

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, June 7, 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: Elizabeth Niemioja
Pat Simon
Tony Scales
Armando Lissarrague
Annette Maggi
Joan Robertson
Dennis Wippermann
Jonathan Weber
Luke Therrien

Commissioners Absent:

Others Present: Allan Hunting, City Planner
Heather Botten, Associate Planner

Chair Maggi welcomed Commissioners Weber and Therrien to the Planning Commission.

APPROVAL OF MINUTES

The May 17, 2016 Planning Commission minutes were approved as submitted.

CITY OF INVER GROVE HEIGHTS - CASE NO. 16-17S

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for the plat of Blackstone Vista 2nd Addition and a vacation of all public drainage and utility easements on Lot 1, Block 3 and Outlot G, Blackstone Vista, for the property located at 7293 Archer Trail. 8 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the property in question is an existing leftover 33 foot access anticipated to be part of the reconstruction of Argenta Trail. As part of the final plans CalAtlantic has agreed to give Outlot G to the City/County for right-of-way needs. A portion of Outlot G will be replatted into Lot 1, Block 3 so there is enough width on the lot to provide at least a 20 foot setback from 72nd Street. As part of this replatting, the existing perimeter easement along the north boundary of Lot 1 would be vacated and new easements rededicated on the plat. Staff recommends approval of the plat and vacation as presented.

Opening of Public Hearing

There was no public testimony.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Wippermann, second by Commissioner Scales, to approve the preliminary and final plat for the plat of Blackstone Vista 2nd Addition and a vacation of all public drainage and utility easements on Lot 1, Block 3 and Outlot G, Blackstone Vista, for the property located at 7293 Archer Trail, as specified in the staff report.

Motion carried (9/0). This item goes to the City Council on June 27, 2016.

KATHLEEN VANSCHOOTEN – CASE NO. 16-19Z

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for the rezoning of a portion of the property from A, Agricultural to I-1, Limited Industry and a comprehensive plan amendment for a portion of the property from RDR, Rural Density to LI, Light Industrial, for the property located at 10371 Inver Grove Trail. 26 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant's 6.31 acre property is zoned agricultural and guided for rural density. The applicant would like to subdivide the property so her daughter can operate a landscaping business on one acre of the property. A landscaping business is a contractor's yard, which is not allowed in the agricultural district and is a conditional use in the industrial districts. If the rezoning and comprehensive plan amendment are approved the applicants would come back for the preliminary and final plat for the lot split and a conditional use permit for the landscaping business. To recommend approval of a rezoning it should be in the best interest of the physical development of the city. The subject property is not connected to City water and sewer so both the business and home would be on well and septic. There are industrial uses to the north and east of the proposed property, but these areas are separated by railroad right-of-way and Highway 52. The properties directly abutting the proposed property are residential. Changing the zoning of a portion of this property would not be consistent with the properties directly abutting it. The property's access and visibility from Highway 52 could be beneficial for industrial use. 105th Street is designated as a neighborhood collector street, which generally have more traffic than what a local street would have. City Council has advocated for commercial industrial development to increase the goods and services available to residents, to increase the tax base, and to increase the City's employment opportunities. This area, which is near a railroad, highway, and other industrial development to the east and the north, has long-range potential for industrial development. The property has a right in, right out to Highway 52. MNDOT has been closing access points along Highway 52 to reduce traffic conflicts and improve safety. Currently there is a half mile gap in the TH 52 frontage road in the vicinity of the subject property. The proposed request would be more suitable if that frontage road would be complete, thus focusing more traffic away from the residential areas. Staff is recommending denial of the rezoning and comprehensive plan amendment based on the fact that there is no date at this point to complete the frontage road along Highway 52, access to the west and north is limited to 105th Street, which is partially gravel and serves a residential neighborhood, and the rezoning could set a precedent for other properties in the area and other industrial uses could subsequently be constructed on the property. Staff heard from a few residents by phone that had general inquiries, and received three emails from neighbors opposed to the request.

Chair Maggi asked if there was an area on the subject property that would be more suitable for the landscaping business.

Ms. Botten replied that the applicant could better address the question, but the proposed area had the best access and topography.

Opening of Public Hearing

Kathy VanSchooten, 10371 Inver Grove Trail, advised she was available to answer any questions.

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

Ms. VanSchooten replied in the affirmative. She advised that their land has been in her family since the late 1800's. She would like to rezone a one acre portion of the property to her daughter and son-in-law for the development of a shop space and office for their tree care business. She was confused as to why staff is recommending denial since the land just south of them is guided for industrial, and 105th Street is designated as a collector street which generally has more traffic than a local street, including industrial and commercial traffic from local businesses. Ms. VanSchooten stated that during the 2030 comprehensive plan update she and her neighbors were opposed to changing their neighborhood to industrial and she did not imagine any of them would begin thinking about changing the area to light industry. She noted there were other businesses in her neighborhood and she asked if there were other alternatives she could pursue should the rezoning be denied.

Lisa Brown, 10450 Brent Avenue, was opposed to the request, did not want to set a precedent of allowing businesses in this area, and was concerned about the additional traffic this would generate. She stated that anyone northbound traffic would have to go through her neighborhood. Ms. Brown asked for the definition of a collector street, stating the area was clearly residential and agricultural.

Chair Maggi responded that multiple smaller residential streets feed out to collector streets which typically carry more traffic than residential streets.

Ms. Brown stated perhaps it should be reclassified as it was not a collector street.

Commissioner Scales stated that many years ago that was the main route from Inver Grove Heights to Eagan and perhaps that is when it was designated as a collector street.

Ms. Brown replied it was no longer a collector street.

Dave Fleischaker, 10300 Brent Avenue, stated he was opposed to the request as it was a residential area that was not designed to accommodate industrial, it was unlikely the frontage road would be completed any time soon, 105th Street and Highway 52 was a dangerous corner in which many people have been killed in automobile accidents, the current access to Highway 52 will someday be closed by the State, the comprehensive plan does not allow for this type of zoning, and, in his opinion, 105th is not a collector street but rather a private neighborhood.

Andrew Hovland, 589 Ohio Street, St. Paul, co-owner of the abovementioned tree care service, advised that customers would not be coming to the property, there would be no billboards, semi's, etc. Rather, they want to use the one acre portion for shop space for his crew and storage space for equipment. He stated there were many existing businesses on the nearby rural residential properties along both sides of Highway 52. He stated they met with many of the immediate neighbors who were agreeable with what was being proposed.

Andrew Horne, 2890 – 104th Court, shared the concerns previously stated by his two neighbors, but mostly he was opposed to additional business and commerce going through his neighborhood.

Steve Scott, 10452 Inver Grove Trail, stated he was fine with the request.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi asked staff to address the area south of the applicant's property.

Ms. Botten advised that the triangular area in question was zoned agricultural and guided for light industrial.

Commissioner Niemioja stated although the comprehensive plan's guiding principles to preserve fiscal integrity and maintain a mix of land uses and a well balanced tax base were very important, it would be difficult for her to approve the request without the frontage road being complete.

Chair Maggi stated another concern is that while the family has been very committed to ownership of this land it is difficult to say how this use could change if the land were to change hands.

Commissioner Scales stated he lives in the area and knows that the majority of the truck traffic actually goes through the residential neighborhood rather than 105th Street and he was concerned about bringing additional traffic through that space. Because the frontage road was not yet complete he would prefer to leave the zoning and guiding as is.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Niemioja, to deny the request for the rezoning of a portion of the property from A, Agricultural to I-1, Limited Industry and a comprehensive plan amendment to change a portion of the property from RDR, Rural Density to LI, Light Industrial, for the property located at 10371 Inver Grove Trail.

Motion carried (9/0). This item will go to the City Council on June 27, 2016.

Ms. VanSchooten asked if there was another route they could go to achieve their goal of being able to have shop space and an office for her daughter's tree care business.

Mr. Hunting replied there were three options, including 1) rezoning the property, 2) amending the ordinance to change the uses in a particular zoning district, or 3) an interim use permit. Staff did not feel option 2 would be appropriate as it was unlikely City Council would want to allow contractor yards in the agricultural zoning district. Staff did not feel option 3 was appropriate as interim uses were intended for uses in an area that is going through a transition or will be affected by a specific event that will change the character of the neighborhood, such as the recent request for Mr. Willenbring. In this case there is no plan for the area to change.

Commissioner Niemioja asked if the event could be the completion of the frontage road.

Mr. Hunting replied at this time there is no funding or timeline for the completion of the frontage road.

Commissioner Simon asked if there was any talk of changing the guiding to limited industrial.

Mr. Hunting stated it was unlikely it would be changed but it would be up to the neighborhood to discuss that during the upcoming comprehensive plan update.

Chair Maggi advised the applicants that the City Council would be the body to ultimately make a decision regarding this request.

Mr. Hovland asked if it would help if he paid for part of the cost of repaving the road.

Commissioner Niemioja stated the concern may be what would happen if the property was sold to someone else.

Mr. Hovland advised that the land would stay in the family, and his company was very reputable and spends a lot of money in the City on fuel, supplies, plants, etc.

Chair Maggi stated that the Planning Commission's purview is land use and they do not look at financial aspects. She advised Mr. Hovland that would be a discussion for City Council.

OTHER BUSINESS

Election of Officers

Motion by Commissioner Wippermann, second by Commissioner Simon, to nominate Annette Maggi as Chair of the Planning Commission.

Motion carried (9/0).

Motion by Commissioner Simon, second by Commissioner Wippermann, to nominate Tony Scales as Vice-Chair of the Planning Commission.

Motion carried (9/0).

Motion by Commissioner Scales, second by Commissioner Lissarrague, to nominate Pat Simon as Secretary of the Planning Commission.

Motion carried (9/0).

The meeting was adjourned by unanimous vote at 7:45 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary