

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

Tuesday, May 18, 2010 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. **CALL TO ORDER**

2. **APPROVAL OF PLANNING COMMISSION MINUTES FOR May 4, 2010**

3. **APPLICANT REQUESTS AND PUBLIC HEARINGS**

3.01 **SUPERSTOP – CASE NO. 10-16ZC**

Consider the following requests for property located at 7030 Cahill Avenue:

A.) A **Rezoning** of the property from B-2, Neighborhood Business to B-3, General Business.

Planning Commission Action _____

B.) A **Conditional Use Permit** to allow outdoor storage of U-Haul vehicles.

Planning Commission Action _____

4. **OTHER BUSINESS**

5. **ADJOURN**

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, May 4, 2010 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

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

Commissioners Present: Tom Bartholomew
Paul Hark
Mike Schaeffer
Dennis Wippermann
Tony Scales
Christine Koch
Damon Roth

Commissioners Absent: Harold Gooch
Pat Simon (excused)

Others Present: Heather Botten, Associate Planner
Tom Link, Community Development Director

APPROVAL OF MINUTES

The minutes from the April 20, 2010 meeting were approved as submitted.

LUTHER NISSAN KIA – CASE NO. 10-14CA

Reading of Notice

Commissioner Hark read the public hearing notice to consider the request for a Conditional Use Permit Amendment to allow the expansion of outdoor storage on the existing surface parking lot, and a Conditional Use Permit to exceed 25% impervious surface coverage in the Shoreland Overlay District, for the property located at 1430 – 50th Street. 7 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She stated the applicant is requesting to amend their existing conditional use permit to allow the expansion of an outdoor storage area and a conditional use permit to exceed the maximum impervious surface standards to allow 44.5% whereas 25% is allowed. She advised there are no buildings being proposed and the access will remain the same. She stated the general public will not be allowed on the expansion lot, and vehicles will be stored there temporarily until they are moved to the dealership site. She stated the proposed landscaping plan meets or exceeds the City's landscaping requirements. Ms. Botten advised that the DNR has reviewed the request to exceed the impervious surface in the shoreland district and they do not object provided an adequate stormwater plan is approved. She stated staff received one general inquiry from a neighboring resident. Staff recommends approval of both requests with the conditions listed in the staff report.

Commissioner Wippermann asked how the elevation change would be addressed between the subject site and 50th Street, to which Ms. Botten replied a retaining wall was being proposed.

Opening of Public Hearing

The architect, John Baker, 150 S. Fifth Street, Minneapolis, advised he was available to answer any questions.

Chair Bartholomew asked if the applicant was in agreement with the 15 conditions listed in the report for the conditional use permit amendment as well as the five conditions for the conditional use permit, to which Mr. Baker replied in the affirmative.

Commissioner Wippermann asked if the area in the northeast corner was currently wooded, to which Mr. Baker replied in the affirmative, stating it was remnant right-of-way owned by MnDOT.

Commissioner Wippermann asked what the total distance was along 50th Street where the seven evergreen trees were being proposed, to which Mr. Baker replied approximately 200 feet.

Commissioner Wippermann asked what landscaping would be between the proposed evergreen trees and 50th Street, to which Mr. Baker replied the land in question was right-of-way.

Commissioner Wippermann questioned whether more evergreens or vegetation should be planted to create a better buffer between the expansion lot and 50th Street.

Christine Moss, 105 S. Fifth Avenue, stated a retaining wall would be installed next to the evergreen trees.

Commissioner Wippermann stated from a visual standpoint the retaining wall would not block the proposed expansion area since the top of the retaining wall would be lower than 50th Street.

Mr. Baker stated they could review the site to determine what existing vegetation was present in the right-of-way area.

Commissioner Wippermann stated currently there was enough vegetation in the right-of-way to screen the expansion area, but he was concerned that it would be removed during project development.

Ms. Moss stated they would not alter anything between the curb and the property line (approximately 30 feet) as they did not have rights to the right-of-way.

Mr. Baker stated he believed the right-of-way area was heavily wooded.

Commissioner Wippermann stated if that was the case he did not have any issues, but if the existing trees and vegetation got removed during completion of the project then he would like to see more evergreens planted.

Commissioner Koch asked for clarification of the elevation of the proposed expansion, to which Mr. Baker replied that the expansion area would be roughly the same level as the existing lot.

Commissioner Koch asked if the existing access would remain the same with no additional accesses being added, to which Mr. Baker replied in the affirmative.

Commissioner Hark stated evergreens would be the only vegetation that would provide a year-round buffer.

Commissioner Roth advised that planting trees near the retaining wall could potentially compromise the geo-grid system.

Commissioner Koch asked how many vehicles the lot would hold at completion, to which Mr. Baker replied approximately 280.

Commissioner Koch asked if there would be vehicles in the lot at all times, to which Mr. Baker replied the inventory would fluctuate but there would always be some vehicles in the lot.

Planning Commission Discussion

Chair Bartholomew stated he was in favor of the request.

Commissioner Koch referred to Condition 4 for the Conditional Use Permit request, and asked who would maintain the 20 foot easement around the pond.

Ms. Botten replied that the easement would remain basically untouched, but it would be the property owners' responsibility. The City, however, would have the authority to make changes or improvements if necessary.

Commissioner Roth stated this would have been a good opportunity to use permeable pavers and study their effectiveness, especially with the potential for pollutants from the vehicles to drip onto the pavement and get filtered before eventually reaching the nearby wetland.

Commissioner Schaeffer stated he was pleased to see the expansion of an auto dealership and he felt the additional storage area was much needed.

Planning Commission Recommendation

Motion by Commissioner Schaeffer, second by Commissioner Koch, to approve on a white ballot the request for a conditional use permit amendment to allow the expansion of outdoor storage on the existing surface parking lot, and a conditional use permit to exceed 25% impervious surface coverage in the Shoreland Overlay District, for the property located at 1430 – 50th Street.

Motion carried (7/0). This item goes to the City Council on May 24, 2010.

OTHER BUSINESS

Mr. Link reminded Commissioners of their annual joint meeting with City Council on May 10 at 5:30 PM in the Council Chambers. He advised that the Community Development Department would be providing an update on department activities at the meeting as well.

Mr. Link advised that the City Council adopted the 2030 Comprehensive Plan and it was now in effect. He thanked Commissioners for their time and effort and asked Commissioners to contact him regarding whether they wanted a paper or electronic copy of the document. He added that the plan was also available permanently on the City's website.

ADJOURNMENT

Chair Bartholomew adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: May 13, 2010

CASE NO: 10-16ZC

HEARING DATE: May 18, 2010

APPLICANT/PROPERTY OWNER: Miguel Mendoza / Superstop

REQUEST: A rezoning of the property from B-2 to B-3 and a conditional use permit to allow outdoor storage of U-Hauls.

LOCATION: 7030 Cahill Avenue

COMPREHENSIVE PLAN: CC, Community Commercial

ZONING: B-2, Neighborhood Business

REVIEWING DIVISIONS: Planning

PREPARED BY:  Heather Botten
Associate Planner

BACKGROUND

The applicant started operating the gas station and U-Haul rental in February, 2010. It was unknown to him at this time that the rental of U-Hauls has been operating on site without proper approvals. After receiving notice of the violation, the applicant submitted the rezoning and conditional use permit request to bring the property into conformance.

The lot is currently zoned B-2, Neighborhood Business. The B-2 zoning district does not allow outdoor storage on the property. The applicant is requesting the lot be rezoned to B-3, General Business; outdoor storage is allowed with a conditional use permit in B-3 zoning. There are no changes or additions being proposed to the existing uses on the property.

The specific request consists of the following:

- A.) A **Rezoning** of the property from B-2, Neighborhood Business to B-3, General Business.
- B.) A **Conditional Use Permit** to allow the outdoor storage of U-haul vehicles/trailers.

EVALUATION OF THE REQUEST

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

North Holiday; zoned B-3; guided CC, Community Commercial

East	Residential; zoned R-1C; guided LDR
South	Simon’s Appliance; zoned B-2; guided CC, Community Commercial
West	Bank; zoned B-2; guided NC, Neighborhood Commercial

SITE PLAN REVIEW

Setbacks. There are no changes or additions proposed to the building or parking lot at this time.

Parking. The use of the gas station requires eight parking stalls; there is sufficient parking on site to meet this requirement. Staff is recommending a condition of approval be added that the parking spaces for customers be re-striped. According to the applicant, outdoor storage would consist of no more than 10 U-haul vehicles/trailers at one time parked along the east property line. This should also be added as a condition of approval.

Access. Access to the site is not changing; there are two access points, one along Cahill Avenue and the other along 70th Street.

Screening. City Code screening requirements state where any business use (structure, parking, or storage) is adjacent to property zoned residential screening along that boundary shall be provided. Therefore, if the outdoor storage is approved, solid screening would be required along the eastern property line.

Engineering. Engineering has reviewed the plans; no changes or additions are being done to the existing grading on site. No further engineering review is necessary.

Lighting. A lighting plan was not submitted, a general condition shall be added that all parking lot lighting shall be designed so as to deflect light away from any adjoining residential zones or from the public streets. The source of light shall be hooded, recessed, or controlled in some manner so as not to be visible from adjacent property or streets.

REZONING

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

Zoning. The property is zoned B-2, Neighborhood Business. A rezoning is being asked for to rezone the parcel to B-3, General Business. A gas station and outdoor storage are permitted conditional uses in the B-3 zoning district. The gas station located across the street to the north is also zoned B-3.

Infrastructure. There are no changes proposed to the existing infrastructure. No further road or other improvements would be required.

Neighborhood Compatibility The gas station across the street to the north is zoned B-3. The proposed rezoning would not have a negative impact to the abutting properties as the property is currently zoned commercial.

Comprehensive Plan Consistency The proposed property is guided for Community Commercial. B-3 zoning is a compatible zoning district for Community Commercial land uses. Therefore, the rezoning would be consistent with the Comprehensive Plan.

CONDITIONAL USE PERMIT REVIEW

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

The use is consistent with the goals, policies, and plans of the Comprehensive Plan. The future land use of this parcel is Community Commercial and outdoor storage associated with rental sales would be consistent with the uses envisioned in this district.

2. *The use is consistent with the City Code, especially the Zoning Ordinance and the intent of the specific Zoning District in which the use is located.*

The applicant's property is zoned commercial. If the rezoning is approved the use is consistent with the intent of the B-3 zoning district.

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

The proposed use would not have a detrimental effect on public improvements in the vicinity of the project.

4. *The use does not have an undue adverse impact on existing or planned City facilities and services, including streets, utilities, parks, police and fire, and the reasonable ability of the City to provide such services in an orderly, timely manner.*

This use does not appear to have any negative effects on City facilities or services.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*
 - i. *Aesthetics/exterior appearance*

There are no exterior changes proposed to the property. The site shall be limited to a maximum of 10 U-Haul vehicles/trailers at one time, parked along the east property line.

ii. Noise

The outdoor storage will not generate noises that are inconsistent with commercial zoning. The location of the storage is off of two main roads, Cahill Avenue and 70th Street, both minor arterial roads.

iii. Fencing, landscaping and buffering

There is an existing five foot privacy fence along the eastern property line on the residential property. Staff is recommending a privacy fence be installed on the applicant's property to meet the 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.*

Access to the site is not changing. The amount of traffic would not be out of the ordinary for a commercial area. There are no changes/additions to the building or parking lot. Staff is recommending the property owner stripe the parking stalls on the lot for customer convenience and traffic flow.

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

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

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

This use would not have an undue adverse impact on the environment.

ALTERNATIVES

The Planning Commission has the following actions available on the following requests:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:

- Approval of a **Rezoning** of the parcel from B-2, Neighborhood Business to B-3, General Business.
- Approval of the **Conditional Use Permit** to allow outdoor storage of U-Haul vehicles/trailers subject to the following conditions:

1. The site shall be developed in substantial conformance with the plans on file with the Planning Department except as may be modified by the conditions below.
2. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this permit.
3. Any expansion of the use as shown on the site plan requires additional city approvals and is not part of this conditional use permit.
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.
5. The parking lot shall be striped for customer convenience and traffic flow.
6. There shall be no more than 10 U-Haul vehicles/trailers on site at on time.
7. The storage of U-Hauls shall be along the eastern property line.
8. Solid screening shall be required along the eastern property line meeting the screening requirements of the City Code.

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

RECOMMENDATION

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

Attachments: Location Map
Applicant Narrative
Site Plan

Super Stop
7030 Cahill Ave
Inver Grove Heights ,MN 55076

To The City of Inver Grove Heights.

We are sending this letter to ask for a zoning change from B2 to B3.
We have a U-Hall center we started February 5 2010.
We need to change zoning so we can have out door storage.
U-Hall was here when we opened and we want to keep it here.
On average we rent 30 units per month. And only park 10 units on the lot.
At this time there are no complaints on noise or sight.
We thank you for your time on this matter.

Thank You.
Super Stop Staff.



Miguel Mendoza

B

Dakota County Real Estate Inquiry

Data Updated 3/26/2010.

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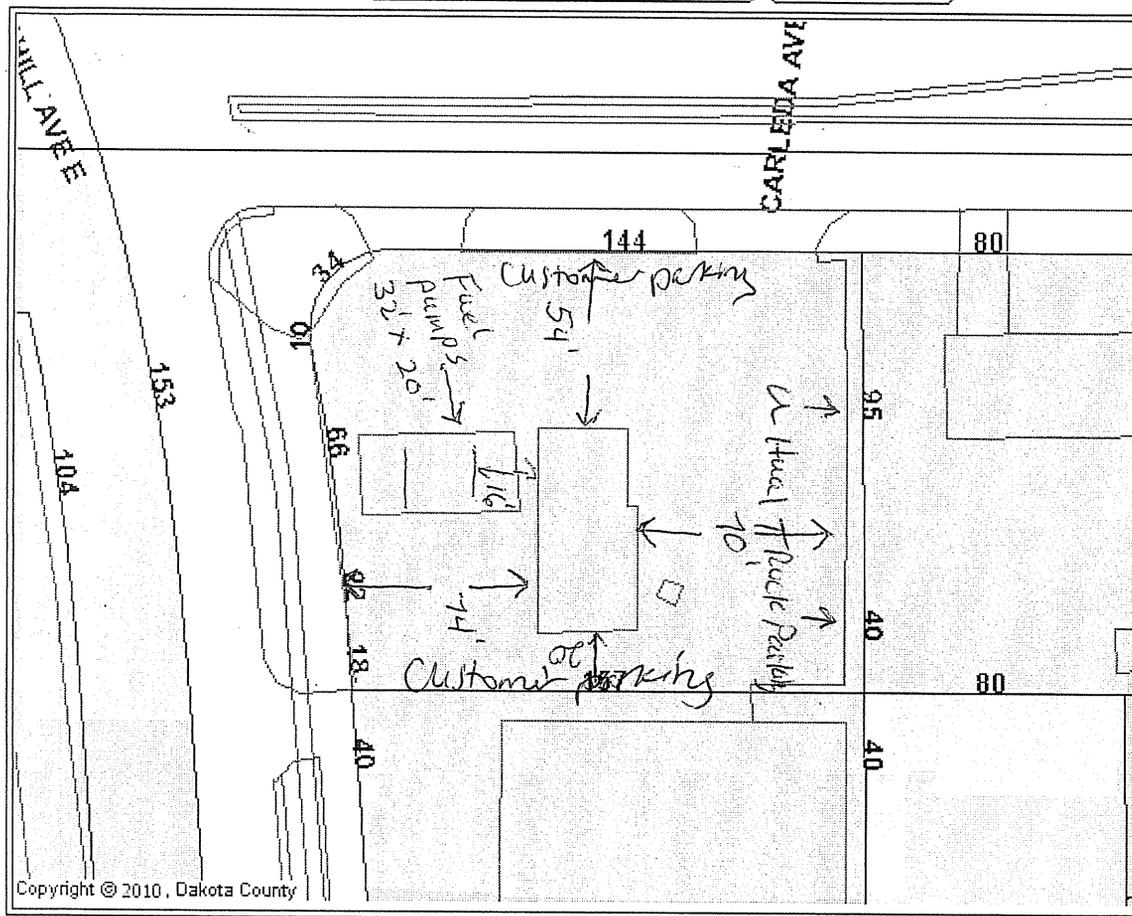
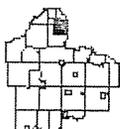
Map navigation

Select option and click on map:

- Zoom In
- Zoom Out
- Pan
- Identify

Show Full County Map

Small Map



Legend

Total Value

- \$1 - \$50,000
- \$50,001 - \$100,000
- \$150,001 - \$200,000
- \$300,001 - \$500,000
- Over \$500,000

- Tax Parcel
- Market Value
- Recent Sale
- Year Built
- Air Photo
- Torrens

Refresh Map

Choose ONE search enter criteria, and click Go key.

House #:

OR

PIN:

Go

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This application was developed by the Dakota County Office of GIS in cooperation with Assessing Services and the Property Taxation & Records Departments



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