

**INVER GROVE HEIGHTS CITY COUNCIL AGENDA**  
**MONDAY, AUGUST 25, 2008**  
**8150 BARBARA AVENUE**  
**7:30 P.M.**

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PRESENTATIONS**

A. Inver Grove Heights Days

4. **CONSENT AGENDA** – All items on the Consent Agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.

A. Minutes – August 11, 2008 Regular Council Meeting \_\_\_\_\_

B. Resolution Approving Disbursements for Period Ending August 20, 2008 \_\_\_\_\_

C. Pay Voucher No. 2 – City Project No. 2003–03, Southern Sanitary Sewer System \_\_\_\_\_

D. Pay Voucher No. 3 – City Project No. 2003–15, Northwest Area Utility Extension \_\_\_\_\_

E. Pay Voucher No. 4 for the VMCC Refrigeration Project \_\_\_\_\_

F. Pay Voucher No. 2 for City Project No. 2007–13, – Hilltop Elementary School Safe Routes to School Program \_\_\_\_\_

G. Pay Voucher No. 10 for City Project No. 2005–22, Cahill South Street & Utility Improvements \_\_\_\_\_

H. Pay Voucher No. 6 – City Project No. 2006–04, Drilling of City Well No. 9 \_\_\_\_\_

I. Approve Contract for Surveying City Park Property \_\_\_\_\_

J. Consider Replacement of Skyview Hockey Rink \_\_\_\_\_

K. Resolution Making an Election Not to Waive the Statutory Tort Limits for Liability Insurance Purposes \_\_\_\_\_

L. Resolution Accepting Quote and Awarding Contract to Enebak Construction Company for City Project No. 2007–05, Northwest Area Storm Water Emergency Overflows – Argenta Hills \_\_\_\_\_

M. Appoint Councilmember Madden as City Representative to the Metropolitan Airports Commission Noise Oversight Committee \_\_\_\_\_

N. Personnel Actions \_\_\_\_\_

5. **PUBLIC COMMENT** – Public comment provides an opportunity for the public to address the Council on items that are not on the Agenda. Please raise your hand to be recognized. Please state your name and address for the record. This section is for the express purpose of addressing concerns of City services and operations. Comments will be limited to three (3) minutes per person.

6. **PUBLIC HEARINGS:**

A. **CITY OF INVER GROVE HEIGHTS;** Consider Ordering City Project No. 2008-13, Courthouse Boulevard Court Street Improvements \_\_\_\_\_

7. **REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT:**

A. **SHORT DANCE STUDIOS;** Consider the following actions relating to property located at 9295 Old Concord Boulevard:

- i) Resolution relating to a **Preliminary and Final Plat with a Development Contract** for a two lot, one outlot subdivision \_\_\_\_\_
- ii) **Ordinance Amendment** relating to a **Rezoning** of Lot 2 from A, Agricultural to B-3, General Business \_\_\_\_\_
- iii) Resolution relating to a **Major Site Plan Approval** for an 8,640 square foot building for a dance studio and general retail \_\_\_\_\_
- iv) Resolution relating to a **Variance** to create a parcel that does not meet the minimum lot size requirements for the A, Agricultural zoning district \_\_\_\_\_

B. **CITY OF INVER GROVE HEIGHTS;** Consider the third reading of an Ordinance Amendment to modify the Zoning Ordinance relating to increasing maximum impervious surface coverage in the R-1A, R-1B and R-1C zoning districts \_\_\_\_\_

C. **CHARLES CUDD CO.;** Consider a Resolution relating to a Variance to exceed the impervious surface requirements to construct a house and driveway for the property located at 11662 Azure Lane \_\_\_\_\_

D. **LOWELL;** Consider Resolution relating to a Variance to exceed the impervious surface requirements to construct a patio around a pool for the property located at 11651 Aileron Circle \_\_\_\_\_

E. **STONEHENGE USA;** Consider the following actions for property located on the West side of Clark Road, north of 117<sup>th</sup> Street:

- i) **Ordinance Amendment** to allow Auto Auctions as a conditional use in the I-2 Zoning District \_\_\_\_\_
- ii) **Preliminary and Final Plat** for a one lot, one outlot subdivision \_\_\_\_\_
- iii) **Conditional Use Permit** to allow an Auto Auction Sales facility with outdoor storage \_\_\_\_\_

F. **CITY OF INVER GROVE HEIGHTS;** Consider the second reading of an Ordinance Amendment to modify the Zoning Ordinance relating to adding a definition of impervious surface \_\_\_\_\_

**G. CITY OF INVER GROVE HEIGHTS;** Consider the second reading of an Ordinance Amendment to modify Section 515.80. Subd. 19 of the Zoning Ordinance relating to exterior building materials for all residential principle and accessory structures \_\_\_\_\_

**PARKS AND RECREATION:**

**H. CITY OF INVER GROVE HEIGHTS;** Consider Southern Lakes Trail Improvements \_\_\_\_\_

**I. CITY OF INVER GROVE HEIGHTS;** Consider Railroad Crossing Study for Heritage Village Park \_\_\_\_\_

**ADMINISTRATION:**

**J. CITY OF INVER GROVE HEIGHTS;** Consider Third Reading of an Ordinance Amending City Code Sections 300.33 and 300.35, Vacation Leave and Personal Leave \_\_\_\_\_

**K. CITY OF INVER GROVE HEIGHTS;** Consider Approval of the 2008–09 Collective Bargaining Agreement between the City of Inver Grove Heights and Law Enforcement Labor Services (LELS), Local 84 \_\_\_\_\_

**L. CITY OF INVER GROVE HEIGHTS;** Discuss City Facilities Task Force and Citizen Involvement In Proposed Public Safety Addition and City Hall Renovation \_\_\_\_\_

**8. MAYOR AND COUNCIL COMMENTS**

**9. ADJOURN**

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, AUGUST 11, 2008 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, August 11, 2008, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:30 p.m. Present were Council members Grannis, Klein, Madden and Piekarski Krech; City Administrator Lynch, Assistant Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Community Development Director Link, Finance Director Lanoue, Parks & Recreation Director Carlson, and Deputy Clerk Rheame.

**3. PRESENTATIONS:** None.

**4. CONSENT AGENDA:**

Mayor Tourville removed item **4H, Consider Contract for Import of Dirt and Grading at Heritage Village Park**, from the Consent Agenda.

- A.** Minutes – July 28, 2008 Regular Council Meeting
- B.** **Resolution 08-181** Approving Disbursements for Period Ending August 6, 2008
- C.** Pay Voucher No. 1 for City Project No. 2003-03, Southern Sanitary Sewer System Improvements
- D.** Change Order No. 1 and Pay Voucher No. 1 for City Project No. 2008-09B, Sealcoating
- E.** Change Order No. 1 and Pay Voucher No. 2 for City Project No. 2008-09D, South Grove Urban Street Reconstruction – Area 3
- F.** Approving Limited Hunting of Canadian Geese within the City
- G.** Approve Second Reading of Ordinance Amending City Code Sections 300.33 and 300.35, Vacation Leave & Personal Leave
- I.** Consider Contract for Consulting Services for Heritage Village Park Prairie Restoration Project
- J.** Consider Hiring Contractor for Grubbing and Treatment of Brush at Heritage Village Park funded by MN DNR Remediation Grant RM06-008
- K.** Approve Request from Inver Grove Heights Days for Street Closure on Cahill Ave.
- L.** Approve Classification of Old UHF/VHF Handheld Radios as Surplus Property
- M.** Approve Purchase Agreement for Lindell Property
- N.** **Resolution 08-182** Approving Joint Powers Agreement with Dakota County for Construction of a Segment of the Mississippi River Regional Trail
- O.** **Resolution 08-183** Approving Plans & Specifications and Authorizing Obtaining Quotes for City Project No. 2007-05, Northwest Area Storm Sewer Emergency Overflows, Argenta Hills Regional Basin SP-17
- P.** **Resolution 08-184** Approving Raingarden Maintenance Agreement for City Project No. 2008-09D, Urban Street Reconstruction Project – South Grove Area 3
- Q.** **Resolution 08-185** Approving Individual Project Order No. 8B with Kimley Horn & Associates, Inc. for City Project No. 2008-09D, Urban Street Reconstruction, South Grove Area 3
- R.** **Resolution 08-186** Authorizing Preparation of a Feasibility Study and Approving Professional Services Agreement with WSB & Associates, Inc. for Preparation of a Feasibility Study for City Project No. 2001-12, Concord Boulevard Improvements – Phase 3, 65<sup>th</sup> Street East to Linden Street
- S.** **Resolution 08-187** Appointing Election Judges for Primary Election on September 9<sup>th</sup>
- T.** Approve Request from Jersey's Bar & Grill to Extend Liquor License to Outdoor Fenced Area on

Saturday, August 23<sup>rd</sup> from 12-3:30 p.m.

**U. Personnel Actions**

**Motion by Madden, seconded by Klein to approve the Consent Agenda.**

**Ayes: 5**

**Nays: 0 Motion carried.**

**H. Consider Contract for Import of Dirt and Grading at Heritage Village Park**

Mr. Carlson explained that the contract needed to be revised because Dakota County does not want the City to do any compaction for the Mississippi River Regional Trail.

**Motion by Klein, seconded by Madden to approve Contract for Import of Dirt and Grading at Heritage Village Park with the revision to the contract as stated.**

**Ayes: 5**

**Nays: 0 Motion carried.**

**5. PUBLIC COMMENT:**

Jim Huffman, 4237 Denton Way, commented on the success of National Night Out and thanked the Council and City staff for attending the neighborhood events throughout the community.

**6. PUBLIC HEARINGS:** None.

**7. REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT:**

**A. CASTAWAY MARINA;** Consider Resolution relating to a Conditional Use Permit Amendment to expand an existing parking area for property located at 6140 Doffing Avenue

Mr. Hunting explained that the applicants are proposing an addition of 600 cubic yards of fill on the West side of the levee to expand the existing parking area by adding 36 parking stalls. He stated that the water on the West side of the levee is a wetland and not part of the river and noted that the applicants hired a wetland specialist to delineate the edge of the wetland. He clarified that there would be no impact to the wetland. He stated that the Engineering Department has indicated that a land alteration permit would be required and that staff recommended that the Owner enter into a maintenance agreement or provide a drainage and utility easement over the slope area to ensure that the slope will stay established and be maintained to prevent erosion. He stated that the Planning Commission and Planning staff recommended approval of the request.

**Motion by Klein, seconded by Madden, to approve Resolution No. 08-188 relating to a Conditional Use Permit Amendment to expand an existing parking area for property located at 6140 Doffing Avenue**

**Ayes: 5**

**Nays: 0 Motion carried.**

**B. UNITED PROPERTIES;** Consider the following Resolutions for the Inverpoint Business Park

- i) Resolution relating to a Final Plat and Final PUD Development Plan for Phase 1 to be known as InverPoint Business Park
- ii) Approve a Resolution relating to Wetland Replacement Plan to allow the disturbance of 6,177 square feet of wetland

Mr. Hunting explained that the first phase of the project consists of two office/warehouse buildings. He stated that all of the stormwater features, the three access points and tree plantings along Courthouse

Boulevard Court would be constructed with the first phase. He noted that a development contract along with other maintenance agreements addressing specific details of the project were drafted and are part of the Council action. He stated that the submitted final plans are consistent with the preliminary plans and settlement agreement and all conditions related to Phase 1 have been addressed.

Mr. Hunting stated that the second phase of the request relates to a wetland mitigation plan. He explained that the construction of the third entrance will impact one of the wetlands. He stated that approximately 6,000 square feet of wetlands would be impacted with the new site plan. He noted that the filling requires a replacement ratio of 2.25 to 1, and a total of 13,898 square feet of wetlands would be mitigated on site. He stated that Planning staff recommended approval of the wetland mitigation plan with the conditions listed in the resolution.

Mr. Kuntz reviewed a change that was made with respect to the conservation easement. He stated that language was added to reflect that if, at a later date, the City decided to install a trail on this plat it would be at the sole cost of the City and any insurance claims resulting from that trail would be the responsibility of the City. He discussed the operating agreement and noted that it listed the restrictions pertaining to the use of the site.

Councilmember Klein referred to the Boulevard & Area Restoration section on page 18 of the development contract and questioned if a screening element could be added because of the change to the entrance/exit.

Mr. Kuntz responded a condition could only be added with the consent of the developer because it was not part of the preliminary plat approval.

Councilmember Madden suggested that screening be discussed at a later date after a decision has been made regarding the trail.

Mayor Tourville stated that the Council could direct staff to have discussions regarding screening with the developer and landowner.

Linda Fisher, representing United Properties, stated that she did not think United Properties would be opposed to discussing screening.

**Motion by Madden, seconded by Klein, to approve Resolution No. 08-189 relating to a Final Plat and Final PUD Development Plan for Phase 1 to be known as InverPoint Business Park and Resolution No. 08-190 relating to a Wetland Replacement Plan to allow the disturbance of 6,177 square feet of wetland**

**Ayes: 5**

**Nays: 0**

**Motion carried.**

**C. BAUCH;** Consider a Resolution relating to a Variance for an accessory building to encroach within the front yard setback for property located at 8095 Cooper Avenue

Mr. Hunting explained the applicant is proposing construction of an 18'x18' accessory structure on their corner lot. He stated that the requested accessory structure would be constructed on the South side of the property, six feet from the front property line adjacent to Cuneen Trail. He explained that there were concerns with the proximity of the structure to both the road and the property line. He stated that the property has a special condition because there is a hill on the rear side of the lot that would prohibit the applicants from locating the shed behind the house and in compliance with the zoning code. He explained that a modification to the request was proposed that would entail moving the accessory building in line with the existing home to minimize the size of the variance. He noted that the applicant agreed to the modified proposal. He stated that the Planning Commission and Planning staff recommended approval of the modified request with the hardship being the topography of the lot.

**Motion by Klein, seconded by Madden, to approve Resolution No. 08-191 relating to a Variance for an accessory building to encroach within the front yard setback for property located at 8095 Cooper Avenue**

**Ayes: 5**

**Nays: 0      Motion carried.**

**D. CITY OF INVER GROVE HEIGHTS;** Consider the First Reading of an Ordinance Amendment to modify Section 515.30, Subd. 2 of the Zoning Ordinance relating to adding a definition of impervious surface in conjunction with amendment increasing maximum impervious surface coverage in the R-1A, R-1B and R-1C zoning districts

Mr. Link explained that one ordinance deals with percentage requirements in each zoning district and the second ordinance focuses on the definition of impervious surface and details specific examples. He stated that Planning staff and the Planning Commission recommended approval of the first reading of the ordinance amendment.

Councilmember Piekarski Krech asked what staff would consider “other natural porous surfaces”.

Mr. Link responded that the language would refer to a natural material of some sort that would absorb water.

**Motion by Madden, seconded by Piekarksi Krech, to approve the first reading of an Ordinance Amendment to modify Section 515.30, Subd. 2 of the Zoning Ordinance relating to adding a definition of impervious surface in conjunction with amendment increasing maximum impervious surface coverage in the R-1A, R-1B and R-1C zoning districts**

**Ayes: 5**

**Nays: 0      Motion carried.**

**E. CITY OF INVER GROVE HEIGHTS;** Consider the first reading of an Ordinance Amendment to modify Section 515.80, Subd. 19 of the Zoning Ordinance relating to exterior building materials for all residential principle accessory structures

Mr. Link explained that the amendment would require all exterior walls to be covered by siding, stucco, brick, glass, composite plastic or other comparable material as approved by the Building Official. He stated that the ordinance would prohibit plastic sheets, tarpaper, insulation, canvas and cloth as final covers for exterior walls. He noted that commercial green houses and playground equipment would be excluded from the ordinance amendment. He stated that Planning staff and the Planning Commission recommended approval of the amendment as presented.

Councilmember Madden asked if the amendment would prohibit non-commercial greenhouses that are set-up all year.

Mr. Link stated that staff is still reviewing how the amendment would pertain to such structures and noted that the second reading would be more specific and precise.

Dennis Springer, 3912 66<sup>th</sup> Street East, expressed concerns regarding the “grandfathering” of structures and asked that the issue be addressed in the ordinance amendment.

Mr. Link explained that in some cases a legal non-conforming structure would be grandfathered in because it is a matter of interpretation. He stated that the issue needs to be further reviewed prior to the second reading.

Mayor Tourville commented on all the work being put into the amendment and stated that he does not want any structures to be “grandfathered” in.

Mr. Link stated that staff still had legal matters to work through regarding that issue.

**Motion by Madden, seconded by Klein, to approve the first reading of an Ordinance Amendment to modify Section 515.80, Subd. 19 of the Zoning Ordinance relating to exterior building materials for all residential principle and accessory structures**

**Ayes: 5**

**Nays: 0      Motion carried.**

**PUBLIC WORKS:****F. CITY OF INVER GROVE HEIGHTS;** Consider Resolution Adopting Revised Final Assessment Role for City Project No. 2007-09C, 2007 Mill and Overlay

Mr. Thureen explained that the assessment would be divided amongst all 94 parcels in the Traverse Point Association. He stated that an additional 31 parcels were included and 13 of the 31 signed assessment waivers. He noted that the Association wrote a check to cover the remaining 18 parcels. He stated the resolution would approve the revised assessment role.

**Motion by Piekarski Krech, seconded by Madden, to approve Resolution No. 08-192 adopting the revised assessment role for City Project No. 2007-09C, 2007 Mill and Overlay****Ayes: 5****Nays: 0      Motion carried.****ADMINISTRATION:****G. CITY OF INVER GROVE HEIGHTS;** Consider Owner's Representative Agreement for Proposed Public Safety Addition & City Hall Remodel

Ms. Teppen explained that the request is for approval of a contract with Krech O'Brien Mueller and Associates for owner's representative services. She stated that Krech O'Brien has put together a team of three people that would act as owner's representatives for the project. She stated that the services outlined in the agreement are proposed to cost \$329,000 and would include the work previously authorized by Council and an additional number of site visits during construction of not less than twice a week. She noted that staff recommended that Council add professional liability insurance, in the amount of \$8,389.50, to the agreement that would cover the term of the project. She explained that the coverage is on a "claims made" basis and the coverage applies during the term of the project and for five years after substantial completion of the project.

Mayor Tourville questioned the language in the memo saying that Krech O'Brien Mueller and Associates will agree to attempt to obtain insurance.

Mr. Kuntz explained that the insurance comes from a third party and the premium being paid is a one-time fee that will continue as long as the policy is in place. He stated that both parties believe the five-year window will be sufficient for claims.

Mr. O'Brien stated that he does not anticipate any problems obtaining the insurance.

**Motion by Piekarski Krech, seconded by Madden, to approve Owner's Representative Agreement for the Proposed Public Safety Addition & City Hall Remodel.****Ayes: 5****Nays: 0      Motion carried.****8. MAYOR AND COUNCIL COMMENTS:**

**9. ADJOURN:** Motion by Klein, seconded by Madden to adjourn. The meeting adjourned by unanimous vote at 8:26 p.m.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Meeting Date: August 25, 2008  
 Item Type: Consent  
 Contact: Cathy Shea 651-450-2521  
 Prepared by: Cathy Shea Asst. Finance Director  
 Reviewed by: N/A

**Fiscal/FTE Impact:**

<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Approve the attached resolution approving disbursements for the period of August 7, 2008 to August 20, 2008.

**SUMMARY**

Shown below is a listing of the disbursements for the various funds for the period ending August 20, 2008. The detail of these disbursements is attached to this memo.

General & Special Reveune	\$237,289.51
Debt Service & Capital Projects	1,028,409.46
Enterprise & Internal Service	207,990.44
Escrows	<u>9,008.32</u>
Grand Total for All Funds	<u><u>\$1,482,697.73</u></u>

If you have any questions about any of the disbursements on the list, please call me at 651-450-2521 or Vickie Gray, Accounting Technician at 651-450-2515.

Attached to this summary for your action is a resolution approving the disbursements for the period August 7, 2008 to August 20, 2008, and the listing of disbursements requested for approval.

**DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING DISBURSEMENTS FOR THE  
PERIOD ENDING AUGUST 20, 2008**

**WHEREAS**, a list of disbursements for the period ending August 20, 2008 was presented to the City Council for approval;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS:** that payment of the list of disbursements of the following funds is approved:

General & Special Revenue	\$ 237,289.51
Debt Service & Capital Projects	1,028,409.46
Enterprise & Internal Service	207,990.44
Escrows	<u>9,008.32</u>
 Grand Total for All Funds	 <u>\$ 1,482,697.73</u>

Adopted by the City Council of Inver Grove Heights this 25th day of August, 2008.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy City Clerk

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89780	ACE PAINT & HARDWARE	cust 1126	101-6000-451.60-40		8/2008	12.72
			cust 1126	101-6000-451.60-16		8/2008	3.72
			cust 1126	101-5200-443.60-16		8/2008	50.03
			acct 1126	101-4200-423.60-65		8/2008	32.95
			cust 1126	101-5200-443.60-16		8/2008	36.16
			cust 1126	101-5200-443.60-16		8/2008	83.00
			acct 1126	101-4200-423.60-65		8/2008	17.03
						* Total	235.61
08/13/2008	89786	ARROW MOWER, INC.	city of inver grove hgts	101-5200-443.60-16		8/2008	40.46
						* Total	40.46
08/13/2008	89787	ASPEN MILLS	cust 550771	101-4200-423.60-45		8/2008	156.35
						* Total	156.35
08/13/2008	89789	AUGE, DEANNA	police dept	101-4000-421.30-70		8/2008	40.72
						* Total	40.72
08/13/2008	89790	AVR, INC.	cust 4753	101-4200-423.40-40		8/2008	180.00
			cust 4753	101-6000-451.40-47		8/2008	277.95
						* Total	457.95
08/13/2008	89791	BAUER, URBAN & KATHRYN	city of inver grove hgts	101-6000-451.40-47		8/2008	148.04
						* Total	148.04
08/13/2008	89798	CARDIAC SCIENCE, INC.	cust 77257	101-4200-423.60-65		8/2008	136.64
						* Total	136.64
08/13/2008	89804	COPY RIGHT	city of inver grove hgt	101-4000-421.50-30		8/2008	72.50
						* Total	72.50
08/13/2008	89807	CULLIGAN	acct 157984591006	101-4200-423.60-65		8/2008	5.28
						* Total	5.28
08/13/2008	89808	CULLIGAN	acct 157984591188	101-4200-423.60-65		8/2008	12.50
						* Total	12.50
08/13/2008	89810	DAKOTA ELECTRIC ASSN	acct 3935632	101-6000-451.40-20		8/2008	663.20
						* Total	663.20
08/13/2008	89811	DAKOTA ELECTRIC ASSN	acct 2501658	101-6000-451.40-20		8/2008	597.37
						* Total	597.37
08/13/2008	89812	DAKOTA ELECTRIC ASSN	acct 2468379	101-6000-451.40-20		8/2008	4,027.30
						* Total	4,027.30
08/13/2008	89815	DANNER LANDSCAPING	city of inver grove	101-6000-451.60-16		8/2008	26.69
			city of inver grove	101-6000-451.60-16		8/2008	26.69
			city of inver grove	101-6000-451.60-16		8/2008	53.38
			city of inver grove	101-6000-451.60-16		8/2008	160.13
						* Total	266.89
08/13/2008	89820	EMMERICH, JENNIFER	refreshment -work session	101-3000-419.60-65		8/2008	103.76

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89823	FERRELLGAS	acct 7754787	101-5200-443.60-16		* Total	103.76
						8/2008	24.72
						* Total	24.72
08/13/2008	89824	FIRST IMPRESSION GROUP,	acct 3022	101-6000-451.50-30		* Total	186.70
						8/2008	186.70
08/13/2008	89826	G & K SERVICES	acct 0794701	101-5200-443.60-45		8/2008	160.80
			acct 0794701	101-6000-451.60-45		8/2008	84.12
						* Total	244.92
08/13/2008	89828	GERTENS	acct 103566	101-6000-451.40-25		8/2008	20.00
			acct 103566	101-6000-451.40-25		8/2008	20.00
			acct 103566	101-6000-451.40-25		8/2008	16.00
			acct 103566	101-6000-451.60-16		8/2008	382.76
			acct 103566	101-6000-451.60-16		8/2008	255.17
			acct 103566	101-6000-451.40-25		8/2008	32.00
			acct 103566	101-6000-451.60-16		8/2008	230.36
			acct 103566	101-6000-451.60-16		8/2008	166.67
			acct 103566	101-6000-451.60-16		8/2008	689.06
						* Total	1,812.02
08/13/2008	89839	HUTTON AND ROWE INC	duplicate license	101-0000-321.95-00		8/2008	50.00
						* Total	50.00
08/13/2008	89840	HYDRO TURF INC.	city of inver grove hgts	101-6000-451.40-47		8/2008	108.66
						* Total	108.66
08/13/2008	89843	IOWA PARK & RECREATION	city of inver grove hgts	101-1100-413.50-25		8/2008	75.00
						* Total	75.00
08/13/2008	89846	JRK SEED & TURF SUPPLY	city of inver grove	101-6000-451.60-16		8/2008	36.30
						* Total	36.30
08/13/2008	89847	JUCKEL LAWN CARE & SNOW	city of inver grove hgts	101-3300-419.30-70		8/2008	441.97
						* Total	441.97
08/13/2008	89848	KERN, DEWENTER, VIERE,	client 04683	101-2000-415.30-10		8/2008	3,450.00
						* Total	3,450.00
08/13/2008	89856	MN GLOVE & SAFETY, INC.	acct ctinvp	101-6000-451.60-45		8/2008	72.00
						* Total	72.00
08/13/2008	89858	MN RECREATION AND PARK	city of inver grove hgts	101-6000-451.50-80		8/2008	138.00
						* Total	138.00
08/13/2008	89862	MTI DISTRIBUTING CO	cust 91180	101-6000-451.40-47		8/2008	141.45
						* Total	141.45
08/13/2008	89863	NAPA OF INVER GROVE HEI	acct 125	101-4200-423.40-42		8/2008	16.23
						* Total	16.23

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89864	NATURE CALLS, INC.	city of inver grove city of inver grove city of inver grove	101-6000-451.40-65 101-6000-451.40-65 101-6000-451.40-65		8/2008 8/2008 8/2008 * Total	484.73 691.05 40.65 1,216.43
08/13/2008	89865	NEXTEL COMMUNICATIONS	cust 266948529	101-4000-421.50-20		8/2008 * Total	504.05 504.05
08/13/2008	89866	NFPA	member jeff schadegg	101-4200-423.50-70		8/2008 * Total	150.00 150.00
08/13/2008	89873	PETTY CASH	blgd officials meeting zip lock bags-permit card chief meeting	101-3300-419.50-80 101-3300-419.60-40 101-4000-421.50-70		8/2008 8/2008 8/2008 8/2008 8/2008 8/2008 * Total	24.00 6.04 28.78 19.57 23.46 101.85
08/13/2008	89874	PIONEER PRESS	cust 413964	101-1100-413.50-25		8/2008 * Total	1,199.00 1,199.00
08/13/2008	89880	QWEST	acct 6514577674	101-6000-451.50-20		8/2008 * Total	41.02 41.02
08/13/2008	89881	QWEST	acct 6514577671	101-6000-451.50-20		8/2008 * Total	41.02 41.02
08/13/2008	89884	R.E. PALMEN INC	double fee charged	101-0000-322.20-00		8/2008 * Total	220.00 220.00
08/13/2008	89886	RJS SOFTWARE SYSTEMS, I	cityofinvergrove	101-2000-415.40-44		8/2008 * Total	1,215.90 1,215.90
08/13/2008	89892	SOUTH EAST TOWING	igh pd igh public works	101-4000-421.60-65 101-4000-421.60-65		8/2008 8/2008 * Total	213.50 85.40 298.90
08/13/2008	89895	ST. PAUL HARLEY-DAVIDSO	acct 44061 acct 44061 acct 44061 acct 44061	101-4000-421.60-40 101-4000-421.60-40 101-4000-421.60-40 101-4000-421.60-40		8/2008 8/2008 8/2008 8/2008 * Total	626.10- 58.22 406.91 453.24 292.27
08/13/2008	89896	STAR TRIBUNE	acct 1000017984	101-1100-413.50-25		8/2008 * Total	1,137.20 1,137.20
08/13/2008	89898	STREICHER'S	acct 153162	101-4000-421.60-45		8/2008 * Total	275.00 275.00
08/13/2008	89899	THORNTON, SANDY	food - fire house	101-4200-423.50-75		8/2008 * Total	88.07 88.07
08/13/2008	89900	TIMESAVER OFF SITE SECR	city of inver grove	101-1100-413.30-70		8/2008	305.80

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89901	TRACTOR SUPPLY CREDIT P	acct 6035301200183679 acct 6035301200183679 acct 6035301200183679	101-6000-451.40-47 101-6000-451.60-16 101-6000-451.60-40		* Total	305.80
08/13/2008	89903	U OF M - CCE REGISTRATI	pesticide-j gilhausen	101-6000-451.50-80		* Total	550.00
08/13/2008	89905	USA MOBILITY WIRELESS I	acct 03174091	101-4000-421.50-20		* Total	22.06
08/13/2008	89906	VARS, NICHOLAS	emt class mileage	101-4200-423.30-70 101-4200-423.50-65		* Total	469.28
08/13/2008	89907	VIKING PAINTS, INC.	cust cig50	101-6000-451.60-16		* Total	535.31
08/13/2008	89911	XCEL ENERGY	acct 5152791130 acct 5152791130	101-5200-443.40-20 101-5400-445.40-20		* Total	338.19
08/13/2008	89912	XCEL ENERGY	acct 5147791673	101-6000-451.40-20		* Total	8,273.40
08/13/2008	89914	XCEL ENERGY	acct 5164351291	101-5400-445.40-20		* Total	8,611.59
08/20/2008	89923	AFSCME COUNCIL 5	city of inver grove hgts	101-0000-203.10-00		* Total	1,635.75
08/20/2008	89929	BITUMINOUS ROADWAYS, IN	city of inver grove hgts	101-5200-443.60-16		* Total	1,635.75
08/20/2008	89936	CITY OF SAINT PAUL	city of inver grove hgts	101-5200-443.60-16		* Total	124.31
08/20/2008	89939	COORDINATED BUSINESS SY	cust 4555082	101-4200-423.40-44		* Total	124.31
08/20/2008	89940	CREATIVE GRAPHICS OF PR	city of inver grove	101-3300-419.50-30		* Total	900.15
08/20/2008	89953	G & K SERVICES	acct 7494701 acct 7494701 ACCT 7494701	101-5200-443.60-45 101-6000-451.60-45 101-5200-443.60-45		* Total	506.07
08/20/2008	89957	HEALTH PARTNERS	city of inver grove	101-0000-203.07-00		* Total	2,373.99
			city of inver grove	101-0000-203.08-00		* Total	2,373.99
						* Total	173.57
						* Total	359.02
						* Total	359.02
						* Total	92.05
						* Total	130.13
						* Total	92.05
						* Total	58.53
						* Total	372.76
						* Total	70,092.84
						* Total	6,192.32

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/20/2008	89958	HEALTH PARTNERS	city of inver grove	101-0000-203.07-00		8/2008	3,114.48
			city of inver grove	101-0000-203.08-00		8/2008	276.31
						* Total	3,390.79
08/20/2008	89973	LANGUAGE LINE SERVICES	acct 9020909043	101-4000-421.50-20		8/2008	19.67
						* Total	19.67
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	101-1000-413.30-40		8/2008	120.00
			cust 81000E	101-1000-413.30-42		8/2008	9,109.36
			cust 81000E	101-3200-419.30-42		8/2008	2,476.00
			cust 81000E	101-3300-419.30-42		8/2008	608.00
			cust 81000E	101-4000-421.30-42		8/2008	12.00
			cust 81000E	101-5000-441.30-42		8/2008	4,741.40
			cust 81000E	101-6000-451.30-42		8/2008	162.40
						* Total	17,229.16
08/20/2008	89977	LEVANDER, GILLEN & MILL	cust 92000E	101-4000-421.30-41		8/2008	20,242.30
						* Total	20,242.30
08/20/2008	89978	LONE OAK GRAPHICS INC	CUST 8150	101-5100-442.60-40		8/2008	23.06
						* Total	23.06
08/20/2008	89983	METROPOLITAN COUNCIL EN	city of inver grove	101-0000-341.40-00		8/2008	91.25-
						* Total	91.25-
08/20/2008	89985	MN DEPT OF LABOR & INDU	attende; joe merchak	101-3300-419.50-80		8/2008	35.00
						* Total	35.00
08/20/2008	89990	NEEDELS SUPPLY INC	acct inver110	101-4200-423.60-65		8/2008	111.90
						* Total	111.90
08/20/2008	89999	RIVER HEIGHTS CHAMBER O	ACCT 4211	101-1000-413.50-80		8/2008	35.00
						* Total	35.00
08/20/2008	90003	S & T OFFICE PRODUCTS	acct S28777	101-4200-423.60-40		8/2008	39.39
			acct S28777	101-3200-419.60-10		8/2008	13.15
			acct S28777	101-3300-419.60-40		8/2008	24.69
			acct S28777	101-3200-419.60-10		8/2008	4.07
			acct S28777	101-3300-419.50-30		8/2008	22.87
						* Total	104.17
08/20/2008	90005	SENSIBLE LAND USE COALI	h.botten/j. emmerich	101-3200-419.50-80		8/2008	70.00
						* Total	70.00
08/20/2008	90009	SOLBERG AGGREGATE CO	city of inver grove	101-5200-443.60-16		8/2008	443.79
			city of inver grove	101-5200-443.60-16		8/2008	123.61
						* Total	567.40
08/20/2008	90014	STREICHER'S	city of inver grove	101-4000-421.60-18		8/2008	407.88
						* Total	407.88

76,285.16

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08/20/2008	90015	TDS METROCOM	ACCT 6515540132	101-4000-421.50-20		8/2008	129.82
			ACCT 6515540132	101-4200-423.50-20		8/2008	183.58
			ACCT 6515540132	101-6000-451.50-20		8/2008	45.25
						* Total	358.65
08/20/2008	90017	TOTAL COMFORT	DUPLICATE PERMIT	101-0000-322.40-00		8/2008	64.00
						* Total	64.00
08/20/2008	90020	UNITED WAY	city of inver grove	101-0000-203.13-00		8/2008	181.00
						* Total	181.00
08/20/2008	90021	US POSTMASTER	city of inver grove hgts	101-1100-413.50-35		8/2008	1,986.50
						* Total	1,986.50
08/20/2008	90026	XCEL ENERGY	acct 5164318574	101-4200-423.40-10		8/2008	150.45
			acct 5164318574	101-4200-423.40-20		8/2008	1,471.14
						* Total	1,621.59
08/20/2008	90027	XCEL ENERGY	acct 5151854463	101-4000-421.40-42		8/2008	36.89
						* Total	36.89
08/13/2008	89814	DAN GREVAS PHOTOGRAPHY	city of inver grove hgts	201-1600-465.50-25	** Fund Total	8/2008	160,505.99
						* Total	1,049.03
08/13/2008	89821	ENSEMBLE CREATIVE & MAR	city of inver grove hgts	201-1600-465.50-25		8/2008	1,049.03
						* Total	1,500.00
08/20/2008	89947	EAGAN, CITY OF	city of inver grove hgts	403-0000-207.05-00	** Fund Total	8/2008	2,549.03
						* Total	1,905.00
08/20/2008	89983	METROPOLITAN COUNCIL EN	city of inver grove	404-0000-217.00-00		8/2008	1,905.00
						* Total	1,905.00
08/20/2008	89971	KENNEDY & GRAVEN	city of inver grove	405-9000-570.30-44	** Fund Total	8/2008	9,125.00
						* Total	1,207.00
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	423-5903-723.30-42	0303	8/2008	1,207.00
						* Total	1,207.00
08/13/2008	89793	BONESTROO, ROSENE, ANDE	city of inver grove hgts	425-5906-725.30-30	0506	8/2008	6,378.00
						* Total	140.00

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08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E cust 81000E	425-5906-725.30-42 425-5922-725.30-42	0506 0522	8/2008 8/2008 * Total	688.50 1,572.18 2,260.68
08/20/2008	89992	NODLAND CONSTRUCTION CO	cahill/utility improvemen	425-5922-725.80-30	0522	8/2008 * Total	66,888.48 66,888.48
08/20/2008	89946	E.H. RENNER & SONS INC	drilling well 9	3 Checks 426-5904-726.80-30	** Fund Total 0604	8/2008 * Total	69,289.16 24,814.00 24,814.00
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	426-5904-726.30-42	0604	8/2008 * Total	25.50 25.50
08/20/2008	90004	S. M. HENTGES & SONS, I	hilltop safe routes	2 Checks 427-5913-727.80-30	** Fund Total 0713	8/2008 * Total	24,839.50 26,626.84 26,626.84
08/13/2008	89784	AMERICAN FLAGPOLE & FLA	inverwood golf course inverwood golf	1 Checks 428-5919-728.60-65	** Fund Total 0819	8/2008 * Total	26,626.84 5,000.24 253.26 5,253.50
08/13/2008	89792	BKV GROUP, INC.	city of inver grove hgts	428-5918-728.30-20	0818	8/2008 * Total	58,144.76 58,144.76
08/13/2008	89849	KIMBALL MIDWEST	acct 222006	428-5917-728.80-30	0817	8/2008 * Total	186.72 186.72
08/13/2008	89854	MENARDS - WEST ST. PAUL	acct 30170270	428-5917-728.80-30	0817	8/2008 * Total	99.95 99.95
08/13/2008	89878	PRESTIGE ELECTRIC, INC.	inverwood	428-5919-728.30-70	0819	8/2008 * Total	4,900.00 4,900.00
08/20/2008	89954	GARTNER REFRIGERATION &	VMCC - PHASE II	428-5906-728.80-20	0806	8/2008 * Total	76,000.00 76,000.00
08/20/2008	89971	KENNEDY & GRAVEN	city of inver grove	428-5918-728.30-44	0818	8/2008 * Total	651.23 651.23
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E cust 81000E	428-5910-728.30-42 428-5911-728.30-42	0810 0811	8/2008 8/2008 * Total	241.00 280.00 521.00
08/20/2008	89981	MCMURCHIE, AL	plaque for flagpole	428-5919-728.60-65	0819	8/2008 * Total	40.84 40.84
				9 Checks	** Fund Total		145,798.00

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08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	429-5901-729.30-42	0901	8/2008 * Total	270.50 270.50
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	440-5900-740.30-42	0809D	8/2008 * Total	289.00 289.00
08/13/2008	89828	GERTENS	acct 103566	443-5900-743.60-16		8/2008	95.69
			acct 103566	443-5900-743.60-16		8/2008	255.17
			acct 103566	443-5900-743.60-16		8/2008	287.07
			acct 103566	443-5900-743.60-16		8/2008	287.07
						* Total	925.00
08/13/2008	89893	ST. CROIX TREE SERVICE,	city of inver grove	443-5900-743.60-16		8/2008	532.50
			city of inver grove	443-5900-743.60-16		8/2008	2,670.00
						* Total	3,202.50
08/20/2008	89924	AMES CONSTRUCTION INC	NW TRUNK UTILITY IMPROVE	446-5915-746.80-30	0315	8/2008 * Total	734,126.81 734,126.81
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	446-5915-746.30-42	0315	8/2008 * Total	4,427.15 4,427.15
08/13/2008	89780	ACE PAINT & HARDWARE	acct 1126	501-7100-512.60-16		8/2008	29.27
			acct 1126	501-7100-512.60-16		8/2008	10.63
			acct 1126	501-7100-512.60-16		8/2008	41.78
						* Total	81.68
08/13/2008	89813	DAKOTA ELECTRIC ASSN	acct 2148310	501-7100-512.40-20		8/2008 * Total	8.92 8.92
08/13/2008	89817	ECOLAB PEST ELIMINATION	acct wate01590001	501-7100-512.40-40		8/2008 * Total	59.64 59.64
08/13/2008	89826	G & K SERVICES	acct 0794701	501-7100-512.60-45		8/2008 * Total	25.77 25.77
08/13/2008	89829	GOODIN COMPANY	acct 1001619	501-7100-512.60-16		8/2008	46.14
			acct 1001619	501-7100-512.60-16		8/2008	94.24
						* Total	140.38
08/13/2008	89833	HAWKINS INC	acct 108816	501-7100-512.60-19		8/2008 * Total	585.50 585.50
08/13/2008	89835	HD SUPPLY WATERWORKS LT	acct 099872	501-7100-512.75-50		8/2008	1,487.35
			acct 099872	501-7100-512.75-50		8/2008	262.89

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08/13/2008	89857	MN PIPE & EQUIPMENT	acct 2195	501-7100-512.60-16		* Total	1,750.24
			acct 2195	501-7100-512.60-16		8/2008	99.81
						8/2008	368.93
						* Total	468.74
08/13/2008	89870	ONE CALL CONCEPTS INC	city of inver grove	501-7100-512.30-70		* Total	949.75
						8/2008	84.77
						* Total	84.77
08/13/2008	89872	OUT BACK NURSERY, INC.	city of inver grove	501-7100-512.60-16		* Total	270.35
						8/2008	270.35
						* Total	270.35
08/13/2008	89890	SHEMIN NURSERIES INC	acct 1001540	501-7100-512.60-16		* Total	58.70
						8/2008	58.70
						* Total	58.70
08/13/2008	89901	TRACTOR SUPPLY CREDIT P	acct 6035301200183679	501-7100-512.60-16		* Total	330.00
						8/2008	330.00
						* Total	330.00
08/13/2008	89902	TWIN CITY WATER CLINIC	inver grove heights	501-7100-512.30-70		* Total	1,734.00
						8/2008	1,734.00
						* Total	1,734.00
08/13/2008	89909	WSB & ASSOCIATES, INC.	city of inver grove	501-7100-512.30-30		* Total	10.38
						8/2008	8.51
						8/2008	12.23
						* Total	31.12
08/20/2008	89922	ACE PAINT & HARDWARE	acct 1126	501-7100-512.60-16		* Total	245.00
			acct 1126	501-7100-512.60-16		8/2008	245.00
			acct 1126	501-7100-512.60-16		8/2008	25.77
						* Total	73.90
						8/2008	99.67
						* Total	410.00
08/20/2008	89926	ARAGORN INDUSTRIES INC	city of inver grove hgts	501-7100-512.30-70		* Total	410.00
						8/2008	267.45
						* Total	267.45
08/20/2008	89953	G & K SERVICES	acct 7494701	501-7100-512.60-45		* Total	1,369.49
			ACCT 7494701	501-7100-512.60-45		8/2008	24,412.77
						* Total	25,782.26
08/20/2008	89984	MN AWWA	attende; dan helling	501-7100-512.50-80		* Total	33,383.94
						8/2008	11.04
						* Total	11.04
08/20/2008	90015	TDS METROCOM	ACCT 6515540132	501-7100-512.50-20		* Total	109,359.28
						8/2008	109,359.28
						* Total	109,359.28
08/20/2008	90025	XCEL ENERGY	acct 5160987097	501-7100-512.40-10		* Total	33,383.94
			acct 5160987097	501-7100-512.40-20		8/2008	11.04
						* Total	11.04
08/13/2008	89826	G & K SERVICES	acct 0794701	502-7200-514.60-45	** Fund Total	8/2008	33,383.94
						* Total	11.04
						8/2008	11.04
						* Total	109,359.28
08/13/2008	89855	METROPOLITAN COUNCIL	acct 5084	502-7200-514.40-15		* Total	109,359.28
						8/2008	109,359.28
						* Total	109,359.28

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08/20/2008	89943	DAKOTA CITY TREASURER	city of inver grove	502-0000-207.01-00		8/2008 * Total	120.00 120.00
08/20/2008	89950	FIRST AMERICAN TITLE	REQUESTED CREDIT REFUND	502-0000-116.00-00		8/2008 * Total	3.57 3.57
08/20/2008	89953	G & K SERVICES	acct 7494701 ACCT 7494701	502-7200-514.60-45 502-7200-514.60-45		8/2008 8/2008 * Total	11.04 31.67 42.71
08/20/2008	90013	STEWART TITLE	REQUESTED CREDIT REFUND	502-0000-116.00-00		8/2008 * Total	14.14 14.14
08/20/2008	90024	WINDWOOD HOMES	REQUESTED CREDIT REFUND	502-0000-116.00-00		8/2008 * Total	16.66 16.66
08/20/2008	90025	XCEL ENERGY	acct 5160987097	502-7200-514.40-20		8/2008 * Total	209.53 209.53
08/13/2008	89785	ARCTIC GLACIER, INC.	acct 1726134	503-8300-524.60-65	8 Checks ** Fund Total	8/2008 * Total	109,776.93 70.68 70.68
08/13/2008	89801	COCA COLA BOTTLING COMP	cust 3079049	503-8300-524.76-10		8/2008 * Total	764.88 764.88
08/13/2008	89809	DAKOTA ELECTRIC ASSN	acct 2013605	503-8600-527.40-20		8/2008 * Total	171.99 171.99
08/13/2008	89825	G & K SERVICES	acct 0157401	503-8600-527.60-45		8/2008 * Total	50.78 50.78
08/13/2008	89831	GRANDMA'S BAKERY	cust 24400 cust 24400 cust 24400	503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05		8/2008 8/2008 8/2008 * Total	53.07 60.62 60.62 174.31
08/13/2008	89836	HEGGIES PIZZA	inverwood golf course	503-8300-524.76-05		8/2008 * Total	250.30 250.30
08/13/2008	89844	JJ TAYLOR DIST. COMPANY	cust 00834	503-8300-524.76-15		8/2008 * Total	77.75 77.75
08/13/2008	89850	LEITNER COMPANY	inverwood golf	503-8600-527.60-20		8/2008 * Total	350.16 350.16
08/13/2008	89851	M. AMUNDSON LLP	acct 902858	503-8300-524.76-05		8/2008 * Total	206.93 206.93
08/13/2008	89854	MENARDS - WEST ST. PAUL	acct 30170265	503-8600-527.40-42		8/2008 * Total	14.53 14.53

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89860	MOYNIHAN, MATT	cleaning supplies	503-8400-525.40-41		8/2008 * Total	137.95 137.95
08/13/2008	89862	MTI DISTRIBUTING CO	cust 402307	503-8600-527.40-42		8/2008	325.42
			cust 402307	503-8600-527.40-42		8/2008	64.74
			cust 402307	503-8600-527.40-42		8/2008	178.02
			cust 402307	503-8600-527.60-08		8/2008	1,513.21
			cust 402307	503-8600-527.60-08		8/2008	350.00
			cust 402307	503-8600-527.60-08		8/2008	7.85
			cust 402307	503-8600-527.40-42		8/2008	1,144.53
			cust 402307	503-8600-527.40-42		8/2008	126.05
			cust 402307	503-8600-527.60-08		8/2008	726.92
			cust 402307	503-8600-527.60-08		8/2008	201.50
			cust 402307	503-8600-527.60-08		8/2008	498.51
			cust 402307	503-8600-527.60-08		8/2008	486.16
			cust 402307	503-8600-527.60-08		8/2008	375.00
						* Total	5,997.91
08/13/2008	89863	NAPA OF INVER GROVE HEI	cust 301	503-8600-527.40-42		8/2008 * Total	25.51 25.51
08/13/2008	89875	PLAISTED COMPANIES, INC	cust inwl	503-8600-527.60-20		8/2008 * Total	758.73 758.73
08/13/2008	89878	PRESTIGE ELECTRIC, INC.	cust inverwood	503-8600-527.40-40		8/2008 * Total	195.00 195.00
08/13/2008	89891	SOUTH BAY DESIGN	inverwood golf course	503-8500-526.50-25		8/2008 * Total	180.00 180.00
08/13/2008	89904	US FOODSERVICE	acct 223000	503-8300-524.60-65		8/2008	119.27
			acct 223000	503-8300-524.76-05		8/2008	581.44
			acct 223000	503-8300-524.76-10		8/2008	27.30
						* Total	728.01
08/13/2008	89908	WILSON SPORTING GOODS	acct 187981945330	503-8200-523.76-25		8/2008 * Total	145.53 145.53
08/13/2008	89915	YOCUM OIL COMPANY, INC.	acct 506975	503-8600-527.60-21		8/2008 * Total	1,869.49 1,869.49
08/20/2008	89922	ACE PAINT & HARDWARE	acct 1126	503-8500-526.60-65		8/2008 * Total	4.25 4.25
08/20/2008	89944	DON PIEHL	inverwood golf course	503-8600-527.40-42		8/2008 * Total	34.07 34.07
08/20/2008	89991	NIKE USA, INC.	acct 79282	503-8200-523.76-25		8/2008 * Total	419.40 419.40
08/20/2008	90003	S & T OFFICE PRODUCTS	acct S28777	503-8500-526.60-10		8/2008	8.78
			acct S28777	503-8500-526.60-40		8/2008	148.75
						* Total	157.53

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/20/2008	90016	TDS METROCOM	acct 6514573667	503-8500-526.50-20		8/2008 * Total	288.83 288.83
				24 Checks	** Fund Total		13,074.52
08/13/2008	89824	FIRST IMPRESSION GROUP,	acct 3022	504-6100-452.50-30	R90100	8/2008 * Total	3,453.95 3,453.95
08/13/2008	89873	PETTY CASH	supplies park programs	504-6100-452.60-09	R10350	8/2008 * Total	4.62 4.62
08/13/2008	89889	SAM'S CLUB	acct 7715090065702540	504-6100-452.60-09	R20680	8/2008 * Total	46.07 46.07
08/19/2008	89918	BRUNSWICK ZONE XL	city of inver grove	504-6100-452.50-90	R30720	8/2008 * Total	149.03 149.03
08/20/2008	89930	BOLAND, AMY	cancelled class	504-0000-347.00-00	R20680	8/2008 * Total	28.00 28.00
08/20/2008	89931	BROADWAY AWARDS	inver grove hgts	504-6100-452.60-09	R20680	8/2008 * Total	26.04 26.04
08/20/2008	89933	CHAMPIONSHIP PRODUCTS	igh parks & rec	504-6100-452.60-45	R40140	8/2008 * Total	50.00 50.00
08/20/2008	89934	CITY OF FARMINGTON	cust 106754 cust 106754	504-6100-452.40-50 504-6100-452.50-90	R20120 R20120	8/2008 8/2008 * Total	153.33 188.39 341.72
08/20/2008	89935	CITY OF ROSEMOUNT	inver grove hgts inver grove hgts	504-6100-452.40-50 504-6100-452.50-90	R20120 R20120	8/2008 8/2008 * Total	198.51 195.00 393.51
08/20/2008	89952	FOX, JEANNE	cancelled soccer	504-0000-347.00-00	R40140	8/2008 * Total	45.00 45.00
08/20/2008	89959	HEIMERL, CANDACE	cancelled soccer	504-0000-347.00-00	R40140	8/2008 * Total	50.00 50.00
08/20/2008	89965	INVER GROVE HEIGHTS SEN	vmcc	504-0000-227.10-00		8/2008 * Total	1,265.00 1,265.00
08/20/2008	89966	INVER GROVE HEIGHTS SEN	vmcc	504-0000-227.10-00		8/2008 * Total	32.00 32.00
08/20/2008	89970	JUERS, AMY	cancelled soccer	504-0000-347.00-00	R40140	8/2008 * Total	45.00 45.00
08/20/2008	89979	LONETREE, JASON	overpaid	504-0000-347.00-00	R40160	8/2008 * Total	93.00 93.00
08/20/2008	89980	MCGINN, MARILYN	cancelled soccer	504-0000-347.00-00	R40140	8/2008	45.00

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08/20/2008	90007	SIGNATURE CONCEPTS	cust 14095257	504-6100-452.60-45	R20680	8/2008 * Total	45.00 279.40 279.40
08/20/2008	90028	ZACCARDI, BRIDGET	canclcd league	504-0000-347.00-00	R50150	8/2008 * Total	415.00 415.00
			18 Checks	** Fund Total			6,762.34
08/13/2008	89780	ACE PAINT & HARDWARE	acct 1126	505-6200-453.60-65	C25000	8/2008	14.36
			acct 1126	505-6200-453.60-65	C25000	8/2008 * Total	10.61 24.97
08/13/2008	89802	COMCAST	acct 8772105910277033	505-6200-453.50-70	C10000	8/2008 * Total	74.95 74.95
08/13/2008	89806	CULLIGAN	acct 157011438908	505-6200-453.60-65	C10000	8/2008 * Total	30.50 30.50
08/13/2008	89818	ELECTRONIC COMM. SYSTEM	acct cit002	505-6200-453.40-40	C25000	8/2008 * Total	4,980.00 4,980.00
08/13/2008	89824	FIRST IMPRESSION GROUP,	acct 3022	505-6200-453.50-30	C95000	8/2008 * Total	4,574.35 4,574.35
08/13/2008	89834	HAWKINS, INC.	acct 108815	505-6200-453.60-15	C25000	8/2008	968.09
			acct 108815	505-6200-453.60-16	C21000	8/2008	449.96
			acct 108815	505-6200-453.60-15	C25000	8/2008 * Total	430.47 1,848.52
08/13/2008	89837	HILLYARD INC	acct 267670	505-6200-453.60-11	C25000	8/2008 * Total	53.91 53.91
08/13/2008	89842	IKON OFFICE SOLUTIONS	acct 77030988	505-6200-453.40-65	C10000	8/2008 * Total	529.48 529.48
08/13/2008	89845	JOHNSON CONTROLS	acct 288129520201	505-6200-453.40-40	C25000	8/2008 * Total	2,634.67 2,634.67
08/13/2008	89853	MAUPIN, ROGER	canclcd class	505-0000-352.35-00	C51000	8/2008 * Total	19.50 19.50
08/13/2008	89873	PETTY CASH	postage	505-6200-453.50-35	C10100	8/2008 * Total	10.25 10.25
08/13/2008	89877	PRECISION DATA SYSTEMS	vmcc - application forms	505-6200-453.50-30	C10100	8/2008	325.00
			vmcc - change forms	505-6200-453.50-30	C10100	8/2008 * Total	255.00 580.00
08/13/2008	89883	R & R SPECIALTIES OF WI	igh veterans memorial	505-6200-453.60-16	C21000	8/2008 * Total	2,384.54 2,384.54

Program: GM179L CHECK REGISTER BY FUND

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CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89885	RIVER HEIGHTS CHAMBER O	acct 5647	505-6200-453.50-25	C91000	8/2008 * Total	25.00 25.00
08/13/2008	89888	SAM'S CLUB	acct 7715090061606950	505-6200-453.60-40	C10000	8/2008	68.16
			acct 7715090061606950	505-6200-453.60-65	C65100	8/2008	344.95
			acct 7715090061606950	505-6200-453.76-05	C30300	8/2008	569.43
			acct 7715090061606950	505-6200-453.76-10	C65100	8/2008	6.97
					* Total		989.51
08/13/2008	89897	STERICYCLE INC	cust 2003272	505-6200-453.40-25	C10000	8/2008 * Total	205.08 205.08
08/13/2008	89913	XCEL ENERGY	acct 5168679487	505-6200-453.40-10	C25000	8/2008	5,760.86
			acct 5168679487	505-6200-453.40-20	C25000	8/2008	20,288.00
					* Total		26,048.86
08/19/2008	89919	METROPOLITAN SPORTS FAC	city of inver grove	505-6200-453.50-90	C65100	8/2008 * Total	25.00 25.00
08/19/2008	89920	MN TWINS	city of inver grove	505-6200-453.50-90	C65100	8/2008 * Total	474.00 474.00
08/19/2008	89921	WOODBURY PARKS & RECREA	city of inver grove	505-6200-453.50-90	C65100	8/2008 * Total	185.58 185.58
08/20/2008	89922	ACE PAINT & HARDWARE	cust 1126	505-6200-453.60-40	C21000	8/2008	14.37
			cust 1126	505-6200-453.60-16	C25000	8/2008	15.52
					* Total		29.89
08/20/2008	89925	AQUA LOGIC, INC.	igh park & rec	505-6200-453.40-40	C25000	8/2008 * Total	622.63 622.63
08/20/2008	89937	COCA COLA BOTTLING COMP	outlet 3291552	505-6200-453.60-65	C30200	8/2008	49.50
			outlet 3291552	505-6200-453.76-10	C30200	8/2008	86.40
			outlet 3291554	505-6200-453.76-10	C30400	8/2008	582.94
					* Total		718.84
08/20/2008	89938	COMCAST	acct 8772105910127188	505-6200-453.50-70	C10000	8/2008 * Total	178.60 178.60
08/20/2008	89945	DUNPHY, ANNE	replacement cake	505-6200-453.76-05	C16000	8/2008 * Total	22.41 22.41
08/20/2008	89948	ELECTRONIC COMM. SYSTEM	cust cit002	505-6200-453.40-40	C25000	8/2008	1,326.68
			cust cit002	505-6200-453.40-40	C21000	8/2008	1,004.00
					* Total		2,330.68
08/20/2008	89951	FIRST IMPRESSION GROUP,	veterans memorial	505-6200-453.50-35	C91000	8/2008 * Total	3,250.53 3,250.53
08/20/2008	89955	GLEWWE DOORS	veterans memorial	505-6200-453.60-12	C25000	8/2008 * Total	169.00 169.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/20/2008	89956	GRAINGER	acct 806460150	505-6200-453.60-16	C25000	8/2008	62.24
			acct 806460150	505-6200-453.60-16	C25000	8/2008	66.20
			acct 806460150	505-6200-453.60-16	C21000	8/2008	45.73
					* Total		174.17
08/20/2008	89960	HOME DEPOT CREDIT SERVI	acct 603522017128343	505-6200-453.60-16	C21000	8/2008	40.06
					* Total		40.06
08/20/2008	89963	HSBC BUSINESS SOLUTIONS	acct 7737430900083159	505-6200-453.60-40	C30400	8/2008	26.63
			acct 7737430900083159	505-6200-453.60-65	C51000	8/2008	27.73
					* Total		54.36
08/20/2008	89968	JD LETTERING & SPORTSWE	the grove comm	505-6200-453.60-65	C71000	8/2008	21.35
					* Total		21.35
08/20/2008	89969	JOHN LUND CONSTRUCTION	city of inver grove	505-6200-453.40-40	C25000	8/2008	7,362.23
					* Total		7,362.23
08/20/2008	89982	METRO GROUP INC, THE	cust inv33000	505-6200-453.60-16	C21000	8/2008	489.90
					* Total		489.90
08/20/2008	89986	MN DISTANCE RUNNING ASS	city of inver grove	505-6200-453.50-25	C91000	8/2008	320.00
					* Total		320.00
08/20/2008	89988	MONEY MAILER OF THE TWI	city of inver grove	505-6200-453.50-25	C91000	8/2008	400.00
					* Total		400.00
08/20/2008	89989	NATIVITY CHURCH & SCHOO	overpmt on rental	505-0000-352.27-00	C55000	8/2008	50.00
					* Total		50.00
08/20/2008	89995	OLSEN FIRE INSPECTION,	acct 2709538	505-6200-453.40-40	C25000	8/2008	296.00
					* Total		296.00
08/20/2008	89996	OXYGEN SERVICE COMPANY,	acct 09684	505-6200-453.60-65	C16000	8/2008	12.58
					* Total		12.58
08/20/2008	89997	PETERSEN, TRACY	skate badges	505-6200-453.60-65	C40000	8/2008	44.45
					* Total		44.45
08/20/2008	89998	PUSH PEDAL PULL	veterans mem comm center	505-6200-453.40-42	C70000	8/2008	662.23
					* Total		662.23
08/20/2008	90000	ROBBINSDALE AREA SCHOOL	overpmt group rental	505-0000-352.27-00	C55000	8/2008	35.00
					* Total		35.00
08/20/2008	90001	RYCO SUPPLY COMPANY	cust id 1032329	505-6200-453.60-11	C95000	8/2008	249.30
			cust id 1032329	505-6200-453.60-11	C25000	8/2008	230.36
					* Total		479.66
08/20/2008	90008	SIRIUS PROMOTIONS, INC	the grove comm ctr	505-6200-453.60-45	C50000	8/2008	86.60
			the grove comm center	505-6200-453.60-45	C50000	8/2008	260.15
			the grove comm center	505-6200-453.60-45	C70000	8/2008	296.16
			the grove comm center	505-6200-453.60-65	C71000	8/2008	167.83

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08/20/2008	90011	SPRUNG SERVICES	city of inver grove hgts	505-6200-453.40-40	C25000	* Total	810.74
08/20/2008	90015	TDS METROCOM	ACCT 6515540132	505-6200-453.50-20	C10000	* Total	555.23 555.23
08/20/2008	90018	TOTAL CONSTRUCTION & EQ	city of inver grove hgts	505-6200-453.40-40	C25000	* Total	134.82 134.82
08/20/2008	90019	UNITED LABORATORIES	acct 55077004	505-6200-453.60-11	C25000	* Total	227.96 227.96
08/20/2008	90022	VISTAR CORPORATION	acct 10130236	505-6200-453.76-05	C30100	* Total	324.11 324.11
			acct 10095779	505-6200-453.76-05	C30200	8/2008	929.47
			acct 10095779	505-6200-453.60-85	C16000	8/2008	238.87
			acct 10095779	505-6200-453.76-05	C30200	8/2008	65.66
			acct 10095779	505-6200-453.76-05	C30200	8/2008	372.68
			acct 10130236	505-6200-453.76-05	C30100	8/2008	51.56
			acct 10095779	505-6200-453.60-85	C30200	8/2008	202.65
			acct 10095779	505-6200-453.76-05	C30200	8/2008	13.66
						* Total	184.62 1,956.05
					** Fund Total		67,472.15
08/20/2008	89974	LEAGUE OF MN CITIES INS	CMC 28781	602-2100-415.50-11		* Total	1,582.00 1,582.00
08/13/2008	89780	ACE PAINT & HARDWARE	cust 1126	603-5300-444.40-41		* Total	3.49 3.49
08/13/2008	89781	ADVANCED GRAPHIX, INC.	inver grove pd	603-5300-444.40-41		* Total	372.00 372.00
08/13/2008	89783	ALTERNATORS STARTERS &	city of inver grove	603-5300-444.40-41		* Total	.83 80.06 80.89
08/13/2008	89788	ASTLEFORD INT'L & ISUZU	cust 1454	603-0000-145.50-00		* Total	48.48 48.48
08/13/2008	89794	BOYER TRUCKS - PARTS DI	cust c20390	603-0000-145.50-00		* Total	551.24 551.24
08/13/2008	89796	CANON BUSINESS SOLUTION	cust 1061833	603-5300-444.40-42		* Total	114.87 114.87
08/13/2008	89799	CARQUEST OF ROSEMOUNT	cust 614420	603-0000-145.50-00		* Total	6.05 4.26 7.11
			cust 614420	603-5300-444.40-41		8/2008	
			cust 614420	603-5300-444.40-41		8/2008	

49 Checks

1 Checks

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08/13/2008	89799	CARQUEST OF ROSEMOUNT	cust 614420	603-0000-145.50-00		8/2008	12.89
			cust 614420	603-0000-145.50-00		8/2008	76.34
			cust 614420	603-5300-444.40-41		8/2008	50.99
			cust 614420	603-5300-444.40-41		8/2008	8.18
			cust 614420	603-0000-145.50-00		8/2008	11.27
			cust 614420	603-5300-444.40-41		8/2008	17.34
			cust 614420	603-5300-444.40-41		8/2008	17.34
			cust 614420	603-0000-145.50-00		8/2008	16.61
						* Total	193.70
08/13/2008	89816	DIESEL COMPONENTS, INC.	city of inver grove hgts	603-5300-444.40-41		8/2008	8.24
						* Total	8.24
08/13/2008	89819	EMERGENCY AUTOMOTIVE TE	city of inver grove hgts	603-5300-444.40-41		8/2008	16.33
			city of inver grove hgts	603-5300-444.40-41		8/2008	39.98
			city of inver grove hgts	603-5300-444.40-41		8/2008	52.72
						* Total	76.37
08/13/2008	89822	FACTORY MOTOR PARTS COM	acct 10799	603-5300-444.40-41		8/2008	15.65
						* Total	15.65
08/13/2008	89826	G & K SERVICES	acct 0794701	603-5300-444.40-65		8/2008	91.99
			acct 0794701	603-5300-444.60-45		8/2008	40.62
						* Total	132.61
08/13/2008	89830	GRAINGER	acct 855257697	603-5300-444.40-41		8/2008	18.00
						* Total	18.00
08/13/2008	89838	HOSE / CONVEYORS INC	cust 001459	603-5300-444.40-41		8/2008	23.26
						* Total	23.26
08/13/2008	89841	I-STATE TRUCK CENTER	acct 13468	603-5300-444.40-41		8/2008	84.88
						* Total	84.88
08/13/2008	89852	MASTER TRANSMISSION	cust 3177	603-5300-444.40-41		8/2008	767.57
						* Total	767.57
08/13/2008	89859	MONTICELLO FORD-MERCURY	city of inver grove hgts	603-5300-444.80-70		8/2008	15,374.00
						* Total	15,374.00
08/13/2008	89867	NORTH AMERICAN TRAILER	igh parks	603-5300-444.40-41		8/2008	136.65
						* Total	136.65
08/13/2008	89876	POMP'S TIRE SERVICE, IN	cust 4502557	603-5300-444.60-14		8/2008	144.44
			cust 4502557	603-5300-444.60-14		8/2008	923.87
						* Total	1,068.31
08/13/2008	89879	PUMP AND METER SERVICE	city of inver grove hgts	603-5300-444.40-42		8/2008	404.41
			city of inver grove hgts	603-5300-444.40-42		8/2008	50.34
						* Total	454.75
08/13/2008	89882	R & R CARPET SERVICE	city of inver grove hgts	603-5300-444.40-65		8/2008	69.23
						* Total	69.23

City of Inver Grove Heights  
 CHECK REGISTER BY FUND

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08/13/2008	89894	ST. JOSEPH EQUIPMENT, I	cust si0930	603-5300-444.40-41		8/2008 * Total	89.66 89.66
08/13/2008	89901	TRACTOR SUPPLY CREDIT P	acct 6035301200183679 acct 6035301200183679	603-5300-444.40-41 603-5300-444.40-42		8/2008 * Total	68.89 56.51 125.40
08/13/2008	89911	XCEL ENERGY	acct 5152791130 acct 5152791130	603-5300-444.40-10 603-5300-444.40-20		8/2008 * Total	194.13 1,940.22 2,134.35
08/13/2008	89916	ZARNOTH BRUSH WORKS	city of inver grove hgts	603-0000-145.50-00		8/2008 * Total	1,606.02 1,606.02
08/13/2008	89917	ZEE MEDICAL SERVICE	acct 696	603-5300-444.60-65		8/2008 * Total	150.66 150.66
08/20/2008	89927	ASTLEFORD INT'L & ISUZU	CUST 1454	603-0000-145.50-00		8/2008 * Total	96.96 96.96
08/20/2008	89928	BATTERIES PLUS	CUST C1034	603-5300-444.40-42		8/2008 * Total	10.63 10.63
08/20/2008	89932	CARQUEST OF ROSEMOUNT	CUST 614420 CUST 614420	603-0000-145.50-00 603-5300-444.40-41 603-5300-444.60-12 603-0000-145.50-00 603-5300-444.40-41 603-5300-444.60-12 603-5300-444.40-12 603-5300-444.60-12 603-5300-444.40-41 603-0000-145.50-00 603-0000-145.50-00 603-5300-444.40-41 603-5300-444.40-41		8/2008 * Total	9.24 12.48 22.84 10.99 97.64 22.84- 8.81 2.97 44.09 21.34 40.32 12.48- 235.40
08/20/2008	89949	EMERGENCY AUTOMOTIVE TE	CITY OF INVER GROVE CITY OF INVER GROVE	603-5300-444.80-70 603-0000-145.50-00		8/2008 * Total	1,904.00 95.85 1,999.85
08/20/2008	89953	G & K SERVICES	acct 7494701 acct 7494701 ACCT 7494701 ACCT 7494701	603-5300-444.40-65 603-5300-444.60-45 603-5300-444.40-65 603-5300-444.60-45		8/2008 * Total	92.01 40.60 91.99 40.60 265.20
08/20/2008	89961	HOSE / CONVEYORS INC	CUST 1459 CUST 1459	603-5300-444.40-42 603-5300-444.40-42		8/2008 * Total	30.18 33.67 63.85
08/20/2008	89962	HSBC BUSINESS SOLUTIONS	ACCT 700370500116581	603-5300-444.40-41		8/2008 * Total	85.38 85.38

City of Inver Grove Heights  
CHECK REGISTER BY FUND

Prepared: 08/20/2008, 14:21:07  
Program: GM179L  
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/20/2008	89964	I-STATE TRUCK CENTER	CUST 13468	603-5300-444.40-41		8/2008 * Total	936.97 936.97
08/20/2008	89967	J H LARSON CO	ACCT 03893	603-5300-444.40-40		8/2008 * Total	237.71 237.71
08/20/2008	89972	KIMBALL MIDWEST	ACCT 222006	603-5300-444.60-12		8/2008 * Total	295.95 295.95
08/20/2008	89993	NORTHLAND CHEMICAL CORP	CUST 45025141	603-5300-444.60-11		8/2008 * Total	1,785.92 1,785.92
08/20/2008	89996	OXYGEN SERVICE COMPANY,	CUST 04393	603-5300-444.40-42		8/2008 * Total	208.16 208.16
08/20/2008	90006	SHERWIN-WILLIAMS	ACCT 668254535	603-5300-444.40-40		8/2008 * Total	198.82 198.82
08/20/2008	90010	SOUTH EAST TOWING	city of inver grove	603-5300-444.40-41		8/2008 * Total	85.40 85.40
08/20/2008	90023	WESTERN PETROLEUM COMPA	city of inver grove	603-0000-145.50-00		8/2008 * Total	1,781.41 1,781.41
08/13/2008	89797	CANON FINANCIAL SERVICE	contract 0010255020001	604-2200-416.40-44		8/2008 * Total	456.03 456.03
08/13/2008	89869	OFFICE EQUIPMENT FINANC	acct 923425	604-2200-416.40-50		8/2008 * Total	1,324.51 1,324.51
08/13/2008	89877	PRECISION DATA SYSTEMS	streets - copy paper	604-2200-416.60-05		8/2008 * Total	269.50 269.50
08/20/2008	89963	HSBC BUSINESS SOLUTIONS	acct 773743090083159	604-2200-416.60-10		8/2008 * Total	45.53 45.53
08/20/2008	90003	S & T OFFICE PRODUCTS	acct S28777	604-2200-416.60-10		8/2008 * Total	15.53 15.53
			acct S28777	604-2200-416.60-10		8/2008 * Total	104.35 104.35
			acct S28777	604-2200-416.60-10		8/2008 * Total	97.75 97.75
			acct S28777	604-2200-416.60-10		8/2008 * Total	42.26 42.26
			acct S28777	604-2200-416.60-10		8/2008 * Total	29.97 29.97
			acct S28777	604-2200-416.60-10		8/2008 * Total	77.88 77.88
			acct S28777	604-2200-416.60-10		8/2008 * Total	67.53 67.53
			acct S28777	604-2200-416.60-10		8/2008 * Total	193.46 193.46
			acct S28777	604-2200-416.60-10		8/2008 * Total	33.93 33.93
			acct S28777	604-2200-416.60-10		8/2008 * Total	178.46 178.46
						8/2008 * Total	841.12 841.12
08/13/2008	89795	BROTHERS MFG	city of inver grove	605-3100-419.60-11		8/2008 * Total	192.38 192.38
						8/2008 * Total	2,936.69 2,936.69

40 Checks

\*\* Fund Total

5 Checks

\*\* Fund Total

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/13/2008	89803	CONTINENTAL SAFETY EQUI	city of inver grove hgts	605-3100-419.40-40		* Total	192.38
08/13/2008	89830	GRAINGER	acct 806460150	605-3100-419.60-11		* Total	270.85
08/13/2008	89868	NS/I MECHANICAL CONTRAC	cust ctyofigh	605-3100-419.40-40		* Total	270.85
08/13/2008	89871	ONVOY INC	acct 001555726455	605-3100-419.50-20		* Total	11.18
08/13/2008	89882	R & R CARPET SERVICE	city of inver grove hgts	605-3100-419.40-65		* Total	11.18
08/13/2008	89910	XCEL ENERGY	acct 5142529960	605-3100-419.40-10		* Total	705.54
08/20/2008	89994	NS/I MECHANICAL CONTRAC	acct ctyofigh	605-3100-419.40-40		* Total	705.54
08/20/2008	90003	S & T OFFICE PRODUCTS	acct S28777	605-3100-419.60-40		* Total	1,002.74
08/20/2008	90015	TDS METROCOM	ACCT 6515540132	605-3100-419.50-20		* Total	1,002.74
08/20/2008	90029	ZEE MEDICAL SERVICE	cust 701	605-3100-419.60-65		* Total	124.50
08/13/2008	89782	ADVANCED TECHNOLOGY SYS	cust cityinver	606-1400-413.60-10		* Total	124.50
08/13/2008	89800	CDW GOVERNMENT INC	cust 2394832	606-1400-413.60-41		* Total	90.72
08/20/2008	89987	MN OFFICE OF ENTERPRISE	cust b00659	606-1400-413.30-70		* Total	4,019.77
08/13/2008	89805	CULLIGAN	acct 157984732428	702-0000-228.63-00		* Total	4,110.49
08/13/2008	89832	GRAY, VICKIE	employee picnic - food	702-0000-229.02-00		* Total	1,893.00
						** Fund Total	1,893.00
						** Fund Total	27.65
						** Fund Total	27.65
						** Fund Total	452.80
						** Fund Total	452.80
						** Fund Total	105.65
						** Fund Total	105.65
						** Fund Total	8,896.78
						** Fund Total	368.22
						** Fund Total	368.22
						** Fund Total	6,501.06
						** Fund Total	617.59
						** Fund Total	5,883.47
						** Fund Total	100.00
						** Fund Total	100.00
						** Fund Total	6,351.69
						** Fund Total	35.30
						** Fund Total	35.30
						** Fund Total	153.02
						** Fund Total	153.02

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
08/20/2008	89941	CROW WING COUNTY SHERIFF NICHOLAS JOHN BANN		702-0000-229.10-00		8/2008 * Total	200.00 200.00
08/20/2008	89942	DAKOTA CITY SHERIFF'S DE ARMANDO MUNOS FLORES		702-0000-229.10-00		8/2008 * Total	500.00 500.00
08/20/2008	89971	KENNEDY & GRAVEN	city of inver grove	702-0000-230.25-00		8/2008 * Total	120.00 120.00
08/20/2008	89976	LEVANDER, GILLEN & MILL	cust 81000E	702-0000-229.35-00		8/2008	407.00
			cust 81000E	702-0000-229.61-00		8/2008	114.00
			cust 81000E	702-0000-229.78-00		8/2008	128.00
			cust 81000E	702-0000-230.25-00		8/2008	6,423.00
			cust 81000E	702-0000-230.38-00		8/2008	388.00
						* Total	7,460.00
08/20/2008	90012	SRF CONSULTING GROUP, I	city of inver grove hgts	702-0000-230.25-00		8/2008 * Total	540.00 540.00
7 Checks      ** Fund Total      9,008.32 291 Checks      *** Bank Total      1,482,697.73 291 Checks      *** Grand Total      1,482,697.73							

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Payment Voucher No. 2 for City Project No. 2003-03 – Southern Sanitary Sewer System Improvements**

Meeting Date: August 25, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, 651.450.2571  
 Prepared by: Scott D. Thureen, Public Works Director  
 Reviewed by: N/A *SA JS*

**Fiscal/FTE Impact:**

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Special Assessments, Water Fund, Sewer Fund

**PURPOSE/ACTION REQUESTED**

Consider Payment Voucher No. 2 for City Project No. 2003-03 – Southern Sanitary Sewer System Improvements.

**SUMMARY**

The improvements were ordered as part of the 2008 Improvement Program. The contract was awarded in the amount of \$1,950,842.75 to Dahn Construction Co., LLC, on June 8, 2008 for City Project No. 2003-03 – Southern Sanitary Sewer System Improvements.

The contractor has completed the work through August 15, 2008 in accordance with the contract plans and specifications. A five percent (5%) retainage will be maintained until the project is completed.

I recommend approval of Payment Voucher No. 2 in the amount of \$156,162.99 for work on City Project No. 2003-03 – Southern Sanitary Sewer System Improvements.

SDT/kf  
Attachments: Payment Voucher No. 2



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Pay Voucher No. 3 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements.**

Meeting Date: August 25, 2008  
 Item Type: Consent  
 Contact: Steve W. Dodge, 651.450.2541 *SWD*  
 Prepared by: Steve W. Dodge, Asst. City Engineer  
 Reviewed by: Scott D. Thureen, Public Works Director *ST*

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: 2003-15 Project Funds and Contingency Funds

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 3 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements.

**SUMMARY**

The improvements were ordered by the City Council on November 14, 2005. The contract was awarded to Ames Construction in the amount of \$9,537,706.15 on April 14, 2008. Pay Voucher No. 1 included a change order increasing the contract amount to \$9,652,918.65. Pay voucher No. 2 was approved by City Council at the July 26, 2008, regular meeting in the amount of \$1,680,157.69. The contractor has completed portions of the work in accordance with the contract plans and specifications. A 5% retainage will be maintained until the project is completed.

Pay Voucher No. 3 includes a deduction for materials already placed that were being stored on site. This pay voucher also includes trunk line sewer work completed along Babcock Trail and 80<sup>th</sup> Street, forcemain along 80<sup>th</sup> Street and TH 3, and boring work completed along TH 55 and TH 3. The guided boring machine is along TH 3 installing the deep sanitary sewer and several deep boring pits are under construction.

Public Works recommends approval of contractor Pay Voucher No. 3 in the amount of \$734,126.81 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements.

SD/rs  
 Pay Voucher No. 3

CITY OF INVER GROVE HEIGHTS  
CONSTRUCTION PAYMENT VOUCHER

ESTIMATE NO. 3  
DATE: July 6, 2008  
PERIOD ENDING: July 31, 2008  
CONTRACT: Northwest Area Trunk Utility Improvements  
PROJECT NO: 2003-15

TO: Ames Construction, Inc.  
2000 Ames Drive  
Burnsville, MN 55306

A. Original Contract Amount.....\$9,537,706.15  
B. Total Addition (Change Order No. 1) .....\$115,212.50  
C. Total Deductions .....\$  
D. TOTAL CONTRACT AMOUNT .....\$9,652,918.65  
E. TOTAL VALUE OF WORK TO DATE .....\$3,157,281.40  
F. LESS RETAINED (5%).....\$157,864.07  
G. Less Previous Payment.....\$2,265,290.52  
H. TOTAL APPROVED FOR PAYMENT THIS VOUCHER.....\$734,126.81  
I. TOTAL PAYMENTS INCLUDING THIS VOUCHER .....\$2,999,417.33

APPROVALS:

Pursuant to our field observations, I hereby recommend for payment the above stated amount for work performed through July 31, 2008.

Signed by:  8/15/08  
Scott Thureen, Public Work Director Date

Signed by:  8/8/08  
Kevin Klimmek, Ames Construction Date

Signed by: \_\_\_\_\_  
George Tourville, Mayor Date

**CONTRACTOR'S PAY REQUEST**

**NORTHWEST AREA TRUNK UTILITY IMPROVEMENTS  
CITY OF INVER GROVE HEIGHTS  
BMI PROJECT NO.: T16.21855**

<b>DISTRIBUTION:</b>
CONTRACTOR (1)
OWNER (1)
ENGINEER (1)
PFA (1)

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	\$9,652,918.65
TOTAL, COMPLETED WORK TO DATE	\$2,272,568.30
TOTAL, STORED MATERIALS TO DATE	\$1,182,486.78
STORED MATERIALS PAID ON PREVIOUS ESTIMATES	\$1,182,486.78
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	\$297,773.68
TOTAL, COMPLETED WORK & STORED MATERIALS	\$3,157,281.40
RETAINED PERCENTAGE ( 5% )	\$157,864.07
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)	\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE	\$2,999,417.33
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$2,265,290.52
PAY CONTRACTOR AS ESTIMATE NO. 3	\$734,126.81

**Certificate for Partial Payment**

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: AMES CONSTRUCTION, INC.  
2000 AMES DRIVE  
BURNSVILLE, MN 55306

By [Signature] Name PROJECT MGR Title

Date 8/8/08

**CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:**

ENGINEER: BOLTON & MENK, INC., ENGINEERS, 12224 NICOLLET AVENUE, BURNSVILLE, MN.

By Marcus A Thomas, PROJECT ENGINEER  
MARCUS THOMAS, P.E.

Date 8/14/08

**APPROVED FOR PAYMENT:**

OWNER: CITY OF INVER GROVE HEIGHTS

By [Signature] Name PWD Title 21 AUG 08 Date

And \_\_\_\_\_ Name \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Consider Pay Voucher No. 4 for Phase II VMCC Refrigeration Project – City Project 2008-06**

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Meeting Date: August 25, 2008  
Item Type: Consent Agenda  
Contact: Eric Carlson – 651.450.2587  
Prepared by: Eric Carlson  
Reviewed by: Eric Carlson – Parks & Recreation

**Fiscal/FTE Impact:**

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other

**PURPOSE/ACTION REQUESTED**

Approve pay voucher No. 4 for the 2008 VMCC refrigeration modifications.

**SUMMARY**

The City Council approved hiring Gartner Refrigeration on March 24<sup>th</sup>, 2008 to perform refrigeration modifications at the VMCC. The contractor is requesting payment of work completed to date. The project is funded from the Closed Bond Fund in the amount of \$350,000 and the Host Community Fund in the amount of \$263,158.

To date the project is progressing on schedule and we have not experienced any issues. We have \$29,197.90 left to pay on the project, assuming this request is approved.

CITY OF INVER GROVE HEIGHTS  
CONSTRUCTION PAYMENT VOUCHER

ESTIMATE NO.        4  
DATE:                August 13, 2008  
PERIOD ENDING:    July 31, 2008  
CONTRACT:         VMCC Phase II Refrigeration Project – 2008-06  
PROJECT NO:        2008-06

TO:    Gartner Refrigeration & Manufacturing Inc.  
       Attn: Bret Swanson  
       13205 – 16<sup>th</sup> Ave  
       Plymouth, MN 55441

A.	Original Contract Amount.....	\$583,958
B.	Total Addition (Change Order No. 1).....	NA
C.	Total Deductions .....	NA
D.	TOTAL CONTRACT AMOUNT.....	\$583,958
E.	TOTAL VALUE OF WORK TO DATE .....	\$583,958
F.	LESS RETAINED 5% .....	\$29,197.90
G.	Less Previous Payment.....	\$478,760.10
H.	TOTAL APPROVED FOR PAYMENT THIS VOUCHER.....	\$76,000.00
I.	TOTAL PAYMENTS INCLUDING THIS VOUCHER.....	\$554,760.10

APPROVALS:

Pursuant to our field observations, I hereby recommend for payment the above stated amount for work performed through August 13, 2008.

Signed by: \_\_\_\_\_

\_\_\_\_\_ Date

Signed by: \_\_\_\_\_

George Tourville, Mayor

\_\_\_\_\_ Date

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Pay Voucher No. 2 – Hilltop Elementary School- Safe Routes to School Program (City Project No. 2007-13**

Meeting Date: August 25, 2008  
Item Type: Consent  
Contact: Scott D. Thureen, 651-450-2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: *SDT*

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Federal SRTS Grant

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 2 for City Project No. 2007-13 – Hilltop Elementary School- Safe Routes to School Program

The City Council awarded a construction contract in the amount of \$112,613.50 to S.M. Hentges & Sons, Inc. for City Project No. 2007-13, on February 11, 2008.

The contractor has completed work through July 31, 2008 in accordance with the contract plans and specifications. A five (5) percent retainage will be maintained until the project is completed.

I recommend approval of Pay Voucher No. 2 in the amount of \$26,626.84 for work on for City Project No. 2007-13 – Hilltop Elementary School- Safe Routes to School Program.

SDT/kf  
Attachment: Pay Voucher No. 2

**CITY OF INVER GROVE HEIGHTS  
CONSTRUCTION PAYMENT VOUCHER**

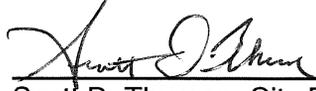
ESTIMATE NO: 2 (Two)  
DATE: August 15, 2008  
PERIOD ENDING: July 31, 2008  
CONTRACT: 2008 Improvement Program  
PROJECT NO: 2007-13 – Hilltop Elementary Safe Routes to School Program  
Minnesota Project No. SRTS 1907 (115) State Project Number  
178-591-001

TO: S.M. Hentges & Sons, Inc.  
650 Quaker Avenue  
Jordan, MN 55352

Original Contract Amount.....	\$112,613.50
Total Addition .....	\$0.00
Total Deduction .....	\$0.00
Total Contract Amount .....	\$112,613.50
Total Value of Work to Date.....	\$84,045.99
Less Retained (5%).....	\$4,202.30
Less Previous Payment .....	\$53,216.85
Total Approved for Payment this Voucher .....	\$26,626.84
Total Payments including this Voucher.....	\$79,843.69

**Approvals:**

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through July 31, 2008.

Signed by:  August 15, 2008  
Scott D. Thureen, City Engineer

Signed by: \_\_\_\_\_  
Ace Blacktop, Inc. Date \_\_\_\_\_

Signed by: \_\_\_\_\_  
George Tourville, Mayor August 25, 2008

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Pay Voucher No. 10 for City Project No. 2005-22 Cahill South Street and Utility Improvements**

Meeting Date: August 25, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, 651.450.2571  
 Prepared by: Scott D. Thureen, City Engineer  
 Reviewed by: N/A

*SST es*

**Fiscal/FTE Impact:**

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other: Special Assessments, MSA Funds, State Cooperative Agreement Funds

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 10 for City Project No. 2005-22 – Cahill South Street and Utility Improvements.

**SUMMARY**

City Project No. 2005-22 Cahill South Street and Utility Improvements, was ordered by the City Council on May 29, 2007. A construction contract in the amount of \$1,475,137.70 was awarded to Nodland Construction on May 29, 2007. The revised contract amount to date is \$1,704,820.80.

The contractor has completed work through July 31, 2008 in accordance with the contract plans and specifications. A one (1%) percent retainage will be maintained until the project is completed.

I recommend approval of Pay Voucher No. 10 in the amount of \$66,888.48 for work on City Project No. 2005-22 – Cahill South Street and Utility Improvements.

SDT/kf

Attachment: Pay Voucher No. 10

**CITY OF INVER GROVE HEIGHTS  
CONSTRUCTION PAYMENT VOUCHER**

ESTIMATE NO: 10 (Ten)  
DATE: August 15, 2008  
PERIOD ENDING: July 31, 2008  
CONTRACT: 2005 Improvement Program  
PROJECT NO: 2005-22 – Cahill South Street and Utility Improvements

TO: Nodland Construction  
P.O. Box 338  
Alexandria, MN 56308

Original Contract Amount..... \$1,475,137.70  
Total Addition (Change Order No. 1, 2, 3, 4, 5, 6, 7)..... \$229,683.10  
Total Deduction ..... \$0.00  
Total Contract Amount ..... \$1,704,820.80  
Total Value of Work to Date ..... \$1,623,761.91  
Less Retained (1%)..... \$16,237.62  
Less Previous Payment ..... \$1,540,635.81  
Total Approved for Payment this Voucher ..... \$66,888.48  
Total Payments including this Voucher..... \$1,607,524.29

**Approvals:**

Pursuant to our field observation, I hereby recommend for payment the above state amount for work performed through July 31, 2008.

Signed by:  August 15, 2008  
Scott D. Thureen, City Engineer

Signed by: \_\_\_\_\_  
Nodland Construction Co., Inc. Date

Signed by: \_\_\_\_\_  
George Tourville, Mayor August 25, 2008

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Pay Voucher No. 6 – City Project No. 2006-04, Drilling of City Well No. 9**

Meeting Date: August 25, 2008  
Item Type: Consent  
Contact: Scott D. Thureen, 651.450.2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: *SDT*

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Water Operating Fund

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 6 for City Project No. 2006-04 – Drilling of City Well No. 9.

**SUMMARY**

The improvements were ordered by the City Council on November 13, 2007. The contract was awarded to E. H. Renner & Sons, Inc. in the amount of \$294,960.00 on January 14, 2008. The contractor has completed the work through July 31, 2008 in accordance with the contract plans and specifications. A 5% retainage will be maintained until the project is completed.

Public Works and Bonestroo recommend approval of contractor Pay Voucher No. 6 in the amount of \$24,814.00 for work completed on City Project No. 2006-04 – Drilling of City Well No. 9.

SDT/kf  
Pay Voucher No. 6



Owner: City of Inver Grove Heights, 8150 Barbara Avenue, Inver Grove Heights, MN, 55071	Date: August 4, 2008
For Period: 7/2/2008 to 7/31/2008	Request No: 6
Contractor: E.H. Renner & Sons, Inc. 15688 Jarvis St. NW, Elk River, MN, 55330	

CONTRACTOR'S REQUEST FOR PAYMENT  
 DEEP WELL NO. 9  
 BONESTROO FILE NO. 000476-07004-0  
 CLIENT PROJECT NO. 2006-4

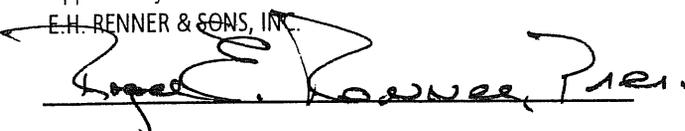
SUMMARY

1	Original Contract Amount		\$ 294,960.00
2	Change Order - Addition	\$ 0.00	
3	Change Order - Deduction	\$ 0.00	
4	Revised Contract Amount		\$ 294,960.00
5	Value Completed to Date		\$ 212,015.03
6	Material on Hand		\$ 0.00
7	Amount Earned		\$ 212,015.03
8	Less Retainage 5%		\$ 10,600.75
9	Subtotal		\$ 201,414.28
10	Less Amount Paid Previously		\$ 176,600.28
11	Liquidated damages -		\$ 0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>6</u>		\$ <u>24,814.00</u>

Recommended for Approval by:  
BONESTROO

  
\_\_\_\_\_

Approved by Contractor:  
E.H. RENNER & SONS, INC.

  
\_\_\_\_\_

Approved by Owner:  
CITY OF INVER GROVE HEIGHTS

\_\_\_\_\_  
George Tourville  
Mayor

Specified Contract Completion Date:

\_\_\_\_\_

Date:  
August 25, 2008

\_\_\_\_\_

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Contract for Surveying City Park Property

Meeting Date: August 25, 2008  
 Item Type: Consent Agenda  
 Contact: Eric Carlson – 651.450.2587  
 Prepared by: Eric Carlson  
 Reviewed by: Eric Carlson – Parks & Recreation

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Authorize the hiring of Yaggy Colby in an amount not to exceed \$18,825 for providing professional surveying services to locate park property boundaries staked every 200 feet and at any change in property line direction. The services will cover up to 14 park areas which represents approximately 1/2 of our property. The expenditure is paid for from the Park Maintenance Operating Budget.

**SUMMARY**

The City of Inver Grove Heights has experienced a number of apparent encroachments into public park property. In an effort to define property lines, staff is proposing to hire a surveying company to assist city staff in locating property lines.

Once located, city staff will mark property lines approximately every 200 feet and at the change of direction with a fiberglass flex stake. The stake will be marked with a “Park Property” sign on one side and “Private Property” sign on the other. Property lines will also be marked using GPS so they can be identified in the future should stakes get removed.

We have secured the following quotes:

Yaggy Colby	\$18,825
Gorman Surveying Inc.	\$20,500
Pioneer Engineering	\$30,000
Rehder & Associates Inc.	\$33,255

The Park and Recreation Commission reviewed the issue and is recommending approval. The parks include:

- Arbor Pointe
- Broadmoor
- Ernster
- Groveland
- Oakwood
- Rich Valley
- River Front
- River Heights
- Seidl’s Lake
- Simley Island
- Skyview
- Sleepy Hollow
- Southern Lakes and Outlot
- Woodland Preserve

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Replacement of Skyview Hockey Rink

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Meeting Date: August 25, 2008  
Item Type: Consent Agenda  
Contact: Eric Carlson – 651.450.2587  
Prepared by: Eric Carlson  
Reviewed by: Eric Carlson – Parks & Recreation

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Authorize the replacement of the wooden hockey rink at Skyview Park from Sport Resource Group in amount not to exceed \$28,410. In addition, authorize up to \$5,000 for fencing an miscellaneous materials. Funding for this project is from the Park Maintenance Fund (Fund 444).

**SUMMARY**

The wooden hockey rink at Skyview Park is in need of replacement. Staff has secured quotes to replace the rink with plastic boards similar to the rink at Oakwood Park. City staff would remove the existing rink, install the new rink and fencing.

We have secured the following quotes:

Sports Resource Group	\$28,410
Becker Arena Products	\$37,210

The Park and Recreation Commission review this item and is recommending approval.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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**Resolution Making an Election Not to Waive the Statutory Tort Limits for Liability Insurance Purposes**

Meeting Date: August 25, 2008  
Item Type: Consent Agenda  
Contact: Ann Lanoue 651.450.2517  
Prepared by: Ann Lanoue, Finance Director  
Reviewed by: N/A

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED** To approve Resolution Making an Election Not to Waive the Statutory Tort Limit for Liability Insurance Purposes.

**SUMMARY** The City procures its liability insurance from the League of Minnesota Cities Insurance Trust (LMCIT). The LMCIT is now requiring a resolution be adopted by the City Council making an election waive or not waive the statutory tort limit. The City has never waived the tort limit. This resolution merely confirms current practice for the City and is in conformance with the majority of Minnesota cities.

Minnesota Statutes 466.04 currently sets the maximum liability limits for cities at \$400,000 per claimant and \$1,200,000 per occurrence (as of January 1, 2008). The City’s current insurance policies provide coverage up to the tort liability limits as provided by Minnesota Statutes. The LMCIT does allow cities to waive those limits if they so choose. Because there is this choice the LMCIT requires cities to make their election with regards to waiving or not waiving its tort liability as established by Minnesota Statutes 466.03 by resolution.

If the City were to waive the tort limit, the City’s exposure would be greater. Because of the increased exposure, the City’s liability insurance premium would also be greater. In addition these limits have been tested and upheld by the courts several times in Minnesota. If the City were to waive the tort limits we would need to purchase excess liability coverage. This does not protect the City any better. The benefit is the injured party. If the City waives the statutory limit, an individual claimant could recover up to \$1,200,000 in damages on a claim. The individual would still have to prove to the court or jury that he/she really has that amount of damages. Also, the statutory limit of \$1,200,000 per occurrence would still apply; that would limit the individual’s recovery to a lesser amount if there were multiple claimants.

I recommend that the Council adopt the attached Resolution Making an Election Not to Waive the Statutory Tort Limit for Liability Insurance Purposes.

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION MAKING AN ELECTION NOT TO WAIVE THE STATUTORY TORT LIMITS  
FOR LIABILITY INSURANCE PURPOSES**

**WHEREAS**, Minnesota Statutes Chapter 466 deals with tort liability for cities; and

**WHEREAS**, Minnesota Statutes 466.04 currently sets the maximum liability limits for cities at \$400,000 per claimant and \$1,200,000 per occurrence; and

**WHEREAS**, the City procures its insurance from the League of Minnesota Cities Insurance Trust (LMCIT); and

**WHEREAS**, the City's current insurance policies provide coverage up to the tort limits as provided by Minnesota Statutes; and

**WHEREAS**, the LMCIT allow the City the option to waive those limits; and

**WHEREAS**, THE LMCIT has asked the City to make an election by resolution with regards to waiving or not waiving its tort liability established by Minnesota Statutes 466.04; and

**NOW, THEREFORE BE IT RESOLVED, BY THE CITY OF INVER GROVE HEIGHTS:**  
that the City of Inver Grove Heights does hereby elect not to waive the statutory tort limits established by Minnesota Statutes 466.04.

Adopted this 25<sup>th</sup> day of August, 2008.

Ayes:  
Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheame, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Resolution Accepting Quote and Awarding Contract to Enebak Construction Company for City Project No. 2007-05 – Northwest Area (NWA) Storm Water Emergency Overflows, Argenta Hills, Regional Basin SP-17**

Meeting Date: August 25, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, Public Works Director  
 Prepared by: Scott D. Thureen, 651.450.2571  
 Reviewed by: *SDT*

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: NWA Storm Water Area Connection Fees

**PURPOSE/ACTION REQUESTED**

Consider resolution accepting quote and awarding contract to Enebak Construction Company for City Project No. 2007-05 – Northwest (NWA) Storm Water Emergency Overflows, Argenta Hills, Regional Basin SP-17.

**SUMMARY**

Quotes were solicited from four contractors for this project including Ames Construction, Inc., Arcon Construction Company, Carl Bolander & Sons Co., and Enebak Construction Company. All four contractors expressed interest in the project; however Enebak was the only contractor to submit a quote. The quote received (\$44,252.78) was below the Engineer’s Estimate (\$47,335.00) and is considered to be an acceptable quote.

SDT/kf

Attachments: Quote Tabulation  
 Letter of Recommendation from Emmons & Olivier Resources, Inc.  
 Resolution

# ABSTRACT OF QUOTES

ARGENTA HILLS CONTINGENCY OVERFLOW  
 INVER GROVE HEIGHTS, MINNESOTA  
 EOR PROJECT NO. 00095-00017

Date: 8/20/2008

ITEM NO.	ITEM	APPROX. QUANT.	UNIT	ENGINEERS ESTIMATE		ENEBAK CONSTRUCTION CO.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	MOBILIZATION	1	LS	2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
2	SALVAGE AND RESPREAD TOPSOIL	1	LS	1,000.00	\$1,000.00	\$300.00	\$300.00
3	8" PVC PIPE, C-900	1704	ACRE	20.00	\$34,080.00	\$19.86	\$33,841.44
4	8" DUCTILE IRON PIPE	10	SY	24.00	\$240.00	\$33.69	\$336.90
5	24" RCP STORM SEWER	27	EA	35.00	\$945.00	\$26.30	\$710.10
6	24" RCP APRON WITH TRASH GUARD	1	EA	500.00	\$500.00	\$1,026.00	\$1,026.00
7	48" MANHOLE, DES - F	1	LF	3,000.00	\$3,000.00	\$1,487.15	\$1,487.15
8	F & I STORM SEWER CASTING	1	ACRE	700.00	\$700.00	\$539.00	\$539.00
9	MARKING POST	3	LF	30.00	\$90.00	\$105.00	\$315.00
10	RANDOM RIPRAP	9	LS	60.00	\$540.00	\$70.00	\$630.00
11	CONNECT 1.5" DRAIN PIPE TO EXISTING MANHOLE	1	CY	500.00	\$500.00	\$350.00	\$350.00
12	1.5" CORPORATION	1	CY	250.00	\$250.00	\$215.09	\$215.09
13	1.5" CURB STOP & BOX	1	CY	250.00	\$250.00	\$260.10	\$260.10
14	1.5" HDPE PIPE	90	CY	12.00	\$1,080.00	\$10.80	\$972.00
15	FERTILIZER, SEED AND MULCH	2	TON	800.00	\$1,600.00	\$575.00	\$1,150.00
16	STEEL T-POST	4	SF	15.00	\$60.00	\$30.00	\$120.00
					\$47,335.00		\$44,252.78

**Date | August 21, 2008**

**To | Scott Thureen**

**CC |**

**From | Eli Rupnow, Rich Romness**

**Regarding | Argenta Hills SP17 Contingency Overflow**

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On August 20, 2008 quotes were received and opened publicly for the above referenced project. Only one quote was received and a tabulation is attached. The quote came in under the engineers estimate and appears to be in proper order, therefore we recommend award of the quoted project to Enebak Construction Company in the amount of \$44,252.78.

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION ACCEPTING QUOTE AND AWARDING A CONTRACT TO ENEBAK  
CONSTRUCTION COMPANY FOR CITY PROJECT NO. 2007-05 – NORTHWEST AREA (NWA)  
STORM WATER EMERGENCY OVERFLOWS, ARGENTA HILLS, REGIONAL BASIN SP-17**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, City Project No. 2007-05 was ordered by the City Council on July 14, 2008; and

**WHEREAS**, the construction of the Argenta Hills Storm Water Emergency Overflow outlet for Argenta Hills Regional Basin SP-17 must be coordinated with the on-going construction of the Argenta Hills Development; and

**WHEREAS**, construction plans and specifications were prepared and approved on August 11, 2008, and construction price quotes requested in accordance with State law, and

**WHEREAS**, quotes for construction were requested from four construction companies currently working in the City; and

**WHEREAS**, pursuant to a request for quotes for City Project No. 2007-05 – Northwest Area (NWA) Storm Water Emergency Overflows, Argenta Hills, Regional Basin SP-17, quotes were received, opened and tabulated according to law. The following quotes were received complying with the request.

<u>Contractor</u>	<u>Quote</u>
Enebak Construction Company	\$44,252.78

**WHEREAS**, it appears that Enebak Construction Company provided the lowest quote in the amount of \$44,252.78 for City Project No. 2007-05 - Northwest Area (NWA) Storm Water Emergency Overflows, Argenta Hills Regional Basin SP-17.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:**

1. The Mayor and Clerk are hereby authorized and directed to enter into a contract with Enebak Construction Company in the name of the City of Inver Grove Heights, for City Project No. 2007-05 - Northwest Area (NWA) Storm Water Emergency Overflows, Argenta Hills, Regional Basin SP-17, according to plans and specifications therefore approved by the Council and on file at the Office of the City Clerk.
2. City Project No. 2007-05 shall be funded by Northwest Area (NWA) Storm Water Area Connection Fees.

Adopted by the City Council of Inver Grove Heights this 25<sup>th</sup> day of August 2008.

AYES:  
NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaurme, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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APPOINT COUNCIL MEMBER MADDEN AS THE CITY'S REPRESENTATIVE TO THE METROPOLITAN AIRPORTS COMMISSION NOISE OVERSIGHT COMMITTEE

Meeting Date: August 25, 2008  
Item Type: Consent  
Contact: JTepen, Asst. City Admin  
Prepared by:  
Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED** Appoint Council member Madden as the City's Representative to the Metropolitan Airport Commission's (MAC) Noise Oversight Committee (NOC).

**SUMMARY** Following Council discussion, Council member Madden has volunteered to attend and represent the City to the NOC.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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**PERSONNEL ACTIONS**

Meeting Date: August 25, 2008  
Item Type: Consent  
Contact: Jenelle Teppen, Asst. City Admin  
Prepared by: Amy Brinkman, H.R. Coordinator  
Reviewed by: n/a

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED** Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Kelsie Suppes, Julie Mollison, Connor Bock, Sam Nord, and Tyler Koester.

Please confirm the seasonal/temporary termination of: Kyle Sedam, Eric Barahona, Mark Gadiant, Heidi Hanse, Leah Hawkins, Moses Jame, Jack Martinson, Rebecca Nelson, Peter Nguyen, Brandon Sage, Zachary Steming, Caleb Stevens, Joshua Stidham, Russell Strand, Megan Tierney, Joseph Trentz, Kari Winter, Eugene White, Lindsey Brotzler, Kyle Engdahl, Michelle Heinz, Charles Moore, Madison Olson, Morgan Olson, and Alexandra Zerlin.

Please confirm the employment of Elizabeth Russell as a Customer Service Specialist.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Public Hearing to Order City Project No. 2008-13 – Courthouse Boulevard Court Street Improvements**

Meeting Date: August 25, 2008  
 Item Type: Public Hearing  
 Contact: Scott D. Thureen, 651-450-2571  
 Prepared by: Scott D. Thureen, Public Works Director  
 Reviewed by: 

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Assessments, NWA Storm Water Fees

**PURPOSE/ACTION REQUESTED**

Consider a resolution ordering City Project No. 2008-13 – Courthouse Boulevard Court Street Improvements.

**SUMMARY**

At its July 28, 2008 meeting, the City Council received the feasibility study, approved the plans and specifications and authorized advertisement for bids for this project. At that time, the waiver of assessment appeal documents for the subject improvements had not been finalized, so a public hearing was scheduled to keep the project on schedule. At the August 11, 2008 meeting, the City Council approved waiver of assessment appeal documents for all of the project features, based on the cost estimates developed in the feasibility study. Since this amount (totaling \$689,010) was noticed for assessment, the hearing is no longer necessary to order the project.

The project consists of 1) intersection improvements at Barnes Avenue and Courthouse Boulevard Court deemed necessary for safe movements by semi-trucks, 2) a two-inch thick bituminous overlay of Courthouse Boulevard Court from Barnes Avenue, west to its terminus, with reconstruction of two short segments, 3) a southbound right turn lane from Barnes Avenue to Courthouse Boulevard Court, and 4) three right turn lanes on Courthouse Boulevard Court at the entrances to the development.

Notice of the hearing was mailed to all of the addresses (151) on the final mailing list used when the InverPoint development was being considered by the City Council (copy attached).

I recommend approval of the resolution ordering City Project No. 2008-13 – Courthouse Boulevard Court Street Improvements.

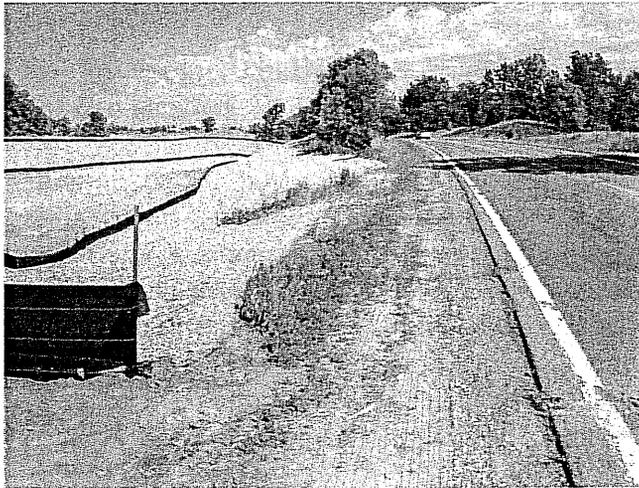
SDT/kf

Attachment: Excerpts from Feasibility Report  
 Notice of Public Hearing  
 Resolution

## 4. PROPOSED IMPROVEMENTS

### 4.1 InverPoint Business Park Right Turn Lanes

Per the conditions of the InverPoint Business Park development contract the developer is required to fund the design and construction of right turn lanes off of Courthouse Boulevard Court at each of the entrances into their site. These are being added for safety measures due to the traffic entering their site. Only the east driveway will be used for trucks entering and leaving the site and will be designed to have geometrics adequate for truck turning movements. This east entrance will also be signed indicating that truck must use this entrance. The other two driveway entrances are designed to accommodate passenger vehicle traffic only.



Existing conditions of center site driveway

The construction of the driveways will require the roadway shoulder to be widened and reconstructed including material for embankments and removal of any unsuitable soils. There is sufficient right-of-way to facilitate the right turn lane construction. The right turn lanes are proposed to be 12-foot wide with a 1-foot bituminous shoulder and 2-foot wide gravel shoulder. The proposed layout for these improvements can be found in *Figure 2 of Appendix A*. A typical section for the turn lanes can be found in *Figure 6 of Appendix A*. The estimated cost for these three turn lane lanes is \$141,050.

### 4.2 Barnes Ave Southbound Right Turn Lane onto Courthouse Blvd Court

Per the conditions of the InverPoint Business Park development contract the developer is required to fund the design and construction of a southbound right turn lane on Barnes Avenue onto Courthouse Boulevard Court. This will involve reconstruction of the existing bituminous shoulder to support truck traffic and to match the thickness of the travelled roadway section. Minimal widening of the shoulder will be required to the existing bituminous shoulder width. The boulevard will continue to slope down to the existing bituminous trail and the trail is not anticipated to be impacted except for a small segment near the intersection.



Existing conditions of Barnes Avenue in proposed right turn location

The northwest radius at the Courthouse Boulevard Court intersection will need to be widened from a 25-foot radius to a 50-foot radius to accommodate the turning movements of semi-tractor trailer trucks. There is sufficient shoulder and right-of-way to facilitate the right turn lane construction. The construction of the right turn lane will require the roadway shoulder to be widened and reconstructed including removal and replacement of any unsuitable soils. The right turn lane is proposed to be 13-feet wide with a 1-foot bituminous shoulder and 2-foot wide gravel shoulder. The proposed layout for these improvements can be found in *Figure 3* of *Appendix A*. A typical section for the turn lane can be found in *Figure 6* of *Appendix A*. The estimated cost for this turn lane is \$45,360.

#### **4.3 Courthouse Boulevard Court Overlay and Subgrade Repairs**

Per the conditions of the InverPoint Business Park development contract the developer is required to fund the design and construction of the street restoration to a 9-ton spring loaded rating. This will consist of a proposed 2-inch bituminous overlay with the necessary subgrade repairs and restoration of Courthouse Boulevard Court from the Barnes Avenue intersection to the west end cul-de-sac. These improvements will be to accommodate semi-truck and other increases in vehicle traffic that is projected to be generated by the end use development of the InverPoint Business Park. As mentioned in the existing condition section of this report the pavement is generally in good condition with some small areas requiring subgrade repairs. The overlay will provide structural strength, but will not cure all of the existing issues of pavement fatigue and cracks will resurface through the overlay in time. Since the roadway will be raised by 2-inches aggregate shouldering will be required in the areas with existing gravel shoulders. For the 44-foot wide areas (with the 10-foot bituminous shoulders) it is proposed not to overlay the shoulders. All driveways in the 24-foot wide pavement areas will require milled joints to match into the existing pavement with a flush field joint. The proposed layout for these improvements can be found in *Figure 5* of *Appendix A*. Typical sections for the overlay and subgrade repairs can be found in *Figure 6* of *Appendix A*. The estimated cost for this work is \$267,790.

#### 4.4 Barnes Ave and Courthouse Blvd Ct Intersection Geometric Improvements

Per the conditions of the InverPoint Business Park development contract the developer is required to fund the design and construction of any additional roadway or geometric improvements to the intersection of Barnes Avenue and Courthouse Boulevard Court up to \$100,000. These improvements will be to accommodate semi-truck and other truck turning movements projected to be generated by the end use development of the InverPoint Business Park. This will involve the reconstruction and widening of the intersection radii and widening of the existing bituminous shoulder along the north east side to accommodate semi-truck turning movements in the following directions:

- Barnes Ave southbound right onto Courthouse Blvd Ct west
- Barnes Ave northbound left onto Courthouse Blvd Ct west
- Courthouse Blvd Ct eastbound onto Barnes Ave north
- Courthouse Blvd eastbound onto Barnes Ave south

The estimated costs exceed the budgeted amount, so it may make sense to evaluate the need for the northbound left and eastbound right at this time. It is unlikely that there will be much truck traffic south on Barnes Avenue.

See *Figure 3 of Appendix A* for the geometrics of the proposed intersection improvements and the truck turning movement design.

The existing shoulder pavements will be required to be removed and replaced to support truck traffic and to match the thickness of the travelled roadway section. Some minimal restriping of the intersection will be required to fix the new intersection geometrics. The proposed layout for these improvements can be found in *Figure 4 of Appendix A*. A proposed pavement section for these improvements can be found in *Figure 6 of Appendix A*. The estimated cost for these intersection geometric improvements are \$114,720 for the improvements on the west side of the intersection and \$108,220 for improvements on the east side of the intersection.

#### 4.5 Courthouse Boulevard Court Reconstruction Areas

The City has identified two areas on Courthouse Boulevard Court that are going to require reconstruction beyond the above proposed overlay and subgrade repairs described in section 4.3.

##### 1. Roadway Low Point Raising Area

The first area identified by the City that is requiring reconstruction is to raise a low section of roadway that is located 1,100-feet west of 86<sup>th</sup> Court East (where the 10-foot wide paved shoulder street section ends). The road is to be raised to provide a minimum 1-foot of freeboard from existing low area drainage depressions on the south side of Courthouse Boulevard Court. This low point elevation will need to be raised from the existing elevation of 910 to an elevation of 913 or by three feet. To tie the existing 913 elevations on the east and west side of the low point will require a section of roadway to be reconstructed that is 600-feet in length. The existing pavement will have to be

removed and new material brought in to raise this roadway. The estimated cost for this reconstructed area is \$90,040 and is proposed to be paid for by City funds using the NW Area Stormwater trunk fee.

## 2. Subgrade Correction Area

The second area identified by the City that is requiring reconstruction begins approximately 1,100-feet west of 86<sup>th</sup> Court East (where the 10-foot wide paved shoulder street section ends) and extends 80-feet to the west. This subgrade correction area falls within the roadway raising area that is described in the preceding paragraph. The pavement in this area is in poor condition beyond repair that an overlay can achieve. Therefore this area will require complete pavement removal, subgrade corrections and a new pavement section. See AET's Report of Subsurface Exploration and Geotechnical Engineering Analysis and Review in *Appendix C* for more details. The repairs necessary for this subgrade correction will be paid by the developer per the development contract and are estimated to be \$11,870.

These reconstruction areas will be required to be built in stages where one half of the road is constructed at a time so local through traffic can be maintained. The proposed layout for these improvements can be found in *Figure 5* of *Appendix A*. A typical section for the reconstruction areas can be found in *Figure 6* of *Appendix A*.

## 4.6 Permits/Approvals

The following permits or approvals will be necessary as part of this project.

- Dakota County General Excavation within the County Highway Right-of-Way
- MPCA – NPDES General Stormwater Permit for Construction Activity

## 4.7 Project Coordination

This project will require coordination with other projects in the area. The site grading and utility work on the InverPoint Business Park are currently underway and the site is proposed to be completed in 2010. The construction of the turn lanes will need to be coordinated with this development to match existing and proposed grades and pavements.

The developer for the InverPoint Business Park is proposing the construction of a storm water infiltration pond on the south side of Courthouse Boulevard Court near the center entrance of the InverPoint Business Park. This pond will have a pipe extended from it to the InverPoint Business Park pond. The construction of this pipe will have to be coordinated with the improvements on Courthouse Boulevard Court.

## 5. FINANCING

### 5.1 Opinion of Cost

Detailed opinions of project cost can be found in *Appendix B* of this report. The opinions incorporate estimated 2008 construction costs and include a construction contingency factor and all related indirect costs, which are estimated at 38%. The indirect costs include legal, engineering, financing, as well as other administrative items. The estimate total project cost is shown in the table below:

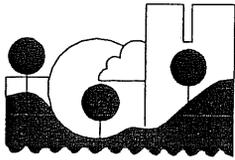
ITEM	EST. COST
<b>DEVELOPER</b>	
InverPoint Business Park Right Turn Lanes	\$141,050
Barnes Avenue Southbound Right Turn Lane onto Courthouse Blvd Court	\$45,360
Courthouse Boulevard Court Overlay and Minor Subgrade Repairs	\$267,790
Barnes Ave and Courthouse Blvd Court Intersection Geometric Improvements (West Side)	\$114,720
Barnes Ave and Courthouse Blvd Court Intersection Geometric Improvements (East Side)	\$108,220
Courthouse Blvd. Ct. Reconstruction Area (Subgrade Correction Area)	\$11,870
<b>SUBTOTAL</b>	<b>\$689,010</b>
<b>CITY (NW Area Stormwater Trunk Funds)</b>	
Courthouse Boulevard Court Reconstruction Area (Road Raising)	\$90,040
<b>PROJECT TOTAL</b>	<b>\$779,050</b>

Detailed cost estimates for the proposed improvements can be found in *Appendix B*.

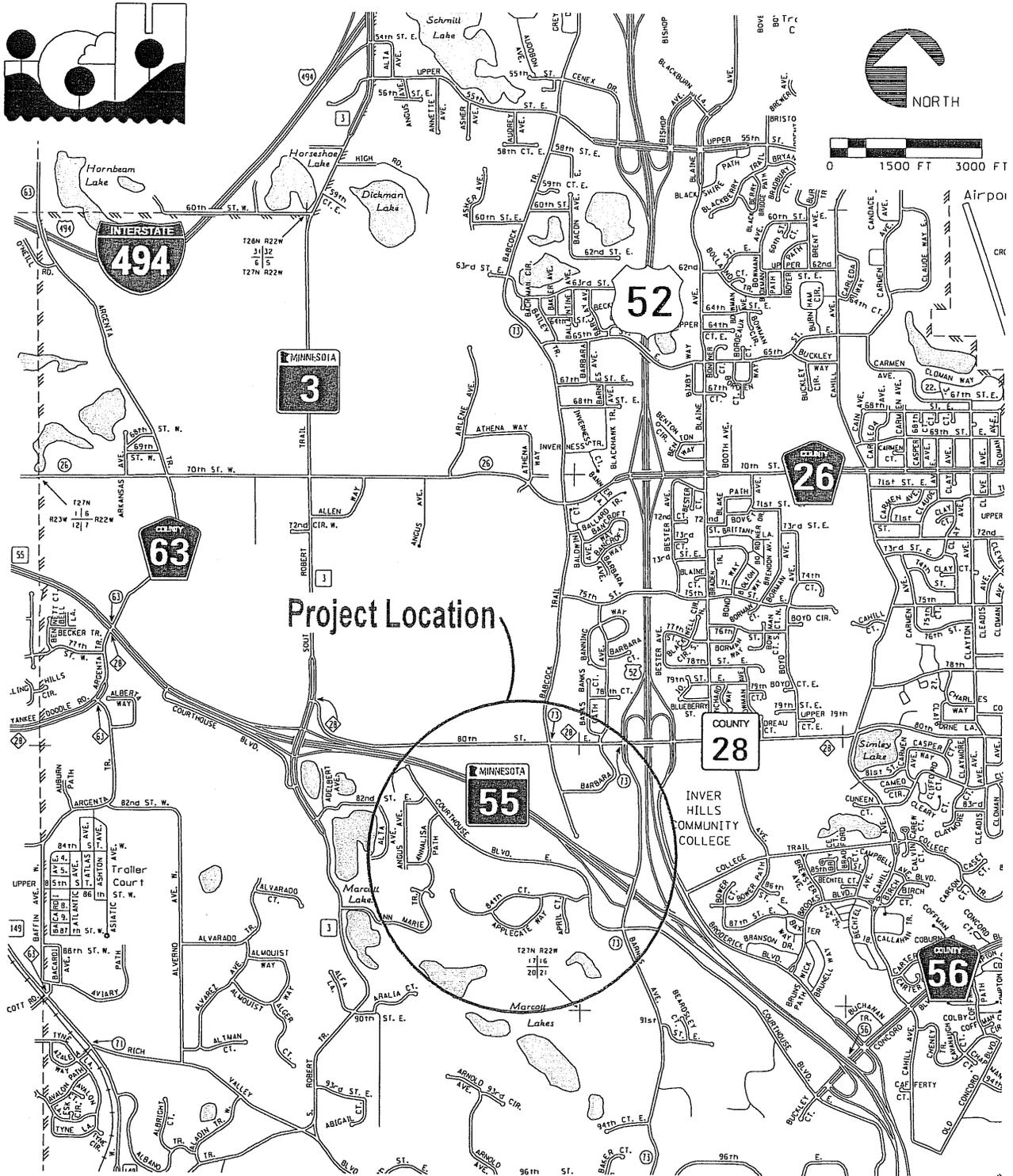
### 5.2 Funding

The project is proposed to be financed mainly by special assessments to the developer of the InverPoint Business Park. Per the development contract for the plat of the InverPoint Business Park the City will execute the Waiver of Special Assessment Appeals signed by the developer. The developer will fund the construction costs including 38% contingencies and indirect costs as discussed above. The developer funded parts of the project include the four items listed in the table above and as described in Sections 4.1 through 4.4 of this report. The estimated developer funded improvements total \$689,010.

The City will fund the Courthouse Boulevard Court Reconstruction Areas as described in Section 4.5 of this report using NW Area Stormwater Trunk Fees. The estimated City funded improvements total \$90,040 and include 38% contingencies and indirect costs.



0 1500 FT 3000 FT



Project Location

# Courthouse Boulevard Court Street Improvements City of Inver Grove Heights, Minnesota City Project No. 2008-13

Prepared by:

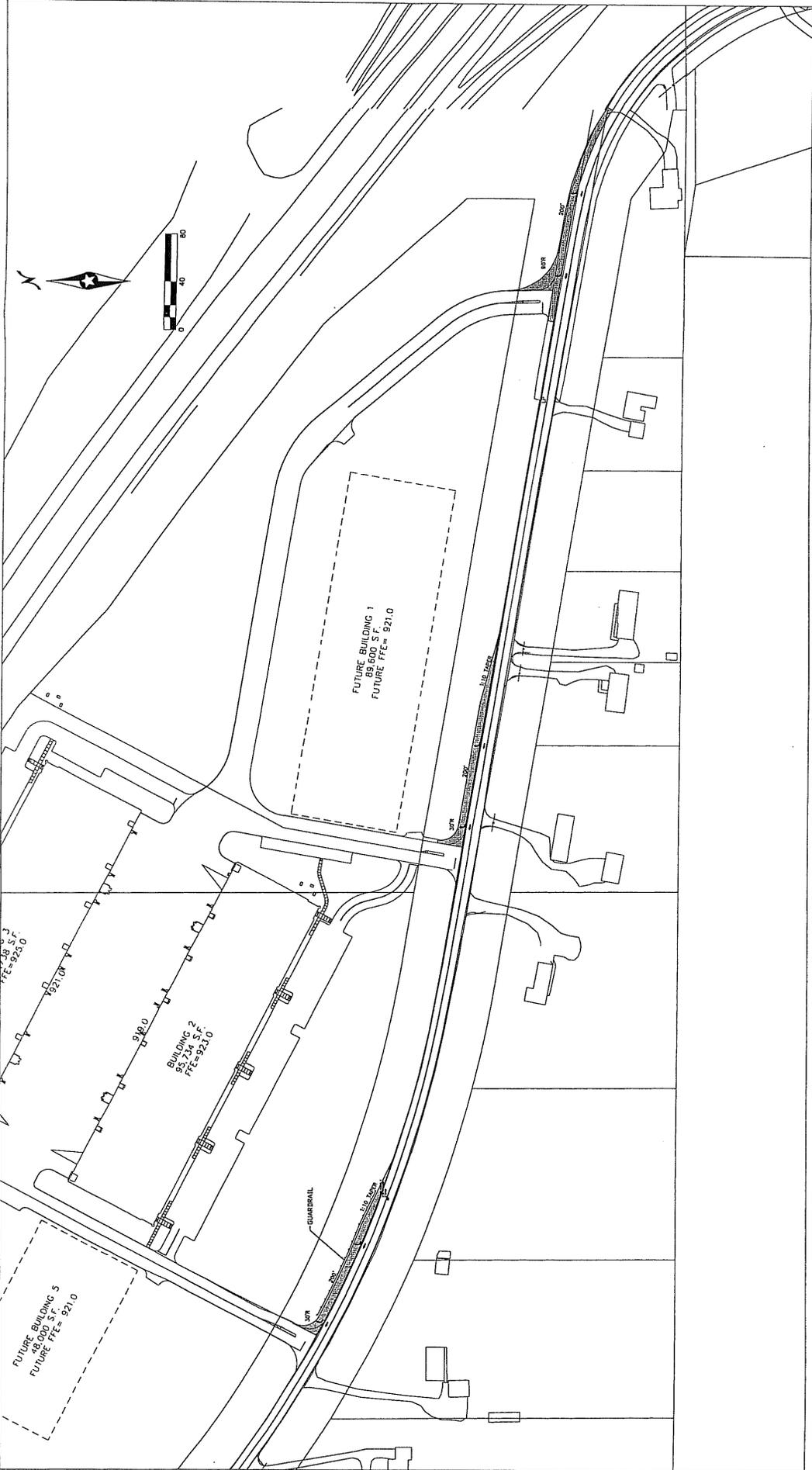
**WSB**  
701 Xenia Avenue South, Suite 300  
Minneapolis, MN 55416  
www.wsbeng.com

763-941-4800 Fax 763-541-1700  
INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION

## Location Map

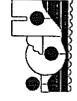
Figure 1

Date Printed: 7/28/2008  
WSB Filename: K:\0702-15\Cad\Exhibit1\Fig-01.dgn



WSB Project No.0702-15 July 25, 2008

Figure Number 2

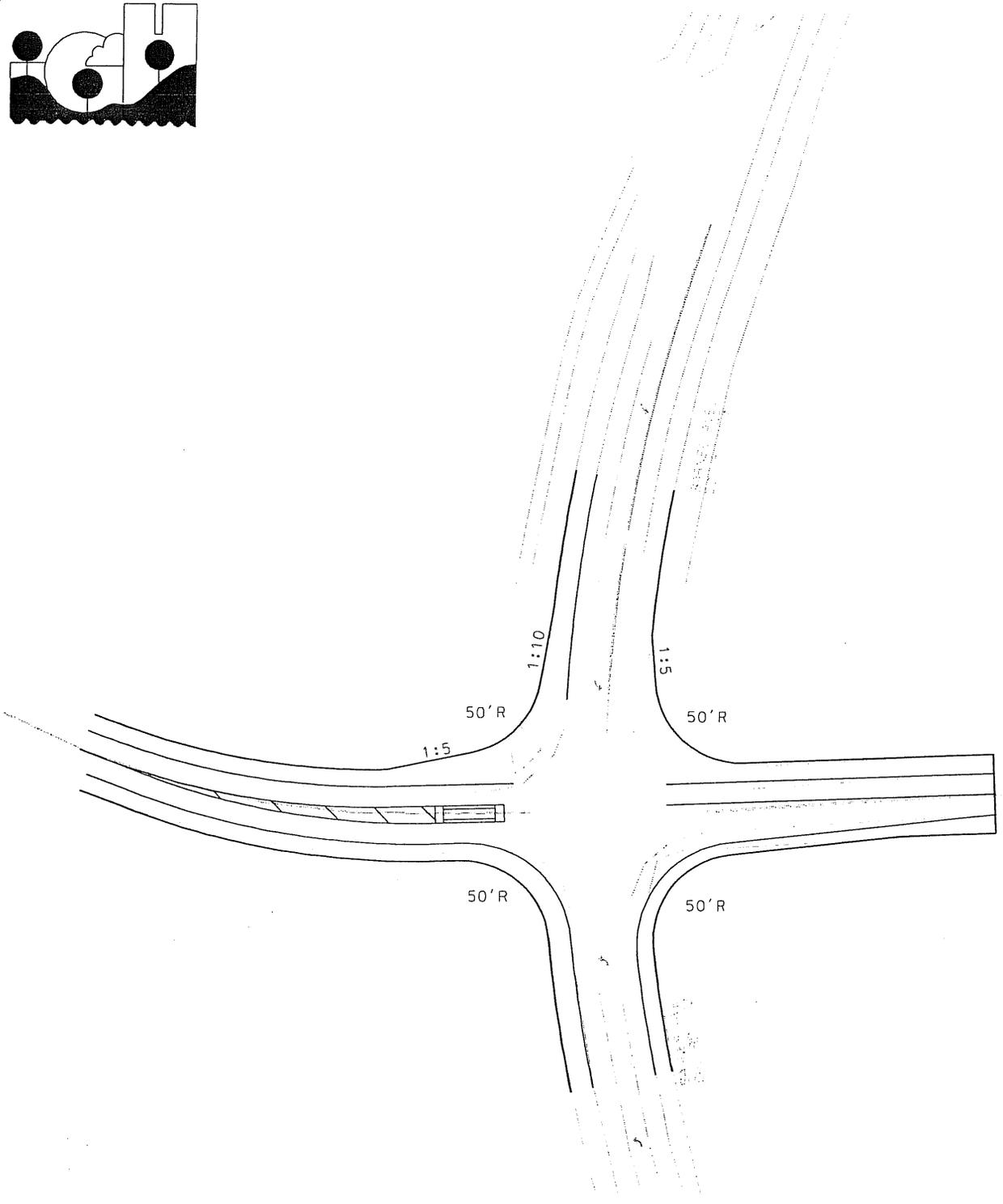
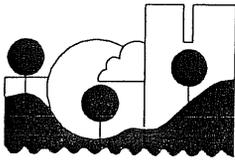


COURTHOUSE BOULEVARD COURT STREET IMPROVEMENTS  
CITY PROJECT NO. 2008-13

InverPoint Business Park Right Turn Lanes

**WSB**  
Engineering, Inc.  
707 Xenia Avenue South, Suite 300  
Minneapolis, MN 55415  
www.wsbeng.com  
INFRASTRUCTURE • SURVEYING • PLANNING • CONSTRUCTION

K:\10702-15\Cad\shaha\fig\_02.dwg, Layout



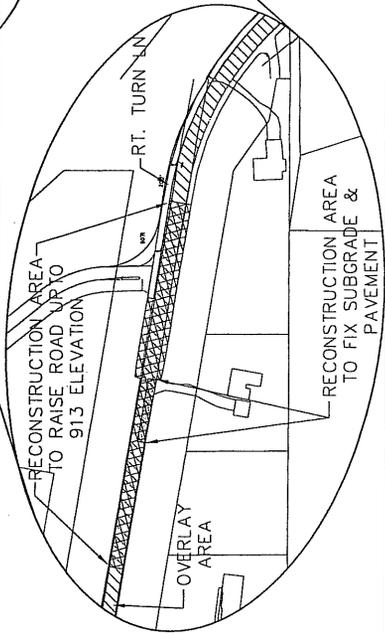
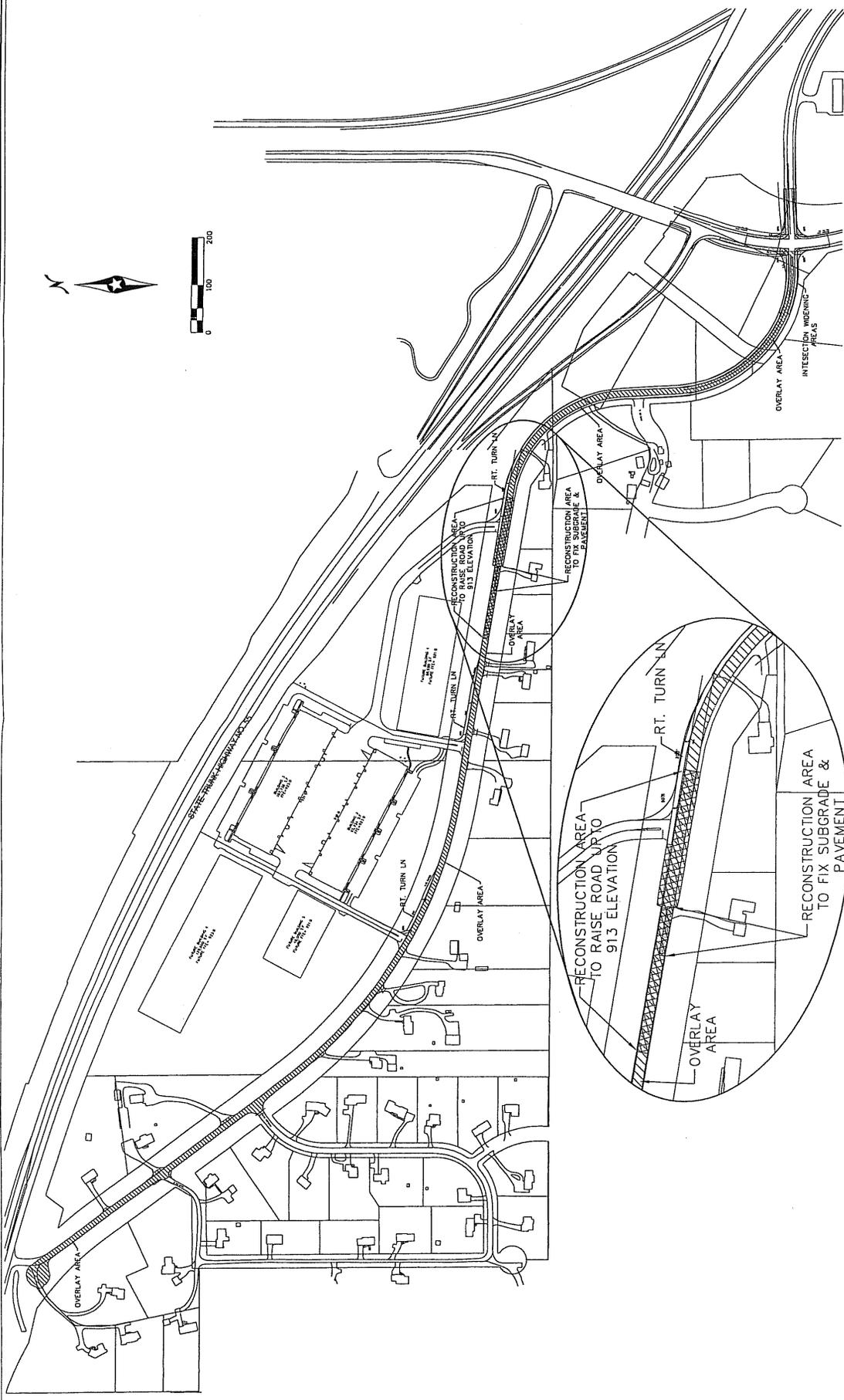
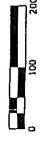
**Courthouse Boulevard Court Street Improvements**  
**City of Inver Grove Heights, Minnesota**  
**City Project No. 2008-13**

Figure 4

Prepared by:

**WSB**  
Associates, Inc.  
701 Xenia Avenue South, Suite 300  
Minneapolis, MN 55416  
www.wsbeng.com  
763-541-4800 - Fax 763-541-1700  
INFRASTRUCTURE ENGINEERING PLANNING CONSTRUCTION

**Barnes Avenue Right Turn Lane and**  
**Courthouse Boulevard Court**  
**Intersection Geometric Improvements**



WSB Project No. 01702-15

July 23, 2008



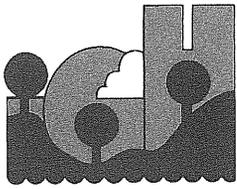
Figure Number 5

COURTHOUSE BOULEVARD COURT STREET IMPROVEMENTS  
CITY PROJECT NO. 2008-13

Courthouse Blvd Ct Overlay and Reconstruction Improvements

**WSB**  
 CONSULTANTS  
 701 Anne Arundel Centre  
 Annapolis, MD 21403  
 www.wsb.com

703-448-7400 FAX 703-448-7401  
 INFRASTRUCTURE • ENGINEERING • PLANNING • CONSTRUCTION



# City of Inver Grove Heights

[www.ci.inver-grove-heights.mn.us](http://www.ci.inver-grove-heights.mn.us)

August 13, 2008

Dear Resident/Property Owner:

A notice is enclosed for a public hearing that will be held at 7:30 p.m. on Monday, August 25, 2008 in the City Council Chambers at City Hall. The hearing is being held for City Project No. 2008-13, Courthouse Boulevard Court Improvements. The project includes the construction of (1) a Barnes Avenue southbound right turn lane onto Courthouse Boulevard Court, (2) Barnes Avenue and Courthouse Boulevard Court intersection geometric improvements (increasing the pavement area at the intersection radii to accommodate semi-truck turning movements, (3) installing right turn lanes on Courthouse Boulevard Court at each of the entrances to the InverPoint Business Park, and (4) installing a two-inch-thick bituminous overlay on Courthouse Boulevard Court, from Barnes Avenue to its west terminus, to increase the strength of the road.

The cost of these improvements will be borne by only the parcels in the Inverwood Business Park, LLC per waiver of assessment appeal documents that were approved by the City Council on August 11, 2008. The parcels in the development will be assessed for the entire cost of all the aforementioned improvements. Assessments are not proposed for any other parcels for these improvements.

The project also includes raising a segment of Courthouse Boulevard Court to address an existing drainage concern. The cost of this work will be funded from the Northwest Area Storm Water fees.

This project does not include intersection control improvements at Barnes Avenue and Courthouse Boulevard Court, or a trail along Courthouse Boulevard Court. These items will be addressed at a future date as defined in the Development contract for InverPoint Business Park.

Please contact me at 651-450-2571 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott D. Thureen'.

Scott D. Thureen  
Public Works Director

SDT/kf  
Enclosure

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**NOTICE OF PUBLIC IMPROVEMENT HEARING**

**TO WHOM IT MAY CONCERN:**

Notice is hereby given that the City Council of Inver Grove Heights will meet in the City Council Chambers at 8150 Barbara Avenue, Inver Grove Heights, MN at 7:30 p.m. on Monday, August 25, 2008 to consider the making of the following improvements in the 2008 Pavement Management Program.

**PROJECT NO. 2008-13  
COURTHOUSE BOULEVARD COURT STREET IMPROVEMENTS**

**DESCRIPTION:**

Geometric improvements at the intersection of Barnes Avenue and Courthouse Boulevard Court, a right turn lane on southbound Barnes Avenue at Courthouse Boulevard Court, right turn lanes on Courthouse Boulevard Court at each of the three entrances to the InverPoint Business Park, reconstruction of two segments of Courthouse Boulevard Court and a full width bituminous overlay of Courthouse Boulevard Court from Barnes Avenue to its west terminus.

Estimated Cost of Improvements: \$779,050

Estimated Assessments for above Improvements: \$689,010

Parcels Proposed to be Assessed or Impacted:

20-01700-010-04  
20-01700-010-06

Said improvements are to be considered pursuant to Minnesota Statutes, Chapters 429, 444 and 469. The improvements are to be specially assessed on an area, unit, or frontage basis, or combination thereof against abutting and non-abutting properties and tributary to said improvements, or served by said improvements. The parcels and areas, as specially described herein, are subject to said special assessments unless otherwise noted. The parcel numbers represent the tax parcel identification numbers. To find your tax parcel number, check your real estate tax statement.

At the public hearing, the City will have available a reasonable estimate of the impact of the special assessments by providing the anticipated amount of the future special assessment for each parcel proposed to be assessed; this amount will be an estimate only and is subject to change at the time the special assessments for the improvement project are actually levied.

The total estimated cost of the above listed improvements is \$779,050. Persons desiring to be heard with reference to the proposed improvements will be heard at said time and place of the public hearing. Written or oral objections will be considered at the public hearing.

---

Melissa Rheaume, Deputy Clerk

Publish: August 3 and August 10, 2008

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Wade and Jessica Short / Short Dance Studios - Case No. 08-36VSR**

Meeting Date: August 25, 2008  
 Item Type: Regular  
 Contact: Heather Botten 651.450.2569  
 Prepared by: Heather Botten, Associate Planner  
 Reviewed by: Planning  
                   Engineering

**Fiscal/FTE Impact:**

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other

**PURPOSE/ACTION REQUESTED**

Consider the following actions for the property located at 9295 Concord Boulevard:

- a) A **Preliminary and Final Plat with a Development Contract** for a two lot, one outlot subdivision.
    - Requires a 3/5<sup>th</sup>'s vote
  - b) A **Rezoning** of Lot 2 and Outlot A from Agricultural to B-3, General Business.
    - Requires a 4/5<sup>th</sup>'s vote
  - c) A **Variance** to create a parcel that does not meet the minimum lot size and width requirements in an Agricultural district (Lot 1).
    - Requires a 3/5<sup>th</sup>'s vote.
  - d) A **Major Site Plan Approval** for an 8,424 square foot structure for a dance studio and general retail (Lot 2).
    - Requires a 3/5<sup>th</sup>'s vote.
- 60-day deadline: October 14, 2008 (2<sup>nd</sup> 60-days)

**SUMMARY**

The proposed plat consists of 2 lots and an outlot on 4.88 acres of land. Lot 1 is proposed at 3.81 acres, Lot 2 at .74 acres and Outlot A at .65 acres. The request is to construct a dance studio with a small amount of retail on Lot 2, keep the existing home on Lot 1, and Outlot A would remain vacant. The applicants submitted an urban development concept plan, also known as a "ghost plat" to demonstrate the potential commercial development on Lot 1 and Outlot A.

A rezoning is being requested for Lot 2 from Agricultural to B-3, General Business. The proposed property is guided for Community Commercial. A dance studio and retail uses are permitted uses in the B-3 zoning. This would be the first commercial development on the east side of Cahill in this neighborhood. The west side of Cahill Avenue is developed as commercial. Staff is recommending Outlot A also be rezoned to B-3, General Business, as the proposed lot is guided for commercial development. The property owner would like to keep the Outlot as Agricultural zoning for tax purposes. If the Outlot is not rezoned, a variance from minimum lot area would be required. At this time the applicant is requesting to table the rezoning of Outlot A so a Variance from minimum lot size can be applied for to possibly keep the Outlot as Agricultural. This part of the request would be tabled until September 22, 2008. All other requests for this property can be acted on as stated above.

There is one access proposed on the site off of Cahill Avenue located directly across from Cafferty Court. As a condition of approval an ingress/egress easement agreement would be required between the property owner and the applicant for future cross access between Lot 1 and Lot 2. The review criterion has been met for parking, tree preservation, landscaping, exterior building materials, and lighting.

A variance is being requested for Lot 1 as it would not meet the minimum lot size or width requirements for the agricultural zoning district. The Variance for the minimum lot width is not contrary to the Zoning Code or Comprehensive Plan since the width of the actual building pad is over 200 feet wide. Additionally there is an existing home on the lot; no additional homes are allowed or proposed on the lot.

A development contract, along with other maintenance agreements addressing specific details of the project have been drafted and are part of the Council action.

Planning Staff: Recommends approval of the request with the conditions listed in the attached resolutions.

Planning Commission: The Planning Commission reviewed the request over two meetings. July 15, 2008 the request was tabled for the applicant to re-evaluate the site and possibly revise their proposal. On August 6, 2008 the Planning Commission recommended approval of the request (8-1).

Park and Rec Commission: Recommended that the developer be required to provide cash in the amount of the rates in affect at the time the final plat is approved. The current 2008 rates is as follows: Commercial \$7,000 per acre (.74 acres x \$7,000 = \$5,180). Park dedication for Lot 1 and Outlot A would be required at time of development.

Exhibits: Preliminary and Final Plat Resolution  
Rezoning Ordinance  
Major Site Plan Resolution  
Variance Resolution  
Planning Commission Minutes from 7/15/08 and 8/6/08  
Planning Report

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR A TWO  
LOT, ONE OUTLOT, SUBDIVISION TO BE KNOWN AS SHORT PROPERTIES**

**CASE NO. 08-36VSR  
Wade and Jessica Short**

**WHEREAS**, a preliminary and final plat application has been submitted to the City for property legally described as;

The West 718.56 feet of the South 248.04 feet of the North 413.04 feet of the North Half of the Southeast Quarter of the Northwest Quarter of Section 22, Township 27 North, Range 22 West, Dakota County, Minnesota, together with the West 139.00 feet of said North Half of the Southeast Quarter of the Northwest Quarter lying South of the North 413.04 feet thereof.

**WHEREAS**, a public hearing concerning the Plat was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 6, 2008;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that**, the Preliminary and Final plat for Short Properties is hereby approved subject to the following conditions:

1. The final plat and development plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 07/28/08
Site Plan	dated 07/28/08

2. A park dedication fee equal to \$7,000 per acre for Lot 2 shall be paid to the City prior to release of the final plat.

3. Drainage and utility easements shall be provided on the final plat as required by the City Engineering Department.

Passed this 25<sup>th</sup> day of August, 2008.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 515 - CITY CODE

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1037 adopted July 8, 2002, entitled, "AN ORDINANCE AMENDING, RESTATING, AND RECODIFYING SECTIONS 405, 425, 515, 505, 516, 517, 518, 519, 520, 525, 535, 540, 545, 546, AND 550 OF THE INVER GROVE HEIGHTS CITY CODE" being also known as the City Zoning Ordinance is hereby amended to rezone from A, Agricultural to B-3, General Business that property described below:

**Lot 2, Block 1, Short Properties**

Case No. 08-36VSR  
Wade and Jessica Short

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1037 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002," shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

Section III. This Ordinance shall be in full force and effect from and after its publication according to law.

Enacted and ordained into an Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING A VARIANCE TO CREATE A PARCEL THAT DOES NOT MEET THE  
MINIMUM LOT SIZE AND WIDTH REQUIREMENTS IN AN AGRICULTURAL DISTRICT

CASE NO. 08-36VSR  
(Short)

Property legally described as follows:

Lot 1, Block 1 Short Properties, Dakota County, Minnesota

**WHEREAS**, an application has been received for Variances to allow a lot width of less than 200 feet measured at the front building setback and to allow a lot size to be less than 5 acres;

**WHEREAS**, the aforescribed property is zoned A, Agricultural;

**WHEREAS**, a Variance may be granted by the City Council from the strict application of the provisions of the Zoning Code (City Code Section 515) and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code Section 515.40, Subd. 3A;

**WHEREAS**, the City of Inver Grove Heights Planning Commission reviewed the request on August 6, 2008 in accordance with City Code Section 515.40, Subd. 3C;

**WHEREAS**, a hardship was found to exist, not based on economic reasons. Rather, the hardship is based on the fact the lot would either require a variance from the road frontage or lot width to split the lot. The lot meets the lot width requirements at the building pad area. The lot is already developed residentially and no additional homes are allowed on the site.

**WHEREAS**, a concept plan has been submitted demonstrating future commercial development of Lot 1, consistent with the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that Variances from the minimum lot width and lot size for Lot 1, Block 1 is hereby approved subject to the following condition:

1. The site shall be developed in substantial conformance with the site plan and urban development concept plan on file with the Planning Department.

**BE IT FURTHER RESOLVED** that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 25<sup>th</sup> day of August, 2008.

\_\_\_\_\_  
George Tourville, Mayor

Ayes: .....

Nays: .....

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy City Clerk

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A MAJOR SITE PLAN REVIEW FOR A +/-8,424 SQUARE  
FOOT BUILDING TO INCLUDE A DANCE STUDIO AND GENERAL RETAIL**

CASE NO. 08-36VSR  
(Short Dance Studios)

**WHEREAS**, an application for a Major Site Plan Review has been submitted for property legally described as the following;

**Lot 2, Block 1, Short Properties, Dakota County, Minnesota**

**WHEREAS**, the aforescribed property is currently zoned B-3, General Business;

**WHEREAS**, all major site plans are subject to the criteria listed in City Code Section 515.90, Subd. 33, regarding consistency with the Comprehensive Plan, conformity with the Zoning Ordinance and compatibility with adjacent properties, among other criteria;

**WHEREAS**, a public hearing concerning the Major Site Plan Review was held before the Inver Grove Heights Planning Commission on August 6, 2008;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that the Major Site Plan Review criteria for a +/- 8,424 square foot structure, to include a dance studio and general retail is hereby approved 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 07/28/08
Landscaping/Reforestation Plans	dated 07/28/08
Grading Plans	dated 07/28/08
Urban Development Concept Plan	dated 07/28/08

- 2. Prior to issuance of building permits, the stormwater management, final grading, drainage and erosion control, and utility plans shall be approved by the City Engineering Department.
- 3. Any roof top equipment shall be screened from view from the street.
- 4. All final development plans shall be subject to the review and approval of the City Fire Marshal.
- 5. All exterior lighting shall be diffused or directed away from all property lines and public right-of-ways. The direct source of light shall not be visible from any abutting property or public right-of-way. The plans will be subject to the review of the Planning Department at time of building permit review.
- 6. Prior to the execution of the final plat an improvement agreement shall be executed between the City and the developer. The agreement will address the necessary site improvements including a storm water facilities maintenance agreement, ingress/egress access agreements, the parties responsible for the improvements, and will require financial surety for the landscaping, erosion control and any other improvements that may be necessary.
- 7. Directional signs shall also be installed to help direct traffic flow. All signage requires issuance of sign permits which will require a complete sign inventory to verify proposed overall signage will comply with the code.

**BE IT FURTHER RESOLVED** that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder’s Office.

Adopted by the City Council of Inver Grove Heights this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
George Tourville, Mayor

Ayes:  
Nays:

ATTEST:

\_\_\_\_\_  
Melissa Rheume, Deputy Clerk

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights  
**FROM:** Planning Commission  
**DATE:** August 6, 2008  
**SUBJECT:** **SHORT DANCE STUDIOS – CASE NO. 08-36VSR**

**Reading of Notice**

The Public Hearing Notice was read at the July 15 Planning Commission meeting.

**Presentation of Request**

Heather Botten, Associate Planner, advised that this request was previously reviewed at the Planning Commission's July 15<sup>th</sup> meeting. After discussion on the proposed impact to the wetland and potential traffic and circulation problems, the request was tabled for the applicant to re-evaluate the site and revise their proposal. Subsequent to the meeting they submitted revised plans for staff review. Some of the main changes since the original plans are that the building is now located north of the wetland, the impact to the wetland has been avoided, and the traffic circulation is in a much safer configuration. Ms. Botten advised that the applicants are requesting a preliminary and final plat for two lots and one outlot, a rezoning of Lot 2 and Outlot A from Agricultural to B-3, a variance to create a parcel that does not meet the minimum lot size and width requirements in the Agricultural district, and a major site plan approval for an 8,640 square foot building that would have a dance studio and general retail inside of it. She advised that the applicants are proposing one access to be located across from Cafferty Court. As a condition of approval an ingress/egress easement agreement would be required between the property owner and the applicant for future cross access between Lot 1 and Lot 2. Ms. Botten advised that the preliminary elevation plans indicate the building will be constructed of precast concrete panels with a blue and white metal panel on all four sides of the building. In regards to the variance request, Ms. Botten advised that staff feels there is a hardship as the lot would either require a variance from the road frontage or lot width to split the lot. Staff recommends approval of the request with the conditions listed in the report in Alternative A. She advised that staff is recommending, however, that Condition 8 be eliminated, and that Condition 6 be changed to read '**Prior to the execution of the plat by the City**' rather than '**Prior to the issuance of any building permits**'.

Commissioner Simon stated that the proposed building appeared to be rather close to the wetland, and asked if Barr Engineering would be reviewing the proposal for storm water concerns.

Ms. Botten replied that Barr had already completed their review and sent comments. She advised that she had not had a chance to review those comments, however, but that a condition of approval would be that the City engineering requirements and Barr Engineering concerns would need to be addressed.

Commissioner Schaeffer asked if Outlot A would need to be rezoned, to which Ms. Botten replied that at this time they would like to rezone Outlot A since there was no house on it and the intent was for the lot to be commercial.

Commissioner Wippermann asked if Tractor Supply Company needed to adhere to the Arbor Pointe design guidelines, to which Ms. Botten replied they did not.

Commissioner Wippermann stated that although he felt the revised layout was significantly better than the previous site plan, he was disappointed in the aesthetics of the proposed building and the fact that they were using pre-cast concrete and were not incorporating any green banding or green awnings. He stated that future buildings in this area would likely be built similar to the proposed structure which was not up to the standards he has come to expect for this area.

Ms. Botten advised that Arbor Pointe green was not required in this area and that the final details had not yet been worked out.

Chair Bartholomew asked if staff received any comments from neighbors, to which Ms. Botten replied that the neighbor to the south had asked to see the revised plans.

### **Opening of Public Hearing**

Jon LeNoble of Krech O'Brien Mueller & Associates, Jessica Short and Wade Short, 7595 Cahill Court, and Matt Duenwald of MFRA advised they were available to answer any questions.

Chair Bartholomew asked if the applicants were agreeable with the conditions listed in the report, including the changes tonight recommended by Ms. Botten.

Mr. LeNoble stated it was their understanding that Outlot A would not be rezoned at this time and would maintain its Agricultural status. He requested also that the ingress/egress easement be moved to the northern aisle of their parking lot to make for a safer area for pedestrian traffic once Lot 1 was developed.

Commissioner Gooch suggested perhaps moving the easement to the north of the parking lot, to which Mr. LeNoble stated that would be acceptable as well.

Mr. Duenwald stated the only concern would be if they would be allowed to have the extra curb cut.

Ms. Botten replied that the spacing between Cafferty Court and the proposed future road would meet the spacing guidelines.

Chair Bartholomew asked if there was a particular reason the outlot was being rezoned at this time.

Ms. Botten replied that the outlot would not meet the minimum lot size requirement for an Agricultural lot and was guided as Commercial; therefore staff felt it prudent to rezone it as such.

Commissioner Simon stated the revised site plan was much improved from the original plan, and she suggested that verbiage be added to Condition 7 requiring that directional signage be installed to help direct traffic flow.

Mr. LeNoble stated they were not opposed to that request.

Commissioner Gooch asked if the applicants could incorporate the Arbor Pointe green into their design so as to be consistent with the other buildings in the area.

Mr. Short replied they would like to continue to use blue, black and silver so as to be consistent with the colors of their studio walls, website, clothing, etc.

Jerry Hanson, 9345 Old Concord Boulevard, advised he was the adjacent property owner to the south of the subject property. He stated his only concern was the impact to the pond.

Chair Bartholomew stated it looks like the wetland impact has been resolved to the satisfaction of staff.

---

### **Planning Commission Recommendation**

Motion by Commissioner Schaeffer, second by Commissioner Koch, to approve the request for a preliminary and final plat for a two-lot, one outlot subdivision, a rezoning of Lot 2 and Outlot A from Agricultural to B-3, General Business, a variance to create a parcel that does not meet the minimum lot size and width requirements in an Agricultural district, a major site plan approval for an 8,640 square foot building for a dance studio and general retail, for the property located at 9295 Old Concord Boulevard, with the conditions listed in the report, including the elimination of Condition 8, the change to Condition 6 so that it will read '**Prior to the execution of the plat by the City**' rather than '**Prior to the issuance of any building permits**', and that additional verbiage be added to Condition 7 requiring that directional signage be installed to help direct traffic flow.

Commissioner Wippermann stated he would be voting against the request as he did not feel the proposed building was consistent with the quality of the surrounding area.

Motion carried (8/1 - Wippermann). This matter goes to City Council on August 25, 2008.

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights  
**FROM:** Planning Commission  
**DATE:** July 15, 2008  
**SUBJECT:** **SHORT DANCE STUDIOS – CASE NO. 08-36VSR**

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for a two lot subdivision, a rezoning to rezone the proposed lot from A, Agricultural to B-3, General Business District, a variance to create a lot that does not meet the minimum lot size in the A, Agricultural Zoning District, and a major site plan approval for an 8,640 square foot structure for a dance studio and general retail, for the property located at 9295 Old Concord Boulevard. 76 notices were mailed.

**Presentation of Request**

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicants are proposing to subdivide the subject property into two lots, with Lot 1 containing the existing house and Lot 2 containing the proposed dance studio and rental retail space. The specific application is for a preliminary and final plat for a two lot subdivision, a rezoning of Lot 2 from Agricultural to General Business, a variance for Lot 1 to create a parcel that does not meet minimum lot size requirements, a variance from side yard setbacks for a parking lot encroachment, and a major site plan approval for an 8,640 square foot structure for a dance studio and general retail space. Ms. Botten advised that in 2004 Jim Short split off the east portion of his property to build a new single-family home. The intent of the subdivision was to someday develop the east property into urban density residential and the west portion as commercial. Ms. Botten stated that staff feels the lot may be developing prematurely, impacting a wetland that could be avoided, and trying to squeeze a development in too small of an area. Also, in reviewing the site plan staff is not comfortable with the proposed parking lot configuration and traffic circulation, they would recommend that the exterior building materials be revised to provide for an equally attractive fascia on all four sides of the building, and that the project be constructed on the property such that the wetland would not be impacted. Staff does not find a hardship for the variances and recommends denial of the request. Ms. Botten stated that staff heard from two property owners in regards to this request, one from a citizen stating they had no issues with the request as long as there was adequate space and parking for such a building, and the other from an abutting property owner who was opposed to impacting the wetlands.

Chair Bartholomew asked staff to discuss an alternate configuration of the property which would not impact the wetlands.

Ms. Botten explained how the applicants could either develop the property as a whole or subdivide the lot differently.

Commissioner Gooch asked if the Arbor Pointe design regulations applied to this property, to which Ms. Botten replied they did not.

Commissioner Gooch noted the extensive work done by the applicants and asked if staff had advised the applicants of the major roadblocks involved in this request, to which Ms. Botten replied that the applicant was aware of the City's direction on this request prior to them making application.

**Opening of Public Hearing**

The owners of the property, Wade and Jessica Short, 7595 Cahill Court, advised they were available to answer any questions.

Matt Duenwald, with MFRA engineering firm, advised he was available to answer any questions.

Jon LeNoble, with Krech O'Brien Mueller and Associates architecture firm, stated their intent was to eventually develop the whole site as commercial, but that they do not have the means to develop the entire site at this time. He stated the following reasons for configuring the lot as proposed: 1) subdividing the lot as proposed by staff would result in Lot 1, Block 1 becoming a landlocked commercial property, 2) locating the building to the south makes use of land that on its own would not be able to support development, 3) the proposed plat would minimize the deviation from the five acre minimum by removing as little land as possible for the proposed studio and retail space, and 4) adding lighting and pedestrian activity would likely alleviate their on-going problem with illegal dumping. Mr. LeNoble stated they felt it unlikely the proposed configuration would result in traffic congestion, and advised that the parking configuration and walking distance was similar to that of City Hall.

Chair Bartholomew noted that the City Hall parking lot did not abut a major street.

Mr. LeNoble suggested perhaps reversing the flow of traffic on the internal road to help alleviate those concerns as that would allow them to accommodate several cars on site. Mr. LeNoble stated they would be willing to consider realigning the north property line if they could establish an access easement for the eastern property. Mr. LeNoble advised they discussed this request in detail with staff but apparently came away with two different understandings of those conversations.

Chair Bartholomew noted that Brian Watson (Dakota County Soil and Water Conservation District) recommended denial, and he asked how that affected the request.

Mr. Hunting stated there were three members of the technical evaluation panel, including Brian Watson, a member from the Minnesota Board of Soil and Water Resources, and himself. He advised they will meet on this request and make a recommendation; however the final decision would be made by the City Council.

Mr. Duenwald stated that Brian Watson made his recommendation for denial based on a prior site plan.

Commissioner Simon asked the applicant to address the retail portion of the request.

Mr. LeNoble advised that the retail function was a subsidiary of the dance studio, and they had

a client identified who sells dancewear and other dance-related items. Therefore they expect mostly pedestrian traffic as it would be used primarily by people using the dance studio.

Commissioner Simon asked what the hardship was for this request.

Mr. LeNoble stated the hardship was that it was necessary to divide the lot because development could not proceed if they had to develop the entire site at once.

Commissioner Simon noted that a variance was also being requested to create a parcel that does not meet minimum lot size.

Mr. LeNoble stated the existing lot was already smaller than five acres and therefore it would be a continuation of a non-complying condition.

Chair Bartholomew asked if the applicants were prepared to present a revised site plan, to which Mr. LeNoble stated they were not.

Commissioner Hark asked the applicant to point out the location of the proposed retaining wall.

Mr. Duenwald pointed out the location of the retaining wall, stating that the wetland was considered a low quality wetland.

Commissioner Scales noted there were traffic issues at the dance studio's original location and that he had issues with the proposed parking configuration. He supported Mr. LeNoble's suggestion to reverse the traffic flow to help with circulation.

Commissioner Roth suggested the internal road be made wide enough to allow two vehicles to pass.

Commissioner Schaeffer stated he was concerned about parking and felt that reversing the direction of the internal road could result in people driving down to the building to see if there were any parking spots available, and then having to drive back out onto the road to try again. He proposed moving the building and parking lot to the north of the property while still allowing access for Lot 1 from the southern edge of the property rather than the northern.

Chair Bartholomew asked if the applicants had read the comments from the City Engineer and Barr Engineering.

Mr. LeNoble advised they had but that some of the data they were looking for could not be provided until completion of the subsurface investigation.

Mr. Duenwald stated he has been in contact with Barr Engineering and there were no issues that he was aware of.

Wade Short stated that due to rising rental costs, making this proposed move was the only way they could continue their dance studio business. He stated it would also allow them to expand in the future with a second building and offer additional art-based programs, such as music and an art-based preschool. Mr. Short advised they were limited in the amount of money they could

spend and the cost of purchasing this entire parcel would not be possible for them. Mr. Short stated that moving the studio to the north portion of the site would intrude on his parents' privacy on Lot 1. Mr. Short advised that Krech O'Brien Mueller and Associates met with staff and stated the City had no objections to the original proposal. At that time they invested a substantial amount of money into the project. He stated that if the situation ever arose that they could not develop this land themselves, they would be willing to share the parking with whoever would develop the land. Mr. Short advised that for many years the western wetland was dry and that it wasn't until the work on Cahill was done that it became the wetland and drainage area it is today.

Chair Bartholomew advised that the Council has made it clear they would like this area developed all at one time.

Jim Short, 9295 Old Concord Boulevard, stated when they originally split this lot they were told that the property would be zoned commercial, however they were never told it should all be developed at one time nor was it stated in the resolution. Mr. Short agreed that the entire lot would eventually be developed as commercial, but stated at this time he would like to keep Lot 1 intact and would prefer not to move Lot 2 to the north as it would devalue his property (Lot 1). He added that in his opinion the proposed retaining wall would improve the wetland and alleviate the on-going dumping.

Patricia Short, 9295 Old Concord Boulevard, stated that Inver Grove Heights has a need for art programs such as they are proposing.

Jerry Hanson, 9345 Old Concord Boulevard, stated he owned the abutting property to the south of the Shorts, and asked if the 8,640 square foot building referred to was the structure or the parking lot as well.

Ms. Botten replied they were proposing 8,640 gross square feet for both floors of the two level building, not including the parking lot.

Mr. Hanson stated his biggest concern was how the runoff from this project would impact his property, especially since his home was located in a low area. He referred to Wade Short's previous statement that the wetland was dry at one time, stating there were many times the Shorts couldn't drive through because of the flooding from that wetland.

Chair Bartholomew stated the applicants would be required to retain the water runoff on their own property.

#### **Planning Commission Discussion**

Commissioner Gooch asked what the original proposal was that the applicants felt they could proceed with the request despite all the roadblocks.

Ms. Botten stated staff's first meeting with the developer was very preliminary and at that time they expressed some concern with parking but felt the application was otherwise acceptable. She noted that subsequent to that meeting staff became aware of the wetland impacts and met with the developer at least two more times prior to them making application, at which time staff expressed their concern with the proposed wetland impact.

Chair Bartholomew asked staff to address the point made in the report that the lot may be developing prematurely.

Ms. Botten replied that if the applicants waited until Jim Short was ready to sell his house the property could develop in its entirety which would allow for numerous commercial/retail buildings and for it to be configured as such to have minimal to no impact to the wetlands.

Chair Bartholomew noted that the developer pointed out that their plan still allowed access to Lot 1 and therefore if the lot line were extended beyond the parking lot, and an easement agreement was in place, Lot 1 could still be developed commercial.

Commissioner Hark agreed that the City was lacking in programs for the arts, but could not find a viable hardship for the variance requests. He stated he also felt the traffic setup posed a safety issue.

Chair Bartholomew stated he was only minimally concerned about the variances, but had a hard time supporting the request because of the proposed wetland impact and parking circulation.

Commissioner Simon stated she could not support the request due to wetland and traffic issues and the lack of a hardship.

Commissioner Gooch suggested the item be tabled to allow the applicant's time to bring forward revised plans.

Chair Bartholomew asked the applicants if they would be agreeable to tabling this request to the August 6 Planning Commission meeting, to which Mr. LeNoble replied in the affirmative.

#### **Planning Commission Recommendation**

Motion by Commissioner Koch, second by Commissioner Schaeffer, to table until August 6 the request for a preliminary and final plat for a two lot subdivision, a rezoning of Lot 2 from Agricultural to B-3, General Business, a variance to create a parcel that does not meet the minimum lot size requirements in an Agricultural district (Lot 1), a variance from the side yard setbacks for a parking lot encroachment, and a major site plan approval for an 8,640 square foot building for a dance studio and general retail, for the property located at 9295 Old Concord Boulevard.

Motion carried (9/0).

**P L A N N I N G    R E P O R T**  
**C I T Y   O F   I N V E R   G R O V E   H E I G H T S**

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**REPORT DATE:** July 30, 2008

**CASE NO.:** 08-36VSR

**HEARING DATE:** August 6, 2008 tabled from July 15, 2008

**APPLICANT:** Wade and Jessica Short

**PROPERTY OWNER:** Jim and Patricia Short

**REQUEST:** Rezoning, Preliminary and Final Plat, Variances, and Major Site Plan Review

**LOCATION:** 9295 Concord Boulevard

**COMPREHENSIVE PLAN:** CC, Community Commercial

**ZONING:** A, Agricultural

**REVIEWING DIVISIONS:** Planning  
Engineering

**PREPARED BY:** Heather Botten  
Associate Planner 

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**BACKGROUND**

The Planning Commission reviewed this request at its July 15, 2008 meeting. After discussion on the proposed impact to the wetland and potential traffic and circulation problems the request was tabled for the applicant to re-evaluate the site and revise their proposal. Subsequent the meeting the applicants submitted revised plans for staff review. Some of the main changes are the proposed building is now located north of the wetland, the impact to the wetland has been avoided, and the traffic circulation is in a much safer configuration. The following specific applications are being requested:

- a) A **Preliminary and Final Plat** for a two lot, one outlot subdivision.
- b) A **Rezoning** of Lot 2 and Outlot A from Agricultural to B-3, General Business.
- c) A **Variance** to create a parcel that does not meet the minimum lot size and width requirements in an Agricultural district (Lot 1).
- d) A **Major Site Plan Approval** for an 8,424 square foot structure for a dance studio and general retail (Lot 2).

## **EVALUATION OF THE REQUEST**

### **REZONING**

The City Code, Section 515.40, Sub. 6G states that a rezoning request must be “in the best interest of the physical development of the City” in order to be approved. This suggests that the request should be reviewed against such factors as infrastructure availability; compatibility with existing land uses in the neighborhood; and consistency with the Comprehensive Plan.

Zoning. The property is currently zoned A, Agricultural. A rezoning has been requested to rezone Lot 2 and Outlot A to B-3, General Business. Lot 1 would be left Agricultural.

Infrastructure. The existing infrastructure is planned for commercial development consistent with the proposed plat.

Neighborhood Compatibility The proposed property is guided for Community Commercial. A dance studio and retail uses are permitted uses in the B-3 zoning. This would be the first commercial development on the east side of Cahill in this neighborhood. The west side of Cahill is developed as commercial.

Comprehensive Plan Consistency Another important review standard is how the proposed rezoning would affect the planned mix of land uses in the City as a whole. The property in question is guided CC, Community Commercial. Until future development, Lot 1 is planned to be left agricultural with a single family home on it. An urban development concept plan has been submitted to show the potential commercial development of Lot 1. The proposed B-3 zoning for Lot 2 and Outlot A is consistent with the Comprehensive Plan guiding.

## **PRELIMINARY PLAT**

### **Lots & Blocks.**

The proposed project consists of 2 lots and an outlot on 4.88 acres of land. Lot 1 is proposed at 3.81 acres, Lot 2 at .74 acres and Outlot A at .65 acres. Lot 1 would not meet the minimum lot size or width requirements for the agricultural zoning district. The lot is currently a non-conforming lot in relation to the size but the non-conformity was created by the property owner when he requested and received the approval for a lot split in 2004. The variance from the minimum lot size and width requirements are discussed later in the report.

Urban Development Concept Plan. The applicants submitted an urban development concept plan, also known as a “ghost plat” to demonstrate the potential commercial development on Lot 1 and Outlot A. The proposed building on Outlot A is about 2,100 square feet with 9 parking spaces. If this site was developed as retail the size of the building would have to be reduced a little to meet the

minimum parking requirements. This configuration and size of building is much more acceptable for this area of property. Additionally, Lot 1 is shown to accommodate two buildings, totaling about 8,430 square feet with 66 parking stalls. If this would be developed as retail the proposed layout would meet setback and parking requirements of the Zoning Code. The “flag” portion of the property is to keep road frontage along Cahill Avenue. This area of land could be used as open space or for additional parking. Access to Lot 1 would be available from the ingress/egress easement over Lot 2. Staff is comfortable leaving Lot 1 as agricultural until the property owner is ready to sell/develop the property.

Park Dedication. Park dedication on this project will be cash in lieu of land. If approved, prior to release of the final plat for filing with Dakota County, a cash fee of \$7,000 per acre for Lot 2 would be due. No dedication would be required for Lot 1 or Outlot A at this time; park dedication for these lots would have to be paid at the time of future development.

#### SITE PLAN REVIEW

Parking/Access. There is one access proposed on the site off of Cahill Avenue; it is located directly across from Cafferty Court. As a condition of approval an ingress/egress easement agreement would be required between the property owner and the applicant for future cross access between Lot 1 and Lot 2.

Parking standards for a retail building (less than 10,000 square feet) is one space per 150 square feet. The proposed retail portion of the building is about 1,800 square feet. This results in a requirement of 12 parking spaces. The Zoning Code does not address parking for dance studios. When a use is not covered in the code, the required number of spaces can be determined by the most similar use, or as determined by the Council. The Zoning Code does have parking requirements for Health Clubs/Private Clubs/Community Centers; using this calculation the dance studio would be required to have 23 parking spaces; totaling 35 stalls combined with the retail. The site plan shows a total of 34 spaces for the site.

The applicants have stated they do not have a lot of students who drive; the majority of the students are dropped off/picked up by a parent. Therefore they feel the proposed parking is more than adequate. Staff is comfortable with the number of parking stalls, though, there is not a good “drop off” area proposed. But, there is adequate parking near the building for parents to park and wait for their child/children.

Grading and Drainage. Staff recommends that a condition be included stating prior to issuance of building permits, the grading, drainage and erosion control plans and stormwater management shall be subject to the review and approval of the City Engineering Department. The required drainage and utility easements, as approved by the City Engineering Department, will have to be shown on the final plat.

Tree Preservation/Landscaping. In order to determine compliance with the Tree Preservation Ordinance, the applicant has provided a tree inventory on the property. Tree species consist of elm, poplar, aspen, cherry and oak. The ordinance allows 60% removal before reforestation is required on B-3 zoned lots and 25% removal on Agricultural lot. The proposed development would not be removing any significant trees on Lot 1 or Outlot A at this time. The development of Lot 2 would be removing 76.5% of the significant trees, triggering the reforestation requirements for this lot. Based on the type of species, a total of 49.4 caliper inches of trees are required to be replanted on Lot 2 to satisfy tree preservation requirements.

A landscape plan has been submitted for review. The City's landscape policy requires a minimum of 18 over-story trees, or the equivalent, be planted on site for Lot 2. This is based on one tree per 50 lineal feet of the site perimeter plus one tree per 10 parking spaces. Over story trees equal minimum 2.5 caliper inch deciduous or minimum six foot tall coniferous trees. Equivalent plantings are allowed at 2:1 for ornamental trees and 6:1 for shrubs. At least 50% of the plantings must be over story.

The submitted landscape plan provides for a total of 28 over story trees (107 caliper inches) for Lot 2, meeting the City requirements. The plantings consist of over story trees located mainly around the perimeter of the property and no shrub plantings.

Roof Top Equipment. As a consistent policy of commercial development, any roof top equipment should be screened from view from the street. If necessary, the form of screening will be reviewed at time of building permit.

Exterior Building Materials. Preliminary elevation plans have been provided indicating the building will be constructed of precast concrete panels with a blue and white metal panel on all four sides of the building. The proposed materials meets the Zoning Code requirements.

Signage. Any signage proposed must comply with the signage allotment for the B-3 zoning district. Signage would be reviewed with the submittal of a sign permit. Directional signs would be required to help direct traffic flow.

Lighting. The site plan does not show any details of lighting for the lot or building. All exterior lighting shall be diffused or directed away from all property lines and public right-of-ways. The direct source of light shall not be visible from any abutting property or public right-of-way. The typical City standard for lights are a shoe-box design where the bulb is entirely within the light housing. The plans will be subject to the review of the Chief Building Official at time of building permit review.

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

Wetlands. There are two wetlands on the subject site. With the proposed location of the building on the north side of the wetland there is no impact to the wetlands.

Improvement Agreement. An improvement agreement will be executed between the City and the developer. The agreement will address the necessary site improvements including a storm water maintenance agreement, the parties responsible for the improvements, and will require financial surety for the landscaping, erosion control and any other improvements that may be necessary. A developer is required to enter into a contract with the City addressing the improvements and construction on site. A letter of credit equal to 125% of the cost of these improvements is required before release of the plat. This requirement assures the City that these particular improvements will be constructed to the satisfaction of the City. The contract would be negotiated with the final plat and approved by the City Council.

## VARIANCES

As indicated earlier, the applicant is requesting a variance to create a lot that does not meet minimum lot size and width requirements in the Agricultural district.

City Code Section 515.59, states that the City Council may grant variances in instances where practical difficulties exist or where a hardship would be imposed upon the property owner if the code were strictly enforced. In order to grant the requested variances, the City Code identifies several criteria which are to be considered. The applicant's request is reviewed below against those criteria.

- a. *Special conditions apply to the structure or land in question which are peculiar to such property or immediately adjoining property, and do not apply generally to other land or structures in the district in which said land is located.*

The general intent of this standard is to limit the precedent that could be set if the variance was granted. The building pad area meets the minimum lot width requirements. The property line between Lot 1 and 2 could run to the north boundary which would eliminate the lot width variance but would be creating a lot without road frontage requiring a variance from that zoning code requirement.

- b. *The granting of the application will not be contrary to the intent of the Zoning Code or the Comprehensive Plan.*

The Variance for the minimum lot width is not contrary to the Zoning Code or Comprehensive Plan since the width of the actual building pad is over 200 feet wide. Additionally there is an existing home on the lot. No additional homes are allowed or proposed on the lot. The lot size request could be found contrary to the intent of the Zoning Code as the request increases a non-conforming lot size.

- c. *The granting of such variance is necessary as a result of a demonstrated undue hardship or difficulty, and will not merely serve as a convenience to the applicant.*

The 30 foot road frontage requirement is met. The property could be split east/west but then would need a variance from the lot frontage along a road. Approving the lot width variances still provides road frontage to Cahill Avenue and where the existing home is located the minimum lot width requirements are met.

The lot size variance would be increasing a non-conformity. The applicant has submitted a concept plan for the development of Lot 1 demonstrating potential future commercial development of the site.

- d. *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 actions should be recommended for approval:
- Approval of a **Rezoning** of Lot 2 and Outlot A from A, Agricultural to B-3, General Business subject to the following conditions:
    1. The rezoning shall not become effective until the final plat is approved by the City and recorded with the County. In the event a final plat is not approved, the rezoning shall become null and void and the zoning of the property shall remain in its current classification
  - Approval of the **Preliminary Plat and Final Plat** of Short Dance Studios subdivision subject to the following conditions:
    1. The final plat and development plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat  
Preliminary Site Plan

dated 07/28/08  
dated 07/28/08

2. A park dedication fee equal to \$7,000 per acre for Lot 2 shall be paid to the City prior to release of the final plat.
  3. Drainage and utility easements shall be provided on the final plat as required by the City Engineering Department.
- Approval of the **Variance** for Lot 1 to create a lot that does not meet the minimum size or width requirements in the Agricultural zoning district.

**Hardship:** The lot would either require a variance from the road frontage or lot width to split the lot. The lot meets the lot width requirements at the building pad area. A concept plan has been submitted demonstrating a future commercial development of Lot 1, consistent with the Comprehensive Plan.

- Approval of a **Major Site Plan Review** for an 8,424 square foot building located on Lot 2, Short Dance Studios 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 07/28/08
Landscaping/Reforestation Plan	dated 07/28/08
Grading Plan	dated 07/28/08
Urban Development Concept Plan	dated 07/28/08
  2. Prior to issuance of building permits, the stormwater management, final grading, drainage and erosion control, and utility plans shall be approved by the City Engineering Department.
  3. Any roof top equipment shall be screened from view from the street.
  4. All final development plans shall be subject to the review and approval of the City Fire Marshal.
  5. All exterior lighting shall be diffused or directed away from all property lines and public right-of-ways. The direct source of light shall not be visible from any abutting property or public right-of-way. The plans will be subject to the review of the Chief Building Official at time of building permit review.

6. Prior to the issuance of any building permits, an improvement agreement will be executed between the City and the developer. The agreement will address the necessary site improvements including a storm water facilities maintenance agreement, ingress/egress access agreements, the parties responsible for the improvements, and will require financial surety for the landscaping, erosion control and any other improvements that may be necessary.
7. All signage requires issuance of sign permits which will require a complete sign inventory to verify proposed overall signage will comply with the code.
8. All four sides of the building shall have an equally attractive or the same fascia as the front of the building. Revised elevations shall be submitted and approved by the City Planning Department prior to the release of the building permit.

**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.

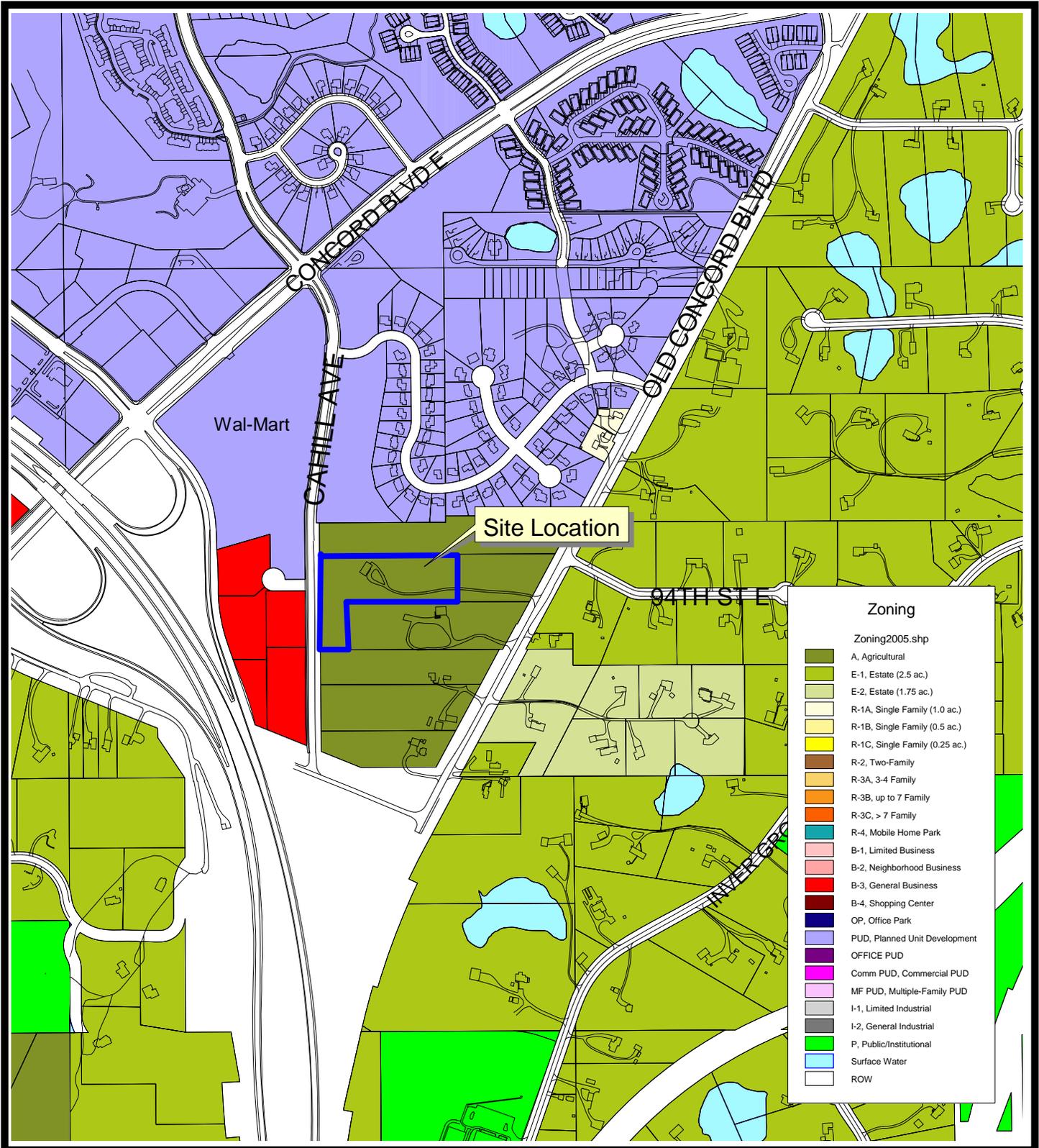
## **RECOMMENDATION**

Based on the information in the preceding report and the rational listed in Alternative A, staff is recommending approval of the request.

Attachments: Exhibit A – Site/Zoning Map  
Exhibit B – Comprehensive Plan Map  
Exhibit D– Plat  
Exhibit E – Development Plans  
Exhibit F - Elevations



# Short Dance Studio Case No. 08-36VSR

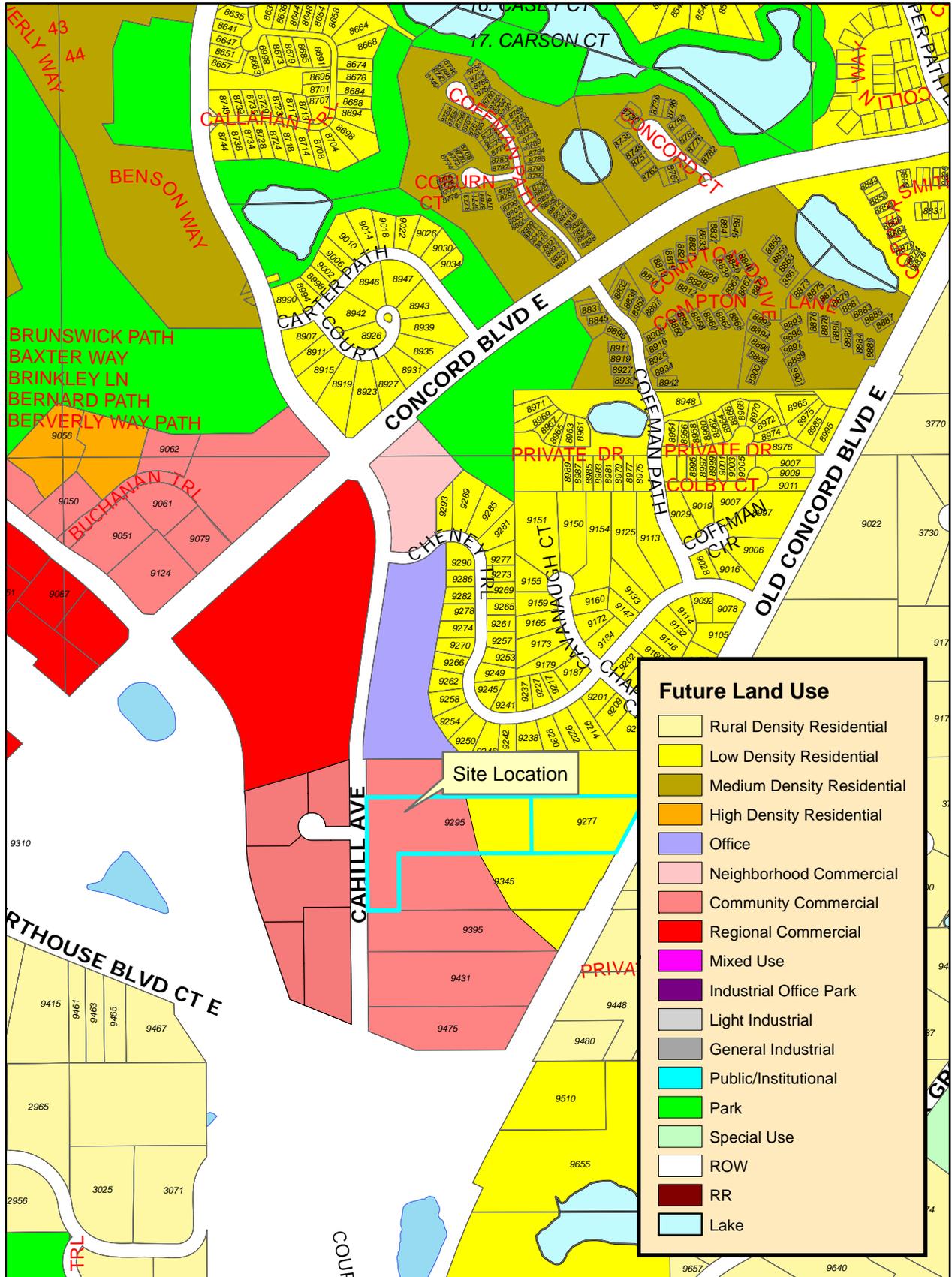


Map is not to scale

Exhibit A  
Zoning and Location Map



# Wade and Jessica Short Case No. 08-36VSR



Future Land Use Map



**Client**  
**WADE & JESSICA**  
**SHORT**  
 6530 CAHILL AVE.  
 INVER GROVE HEIGHTS, MN 55076

**Project**  
**SHORT DANCE**  
**STUDIOS**

**Location**  
**INVER GROVE**  
**HEIGHTS, MN**

**Certification**  
 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 Professional ENGINEER under the laws of the State of Minnesota.

*Matthew R. Deunwald*  
**Matthew R. Deunwald**  
 Registration No. 45403 Date: 06/16/08

**Summary**  
 Designed: MRD Drawn: JLT  
 Approved: MRD Book / Page:  
 Phase: FINAL Initial Issue: 04/14/2007

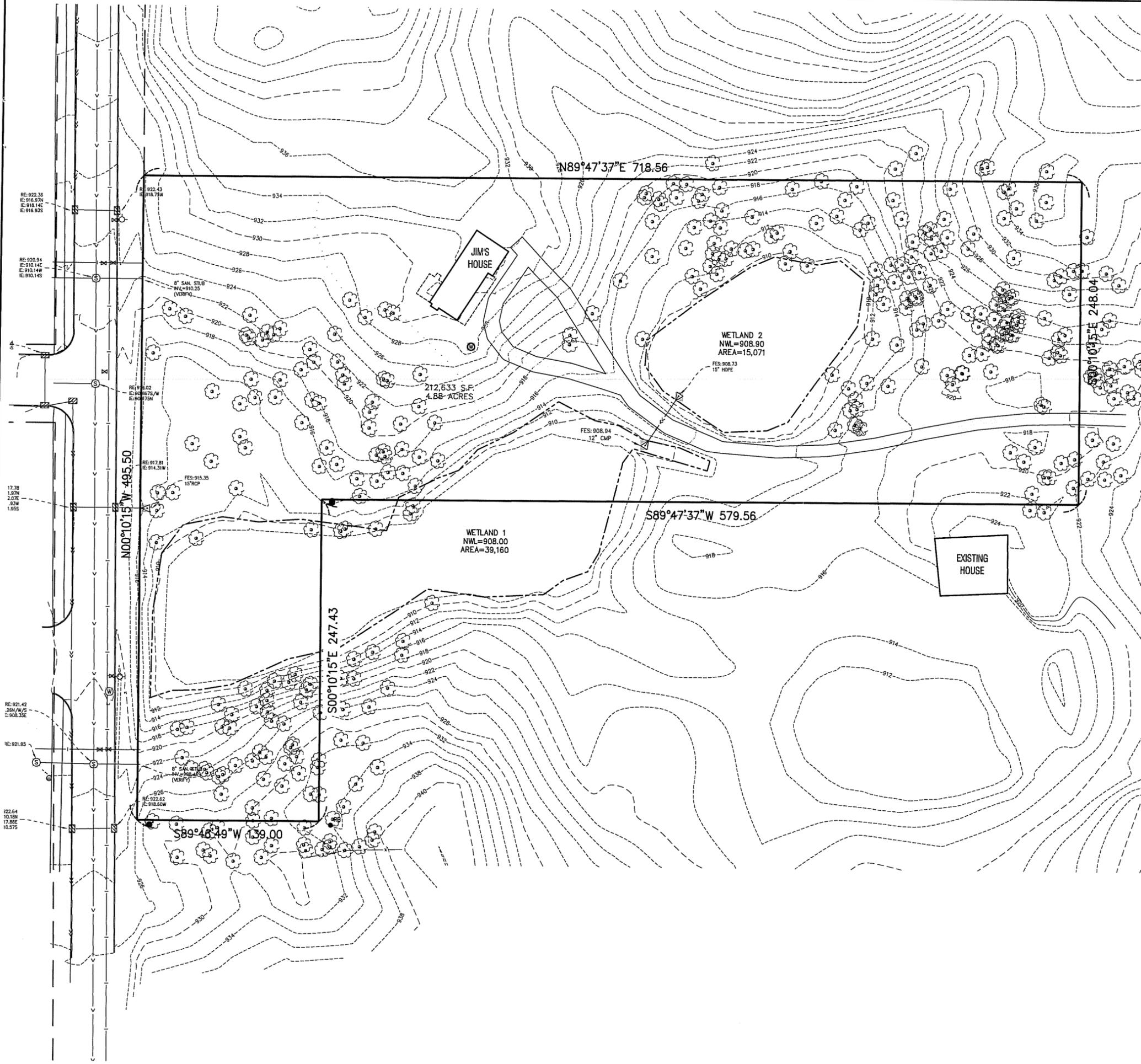
**Revision History**

No.	Date	By	Submittal / Revision
A	07/03/2008	MRD	Revised per City comments
B	07/28/08	JMT	Revised per City comments

**Sheet Title**  
**EXISTING**  
**CONDITIONS**

**Sheet Number** Revision  
**C-2.01** B

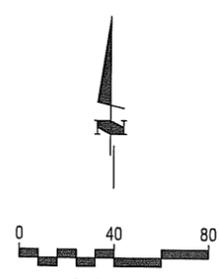
**Project No.** KOM16846



**LEGEND**

● FOUND MONUMENT	—○— WATERMAIN	--- EASEMENT LINE
□ SET MONUMENT	—○— SANITARY SEWER	--- SETBACK LINE
⊙ ELECTRIC METER	—○— STORM SEWER	--- RIGHT OF ACCESS
⊙ LIGHT	—○— FLARED END SECTION	--- CONCRETE CURB
⊙ AIR CONDITIONER	—○— ELECTRIC TRANSFORMER	--- BUILDING LINE
— GUY ANCHOR	—○— TELEPHONE PEDESTAL	--- BUILDING CANOPY
⊙ HANDICAP STALL	—○— GAS METER	--- BITUMINOUS SURFACE
⊙ UTILITY POLE	—○— OVERHEAD WIRE	--- CONCRETE SURFACE
⊙ GUARD POST	—○— CHAIN LINK FENCE	--- LANDSCAPE SURFACE
⊙ BOLLARD	—○— IRON FENCE	--- DECIDUOUS TREE
⊙ SIGN	—○— WIRE FENCE	--- CONIFEROUS TREE
	—○— WOOD FENCE	

- GENERAL NOTES**
- Bearing system shown is based on a meets and bounds survey.
  - The underground utility locations, shown hereon, are based on plans and drawings; supplemental field surveys and other sources. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location as indicated although he does certify that they are located accurately as possible from information available. The surveyor has not physically located the underground utilities. Pursuant to MS 216D contact Gopher State One Call at (651-454-0002) prior to any excavation.
  - This property is in Zone C of the Flood Insurance Rate Map; Community Panel Number 270106 0010, dated Aug. 01, 1980.
    - Property Zoning: Agricultural (A)
    - Building Height: 35'
    - Building Setbacks:
      - Front yard = 30 feet
      - Side yard = 25 feet
      - Rear yard = 60 feet
      - Side or rear-yard adjoining street = 25 feet
    - Lot Width: 200 FT
    - Lot Area: 5.00 AC
  - Property Identification Number: 20-02-200-023-27
  - Address: 6530 Cahill Avenue  
Inver Grove Heights, MN 55076
  - Area: 212,833 sq. ft. 4.88 acres
  - Field Work was Completed June 1, 2008



**Client**  
**WADE & JESSICA  
 SHORT**  
 6530 CAHILL AVE.  
 INVER GROVE HEIGHTS, MN 55076

**Project**  
**SHORT DANCE  
 STUDIOS**

**Location**  
**INVER GROVE  
 HEIGHTS, MN**

**Certification**

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 Professional ENGINEER under the laws of the State of Minnesota.

*Matthew R. Duenwald*  
**Matthew R. Duenwald**  
 Registration No. 45403 Date: 06/16/08  
 If applicable, contact us for a wet signed copy of this plan which is available upon request at McCombs Frank Roos Associates, Inc., Plymouth, MN office.

**Summary**

Designed: MRD Drawn: JLT  
 Approved: MRD Book / Page:  
 Phase: FINAL Initial Issue: 04/14/2007

**Revision History**

No.	Date	By	Submittal / Revision
A	07/03/2008	MRD	Revised per City comments
B	07/28/08	JMT	Revised per City comments

**Sheet Title**  
**SITE PLAN**

**Sheet Number Revision**  
**3.01 B**

**Project No.** KOM16846

**LEGEND**

	PROPOSED	EXISTING
CURB & GUTTER	—●—	—○—
STORM SEWER	—●—	—○—
SANITARY SEWER	—●—	—○—
FORCEMAIN (SAN)	—○—	—○—
WATERMAIN	—●—	—○—
EASEMENT	— —	— —
DRAINTILE	—>>DT>>	—>>DT>>
GAS LINE	—UG—	—UG—
ELECTRIC	—UE—	—UE—
TELEPHONE	—UT—	—UT—

**DEVELOPMENT SUMMARY**

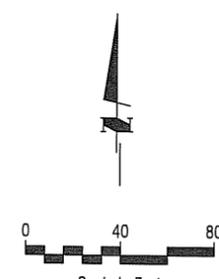
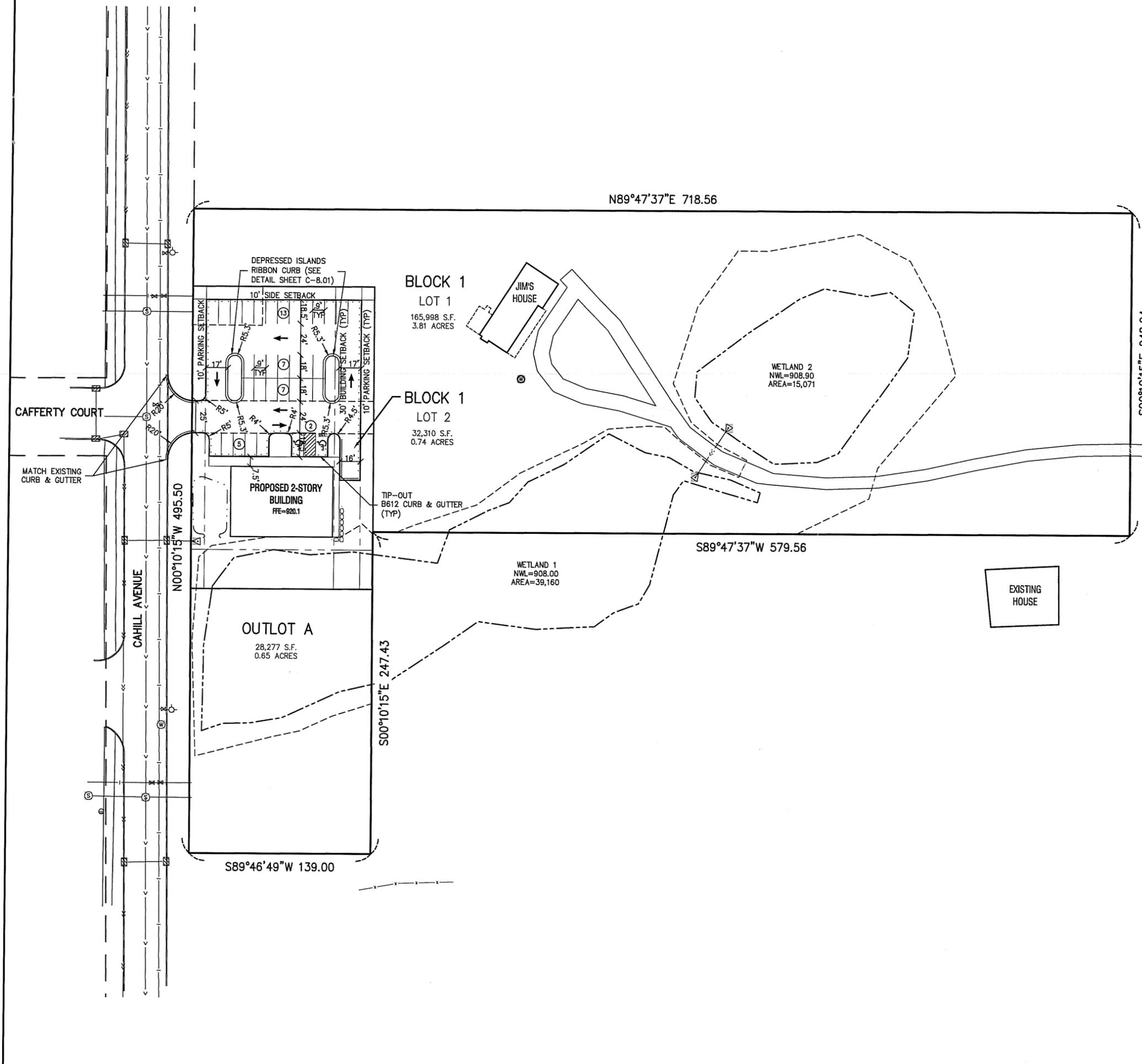
<b>AREA</b>		
GROSS SITE AREA	46,650 SF	1.07 AC
<b>SETBACKS</b>		
FRONT YARD		10 FEET
REAR YARD		30 FEET
SIDE YARD		10 FEET
<b>ZONING</b>		
EXISTING ZONING		A
PROPOSED ZONING		B-3
<b>BUILDING REQUIREMENTS</b>		
MAXIMUM BUILDING HEIGHT		35 FT

**PARKING DATA**

90 DEGREE STALLS	32 VEHICLES
H.C. STALLS	1 VEHICLES
VAN ACCESSIBLE H.C. STALLS	1 VEHICLES
TOTAL PARKING	34 VEHICLES
<b>TYPICAL PARKING DIMENSIONS</b>	
WIDTH (60°)	10.4'
WIDTH (90°)	9'
DEPTH (60°)	19'
DEPTH (90°)	18'
ONE WAY AISLES	12'
TWO WAY AISLES	24'

**DEVELOPMENT NOTES**

- ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.
- ALL DIMENSIONS SHOWN ARE TO THE BACK OF CURB TO BACK OF CURB UNLESS OTHERWISE NOTED. BACK OF CURB IS SHOWN GRAPHICALLY ONLY.
- ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
- ALL PARKING STALLS TO BE 9' IN WIDTH AND 18' IN LENGTH UNLESS OTHERWISE INDICATED.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXIT PORCHES, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- REFER TO FINAL PLAT FOR LOT BOUNDARIES, LOT NUMBERS, LOT AREAS, AND LOT DIMENSIONS.
- CONSTRUCTION OF SIDEWALKS (RAMPS) WITH A SLOPE GREATER THAN 1:20 OR 5% SHALL COMPLY WITH ADA STANDARDS. A SLIP RESISTANT SURFACE SHALL BE PROVIDED ON THESE SIDEWALK SURFACES. HANDRAILS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADA STANDARDS ON BOTH SIDES OF THE SIDEWALK (RAMP).
- "NO PARKING" SIGNS SHALL BE PLACED ALONG ALL DRIVEWAYS AS REQUIRED BY CITY.
- DRAINAGE AND UTILITY EASEMENTS SHALL BE PROVIDED AS REQUIRED. DRAINAGE AND UTILITY EASEMENTS WILL BE PROVIDED OVER ALL PUBLIC UTILITIES AND UP TO THE HIGH WATER LEVEL OF ALL PONDS





McCombs Frank Ross Associates, Inc.

14800 28th Avenue North, Suite 140  
Plymouth, Minnesota • 55447  
phone: 763/476-8010 • fax: 763/476-8532  
website: www.mfra.com

**Client**  
**WADE & JESSICA SHORT**

6530 CAHILL AVE.  
INVER GROVE HEIGHTS, MN 55076

**Project**  
**SHORT DANCE STUDIOS**

**Location**  
**INVER GROVE HEIGHTS, MN**

**Certification**  
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 Professional ENGINEER under the laws of the State of Minnesota.

*Matthew R. Duenwald*  
**Matthew R. Duenwald**  
Registration No. 45403 Date: 06/16/08

**Summary**  
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Approved: MRD Book / Page:  
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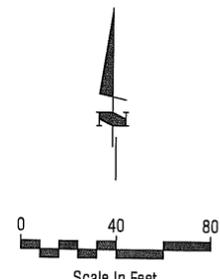
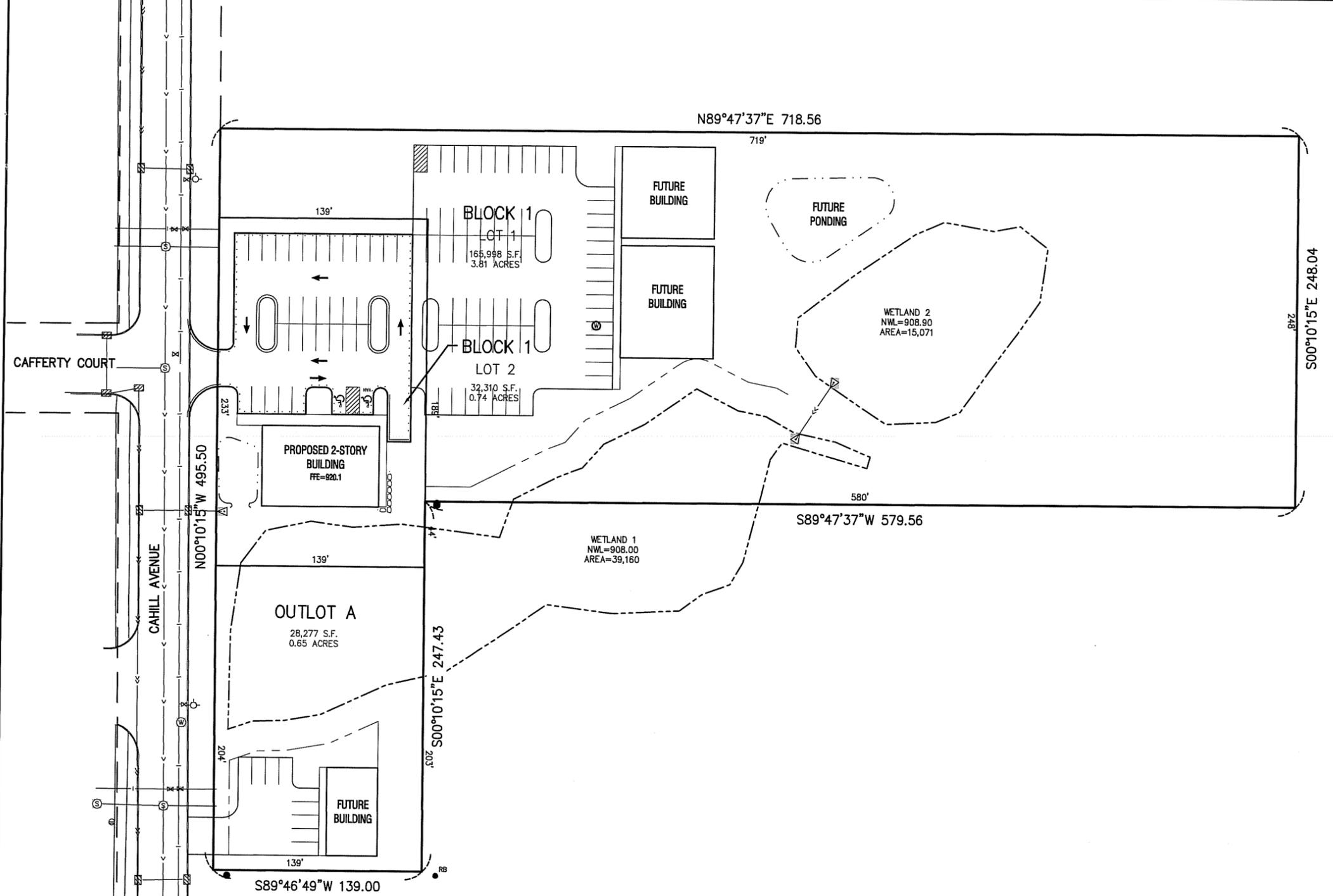
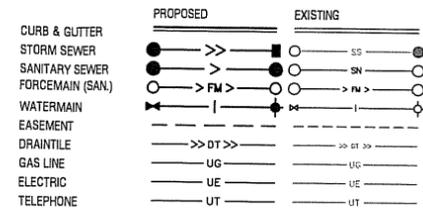
**Revision History**

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A	07/03/2008	MRD	Revised per City comments
B	07/28/08	JMT	Revised per City comments

**Sheet Title**  
**URBAN DEVELOPMENT CONCEPT PLAN**

**Sheet Number Revision**  
**C-3.03**

**Project No.** KOM16846



04/27/2008 2:20pm - 148224 L:\p\m\1020116\1020116.dwg (10/20/07) 10/20/07 10:20:07 AM



**Client**  
**WADE & JESSICA**  
**SHORT**  
 6530 CAHILL AVE.  
 INVER GROVE HEIGHTS, MN 55076

**Project**  
**SHORT DANCE**  
**STUDIOS**

**Location**  
**INVER GROVE**  
**HEIGHTS, MN**

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*Matthew R. Duenwald*  
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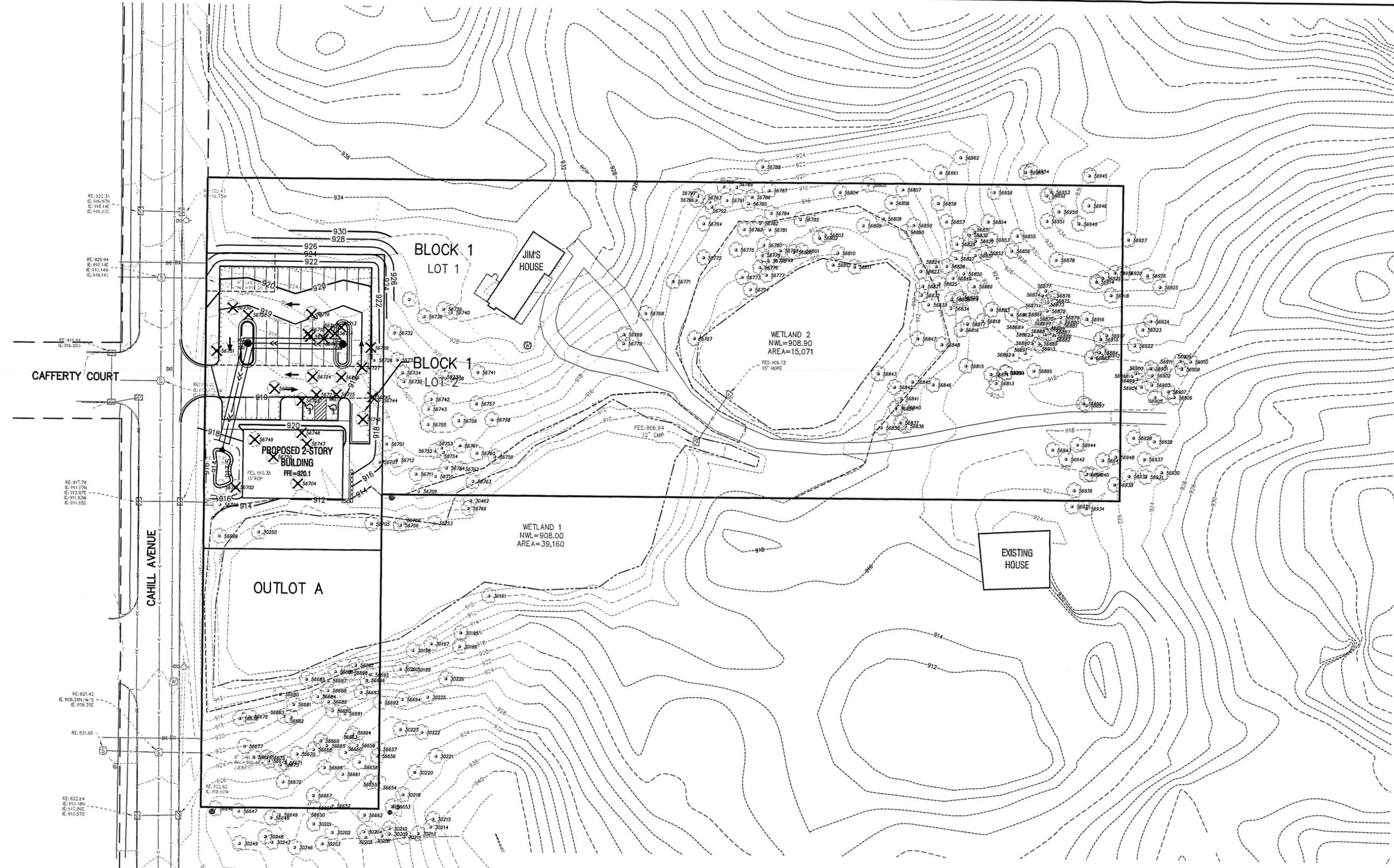
**Revision History**

No.	Date	By	Submittal / Revision
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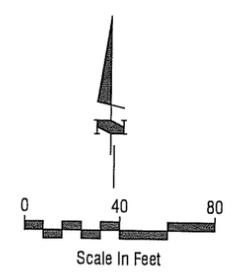
**Sheet Title**  
**TREE**  
**PRESERVATION**  
**PLAN**

**Sheet Number Revision**  
**C-4.03 B**

**Project No.** KOM16840



**LEGEND:**  
 TREE TO BE REMOVED   
 TREE TO BE SAVED 





**Client**  
**WADE & JESSICA SHORT**  
 6530 CAHILL AVE.  
 INVER GROVE HEIGHTS, MN 55076

**Project**  
**SHORT DANCE STUDIOS**

**Location**  
**INVER GROVE HEIGHTS, MN**

**Certification**  
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*Matthew R. Duenwald*  
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 Registration No. 45403 Date: 06/16/08

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**Summary**  
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 A 07/02/08 MRD Revised per City comments  
 B 07/28/08 JMT Revised per City comments

**Sheet Title**  
**TREE PRESERVATION PLAN**  
 Sheet Number Revision  
**C-4.04 B**  
 Project No. KOM16840

**LOT 1-AGRICULTURAL**

56709	10	Poplar		56801	10	Poplar		56868	10	Aspen
56710	10	Poplar		56802	9	Oak		56869	8	Aspen
56711	8	Poplar		56803	13	Oak		56870	8	Aspen
56712	9	Poplar		56804	12	Cherry		56871	8	Aspen
56732	8	Poplar		56805	11	Cherry		56872	8	Aspen
56733	8	Poplar		56806	12	Box Elder		56873	8	Aspen
56734	10	Cherry		56807	10	Box Elder		56874	8	Aspen
56735	9	Poplar		56808	10	Box Elder		56875	8	Aspen
56736	24	Oak		56809	18	Box Elder		56876	8	Aspen
56737	8	Oak		56810	8	Box Elder		56877	10	Aspen
56738	9	Poplar		56811	10	Box Elder		56878	12	Oak
56739	24	Oak		56812	10	Box Elder		56879	8	Aspen
56740	16	Oak		56813	12	Aspen		56880	8	Aspen
56741	9	Cherry		56814	12	Aspen		56881	8	Aspen
56742	9	Poplar		56815	8	Aspen		56882	8	Aspen
56743	9	Poplar		56816	16	Oak		56883	12	Aspen
56751	9	Poplar		56817	16	Oak		56884	10	Elm
56752	9	Poplar		56818	16	Oak		56885	8	Aspen
56753	10	Poplar		56819	8	Aspen		56886	8	Aspen
56754	19	Poplar		56820	8	Aspen		56887	8	Aspen
56755	8	Elm		56821	8	Aspen		56888	8	Aspen
56756	8	Elm		56822	10	Aspen		56889	8	Aspen
56757	11	Poplar		56824	8	Aspen		56890	8	Aspen
56758	13	Poplar		56825	8	Aspen		56891	10	Aspen
56759	12	Poplar		56826	8	Aspen		56892	8	Aspen
56760	10	Poplar		56827	8	Aspen		56894	10	Aspen
56761	10	Poplar		56828	10	Aspen		56895	8	Cherry
56762	8	Poplar		56829	8	Aspen		56896	12	Elm
56763	20	Oak		56830	8	Aspen		56897	10	Elm
56764	8	Poplar		56831	10	Aspen		56898	16	Aspen
56767	11	Elm		56832	8	Aspen		56911	14	Aspen
56768	20	Cottonwood		56833	10	Aspen		56912	10	Aspen
56769	10	Oak		56834	8	Aspen		56913	8	Aspen
56770	15	Oak		56835	8	Aspen		56914	16	Oak
56771	10	Elm		56836	8	Elm		56915	12	Aspen
56772	8	Poplar		56837	10	Elm		56916	8	Aspen
56773	10	Box Elder		56838	8	Cedar		56917	12	Aspen
56774	10	Oak		56839	12	Aspen		56918	8	Oak
56775	8	Poplar		56840	10	Aspen		56919	16	Oak
56776	9	Poplar		56841	8	Aspen		56920	8	Cherry
56777	8	Poplar		56842	8	Aspen		56921	8	Oak
56778	8	Poplar		56843	14	Aspen		56922	10	Aspen
56779	8	Poplar		56845	8	Aspen		56927	8	Cherry
56780	8	Poplar		56846	8	Aspen		56928	14	Aspen
56781	9	Poplar		56847	14	Aspen		56932	18	Oak
56782	10	Poplar		56848	8	Aspen		56936	10	Cherry
56783	8	Poplar		56849	8	Aspen		56938	18	Oak
56784	16	Oak		56850	8	Aspen		56940	8	Aspen
56785	10	Cherry		56851	8	Aspen		56941	8	Aspen
56786	16	Oak		56852	10	Aspen		56942	12	Cherry
56787	10	Poplar		56853	14	Oak		56943	10	Aspen
56789	10	Poplar		56854	8	Aspen		56944	12	Aspen
56790	10	Poplar		56855	24	Oak		56946	24	Oak
56791	8	Poplar		56856	8	Aspen		56947	12	Aspen
56792	8	Poplar		56857	20	Oak		56948	8	Birch
56793	10	Poplar		56858	8	Elm		56949	14	Cherry
56794	10	Poplar		56859	14	Cherry		56950	14	Oak
56795	17	Oak		56860	8	Aspen		56951	20	Oak
56796	11	Poplar		56861	10	Aspen		56952	14	Oak
56797	11	Poplar		56862	8	Aspen		56953	16	Oak
56798	8	Elm		56863	12	Oak		56956	20	Oak
56799	8	Poplar		56866	8	Aspen		80000	8	Aspen
56800	10	Poplar		56867	10	Aspen				

**LOT 2-B-3**

30250	13	Willow
56699	31	Oak
56700	31	Oak
56701	8	Box Elder
56702	9	Oak
56704	11	Elm
56705	18	Poplar
56707	9	Poplar
56708	9	Elm
56713	26	Oak
56714	16	Oak
56715	16	Oak
56716	18	Oak
56717	17	Oak
56718	12	Oak
56719	16	Oak
56720	9	Oak
56721	9	Box Elder
56722	11	Oak
56723	11	Poplar
56724	9	Poplar
56725	10	Poplar
56726	10	Poplar
56727	12	Oak
56728	12	Oak
56729	6	Oak
56730	13	Oak
56731	9	Poplar
56744	8	Poplar
56745	9	Poplar
56746	11	Poplar
56747	9	Poplar
56748	6	Poplar
56749	6	Oak
56750	9	Poplar

**OUTLOT A-AGRICULTURAL**

56651	8	Cherry
56652	12	Oak
56654	12	Oak
56655	15	Oak
56656	16	Oak
56657	18	Oak
56658	13	Oak
56659	11	Oak
56660	9	Poplar
56661	9	Oak
56663	10	Oak
56664	10	Oak
56665	10	Oak
56666	10	Oak
56667	9	Oak
56668	11	Oak
56669	9	Cherry
56670	11	Oak
56671	10	Oak
56672	14	Oak
56673	12	Oak
56674	8	Oak
56675	7	Cherry
56676	10	Oak
56677	11	Cherry
56678	8	Poplar
56679	12	Poplar
56680	10	Cherry
56681	8	Box Elder
56682	16	Oak
56683	11	Oak
56684	9	Poplar
56685	8	Poplar
56686	10	Poplar
56687	8	Poplar
56688	8	Poplar
56689	8	Oak
56690	8	Poplar
56691	8	Poplar
56692	8	Poplar
56693	14	Oak
56695	8	Poplar
56696	8	Poplar
56697	9	Poplar
56698	8	Poplar

**WITHIN 30' OF GRADING LIMITS (OFF-SITE)**

30191	10			Willow	56935	10	Aspen
30195	30			Oak	56937	24	Oak
30196	14			Oak	56945	12	Cherry
30197	8			Poplar	56954	8	Oak
30198	13			Oak	56955	16	Oak
30199	8			Oak	56961	16	Hackberry
30200	8			Poplar	56962	18	Box Elder
30201	8			Oak			
30202	16			Oak			
30203	18			Oak			
30204	13			Oak			
30205	9	15		Oak			
30206	8			Oak			
30209	13			Oak			
30210	12			Oak			
30211	12			Oak			
30213	7			Cherry			
30214	12			Oak			
30215	13			Oak			
30218	9	11		Oak			
30220	18			Oak			
30221	9			Oak			
30222	13	17		Oak			
30223	9			Oak			
30225	14			Oak			
30226	12			Oak			
30246	12	13		Oak			
30247	10			Oak			
30248	13			Oak			
30249	8	11		Cherry			
30253	13			Willow			
30462	12	12	14	Willow			
56646	16	16		Oak			
56647	7			Cherry			
56648	9			Oak			
56649	8			Oak			
56650	14			Oak			
56653	12			Oak			
56662	15			Oak			
56694	17	10		Oak			
56706	14	14	12	Willow			
56766	12	14		Willow			
56788	30			Cherry			
56899	12			Aspen			
56900	16			Aspen			
56901	14			Aspen			
56902	12			Aspen			
56903	10			Aspen			
56904	8			Aspen			
56905	10			Aspen			
56906	8			Cherry			
56907	8			Aspen			
56908	14			Aspen			
56909	10			Elm			
56910	8			Aspen			
56923	8			Cherry			
56924	10			Cherry			
56925	16			Box Elder			
56926	8			Cherry			
56929	8			Elm			
56930	14			Oak			
56931	24			Oak			
56934	12			Elm			

**TREE SUMMARY LOT 1-AGRICULTURAL**

TOTAL TREE INCHES (DIAMETER)= 1,999  
 INCHES TO BE REMOVED= 0  
 TREE REMOVAL= 0.0%  
 INCHES TO BE REPLACED = 0

**TREE SUMMARY-B-3**

TOTAL TREE INCHES (DIAMETER)= 458  
 INCHES TO BE REMOVED= 340  
 TREE REMOVAL= 74.2%  
 INCHES TO BE REPLACED=(SEE LANDSCAPE & REFORESTATION PLAN)

**TREE SUMMARY OUTLOT A-AGRICULTURAL**

TOTAL TREE INCHES (DIAMETER)= 509  
 INCHES TO BE REMOVED= 0  
 TREE REMOVAL= 0.0%  
 INCHES TO BE REPLACED= 0

**WITHIN GRADING LIMITS (30 FEET)**

**Client**  
**WADE & JESSICA  
 SHORT**  
 6530 CAHILL AVE.  
 INVER GROVE HEIGHTS, MN 55076

**Project**  
**SHORT DANCE  
 STUDIOS**

**Location**  
**INVER GROVE  
 HEIGHTS, MN**

**Certification**  
 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 Professional Landscape Architect under the laws of the State of Minnesota.

**Kevin Teppen**  
 Registration No. .... Date: **07.07.08**  
 If applicable, contact us for a wet signed copy of this plan which is available upon request at McCombs Frank Roos Associates, Inc., Plymouth, MN office.

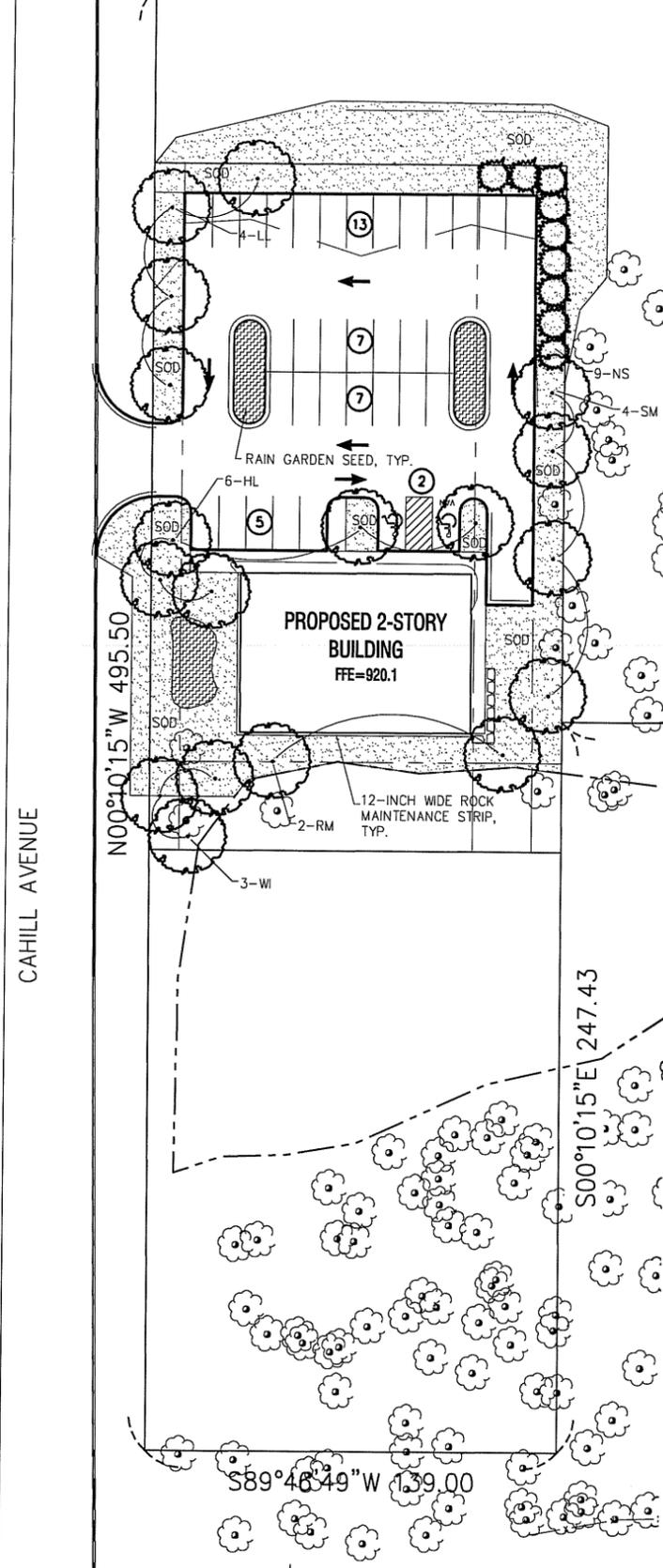
**Summary**  
 Designed: kt Drawn: kt  
 Approved: kt Book / Page:  
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**Revision History**  
 No. Date By Submittal / Revision

**Sheet Title**  
**LANDSCAPE  
 PLAN**

**Sheet Number Revision**  
**7.01**

**Project No. KOM16846**



**PLANT SCHEDULE- LOT 2**

KEY	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
HL	6	THORNLESS HONEYLOCUST	GLIDITSIA TRIACANTHOS 'SKYCOLE'	2.5" CAL.	B&B	FULL STR. LEADER, NO 'V' CROTCH
LL	4	LITTLELEAF LINDEN	TILIA CORDATA	4" CAL.		
SM	4	SUGAR MAPLE	ACER SACCHARUM			
RM	2	RED MAPLE	ACER RUBRUM			
WI	3	PRAIRIE CASCADE WILLOW	SALIX 'PRAIRIE CASCADE'	10' HT	FULL FORM TO GRADE	
QA	0	QUAKING ASPEN	POPULUS TREMULOIDES			
BS	0	BLACK HILLS SPRUCE	PICEA GLAUCA DENSATA			
NS	9	NORWAY SPRUCE	PICEA ABIES			

QUANTITIES SHOWN IN THE PLANTING SCHEDULE ARE FOR THE CONTRACTOR'S CONVENIENCE. CONTRACTOR TO VERIFY QUANTITIES SHOWN ON THE PLAN.

**PLANT REQUIREMENTS**

**TREE REQUIREMENTS:** (743 LF OF PROPERTY)/(50)= 15 TREE (1PER 50 LF).  
**TREES PROVIDED:** 15 TREES

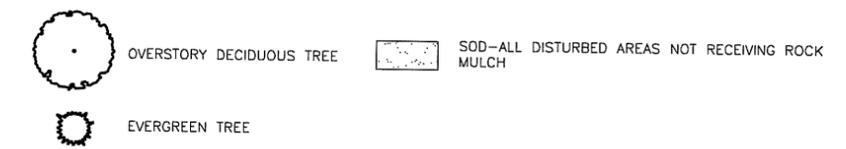
**REFORESTATION REQUIREMENTS**

**EXISTING TREE REMOVALS- LOT 2:**  
 -CLASS A: 76.7% (60% ALLOWED)  
 -CLASS B: 0.0% (60% ALLOWED)  
 -CLASS C: 72.5% (60% ALLOWED)  
 -CLASS D: 0.0% (60% ALLOWED)

**TREE REPLACEMENT REQUIREMENTS-**  
 -CLASS A: 15.8 (TOTAL CAL. INCHES)  
 -CLASS B: 0.0 (TOTAL CAL. INCHES)  
 -CLASS C: 33.6 (TOTAL CAL. INCHES)  
 -CLASS D: 0.0 (TOTAL CAL. INCHES)

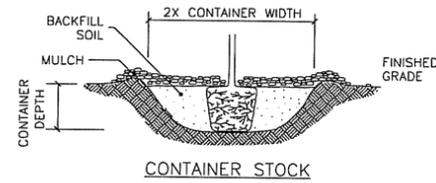
**TREE REPLACEMENT PROVIDED-**  
 -CLASS A: 16 (TOTAL CAL. INCHES)  
 -CLASS B: N/A  
 -CLASS C: 36 (TOTAL CAL. INCHES)  
 -CLASS D: N/A

**PLANT LEGEND**

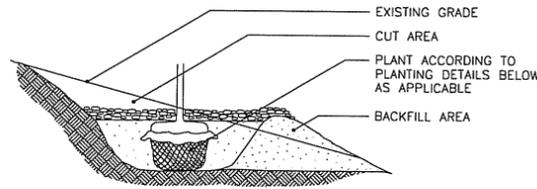


**LANDSCAPE NOTES**

- LANDSCAPE CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS ON PROPERTY WITH THE GENERAL CONTRACTOR AND BY CALLING GOPHER STATE ONE CALL (651-454-0002) PRIOR TO STAKING PLANT LOCATIONS.
- VERIFY ALL LANDSCAPE IMPROVEMENTS WITH REMOVALS AND SITE WORK. CONTRACTOR TO DISPOSE OF ALL REMOVALS OFF-SITE.
- PROVIDE A MINIMUM OF 4" TOPSOIL IN LAWN AREAS AND 12" TOPSOIL IN LANDSCAPE BEDS. ADD SOIL AMENDMENTS FOR OPTIMUM PLANT GROWTH.
- ALL DISTURBED LANDSCAPED AREAS TO BE SODDED, UNLESS NOTED OTHERWISE.
- SODDED AREAS:** SOD IS TO BE PRIMARILY KENTUCKY BLUEGRASS, FREE OF LAWN GRASS WEEDS. MATCH INTO EXISTING, AS APPLICABLE. ANCHOR SOD ON SLOPED OR POTENTIAL EROSION AREAS, OR AS REQUIRED, MATCH SOD EDGE FLUSH WITH EXISTING FINISH GRADE. ROLL SOD TO PROVIDE SMOOTH GRADE. STAKE ALL SODDED SLOPES 4:1 OR GRATER. PROVIDE EROSION CONTROL DEVICES AS NECESSARY UNTIL SEED IS ESTABLISHED.
- RAIN GARDEN SEED MIX:** RAIN GARDEN AREAS SHALL HAVE BWSR W3 SEED MIX IN BASIN. PLANT IN ACCORDANCE WITH BWSR AND MN/DOT SEEDING MANUALS. RE-SEED UNTIL ESTABLISHMENT.
- CONTRACTOR TO VERIFY PLANTS REQUIRED AS REFLECTED ON PLAN, NOTIFY LANDSCAPE ARCHITECT IF PLAN AND SCHEDULE DO NOT MATCH. ALL PLANT MATERIAL TO COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSEYMAN. ADD FERTILIZER, HERBICIDE, AND PESTICIDE AS NECESSARY FOR OPTIMUM GROWTH.
- SHREDDED HARDWOOD MULCH SHALL BE AT A MINIMUM 4" DEPTH, FREE OF ALL DELETERIOUS MATERIAL. OWNER TO APPROVE OF MULCH, PRIOR TO CONSTRUCTION.
- SHREDDED HARDWOOD MULCH COLOR BY OWNER, FROM CENTRAL LANDSCAPE SUPPLY, 763.753.7374, OR APPROVED SUBSTITUTE. SINGLE TREE PLANTINGS AND SHRUB BED LOCATIONS AWAY FROM BUILDING AROUND PERIMETER OF SITE SHALL HAVE A 4" DEPTH SHREDDED HARDWOOD MULCH RING AROUND EACH BASE OR SHRUB BED. DECIDUOUS PLANT MATERIAL SHALL HAVE A MINIMUM 3" DIAMETER RING, EVERGREEN PLANT MATERIAL SHALL HAVE A RING TO THE DRIP LINE.
- CONTRACTOR TO MAINTAIN AND WATER PLANT MATERIAL DURING INSTALLATION AND FOR A 60 ESTABLISHMENT PERIOD. VOLUME OF WATER TO BE PER PLANT REQUIREMENT FOR ESTABLISHMENT AND NORMAL GROWTH. CONTRACTOR SHALL PROVIDE A WRITTEN REQUEST FOR THE OWNER ACCEPTANCE INSPECTION.
- CONTRACTOR TO WARRANTY NEW SOD FOR 60 DAYS UPON SUBSTANTIAL PROJECT COMPLETION.
- CONTRACTOR SHALL WARRANTY NEW PLANT MATERIAL FOR TWO YEARS UPON PROJECT COMPLETION AND OWNER'S ACCEPTANCE. ALL REPLACEMENTS TO BE PROVIDED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- ALL PLANT MATERIALS SHALL BE INSPECTED ON SITE PRIOR TO PLANTING BY LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE.
- EXISTING TREES AND SHRUBS, THROUGHOUT THE PROPERTY, SHALL BE PRUNED TO REMOVE DEAD OR UNDESIRABLE LIMBS AND TO SHAPE PLANT FOR DESIRABLE APPEARANCE AND COMPLETED BY A QUALIFIED INDIVIDUAL. CONTRACTOR TO CLEAR AND GRUB EXISTING VEGETATION AND DISPOSE OF ALL REMOVALS OFF-SITE PER PROJECT IMPROVEMENTS.
- PROPERTY SHALL HAVE AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR LANDSCAPE ARCHITECT APPROVAL. SYSTEM SHALL BE WINTERIZED(BLOW-OUT) AFTER THE FIRST OPERATIONAL SEASON AND SHALL PROVIDE STARTUP THE FOLLOWING SPRING. IRRIGATION SHALL HAVE TWO-YEAR WARRANTY ON PARTS AND LABOR FOLLOWING INSTALLATION APPROVAL BY OWNER. PROVIDE BACKFLOW DEVICE, WATER METER, BOOSTER PUMP, BLOW-OUT VALVES, CONTROLLER, RAIN SENSOR, WIRES, VALVE BOXES, SLEEVING, VALVES, ROTORS, SPRAYS, AND OTHER ACCESSORIES FOR A COMPLETE SYSTEM.



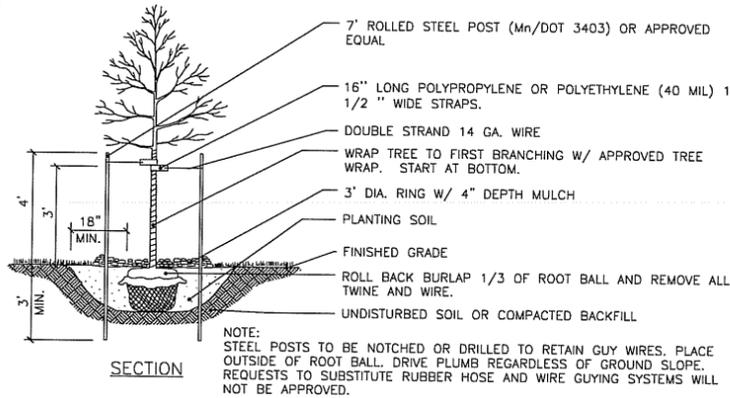
1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING AS DIRECTED BY ENGINEER.
3. REMOVE CONTAINER AND SCORE OR PRUNE OUTSIDE OF SOIL MASS TO REDIRECT CIRCLING FIBROUS ROOTS AS NECESSARY.
4. SET PLANT ON UNDISTURBED NATIVE SOIL, OR THOROUGHLY COMPACTED BACKFILL SOIL AT THE SAME DEPTH (IF PROPER) AS IT WAS GROWN IN THE NURSERY.
5. APPLY WATER TO SETTLE PLANTS AND FILL VOIDS. CONSTRUCT 3" DEPTH WATERING BASIN.
6. WATER THOROUGHLY WITHIN 2 HOURS.
7. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.



NOTE:  
1. EXTENDED EXCAVATION AND BACKFILL SOIL TO A POINT DOWNSLOPE EQUAL TO OR LOWER IN ELEVATION THAN THE BOTTOM OF THE HOLE DIRECTLY BENEATH THE PLANT TO INSURE ADEQUATE DRAINAGE IN HEAVY SOILS. GRANULAR SOIL MUST BE ADDED AS BACKFILL IN AREAS OF POOR DRAINAGE.

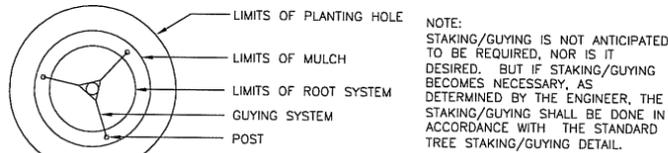
### 1 SHRUB CONT. PLANTING DETAIL

N.T.S.



### 4 PLANTING DETAIL FOR STEEP SLOPES

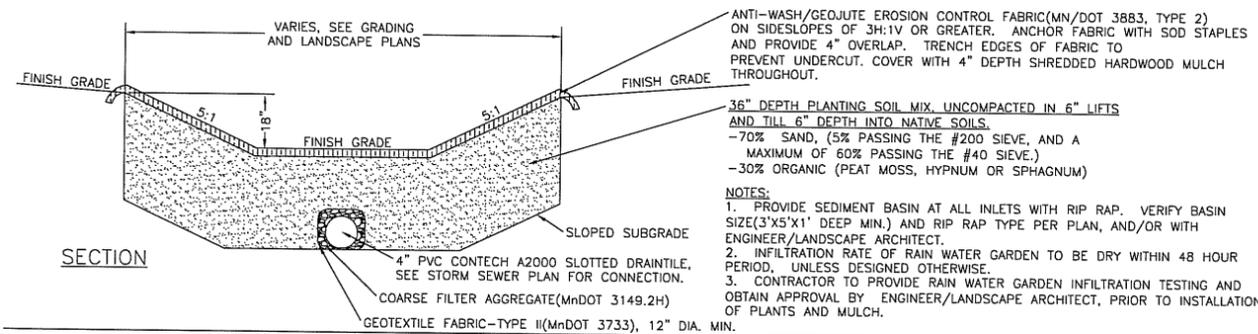
N.T.S.



PLAN VIEW

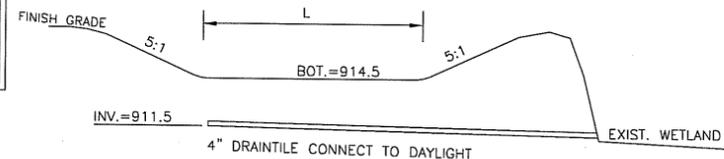
### 2 TREE PLANTING, STAKING/GUYING DETAIL

N.T.S.



NOTE:  
IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL THE CORRECT SOIL MIX, PROTECTION DURING CONSTRUCTION AND COMPACTION RATES.

DRAINTILE/ OVERFLOW SECTION



### 3 RAIN GARDEN- ENLARGEMENT

N.T.S.

**MFR**  
McCombs Frank Roos Associates, Inc.  
14800 28th Avenue North, Suite 140  
Plymouth, Minnesota • 55447  
phone: 763/476-6010 • fax: 763/476-8532  
website: www.mfra.com

Client  
**WADE & JESSICA SHORT**  
6530 CAHILL AVE.  
INVER GROVE HEIGHTS, MN 55076

Project  
**SHORT DANCE STUDIOS**

Location  
**INVER GROVE HEIGHTS, MN**

#### Certification

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 Professional Landscape Architect under the laws of the State of Minnesota.

Kevin Teppen  
Registration No. .... Date: 07.07.08

If applicable, contact us for a wet signed copy of this plan which is available upon request at McCombs Frank Roos Associates, Inc., Plymouth, MN office.

#### Summary

Designed: klt Drawn: klt  
Approved: klt Book / Page:  
Phase: CITY SUBMITTAL Initial Issue: 06.16.06

#### Revision History

No. Date By Submittal / Revision

Sheet Title  
**RAIN GARDEN ENLARGEMENT AND DETAILS**

Sheet Number Revision

**7.02**

Project No. KOM16846



**KRECH, O'BRIEN,  
MUELLER & ASSOCIATES, Inc.**  
Architectural | Structural Engineering | Interior Design

6115 Cahill Avenue  
Inver Grove Heights  
Minnesota 55076

651.451.4605  
fax 651.451.0917  
kma@kmainc.com

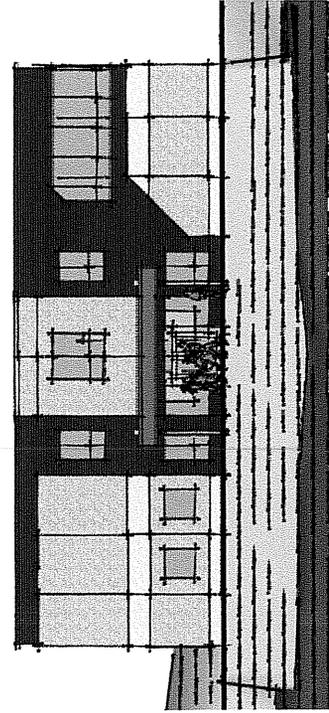
THIS DOCUMENT IS THE PROPERTY OF KRECH, O'BRIEN, MUELLER & ASSOCIATES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED ON THE TITLE SHEET. ANY REUSE OR REPRODUCTION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF KRECH, O'BRIEN, MUELLER & ASSOCIATES, INC. IS STRICTLY PROHIBITED.

**SHORT DANCE STUDIO  
AND CAFFERTY COURT  
INTERSECTION OF CAHILL AVENUE  
INVER GROVE HEIGHTS, MN 55076**

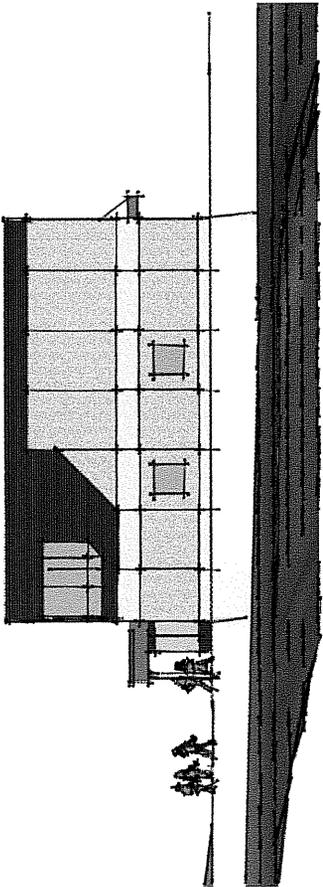
**ELEVATIONS**

PROJECT: 07216  
DRAWN BY: JMK  
CHECKED BY: DDO  
DATE: 8/10/08  
REVISIONS:

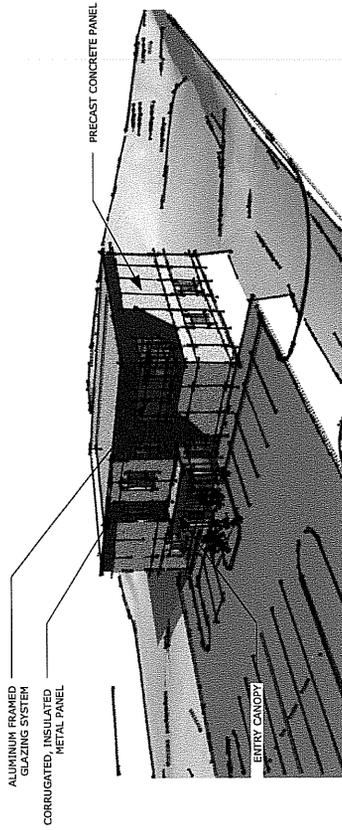
**ELEV**



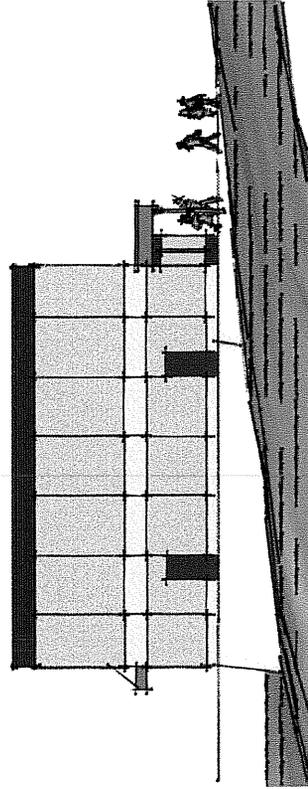
**NORTH ELEVATION**  
SCALE 1/8" = 1'-0"



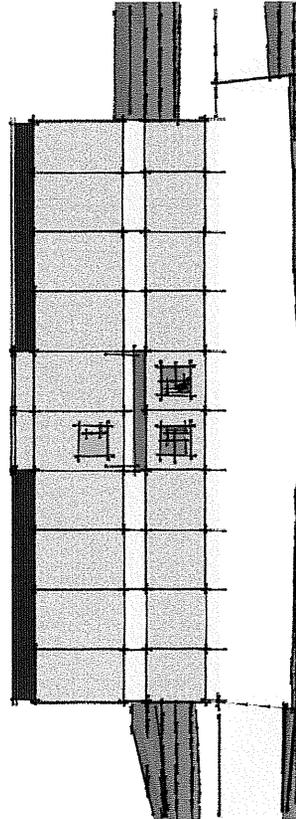
**WEST ELEVATION**  
SCALE 1/8" = 1'-0"



**PERSPECTIVE**  
NOT TO SCALE



**EAST ELEVATION**  
SCALE 1/8" = 1'-0"



**SOUTH ELEVATION**  
SCALE 1/8" = 1'-0"

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CITY OF INVER GROVE HEIGHTS;** Consider the third reading of an Ordinance Amendment to amend Section 515.80 Subd. 8. regarding the allowed maximum impervious coverage.

Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Jenn Emmerich; 651.450.2553  
 Prepared by: Jenn Emmerich, Assistant City Planner  
 Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

- a) Consider the third reading of an Ordinance Amendment that would allow a maximum of 20% impervious coverage in the R-1A, R-1B and R-1C Zoning Districts and require a Conditional Use Permit to exceed the maximum allowed impervious coverage for lots that don't meet the minimum lot size.
- Requires 3/5th's vote.

**SUMMARY**

Background Planning Commission held a public hearing for this ordinance amendment on July 1, 2008 and the first and second readings of the ordinance amendment were heard at the July 14, 2008 and July 28, 2008 City Council meetings respectively.

Analysis At the last Council meeting, Council asked Engineering Staff to review the proposed ordinance. To determine an appropriate impervious coverage maximum, Engineering staff researched the current percentage of impervious coverage (including both private and public infrastructure) for several residential developments in the City. It was determined that approximately half of the impervious coverage in each the developments were public and half were private improvements. The storm water systems for these developments were designed for approximately 40% of total coverage. Therefore, both Planning and Engineering staff recommend that the total maximum impervious coverage in the R-1A, R-1B and R-1C Districts be 20%.

The analysis of impervious surface coverage looked at a small, but hopefully representative, subset of developed residential areas. The recommendation to use 20% for the three zoning districts preserves the status quo based on results of the analysis. Engineering recommends that a larger scale analysis be completed to confirm that the actual impervious area in the developed area is close to what was assumed when the storm water system serving the area was designed. We might find that revisions are necessary in some areas to preserve our design level and protect against flooding.

Amending the ordinance to allow for a 20% maximum would eliminate the need for a variance for the Lowell and Cudd requests as well as eight of the ten variances requested in the last

several years. The two approved variances (Ojala and Wunder-Joyce) that would not meet the proposed ordinance amendment were greater than 30%.

**RECOMMENDATION**

Planning Staff Recommends approving this ordinance amendment that would allow a maximum of 20% impervious coverage in the R-1A, R-1B and R-1C Zoning Districts and require a Conditional Use Permit to exceed the maximum allowed impervious coverage for lots that don't meet the minimum lot size.

Planning Commission Recommends approval of the request (8-0).

Parks and Recreation Not applicable.

Attachment Ordinance Amendment Resolution

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CITY OF INVER GROVE HEIGHTS

DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 515.80 SUBD. 8. (ZONING CODE – “R-1A, B, C” ONE-FAMILY RESIDENTIAL DISTRICT) OF THE CITY CODE RELATING TO ALLOWABLE MAXIMUM IMPERVIOUS COVERAGE IN THE “R” DISTRICTS

The City of Inver Grove Heights hereby ordains as follows:

515.80 Subd. 8. “R-1A, B, C” One-Family Residential District.

B. Bulk Standards

1. Minimum Standards\*

Impervious Surface (max.)***	<del>lesser of 30%*** or</del> 4,000 s.f. 20%
------------------------------	--------------------------------------------------

\* All standards are minimum requirements unless noted

\*\* An attached garage with no living space above, below, in front of or behind it, it may meet the minimum side yard setback standard for accessory structures found in Subparagraph 2 below rather than the larger setback required of principle structures as found in this table.

\*\*\* For lots that do not meet the minimum lot size requirement, a Conditional Use Permit, may be obtained to exceed the impervious surface maximum if the following criteria are met:

1. A Storm Water Management System shall be constructed within the property that meets the Best Management Practices design criteria as set forth in the Northwest Area Ordinances and Storm Water Manual.

- 2. The Storm Water Management System and Grading Plan (including necessary details for construction, showing proper location, material, size, and grades) shall be approved by the Engineering Division prior to ground disturbance or installation of the facility.
- 3. The Storm Water Management System is considered a private system and the responsibility of maintenance is that of the owner.
- 4. An escrow or fee, to be determined by the City Engineer, shall be submitted to the City with the Storm Water Management System submittal. The final amount and submittal process shall be determined by the City by the time the Owners are ready to submit the Storm Water Management System and Grading Plan.
- 5. The soils shall be tested to determine the infiltration capacity to insure the storm water maintenance facility performs and functions within the assumed design parameters.

<sup>1</sup> Additional Minimum Lot Area Requirements:

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Charles Cudd - Case No. 08-30V**

Meeting Date: August 20, 2008  
 Item Type: Regular  
 Contact:  Heather Botten 651.450.2569  
 Prepared by:  Heather Botten, Associate Planner  
 Reviewed by: Planning

**Fiscal/FTE Impact:**

<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Consider a Resolution relating to a **Variance** to exceed the impervious surface requirements to construct a house and driveway for the property located at 11662 Azure Lane.

- Requires a 3/5<sup>th</sup>'s vote.
- 60-day deadline: September 30, 2008 (2<sup>nd</sup> 60-days)

**SUMMARY**

The applicant is requesting a variance to exceed the maximum impervious surface standards to construct about 4,744 square feet of impervious surface on the R-1C zoned lot. The request is for the construction of a new home and driveway set back 51 feet from the front property line. The proposed footprint of the home and garage is about +/- 3,200 square feet and the driveway and sidewalk is about +/-1,500 square feet. If the variance is approved, the lot would have about 16.3% impervious surface.

There is not a physical or property-related hardship for this request. The proposed home is too large for the lot and zoning district it is in. The lot meets the minimum lot size and width requirements. The developer demonstrated a 60' x 50' building pad on the site, setback 30 feet from the property line during the development approvals; this configuration meets the impervious surface requirements. The applicant could construct a home with a smaller footprint, allowing a shorter front yard setback, eliminating the need for a variance. The applicants are not being denied reasonable use of the property as a single family residential home, that meets the impervious surface standards, does fit on the lot.

Planning Staff: Recommend denial of the request as presented.

Planning Commission: Also recommended denial of the variance at their July 1, 2008 meeting (6-0).

Parks and Recreation: Not applicable.

Exhibits: Variance Denial Resolution  
 Planning Commission Recommendation  
 E-mail from neighbor opposing the request  
 Planning Report

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

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**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION DENYING A VARIANCE TO EXCEED THE ALLOWED MAXIMUM  
IMPERVIOUS COVERAGE ON AN R-1C ZONED LOT.**

**CASE NO. 08-30V  
(Cudd)**

Property located at 11662 Azure Lane and legally described as follows:

**Lot 3, Block 5 of Woodland Preserve of Dakota County, Minnesota**

**WHEREAS**, an application has been received for a Variance from the maximum allowed impervious coverage standard to construct a new home and driveway;

**WHEREAS**, the afore described property is zoned R-1C, Single Family Residential District;

**WHEREAS**, a public hearing was held and the City of Inver Grove Heights Planning Commission reviewed the request on July 1, 2008 in accordance with City Code Section 515.40, Subd. 3C;

**WHEREAS**, a Variance may be granted by the City Council from the strict application of the provisions of the Zoning Code (City Code Section 515) and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code Section 515.40, Subd. 3A;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that the Variance to exceed the maximum allowed impervious surface is hereby denied based on the following findings of fact:

1. There is not a physical or property-related hardship for this request as the size of the proposed home would serve as a convenience to the property owner.
2. The lot does not have any unique conditions that preclude the applicants from reasonable use of their property.
3. Approval of the variance would set a precedent for other new construction homes exceeding the impervious surface requirements

**BE IT FURTHER RESOLVED** that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
George Tourville, Mayor

Ayes:

Nays:

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights

**FROM:** Planning Commission

**DATE:** July 1, 2008

**SUBJECT:** **CHARLES CUDD CO – CASE NO. 08-30V**

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a variance from the impervious surface requirements to construct a house and driveway at 11662 Azure Lane. 7 notices were mailed.

**Presentation of Request**

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant was aware of the City Council's direction to review the impervious surface standards but wanted to pursue the variance request. Ms. Botten advised that staff reviewed the request based on the existing code requirements. She stated that the applicant is requesting a variance to exceed the maximum impervious surface standards to construct 4,744 square feet of impervious surface on the R-1C zoned lot whereas only 4,000 square feet is allowed. She advised that the request is for the construction of a new home and driveway set back 51 feet from the front property line. She also stated the developer demonstrated a 60' x 50' building pad on the site, setback 30 feet from the property line during the development approvals; this configuration meets the impervious surface requirements. Ms. Botten advised that staff feels the variance criteria has not been met and that approval could set a precedent. Therefore staff recommends denial of the request.

Commissioner Simon asked if staff heard from any neighbors, to which Ms. Botten replied she had not.

Mr. Hunting advised he received one call from a neighbor with general questions about the request.

Chair Bartholomew noted that the report states that the request could be found contrary to the intent of the zoning code since it exceeds the impervious surface requirements that are in place to help regulate the stormwater runoff and infiltration on a site which impacts the abutting property owners and development it is in. He asked if further similar issues could arise if the previously discussed impervious surface requirements were changed to 30% for R-1C as recommended.

Ms. Botten stated that is something that will be reviewed by the Engineering Department. She advised that typically a development is given a sliding scale of maximum impervious surface allowed for the entire development, including road construction.

Commissioner Schaeffer asked what would occur if the applicant were denied at this point and the ordinance was then changed as recommended resulting in the applicants' proposal fitting within the impervious surface restrictions.

Ms. Botten replied that the applicant could then proceed with his construction as proposed since a variance would no longer be needed.

**Opening of Public Hearing**

John Sonnek, representing Charles Cudd Company, asked how long it would take for the proposed zoning code amendment to go through three readings, to which Chair Bartholomew replied it typically took a month and a half.

Mr. Sonnek stated the reason they decided to proceed with the variance was to allow them to start construction as soon as possible as he was of the impression that it would take three months to go through the Council process. Mr. Sonnek stated they were proposing only 16.3% of impervious coverage which would be below the proposed requirements for the R-1A, B or C Districts. Mr. Sonnek advised that they made the house as small as possible, but that the narrow lot frontage of this particular lot necessitated angling the garage and setting the house back further on the lot which increased the driveway coverage.

Chair Bartholomew stated that he did not see a hardship, and advised the applicant that the Planning Commission was bound by ordinance to look for a hardship and that it would be difficult for them to recommend approval without one.

Mr. Sonnek asked if the City was opposed to larger homes.

Commissioner Schaeffer replied that it was not a matter of the size of the house but rather the total impervious surface. He advised that it was possible for the applicant to actually build a larger house if they were to position it closer to the road, therefore reducing the driveway area. Commissioner Schaeffer stated he did not find a hardship.

**Planning Commission Recommendation**

Motion by Commissioner Simon, second by Commissioner Schaeffer, to deny the request for a variance from the impervious surface requirements to construct a house and driveway for the property located 11662 Azure Lane, based on lack of hardship.

Motion carried (6/0). This matter goes to City Council on July 14, 2008.

## Heather Botten

---

**Subject:** FW: VArience request for property at 11662 Azure LN

**From:** MATTHEW VATTER [mailto:vattermc@msn.com]  
**Sent:** Sunday, July 06, 2008 12:41 PM  
**To:** Allan Hunting  
**Subject:** VArience request for property at 11662 Azure LN

Sir,  
I sent the email below on the 28th. I did not see that I had entered the email address in error until just now (undeliverable notice). I understand the deadline to comment was 1 July. But I ask you to consider my input prior to your decision. Thanks.

Matt Vatter

Mr Hunting,

My wife and I own the property adjacent to 11662 Azure Ln for which the variance to impervious service requirements is being requested. Our primary concern regarding this new home is the placement on the lot. The current plan has the house at the very back of the lot causing the driveway length to exceed what is common to homes in this development. I believe this is one reason for the variance request. The positioning of the house so far back on the lot positions the proposed garage adjacent to our patio, eliminating any view of trees and backyards, as is normally the case in our neighborhood. Should the structure be placed more forward, the need for a long driveway would be eliminated and likely negate the need for a variance.

We do not support the request with the house in its current position. Should the house be repositioned so as better align the back yards and maintain the alignment of homes on our street, and still require the variance for a patio or swimming pool, we'd have no objection. Again, our concern is that the house is positioned so far back in the lot.

Thank you for considering our concerns.

Matt and Cris Vatter

11656 Azure Ln., IGH, MN 55077

651-423-0506

---

Use video conversation to talk face-to-face with Windows Live Messenger. [Get started.](#)

7/9/2008



## **SPECIFIC REQUEST**

To develop the property as proposed, the applicant has requested a variance to exceed the maximum allowed impervious coverage on a lot in accordance with the Inver Grove Heights Zoning Ordinance, Section 515.80 Subd.8.B.1.

## **SURROUNDING USES**

The subject site is surrounded by single family homes, zoned R-1C, Single Family Residential and guided, LDR, Low Density Residential.

## **EVALUATION OF REQUEST:**

As indicated earlier, the applicant is requesting a variance to exceed the maximum impervious coverage on an R-1C zoned lot to construct a new home and driveway. City Code Section 515.59, states that the City Council may grant variances in instances where practical difficulties exist or where a hardship would be imposed upon the property owner if the code were strictly enforced. In order to grant the requested variances, the City Code identifies several criteria which are to be considered. The applicant's request is reviewed below against those criteria.

- a. *Special conditions apply to the structure or land in question which are peculiar to such property or immediately adjoining property, and do not apply generally to other land or structures in the district in which said land is located.*

The general intent of this standard is to limit the precedent that could be set if the variance was granted. The property does not have any special conditions that make it unique. The proposed home is too large for the lot and R-1 zoning district. The applicant could construct a home with a smaller footprint, allowing a shorter front yard setback, eliminating the need for a variance. The applicants are not being denied reasonable use of the property as a single family residential home, that meets the impervious surface standards, does fit on the lot.

- b. *The granting of the application will not be contrary to the intent of the Zoning Code or the Comprehensive Plan.*

The application is not contrary to the Comprehensive Plan as the future land use is Low Density Residential. The request could be found contrary to the intent of the Zoning Code as it exceeds the impervious surface requirements that are in place to help regulate the stormwater runoff and infiltration on a site which impacts the abutting property owners and development it is in.

- c. *The granting of such variance is necessary as a result of a demonstrated undue hardship or difficulty, and will not merely serve as a convenience to the applicant.*

There is not a physical or property-related hardship for this request as the size of the proposed home would serve as a convenience to the property owner. The proposed home is too large for the lot and zoning district it is in. The lot meets the minimum lot size and width requirements. The developer demonstrated a 60' x 50' building pad on the site, setback 30 feet from the property line during the development approvals; this configuration meets the impervious surface requirements.

*d. 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 favors the requested Variance, the Commission should recommend approval of the request with at least the following conditions:

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department dated 5-16-08.
2. A Storm Water Management System shall be constructed within the property that meets the Best Management Practices design criteria as set forth in the Northwest Area Ordinances and Storm Water Manual.
3. The Storm Water Management System and Grading Plan (including necessary details for construction, showing proper location, material, size, and grades) shall be approved by the Engineering Division prior to ground disturbance or installation of the facility.
4. An escrow or fee of \$300, more or less, shall be submitted to the City with the Storm Water Management System submittal. The final amount and submittal process shall be determined by the City by the time the Owners are ready to submit the Storm Water Management System and Grading Plan.
5. The design infiltration rates for the Storm Water Management System shall follow the supplemental guidelines to the Northwest Area Storm Water Manual letter dated June 24, 2008. A City approved soil infiltration rate field test, at the expense of the owner, may be necessary.

**Hardship:** A hardship must be stated if approval of the variance is recommended.

**B. Denial.** If the Planning Commission does not favor the proposed application, the above request should be recommended for denial which could be based on the following rationale:

1. The size and setback of the home would be a convenience to the applicant not a necessity.
2. Lack of hardship.
3. Approval of the variance would set a precedent for other new construction homes exceeding the impervious surface requirements.

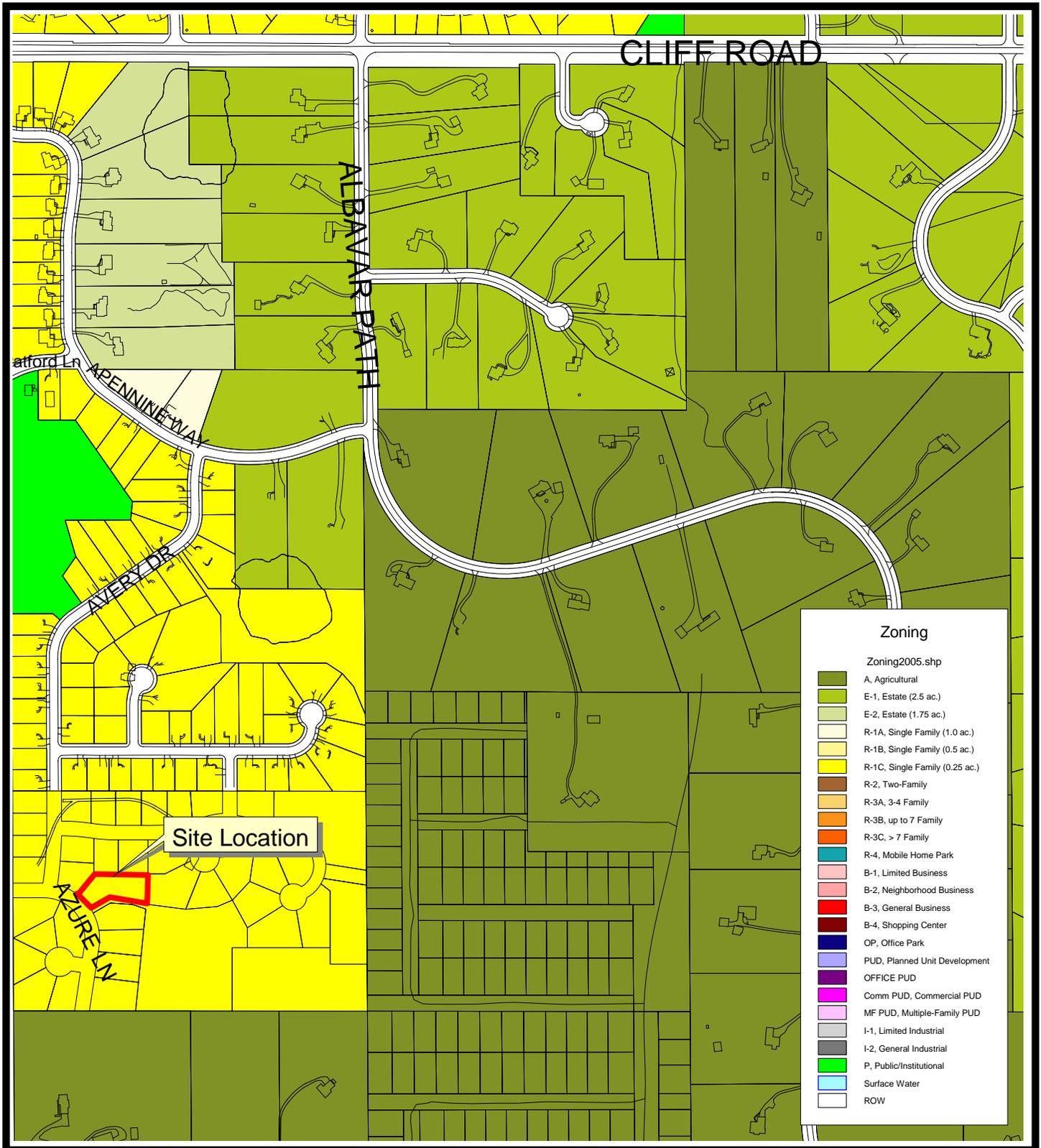
## **RECOMMENDATION**

Staff believes that the variance criterion has not been met and therefore Staff recommends denial of the variance as presented. While the request to exceed the maximum impervious surface is not large in terms of percentage of coverage, there are no unique constraints to the property and there would be reasonable use of the property without the variance.

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



# Charles Cudd Co. Variance

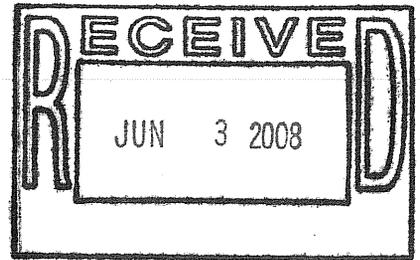


Map is not to scale

Exhibit A  
Zoning and Location Map

**Request for Variance to Impervious Surface Coverage Limit at 11662 Azure Lane**

1. This is a large irregular shaped lot which does not allow a typical minimum setback due to a narrow lot frontage. This necessitates angling the garage and setting the house back farther on the lot which increases the driveway and hardcover. Based upon the exceptionally large lot size of 29,017 sq ft. we are asking that a variance be granted for the total amount of hardcover to be 4744 sq ft vs the city cap of 4000. Even with this requested increase in hardcover the total hardcover is less than 17% of the total lot size which is way below any measure of industry standard.



121

# CERTIFICATE OF SURVEY

FOR: Charles Cudd Co.

## EXISTING PROPERTY DESCRIPTION

Lot 3, Block 5, WOODLAND PRESERVE, Dakota County, Minnesota.

## BENCHMARK

Top Nut Fire Hydrant in front of Lots 3 and 4, Block 6, WOODLAND PRESERVE, ELEVATION=977.46.

## SURFACE CALCULATIONS

PROPOSED HOUSE.....±3,021 sq. ft.  
 FRONT PORCH.....±208 sq. ft.  
 DRIVEWAY.....±1,389 sq. ft.  
 DECK.....±60 sq. ft.  
 SIDEWALK.....±66 sq. ft.  
 TOTAL LOT AREA.....±29,017 sq. ft.  
 IMPERVIOUS SURFACE.....±16.3%  
 IMPERVIOUS.....±4,744 sq. ft.

## PROPOSED ELEVATIONS

GARAGE FLOOR = 976.8  
 TOP OF BLOCK = 977.5  
 LOWEST FLOOR = 968.8

NORTH  
 1"=30'

## NOTES

- BUILDING ELEVATIONS SET BY OWNER.
- HOUSE TO BE RESTAKED AT A LATER DATE.
- FIELD SURVEY CONDUCTED ON MAY 2, 2008.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
- FINISHED GRADE 10 FEET FROM PROPOSED BUILDING SHALL BE 0.5 FEET LOWER THAN THE FINISHED GRADE AT THE BUILDING.
- FINISHED GRADE ELEVATIONS ARE TO FINISHED SURFACE WITH TURF ESTABLISHMENT.
- DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR

JOB#08119HS

ACRE LAND SURVEYING  
 Ham Lake, MN 55304  
 763-458-2997 acrelandsurvey@gmail.com

## LEGEND

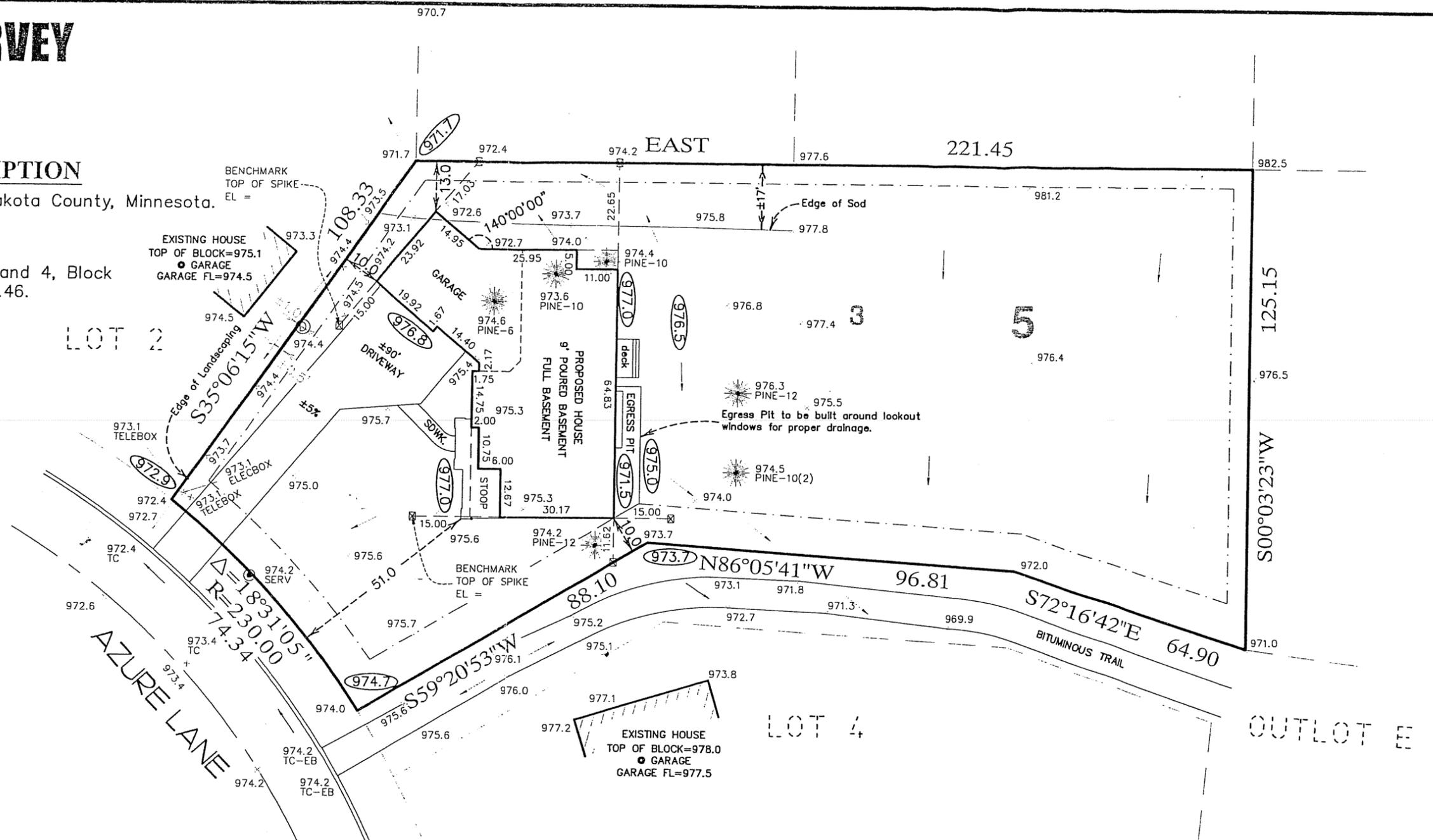
- ⊙ DENOTES 3" PVC DRAIN
- DENOTES IRON MONUMENT FOUND
- ⊙892.3⊙ DENOTES PROPOSED ELEVATION.
- ×1011.2 DENOTES EXISTING ELEVATION.
- DENOTES DIRECTION OF DRAINAGE.
- ⊗ DENOTES METAL SPIKE
- ▭ DENOTES BITUMINOUS
- ⊙ DENOTES EXISTING TREE

- Revised: 5-19-08 (Patio Location)
- Revised: 6-1-08 (Surface Calcs)
- Revised: 6-2-08 (House and Placement)
- Revised: 6-3-08 (House and Placement)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

  
 JOSHUA P. SCHNEIDER

Date: 5-16-08 Reg. No. 44655



**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**LOWELL;** Consider adopting the following resolution for the property located at 11651 Aileron Circle, Inver Grove Heights, MN.

Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Jenn Emmerich; 651.450.2553  
 Prepared by: Jenn Emmerich, Asst. City Planner  
 Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

- a) Consider denying a variance to construct 1,135 square feet off patios that are above the maximum allowed impervious coverage.
- Requires 3/5th's vote.
  - 60-day deadline: July 1, 2008 (1<sup>st</sup> 60 days)

**SUMMARY**

The applicants are requesting a variance to the maximum impervious coverage standard to construct 1,135 square feet in patios on their 28,831 square foot (0.66 acre), R-1C zoned lot. Earlier this spring, the applicant came into the Planning Department, inquiring about a permit for a pool. At that time staff informed him that the lot already had 4,440 square feet of impervious coverage with the house, garage and driveway. The R-1C District allows for the lesser of 4,000 square feet or 30% of the lot area in impervious coverage; therefore he was allowed to have a maximum of 4,000 square feet of impervious coverage. Staff explained to the applicant that if he wanted to construct any patios around, the pool, he would have to apply for and obtain a variance to exceed the maximum impervious coverage or construct the patios out of a city-approved pervious surface. On May 5, 2008, the applicant obtained a building permit to construct a swimming pool without patios around it.

This request was originally brought to Council's attention at the June 23, 2008 City Council meeting, at which time the request was tabled pending an ordinance amendment. If the ordinance amendment is approved at the August 25, 2008 Council meeting, this variance is no longer necessary.

**RECOMMENDATION**

Analysis The lot does not have any unique conditions that preclude the applicants from reasonable use of their property. They currently have a single family residential home and attached garage on the lot. The requested patio would serve as a convenience to the property owner. Furthermore, the applicant was aware that he was above the maximum allowed impervious surface requirement when he applied for the building permit for the pool.

Planning Staff Recommends denial of the variance request.

Planning Commission Recommends denial of the request (8-0), stating that there is no hardship.

Parks and Recreation Not applicable.

Attachments Variance Denial Resolution  
 Planning Commission Recommendation  
 Planning Report

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION DENYING A VARIANCE TO CONSTRUCT A PATIO THAT  
EXCEEDS THE ALLOWED MAXIMUM IMPERVIOUS COVERAGE.**

**CASE NO. 08-20V  
(Lowell)**

Property located at 11651 Aileron Circle and legally described as follows:

**Lot 7, Block 5 of Woodland Preserve of Dakota County, Minnesota**

**WHEREAS**, an application has been received for a Variance from the maximum allowed impervious coverage standard to allow the existing coverage and construct 1,135 square feet of additional impervious coverage in patios;

**WHEREAS**, the afore described property is zoned R-1C, Single Family Residential District;

**WHEREAS**, a Variance may be granted by the City Council from the strict application of the provisions of the Zoning Code (City Code Section 515) and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code Section 515.40, Subd. 3A;

**WHEREAS**, the City of Inver Grove Heights Planning Commission reviewed the request on June 3, 2008 in accordance with City Code Section 515.40, Subd. 3C;

**WHEREAS**, a hardship, was not found to exist. The lot does not have any unique conditions that preclude the applicants from reasonable use of their property. They currently have a single family residential home and attached garage on the lot. The requested patio would serve as a convenience to the property owner.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that the variance to construct 1,135 square feet of patios is hereby denied.

**BE IT FURTHER RESOLVED** that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 25<sup>th</sup> day of August 2008.

\_\_\_\_\_  
George Tourville, Mayor

Ayes:

Nays:

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights

**FROM:** Planning Commission

**DATE:** June 3, 2008

**SUBJECT:** LOWELL – CASE NO. 08-20V

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a variance to exceed the impervious surface requirement to construct a patio around a swimming pool for the property located at 11651 Aileron Circle. 5 notices were mailed.

**Presentation of Request**

Jennifer Emmerich, Assistant Planner, explained the request as detailed in the report. She advised that the applicant is requesting a variance from the maximum impervious coverage standard to construct 1,135 square feet in patios around an existing pool on their .66 acre, R-1C zoned lot. Ms. Emmerich stated that the applicant's large lot is limited to 4,000 square feet of impervious coverage which is 19.1% of the total lot area. She stated that earlier this spring the applicant came to the Planning Department inquiring about a permit for a pool. At that time staff informed the applicant that the lot was already over the allowed 4,000 square feet and they would therefore need a variance for any kind of patio. Staff recommends denial of the request due to lack of hardship or unique circumstances with the property, and the fact that a precedent could be set if this was approved.

Commissioner Scales asked what staff recommended the applicants do around the pool, to which Ms. Emmerich suggested they install a wooden deck.

Commissioner Schaeffer asked if the pool was already installed, to which Mr. Lowell replied in the affirmative.

**Opening of Public Hearing**

Jeff Lowell, 11651 Aileron Circle, stated he was informed by his builder when he purchased the lot that he could install a pool on this oversized lot. Mr. Lowell then questioned whether perhaps the ordinance should be modified to better accommodate larger lots.

Chair Bartholomew suggested the applicant install a wood or composite deck.

Mr. Lowell stated his neighbors would likely prefer he not have a wooden deck, and he pointed out he was requesting a total of 19% impervious surface.

**Planning Commission Discussion**

Commissioner Roth stated he had a background in landscaping, and that a pervious paver system in this application would better control erosion and water runoff than would a wooden decking system.

Chair Bartholomew advised that the City is looking into reconciling the maximum impervious surface standards for larger lots.

**Planning Commission Recommendation**

Motion by Commissioner Simon, second by Commissioner Hark, to deny the request for a variance to exceed the impervious surface requirements to construct a patio around a pool for the property located at 11651 Aileron Circle, due to lack of hardship.

Motion carried (8/0). This matter goes to City Council on June 23, 2008.



impervious coverage on a lot in accordance with the Inver Grove Heights Zoning Ordinance, Section 515.80 Subd.8.B.1.

## **SURROUNDING USES**

The subject site is surrounded by single family homes, zoned R-1C, Single Family Residential and guided, LDR, Low Density Residential.

## **EVALUATION OF REQUEST:**

As indicated earlier, the applicant is requesting a variance to exceed the maximum impervious coverage on an R-1C zoned lot to construct a patio around their existing swimming pool. City Code Section 515.59, states that the City Council may grant variances in instances where practical difficulties exist or where a hardship would be imposed upon the property owner if the code were strictly enforced. In order to grant the requested variances, the City Code identifies several criteria which are to be considered. The applicant's request is reviewed below against those criteria.

- a. *Special conditions apply to the structure or land in question which are peculiar to such property or immediately adjoining property, and do not apply generally to other land or structures in the district in which said land is located.*

The general intent of this standard is to limit the precedent that could be set if the variance was granted. The property does not have any special conditions that make it unique. The applicants are not being denied reasonable use of their property as they have a single family residential home on the lot.

- b. *The granting of the application will not be contrary to the intent of the Zoning Code or the Comprehensive Plan.*

The application is not contrary to the Comprehensive Plan as the future land use is Low Density Residential.

- c. *The granting of such variance is necessary as a result of a demonstrated undue hardship or difficulty, and will not merely serve as a convenience to the applicant.*

There is not a physical or property-related hardship for this request as the patio would serve as a convenience to the property owner. The lot coverage already exceeds the allowed maximum for that zoning district and the applicant was aware of the situation prior to obtaining the building permit for the swimming pool.

- d. *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 favors the requested Variance, the Commission should recommend approval of the request with at least the following conditions:
1. The site shall be developed in substantial conformance with the site plan dated May 5, 2008 on file with the Planning Department.
  2. During and after construction all direct runoff shall first be maintained on the owner's property.
- 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**

Staff believes that the variance criterion has not been met and therefore Staff recommends denial of the variance as presented. While the request to exceed the maximum impervious surface is not large in terms of percentage of coverage, there are no unique constraints to the property and there would be reasonable use of the property without the variance.

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



# Lowell Variance Request Case No. 08-20V



Exhibit A  
Zoning Map

In September of 2007 we began looking to relocate in Inver Grove Heights . Our premise on purchasing a lot was that it was able to accommodate our house plan including a pool area. The house and pool were drawn out on our choice of lots. We chose Lot 7 Block 5 Woodland Preserve because it was a ½ an acre parcel with little or no trees in the back. It accommodated the house and pool area with plenty of yard left over. The builder and Seller of the lot both agreed this was the perfect lot for our plans. In applying for our permit we are now finding out we do not have any impervious room left.

Due to the shape of the lot parcel and the side set backs we had to angle the garage to fit the house on the lot. Also due to the lot shape we had to set back the house farther which did require a slightly longer driveway. At this point the only impervious area we have is our sidewalk, driveway and house foundation garage area. We do not even have a patio or slab out our back walkout and are unable to do so because we are at the max impervious area due to the city codes.

Our home print is 1951 sq. feet and is comparable to the other homes around us. We feel the city codes are somewhat restrictive when we are unable at this point to even put in a patio area. We are requesting a variance to extend our impervious area to include a pooled/patio area. As you can see from the lot survey we have plenty of room to accommodate a pool and deck without affecting our neighbors or the wetland area behind us. Our plan is to include an nice berm area with trees and landscaping to keep up with the wetlands feel. In our plans we were hoping to have an area between 800 to 1000 sq. feet of patio or decking surface.

We thank you for your time in this matter.

Jeffrey and Heather Lowell  
11651 Aileron Circle  
Inver Grove Heights, MN. 55077

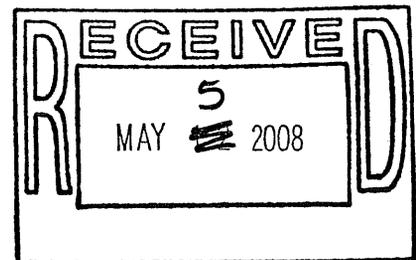
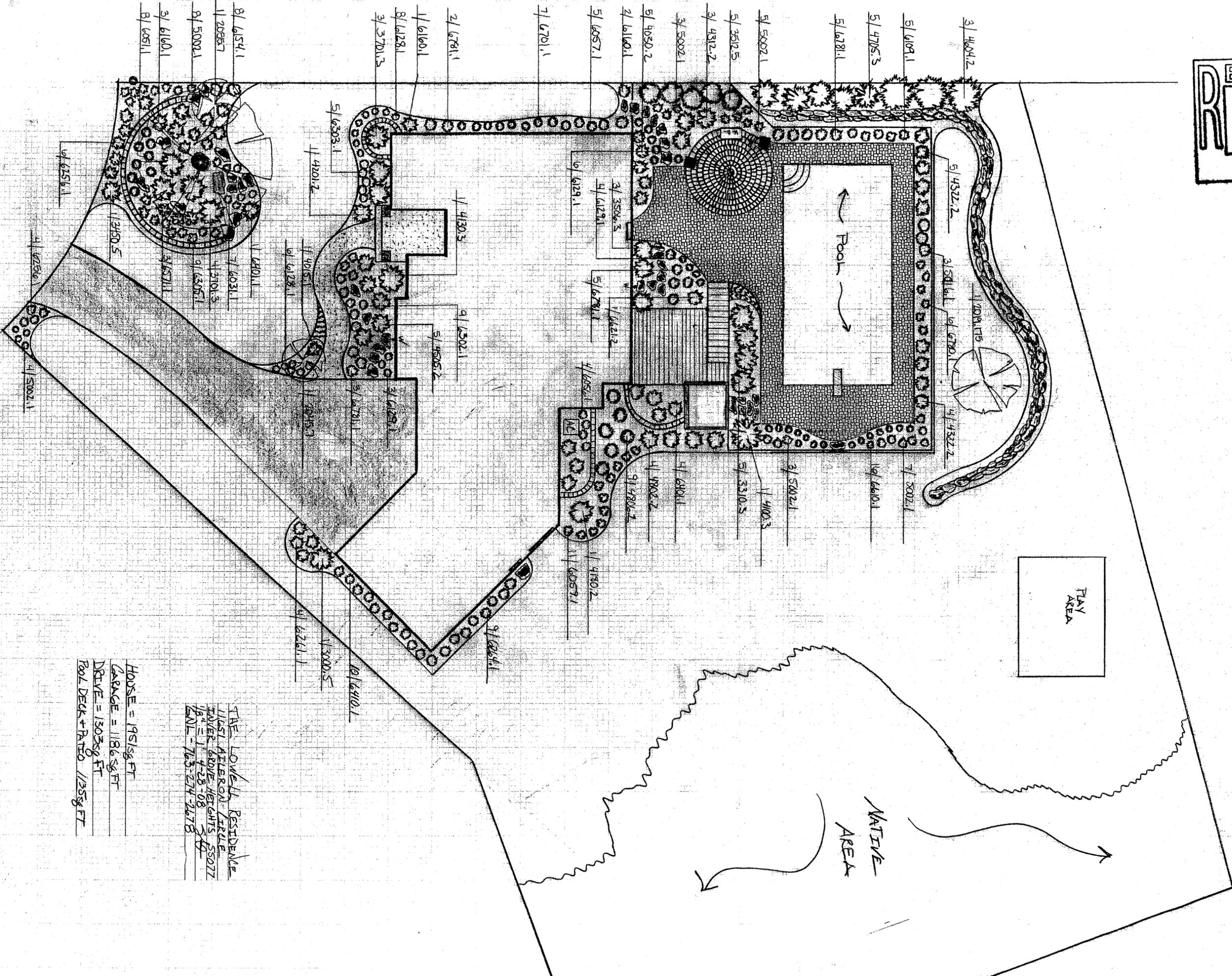
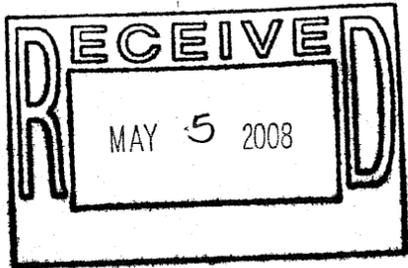


EXHIBIT B



HOUSE = 1951sq FT  
 GARAGE = 1186sq FT  
 DRIVE = 1303sq FT  
 POOL DECK + PATIO 1135sq FT

THE LOWELL RESIDENCE  
 1151 ATERSON LARLE  
 TAVER GROVE HEIGHTS 55077  
 1/8" = 1' 4-28-08  
 GNL - 765-274-2678

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**STONEHENGE USA;** Consider an Ordinance Amendment and Resolutions for property located on the west side of Clark Road, north of 117<sup>th</sup> Street.

Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Allan Hunting 651.450.2554  
 Prepared by: Allan Hunting, City Planner  
 Reviewed by:

**Fiscal/FTE Impact:**

<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

- a) An Ordinance Amendment to allow Auto Auction Sales as a conditional use in the I-2, General Industry Zoning District.
  - Requires 3/5th's vote.
- b) A Resolution relating to the Preliminary and Final Plat of Gainey Third Addition.
  - Requires 3/5th's vote.
- c) A Resolution relating to a Conditional Use Permit for an Auto Auction Sales facility with Outdoor Storage.
  - Requires 4/5th's vote.
  - 60-day deadline: October 14, 2008 (second 60 days)

**SUMMARY**

Stonehenge USA is proposing an auto auction sales facility on a 45 acre site. The development would consist of utilizing approximately 25 acres with a 12,400 square foot building and an outdoor storage yard sized for approximately 2900 vehicles.

**ANALYSIS**

The applicant is proposing to replat two outlots. At the time of the approval for both Gainey and Gainey Second Addition, park dedication was based on gross square footage of building. Since no buildings existing on these two outlots, park dedication would now be required based on current regulations. Park dedication is now based on an acre basis. The fee is \$5,500 per acre for acres in the subdivision. The plat resolution includes a condition which requires park dedication to be paid at time of plat release.

Auto Auction Sales is not currently allowed in the I-2 zoning district. An ordinance amendment is being requested to allow the use. Staff is concerned that allowing a use that is primarily an open storage use is not consistent with the goals the Council is trying to achieve in this area of the City. Providing sanitary sewer was one of the goals in the current Comprehensive Plan to provide opportunities for new industrial development thus expanding employment opportunities and tax base.

The proposed site plan meets all performance standards of the I-2 zoning district. The outdoor storage area would be screened from view from Clark Road with a six foot high solid fence. Landscaping along the fence would add to the aesthetics of the site.

The Planning Commission made two additional recommendations along with their standard recommendation to the Council. The first was to have the Council consider the option of allowing the use as an Interim Use per the zoning ordinance and not as a conditional use. The second was to correct the conflict in the Ordinance that would deem the vehicles in the storage lot as junk cars which are not allowed. One of the criteria of a junk car is that is not in operable condition for a period of more than 30 days. Some of the cars on the auto auction lot may be on the lot for up to 60 days waiting for a salvage title to be issued by the State. The Ordinance could be amended to exempt auto auction sales facilities from the junk car ordinance. If the Council finds the application acceptable, Council should then direct Staff to prepare an ordinance amendment that would address this conflict.

## **RECOMMENDATION**

Planning Staff Recommends denial of the request as presented.

Planning Commission Recommends approval of the requests with some additional conditions (8-1). These conditions are contained in the resolution of approval (#18,19,20).

Environmental Commission Recommends approval of the requests (6-2).

Attachments: Denial Resolution  
Zoning Ordinance Amendment  
Preliminary and Final Plat Resolution  
Conditional Use Permit Resolution  
Final Plat  
Planning Commission Minutes  
Planning Report

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION DENYING AN ORDINANCE AMENDMENT TO ALLOW AUTO AUCTION  
SALES FACILITIES AS A CONDITIONAL USE IN THE I-2, GENERAL INDUSTRY  
ZONING DISTRICT, A PRELIMINARY AND FINAL PLAT OF GAINNEY THIRD  
ADDITION AND A CONDITIONAL USE PERMIT FOR AN AUTO AUCTION SALES  
FACILITY WITH OUTDOOR STORAGE**

**CASE NO. 08-38CSZA  
(Stonehenge USA)**

Property located on the west side of Clark Road, north of 117<sup>th</sup> Street and legally described as follows:

**Outlot A, Gainey Addition, according to the recorded plat thereof,  
Outlot A, Gainey Second Addition, according to the recorded plat thereof.**

**WHEREAS**, an application has been received for an Ordinance Amendment, Preliminary and Final Plat and Conditional Use Permit;

**WHEREAS**, the zoning for the aforescribed property is I-2, General Industry;

**WHEREAS**, the City of Inver Grove Heights Planning Commission reviewed the request on August 6, 2008, in accordance with City Code Section 515.61. Subd. 4;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS THAT THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS AND DECISION:**

Findings of Fact

1. Auto Auction Sales is not currently allowed in the I-2, General Industry District.

2. The subject lot is zoned I-2, General Industry, is in the IRM, Integrated Resource Overlay District and the Comprehensive Plan Designation is GI, General Industrial.
3. The subject site is currently vacant.
4. The Ordinance Amendment, Plat and Conditional Use Permit requests are being requested in order to develop the site with an auto auction sales facility with outdoor storage.

#### Conclusions

1. The IRM District recognizes the existing waste industry uses make it less desirable for future development of different type of uses such as office or other warehousing/manufacturing. That is why the waste industry uses allowed in the district are limited to 10 acres in size. Allowing a use with primarily open storage of 24 acres of junk cars could also make development on surrounding properties less desirable.
2. The City recognized the concern of undesirable uses that were allowed in the I-2 District a number of years ago and changed the Ordinance to prohibit such uses.
3. The City just recently approved expansion of sewer along Clark Road to fulfill one of the goals of the Comprehensive Plan which was providing opportunities for new industrial development, redevelopment to expand employment opportunities and increase tax base. The addition of sewer provides the ability to develop properties with greater options and intensity than was possible with septic systems.
4. Proposed land use would not provide a large number of jobs. Initial employment would be 10 full time employees.
5. Many of the vehicles stored on site are considered "junk vehicles" by the City's ordinance. The auto auction operator must obtain salvage titles from the State before the vehicles can be sold. While the vehicles must remain on their site for up to 60 days before a salvage title can be obtained from the State, there is still the question of allowing junk vehicles as part of an approved business. The City's definition of a "junk car" is as follows:
  - i, "any motor vehicle which for a period of thirty (30) days or more:
    - (a) is not in operable condition;
    - (b) is partially dismantled;
    - (c) is used for sales of parts or as a source of repair or replacement parts for other vehicles;
    - (d) is kept for scrapping, dismantling, or salvage of any kind; or
    - (e) is not properly licensed for operation within the State of Minnesota.

- 6. There are reasonable uses available to this property and others in the area. Recent developments constructed along Clark Road and in the southern portion of the City include Flint Hills office building, a contractor's yard, I-State Trucking repair facility, Gainey and Swift Trucking. With the addition of city sewer, the ability to develop with a more intense development is now possible.

Decision

**Based on the finds of fact and conclusions made above, the application for a Ordinance Amendment, Preliminary and Final Plat and Conditional Use Permit to allow for an auto auction sales facility with outdoor storage is hereby denied.**

**BE IT FURTHER RESOLVED** that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this \_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
George Tourville, Mayor

Ayes:  
Nays:

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 515 (ZONING ORDINANCE) ADDING A DEFINITION OF AUTO AUCTION SALES AND ADDING AUTO AUCTION SALES AS A CONDITIONAL USE IN THE I-2, GENERAL INDUSTRY ZONING DISTRICT .

The City of Inver Grove Heights hereby ordains as follows:

**SECTION 1. AMENDMENT.** Section 515.30. Subd. 2. Definitions is hereby amended to add the follows:

22a. Auto Auction Sales - The business of processing, warehousing, storing, inspecting, auctioning, and selling operable and inoperable vehicles with general office uses and other activities related to and in connection with the business operation. No dismantling of vehicles occurs on the premises.

**SECTION 2. AMENDMENT.** Section 515. 80. Subd 16 is hereby amended to add the following:

Use	B-1	B-2	B-3	B-4	OP	I-1	IOP	I-2	P	MU	Comm	Office
Auto Auction Sales											PUD	PUD

C

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR THE  
SUBDIVISION TO BE KNOWN AS GAINNEY THIRD ADDITION**

**CASE NO. 08-38CSZA  
(Stonehenge USA)**

**WHEREAS**, a preliminary and final plat application has been submitted to the City for property legally described as;

**Outlot A, Gainney Addition, according to the recorded plat thereof,  
Outlot A, Gainney Second Addition, according to the recorded plat thereof.**

**WHEREAS**, a public hearing concerning the Plat was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 6, 2008;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that**, the Preliminary and Final Plat for the plat of Gainney Third Addition is hereby approved subject to the following conditions:

1. A park dedication fee equal to \$5,500 per acre for acres in the subdivision shall be paid to the City prior to release of the final plat.
2. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
3. Prior to release of the final plat for recording, An improvement agreement and storm water facilities maintenance agreement shall be entered into between the developer and City to address proper responsibilities and maintenance of the different storm water systems, to obtain a letter of credit for performance, and to obtain an engineering escrow for engineering staff and emergency erosion control expenses.

Resolution No. \_\_\_\_\_

Page 2

Passed this \_\_\_\_ day of \_\_\_\_\_, 2008.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN AUTO AUCTION  
SALES FACILITY WITH OUTDOOR STORAGE**

**CASE NO. 08-38CSZA  
(Stonehenge USA)**

**WHEREAS**, an application for a Conditional Use Permit has been submitted for property legally described as the following;

Outlot A, Gainey Addition, according to the recorded plat thereof.  
Outlot A, Gainey Second Addition, according to the recorded plat thereof.

**WHEREAS**, the aforescribed property is currently zoned I-2, General Industry;

**WHEREAS**, all conditional use permits are subject to the criteria listed in City Code Section 515.40, Subd. 4, regarding consistency with the Comprehensive Plan, conformity with the Zoning Ordinance and compatibility with adjacent properties, among other criteria;

**WHEREAS**, a public hearing concerning the Conditional Use Permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 6, 2008;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that a Conditional Use Permit for an Auto Auction Sales Facility with Outdoor Storage is hereby granted for the aforescribed property, 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 7/11/08

Grading Plan	dated 6/6/08
Fence Details Plan	dated 7/11/08
Utility Plan	dated 6/6/08
Landscape Plan	dated 7/11/08
Building Elevation Plan	dated 6/16/08
Tall Vehicle Parking Plan	dated 7/22/08

2. Prior to issuance of building permits, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. All parking lot lighting on site shall be a down cast "shoe-box" style and the bulb shall not be visible from property lines. Any wall lighting shall be directed such that the source of light is hooded, recessed or controlled in some manner so as not to be visible from streets.
5. All areas of the lot shall be mowed and maintained and be free from trash, debris or storage.
6. There shall be no storage of vehicle parts on the property, no draining of fluids, except as may be necessary if a leak is detected, and no maintenance or repair on the inventory vehicles.
7. 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.
8. Stacking, dismantling, "cannibalizing" or parting out vehicles or otherwise operating the property as a salvage yard shall be prohibited.
9. Vehicles shall not be stacked on racks in the outdoor storage area.
10. Any vehicles that would be taller than the screen fencing and could be visible from the street shall be parked in the shaded areas designated on the plan sheet C2, dated 7/22/08.
11. Storage of fuel in above ground storage tanks shall be installed in conformance with all required ordinances and rules and shall be subject to the approval of the City Fire Marshal.
12. A site inspection shall be done when the fence is to be installed to make sure the amount of fence proposed is adequate to screen and if additional screen fencing is needed, it shall be installed as required by the Planning Department.

- 13. All sections of the screening fence shall be at all times, maintained and repaired as necessary.
- 14. There shall be no on-street parking allowed for customer, employees or vehicles used for drop-off or pick-up of auction vehicles.
- 15. Any expansion of the use as shown on the site plan requires additional city approvals and is not part of this conditional use permit.
- 16. The applicant shall obtain any and all necessary permits from the Minnesota Pollution Control Agency and Dakota County.
- 17. Prior to release of the final plat for recording, An improvement agreement and storm water facilities maintenance agreement shall be entered into between the developer and City to address proper responsibilities and maintenance of the different storm water systems, to obtain a letter of credit for performance, and to obtain an engineering escrow for engineering staff and emergency erosion control expenses.
- 18. The landscape plan shall be modified to replace the 120 Techny Arborvitae #10 pots with minimum 4 foot tall Techny Arborvitae.
- 19. Prior to issuance of building permits, written procedures for fuel delivery and transfer shall be submitted to the City .
- 20. All fuel delivery and transfer operations shall be conducted within some form of secondary containment.

**BE IT FURTHER RESOLVED** that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

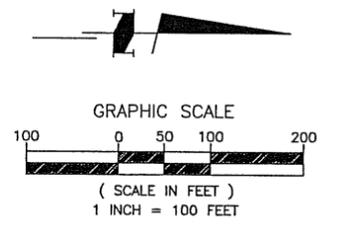
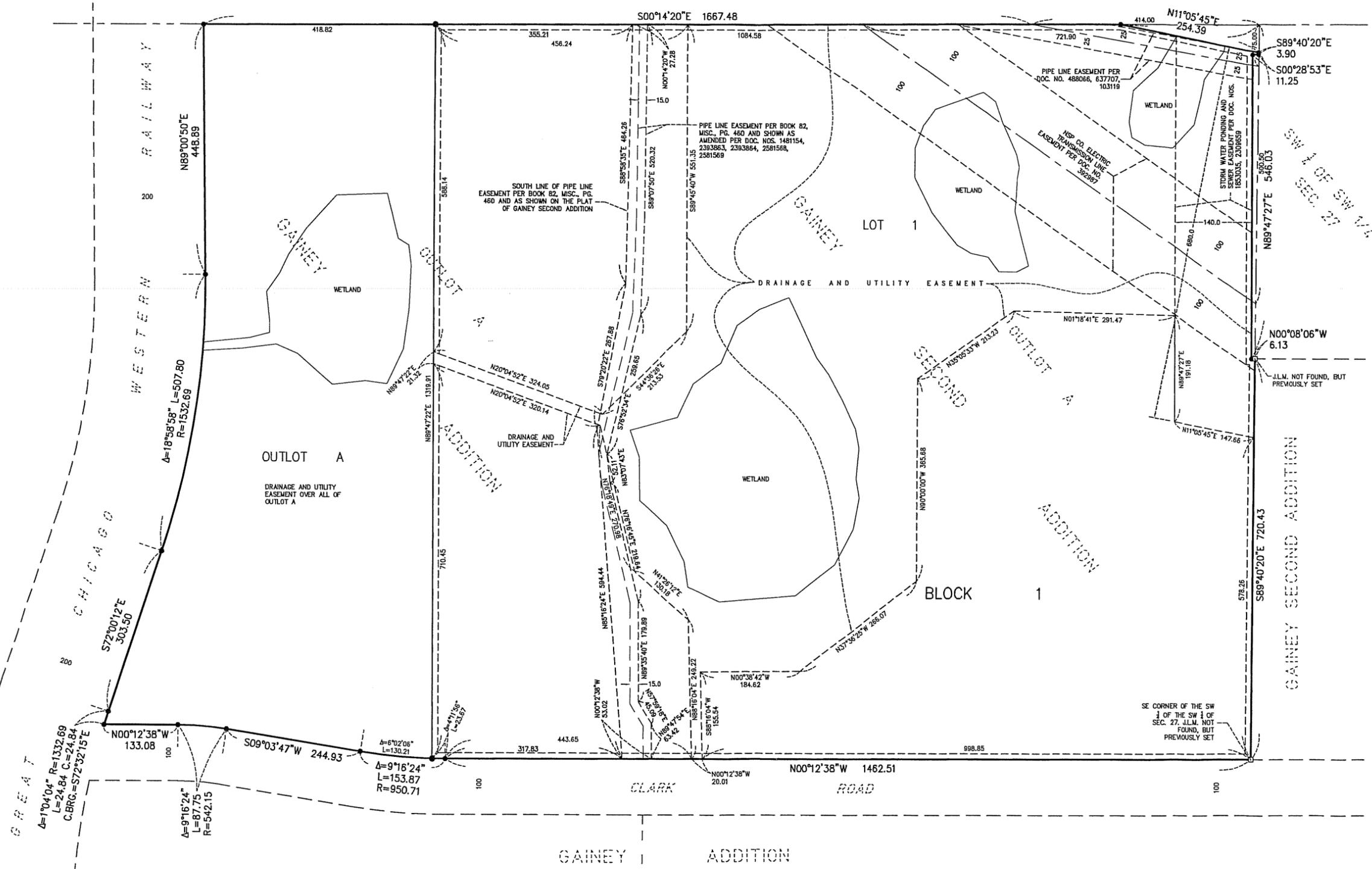
\_\_\_\_\_  
George Tourville, Mayor

Ayes:  
Nays:

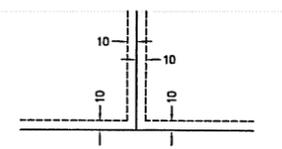
ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

# GAINEY THIRD ADDITION



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:  
(NOT TO SCALE)



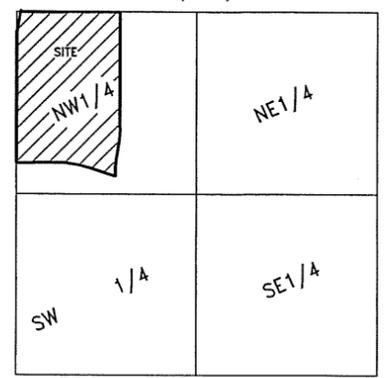
BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING RIGHT-OF-WAY LINES, AS SHOWN ON THE PLAT.

- - Denotes 1/2-inch found iron monument.
- - Denotes 1/2-inch X 14 inch set iron pipe marked by License 17255

No monument symbol shown on the plat indicates monuments to be set according to Minnesota Statutes and which shall be in place within one year of the filing of the plat marked by RLS 17255.

Bearings shown are based on the East line of Outlot A, GAINEY SECOND ADDITION having an assumed bearing of South 00°12'38" East.

VICINITY MAP  
SEC. 27, T. 27, R. 22



NOT TO SCALE

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights  
**FROM:** Planning Commission  
**DATE:** August 6, 2008  
**SUBJECT:** **STONEHENGE USA – CASE NO. 08-38CSZA**

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a preliminary and final plat for a one-lot, one-outlot industrial plat, a Zoning Code Amendment to allow Auto Auction Sales as a permitted or conditional use in the I-2, General Industrial Zoning District, and a Conditional Use Permit to allow auto auction sales and outdoor storage associated with auto auction sales, for the property located on the west side of Clark Road, north of 117<sup>th</sup> Street. 11 notices were mailed.

**Presentation of Request**

Allan Hunting, City Planner, explained the request as detailed in the report. Mr. Hunting advised that the request is to develop an auto auction facility on a 45 acre site. The project would consist of developing 25 acres into the auto auction facility with a 12,400 square foot office/auction building. The majority of the site would be an open storage lot for the vehicles for auction. The balance of the site contains two wetlands and one DNR protected wetland. The applicant is not proposing any impact to the wetlands. Mr. Hunting explained that auto auction facilities are currently not allowed in the City, therefore a Zoning Code Amendment is being requested. Staff does not support the amendment and believes there could be a higher and better use for this property, and they also believe this use would be inconsistent with the direction the Council has been moving toward in this particular area (i.e. sewer extension). If the Commission were to find this acceptable, however, staff would recommend that this use be allowed by conditional use permit rather than outright permitted. Mr. Hunting advised that the Environmental Commission has reviewed the request and do not have any issues. Staff believes that an auto auction is very similar to the uses that used to be allowed in the I-2 district, which were ultimately removed by the City Council, as they were considered undesirable uses which could have an impact on future development. Staff recommends denial of the request.

Chair Bartholomew asked where the other I-2 areas were within the City.

Mr. Hunting replied that the only other I-2 area is located along Highway 3 and Diffley Road.

Commissioner Simon asked if a scrap yard was permitted in the I-2 district, to which Mr. Hunting replied it was not.

Commissioner Simon noted that the County would regulate this as a scrap yard, and asked if the condition requiring that IAA be permitted by the County would mean that it would not make a difference at this point if they changed the term unless we allow it, to which Mr. Hunting replied in the affirmative.

Commissioner Simon asked what the length of a typical extension was on an interim use permit.

Mr. Hunting stated they had not granted any extensions yet as the interim use ordinance was not adopted until 2004.

Commissioner Hark stated that the proposed business appeared to be in conflict with the City's junk vehicle code since the vehicles were inoperable.

Mr. Hunting replied that some of the vehicles would be considered junk vehicles under the City's definition since many would be inoperable due to accident damage. He advised that the applicant has informed him that it could take up to 60 days for them to produce a salvage title.

Commissioner Hark questioned how the City could enforce compliance with the junk vehicle code.

Mr. Hunting stated the vehicles would be behind the fence, and it would not be the intent of the City to have staff making periodic inspections to see when the vehicles were brought onto the site.

Commissioner Schaeffer asked staff how this use compared to a larger use in regards to potential taxation and connection fees

Mr. Hunting stated that typically the land value would be generally the same, but the tax value for the building would be based on the size and the materials it was made of. He added that he was not familiar with the connection fees for a 12,000 square foot building versus a 50,000 square foot building.

Commissioner Gooch asked staff to discuss the traffic expectations for this site.

Mr. Hunting advised there would be only one access to the site, and that they did not expect a lot of customer traffic as the majority of the vehicles would be sold via the internet. He explained that on auction days there would likely be more traffic with people purchasing vehicles and hauling them out, but that Clark Road is intended to see large volumes of truck traffic.

Commissioner Gooch asked if the customers would most likely access the site via 117<sup>th</sup> Street, to which Mr. Hunting replied in the affirmative.

### **Opening of Public Hearing**

David Carland with Stonehenge USA, 18525 Brooklyn Boulevard, introduced Pamela Dale, Gary Tushie with Tushie Montgomery Architects, Matt Duenwald with MFRA, Michael Madden with Insurance Auto Auction, and the land owners, Steve Watrud and Max Steininger. Mr. Carland advised that Stonehenge USA is proposing to develop and lease the site to Insurance Auto Auction Inc., a national company with 140 locations in the United States and 12 in Canada. He explained that IAAI auctions off motor vehicles owned by insurance companies which have either been damaged in an accident, have flood or hail damage, or are theft recovery vehicles. Mr. Carland advised that about 70% of the vehicles are sold via the internet, with the remaining 30% being sold at live auction. Mr. Carland advised that the average turnout for a live auction would be 20-30 buyers, there would be ten employees, and the hourly traffic average would be approximately 4.3 trucks per hour. He advised that the Environmental Commission

recommended approval of this request on a 6/2 vote, and both Barr Engineering and DPRA stated that potential negative impacts to the surface or groundwater would be minimal providing IAA used best management practices.

Chair Bartholomew asked the applicant to discuss the title process.

Mr. Carland advised that IAA seeks to procure title almost immediately after receiving a motor vehicle, but the process can take up to 60 days. Immediately upon receiving title the vehicle goes to the weekly auction.

Michael Madden, Vice-President of Real Estate for Insurance Auto Auction, 2 Westwood Corporate Center, Westchester, IL, advised that they are seeking to relocate their current St. Paul facility to Inver Grove Heights as they have outgrown that space. He advised that this would not be a scrap yard or salvage yard, and they do not stack, rack, dismantle, cannibalize or "part out" vehicles. He then explained how their business operated, stating that they consistently follow the same business model throughout the US and Canada. He advised that all their facilities are covered by a master environmental insurance policy, and that the annual reviews and bonuses of their branch managers and operations people are tied to their compliance and adherence to corporate procedures and practices. Mr. Madden advised that their branches are audited every year by their environmental insurance vendor, in addition to their own internal corporate operational audit group.

Chair Bartholomew asked if the applicants had any previous state or city violations, to which Mr. Madden replied none that he was aware of.

Commissioner Simon asked if the applicants would be agreeable to adding verbiage to the conditions requiring that all fuel deliver and transfer operations be conducted within a secondary container, to which Mr. Madden replied in the affirmative.

Commissioner Simon asked if the applicants would be agreeable to adding a condition requiring that written procedures for fuel delivery and transfer be submitted to the City, to which Mr. Carland replied in the affirmative.

Commissioner Simon asked why the applicants preferred a conditional use permit versus an interim use permit, to which Mr. Madden replied for financial reasons.

Commissioner Simon asked if the applicants planned to stay at this location permanently or for a specific period of time, to which Mr. Madden replied for a specific period of time.

Mr. Carland stated it is their hope that IAA will run outgrow this facility in 5-10 years and at that time perhaps the market would be better and they could put the land to a higher and better use.

Commissioner Simon noted that a conditional use permit would stay with the property and there was potential for a future owner to be less concerned about the environment as IAA.

Mr. Carland added that Stonehenge would be granted an on-going right to review a replacement operation.

Commissioner Koch asked the applicants to discuss the removal process of purchase vehicles.

Mr. Madden replied that some buyers will pay IAA to have the vehicle towed and transported, otherwise buyers are required to remove the vehicle within 48 hours of the sale.

Commissioner Koch asked if most of the buyers were corporations, to which Mr. Madden replied that he was not sure but that could get Commissioner Koch more information.

Commissioner Wippermann asked if all the vehicles being auctioned at this facility came from Minnesota, to which Mr. Madden replied in the affirmative.

Commissioner Schaeffer asked if all buyers were professional buyers, to which Mr. Madden replied that the public was allowed as well.

Gary Tushie with Tushie Montgomery Architects, explained the details of the site plans and building plans. He advised that they made some changes as a result of meetings with staff, including exposing the building and increasing the setbacks from two of the wetlands.

Mr. Carland stated that the county assessor advised the project valuation would likely be between 4.5 - 6 million dollars, however Mr. Carland believed it would be higher than that. He stated that an advantage of this project is that it would require fewer city services while still providing the same tax revenues as a larger building. He stated that it is difficult at this time to find a manufacturing or industrial user for this property because of a combination of reasons, including the current economy, surrounding uses, and environmental impacts. He added that this use would provide infrastructure that would put them in a better position in the future for a higher use.

Shirley Pike, 11025 Courthouse Boulevard, asked what the hours of operation would be and how many vehicle trips would be generated from this site.

Mr. Madden replied that the site would generate approximately 4.3 trucks per hour during business hours, including both incoming and outgoing traffic. He stated that business hours were typically 8:00-5:30, with the exception of an occasional after hour delivery.

Chair Bartholomew asked if the applicants would be agreeable to adding a condition stipulating the hours of operation from 7:00-5:30.

Mr. Madden replied they would prefer 7:00-6:00, and would like to retain the ability to have a limited number of vehicles dropped off after hours.

Sharon Sachwitz, 11105 Courthouse Blvd, advised she was not opposed to the request, stating it would provide tax relief and would have minimal noise and environmental impacts in comparison to the existing uses in the area.

#### **Planning Commission Discussion**

Commissioner Roth stated he would like the landscape plan to be modified to replace the proposed 120 #10 arborvitae pots with a minimum four foot tall arborvitae to ensure a four foot high screen.

Chair Bartholomew stated that he supported the request and felt it was a good use for the property at this time.

Commissioner Hark stated that although he had no issues with the business or the location, he could not support the request as it would allow a business to violate the City's junk vehicle code. He suggested that if this were to go forward, that the City Council develop an exception for junk vehicles for this type of operation.

Chair Bartholomew asked if there was an allowance in the city code for junk vehicles in regards to repair of vehicles.

Mr. Hunting stated he was not sure, but that the 30 day limit would likely give a repair shop enough time to get a car in operable condition. He advised that since they operate on a complaint basis, however, there could be violations occurring at auto repair shops that staff was not aware of.

Commissioner Schaeffer stated he felt the intent of the junk vehicle ordinance was geared towards damaged vehicles being parked in driveways or parking lots until the owner had the money and time to repair them. He added that he felt this business would be a viable exception to the junk vehicle ordinance as it was their goal to sell the vehicles as soon as possible, and the only reason they would have a vehicle on site more than 30 days would be if the State did not get them their salvage title in a timely manner.

Chair Bartholomew asked if a condition could be added that the language of the junk vehicle code be changed to allow up to 60 days for this property.

Mr. Hunting stated he would discuss that with the City Attorney prior to this item going to City Council.

Commissioner Schaeffer questioned whether 60 days would be enough.

Commissioner Wippermann stated he would be voting against the request as he felt this use could have a negative effect on future development.

Commissioner Schaeffer asked what the opportunity would be for a 20 year interim use permit.

Mr. Hunting stated if the applicant chose to request an interim use permit rather than a conditional use permit they would need to start at the beginning of the process again, including holding a new public hearing.

Commissioner Schaeffer stated this request presented a good opportunity to get the infrastructure in and gain revenue from the property until it could be utilized for a larger use.

Chair Bartholomew stated that although the Commission could not act on an interim use tonight, they could recommend that Council consider a 20 year interim use period for this property.

Commissioner Schaeffer advised he would like City Council to consider an interim use.

Commissioner Gooch stated he felt this was a good use for this area and that due to the surrounding businesses (landfills, refinery, tank storage, etc.) it was unlikely a large office building or food company would want to be in this location.

**Planning Commission Recommendation**

Motion by Commissioner Schaeffer, second by Commissioner Koch, to approve the request for a preliminary and final plat for a one-lot, one-outlot industrial plat, a Zoning Code Amendment to allow Auto Auction Sales as a conditional use in the I-2, General Industrial Zoning District, and a Conditional Use Permit to allow Auto Auction Sales and outdoor storage associated with auto auction sales for the property located on the west side of Clark road, north of 117<sup>th</sup> Street, with the 17 conditions listed in the report, as well as additional conditions requiring that all fuel deliver and transfer operations be conducted within a secondary container, that written procedures for fuel delivery and transfer be submitted to the City, and that the landscape plan be modified to replace the 120 #10 arborvitae pots with a minimum four foot tall arborvitae.

Motion carried (8/1 - Wippermann). This matter goes to the City Council on August 25, 2008.

**PLANNING REPORT**  
**CITY OF INVER GROVE HEIGHTS**

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**REPORT DATE:** July 31, 2008

**CASE NO:** 08-38CSZA

**APPLICANT:** Stonehenge IGH Ventures, LLC

**PROPERTY OWNER:** Watrud Properties, LLC  
Clark Road Properties, LLC

**REQUEST:** Preliminary and Final Plat, Zoning Code Amendment and Conditional Use Permit

**HEARING DATE:** August 6, 2008

**LOCATION:** 11305 Clark Road

**COMPREHENSIVE PLAN:** General Industrial

**ZONING:** I-2, General Industry and IRM, Integrated Resource Management Overlay District

**REVIEWING DIVISIONS:** Planning  
Engineering  
Barr Engineering

**PREPARED BY:** Allan Hunting  
City Planner

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**BACKGROUND**

Stonehenge IGH is proposing to develop an auto auction facility on a 45 acre parcel. The project would consist of developing 25 acres into the auto auction facility with a 12,400 square foot office/auction facility. The majority of the site would be an open storage lot for the vehicles for auction. Fencing would surround the site and a solid six foot high wood fence would be constructed along Clark Road for screening. The balance of the site contains two wetlands and one DNR protected wetland. The applicant is not proposing any impacts to the wetlands.

Auto Auction facilities are currently not allowed in any zoning district. Part of the request is to amend the Zoning Ordinance to allow such use.

The specific requests consist of the following:

- a) A Zoning Code Amendment to allow Auto Auction Sales as a permitted use in the I-2, General Industry Zoning District.
- b) A Preliminary and Final Plat for a one lot, one outlot industrial plat.
- c) A Conditional Use Permit to allow outdoor storage associated with Auto Auction Sales.

Stonehenge proposes to develop and lease a 25 acre auto auction facility with a 12,400 square foot office and indoor auction building. The outdoor storage area would consist of an inventory area, drop and display area to accommodate up to 2,900 vehicles. The site would be leased by IAAI, Insurance Auto Auction, Inc. IAAI operates auto auction facilities which provide insurance companies a service to sell inoperable, operable and recovered-theft vehicles. IAAI does not disassemble part out or operate an auto salvage yard. The facility is designed to store and sell auction vehicles. No fluids would be drained from vehicles on the site and no parts are removed. New vehicles are inspected for fluid leaks upon arrival and any leaks are stopped.

The customer parking lot and drop off lot area would be bituminous surface. All of the storage lot area would be covered with recycled bituminous. The storage area would be screened from the road with a 6 foot high solid wood fence with landscape plantings. The front area by the main building would have a decorate wrought iron fence with brick pillars. The building would be connected to the new sewer system.

### **EVALUATION OF THE REQUEST**

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

North Contractor's yard; zoned I-2; guided GI

East Trucking operation, vacant; zoned I-2; guided GI

West Landfill; zoned I-2; guided GI

South Vacant, industrial development; zoned I-2; guided GI

### **ZONING CODE AMENDMENT**

The main issue with this request whether auto auction sales is an appropriate and desirable land use in the City.

Currently, auto auction sales, or uses similar are not allowed in any zoning district in the City.

Ordinance language has been prepared by the applicant which would allow Auto Auction Sales as a permitted use within the I-2, General Industry zoning district. A definition has also been prepared which is shown on the proposed ordinance amendment attached to this report.

Background. The original 1965 zoning ordinance did allow for a use labeled "auto wrecking, junk yard, used auto parts (open storage) and similar uses" as a conditional use in the I-2 zoning district.

During the mid 90's, the City began studying the landfill and recycling uses that had historically occurred in the area of the city along the west side of Hwy 52/55 and along 117<sup>th</sup> Street. In 1995, an ordinance amendment was passed to address the incompatible land use expansions of the waste industries. The IRM, Integrated Resource Management Overlay District was designed to address the existing and limit future waste industries. It was recognized that the existing mixed municipal solid waste industries in the City have the potential to cause negative environmental impacts relating to stormwater quality, groundwater quality, air emissions, aesthetics, general community and neighborhood image, and public nuisances. As a result, the City of Inver Grove Heights has found that many land uses are not compatible with and will not locate adjacent to or near a mixed municipal solid waste facility. This tends to restrict development opportunities on surrounding properties, thus hindering the expansion of the City's commercial/industrial tax base and employment opportunities. It also causes a public concern that landfill expansion may be proposed for such undeveloped areas. Because of these concerns, the uses that are allowed in the IRM District are limited in size and intensity.

While the proposed auto auction is not a waste industry, it has some of the same characteristics that were concerns with waste industries including possibilities of ground contamination or pollution and aesthetics. Staff believes the same concerns raised with waste industries could be applicable to an auto auction use.

At the same time, the City also looked at the allowed uses in the I-2 district and discussed what uses were and were not acceptable for the I-2 district. An amendment to the I-2 was also approved in 1995 which eliminated the auto wrecking, junk yard, used auto parts category and also eliminated a number of other uses that were considered unacceptable uses. While the city was studying acceptable uses in the I-2 district, a list of allowed uses was prepared for the ordinance. One of the early drafts contained a use called "auction facility". This use was eliminated during the drafting process as not being a use that would be appropriate in the I-2 district.

The property is currently zoned I-2, General Industry and is within the IRM, Integrated Resource Overlay District.

The purpose of the I-2 district, as defined in the Zoning Ordinance, is as follows:

"The purpose of the I-2 General Industry District is to provide for areas, which because of the availability to thoroughfares and railroads, suitable topography, and isolation from residential areas, are appropriate for industrial uses which are of a more intense nature. The I-2 District also allows certain businesses necessary to complement general industrial uses."

The Comprehensive Plan identifies policies and goals for the industrial districts. Policies identified for both the Light Industrial and General Industrial categories are as follows:

1. Provide opportunities for new industrial development, expansions of existing uses and the redevelopment of existing industrial uses to expand employment opportunities and to serve existing businesses in the community. Provide sanitary sewer service when feasible.
2. Improve the appearance of existing industrial areas and minimize adverse impacts on the community's image and development potential.

Based on the City's past actions, Staff has some concerns regarding the ordinance amendment and proposed use and has expressed these concerns to the applicant over a number of meetings. Staff has prepared a list of cons or arguments against the project which are listed below:

- The IRM District recognizes the existing waste industry uses make it less desirable for future development of different type of uses such as office or other warehousing/manufacturing. That is why the waste industry uses allowed in the district are limited to 10 acres in size. Allowing a use with primarily open storage of 24 acres of junk cars could also make development on surrounding properties less desirable.
- The City recognized the concern of undesirable uses that were allowed in the I-2 District a number of years ago and changed the Ordinance to prohibit such uses.
- The City just recently approved expansion of sewer along Clark Road to fulfill one of the goals of the Comprehensive Plan which was providing opportunities for new industrial development, redevelopment to expand employment opportunities and increase tax base. The addition of sewer provides the ability to develop properties with greater options and intensity than was possible with septic systems.
- Proposed land use would not provide a large number of jobs. Initial employment would be 10 full time employees.
- Many of the vehicles stored on site are considered "junk vehicles" by the City's ordinance. The auto auction operator must obtain salvage titles from the State before the vehicles can be sold. While the vehicles must remain on their site for up to 60 days before a salvage title can be obtained from the State, there is still the question of allowing junk vehicles as part of an approved business. The City's definition of a "junk car" is as follows:

“any motor vehicle which for a period of thirty (30) days or more:

- (a) is not in operable condition;
- (b) is partially dismantled;

- (c) is used for sales of parts or as a source of repair or replacement parts for other vehicles;
  - (d) is kept for scrapping, dismantling, or salvage of any kind; or
  - (e) is not properly licensed for operation within the State of Minnesota.
- There can be a fine line between an auto auction facility and auto salvage yard if it is not managed correctly. While the City can insert conditions controlling the operation, the City is still dependent upon the operation management to make sure the rules are adhered to. The City does not have the staff to conduct periodic inspections. They can become junk, salvage and/or parts yards which have historically and traditionally been a public nuisance generator.
  - There are reasonable uses available to this property and others in the area. Recent developments constructed along Clark Road and in the southern portion of the City include Flint Hills office building, a contractor's yard, I-State Trucking repair facility, Gainey and Swift Trucking. With the addition of city sewer, the ability to develop with a more intense development is now possible.

Staff had discussed with the applicant the option of requesting an Interim Use Permit through the City process. The advantage for the City is that a set time frame would be established by which the business would be required to cease operations. A typical time period for a use through this process would be five (5) to eight (8) years. The applicant has expressed concerns with establishing a termination date. The Ordinance does provide for a one time extension, approved by the Council, to allow for any unforeseen circumstances.

Staff has concerns regarding the proposed application. The City took deliberate action in 1995 to address land use around the landfill and also eliminated undesirable uses in the I-2 district. Approval of this application would be contrary to past actions. The City also undertook the process of approving and now installing sewer along Clark Road to serve the industrial properties in order to provide a wider range of uses that would help development potential thus increasing commercial/industrial tax base and employment opportunities. The proposal is primarily an open storage operation with a smaller building and few employees.

Environmental Review. The City has forwarded the application materials to Barr Engineering to conduct a review on the environmental impacts of the proposed use. Barr has prepared a memo which is attached to this report. In general, Barr looked at three main questions regarding the operation; if any approvals or permits were required from any other agencies, if there were any negative impacts to surface or ground water, and if the methane produced from the landfills to the west had any negative impacts on this or any other development.

Barr's report indicates this type of use falls under Dakota County's Ordinance 110. According to initial discussions with the County, the use would fall under their definition of "scrap yard"

which requires that all fluids must be drained from the vehicles that would be sold as scrap. The applicant indicated that they do not drain any fluids from the cars. The fluids are drained elsewhere and that this operation would only clean or drain any necessary fluids to avoid leaks or spills. A condition should be included requiring the applicant to obtain any and all necessary permits from Dakota County.

Barr contacted the MPCA and was told the operation would also require an Industrial Stormwater Permit.

Barr reviewed the site plan, grading and drainage information and IAA's operations manual and based on this review, Barr finds that the facility will likely not have a negative impact on ground water. The surface water would be directed to a constructed stormwater pond which would direct and control the surface runoff. More details of Barr's analysis is outlined in their report attached to this report.

Barr also notes that if the companies best management practices were not followed, that either a small or large fluid leak were to occur, it would not have a negative impact and is unlikely to occur.

Barr's report also indicates that the methane migration from the landfills to the west migrate only a short distance into the subject property. The building proposed would be over 1200 feet from the west boundary of Pine Bend Landfill and has a very low possibility of methane migrating to the building. The balance of the land would not be negatively impacted by methane migration. A majority of the site contains wetlands on the west boundary and so this area could not be developed.

In summary, Barr believes the potential environmental impacts from the proposed operation relating to groundwater are minimal and that methane migration does not pose any negative impacts to the development of the property.

#### Environmental Commission Review.

The Environmental Commission reviewed the request at July 24 meeting. Based on the analysis done by Barr Engineering and the applicant's environmental consultant, the Environmental Commission was not concerned about any negative environmental impacts of this proposal or this type of use in general. They did have some discussion regarding the ordinance amendment and that it would allow an auto auction in any I-2 zoned property. Areas of the City zoned I-2 are located almost entirely in the southeast corner of the City in the IRM district. The Environmental Commission ultimately recommended approval of the request as presented with a 6-2 vote.

### PRELIMINARY PLAT

The plat consists of replatting two outlots into one lot and one outlot. The lot would be 44 acres and the outlot would be 13 acres. The proposed outlot would be for a future expansion area. A drainage and utility easement would be created over the entire outlot for the drainage system that currently exists for the Gainey Addition subdivision and for this project. All of the area being proposed as green space, which includes all of the wetlands, would be contained within a drainage and utility easement. The proposed lots comply with minimum lot size and width standards. The future outlot is large enough for any type of future development.

### CONDITIONAL USE PERMIT REVIEW

(This section reviews the plans against the CUP criteria in the Zoning Ordinance assuming the proposed ordinance amendment is adopted and that the City finds this to be an acceptable use.)

Setbacks. The proposed parking lot and building meets and exceeds the required perimeter setbacks for the site.

Parking Lot. The parking area is comprised of three sections; customer parking area in front of the building, the drop lot area enclosed by fencing and the sales and inventory parking area. The customer and drop lot areas would be a bituminous surface and the sales and inventory area would be covered with recycled asphalt. The surfaces for the areas proposed comply with the Ordinance.

Parking for the proposed use consists of 52 customer/employee/loading area parking stalls located in front of the building. The number of stall complies with the parking requirement for an office building. There are 378 spaces in the sales area and 2446 spaces in the inventory area

Lot Coverage. The I-2 zoning districts allows a maximum of 30% of the lot to be covered by buildings. The building footprint coverage would be an extremely small percentage of the lot, which is in compliance with code standards.

Screening/Landscaping. To screen the operation from view from the street, the applicant is proposing a six foot high solid wood fence along Clark Road and extending westward on both the north and south ends of the site to screen the outdoor storage area from the road. There would be a decorate wrought iron fence with brick pillars that would extend along the front of the building. The drop lot would be screened with a six foot high chain link fence covered with black screen mesh to make the fence opaque. The applicant has provided perspective views of the screening and parking from Clark Road to show that the area would be screened from view. The amount of solid screening on the north and south side was determined based on topography and best guess as to where the visibility ends. Staff recommends, and the applicant is in agreement to have a condition that a site inspection be done when the fence is to be installed to make sure the amount of fence proposed is adequate to screen and if additional screen fencing is needed, it will be installed as required by the Planning Department.

### PRELIMINARY PLAT

The plat consists of replatting two outlots into one lot and one outlot. The lot would be 44 acres and the outlot would be 13 acres. The proposed outlot would be for a future expansion area. A drainage and utility easement would be created over the entire outlot for the drainage system that currently exists for the Gainey Addition subdivision and for this project. All of the area being proposed as green space, which includes all of the wetlands, would be contained within a drainage and utility easement. The proposed lots comply with minimum lot size and width standards. The future outlot is large enough for any type of future development.

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The applicant has indicated that occasionally alternative or oversize vehicles are stored on site. This volume is typically less than 1% of the total inventory. These vehicles could have a height up to 13' 6". The applicant has conducted some height/grade analysis to determine the best location for storing these type of vehicles on the site and maintain screening. It is proposed to store these vehicles on the west side of the DNR wetland as far west as possible. Staff recommends that the storage of these oversized vehicles be restricted to areas on the lot that would not be visible from the street.

The City's landscape policy requires a minimum of 140 over story trees, or the equivalent, be planted on site. This is based on one tree per 50 lineal feet of site perimeter. Over story trees equal minimum 2.5 caliper inch deciduous or minimum six foot tall coniferous trees. Equivalent plantings are allowed at 2:1 for ornamental trees and 6:1 for shrubs. At least 50% of the plantings must be over story. The landscape plan currently shows the equivalence of 153 over story trees exceeding the city requirements.

The landscaping is shown along the front of the site, along the fence to break up the expanse of fence line. Additional plantings are also proposed along the north and south boarder and around a portion of one of the wetlands. No screen fencing is proposed along the west boundary because the property abuts the landfill which provides a buffer to any other properties to the west.

Infrastructure. City sewer will be available to the site by the end of the year. The plans show the building would be connected to city sewer.

Access. Access to the site would be via one entrance onto Clark Road. All of the vehicles coming and going would go through the one access point which has a sliding gate to screen the entrance. This also controls access to the site. The balance of the site is fenced for security reasons.

Building Materials. The proposed building consists of a mixture of rock face and smooth face block with some horizontal siding at the top of the building. The roof would consist of a pitched shingle roof. All materials proposed comply with ordinance standards.

Engineering. Engineering has reviewed this proposal against the overall storm water plan to determine if the proposed plan is acceptable. An overall storm water plan was prepared when the Gainey Addition was platted. Storm water would be collected in a storm water pond that would be constructed and the water ultimately goes into the wetlands on site after it has been treated. The storm management system should be updated to include back-to-back 100-year events in order to properly identify high water line elevations for a land-locked wetland and pond system. The owner shall pay for the City's consultant services for storm water reviews.

An improvement agreement and storm water facilities maintenance agreement is needed to address proper responsibilities and maintenance of the different storm water systems, to obtain a letter of credit for performance, and to obtain an engineering escrow for engineering staff and emergency erosion control expenses.

Lighting. The plan does not identify any lighting details. All parking lot lighting and building 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.

Signage. The plans show one small wall sign. No details have been provided for a free standing sign. All signs for the site, including wall and pylon, require a separate sign permit and shall conform to the sign size requirements of the I-2 zoning district.

#### General CUP criteria

(This section also reviews the plans against the CUP criteria in the Zoning Ordinance assuming the proposed ordinance amendment is adopted and that the City finds this to be an acceptable use.)

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

*One of the policies of the industrial districts is to "Improve the appearance of existing industrial areas and minimize adverse impacts on the community's image and development potential." Assuming the Council finds this to be an acceptable use, the proposed use would not have a negative impact for the industrial areas as set forth in the Comprehensive Plan.*

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.

*Suitability of the use is discussed above with the Comprehensive Plan. The proposed project does comply with all of the performance criteria of the I-2 Zoning District.*

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

*Assuming the Council finds this to be an acceptable use, the proposed use would not have a detrimental effect on public improvements in the vicinity of the project.*

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.

*Assuming the Council finds this to be an acceptable use, this criterion is met. The City's code enforcement capabilities are limited and therefore cannot assure full compliance with the conditions of approval at all times. Compliance will depend primarily on the management of the operation.*

5. The use is generally compatible with existing and future uses of surrounding properties, including: *Assuming the Council finds this to be an acceptable use,*

- i. Aesthetics/exterior appearance

*The design of the proposed development would be compatible with the surrounding uses providing screening of the outdoor storage areas.*

- ii. Noise

*Any vehicle noise would not out of the ordinary for the I-2 zoning district.*

- iii. Fencing, landscaping and buffering

*The applicant is meeting the city's screening 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 size and location would be appropriate for industrial uses. The project does not impact any wetlands and there are very few trees on site that would need to be removed. The site plan complies with all performance standards.*

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

*Based on Barr's environmental analysis, this use would 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.

*Barr Engineering was used to review the project to determine any negative environmental effects or concerns. Based on Barr's analysis, this use would not have any negative effects on the environment.*

Financial Considerations. During discussions regarding the use, the topic was discussed if this was the highest and best use of the property and what type of tax generation might result from

the proposed use. The applicant has provided some analysis with some help from the County which suggests the proposed use with its 12,000 square foot building would generate more taxes than a typical large size warehouse building. The IGH Distribution center was used as the comparison property. Based on the applicant's calculations, this project would generate more tax dollars. Staff contacted the same individual from the County to verify the information and based on my discussions with the assessor, this is not necessarily the case. The land valuation would be about the same for any of the properties in this part of the City. The biggest impact on tax generation is the size and construction value of the building. The IGH Distribution building is not a good comparison as it is an older building and much of its value has been lost in depreciation. A larger building built today would have more value than a smaller building. A new large warehouse building constructed today would have more tax value than the building proposed. This is important because the Council wants to encourage uses that generate more employment and more tax value. That is why extending sewer to this part of the City is the first step in achieving this goal. The proposed use would not be a comparable tax generator to a project that had a larger building.

## **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:
- o Approval of an **Ordinance Amendment** to allow Auto Auction Sales as a permitted use in the I-2, General Industry Zoning District.
  - o Approval of the **Preliminary Plat and Conditional Use Permit for an Auto Auction Facility with Outdoor Storage** 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.

Preliminary Plat	dated 6/6/08
Site Plan	dated 7/11/08
Grading Plan	dated 6/6/08
Fence Details Plan	dated 7/11/08
Utility Plan	dated 6/6/08
Landscape Plan	dated 7/11/08
Building Elevation Plan	dated 6/16/08
    2. Prior to issuance of building permits, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.

3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. All parking lot lighting on site shall be a down cast “shoe-box” style and the bulb shall not be visible from property lines. Any wall lighting shall be directed such that the source of light is hooded, recessed or controlled in some manner so as not to be visible from streets.
5. All areas of the lot shall be mowed and maintained and be free from trash, debris or storage.
6. There shall be no storage of vehicle parts on the property, no draining of fluids and no maintenance or repair on the inventory vehicles.
7. 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.
8. Stacking, dismantling, “cannibalizing” or parting out vehicles or otherwise operating the property as a salvage yard shall be prohibited.
9. Vehicles shall not be stacked on racks in the outdoor storage area.
10. Any vehicles that would be taller than the screen fencing and could be visible from the street shall be restricted to storage areas that are not visible from the street.
11. Storage of fuel in above ground storage tanks shall be installed in conformance with all required ordinances and rules and shall be subject to the approval of the City Fire Marshal.
12. A site inspection shall be done when the fence is to be installed to make sure the amount of fence proposed is adequate to screen and if additional screen fencing is needed, it shall be installed as required by the Planning Department.
13. All sections of the screening fence shall be at all times, maintained and repaired as necessary.
14. There shall be no on-street parking allowed for customer, employees or vehicles used for drop-off or pick-up of auction vehicles.

15. Any expansion of the use as shown on the site plan requires additional city approvals and is not part of this conditional use permit.
16. The applicant shall obtain any and all necessary permits from the Minnesota Pollution Control Agency and Dakota County.
17. Prior to release of the final plat for recording, An improvement agreement and storm water facilities maintenance agreement shall be entered into between the developer and City to address proper responsibilities and maintenance of the different storm water systems, to obtain a letter of credit for performance, and to obtain an engineering escrow for engineering staff and emergency erosion control expenses.

**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**

Because of the complexity of the use proposed, if the amendment were to be approved, Staff would recommend the ordinance amendment allow auto auctions as a conditional use and not a permitted use. Each application should be reviewed on its own to determine any potential impacts to surrounding neighbors. The additional review criteria of a conditional use permit allows the city to review against a specific set of criteria designed to analyze against any negative impacts.

Staff has reviewed the request against the Comprehensive Plan and the Zoning Ordinance and does not recommend approval of the request for the reasons stated in this report. The City has, with specific past actions, chose not to allow undesirable uses which could have an impact on future development. Staff believes an auto auction is very similar to the uses that used to be allowed in the I-2 district, ultimately removed by the City Council.

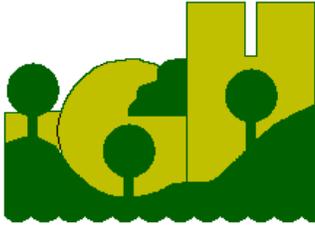
In regards to the plat and site plan review, the plans have addressed all of the performance standards of the Code and have provided additional amenities to the building and grounds that would make the site as attractive as possible.

Staff recommends denial of the request.

Attachments: Location Map  
Applicant Narrative  
Applicant's Environmental Consultant's report

Report from Barr Engineering dated July 21, 2008  
Site Plan  
Grading and Drainage Plan  
Utility Plan  
Landscape Plan  
Fence Details Plan  
Elevation Plan  
Environmental Commission Recommendation

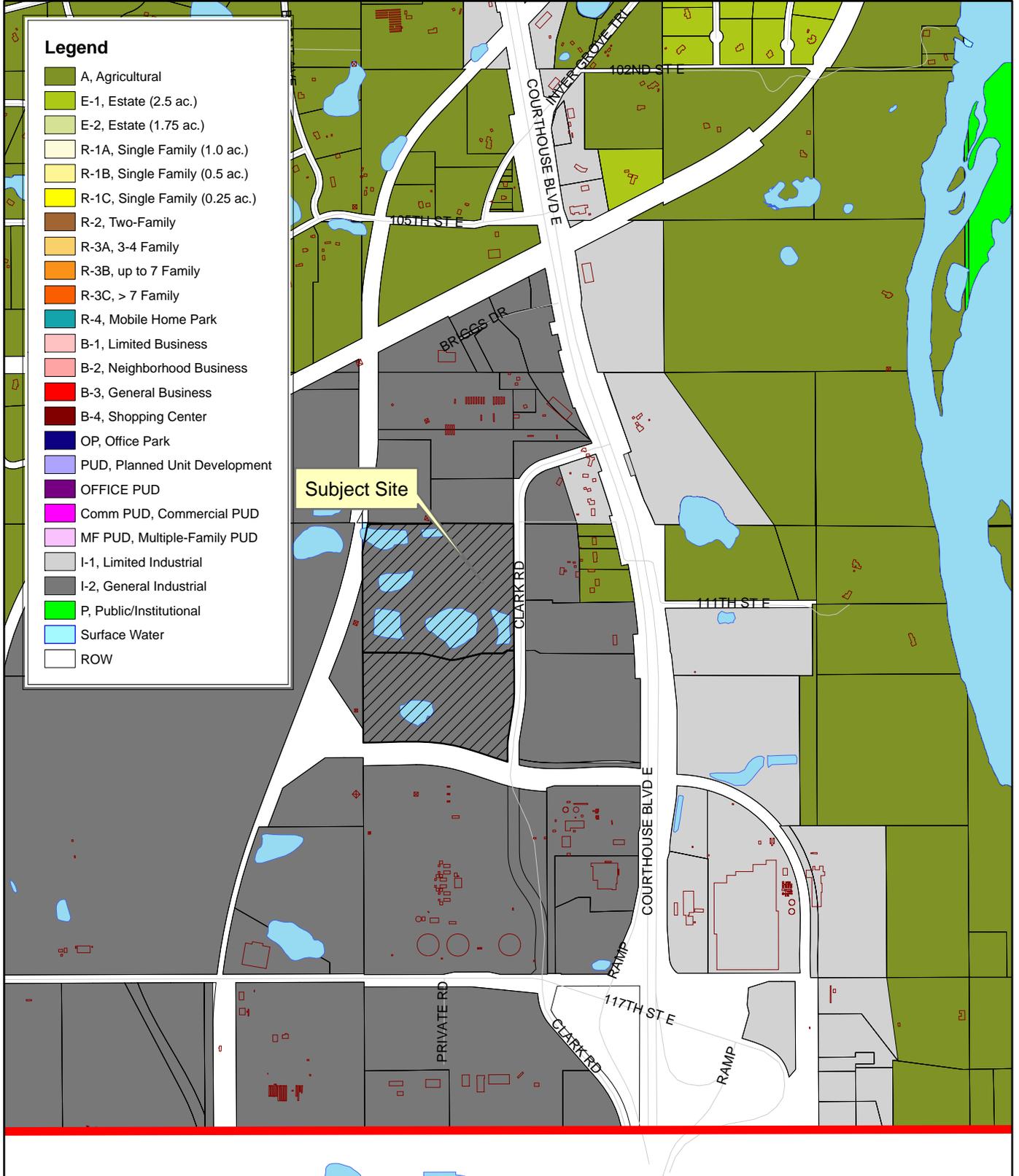
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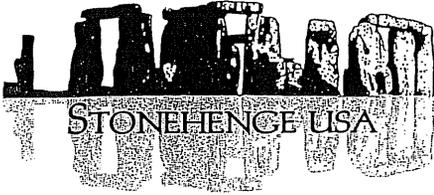


Inver Grove Heights

# Location Map

## Case No. 08-38CSZA



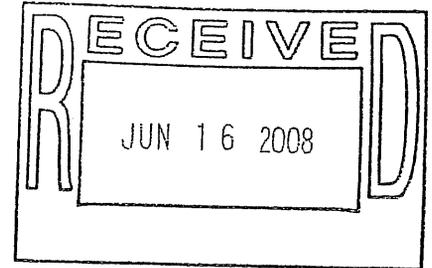


A Development Company

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fax 952.473.2206  
www.stonehenge-usa.com

June 16, 2008

Mr. Allan Hunting  
Planning Director  
City of Inver Grove Heights  
8150 Barbara Avenue  
Inver Grove Heights MN 55077



Re: Submission Package for IAAI Clark Road Auto Auction Facility

Dear Mr. Hunting:

Thank you to you and the rest of the City Staff for the time and courtesy extended in assisting our development team in preparing this application. Pursuant to our previous meetings, we are submitting the required materials for a Conditional Use Permit, Zoning Code Amendment, Preliminary and Final Plat for the Steininger and Watrud properties located at 11305 Clark Road. In support of our application, we are offering the following narrative:

#### THE PROPOSAL:

Stonehenge USA proposes to develop and lease a 25 acre auto auction facility including a 10,000 square foot office and indoor auction building along with inventory, drop, and display areas to accommodate up to 2,900 vehicles. The Tenant will be IAAI, which is entering into a long term lease for the facility.

#### ABOUT IAAI:

Insurance Auto Auctions, Inc., (IAAI), founded in 1982, is the leader in motor vehicle auction services in the United States. The Chicago-based company provides insurance companies with cost-effective, turnkey solutions to process and sell inoperable, operable and recovered-theft vehicles. The company currently has 140 sites across the United States and 12 in Canada.

IAAI does not stack, rack, dismantle, cannibalize or "part out" vehicles or otherwise operate as a salvage yard. The basic function of the facility is to store and auction vehicles. IAAI adheres diligently to all environmental mandates and "best practices" with respect to the collection and disposal of vehicle fluids. The company considers its sites to be a direct representation of their business, and, consequently, maintains its properties to a very high standard. Local management personnel are held strictly accountable and must adhere to corporate standards.

#### PROPOSED INVER GROVE HEIGHTS OPERATION:

IAAI receives motor vehicles from its customers and places them in inventory. Thereafter, IAAI applies for a vehicle title from the germane state agency; e.g. D.M.V. Upon receipt of the title, IAAI auctions the vehicle at a weekly auction. The vehicles are sold to the highest bidder who then removes the automobile from IAAI's property. Vehicles are delivered daily to the site, and are quickly processed and stored in inventory. Vehicles usually remain in inventory for 30-60

days before being auctioned off. Increasingly, vehicles are sold on the Internet via IAAI's "I-Bid Live" technology. It is estimated that 70% of the vehicles sold from the Inver Grove Heights location will be sold via the Internet.

#### SITE DESIGN CONSIDERATIONS:

The Clark Road properties provide an ideal setting for this facility since the topography of the site allows it to be graded so that the vehicles stored will be screened from view by Clark Road or any other probable vantage point. The screening along Clark Road, which is the only adjacent roadway, would consist of a six foot decorative cedar fence. The area between the fence and the street would be heavily landscaped with a combination of deciduous and conifers with the predominant species being arborvitaes. The cedar fencing will be continued around the Clark Road corners so that vehicles should not be visible from any point on the road. Special landscaping emphasis has been placed on the corners. Additionally, at the suggestion of City staff, we have incorporated a section of wrought iron fence along the building so that the quality of the building will establish a high standard for future buildings on the street.

#### THE BUILDING:

The building will be masonry with a mix of smooth and rough face block to provide definition and variety. The warm earth tone colors, and shingle pitched roof also creates a nice look that will stand up well over time and should be compatible with the variety of architecture styles that might occur as the street develops.

#### THE YARD:

The major traffic areas will be the drive way entrances, customer and employee parking areas, and drop and loading areas which will be bituminous. The remaining yard areas, including the inventory and display area, will consist of 9" of class five base, and 3" of recycled bituminous.

#### ENVIRONMENTAL CONSIDERATIONS:

Included with our application is a report prepared by DPRA, a national environmental company that has performed previous environmental assessments on the subject property. DPRA reviewed the internal best practices manual that IAAI has developed for its Twin City operations along with the master environmental insurance policy that IAAI maintains. They also toured the existing St Paul facility and interviewed its manager. Additionally, they reviewed civil and architectural plans for the Inver Grove Heights facility and concluded that the environmental risks associated with the proposed facility were minimal and manageable. The lease between Stonehenge-USA and IAAI requires the tenant to comply with the recommendations of the report. In the case of their above ground storage tanks, the standards required in the lease exceed those currently required by the State of Minnesota.

#### WETLAND PRESERVATION AND STORMWATER MANAGEMENT:

Storm water management, including rate control and water quality, will exceed City of Inver Grove Heights standards. Storm water runoff from the entire auto auction site will be routed to a storm water retention pond which will provide 85% total suspended solids removal, 55% total phosphorous removal and prevent floatables from discharging downstream. Rate control will keep proposed peak runoff rates from 2- and 10-year 24-hour rain events to less than existing rates. Additionally, the storm water routing from the southern wetland, which currently

discharges to the west, will be re-routed to the north per the City's Comprehensive Storm Water Management Plan.

The four wetland basins on-site will not be impacted by the proposed development. A wetland buffer of at least 10 feet and a wetland buffer setback of at least 15 feet are maintained around all wetlands.

#### ECONOMIC DEVELOPMENT CONSIDERATIONS:

While our lease commitment with IAAI is long term, Stonehenge USA views the auto auction facility as a transitional use. As the area develops and current industrial sites in Eagan, Oakdale, South St. Paul, and other closer in locations are absorbed, we anticipate that market forces will dictate a higher and better use for this property. At this point we will be able to provide a fully improved site. Currently the availability of more desirable sites and the proximity to two landfills and the Flint Hills refinery limit user interest in the property. This situation is further complicated by the migration of methane gas from the MPCA owned (former Crosby-American) landfill which will necessitate passive and possibly mechanical ventilation. Despite these mitigating techniques, many companies have no interest in pursuing an environmental impacted site. Over the next 5-10 years it is likely that methane levels will decrease on the property.

As an interim use, the IAAI lease should equate to a market value and the associated real estate taxes that would be the equivalent of a 200,000 to 250,000 square foot industrial building. The facility will also pay special assessments, thereby funding utility improvements serving Clark Road and the new Flint Hills office building. IAAI facilities across the country require very little in the way of city services and quickly become active members of the community. The initial employment will be 10 full time employees.

#### SUMMARY:

We believe that the IAAI Auto Auction facility is an appropriate use for the Clark Road properties. We are confident that we can develop the site so that its operations are sufficiently screened from any outside vantage points. The developer and user are committed to operating the property in a responsible manner so that there will be no negative impacts on the community. Finally, we believe that the Auto Auction will serve as an excellent transitional use, providing tax base and infrastructure for Inver Grove Heights. We look forward to responding to your questions and providing additional information throughout the approval process.

Sincerely,



Dave Carland

952.288.2202 phone

952.473.2206 fax

[dcarland@stonehenge-usa.com](mailto:dcarland@stonehenge-usa.com)

[www.stonehenge-usa.com](http://www.stonehenge-usa.com)

DC/vcs ✓

enclosures

**NARRATIVE  
FOR  
PROPOSED ZONING CODE AMENDMENT  
AUTHORIZING AUTO AUCTION SALES**

Currently Auto Auction Sales is not listed anywhere in the City Code as either a permitted or conditional use. The Amendment is being proposed to add Auto Auction Sales as a permitted use in the I2 District. It is believed that the Auto Auction Sales will be a much better use than some of the surrounding uses, such as the refinery and landfill. Although the Auto Auction Sales business sells mostly inoperable vehicles, the actual operation of the sales does not appear much different to the general public than the retail sales of new and used vehicles.

May 27, 2008

Dave Carland  
Stonehenge USA  
601 Carlson Parkway  
Suite - LL15  
Minnetonka, MN 55305

Re: Information Review  
Proposed Insurance Auto Auction Site  
Outlot A, Gainey Second Addition  
Inver Grove Heights, Minnesota

Dear Mr. Carland:

The purpose of this letter is to help quantify the environmental risk associated with Insurance Auto Auction's potential use of the above-referenced property. It is our understanding that the goal of DPRA's information review was not only for your company to better understand this risk, but also for various other lenders and government officials.

As part of our information review, DPRA reviewed the following documents:

- *Insurance Auto Auctions Environmental Best Management Practices (Minnesota Branches)*, Tetra Tech Inc, May 2008.
- Insurance Auto Auctions' corporate insurance policy with Indian Harbor Insurance Company.
- Preliminary stormwater management calculations, preliminary stormwater drainage plans, and a proposed site layout prepared by McCombs Frank Roos Associates, Inc (MFRA).

In addition, DPRA performed a site visit on May 20, 2008, at the IAA facility located at 1280 Jackson Street in St. Paul, Minnesota. DPRA also interviewed John Towles, manager of this facility. The primary purpose of this inspection and interview was to determine if Insurance Auto Auction was conducting site activities in accordance with their *Environmental Best Management Practices* document.

A summary of pertinent information obtained during these activities is located in Section 1.0; Section 2.0 contains DPRA's conclusions and recommendations regarding this information.

N 44 DEG 56 MIN 45 SEC  
W 93 DEG 05 MIN 27 SEC

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651.227.5522 Fax

[www.dpra.com](http://www.dpra.com)

## 1.0 Information Summary

A slab-on-grade building will be constructed in the northeast corner of the property. Approximately 24 acres of the site will be covered with recycled bituminous asphalt. A new 2.2-acre stormwater pond with 13.2 acre-feet of storage will be built in the center of the property. The storm water runoff from the entire auto auction site will be routed to storm water retention ponds. All ponds will be routed through "skimmer" outlet structures that prevent floating contaminants such as petroleum, oil, and transmission fluid from discharging downstream. This stormwater treatment system is designed to meet Walker method treatment standards, which involve removing 85% of total suspended solids and 50% of the phosphorus.

IAA plans to use the building in the northeastern corner as an office. It is likely that aboveground storage tanks (ASTs) containing automotive fuel will be located in this area. The 24-acre parking lot will be used to receive, store, and sell damaged vehicles. There are two primary sources of potential environmental impacts from the proposed operations: vehicle fluids and the ASTs containing automotive fuel.

The most important issue affecting the environmental risk posed by vehicle fluids is the activities that **will not** be performed at this site. Unlike auto salvage yards, fluids will not be drained from vehicles at the site. No parts will be removed from vehicles. New vehicles are inspected for fluid leaks upon arrival; any leak is immediately stopped. This commitment to fluid leak avoidance is stated in the IAA Environmental Management Practices document and was verified during the facility inspection. There were hundreds of cars in the parking lot at the St. Paul facility; however, the only evidence of fluids or staining in the lot was approximately ½-cup of antifreeze under one vehicle. The parking lot at IAA's St. Paul facility did not appear to contain any more fluids or staining than a typical parking lot at a big-box retail store. A stormwater management plan is being developed to handle run-off from the proposed parking lot. It appears that stormwater management will be conducted at this site in accordance with local regulations.

ASTs containing gasoline and diesel fuel are located directly adjacent to the office building at IAA's St. Paul facility. According to Mr. Towles, these ASTs are used to provide additional fuel for stored vehicles, when required. Both ASTs were located within concrete secondary containment. It is likely that the proposed site in Inver Grove Heights will also have ASTs containing automotive fuel. IAA does not allow the total volume of ASTs at their facilities to exceed 1,320 gallons.

IAA holds an insurance policy for pollution and remediation legal liability with Indian Harbor Insurance Company. This policy has \$10,000,000 coverage for claims associated with pollution legal liability, remediation legal liability, and legal defense expense.

## 2.0 Conclusions

Based upon the document review and site inspection, DPRA has reached the following conclusions regarding the potential environmental risk associated with IAA's proposed site use:

- As long as IAA conducts their operations in accordance with their Environmental Best Management Practices, as they do at their St. Paul facility, fluids from damaged vehicles do not represent any significant environment risk to the soil, groundwater, or surface water at the Inver Grove Heights site.
- Storage tanks containing automotive fuel represent significant risk to the soil, groundwater, and surface water at any property, including IAA's proposed Inver Grove Heights site. The most likely source of spills from these tanks would happen during fuel transfer operations. To reduce the risk posed by ASTs containing fuel and the associated transfer operations, appropriate precautions must be taken.

### 3.0 Recommendations

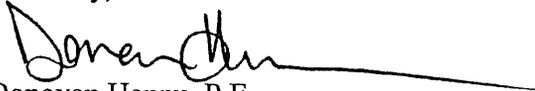
Due to the proposed use of ASTs containing automotive fuel at IAA's Inver Grove Heights site, DPRA recommends the following activities:

- Construct the AST storage area in accordance with MPCA and local fire marshal regulations. Typical requirements may involve secondary containment, inspections, and/or operator training. IAA's St. Paul facility operates in accordance with these regulations.
- Written fuel transfer procedures and secondary containment around the fuel *transfer* area are not legally required by the Environmental Protection Agency (EPA) only because the total AST storage volume will not exceed 1,320 gallons; however, both of these items would significantly reduce the potential for fuel spills impacting soil, groundwater, and surface water at the site. DPRA recommends developing written procedures for fuel delivery and transfer and conducting all fuel delivery and transfer operations within some form of containment such as a trench drain or small berm, if possible.

Tank rules and regulations exist to help minimize the risk associated with petroleum storage. As long as they are all followed, the environmental risk associated with fuel storage proposed at IAA's Inver Grove Heights site should be acceptable.

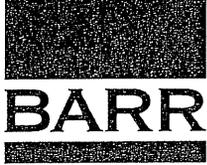
If you have any additional questions or concerns regarding this property, please contact me at (651) 215-4258 or by e-mail at [Donovan.hannu@dpra.com](mailto:Donovan.hannu@dpra.com).

Sincerely,



Donovan Hannu, P.E.  
Senior Civil Engineer

cc: DPRA File 050043.0003.0003



July 21, 2008

Mr. Allan Hunting, AICP  
Associate Planner  
City of Inver Grove Heights  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077-3412

**Re: Insurance Auto Auction Facility – Question/Answer Report**

Dear Mr. Hunting:

This letter presents Barr Engineering's (Barr's) Question/Answer Report relating to our environmental review of the proposed Insurance Auto Auction (IAA) Facility. Our Report is divided into two sections. The first section contains the three environmental-related questions that Barr was asked to address and the second section contains our conclusions and recommendations. In accordance with our scope of work, we focused our review on the three questions below and understood that issues such as the surface water management system design, noise, visibility, solid waste, air quality, petroleum storage and spill prevention, etc. would be evaluated by City staff or others.

**Questions/Answers**

The three questions that Barr addressed are provided below, followed by the answers that we developed.

**Question 1:**

Are there any County or State environmental permits or approvals required for the project?

**Answer 1:**

Dakota County: Mike Lynn (952/891-7025) and Dale Storzinger (952/891-7550) from Dakota County were contacted regarding the proposed IAA Facility to determine if the County had any permits or approvals that would be required. Mr. Lynn indicated that the County would likely view the proposed IAA Facility as a 'Scrap Yard' under Dakota County Ordinance No.110, Section 2.97 and regulate it under Section 10.03.C. Ordinance No. 110, Section 10.03.C describes the compliance requirements for a Scrap Yard.

Mr. Storzinger also indicated that the IAA Facility would likely be regulated by the County as a Scrap Yard and that IAA would need to complete a Scrap Yard registration. No other County permits or approvals were identified. Regarding the requirement in Ordinance No. 110 that all fluids must be drained from the vehicles, Mr. Storzinger indicated that would only apply to vehicles that would be sold as scrap. The requirement would not apply to vehicles not being sold as scrap.

Dakota County Ordinance No. 110 can be found at the following website:

[www.co.dakota.mn.us/LawJustice/Ordinances/CountyOrdinances/Ord110.htm](http://www.co.dakota.mn.us/LawJustice/Ordinances/CountyOrdinances/Ord110.htm)

Minnesota Pollution Control Agency: Barr contacted Zachary Chamberlain (651/296-7955) from the Minnesota Pollution Control Agency to determine if any State permits or approvals would be required for the proposed IAA Facility. Mr. Chamberlain indicated that an Industrial Stormwater Permit would be required for the IAA Facility under the MPCA's General Permit for Industrial Activity. Information on this permitting program can be found at: [www.pca.state.mn.us/water/stormwater/stormwater-i.html](http://www.pca.state.mn.us/water/stormwater/stormwater-i.html)

No other permits from the MPCA were identified.

**Question 2:**

Will there be any negative impact to surface or groundwater from the IAA Facility?

**Answer 2:**

The proposed IAA Facility will likely not have negative impacts to surface or to groundwater. Increased impervious surfaces on the site will result in increased runoff but this runoff will be directed to a newly constructed on-site stormwater retention pond. Surface-water flows off of the Facility should not differ significantly from current conditions.

The stormwater retention pond may cause some increases in overall infiltration and recharge to the water table at the site due to focusing of surface infiltration to pond areas and decreases in overall losses by evapotranspiration (due to vegetation removal). However; the overall increase in infiltration recharge is likely not significant. Even if groundwater recharge conditions were increased or decreased, compared to current conditions, the depth to the water table, combined with the relatively high permeability of the aquifer system, would result in only very minor changes to groundwater flow and direction.

The proposed IAA Facility should not affect groundwater flow direction, groundwater elevations or the chemical characteristics of infiltrating groundwater reaching the water table. The depth to the water table in this area is significant (greater than 50 feet), which will substantially dampen the effects of storm events and minimize fluctuations in groundwater elevations.

IAA provided its Environmental Best Management Practices, dated May 2008, which appears to be used for all of IAA's facilities throughout the United States. According to IAA's Environmental Best Management Practices, new vehicle arrivals to the proposed IAA Facility will be checked for fluid leaks. If fluids are leaking, the leak will be immediately stopped or fluid removed from the vehicle. Fluids that are not leaking will not be removed from the vehicle.

Best Management Practices (BMPs) for controlling and minimizing the impact of pollutants in stormwater are also described in IAA's Environmental Best Management Practices. The stormwater related BMPs used for the proposed IAA Facility in Inver Grove Heights include catch basin inlet controls, silt fencing, and other controls to trap sediment during construction, paved surfaces to minimize erosion, a skimmer in the proposed stormwater pond that would help contain petroleum entering the stormwater system, and response procedures for a release.

In the event that there are small vehicle fluid leaks (of a magnitude that would be typical of any large retail store parking lot for example) that are not controlled by the BMPs, biodegradation of petroleum-related compounds would be expected to take place in the well-oxygenated storm waters prior to infiltration. Given this operating condition, it appears unlikely that the Facility represents a significant source for groundwater contamination.

If larger fluid leaks occurred and were not controlled by the BMPs and entered into the subsurface soil, then a negative impact to groundwater could occur depending on the type, volume, and duration

of the leak. However, based on the information provided from IAA, it appears unlikely that this condition would occur.

**Question 3:**

What are the recent subsurface methane migration trends from the Pine Bend or former Crosby American Properties Landfills and would methane have any impact on developing the property?

**Answer 3:**

Landfill gas is produced by the decomposition of solid waste. Methane and carbon dioxide are the main components of landfill gas. Methane can be a major concern due its potential to migrate in the soil subsurface and accumulate in structures at explosive concentrations. Methane migration in the soil subsurface can sometimes stress or kill vegetation on, or immediately adjacent to, landfill caps but there is typically no negative impact on the ground surface beyond these areas.

The closed Crosby American Properties Landfill located north and northwest of the proposed IAA Facility and the active Pine Bend Landfill located west of the proposed IAA Facility both produce methane that migrates in the subsoil.

Crosby American Properties Landfill: The Crosby American Properties Landfill operated until 1989 and has no bottom liner or leachate collection system. The Landfill has a passive gas venting system that allows landfill gas to vent to the atmosphere through the Landfill's final cover. The Landfill is maintained by the MPCA. High levels of methane were measured in gas wells located near the eastern boundary of the Landfill. This area is directly north of the western portion of the proposed IAA Facility. Barr contacted the Landfill's MPCA engineer, Peter Tiffany (651/296-7274), regarding the gas migration issue. Mr. Tiffany indicated that methane from the Landfill has been detected in the 'bale fill' area of the landfill, located near the eastern edge of the waste boundary and north of the proposed IAA Facility. However, Mr. Tiffany indicated that the subsurface methane concentrations dropped off to non-detect within approximately 50 feet of the waste boundary. It is possible that methane could migrate on to the proposed IAA Facility property from the Landfill. However, the proposed IAA Facility building is planned to be located in the northeast corner of the property which appears to be more than 500 feet from the waste boundary of the Crosby American Properties Landfill (see enclosed figure). Therefore, we believe that the likelihood of landfill gas migrating to the proposed building is small.

Pine Bend Landfill: The Pine Bend Landfill is located directly west of the proposed IAA Facility. This Landfill is an open operating landfill. The Landfill has an unlined area on the northern portion of its footprint and a liner and leachate collection system on the remaining footprint to the south. The northern unlined portion, as well as a large portion of the lined area of the Landfill, has been capped and employs an active gas extraction system that removes gas through pipes under negative pressure and conveys it to a facility where it is burned to generate electricity.

Barr obtained and reviewed a letter report prepared for Pine Bend Landfill by Wenck Associates, Inc. dated October 2, 2006 which indicated that methane had been detected in several gas monitoring probes along the eastern edge of the Landfill, west of the railroad tracks. A further investigation described in the October 2, 2006 Wenck letter report indicated that three additional gas monitoring probes were installed further east of the Landfill immediately east of the railroad tracks and immediately west of the proposed IAA Facility. No methane was detected in these three gas monitoring probes so it appears that gas is not migrating eastward in this area beyond approximately 500 feet from the Landfill boundary.

The proposed IAA Facility building appears to be located over 1,200 feet from the waste boundary of the Pine Bend Landfill.

Based on the above information, Barr believes that it is unlikely that landfill gas would migrate from the Pine Bend Landfill to the proposed IAA Facility building. Similarly, there is very little potential for methane gas to negatively impact the vegetation or have any other negative impact on the ground surface at the proposed IAA site.

### **Conclusions and Recommendations**

As discussed above, it is likely that Dakota County will regulate the proposed IAA Facility as a 'Scrap Yard' under its Ordinance No. 110 and require that IAA register the Facility as a Scrap Yard. The MPCA will require that the proposed IAA Facility obtain an Industrial Stormwater Permit.

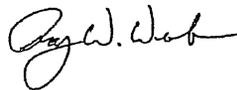
Barr believes that the potential environmental impacts from the proposed IAA Facility relating to groundwater are minimal. Employing best management practices to minimize the potential for groundwater contamination from leaks is important for preventing this site from becoming a source of groundwater contamination in the future. Infiltrating runoff as close as possible to the impervious surface is also a good practice because it results in a condition that is closer to existing conditions than routing the water to stormwater basins on the site. However, because of the significant depth to groundwater, this approach is not necessary to maintain current groundwater flow patterns and levels.

Barr believes that it is unlikely that landfill gas would migrate in the soil to the proposed IAA Facility building from either the Crosby American Properties Landfill or the Pine Bend Landfill. However, given the potential severe consequences of methane gas accumulating to explosive concentrations in the proposed IAA Facility building, Barr recommends that IAA consider installing a gravel layer beneath the concrete slab of the building with a perforated passive piping system and/or installing a continuous methane gas monitor inside the proposed building as possible precautionary measures.

Sincerely,



Jeff Ubl, P.E.  
Project Manager



Ray Wuolo, P.E., P.G.  
Principal Engineer

Enclosure

Bar Footer: Date: 7/22/2008 9:13:42 AM File: I:\Projects\2319\218\Maps\Reports\Insurance Auto Auction Site Landfill Gas Monitoring.mxd User: arm2



-  Property Boundary
-  Proposed Building
-  Landfill Waste Boundaries
-  Gas Monitoring Locations for Pine Bend LF
-  Gas Monitoring Locations for Crosby American Properties LF
-  Railroad

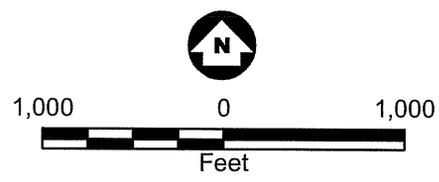
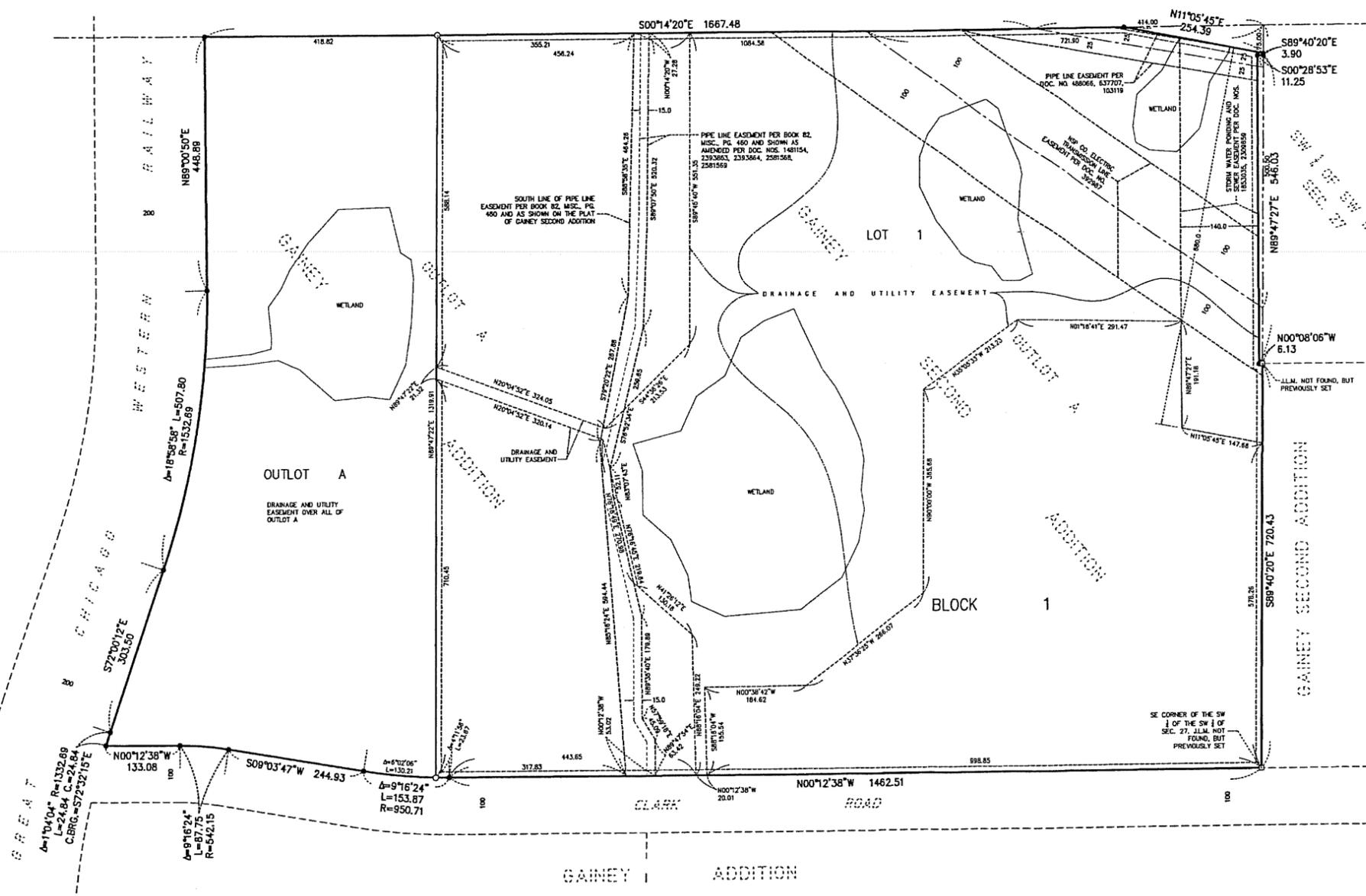


Figure 1

INSURANCE AUTO AUCTION SITE  
LANDFILL GAS MONITORING  
Inver Grove Heights, Minnesota



**LEGEND**

● FOUND MONUMENT	—○— WATER MAIN	--- EASEMENT LINE
○ SET MONUMENT	—○— SANITARY SEWER	--- SETBACK LINE
⊕ ELECTRIC METER	—○— STORM SEWER	--- RIGHT OF ACCESS
⊕ LIGHT	—○— FLARED END SECTION	--- CONCRETE CURB
⊕ AIR CONDITIONER	—○— ELECTRIC TRANSFORMER	--- BUILDING LINE
⊕ GLY ANCHOR	—○— TELEPHONE PEDESTAL	--- BUILDING CANOPY
⊕ HANDICAP STALL	—○— GAS METER	--- BITUMINOUS SURFACE
⊕ UTILITY POLE	—○— OVERHEAD WIRE	--- CONCRETE SURFACE
⊕ GUARD POST	—○— CHAIN LINK FENCE	--- LANDSCAPE SURFACE
⊕ BOLLARD	—○— IRON FENCE	--- DECIDUOUS TREE
—○— SIGN	—○— WIRE FENCE	--- CONIFEROUS TREE
	—○— WOOD FENCE	

**LEGAL DESCRIPTION**

Outlot A - GAINNEY ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

Outlot B - GAINNEY SECOND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

**PROPERTY SUMMARY**

TOTAL SITE AREA:	2,545,300 S.F. (GROSS)	58.46 AC.	LOT 1 AREA:	1,959,880 S.F.	44.98 AC.
LESS OUTLOT A:	587,319 S.F.	13.48 AC.			
	1,957,981 S.F. (NET)	44.98 AC.			

Existing Zoning: General Industrial (P-2)  
Proposed Zoning: General Industrial (P-2 Conditional Use)

**SITE SETBACKS**

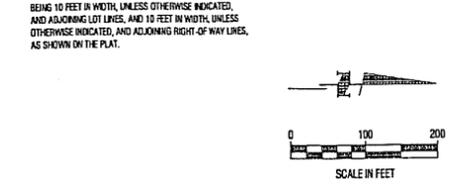
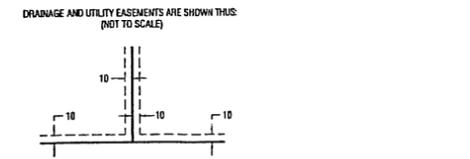
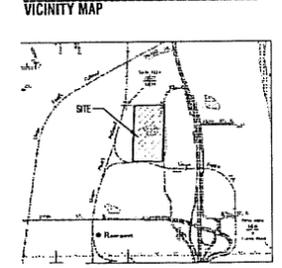
Note: See Site Plan for proposed setbacks

**ADDRESSES**

<b>Developer:</b>	Dave Carlund Stonehenge USA 801 Carlson Parkway, Suite - LL15 Minnetonka, MN 55305 (952) 298 2200	<b>Architect:</b>	Gary Tushie Tushie Mortgage Architects 7645 Lyndale Ave S. #100 Minneapolis, MN 55423 (612) 911 9036
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**Engineer:**  
John Bender, P.E.  
McCombs Frank Ross Associates  
14800 28th Avenue, Suite 140  
Plymouth, MN 55447  
(763) 476 5010

- DEVELOPMENT NOTES**
- ALL DIMENSIONS ARE ROUNDED TO THE NEAREST FOOT.
  - ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
  - STREET NAMES ARE SUBJECT TO APPROVAL BY THE CITY.
  - DRAINAGE AND UTILITY EASEMENTS SHALL BE PROVIDED AS REQUIRED. DRAINAGE AND UTILITY EASEMENTS WILL BE PROVIDED OVER ALL PUBLIC UTILITIES AND UP TO THE HIGH WATER LEVEL OF ALL POND.



**TUSHIE MONTGOMERY ARCHITECTS**  
7645 LYNDALE AVENUE SOUTH, #100  
MINNEAPOLIS, MINNESOTA 55423-4084  
612.961.9834 FAX: 612.961.9832  
WWW.TMARCHITECTS.COM

**MFRA**  
McCombs Frank Ross Associates, Inc.  
14800 28th Avenue, Suite 140  
Plymouth, Minnesota 55447  
phone 763/476-6010  
fax 763/476-8532

**INSURANCE AUTO AUCTION**  
INVER GROVE HEIGHTS, MN

**ALL ARCHITECTURAL AND ENGINEERING DRAWINGS ARE IN CONFIDENCE AND DISSEMINATION MAY NOT BE MADE WITHOUT PRIOR WRITTEN CONSENT OF THE ARCHITECT. ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED.**

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: John Bender, P.E.  
SIGNATURE:  
DATE: 8/6/08 LICENSE #: 43358

Date	6/6/08
Drawn By	RJO
Checked By	JHB, SKS
Project Engineer	JHB
Project Number	17561

Revisions & Addendums

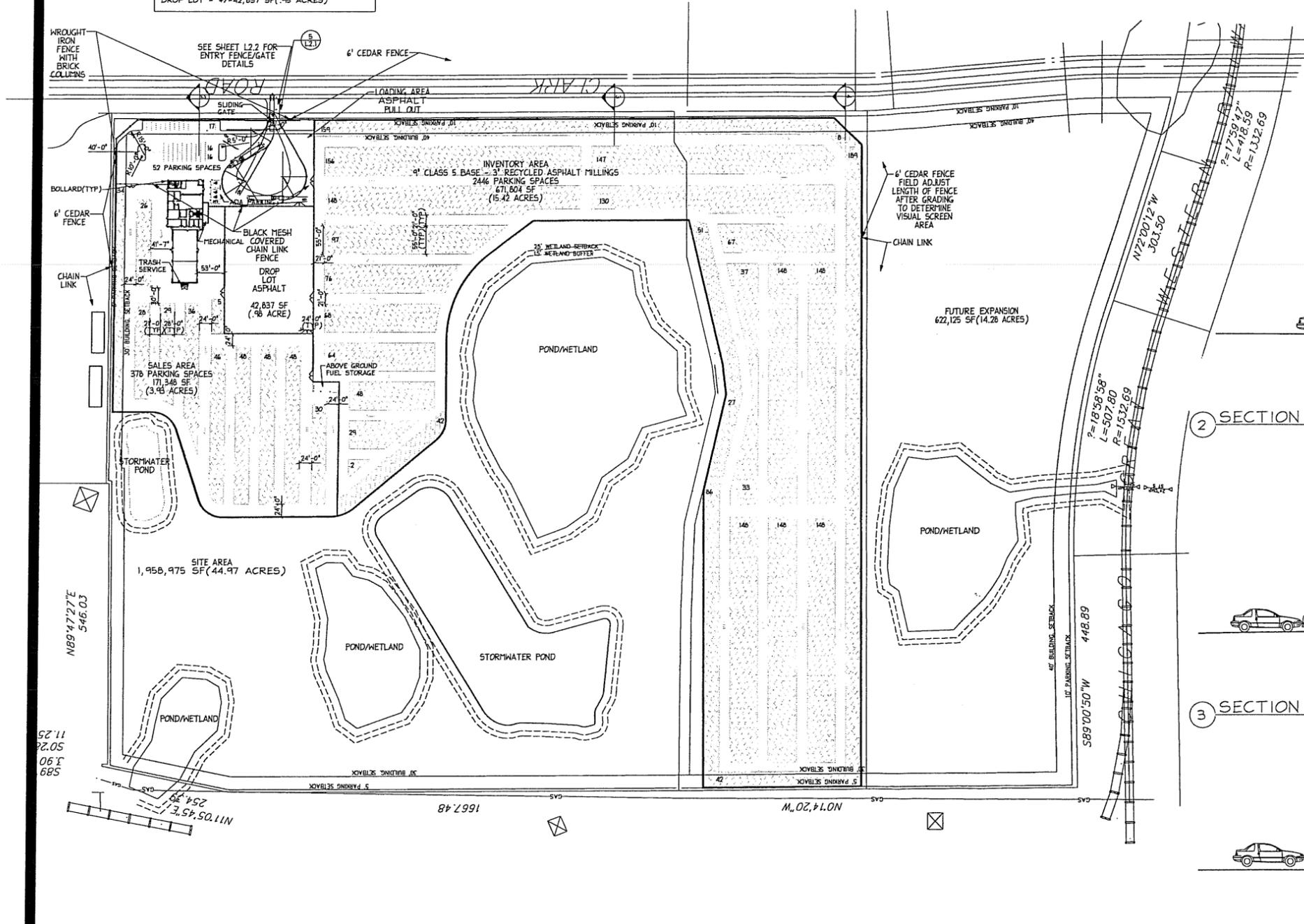
**INSURANCE AUTO AUCTION**

**PRELIMINARY PLAT**

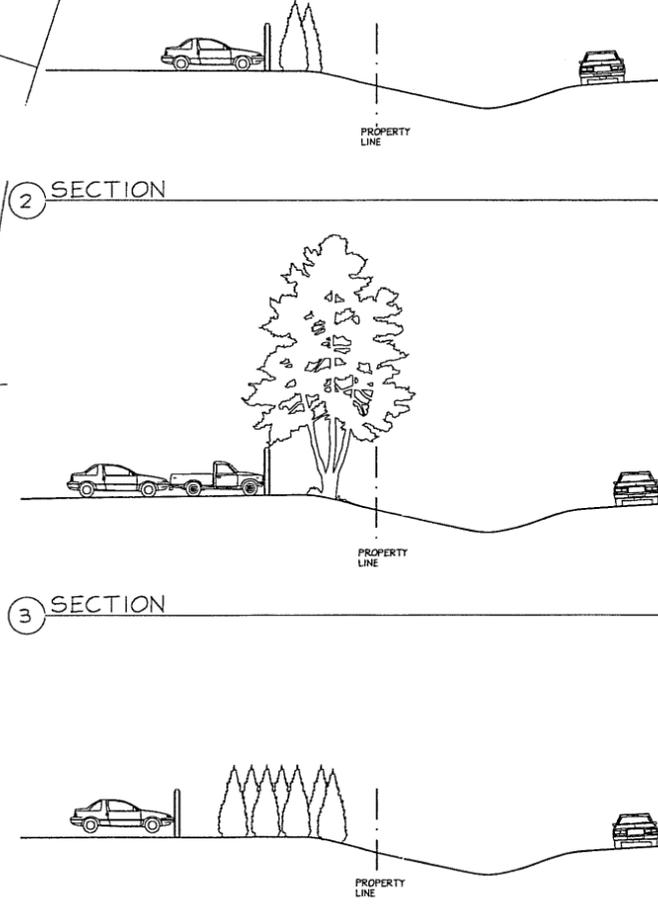
**C1**

**SITE SUMMARY**

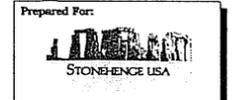
SITE AREA - +/-1,958,975 SF(44.97 ACRES)  
 FUTURE EXPANSION AREA - +/-622,125 SF(14.28 ACRES)  
 BUILDING - +/-12,434 SF  
 PARKING AND LOADING AREA - 52 PARKING SPACES  
 +/-55,927 SF(1.28 ACRES)  
 SALES AREA - 378 PARKING SPACES  
 +/-171,348 SF(3.93 ACRES)  
 INVENTORY AREA - 2,446 PARKING SPACES  
 +/-671,804 SF(15.42 ACRES)  
 DROP LOT - +/-42,837 SF(.96 ACRES)



- GENERAL SITE NOTES**
- SEE CIVIL DRAWINGS FOR GRADING PLAN.
  - ALL PARKING LAYOUT DIMENSIONS ARE TO FACE OF CURB, UNLESS NOTED, EXCEPT DIMENSIONS ON SURMOUNTABLE CURBS, WHICH ARE 8" FROM THE BACK OF CURB.
  - ALL ENTRIES INTO BUILDING TO HAVE STOOPS W/ FOUNDATIONS. ALL ABUTTING WALKS SHOULD BE DOMELED INTO WALKS POURED ON STOOPS.
  - SEE SHEET L3.1, FOR THE LANDSCAPE PLAN.
  - ALL CURBS IN THE PARKING LOT AREA ARE TO BE 6"-12" UNLESS OTHERWISE NOTED.
  - ALL SMALL RADIUS CURVES ARE 3" UNLESS OTHERWISE NOTED.
  - THE CONTRACTOR MUST OBTAIN NECESSARY PERMITS.
  - IF TRUCKS OR EQUIPMENT WILL BE DRIVING OVER CURBS OR IF CONSTRUCTION WILL BLOCK CITY STREETS, SIDEWALKS OR ALLEYS AS NEEDED PER CITY REQUIREMENTS.
  - CARE MUST BE TAKEN DURING CONSTRUCTION AND EXCAVATION TO PROTECT ANY SURVEY MONUMENTS AND/OR PROPERTY IRONS.
  - ADJACENT STREETS AND ALLEYS MUST BE SWEPT TO KEEP THEM FREE OF SEDIMENT. CONTRACTOR MUST MONITOR CONDITIONS AND SWEEP AS NEEDED AND WITHIN 24 HOURS OF NOTICE BY THE CITY.
  - CONSTRUCTION PARKING SHALL BE PROHIBITED FROM CIRCULATION DRIVES, FIRE LANES AND OTHER AREAS AS DETERMINED BY CITY REGULATIONS.



1 SITE PLAN  
 SCALE 1" = 100'-0"

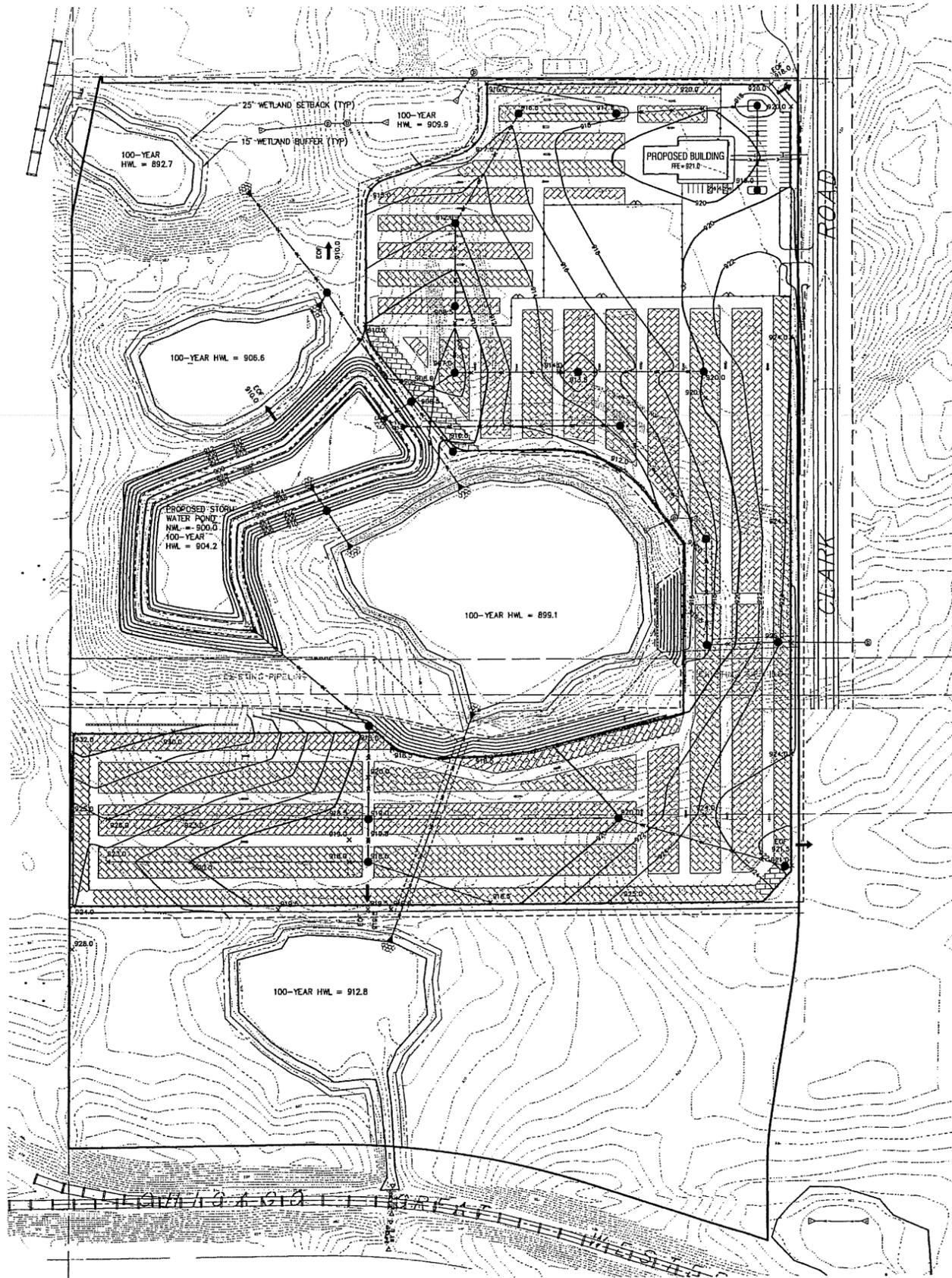


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 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 SIGNATURE: \_\_\_\_\_  
 PRINT NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_ LICENSE #: \_\_\_\_\_

Date	6/14/08
Drawn By	JML
Checked By	GMT, TL
Project Architect	JH
Project Number	208082

Revisions & Addendums  
 REVIEW COMMENTS  
 BY CITY  
 JULY 11, 2008

INSURANCE AUTO AUCTION  
 SITE PLAN  
 L1.1



**GRADING NOTES**

- A. PROPOSED CONTOURS ARE TO FINISHED SURFACE ELEVATION. SPOT ELEVATIONS ALONG PROPOSED CURB DENOTE GUTTER GRADE.
  - B. THE CONTRACTOR IS CAUTIONED THAT THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL 2. THE QUALITY LEVEL WAS DETERMINED ACCORDING TO THE SUBURBUES OF CHANCE 38 (2) TITLED "STANDARD SUBURBUES FOR THE COLLECTION AND DEPOSITION OF EXISTING SUBSURFACE UTILITY DATA". THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. BY CONTRACTING THE WORKER/CONTRACTOR/ENGINEER STATE THE FOR MINNESOTA AT 1-800-252-1186. THE CONTRACTOR AND/OR SUBCONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD).
  - C. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.
  - D. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
  - E. SAFETY NOTICE TO CONTRACTORS: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONFINING THE WORK ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES ON OR NEAR THE CONSTRUCTION SITE.
  - F. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- A GEOLOGICAL ENGINEERING SOILS REPORT WAS COMPLETED BY:
- COMPANY: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 DATE: \_\_\_\_\_
- THE CONTRACTOR SHALL OBTAIN A COPY OF THE SOILS REPORT.
- F. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST FILL WILL BE REQUIRED ON THE STREET AND PARKING AREA SURFACING. THE CONTRACTOR SHALL PROVIDE A LOADED TANKER AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST FILLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNDESIRABLE. CORRECTIONS OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER.
  - G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
  - H. THE TREES AND OTHER NATURAL VEGETATION WITHIN THE PROJECT AND/OR ADJACENT TO THE PROJECT ARE OF PRIME CONCERN TO THE CONTRACTOR'S OPERATIONS. HE WILL BE REQUIRED TO PROTECT THE TREES WHICH ARE TO BE SAVED TO BE SURE THAT EQUIPMENT IS NOT NECESSARILY OPERATED UNDER HEAVY TREES AND SHALL EXERCISE EXTREME CARE IN WORKING ADJACENT TO THESE TREES. ANY PORTION OF THE TREE BRANCHES WHICH REQUIRE REMOVAL TO PERMIT OPERATION OF THE CONTRACTOR'S EQUIPMENT, HE SHALL OBTAIN THE SERVICES OF A PROFESSIONAL TREE TRIMMING SERVICE TO TRIM THE TREES PRIOR TO THE BEGINNING OF OPERATION. SHOULD THE CONTRACTOR'S OPERATIONS RESULT IN THE BREAKING OF ANY BRANCH, THE BRANCHES SHALL BE REMOVED IMMEDIATELY AND CUTS SHALL BE PROPERLY PROTECTED TO MAINTAIN ANY LASTING DAMAGE TO THE TREE. NO TREES SHALL BE REMOVED WITHOUT AUTHORIZATION BY THE ENGINEER. COSTS FOR TRIMMING SERVICES SHALL BE CONSIDERED INCIDENTAL TO THE GRADING CONSTRUCTION AND NO SPECIAL PAYMENT WILL BE MADE.
  - I. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SAVE ENOUGH TOPSOIL FOR REGRADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN UNDESIRABLE AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SCHEDULE CUT AREAS WHERE THEY ARE TO BE ESTABLISHED, TO A DEPTH OF 4 INCHES. REGRAD TOPSOIL IN AREAS WHERE TOPSOIL IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 4 INCHES.
  - J. FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISHED GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUINED BY TRAFFIC OR EXPOSED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS UNDISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
  - K. TOLERANCES
    1. THE COMMERCIAL BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.10 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
    2. THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
    3. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
    4. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
  - L. AFTER THE SITE GRADING IS COMPLETED, IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
  - M. THE CONTRACTOR SHALL DETERMINE THE LOCATION OF ANY HAUL ROADS THAT MAY BE REQUIRED TO COMPLETE THE SITE GRADING CONSTRUCTION AND SHALL INDICATE HAUL ROADS ON EROSION AND SEDIMENT CONTROL "SITE MAP". THE CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF THE GOVERNING AGENCIES OF EACH ROADWAY. THE CONTRACTOR SHALL HOLD WHATEVER SECURITY, AND COMPLY WITH ALL CONDITIONS WHICH ARE REQUIRED BY EACH GOVERNING AGENCY OF EACH ROADWAY.
  - N. IF THE CONTRACTOR ENCOUNTERS ANY DRAIN TILE WITHIN THE SITE, HE OR SHE SHALL NOTIFY THE ENGINEER WITH THE LOCATION, SIZE, DEPTH AND IF THE TILE LINE IS ACTIVE. NO ACTIVE DRAIN TILE SHALL BE BACKFILLED WITHOUT REVIEW, DISCUSSION AND APPROVAL FROM THE PROJECT ENGINEER.
  - O. RETAINING WALL SHALL BE PAID FOR AT THE CONTRACT UNIT PER SQUARE FOOT OF EXPOSED SURFACE CONSTRUCTED INCLUDING EMBANKMENT BLOCKS. THE UNIT PRICE SHALL BE COMPENSATION IN FULL FOR ALL STRUCTURAL DESIGN (IF REQUIRED), EXCAVATION, FURNISHING ALL MATERIALS FOR WALL CONSTRUCTION INCLUDING DRAIN TILE, GRANULAR BACKFILL, AND THE BACK MATERIAL, AS RECOMMENDED BY THE MANUFACTURER, FOUNDATION AND CONSTRUCTION OF THE WALL.

**LEGEND**

	PROPOSED	EXISTING
CURB & GUTTER	—●—	—○—
STORM SEWER	—●—	—○—
SANITARY SEWER	—●—	—○—
FOUR-INCH (4")	—●—	—○—
WATERMAIN	—●—	—○—
EASEMENT	—●—	—○—
DRAIN TILE	—●—	—○—
GAS LINE	—●—	—○—
ELECTRIC	—●—	—○—
TELEPHONE	—●—	—○—
SPOT ELEVATION	902.5	902.5
CONTOUR	902	902
RIP RAP	—●—	—○—
OVERFLOW ELEV.	902	902



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 McCombs Frank Roos  
 Associates, Inc.

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 Plymouth, Minnesota 55447  
 phone 763/476-6010  
 fax 763/476-8532

**INSURANCE AUTO AUCTION**

INVER GROVE HEIGHTS, MN

**Professional Engineer**

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PRINT NAME: John Bender, P.E.  
 SIGNATURE: \_\_\_\_\_  
 DATE: 8/6/08 LICENSE #: 43358

Date: 8/6/08  
 Drawn By: RJO  
 Checked By: JHB, SKS  
 Project Engineer: JHB  
 Project Number: 17561

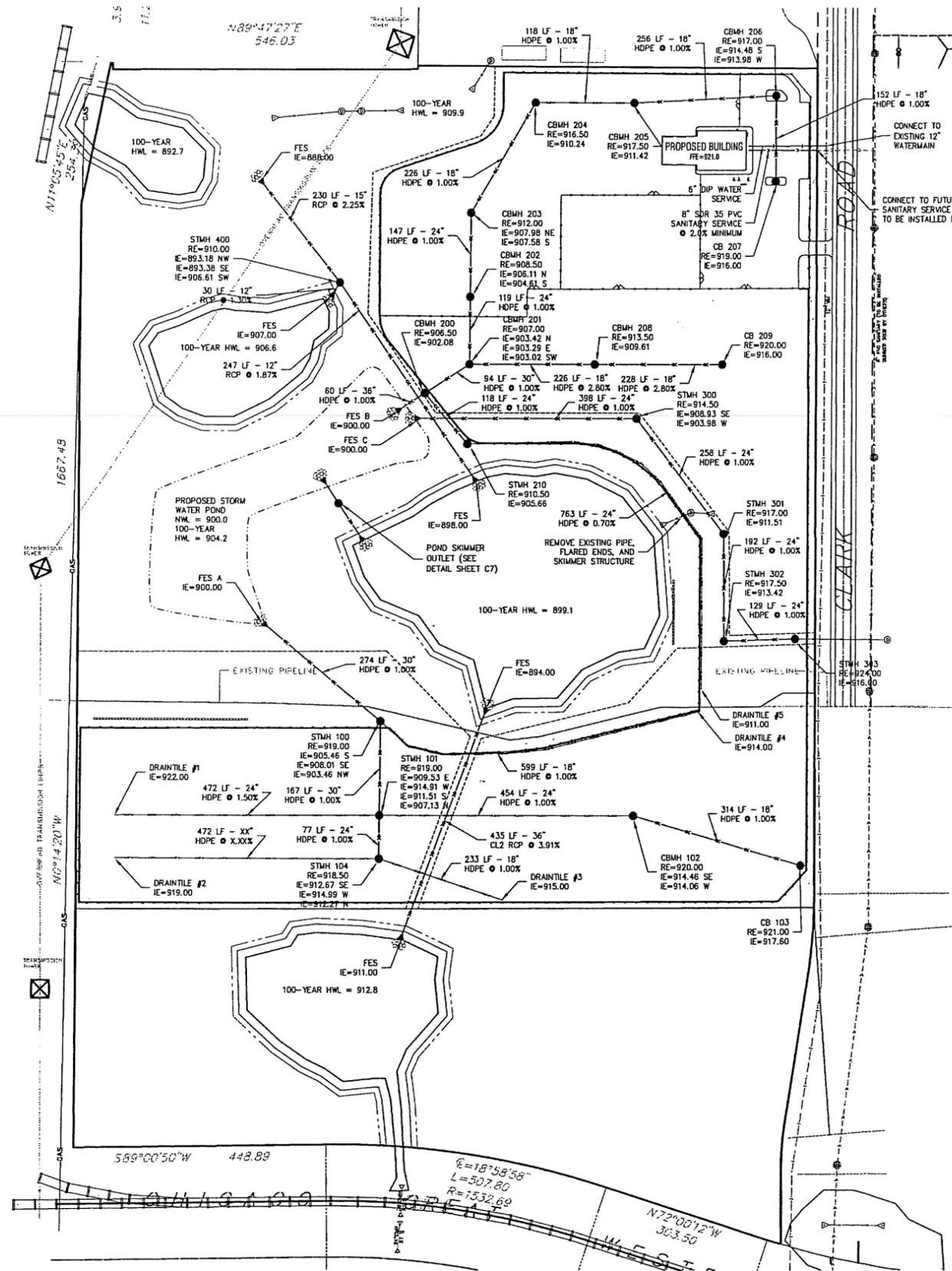
Revisions & Addendums

**INSURANCE AUTO AUCTION**

**GRADING PLAN**

**C2**

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**UTILITY CONSTRUCTION NOTES**

- A. THE UTILITY IMPROVEMENTS FOR THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD UTILITIES SPECIFICATIONS AS PUBLISHED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), EXCEPT AS MODIFIED HEREIN. CONTRACTOR SHALL OBTAIN A COPY OF THESE SPECIFICATIONS.
  1. ALL UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE TO CITY REQUIREMENTS.
  2. CONTRACTOR SHALL NOT OPEN, TURN OFF, INTERFERE WITH, OR ATTACH ANY PIPE OR HOSE TO OR TAP WATERMAIN BELONGING TO THE CITY UNLESS DULY AUTHORIZED TO DO SO BY THE CITY. ANY ADVERSE CONSEQUENCES OF ANY SCHEDULED OR UNSCHEDULED DISRUPTIONS OF SERVICE TO THE PUBLIC ARE THE LIABILITY OF THE CONTRACTOR.
  3. A MINIMUM VERTICAL SEPARATION OF 18 INCHES IS REQUIRED AT ALL WATERMAIN AND SEWER MAIN (BUILDING, STORM AND SANITARY) CROSSINGS.
- B. ALL MATERIALS SHALL BE AS SPECIFIED IN CEAM SPECIFICATIONS EXCEPT AS MODIFIED HEREIN.
  1. ALL MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY.
  2. ALL SANITARY SEWER TO BE PVC SDR-35, UNLESS NOTED OTHERWISE.
  3. ALL WATERMAIN TO BE DUCTILE IRON - CLASS 52, WITH 7.5 FEET MINIMUM COVER.
  4. ALL STORM SEWER PIPE TO BE REINFORCED CONCRETE PIPE WITH R-4 JOINTS, AND RUBBER GASKETS.
  5. RIP RAP SHALL BE M4007 CLASS 3.
- C. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULE, EXIT PORCHES, RAMP, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- D. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REVEAL EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. THE LOCATIONS OF SMALL UTILITIES SHALL BE OBTAINED BY THE CONTRACTOR, BY CALLING Gopher State One Call AT 454-0002.
- E. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- F. SAFETY NOTICE TO CONTRACTORS: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, ON OR NEAR THE CONSTRUCTION SITE.
- G. ALL AREAS OUTSIDE THE PROPERTY BOUNDARIES THAT ARE DISTURBED BY UTILITY CONSTRUCTION SHALL BE RESTORED IN KIND. SOILED AREAS SHALL BE RESTORED WITH 6 INCHES OF TOPSOIL PLACED BENEATH THE SOD.
- H. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
- I. ALL SOILS TESTING SHALL BE COMPLETED BY AN INDEPENDENT SOILS ENGINEER. EXCAVATION FOR THE PURPOSE OF REMOVING UNSTABLE OR UNSUITABLE SOILS SHALL BE COMPLETED AS REQUIRED BY THE SOILS ENGINEER. THE UTILITY BACKFILL CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF THE SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOILS TESTS AND SOIL INSPECTIONS WITH THE SOILS ENGINEER.

A GEOTECHNICAL ENGINEERING REPORT HAS BEEN COMPLETED BY:

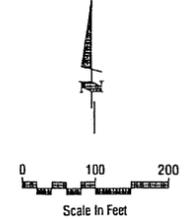
COMPANY: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 DATED: \_\_\_\_\_

THE CONTRACTOR SHALL OBTAIN A COPY OF THIS SOILS REPORT.

- J. PRIOR TO PLACEMENT OF AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND PARKING AREA SURGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEN AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SURFACE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER.
- K. THE TREES AND OTHER NATURAL VEGETATION WITHIN THE PROJECT AND/OR ADJACENT TO THE PROJECT ARE OF PRIME CONCERN TO THE CONTRACTOR'S OPERATIONS. HE WILL BE REQUIRED TO PROTECT THE TREES WHICH ARE TO BE SAVED TO BE SURE THAT EQUIPMENT IS NOT NECESSARILY OPERATED UNDER NEARBY TREES AND SHALL EXERCISE EXTREME CAUTION IN WORKING ADJACENT TO TREES. SHOULD ANY PORTION OF THE TREE BRANCHES REQUIRE REMOVAL TO PERMIT OPERATION OF THE CONTRACTOR'S EQUIPMENT, HE SHALL OBTAIN THE SERVICES OF A PROFESSIONAL TREE TRIMMING SERVICE TO TRIM THE TREES PRIOR TO THE BEGINNING OF THE OPERATION. SHOULD THE CONTRACTOR'S OPERATIONS RESULT IN THE BREAKING OF ANY LIMBS, THE BROKEN LIMBS SHOULD BE REMOVED IMMEDIATELY AND CUTS SHALL BE PROPERLY PROTECTED TO MINIMIZE ANY DAMAGE. COSTS FOR TRIMMING SERVICES SHALL BE CONSIDERED INCIDENTAL TO THE GRADING CONSTRUCTION AND NO SPECIAL PAYMENT WILL BE MADE.

**LEGEND**

	PROPOSED	EXISTING
CURB & GUTTER	—	—
STORM SEWER	—	—
SANITARY SEWER	—	—
FORCEMAIN (SAN)	—	—
WATERMAIN	—	—
EASEMENT	—	—
DRAIN TILE	—	—
GAS LINE	—	—
ELECTRIC	—	—
TELEPHONE	—	—



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**INSURANCE AUTO AUCTION**  
 INVER GROVE HEIGHTS, MN

**STONERIDGE USA**  
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 PRINT NAME: John Bender, P.E.  
 SIGNATURE: \_\_\_\_\_  
 DATE: 6/6/08 LICENSE #: 43358

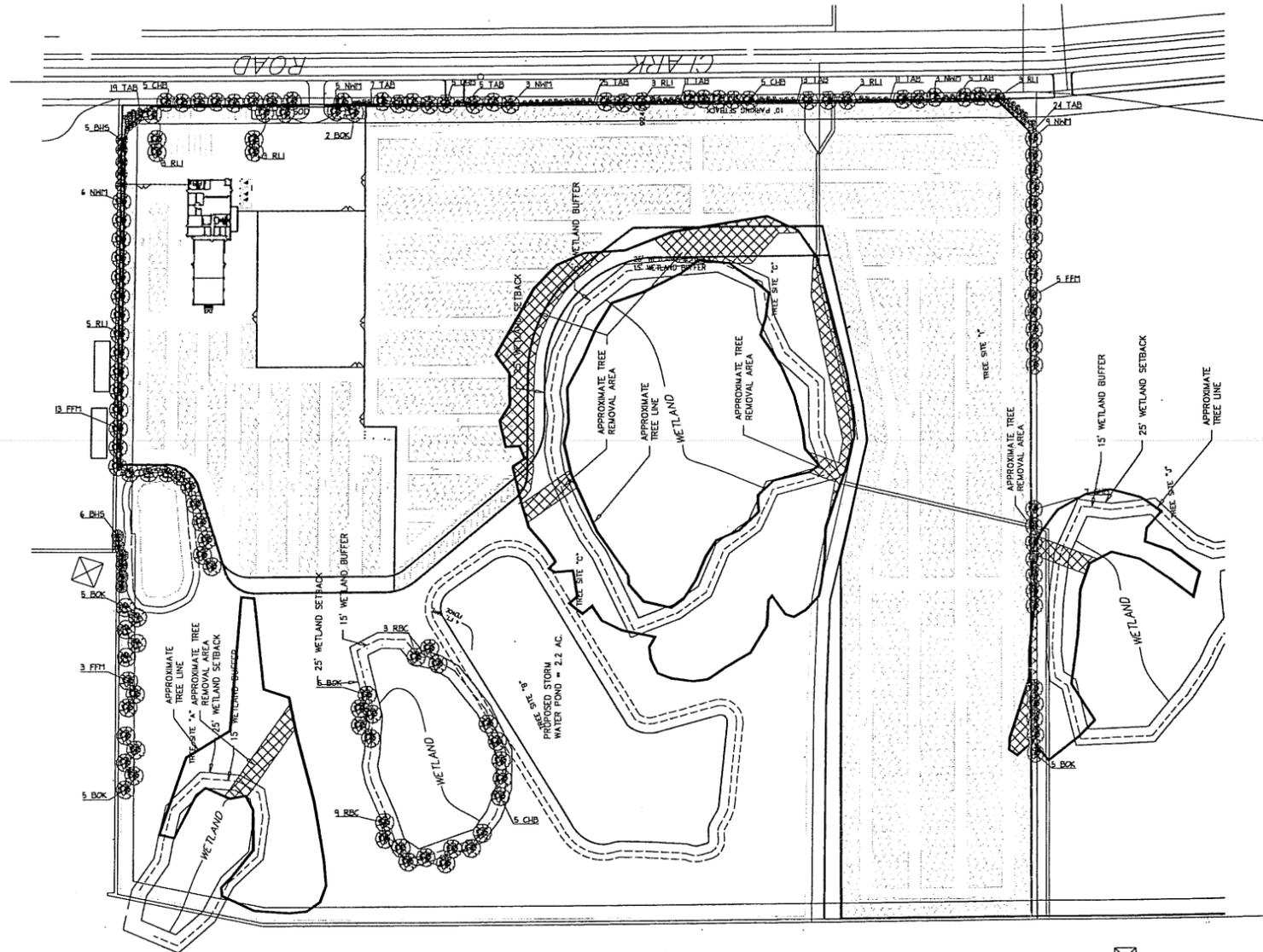
Date	6/6/08
Drawn By	RJO
Checked By	JHB, SKS
Project Engineer	JHB
Project Number	17561

Revisions & Addendums

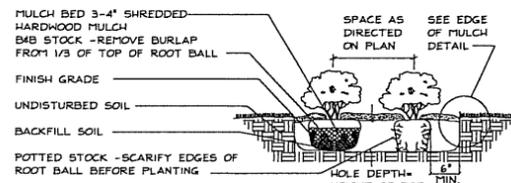
**INSURANCE AUTO AUCTION**

**UTILITY PLAN**

**C6**

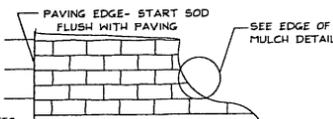


1 LANDSCAPE PLAN  
SCALE 1" = 100'-0"



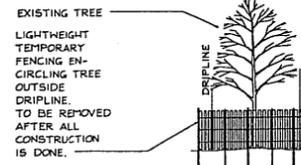
- NOTES:
1. AVOID PLANTING IN WET OR SATURATED SOIL TO PREVENT SOIL COMPACTION DURING PLANTING.
  2. MULCH LAYER TO EVENLY COVER ENTIRE BED AREA, EXCEPT KEEP MULCH 2" FROM BASE OF SHRUB BRANCHES
  3. SPACING BETWEEN PLANTS AS DIRECTED ON LANDSCAPE PLAN

2 SHRUB PLANTING DETAIL  
NOT TO SCALE



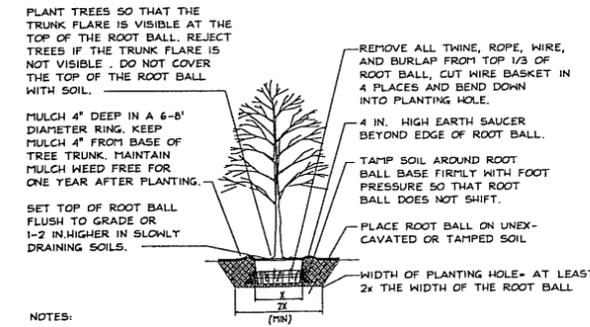
- NOTES:
1. REMOVE ALL DEBRIS, SMOOTH, AND WATER SOIL SURFACE BEFORE LAYING SOD
  2. SOD ACROSS SLOPE NOT DOWN SLOPE
  3. STAGGER SOD SO SEAMS DO NOT LINE UP TO PREVENT WASHOUTS
  4. PLACE SOD WITH SEAMS FLUSH AGAINST EACH OTHER DO NOT LEAVE GAPS BETWEEN ROLLS.
  5. STAKE SOD ON SLOPES 3' AS
  6. COMPRESS SOD WITH WEIGHTED ROLLER AND WATER AFTER LAYING IT.
  7. SOD DISTURBED AREAS AND OTHER AREAS AS DIRECTED

3 SOD DETAIL  
NOT TO SCALE



- NOTES:
1. THERE SHALL BE NO CONSTRUCTION EQUIPMENT OPERATION AND NO MATERIAL STORAGE OR VEHICLE PARKING UNDER THE DRIPLINE OF EXISTING TREES.
  2. FOR GROUPS OF TREES PLACE FENCE BEYOND THE DRIPLINE OF THE OUTER MOST TREES.
  3. SEE LANDSCAPE/TREE PRESERVATION PLAN FOR PROTECTION LOCATIONS.

4 EXISTING TREE PROTECTION  
NOT TO SCALE



- NOTES:
1. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. DO NOT REMOVE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE CROWN.
  2. STAKE AND WRAP TREES ONLY IF DIRECTED BY LANDSCAPE ARCHITECT, SEE STAKING AND/OR WRAPPING DETAILS AS NEEDED.

5 B&B TREE PLANTING DETAIL  
NOT TO SCALE

PLANT LIST							
COMMON NAME (ABBREVIATION)	QTY	PLANT TYPE	BOTANICAL NAME	FIN SIZE	CALIBER	HEIGHT	CONTAINER
<b>OVERSTORY TREES</b>							
River Birch Clump (RBC)	11	11	Betula nigra	8'	-	X	X
Common Hackberry (CHB)	27	27	Celtis occidentalis	2.5'	X	-	-
Redmond Linden (RLI)	20	20	Tilia americana 'Redmond'	2.5'	X	-	-
Northwood Maple (NWMF)	24	24	Acer rubrum 'Northwood'	2.5'	X	-	-
Fall Fiesta Maple (FFM)	21	21	Acer saccharum 'Fiesta'	2.5'	X	-	-
Bur Oak (BOK)	22	22	Quercus macrocarpa	2.5'	X	-	-
<b>EVERGREEN TREES</b>							
Black Hills Spruce (BHS)	11	11	Picea glauca 'densata'	8'	-	X	X
<b>SHRUBS</b>							
Teichy Arborvitae (TAB)	120	20	Thuja occidentalis 'Teichy'	#10	-	-	X
Total	158						
Total Required	140						
LANDSCAPE REQUIREMENTS:							
ONE TREE/50 FT (4,684 FT/50 FT = 94 REQUIRED TREES)							
ONE TREE/10 PARKING SPACES (4 REQUIRED TREES) IN 1/2 OR LARGER ISLAND/TREE							
TREE EQUIVALENT: 50% OR MORE OVERSTORY TREES REQUIRED							
2 ORNAMENTAL TREES = ONE TREE							
4 SHRUBS = ONE TREE							
TREE PRESERVATION:							
TREES AREA TO BE REMOVED: 48,106 SF (1.1 ACRES) (104)							
TREES AREA TO BE PRESERVED: 225,544 SF (5.13 ACRES) (871)							
TREES AREA ALLOWED FOR REMOVAL (60%): 143,141 SF (3.25 ACRES)							

LANDSCAPE PLANTING NOTES:

1. LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF TWO YEARS FROM THE DATE OF CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE PROJECT OR LATER IF INSTALLED LATER BECAUSE OF PLANTING SEASON.
2. ALL PLANT MATERIAL SHALL MEET MINIMUM REQUIREMENTS SHOWN IN THE "AMERICAN STANDARD FOR NURSERY STOCK" (ANSI Z60.1-1994).
3. NO PLANT MATERIAL SHALL BE SUBSTITUTED WITHOUT PRIOR AUTHORIZATION OF THE LANDSCAPE ARCHITECT.
4. TREES SHALL ONLY BE STAKED WITH THE APPROVAL OF THE LANDSCAPE ARCHITECT IN CASES OF EXTREMELY WINDY LOCATIONS AND/OR NET CLAY OR VERY SANDY SOIL; EVERGREEN TREES GREATER THAN 6 FEET IN HEIGHT SHALL BE GUYED, STAKING AT HEIGHTS LESS THAN 6 FEET IS NOT NECESSARY. REFER TO PLAN AND DETAILS FOR SPECIFIC PLANTING INSTRUCTIONS.
5. IF THERE IS A DISCREPANCY BETWEEN PLANT QUANTITIES IN THE PLANT LIST AND THOSE REPRESENTED GRAPHICALLY, THE GRAPHIC REPRESENTATION SHALL TAKE PRECEDENCE.
6. THE LANDSCAPE CONTRACTOR SHALL VERIFY UTILITY LOCATIONS AND PROTECT ALL UTILITIES AND STRUCTURES. DAMAGE TO UTILITIES AND STRUCTURES SHALL BE REPAIRED BY THE LANDSCAPE CONTRACTOR TO THE SATISFACTION OF THE OWNER.
7. THE LANDSCAPE CONTRACTOR SHALL STAKE LOCATIONS OF PLANTS FOR LANDSCAPE ARCHITECTS APPROVAL PRIOR TO ANY EXCAVATION OR INSTALLATION.
8. UNLESS INDICATED OTHERWISE, ALL LANDSCAPE AREAS WITHIN THE SITE BOUNDARY SHALL RECEIVE SOD. AREAS OUTSIDE THE SITE BOUNDARIES THAT HAVE BEEN DISTURBED SHALL RECEIVE SEED.
9. ALL LANDSCAPED, SEED, AND SODDED AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM, UNLESS NOTED OTHERWISE. IRRIGATION CONTRACTOR TO PROVIDE COMPLETE DESIGN AND SHOP DRAWINGS FOR INSTALLATION.
10. IN AREAS WHERE AN EXISTING PARKING LOT OR DRIVE AREAS HAVE BEEN REMOVED, ALL SUB-BASE SHALL BE REMOVED AND REPLACED WITH TOPSOIL AND PLANTINGS AS INDICATED.
11. ALL NATIVE SEED SHALL BE MEASURED AS PURE LIVE SEED (PLS) AMOUNTS.
12. SEEDBED AREAS SHALL HAVE EXISTING VEGETATION KILLED WITH ROUND-UP (OR EQUIVALENT) ONE WEEK TO 10 DAYS PRIOR TO SEEDING.
13. ALL LANDSCAPE PLANTINGS OUTSIDE OF PLANTING BEDS SHALL RECEIVE EIGHT FOOT DIAMETER RING OF LANDSCAPE MULCH.



INSURANCE AUTO AUCTION  
INVER GROVE HEIGHTS, MN



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SIGNATURE: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_  
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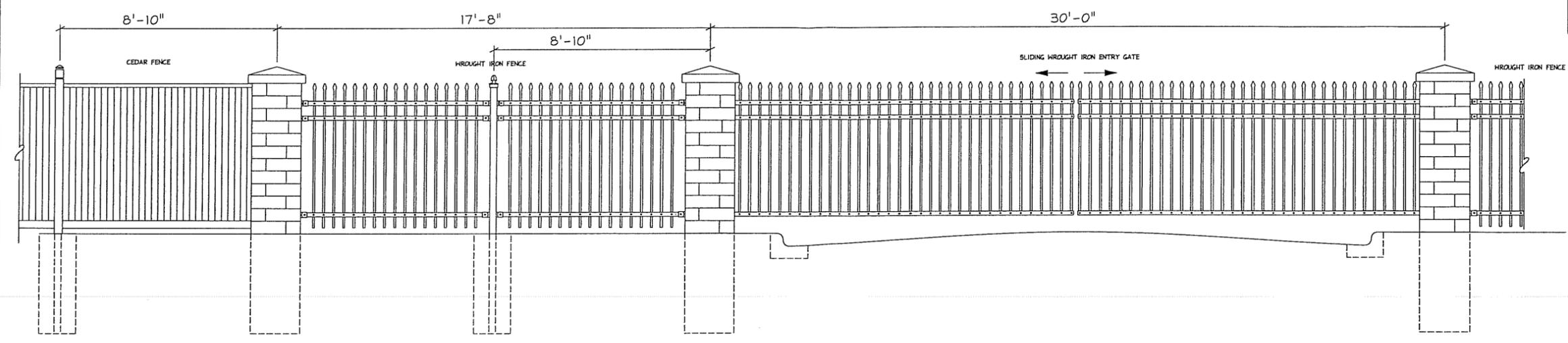
Date 6/14/06  
Drawn By JRM  
Checked By GMT, TL  
Project Architect JH  
Project Number 208082

Revisions & Addendums  
REVIEW COMMENTS  
BY CITY  
JULY 11, 2008

INSURANCE AUTO AUCTION

LANDSCAPE PLAN

L3.1



① GATE & FENCE ELEVATION DETAIL  
SCALE 1/2" = 1'-0"

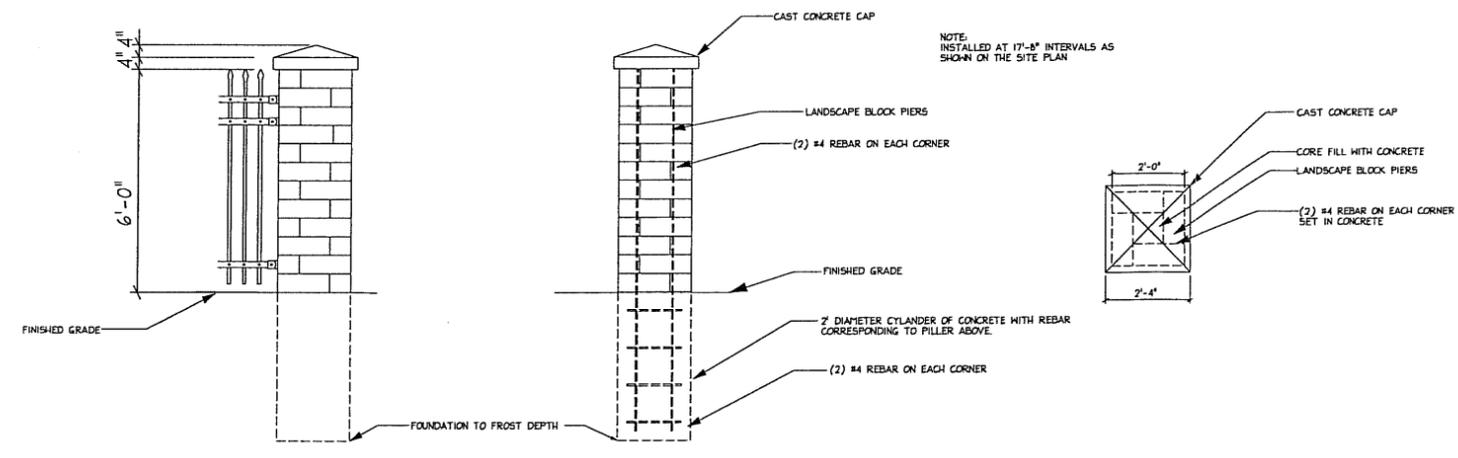
**INSURANCE AUTO AUCTION**  
**INVER GROVE HEIGHTS, MN**

Prepared For:  
  
 STONENCE LISA

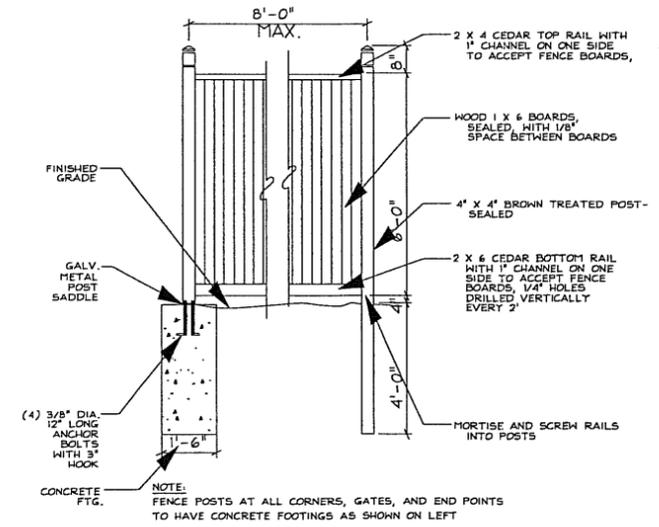
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 SIGNATURE: \_\_\_\_\_  
 PRINT NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_ LICENSE #: \_\_\_\_\_

Date: 6/14/08  
 Drawn By: JML  
 Checked By: GMT, TL  
 Project Architect: JH  
 Project Number: 208082

Revisions & Addendums  
 RESUBMITTALS  
 JUL 11, 2008



② PIER DETAILS  
SCALE 1/2" = 1'-0"

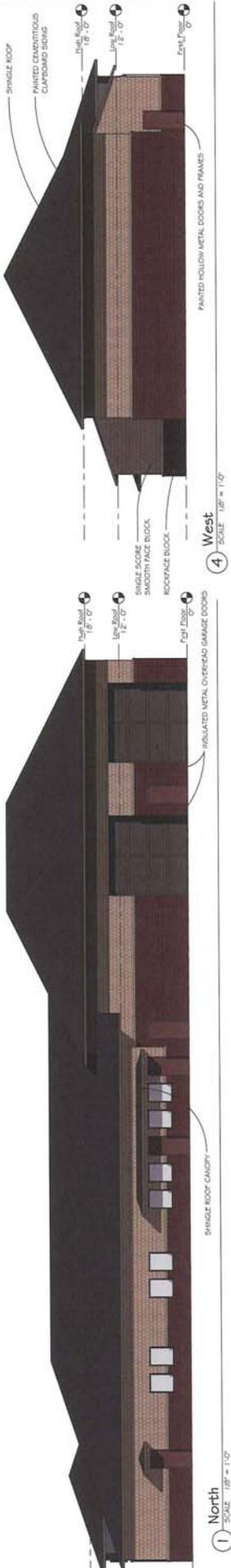


③ 6' WOOD FENCE DETAIL  
NOT TO SCALE

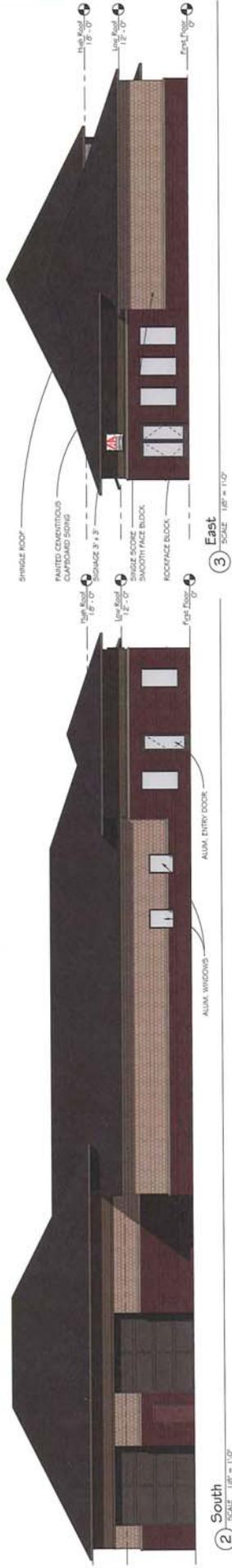
INSURANCE AUTO AUCTION

FENCE DETAILS

L2.2



① North  
SCALE: 1/8" = 1'-0"



② South  
SCALE: 1/8" = 1'-0"



③ East  
SCALE: 1/8" = 1'-0"

④ West  
SCALE: 1/8" = 1'-0"

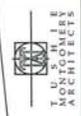
⑤ Entrance Corner  
SCALE

⑥ Garage Corner  
SCALE



# Insurance Auto Auctions

Inver Grove Heights, Minnesota



June 16, 2008

**Draft**

**ENVIRONMENTAL COMMISSION MEETING**  
Inver Grove Heights City Hall – Council Chambers  
July 24, 2008

---

**1. Call to Order**

Meeting called to order at 7:00 PM by Chair Lesney.

**2. Roll Call**

Commissioners Present:

Chair Lesney, Greg Groejes, Bob Pohlman, Peter Hall, Ted Trenzeluk, Chris Wang, Brandon Wild, Mike Flaherty, Ross Berge

Staff Present:

Jennifer Emmerich, Assistant Planner  
Allan Hunting, City Planner

**3. Approval of Agenda**

Mr. Trenzeluk moved to approve the agenda and Mr. Groenjes seconded the motion. Motion to approve carried unanimously.

**4. Approval of Minutes**

Mr. Trenzeluk moved to approve the minutes and Mr. Hall seconded the motion. Motion to approve carried unanimously.

**5. Old Business**

**6. New Business**

**A. Stonehenge USA – Discussion and recommendation for an automobile auction sales operation located at 11305 Clark Road.**

Allan Hunting, City Planner, presented an application for an ordinance amendment to allow an auto auction facility to be located at 11305 Clark Road. Mr. Hunting stated that the auto auction would be located in an industrial area and that it requires an ordinance amendment because the use is not permitted in that zoning district. Mr. Hunting further stated that the ordinance amendment is not consistent with staff's goals and direction.

Mr. Hunting stated that Barr Engineering reviewed the application for any environmental concerns and they didn't find any concerns with the proposal as long as the applicant has good management practices.

Mr. Hunting explained the site plan and the proposed screening of the site. He stated that staff feels that auto auctions should not be allowed in the I-1 Zoning District and, therefore, staff is recommending denial.

Mr. Hall asked if there were other properties, suitable for this use, elsewhere in Inver Grove Heights.

Mr. Hunting stated that staff feels that it's not an appropriate use anywhere in the city. He further stated that Council amended the ordinance in 1995 to disallow this type of use.

Dave Karland, Executive Vice President of Stonehenge USA, summarized their application request and introduced their staff in attendance.

Michael Madden, Vice President of real estate for insurance auto auctions, introduced himself and stated that Stonehenge USA is looking to open another business in the metro area because the first location, in St. Paul, was so successful. He stated that Stonehenge does not engage in any type of scrapping of vehicles. Rather, insurance companies send vehicles to them and they in turn put the vehicle up for auction. He further stated that most of their business is via the internet. Mr. Madden also stated that they have a large environmental insurance policy and they have audits to ensure that the facility adheres to both the environmental and operational best management practices.

Mr. Trenzeluk asked if the company ever disposes of a vehicle if it doesn't sell.

Mr. Madden said that they always sell the vehicles.

Mr. Wild asked about the truck traffic on a daily basis.

Mr. Madden said that the business is open Monday through Friday from 8:00 AM to 5:00 PM and that the truck traffic varies.

John Bender, civil engineer, spoke regarding some of the environmental issues on the property. He stated that there are significant wetlands on the site and that they will be leaving 20 acres of the site unaltered. He stated that they would have to remove some trees, but would plant landscaping along the front of the property to assist in screening the site. He further stated that all runoff would be directed to a storm water pond.

Chair Lesney inquired about the 25 acres of proposed paving.

Mr. Bender stated that they would be paving the site with recycled bituminous, which is an impervious surface. He further stated that it is beneficial for the pavement to be impervious as they don't want any of the water to infiltrate there.

Rather, it's better for the stormwater to go to the stormwater pond where it would be treated prior to infiltration.

Mr. Hall inquired about the disposal of the floatables from the stormwater pond.

Mr. Bender stated that the property owner would have a maintenance agreement that would designate the removal of sediment and the surface debris.

Chair Lesney inquired about the life of the recycled bituminous.

Mr. Bender stated that since the area is a parking lot, the parking area should last for eight to ten years before it requires maintenance.

Mr. Wild inquired about the number of trees that would be removed.

Mr. Bender stated that there is a tree removal plan and that they would be replacing any trees that they removed.

Mr. Trenzeluk asked about an interim use permit.

Mr. Karland said that they would if the permit could be valid for 20 years.

Mr. Berge asked how often spills have occurred at Stonehenge's other facilities.

Mr. Madden said that he couldn't recall any major spills and reminded the commission of their environmental insurance policy.

Chair Lesney asked about the ownership of the property.

Mr. Karland stated that Stonehenge doesn't currently own the property, but are in the process of gaining ownership.

Chair Lesney asked what businesses would be interested in the building once the auto auction business is complete.

Mr. Karland stated that a distribution center-type business would probably be interested.

Mr. Trenzeluk stated that he doesn't feel that the operation is a junk yard and that the use is appropriate for the site. He further stated that he would like to recommend approval with the conditions as recommended by staff and he brought to the Commission's attention that the city has not received any comments opposing the business.

Mr. Wild commented that he would like to know more about the tree removal and the traffic levels expected.

Chair Lesney commented that it is a difficult decision to make for the Environmental Commission because they specifically look at environmental concerns. She further stated that the ordinance amendment in 1995 that prohibited these businesses is important to her, but that they should be making their decisions based on the environmental concern.

Mr. Hunting stated that if the commission feels that the proposed use does not have an environmental impact, then they could support the business.

Chair Lesney voiced her concerns about the large parking area.

Mr. Hunting stated that there is not a standard for maximum impervious surface in the I-2 Zoning District.

Mr. Trenzeluk moved to approve the ordinance amendment to allow this use as a conditional use permit in the I-2 Zoning District and approval of the conditional use permit with the staff recommended conditions outlined in the staff report.

Mr. Groenjes seconded the motion. He stated that he agrees with Mr. Trenzeluk in that this is an appropriate use for the area and that the business is taking the necessary steps to mitigate environmental concerns.

Chair Lesney brought to the commission's attention that this ordinance amendment would allow this type of business at any of the I-2 properties with a conditional use permit.

Mr. Hall pointed out that the Commission should make the decision based on the environmental issues.

Mr. Trenzeluk reminded the Commission that the I-2 Zoning District is only in the Southeast portion of the city.

Mr. Flaherty asked about Condition 6 with regards to inspection by the City Code Enforcement Officer.

Mr. Hunting stated that it would be inspected on an as needed basis.

Mr. Trenzeluk restated the motion. Motion carried (6/2 – Wild and Wang).

## **7. Citizen Comments**

Bill Kline stated that he would like to see the air and water quality levels for 20 years ago, 10 years ago and today to show the improvement in water and air qualities over the 20 years. He also would like the Commission to look into the number of trees that have been planted over the last 20 years.

## **8. Reports and Updates**

### **A. Goal Setting Update**

Jennifer Emmerich stated that staff sent information to the City Council regarding the goals of the Environmental Commission, stating that the goals were to be involved with the energy study and the HIPP Green Workshops. She further stated that staff didn't receiving any comments opposing these goals; therefore the Commission will move forward with them and that she would have a memo for the Commission by the August meeting.

Mr. Wild commented on the environmental commissions for other cities throughout the metro area and recommended that the other Commissioners look into what other cities are doing.

Mr. Groenjes commented on Maplewood's efforts to catalogue their large and historic trees.

### **B. Energy Study Update**

Ms. Emmerich stated that the contracts with the consultant were still being worked out with the City.

## **9. Adjourn**

Mr. Trenzeluk moved to adjourn at 8:20. Mr. Groenjes seconded the motion. Motion approved unanimously.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CITY OF INVER GROVE HEIGHTS;** Consider the second reading of an Ordinance Amendment to amend Section 515.30 regarding the definition of impervious coverage.

Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Jenn Emmerich; 651.450.2553  
 Prepared by: Jenn Emmerich, Assistant City Planner  
 Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

- a) Consider the second reading of an Ordinance Amendment that would define impervious surface.
- Requires 3/5th's vote.

**SUMMARY**

Background The City Council directed Planning Commission to hold a public hearing regarding changing the allowed maximum impervious coverage in the “R” Zoning Districts. Upon review of the code, it was determined that a definition of impervious surface should also be adopted; however, a public hearing for the definition was not specifically noticed. Therefore, Planning Commission will hold a public hearing on September 2, 2008.

Analysis Upon review of the City Code, it was determined that impervious surface is used in several sections and that a definition of impervious surface exists in the Northwest Area Stormwater Manual. Staff composed the proposed definition with assistance from Tim Kuntz, City Attorney and forwarded the definition to Emmons and Olivier for review. Emmons and Olivier reviewed the proposed definition and did not think the new definition would have any unwanted effects on the Northwest Area Stormwater Manual. Therefore staff is recommending that the proposed definition be adopted in both the Zoning Code as well as the Northwest Area Stormwater Manual.

Additionally, at the August 11, 2008 City Council meeting a question regarding the classification of green roofs was brought to staff’s attention. Staff consulted with Emmons and Olivier and determined that, though green roofs infiltrate a percentage of rainfall, they are similar to porous pavement systems in that they require maintenance and take away from the open space on the lot. Therefore, they should be classified as impervious coverage.

A question regarding the permeability of bare ground below decks was also raised. Though a vegetated area would infiltrate more stormwater than open area, the bare ground still does infiltrate water. It is not considered impervious.

**RECOMMENDATION**

Planning Staff Recommends approving the first reading of this ordinance amendment.

Planning Commission Recommends approval of the request (8-0).

Parks and Recreation Not applicable.

Attachment Ordinance Amendment Resolution

**CITY OF INVER GROVE HEIGHTS**

**DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE PROVIDING A DEFINITION OF THE TERM IMPERVIOUS SURFACE AND AMENDING SECTION 515.30 SUBD. 2 (ZONING CODE – DEFINITIONS) OF THE CITY CODE AND AMENDING SECTION 515.80 SUBD. 39 (I) OF THE CITY CODE RELATING TO THE INVER GROVE HEIGHTS NORTHWEST AREA STORMWATER MANUAL**

The City Council of Inver Grove Heights hereby ordains as follows:

**Section 1. AMENDMENT.** Inver Grove Heights City Code Section 515.30 Subd. 2 is hereby amended by adding the definition for the term impervious surface to read as follows:

- 128.a. Impervious Surface - That surface of the lot (1) which has been covered or has been physically altered and (2) that contains a constructed hard surface, which would prevent or retard the entry of water into the soil and cause water to run off in greater quantities or at an increased rate of flow than prior to development. Examples include concrete, asphalt, pavers, permeable pavement systems and various compacted materials including aggregate, limestone, gravel driveways, gravel parking areas, gravel storage areas and recycled bituminous. Buildings, rooftops, sidewalks, patios, driveways, parking areas, storage areas, tennis and basketball courts, covered decks and decks with an impervious surface below and any other structure shall be included for the purpose of calculating maximum lot coverage. Exception: Decks with grass, bare ground or other natural porous surfaces below will not be considered when calculating lot coverage percentage.

**Section 2. AMENDMENT.** The definition of impervious surface contained in Appendix C of the Inver Grove Heights Northwest Area Stormwater Manual dated July 2006, prepared by Emmons & Olivier Resources, as codified in Inver Grove Heights City Code Section 515.80 Subd. 39 (I), is hereby amended to read as follows:

~~Impervious surface. a surface in the landscape that impedes the infiltration of rainfall and results in an increased volume of surface runoff~~

Impervious surface. The term impervious surface, for purposes of the Inver Grove Heights Northwest Area Stormwater Manual, shall have the same meaning as that term is defined by Inver Grove Heights City Code Section 515.30 Subd. 2.

**Section 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

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**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL DIRECTION**

**CITY OF INVER GROVE HEIGHTS;** Consider the second reading of an Ordinance Amendment to modify the requirements relating to the exterior building materials of all buildings in all residential zoning districts.

Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Jenn Emmerich; 651.450.2553  
 Prepared by: Jenn Emmerich, Assistant City Planner  
 Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

- a) Consider the Second Reading of an Ordinance Amendment that would allow certain exterior building materials on structures in all residential zoning districts (“R”, “A” and “E” Districts).
- Requires 3/5th's vote.

**SUMMARY**

Background At the April 28, 2008 City Council meeting, Council directed staff to research the issue of exterior building materials. In response, staff has reviewed the current zoning ordinance and the zoning ordinances in the surrounding cities and has made a recommendation for a zoning code amendment. That information was brought back to Council on June 9, 2008.

Analysis After the August 11, 2008 City Council meeting, staff met with Tim Kuntz to discuss the modification of the definition of “structure”. It was determined that the definition of structure should not be amended. Instead, language to include moveable apparatus was added to the amendment to Section 515.90 Subd. 19 – Exterior Building Materials. All moveable apparatus or units consisting of a frame that would be used for storage would also be included in these exterior building material requirements. Therefore, “hoop structures” would not be permitted.

Also, at the August 11, 2008 City Council meeting, Council requested clarification of permissibility on several types of buildings. In response, staff has drafted Exhibit A, which illustrates permitted structures and prohibited structures. Composite plastic structures (commonly known as “Rubbermaid” structures) would be permitted, whereas plastic structures which are covered in sheet plastic (commonly known as “hoop” structures) would not be permitted. Additionally, please be informed that, under Council’s direction, staff has removed the 120 square foot lower threshold; therefore, all structures under 120 square feet, including metal garden sheds would be prohibited.

**RECOMMENDATION**

Planning Staff Recommends an amendment to the current code that would require and prohibit certain exterior building materials to all structures in the residential zoning districts (“R”, “A” and “E” Districts).

Planning Commission Recommends approval of the ordinance amendment (7-2, Bartholomew and Scales). Chair Bartholomew expressed concerns regarding the removal of the lower threshold for structure size.

Enclosure: Exhibit A  
 Ordinance Amendment  
 Planning Report

# Exhibit A

## Permitted



## Prohibited



**CITY OF INVER GROVE HEIGHTS**

**DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 515.90 SUBD. 19. (ZONING CODE – EXTERIOR BUILDING MATERIALS) OF THE CITY CODE**

The City Council of Inver Grove Heights hereby ordains as follows:

**SECTION 1. AMENDMENT.** Inver Grove Heights City Code Section 515.90 Subd. 19 is hereby amended by adding the following:

**Section 515.90 Subd. 19. Exterior Building Materials.**

- A. Commercial, Industrial and Institutional Buildings. All exterior vertical surfaces of any principal or accessory structure in a “B”, “I” or “P” Zoning District shall have an equally attractive or the same fascia as the front. At least 50% of the exterior vertical surface shall consist of one or a combination of the following or similar materials: brick veneer; sculptured, textured or concrete block or panels; natural wood siding; steel, aluminum or vinyl lap siding; natural stone or glass. A maximum of one-third of a building wall is permitted to have sheet or corrugated steel or aluminum finish.
- B. Residential Buildings. All exterior surfaces of a residential building must be completed ~~to the City’s Chief Building Official~~ within one year of the issuance of a building permit. A six month extension may be granted, if a written request is submitted to the ~~Chief Building Official~~ City Planner 10 working days prior to the termination of the one year time limit.

Exterior walls of all principal and accessory structures in all residential zoning districts (“R”, “A” and “E” Districts) must be covered only with siding (wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass, composite plastic or other comparable material as approved by the City Planner.

Sheet metal, corrugated metal or shaped metal material used to cover exterior walls shall be prohibited as a final cover for exterior walls on all principal structures in all residential

zoning districts (“R”, “A” and “E” Districts), except such materials may be used as accents comprising of no more than 25% of the total surface for each wall.

Cloth, fabric, canvas, plastic sheets, tarps, tarpaper and insulation shall be prohibited as final covers for exterior walls and roofs for all principal and accessory structures in all residential zoning districts (“R”, “A” and “E” Districts).

Sheet steel, corrugated steel or steel, shaped material used to cover exterior walls or aluminum metal siding shall be prohibited on all detached accessory structures in the City, unless a conditional use permit is approved for its use by the City Council. A conditional use permit may only be issued by the City Council for sheet or corrugated steel or aluminum metal siding for lots in the “A” or “E-1” Zoning Districts, and only if the sheet or corrugated steel or aluminum metal siding has a thickness of at least 29 gauge, and comes with a manufacturer’s warranty of at least 20 years. There shall be a minimum space of six (6) feet between the principal and accessory structure unless attached, and a minimum space of six (6) feet between all other accessory structures. Any detached accessory structure that exceeds a gross floor area of 1,000 square feet must maintain a minimum setback from all property lines of 50 feet.

Playground equipment and commercial greenhouses are excluded from this exterior building materials requirement.

All limitations, restrictions, regulations, prohibitions and standards with respect to accessory structures set forth above shall also apply to the following:

Moveable apparatus or units, not permanently affixed to the ground, consisting of a frame that is to be used for or intended to be used for storage or other use. These include apparatus commonly known as hoop houses, canopy-covered carports and tent garages.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes \_\_\_\_

Nays \_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE LAST PARAGRAPH OF SECTION 515.90 SUBD. 18. (ZONING CODE – ACCESSORY STRUCTURES) OF THE CITY CODE**

The City Council of Inver Grove Heights hereby ordains as follows:

**SECTION 1. AMENDMENT.** Inver Grove Heights City Code Section 515.90 Subd. 19 is hereby amended by adding the following:

Section 515.90 Subd. 18. **Accessory Structures.**

Exceptions to these requirements are:

1. ~~Accessory structures to single family residential uses in all “A,” “E” and “R” Zoning Districts with gross floor areas of 120 square feet or less;~~
2. Accessory structures to principal agricultural uses (i.e., farms, ranches, stables, greenhouses, nurseries, and uses deemed similar by the City Council) in the “A” and “E-1” Zoning Districts.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes \_\_\_\_

Nays \_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**P L A N N I N G   R E P O R T**  
**C I T Y   O F   I N V E R   G R O V E   H E I G H T S**

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**REPORT DATE:** August 1, 2008

**CASE NO:** 08-40ZA

**APPLICANT:** City of Inver Grove Heights

**REQUEST:** Exterior building materials ordinance amendment

**HEARING DATE:** August 6, 2008

**REVIEWING DIVISIONS:** Planning

**PREPARED BY:** Jennifer Emmerich  
Assistant City Planner

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**BACKGROUND**

The City Council directed staff to hold a public hearing regarding changing the requirements relating to exterior building materials.

**ANALYSIS**

The City Council asked staff to look into the following specific concerns as they relate to plastic hoop and other similar structures:

1) Principal versus Accessory Structures

Exterior building materials should pertain to both principal and accessory structures.

2) Urban versus Estate Lots

The ordinance should pertain to all residential zoning districts. Though the accessory structure setbacks in the Agricultural (A) and Estate (E-1 and E-2) Districts are larger than the accessory structure setbacks in the Residential (R-1A, B, C) Districts, they are still as small as 10 feet for some buildings. Accessory structures in the large lot zoning districts could be as visible as accessory structures in the higher density areas; therefore exterior building material requirements should be enforced in all residential zoning districts.

3) Agricultural Buildings

Agricultural buildings are structures on agricultural land that are designed, constructed, and used to house farm implements, livestock, or agricultural produce or products. Agricultural buildings are only allowed in the Agricultural and E-1 Zoning Districts. These buildings are statutorily exempted from any size or siding requirements. Therefore they would not be impacted by any exterior building material requirements.

4) Greenhouses

Commercial greenhouses are a conditionally permitted use in the Agricultural District. They should be exempted from this ordinance as screening could be approved as part of

the conditional use permit to conceal any plastic greenhouse structures from neighboring properties.

Residential greenhouses in the Agricultural, Estate and Residential Zoning Districts would be required to follow the exterior building materials ordinance.

5) Accessory Structure Size

The current accessory structure sizes in all residential zoning districts have recently been reviewed by Council and it has been determined that no changes were necessary. As the proposed ordinance would prohibit all structures with a plastic exterior, size is irrelevant.

6) Impervious Surface

The impervious surface regulations are being brought to Council's attention at another meeting. It is immaterial for this specific zoning code amendment.

7) Prefabricated Storage Sheds

Prefabricated storage sheds are small buildings or Rubbermaid structures that can be purchased from home improvement stores like Menards, Lowes and Home Depot. These structures are generally smaller than 120 square feet and are currently only regulated by the setback codes. However, per Council's direction, staff has removed this lower threshold of 120 square feet. Therefore, all structures, regardless of size would have to meet all of the zoning code requirements, including the exterior building materials requirement.

**Current Regulations.** Exterior building materials are currently addressed in Section 515.90 Subd. 19 of the City Code. The code specifies exterior building materials for commercial, industrial and institutional buildings and it requires that all exterior surfaces of a residential building be completed within one year of issuance of a building permit. It currently does not address allowed exterior building materials for residential structures.

Information on allowed structure sizes, heights and setbacks is summarized on the attached document titled "Single Family Residential Building Info".

**Other Cities.**

**Rosemount:** Requires that all buildings over 120 square feet be constructed of brick, natural stone, decorative concrete block, cast in place concrete, wood, curtain wall panels of steel, fiberglass or aluminum, glass curtain wall panels or stucco.

**Cottage Grove:** All structures over 160 square feet be constructed of materials consistent with the existing principal structure.

**Proposed Ordinance Language.** Upon reviewing all of the supporting information, staff has prepared an ordinance amendment to Section 515.90 Subd. 19 – Exterior Building Materials, which would require all exterior walls to be covered with siding, stucco, brick, glass, composite plastic or other comparable material as approved by the Building Official and that cloth, fabric, canvas, plastic sheets, tarps, tarpaper and insulation be prohibited as final covers for exterior walls.

Additionally, per Council’s recommendation, staff has drafted an amendment to Section 515.90 Subd. 18. – Accessory Structures, which no longer excludes buildings under 120 square feet. However, by removing this lower threshold, children’s play structures would be prohibited. Therefore, staff has recommended that this type of structure be excluded from the exterior building materials requirements.

Lastly, staff recommends that the definition of structure be modified to remove the portion that refers to permanent location on the ground and add examples of structures. Staff is recommending this modification because often plastic structures are not permanently located on the ground and we do not want to exclude them from the exterior building materials ordinance amendment.

## **ALTERNATIVES**

The alternative courses of action the Planning Commission has available include the following:

- A. **Approval.** If the Planning Commission finds the proposed amendment language to be acceptable, the Commission could recommend adoption of the attached ordinance amendment.
- B. **Modified Approval.** If the Planning Commission finds it acceptable to change the ordinance, but is not in agreement with the recommendation, the Commission could recommend adoption of a modified amendment.
- C. **Denial.** If the Planning Commission does not find it necessary to modify the existing language, the Commission could recommend denial of the proposed ordinance amendment.

## **RECOMMENDATION**

Based on the City Council’s comments and direction, Staff recommends that the ordinance be modified as shown in Exhibit A.

Attachments: Single Family Residential Building Info  
Proposed Ordinance Amendment

Exhibit A

Excerpt from the Zoning Ordinance pertaining to the Exterior Building Materials, Accessory Structures and Definitions. Proposed changes are underlined.

Section 515.90 Subd. 19. **Exterior Building Materials.**

Exterior surfaces of all principle and accessory structures in all residential zoning districts (“R”, “A” and “E” Districts) must be covered with siding, stucco, brick, glass, composite plastic or other comparable material as approved by the Building Official. Cloth, fabric, canvas, plastic sheets, tarps, tarpaper and insulation shall be prohibited as final covers for exterior walls.

Playground equipment and apparatus are excluded from this exterior building materials requirement.

Sheet or corrugated steel or aluminum metal siding shall be prohibited on all detached accessory structures in the City, unless a conditional use permit is approved for its use by the City Council. A conditional use permit may only be issued by the City Council for sheet or corrugated steel or aluminum metal siding for lots in the “A” or “E-1” Zoning Districts, and only if the sheet or corrugated steel or aluminum metal siding has a thickness of at least 29 gauge, and comes with a manufacturer’s warranty of at least 20 years. There shall be a minimum space of six (6) feet between the principal and accessory structure unless attached, and a minimum space of six (6) feet between all other accessory structures. Any detached accessory structure that exceeds a gross floor area of 1,000 square feet must maintain a minimum setback from all property lines of 50 feet.

Section 515.90 Subd. 18. **Accessory Structures.**

Exceptions to these requirements are:

1. ~~Accessory structures to single family residential uses in all “A”, “E” and “R” Zoning Districts with gross floor areas of 120 square feet or less~~

Section 515.30 **Definitions.**

288. Structure - Anything constructed, temporary or permanent, used or intended for supporting any use or occupancy, including buildings, sheds, garages, carports, manufactured homes, greenhouses, decks and other similar buildings, the uses of which require permanent location on the ground, or attached to something having a permanent location on the ground. In Shoreland Management Overlay Districts a structure shall be any building or appurtenance, including decks, except aerial or underground utility lines, such as sewer, electric, telephone, telegraph, gas lines, towers, poles and other supporting facilities. In a flood plain a structure is anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, travel trailers/vehicles not meeting the exemption criteria specified in Section 515.80, Subd. 29(M2) and other similar items.

# SINGLE FAMILY RESIDENTIAL BUILDING INFO

City of Inver Grove Heights

May 28, 2008

## **Agricultural (A) District:**

### Principal Structures Setbacks:

Front: 30'  
Rear: 60'  
Side: 25'

### Accessory Structure Setbacks:

Front: 30'  
Rear: 60'  
Side:  
Building  $\leq$  1,000 s.f.: 25'  
Building  $>$  1,000 s.f.: 50'

### Max Allowed Accessory Structure Size:

Lot size  $\geq$  5 acres: 2,400 s.f.  
Lot size  $\geq$  2.5, but  $<$  5 acres: 1,600 s.f.  
Lot size  $<$  2.5 acres: 1,000 s.f.

### Max Number of Accessory Structures:

Lot size  $\geq$  5 acres: 2  
Lot size  $\geq$  2.5, but  $<$  5 acres: 1  
Lot size  $<$  2.5 acres: 1

Max Accessory Structure Height: 25'

## **Estate (E-1) District:**

### Total Max Building Coverage:

$>$  of 5% of lot area or 4,000 s.f.

### Principal Structures Setbacks:

Front: 30'  
Rear: 50'  
Side: 10'

### Accessory Structure Setbacks:

Front: 30'  
Rear: 50'  
Side:  
Building  $\leq$  1,000 s.f.: 10'  
Building  $>$  1,000 s.f.: 50'

### Max Allowed Accessory Structure Size:

Lot size  $\geq$  5 acres: 2,400 s.f.  
Lot size  $\geq$  2.5, but  $<$  5 acres: 1,600 s.f.  
Lot size  $<$  2.5 acres: 1,000 s.f.

### Max Number of Accessory Structures:

Lot size  $\geq$  5 acres: 2  
Lot size  $\geq$  2.5, but  $<$  5 acres: 1  
Lot size  $<$  2.5 acres: 1

Max Accessory Structure Height: 25'

## **Estate (E-2) District:**

### Principal Structures Setbacks:

Front: 30'  
Rear: 50'  
Side: 10'

### Accessory Structure Setbacks:

Front: 30'  
Rear: 50'  
Side: 10'

### Total Max Building Coverage:

Lot Size  $\geq$  5 acres: 5% of lot area  
Lot Size  $<$  5 acres: 4,000 s.f.

### Accessory Structure Standards:

Max Number: 1  
Max Size: 1,000 s.f.  
Max Height: 25'

## **Single Family Residential (R-1A, B, C) District:**

### Principal Structures Setbacks:

Front: 30'  
Rear: 30'  
Side: 10'

### Maximum Impervious Surface:

The lesser of 30% or 4,000 s.f.

### Accessory Structure Setbacks:

Front: 30'  
Rear: 8'  
Side: 5'

Max Accessory Structure Size: 1,000 s.f.

Max Accessory Structure Height: 25'

\***Accessory Structures** include decks, sheds, and detached garages. All accessory structures under 120 s.f. do not require a building permit, but must comply with the standards listed above.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Trail Improvements for Southern Lakes Trail

Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Eric Carlson – 651.450.2587  
 Prepared by: Eric Carlson  
 Reviewed by: Eric Carlson – Parks & Recreation

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Approve hiring ACE Blacktop in the amount not to exceed \$58,416.30 which includes a \$5,000 contingency to install class V on the existing trail from Cliff Road to Alison Way. The project is funded from the Park Development and Acquisition Fund (Fund 402).

**SUMMARY**

The Southern Lakes Homeowners Association has asked that the City improve the 3,000 lineal feet of trail that lies in a city owned outlot east of the Southern Lakes subdivision. The project includes:

- Installation of silt fence
- Installation of a concrete ADA pedestrian ramp on Alison Way in the vacant outlot
- Installation of 24' of 15" concrete culvert
- Installation of 6" – 15" of class V; 8' – 10' wide from Alison Way to Cliff Road following the existing alignment
- Restoration of all disturbed areas

City staff was directed to secured bids for the project and the results of the bids are as follows:

**Class V**

<b>Company</b>	<b>Price</b>
ACE	\$53,416.30
Bituminous Roadway	\$63,820.50
Pine Bend	\$64,643.30

Staff was also asked to secure bids for paving the path which we did (low bid was ACE \$101,248.05. However, there are three utility easements that run across the property as follows:

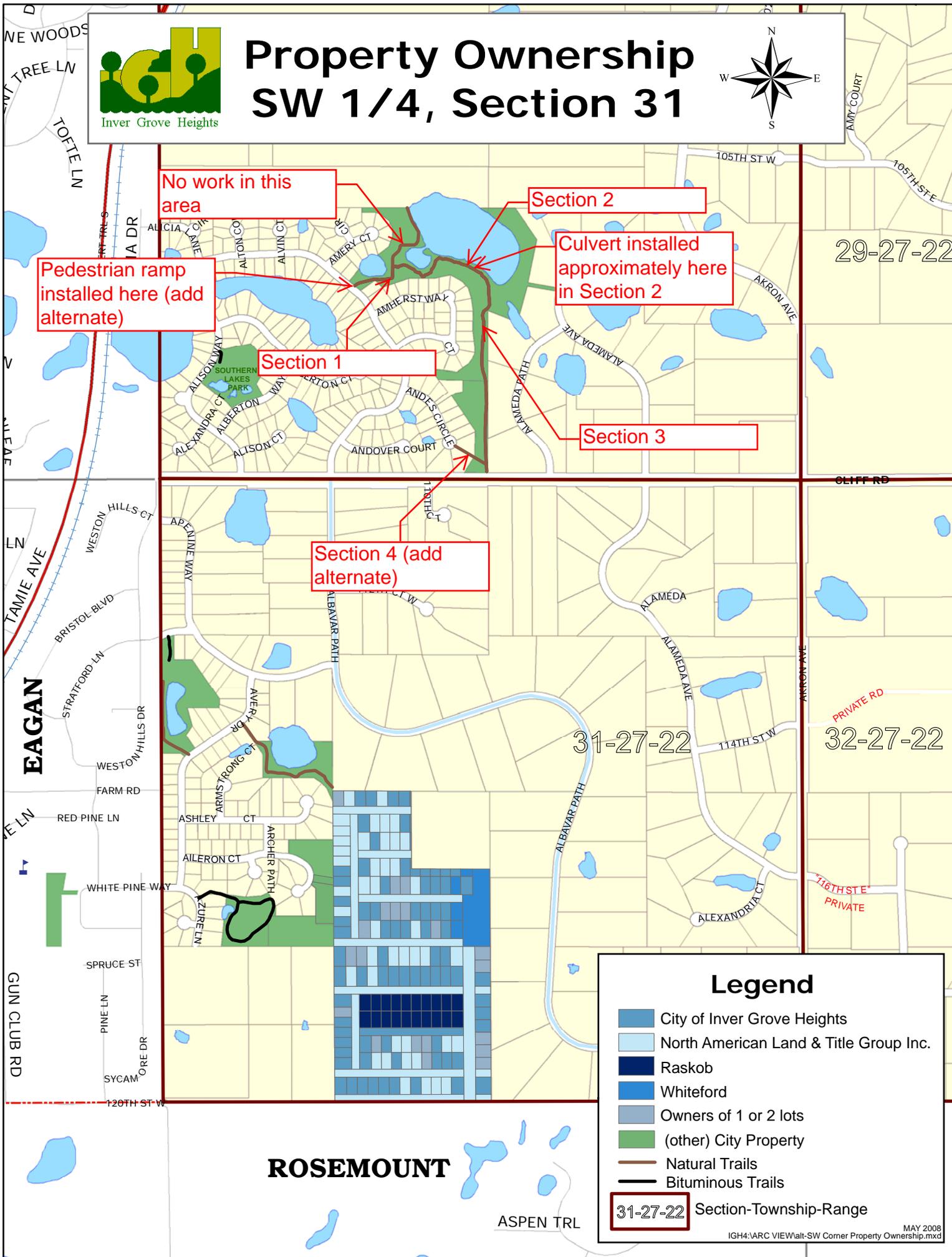
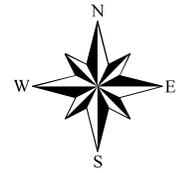
<b>Company</b>	<b>Utility Type</b>	<b>Project Approval</b>
Xcel Energy	Over-head transmission lines	Ok to proceed either surface
Enterprise Products	Underground propane pipeline	Ok to proceed either surface
Koch Pipeline	Underground jet fuel	Ok to proceed with gravel only

**Note:**

*The residents were interested in the City constructing a trail all the way around the pond. To do so the City would need to acquire an easement on the Xcel Westcott Plant property. Xcel Energy has indicated that they will not provide a trail easement across the property. Xcel is currently having problems with ATV's in the area and will be working on prevent encroachments onto their property.*



# Property Ownership SW 1/4, Section 31



### Legend

- City of Inver Grove Heights
- North American Land & Title Group Inc.
- Raskob
- Whiteford
- Owners of 1 or 2 lots
- (other) City Property
- Natural Trails
- Bituminous Trails

31-27-22 Section-Township-Range

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Railroad Crossing Study for Heritage Village Park

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Meeting Date: August 25, 2008  
 Item Type: Regular Agenda  
 Contact: Eric Carlson – 651.450.2587  
 Prepared by: Eric Carlson  
 Reviewed by: Eric Carlson – Parks & Recreation

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Approve the railroad crossing study submitted by WSB and Associates and ask the railroad for permission to potentially build a new crossing at 63<sup>rd</sup> St in the future to act as the main entrance to Heritage Village Park.

**SUMMARY**

Heritage Village Park is a 50 acre (current) and 80 acre (planned) park located at 65<sup>th</sup> Street and Concord Blvd. The City has been working on the park for the last several years. The City plans to restore the ecological integrity of floodplain properties along the Mississippi River, develop a new park oriented towards the river and nearby recreational opportunities, and provide users an opportunity to learn about the floodplain’s ecological value through educational programs. The City currently owns 50 acres of former railroad property and approximately 14 parcels adjacent to this site. The Master Plan for the park includes the voluntary acquisition of approximately a dozen additional properties.

The Dakota County Mississippi River Regional Trail (MRRT) will run through the park. The property is well positioned to accommodate the MRRT, providing links to the river, recreational facilities (marinas and parks); existing local and regional bikeways and trails; and nearby transit lines. The MRRT will serve as the National Great River Road’s Mississippi River Trail in Dakota County. The Great River Road extends from the Mississippi’s headwaters in Itasca State Park to the Gulf of Mexico and is expected to draw local, regional, national and international visitors. Dakota County estimates that over 100,000 users could ride on the trail annually. The park location provides for easy access by road, trail, river or transit from major population centers.

The City Council adopted a Master Plan for the Park in September 2004. The Master Plan shows a primary park entrance at 63<sup>rd</sup> St. The 63<sup>rd</sup> St entrance does not currently exist and would need to be developed by the City.

In order to consider an entrance at 63<sup>rd</sup> St. the City needs approval from the Union Pacific Railroad to create an additional crossing of the railroad tracks that parallel Heritage Village Park.

The City and Dakota County cooperatively funded a study of the crossings and met with the railroad. According the representatives of the railroad, if there is an additional crossing of the railroad tracks, two existing crossing must be closed. The study looked at existing railroad crossings and recommends closing the crossings at 65<sup>th</sup> St and an existing private driveway access south of 71<sup>st</sup> St (the old City waste water treatment plant).

The study along with a request for approval of the 63<sup>rd</sup> St crossing would be sent to the Union Pacific Railroad for review and approval. If approval is granted, it would “reserve” this option for creating an entrance into the park at 63<sup>rd</sup> St. It would not “require” us to construct the entrance. City staff recommends approving the study and sending a request for the railroad so that this option is available to the City as we further refine the development of the park.

Dakota County has indicated that 65<sup>th</sup> St will likely be closed as a part of the reconstruction of Concord Blvd. Given that we would need to close two crossings, we want the railroad to count 65<sup>th</sup> St as one of the two prior to the County closing it so we don't need to come up with two “additional” crossing closings.

The Park and Recreation Commission reviewed this issue on August 13<sup>th</sup> and is recommending approval.

# Concord Blvd. (CSAH 56) Area Railroad Crossing Study

Cities of South St. Paul, Inver Grove Heights  
Dakota County, Minnesota

July 2008



**Concord Boulevard (CSAH 56) Area  
Railroad Crossing Study**

**Cities of South St. Paul and Inver Grove Heights  
Dakota County, Minnesota**

**July 15, 2008**

**Prepared by:**

**WSB & Associates, Inc.  
701 Xenia Avenue South, Suite 300  
Minneapolis, MN 55416**

## **Introduction**

Dakota County, in conjunction with the cities of South St. Paul and Inver Grove Heights, is proceeding with several projects in the Concord Boulevard (CSAH 56) area between Dale Place and 70<sup>th</sup> Street. The project area, including the following projects, is shown in **Figure 1**.

1. Concord Boulevard (CSAH 56) Reconstruction Phase 3 - 65<sup>th</sup> Street to I-494
2. Mississippi River Regional Trail (MRRT) Northern Segment – Hardman Avenue to 70<sup>th</sup> Street
3. Heritage Riverfront Park Development – 65<sup>th</sup> Street to the South St. Paul border

The Union Pacific Railroad Company operates a rail line adjacent to Concord Boulevard (CSAH 56) in the area of these proposed projects. The purpose of this study is to evaluate existing railroad crossings in the corridor from 66<sup>th</sup> Street to Hardman Avenue and determine if an additional railroad crossing can be accommodated at 63<sup>rd</sup> Avenue into the proposed Heritage Riverfront Park.

The following sections of this study outline the background project data for both the railroad operations and roadway operations, as well as the evaluation of the crossing alternatives.

## **Background Data**

**Roadway Configuration** – Concord Boulevard (CSAH 56) Phase 3 from 65<sup>th</sup> Street to Dale Place is planned for reconstruction in 2009. This project will reconstruct the existing roadway to a 3-lane cross section with a continuous center left turn lane and right turn lanes at the intersections of 65<sup>th</sup> Street, 63<sup>rd</sup> Street, Dawn Way, and Poplar Street.

The existing average daily traffic on Concord Boulevard from 65<sup>th</sup> Street to I-494 is 14,700. The projected 2030 traffic volume is 29,000.

**Railroad Crossings** – Existing railroad crossings exist at the following intersections:

1. Hardman Avenue – This crossing consists of gate arms, crossbucks, warning lights, and flashers.
2. Gun Club Access (Chestnut Street) – This crossing is a private crossing consisting of only stop signs.
3. 65<sup>th</sup> Street – This crossing consists of stop signs with crossbucks.
4. 66<sup>th</sup> Street – This crossing consists of gate arms, warning lights, crossbucks, and flashers.

In addition to the above crossings, two additional crossings exist south of 66<sup>th</sup> Street adjacent to Dickman Trail and at 71<sup>st</sup> Street with stop signs and crossbucks, and a private driveway with only stop signs.

## **Railroad Operations**

A study of the existing and anticipated railroad operations was conducted and is summarized below:

1. Train Traffic
  - A. 11 trains per day.
  - B. Maximum trail speed is 30 mph – generally varying.
  
2. Operations
  - A. Trains come in and out of the South St. Paul yard on this line. The nearest passing track is currently in Farmington, MN, which is an hour train ride (one direction) from the yard.
  - B. Trains coming from the south bring Dakota Bulk their shipment in the afternoon, 5 days a week (Sunday-Thursday).
  - C. Train drops one-half of its load on the mainline tracks while it switches the other one-half into the siding (owned by UPRR) and/or yard adjacent to Dakota Bulk (owned by Dakota Bulk)
  - D. Stored cars are left on mainline between the Gun Club entrance and 65<sup>th</sup> Street East (i.e., over the proposed 63<sup>rd</sup> Street East crossing) for up to 1.5 hours while locomotives switch out Dakota Bulk's cars.
  - E. At other times, the train simply drops one-half of the train on the siding north of the Gun Club entrance and a switching engine comes down from the yard to pull Dakota Bulk's empty cars onto the mainline while shoving the loaded cars into their yard before hooking back up to the empties and pulling them back to the South St. Paul yard. Again, switching may take up to 1.5 hours.
  
3. Future Growth
  - A. Dakota Bulk is growing rapidly and additional carloads are projected. Track expansion and additional carloads from Union Pacific have been looked at. Trains will be getting longer in this area rather than getting shorter, therefore blocking the area around 63<sup>rd</sup> Street East more and more often and for longer periods of time.
  - B. This line's train traffic is expected to increase due to its location and its proximity to the South St. Paul Yard.
  - C. Union Pacific has been looking at extending the siding (currently too short to support a full length train) which starts south of 65<sup>th</sup> Street East and would run north to Richmond Street East.
  - D. Extending this siding would allow trains to pass closer to the South St. Paul Yard and would cut nearly one hour off of the time it takes for a train traveling northbound to reach the yard and after it has been passed by a southbound train.

## Alternatives

In order to provide adequate access to the proposed Inver Grove Heights Heritage Village Park, a proposed access is planned at 63<sup>rd</sup> Street. As discussed in the Existing Railroad Operations Section of the Study, in order to provide for a new crossing, two existing crossings would need to be closed. Each of the existing crossings is discussed in detail below:

1. Hardman Avenue – This crossing provides direct access to the industrial and commercial areas south of I-494 and east of Concord Boulevard (CSAH 56). There are a significant number of trucks that currently use this route. This crossing is not feasible to be closed.
2. Gun Club Access (Chestnut Street) – This crossing provides the only access to the Dakota Bulk facility and the St. Paul Rod & Gun Club facility. No other feasible routes exist in this area. This crossing not feasible to be closed.
3. 65<sup>th</sup> Street – This crossing provides access to the commercial and residential areas east of Concord Boulevard (CSAH 56). 65<sup>th</sup> Street would provide the alternative access to the proposed Heritage Village Park should the access on 63<sup>rd</sup> Street not be allowed. This crossing does have the potential to be closed.
4. 66<sup>th</sup> Street – This access, again, provides access to the residential and commercial areas east of Concord Boulevard (CSAH 56). It also provides access to the areas south of 66<sup>th</sup> Street adjacent to the Mississippi River via Dickman Trail and River Road. This crossing is not feasible to be closed.
5. 71<sup>st</sup> Street – This roadway provides access between Dickman Trail and River Road. It is the only access for the residential area south of 66<sup>th</sup> Street. This crossing is not feasible to be closed.
6. Private Driveway Crossing – A private driveway crossing exists from Dickman Trail into the existing tax exempt property owned by Dakota County. This property also has access from River Road. This access has the potential to be closed.

Based on the review of the seven existing railroad crossings in this area, the two that have the potential to be closed included 65<sup>th</sup> Street and the existing private driveway access south of 71<sup>st</sup> Street off of Dickman Trail.

The alternative of closing the two crossings and adding the proposed crossing at 63<sup>rd</sup> Street was analyzed. The analysis was conducted for both the traffic operations on Concord Boulevard (CSAH 56) and train operations on the UP Rail line.

**Traffic Operations** – By closing the existing 65<sup>th</sup> Street access and adding an east leg to the existing 63<sup>rd</sup> Street access, the overall traffic operations on Concord Boulevard (CSAH 56) would not significantly change. In fact, by providing more evenly spaced full movement intersections, the operations of the corridor would actually improve.

**Railroad Operations** – With the closing of the 65<sup>th</sup> Street access and the addition of the 63<sup>rd</sup> Street access, additional train storage would be available between 63<sup>rd</sup> Street and 66<sup>th</sup> Street. Currently, no train storage is provided between 65<sup>th</sup> and 66<sup>th</sup> Streets. By relocating the access, this will provide for the additional storage. As indicated in the Existing Operations Study, trains in this area are staging and waiting to access Dakota Bulk for up to 1.5 hours. Currently, trains are required to break if they will be blocking a street crossing for more than five minutes. The train will need to break and allow vehicle traffic to cross the tracks at 63<sup>rd</sup> Street, similar to what is occurring today at 65<sup>th</sup> and 66<sup>th</sup> Street.

## **Conclusions**

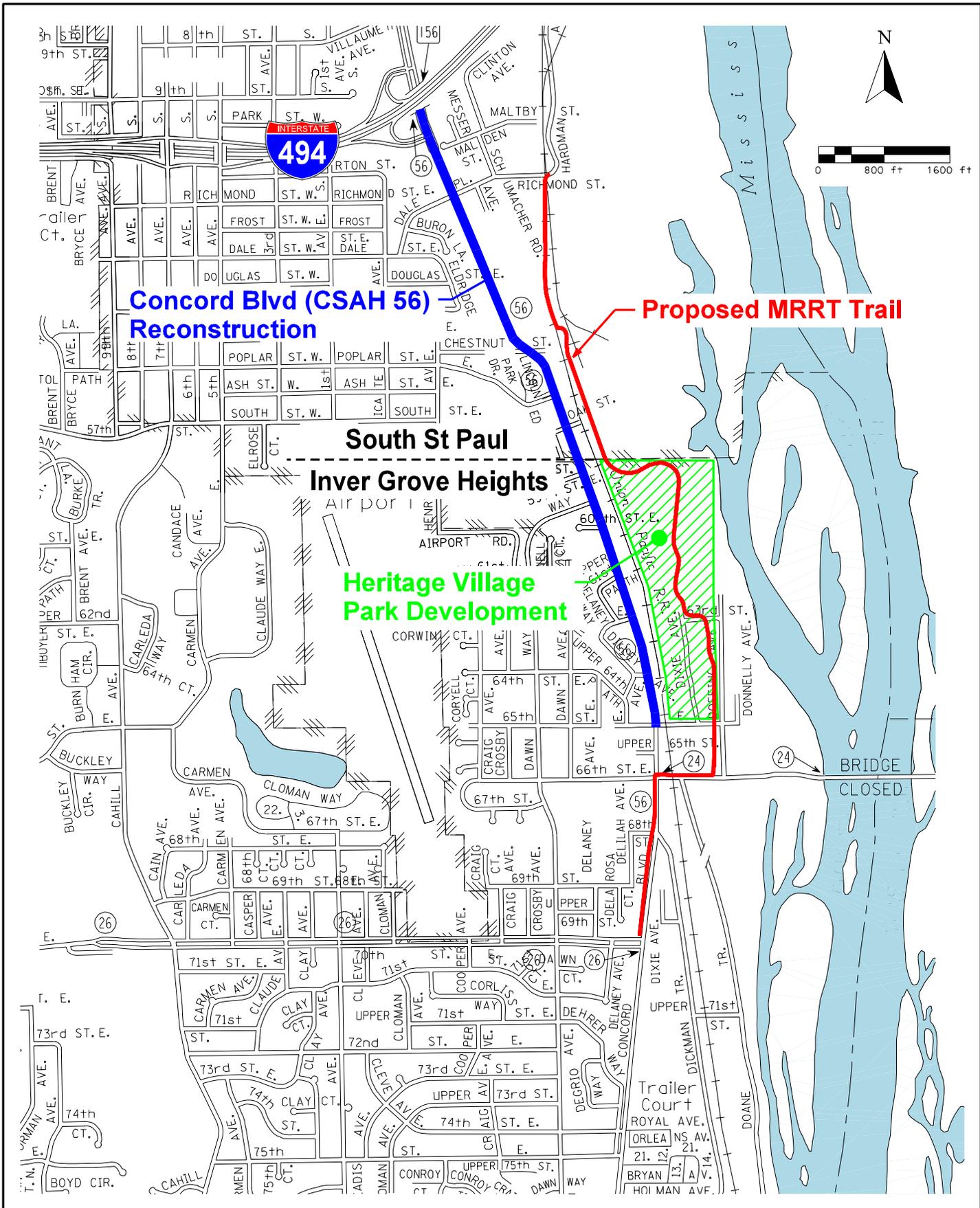
Based on the above analysis, the following conclusions can be made:

1. In order to provide for an additional crossing of the Union Pacific Railroad, two existing crossings will need to be closed. It is anticipated that these crossings would include 65<sup>th</sup> Street and the existing private driveway access south of 71<sup>st</sup> Street.
2. The closing of the 65<sup>th</sup> Street crossing and addition of the 63<sup>rd</sup> Street crossing would improve the vehicle operations on Concord Boulevard (CSAH 56).
3. No significant change in existing switching operations or train stacking would occur between Richmond Street and the new 63<sup>rd</sup> Street crossing. In fact, additional storage would be provided between the 63<sup>rd</sup> Street crossing and the 66<sup>th</sup> Street crossing, which does not exist today between 65<sup>th</sup> Street and 66<sup>th</sup> Street.

## **Recommendations**

Based on the conclusions above, the following recommendations are made:

1. As part of the Concord Boulevard (CSAH 56) Phase 3 project, close the 65<sup>th</sup> Street access and crossing, and provide for an access and crossing at 63<sup>rd</sup> Street.
2. Close the existing private driveway crossing south of 71<sup>st</sup> Street. This would be completed by UP Rail personnel.



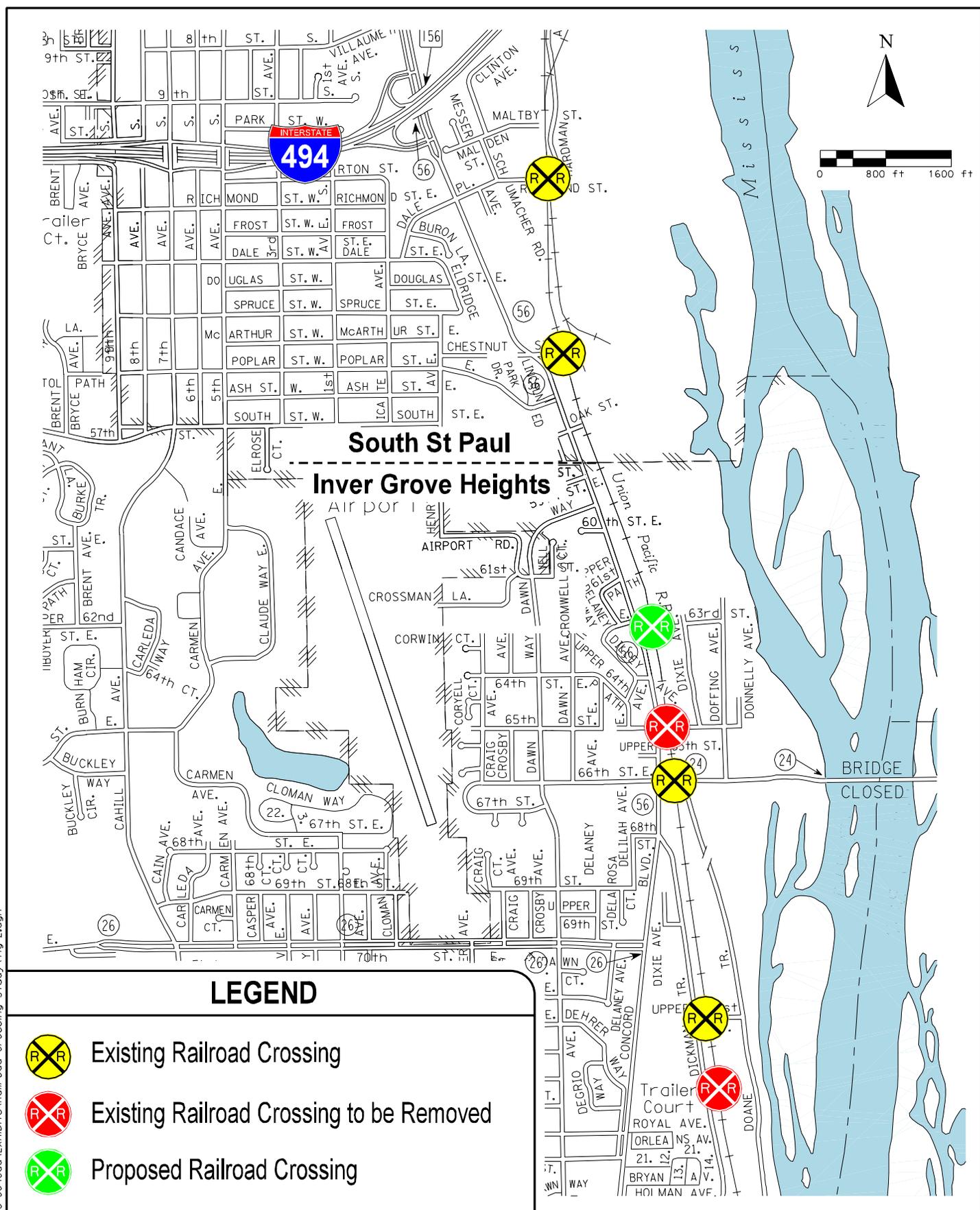
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**Railroad Crossing Study**  
 Cities of South St. Paul & Inver Grove Heights  
 Dakota County, Minnesota

**Figure 1**  
**Project Area**

Date: Printed: 8/15/2008  
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### LEGEND

- Existing Railroad Crossing
- Existing Railroad Crossing to be Removed
- Proposed Railroad Crossing



**Railroad Crossing Study**  
Cities of South St. Paul & Inver Grove Heights  
Dakota County, Minnesota

**Figure 2**

**Railroad Crossings**

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CONSIDER AMENDMENTS TO CITY CODE SECTIONS 300.33 AND 300.35 VACATION LEAVE AND PERSONAL LEAVE**

Meeting Date: August 25, 2008  
Item Type: Regular  
Contact: JTeppen, Asst. City Admin.  
Prepared by:  
Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED** Consider the third and final reading of an ordinance amending City Code Sections 300.33 and 300.35, Vacation Leave and Personal Leave.

**SUMMARY** During negotiations this year, we agreed to two changes regarding vacation and personal leave. The first was to compress the vacation accrual schedule. The second was to increase the amount of personal leave an employee can designate for deposit to their Health Care Savings Plan.

Bargaining agreements have been approved with those changes. City Code now needs amending for those employees not in a bargaining unit – our Non-Union group of employees.

All benefited employees receive the same level of benefits – no group of employees receives anything lesser or greater than another group.

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 300.33, Subd. 1 and 300.35 Subd. 8, OF THE  
INVER GROVE HEIGHTS CITY CODE  
RELATING TO VACATION LEAVE AND PERSONAL LEAVE

The City Council of Inver Grove Heights does hereby ordain as follows:

**Section 1. Amendment.** IGH City Code Section 300.33 is hereby amended to read as follows:

**300.33. Vacation Leave. Subd. 1. How Much.** Employees serving their orientation period and full-time employees shall earn vacation leave according to the accrual table below:

<u>Continuous Years of Service</u>	<u>Annual Hours of Vacation Accrual</u>
Zero through End of Five	80
Beginning of Six through End of Eight	120
Beginning of Nine through End of Twelve	144
Beginning of Thirteen <del>Sixteen</del> through End of Seventeen <del>Nineteen</del>	168
Beginning of Eighteen <del>Twenty</del> or More	182

Section 2. **Amendment.** IGH City Code Section 300.35 is hereby amended to read as follows:

**300.35. Personal Leave. Subd. 8. Other Payments.** Once a year at a time designated by the City, the City may offer an employee (in a bargaining unit who through the collective bargaining process has elected to NOT participate in the Minnesota State Retirement Systems Health Care Savings Plan) with accumulation of personal leave in excess of sixty (60) days the opportunity to exchange up to five (5) days of personal leave for cash.

For all of the employees in those bargaining units, who have through the collective bargaining process elected to participate in the Minnesota State Retirement Systems Health Care Savings Plan, all employees whose accumulation of personal leave has exceeded sixty (60) days will exchange the cash value of up to ~~five (5)~~ ten (10) days for deposit into their HCSP account. This deposit will occur in the month of December at a time to be determined by the Administrative Services Department.

Such an exchange will reduce the maximum total accumulation (cap) of an employee by an equal amount.

**Section 3. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 25<sup>th</sup> day of August, 2008.

\_\_\_\_\_  
George Tourville, Mayor

AYES:

NAYS:

ATTEST:

\_\_\_\_\_  
Melissa Rheume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CONSIDER APPROVAL OF THE 2008-2009 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF INVER GROVE HEIGHTS AND LAW ENFORCEMENT LABOR SERVICES (LELS), LOCAL 84**

Meeting Date: August 25, 2008  
Item Type: Regular  
Contact: JTeppen, Asst. City Admin.  
Prepared by:  
Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED** Consider approval of the proposed 2008-2009 labor agreement between the City of Inver Grove Heights and LELS, Local 84 effective January 1, 2008, through December 31, 2009.

**SUMMARY** The City of Inver Grove Heights maintains a labor agreement with LELS, Local 84 which represents the City’s Police Officers. When reviewing conditions of employment and economic feasibility, the City compares wages, and benefits to those of similar communities. In late 2007 the City Council adopted a compensation and classification plan that set forth among other things, our market comparables.

That compensation study provided information that indicated that the City was well situated with respect to the Police Officers rate of compensation.

An across the board increase of 3% in 2008 and 2% in January 1, 2009 and 2% on July 1, 2009 was agreed to during mediation.

We worked as a group (City, Business Agents and Union Presidents) to come to an agreement on health insurance. The City’s contribution will increase this year and next depending upon the insurance plan the employee has chosen. The City’s contribution to health insurance has not increased since 2005.

The 2008 budget was prepared in anticipation of the percentage increases and the 2009 budget will be prepared accounting for these increases.

There were additional provisions proposed by both parties where we did not reach agreement. This agreement represents an equitable conclusion of bargaining to meet the needs of both parties. The Police Officer group voted to ratify the proposed agreement on Tuesday, August 19, 2008.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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**DISCUSS CITY FACILITIES TASK FORCE AND CITIZEN INVOLVEMENT IN PROPOSED PUBLIC SAFETY ADDITION AND CITY HALL RENOVATION**

Meeting Date: August 25, 2008  
Item Type: Regular  
Contact: JTeppen, Asst. City Admin.  
Prepared by:  
Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED** Discuss the City Facilities Task Force and citizen involvement process in proposed Public Safety Addition/City Hall renovation.

**SUMMARY** The City Facilities Task Force has for all intents and purposes completed their charge. The Council should discuss in what capacity they might like to continue to use the services of task force members who might still be interested, and/or any other interested resident.