening.

Mr. Grannis stated he received notice of the meeting.

Chair Maggi stated Mr. Grannis was welcome to provide comment, but noted this was not a public hearing but rather a Planning Commission discussion as requested by City Council.

Vance Grannis Jr., 9249 Barnes Avenue, stated he brought these two items to the Council's attention, however, what he had suggested was a little different from what was being discussed tonight. The reason he brought this forward was because our city has a reputation in the development community of being the worst and most expensive place to try to do a development, whether it be residential or industrial. He stated that both councilmembers and the city administrator would likely agree that they have heard from others that this is the perception. Regardless of whether or not this is true, that is the perception and something needs to be done to improve the process and eliminate that reputation. Mr. Grannis advised that he drafted an ordinance that does not eliminate the major site plan review process completely, but rather only those that duplicate previous reviews. He advised that the duplication results in extra time and expense. A major site plan review requires a large fee which exacerbates the perception of being the most expensive place to develop. If it is not needed, it should be eliminated.

Chair Maggi asked Mr. Grannis to provide examples of where there was duplication of effort.

Mr. Grannis replied that the Watrud properties request was one example. He stated Mr. Watrud had to go through the review process two or three times, resulting in multiple fees and a great deal of time, however, the plan had not changed. He questioned why a major site plan review would be necessary if the applicant had already gone through a platting or rezoning request and the same things had been reviewed under that previous permit. He stated that conditional uses were uses that were generally not suitable in a particular zoning district, but which could be suitable under some circumstances. He questioned why some of the I-2 uses would not be suitable next to the largest landfill in the metro area.

Chair Maggi asked Mr. Grannis if his recommendation would be to change all conditional uses in the I-2 district be changed to permitted uses.

Mr. Grannis replied not necessarily all of the uses, but he would like to know which uses Commissioners did not feel would be generally suitable. He advised that many of the conditions attached to conditional use permits were already required in other parts of the City Code.

Commissioner Lissarrague asked Mr. Grannis his opinion as an attorney about the issue of conditions attached to conditional use permits and costs.

Mr. Grannis replied that no one wants to get into a lawsuit. Developers have to decide whether they want to 1) comply with the conditions, in spite of the fact that it is costly, 2) choose not to develop, or 3) enter into a lawsuit.

Commissioner Simon advised that many of the conditions Mr. Grannis had mentioned were general conditions for anyone, including homeowners.

Mr. Grannis replied that was his point, that a conditional use permit was not needed for that.

Commissioner Simon stated the conditions give the City the ability to ensure the requirements are

met.

Mr. Grannis replied that the applicant does not have to agree to something to make that argument. He stated conditional use permits were a way of micro-managing the City and getting additional fees.

Commissioner Klein stated he would prefer to get the tax money than the application fees.

Chair Maggi asked if the fees of surrounding cities were dramatically less than Inver Grove Heights.

Mr. Grannis replied that because of the duplication, two Inver Grove Heights fees end up being more expensive than when compared to other cities. He advised he was not here to debate whether Inver Grove Heights was the most expensive city or not in terms of fees, time, and income lost because of the delay. Rather he was asking that the Commission suggest to Council that they try to eliminate duplication, and also that they review the conditional uses in the I-2 district and remove those that they feel should be changed to permitted uses, keeping in mind it was next to a landfill.

Commissioner Robertson stated on the flip side there have been numerous instances in which an entity has located next to a landfill and ultimately contaminated the landfill and created challenges to the water supply, etc. She stated that every entity, even a landfill, has the potential of being impacted by a neighboring use. She added that even a billboard could be an environmental hazard, which is why the definition of conditional use as it is stated recognizes the fact that certain things will be appropriate in certain conditions and not appropriate in others. The conditional use permit process allows the City the means to make a decision about what is appropriate and not appropriate.

Mr. Grannis advised he did not disagree with that statement, but simply wanted Commissioners to review the list of conditional uses and determine whether any of those uses could be changed to permitted uses.

Commissioner Niemioja stated in her one year on the Planning Commission she had only heard one other person reference difficulty in developing in Inver Grove Heights and she questioned whether perhaps it was more important to implement the existing code better rather than changing it.

Chair Maggi stated perhaps it was more of a marketing problem.

Commissioner Niemioja agreed, stating or perhaps it was a communication issue between us and a developer.

Mr. Grannis stated this would not necessarily be a cure all but rather a first step. He advised that some developers do not want to complain for fear of getting turned down. He advised that Commissioner Klein likely encountered this situation when he was a councilmember.

Commissioner Klein recalled that CG Ryan Corporation built an apartment complex in the City and stated they would never do it again. He asked Mr. Krech if Mr. Grannis was correct about the perception of Inver Grove Heights in the development community.

Willie Krech, 9574 Inver Grove Trail, questioned why applicants had to go through the major site plan review process as long as they had met the requirements, hired registered engineers, and were in the appropriate zoning. In the event someone does not meet the guidelines, the City has

people that can enforce the ordinance. In Mr. Watrud's situation he built two identical buildings on I-2 zoned property. He agreed with Mr. Watrud that he should have been able to just get a building permit rather than going through a site plan approval – a process that delayed his project by two months. In regard to the previous discussion regarding parks, he advised that if the County built a park in the City it would take up the whole Northwest Area since their standard regional park was over 1,000 acres. He noted there were other nearby County parks available such as Holland Jensen, Lebanon Hills, etc., and he assured Commissioners they would find a good location for parks in the Northwest Area as well as trails.

Commissioner Klein stated the problem was that Commissioners had not seen the plan.

Chair Maggi commented that Commissioners asked for a review of the park plan at their last meeting. Tonight the Parks Director provided a review which was a very quick response.

Mr. Krech replied that the park plan has been available for years.

Chair Maggi agreed, stating Commissioners could have looked for it.

Chair Maggi stated she was going to return to the review of the site plan procedure, and reminded everyone that since this was not a public hearing they did not have a balance of input from the public. She stated it was her understanding that Commissioners felt there was no need to fix the site plan procedure as it was not broken.

Commissioner Robertson stated this was also an opportunity to clarify that the Planning Commission values all opportunities for public input in site plan reviews as it can identify concerns.

Chair Maggi stated that Commissioner Robertson's comment carried over to the discussion regarding conditional use versus permitted use in that residents in this City are passionate about what is going on and it was important to provide a process that allowed for public input.

Commissioner Klein stated it was important for residential, however, they were discussing the I-2 district and he believed some of the uses should be permitted.

Commissioner Niemioja stated she was not sure if she had enough knowledge on some of the conditional uses to make a decision on whether they could be changed to a permitted use. She stated, for instance, that she had no idea that a billboard could be considered an environmental hazard.

Chair Maggi felt that uses with outdoor elements should remain conditional as the public would likely want an opportunity to provide input (i.e. contractor's yard, open sales lot, outdoor storage, etc.).

Commissioner Klein stated he would not want an automobile sales lot in the I-2 district, but he felt that highway vehicle sales should be permitted. In regard to stone and monument sales, he stated likely the work would be done inside a building. He stated that the City's existing ordinances had their own filter system.

Commissioner Robertson stated it would be impossible to make a list that would cover all situations. For example, research and development facilities could involve potential hazards even if the work is done inside.

Commissioner Klein replied there were other agencies whose regulations would cover that and many times the City was just duplicating the requirements and over-regulating.

Commissioner Niemioja agreed with Commissioner Klein, stating for example paint sales would likely be governed by environmental protection laws. She stated she would like the City to have some control over uses that would affect aesthetics and felt the public would also like a chance to provide input on such issues.

Chair Maggi agreed that research and development could be changed to a permitted use. She questioned whether perhaps paint and wallpaper sales was a conditional use was because it raised an issue with mixing consumer and industrial traffic.

Commissioner Lissarrague asked Commissioners which items they felt should be changed to a permitted use.

Commissioner Niemioja questioned what processing and treatment would entail, and whether it was the processing of meat.

Commissioner Klein replied he was unsure what was being processed but it would likely be regulated.

Chair Maggi suggested they go through the list of conditional uses one at a time and take a straw poll.

Commissioner Klein suggested that a contractor's yard be changed to permitted, but the other commissioners preferred it remain a conditional use.

Commissioner Robertson asked what an essential services building was.

Mr. Hunting replied it was likely a building tied to a utility company used to house equipment (i.e. transformers, etc.)

The Commission recommended that enclosed maintenance facility, essential services buildings, and research and development facilities be changed to a permitted use.

In regard to paint and wallpaper sales, Mr. Hunting stated he was unsure of the history of this category but suspected that at some point Council added it because someone was doing that in the I-2 district as part of their business.

Commissioner Simon asked if paint and wallpaper sales would include a paint manufacturing plant.

Mr. Hunting replied it would not; they have a separate category for manufacturing.

The Commission agreed that paint and wallpaper sales should be removed from the list of uses in the I-2 zoning district.

Commissioner Niemioja asked if service of semi tanks, trucks, and trailers would take place inside a building.

Commissioners recommended that inside service of semi tanks, trucks, and trailers be changed to a permitted use while outside service remain a conditional use.

Commissioner Klein suggested that stone and monument sales be changed to a permitted use.

Commissioner Niemioja questioned whether noise could be a concern associated with this use.

The Commission could not come to a consensus on stone and monument sales.

Commissioner Klein suggested that truck and freight terminal be changed to a permitted use, while other Commissioners wished it to remain as a conditional use.

Commissioner Niemioja stated this use would be partially outdoors.

Commissioner Lissarrague asked how many truck and freight terminals were currently in the City.

Commissioner Klein replied at least three.

Commissioner Lissarrague recommended it remain as conditional since the others had been approved as conditional use permits.

Commissioner Klein asked if he could change anyone's minds on changing the open sales lot for highway vehicles to a permitted use.

Commissioner Robertson pointed out that it excluded automobiles and off-highway vehicles.

The consensus of the Commission was to leave open sales lot as a conditional use.

Chair Maggi thanked commissioners for their thoughtful discussion.

Joint Planning Commission/Housing Committee Meeting

Mr. Hunting advised that the Housing Committee would prefer to meet on a Tuesday.

Commissioner Lissarrague suggested they meet prior to a regular Planning Commission meeting.

Mr. Hunting stated he would verify whether the Housing Committee was agreeable to meeting at 5:00 p.m. prior to a regularly scheduled Planning Commission meeting. He asked the Commission which topics they would like to discuss.

Commissioner Wippermann stated he would like a definition of what constitutes affordable housing, an inventory of the existing affordable housing in our city, and a sense of how Inver Grove Heights compares to some of the neighboring cities.

Chair Maggi stated she would like clarification of the Housing Committee's process and how they are making recommendations to Council.

Commissioner Klein stated he would like to hear information about the small houses movement being proposed in St. Paul.

The meeting was adjourned by unanimous vote at 8:46 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, February 2, 2016 – 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: Annette Maggi

Commissioners Absent: Dennis Wippermann (excused)
Elizabeth Niemioja (excused)
Bill Klein (excused)
Pat Simon (excused)
Joan Robertson (excused)
Armando Lissarrague (excused)
Tony Scales (excused)
Harold Gooch (excused)

Others Present: Tom Link, Community Development Director

Chair Maggi advised that the other Planning Commission members were excused from attending because of the inclement weather.

MOTORS MANAGEMENT CORP – CASE NO. 16-01C

Chair Maggi advised that the applicant requested this item be continued to February 16, 2016 due to the snowstorm.

CITY OF INVER GROVE HEIGHTS – CASE NO. 16-02ZA

This item is continued to February 16, 2016.

The meeting was adjourned at 7:02 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

North	Best Buy and Luther; zoned B-3; guided RC, Regional Commercial
East	Apartments; zoned PUD; guided High Density Residential
South	MnDot right-of-way
West	Whitaker; zoned B-3; guided RC, Regional Commercial

SITE PLAN REVIEW

Building Setbacks. The proposed building addition is located 30 feet from the property line at the closest point, meeting setback requirements.

Parking. The proposed 25,000 square foot parking lot expansion meets setback requirements. The total number of parking spaces exceed code requirements. Employee and customer parking shall be clearly marked on the property. No car display or employee parking shall be allowed on public streets, street boulevards, or landscaped areas on the dealership property.

Access. One additional access point would be added to the southern part of the property to obtain access to the new parking area.

Landscaping. Landscaping regulations require a total of 86 overstory trees or the equivalent to be planted on the property. This calculation is based on the lineal square footage of the property and the number of parking spaces on site. The applicant has provided a landscape plan which demonstrates the equivalent of 86 trees on the property; this includes a mix of overstory trees, preservation of existing trees, shrubs, and ornamentals complying with code requirements.

Lighting. The applicant has submitted a lighting plan which illustrates the location of lighting in the parking lot. The proposed illumination pattern of the lights comply with the maximum foot candles allowed at the center line of the street. All parking lot lighting shall be designed so as to deflect light away from any adjoining residential zones or from the public streets. The source of light shall be hooded, recessed, or controlled in some manner so as not to be visible from adjacent property or streets.

Rooftop Screening. As a consistent policy of commercial development, any rooftop equipment shall be screened from view from the street. If necessary, the form of screening will be reviewed at time of building permit. This condition would apply to all new rooftop equipment.

Exterior Building Materials. The exterior elevations of the building addition would be similar to the existing building complying with code requirements.

Signage. All signage must comply with the signage allotment for the “B-3” zoning district. Signage is not approved with this plan review and would be reviewed with the submittal of a sign permit.

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

Engineering. Engineering has reviewed the plans and has been working with the applicant on stormwater and grading requirements. The proposed site plan protects the existing pond and treats the stormwater runoff on site. Engineering has made recommendations on conditions that should be added to the approval. These conditions are included in the list of conditions at the end of the report. The applicant shall continue to work with the City to secure final approval of the construction drawings.

Improvement Agreement. An improvement agreement, stormwater facilities maintenance agreement and other related agreements would be required to address site improvements and storm water treatment. Final details of the agreements would be worked out prior to City Council approval.

CONDITIONAL USE PERMIT TO EXCEED 25% IMPERVIOUS SURFACE

The southern portion of the property is located within the shoreland overlay of Schmitt Lake/ DNR Lake #19-52P. Impervious surface coverage is limited to 25% of the lot; this may be increased by conditional use provided the City has approved and implemented a stormwater management plan affecting the subject site.

Existing impervious surface on the lot is at 33.3%. The proposed property improvements would increase the impervious surface to 39.6%.

The request was sent to the DNR for review and comment. The DNR has reviewed the plans and takes no exception to the request.

Engineering has been working with the applicant on the design of the stormwater systems. In general, the approved plan will be consistent with the City's overall stormwater plan for the area and the system will address stormwater needs. The applicant is treating the additional stormwater runoff on the property; the volume of water leaving the property will not be increasing.

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 proposed property improvements are consistent with the goals, policies, and plans of the Comprehensive Plan. The future land use of this parcel is Regional Commercial, automobile sales is 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 applicants property is zoned commercial. The land use of auto sales 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 site improvements would not have a detrimental effect on public improvements in the vicinity of the property.

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.*

The proposed improvements do not appear to have any negative effects on City facilities or services. Engineering, Fire, and Inspections would all review and approve plans for code compliance prior to any improvements being done on the property.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*

- i. Aesthetics/exterior appearance*

The proposed building addition would be constructed with similar materials as the existing building.

- ii. Noise*

The proposed improvements would not generate noises that are inconsistent with B-3 zoning.

- iii. Fencing, landscaping and buffering*

No new fencing is proposed and landscaping meets the City's requirements.

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. Building and parking setbacks meet or exceed code requirements. Emergency access and fire lanes will be reviewed by the Fire Marshal prior to building permit issuance.

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. The volume of runoff leaving the property would not be increasing with the added impervious surface. The applicant is working with the City Engineering Department to secure final approvals of the construction drawings.

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 actions should be taken:

- Approval of a **Conditional Use Permit Amendment** for automobile and off highway vehicles sales to allow an addition to the existing building and expansion to the parking/outdoor storage area 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:

Civil Plan Set	dated 01/25/16
Drainage and Grading Plan	dated 01/25/16
Site Plan	dated 01/25/16
Landscape Plan	dated 01/25/16
Elevation Plans	dated 01/25/16

2. All parking lot lighting shall be designed so as to deflect light away from any adjoining residential zones or from public streets. The source of light shall be hooded, recessed, or controlled in some manner so as not to be visible from adjacent property or streets.
3. 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.

4. Any expansion of the use as shown on the site plan requires additional city approvals and is not part of this conditional use permit.
 5. An improvement agreement, stormwater facilities maintenance agreement and easement agreements shall be required to be entered into between the City and the developer addressing the improvements on the site.
 6. Prior to the issuance of a building permit, an Engineering cash escrow and letter of credit shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.
 7. The developer shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence. Prior to commencement of any grading, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
 8. All final development plans shall be subject to the review and approval of the City Fire Marshal.
 9. No car display or employee parking shall be allowed on public streets, street boulevards, or landscaped areas on the dealership property.
 10. No outside paging system shall be utilized.
 11. All display pennants, flags, searchlights, balloons and other similar devices shall be limited to no more than 10-days per calendar year. Use of such devices require a sign permit.
 12. Any new rooftop equipment shall be substantially screened from view as seen from a reasonable viewing perspective.
 13. Prior to commencing construction, the applicant shall obtain all necessary federal, state, and local permits including, but not limited to a MnDot drainage permit.
 14. Resolution No. 11-119 shall become null and void and shall be replaced by the terms of this conditional use permit.
- Approval of the **Conditional Use Permit** to exceed 25% impervious surface within the Shoreland Overlay District 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:

Civil Plan Set
Drainage and Grading Plan

dated 01/25/16
dated 01/25/16

2. An improvement agreement, stormwater facilities maintenance agreement and easement agreements shall be required to be entered into between the City and the developer addressing the improvements on the site.
 3. All grading, erosion control and utility plans, or modifications thereof, shall be approved by the City Engineer prior to construction.
 4. Prior to the issuance of a building permit, an Engineering cash escrow and letter of credit shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.
- 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

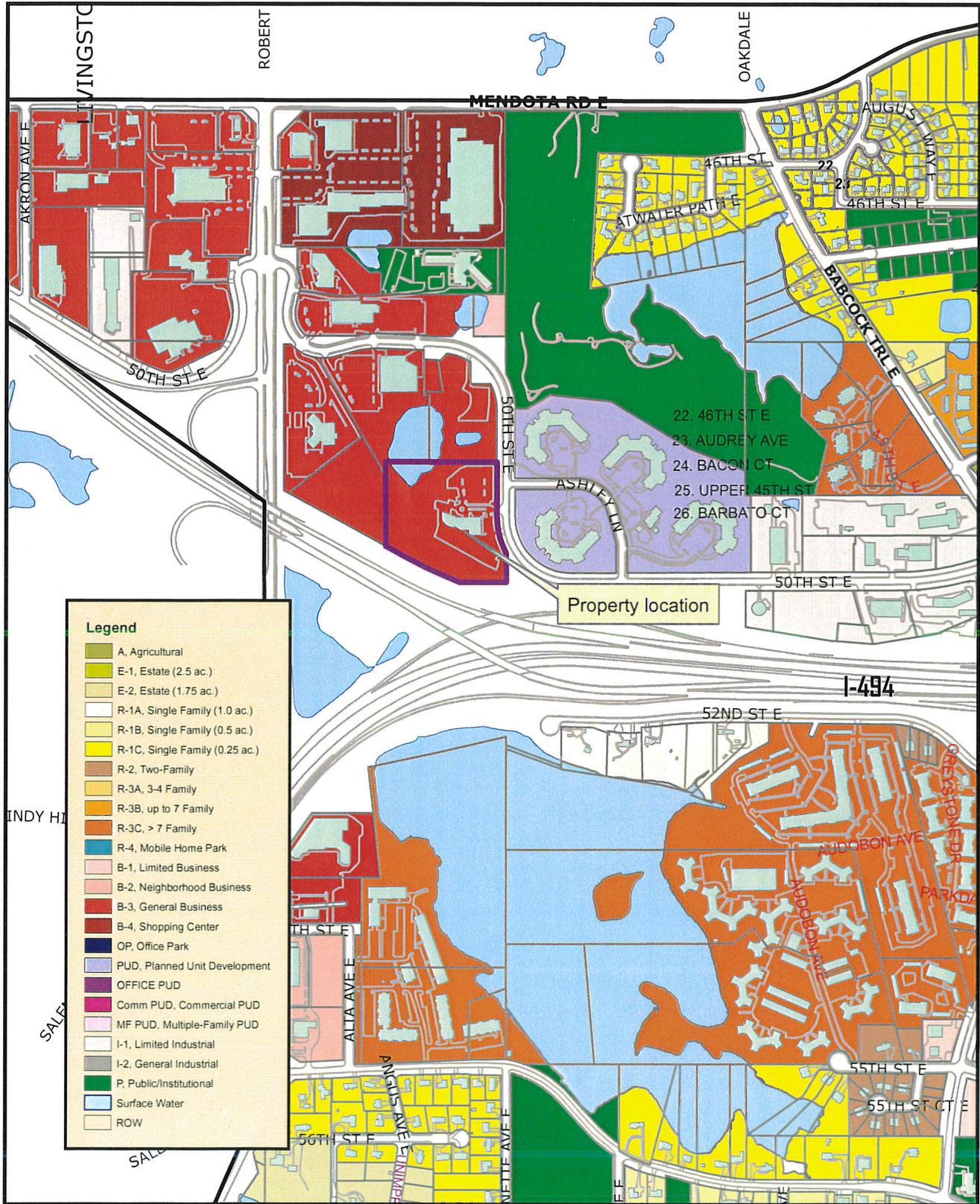
Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the requests as presented.

Attachments: Zoning/Location Map
Site Plan
Grading Plan
Elevations

Map not to scale

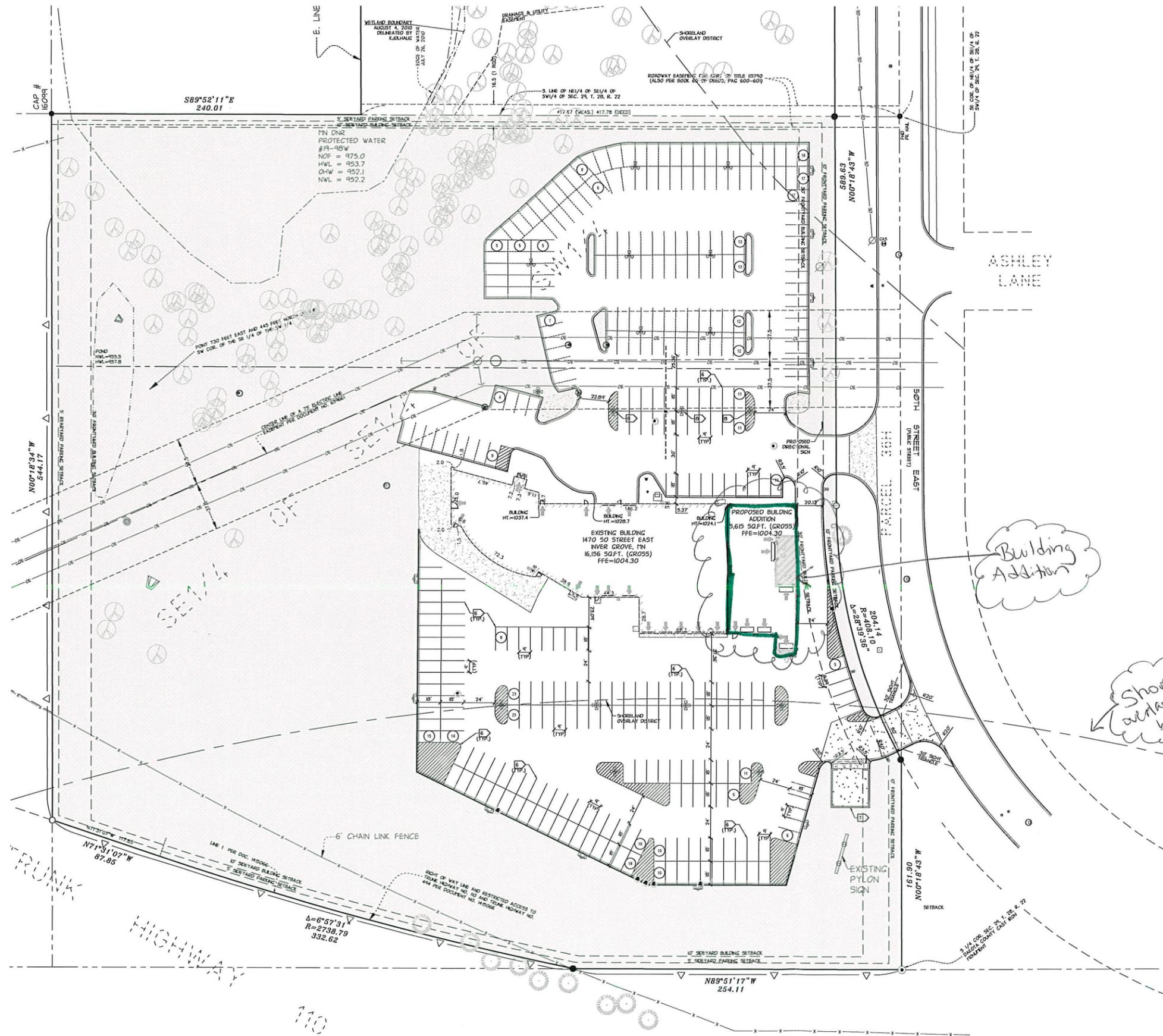


Motors Management Corp Case No. 16-01C



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



GENERAL NOTES

- FOR CONSTRUCTION STAKING AND SURVEYING SERVICES CONTACT LANDFORM PROFESSIONAL SERVICES AT 612.252.9070.
- OBTAIN ALL NECESSARY PERMITS FOR CONSTRUCTION WITHIN, OR USE OF, PUBLIC RIGHT-OF-WAY.
- THE DIGITAL FILE WHICH CAN BE OBTAINED FROM THE ENGINEER, SHALL BE USED FOR STAKING. DISCREPANCIES BETWEEN THE DRAWINGS AND THE DIGITAL FILE SHALL BE REPORTED TO THE ENGINEER. THE BUILDING FOOTPRINT, AS SHOWN ON THESE DRAWINGS, AND THE DIGITAL FILE, SHALL BE COMPARED TO THE STRUCTURAL DRAWINGS PRIOR TO STAKING.
- BUILDING LAYOUT ANGLES ARE PARALLEL WITH OR PERPENDICULAR TO THE PROPERTY LINE AT THE LOCATION INDICATED.
- DIMENSIONS SHOWN ARE TO FACE OF CURB AND EXTERIOR FACE OF BUILDING UNLESS NOTED OTHERWISE.
- DELINEATE PARKING STALLS WITH A 4-INCH WIDE WHITE PAINTED STRIPE. DELINEATE ACCESS AISLES WITH 4-INCH WIDE WHITE PAINTED STRIPES 18 INCHES ON CENTER AND AT 45 DEGREE ANGLE TO DIRECTION OF TRAVEL.
- TRASH/RECYCLING AREAS: SEE ARCHITECTURAL DRAWINGS.
- INSTALL SALVAGED LIGHT POLES.

SITE PLAN NOTES

- GREEN SPACE (LANDSCAPE AREA)

PARKING SUMMARY

REQUIRED PARKING:			
MOTOR SERVICE STATION	3 STALLS, PLUS 2 FOR EACH SERVICE BAY	10 SERVICE BAYS	34 STALLS
OFFICE	1 STALL PER 200 SF.	1,033 SF.	6 STALLS
AUTO SALES	1 STALL PER 500 SF.	5,003 SF.	12 STALLS
TOTAL PARKING STALLS REQUIRED			57 STALLS
PROVIDED PARKING:			
STANDARD STALLS	(1415)		351 EA.
TOTAL PARKING STALLS PROVIDED			351 EA.

AREA SUMMARY

EXISTING:			
PERVIOUS	29,912 SF.		66.5%
IMPERVIOUS	150,788 SF.		33.5%
TOTAL (GROSS AC)	380,700 SF.		100.0%
PROPOSED:			
PERVIOUS	234,374 SF.		60.1%
IMPERVIOUS	155,326 SF.		39.9%
TOTAL (GROSS AC)	389,700 SF.		100.0%

ZONING AND SETBACK SUMMARY

THE PROPERTY IS ZONED GENERAL BUSINESS ZONE (B-3)
 BUILDING SETBACK INFORMATION IS AS FOLLOWS:
 FRONT YARD = 30 FT.
 REAR = 30 FT.
 SIDE = 10 FT.
 PARKING SETBACK INFORMATION IS AS FOLLOWS:
 FRONT YARD = 10 FT.
 REAR = 5 FT.
 SIDE = 5 FT.
 LOT COVERAGE INFORMATION IS AS FOLLOWS:
 LOT WIDTH MINIMUM = 100 FT.
 TOTAL SITE AREA = 380,700 SF. = 8.651 ACRES

BA
 BAKER ASSOCIATES, INC.
 ARCHITECTS

150 SOUTH FIFTH STREET
 SUITE 1425
 MINNEAPOLIS, MN 55402-1500
 TELEPHONE: 612.339.8601
 FAX: 612.339.5668

Luther
NISSAN-KIA
 1470 E. 50th St.
 Inver Grove Heights, MN 55077

New Facility

Issued:
 CUP AMENDMENT 04 JAN 2016
 BUDGET SET 04 JAN 2016
 CUP AMENDMENT REV. 25 JAN 2016

CUP AMENDMENT REV.
January 25, 2016

LANDFORM
 From Site to Finish

105 South Fifth Avenue Tel: 612-252-9070
 Suite 513 Fax: 612-252-9077
 Minneapolis, MN 55401 Web: landform.net

IF THE HOLDER DIRECTLY ABOVE DOES NOT CONTAIN
 FROM LINES, THE SHIRT AND SHIRT REFERENCED BEYOND
 HITHERTO. PLEASE CONTACT THE ENGINEER
 TO REQUEST ADDITIONAL DOCUMENTS.

PROJECT MANAGER REVIEW

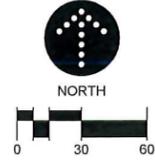
BY: SES DATE: January 25, 2016

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

PRELIMINARY
NOT FOR CONSTRUCTION

Sheet Title: **SITE PLAN**

Scale: 1" = 30'
 Date: 01-25-2016
 Comm No: BA413033



Sheet Number: **C-201**

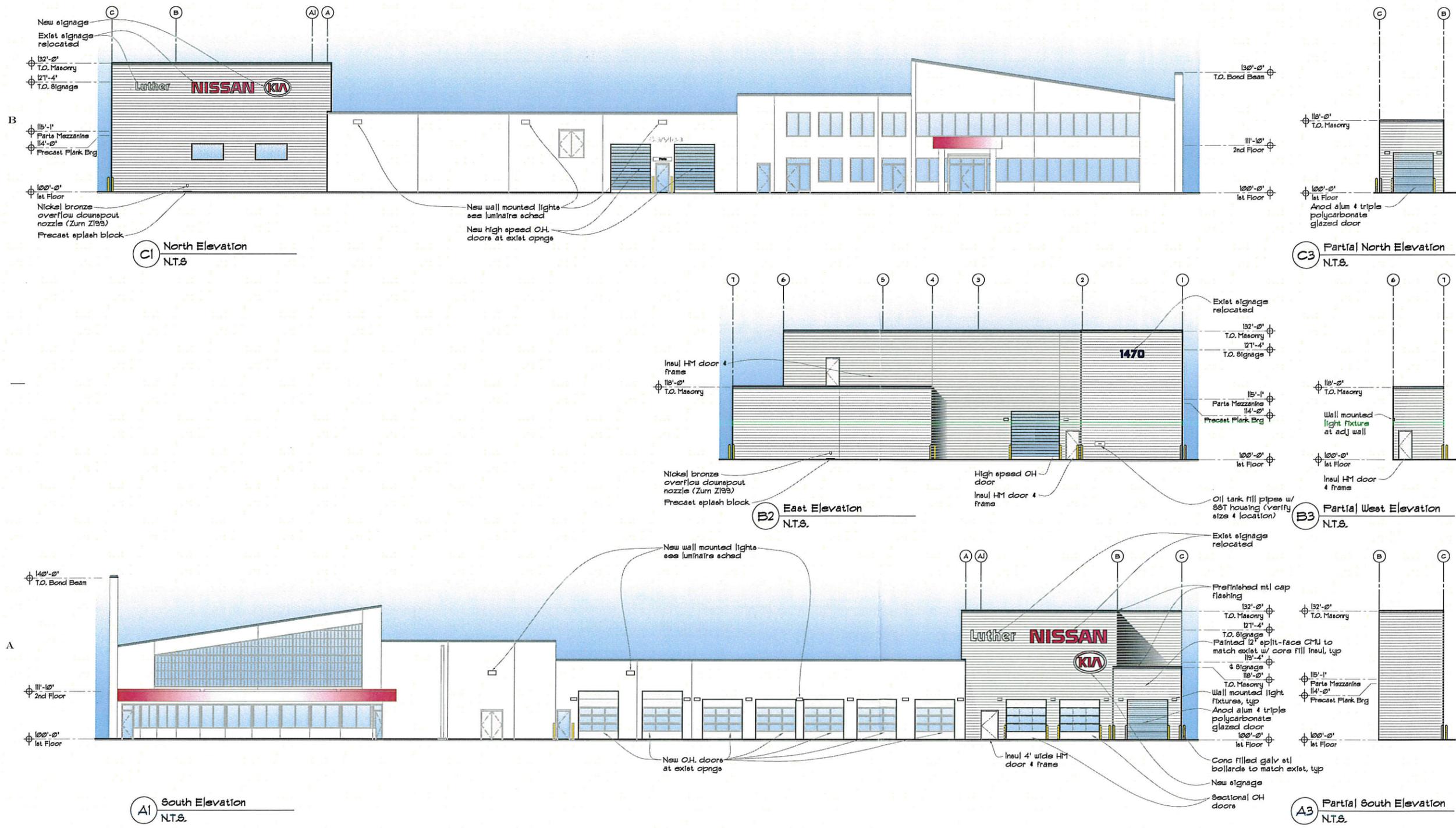


NISSAN-KIA

1470 50th Street East
 Inver Grove Heights, MN

New Addition

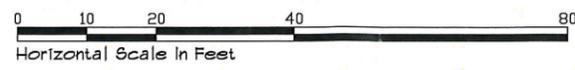
Issued:
 CUP Amendment Rev 25 Jan 2016



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed ARCHITECT under the laws of the state of MINNESOTA

Nguyen T. Hoang
 Date: xx/xx/xxxx License No: 50034

Sheet Title
Exterior Elevations



Scale	N.T.S.	Sheet Number
Date	xx/xx/xxxx	A-201
Comm No	xxxx	
		© 2015

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◦STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
◻*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
BRIDGET McCAULEY NASON
DAVID B. GATES
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

MEMO

*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◻ALSO ADMITTED IN MASSACHUSETTS
◻ALSO ADMITTED IN OKLAHOMA

TO: Inver Grove Heights Planning Commission
FROM: Bridget McCauley Nason, Assistant City Attorney
DATE: January 14, 2016
**RE: Ordinance Amending Zoning Ordinance Provisions Related to Massage
Therapy Businesses**

In 2015, the Inver Grove Heights City Council repealed Title 4, Chapter 8 of the City Code and replaced the same with an updated ordinance regulating and licensing massage therapists and therapeutic massage businesses. As a result, certain references within the zoning ordinance to the provisions of the previous version of Title 4, Chapter 8 are no longer accurate. This ordinance updates these references and removes an outdated definition of a massage therapy business from the zoning ordinance. No substantive changes are made to the zoning ordinance. The Planning Commission is asked to review the attached ordinance and consider recommendation of approval of the same to the City Council.

Attachment

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE TITLE 10,
CHAPTER 2, SECTION 2, REGARDING THE DEFINITION OF MASSAGE
THERAPY, LICENSED, AND TITLE 10, CHAPTER 15, SECTION 26, SUBPART D
REGARDING LICENSED MASSAGE THERAPY AS A HOME OCCUPATION

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. The definition of Massage Therapy, Licensed found in Title 10, Chapter 2, Section 2 of the Inver Grove Heights City Code is hereby amended as follows:

MASSAGE THERAPY, LICENSED: A business licensed by the city pursuant to title 4, chapter 8, ~~article A~~ of this code to engage in therapeutic massage as defined in therein. "~~Therapeutic massage~~" is defined in section ~~4-8A-2~~ of this code as the rubbing, stroking, kneading, tapping, or rolling of the body of another with the hands or objects for the exclusive purpose of physical fitness, relaxation, or beautification, and for no other purpose.

Section Two. Amendment. Title 10, Chapter 15, Section 26, Subpart D of the Inver Grove Heights City Code is hereby amended to read as follows:

D. Other Home Occupations: Home occupations include minor repair services, photo or art studios, dressmaking, teaching limited to three (3) students at any one time, in home daycare as licensed by the state, licensed massage therapy in accordance with the regulations of title 4, chapter 8, ~~article A~~ of this code and similar uses; however, a home occupation shall not be interpreted to include tourist homes, restaurants or similar uses.

Section Three. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed in regular session of the City Council on the _____ day of _____, 2016.

CITY OF INVER GROVE HEIGHTS

By: _____

George Tourville, Mayor