

**INVER GROVE HEIGHTS  
PLANNING COMMISSION AGENDA**

**TUESDAY, May 3, 2011 – 7:00 p.m.  
City Council Chambers - 8150 Barbara Avenue**

**1. CALL TO ORDER**

**2. APPROVAL OF PLANNING COMMISSION MINUTES FOR APRIL 19, 2011**

**3. APPLICANT REQUESTS AND PUBLIC HEARINGS**

**3.01 CITY OF INVER GROVE HEIGHTS – CASE NO. 11-08C**

Consider a **Conditional Use Permit** to place over 1,000 cubic yards of fill on property located within the Flood Fringe District of the Floodplain for environmental remediation.

Planning Commission Action \_\_\_\_\_

**4. OTHER BUSINESS**

**4.01** May 9 City Council Annual Work Session with Planning Commission

**5. ADJOURN**

## PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, April 19, 2011 – 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  
Pat Simon  
Tony Scales  
Paul Hark  
Dennis Wippermann  
Harold Gooch  
Christine Koch  
Damon Roth

Commissioners Absent: Mike Schaeffer (excused)

Others Present: Tom Link, Community Development Director  
Allan Hunting, City Planner  
Mark Borgwardt, Parks Superintendent

### **APPROVAL OF MINUTES**

The minutes from the April 5, 2011 meeting were approved as submitted.

### **COMMON SENSE SERVICES – CASE NO. 11-06C**

#### **Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to operate an adult day care service program out of the existing Climb Theater building located at 6415 Carmen Avenue. 21 notices were mailed.

#### **Presentation of Request**

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is requesting to operate an adult day care within an existing building. The property is zoned B-3; daycare is a conditional use in that district. There are no proposed changes to the site. Staff recommends approval of the request with the two conditions listed in the report.

Commissioner Simon asked if staff heard from any of the neighbors, to which Mr. Hunting replied they had not.

#### **Opening of Public Hearing**

The applicant, Lynne Zimmerman, 8315 Cahill Avenue, advised she was available to answer questions.

Chair Bartholomew advised the applicant of the two conditions listed in the report.

Ms. Zimmerman advised that Common Sense Services is currently operating out of South St. Paul but would like to relocate to the Climb Theatre building in Inver Grove Heights. She explained that her company provides professional care for adults who are unable to adequately manage self-care and remain safe while home alone. She stated this is an option that prevents institutionalization and addresses the needs of caregivers who are employed outside the home or would like some

time to themselves. Ms. Zimmerman stated their typical business hours were 6:30 AM to 6:00 PM.

Commissioner Wippermann asked if the applicant had any locations other than the one in South St. Paul, to which Ms. Zimmerman replied she did not.

Commissioner Wippermann asked how many participants could be served at the Inver Grove Heights location.

Ms. Zimmerman replied that the maximum they could serve was 70.

Commissioner Wippermann noted the large amount of concrete around the building and asked if any of the activities would be outdoors.

Ms. Zimmerman replied in the affirmative, stating the concrete was flat which was beneficial to participants using canes, walkers, and wheelchairs. She advised there was a grassy area in the back of the building which would be used for various outdoor activities.

Commissioner Wippermann stated the proposed services would be very beneficial to the community.

Ms. Zimmerman stated this is a well established system of care throughout Minnesota which is very moderate in cost. She stated her staff is professional and includes a nurse and a recreational therapist. She advised that she is a physical therapist and they provide physical therapy at no additional cost to people who attend the center.

#### **Planning Commission Discussion**

Chair Bartholomew asked if the building was ADA compliant.

Mr. Hunting replied that the Chief Building Official was working with an architect to ensure the site met all code requirements.

Chair Bartholomew asked if there was a State requirement regarding pharmaceutical security, to which Mr. Hunting replied there may be but there was nothing from a zoning standpoint.

#### **Planning Commission Recommendation**

Motion by Commissioner Wippermann, second by Commissioner Koch, to approve the conditional use permit to operate a day care service program located at 6416 Carmen Avenue with the two conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on April 25, 2011.

### **OTHER BUSINESS**

#### **CITY OF INVER GROVE HEIGHTS – TRAIL GAP STUDY**

##### **Presentation of Request**

Mark Borgwardt, Parks Superintendent, distributed an informational handout regarding the City's Trail and Sidewalk Gap Study. He advised that staff met with the community to get public input in regards to the prioritization of trail and sidewalk gaps. The Parks Commission also reviewed the study and recommended approval of the identified priority trails and gaps. The request will go to City Council on May 9.

### **Planning Commission Discussion**

Chair Bartholomew asked if the Planning Commission was being asked to make a recommendation tonight regarding prioritization of the trail and sidewalk gaps, to which Mr. Borgwardt replied in the affirmative.

Commissioner Simon asked why the Commission did not receive information pertaining to this item until tonight, to which Mr. Borgwardt replied it was due to a lack of communication.

Commissioner Simon stated she would have liked to compare the previous trail improvement list to the one currently being presented.

Mr. Borgwardt advised that the 29 gaps presented tonight were the same ones brought before the Planning Commission at their January meeting. After meeting with the community and the Parks Commission, however, nine gaps were identified as having priority and three gaps were identified as being planned for 2011 construction. He advised that staff is recommending that the priority trail and sidewalk gaps, as identified in the report, be adopted as the City's Trail Gap Plan.

Chair Bartholomew asked if the remaining 16 gaps would stay in the Trail Gap Plan and be memorialized for the future, to which Mr. Borgwardt replied in the affirmative.

Commissioner Hark asked if the trails were prioritized within each category (i.e. the nine priority gaps, etc.), to which Mr. Borgwardt replied they were not.

Chair Bartholomew asked what the comments were from the Parks Commission.

Mr. Borgwardt replied that they approved the plan as presented with one dissenting vote.

Chair Bartholomew asked what the discussion was regarding 'Trail V' along Cliff Road.

Mr. Borgwardt replied that no one from Southern Lakes attended the community meeting. He advised that 'Trail V' was still on the Trail Gap Plan; however, it was not one of the nine priority gaps.

Chair Bartholomew stated it surprised him that 'Trail V' was not a priority as there were many comments from the public at earlier meetings regarding the need for better connectivity along Cliff Road. He asked what the dissenting position was from the one Parks Commissioner.

Mr. Borgwardt replied that the Commissioner wanted more specific funding mechanisms for the nine priority gaps. He stated that staff is not asking for any funding at this point; they are only requesting approval of the plan.

Commissioner Gooch stated he was surprised that any funding would come from the County or the State as this seemed to be a City issue that would come from the City tax base. He stated that the existing trail system in Inver Grove can be frustrating as many of the City's trails end abruptly, forcing pedestrians onto busy streets.

Mr. Borgwardt stated one of the goals of the plan was to improve safety by completing those trails, and that it would take a variety of funding sources.

Commissioner Gooch stated the City should take into consideration the cost of writing and administering the grants. He asked what the average cost was to build a trail.

Mr. Borgwardt estimated that a typical trail would cost \$40 per linear foot.

Commissioner Hark asked if this Plan would be used as a guideline, rather than a binding document.

Mr. Borgwardt replied in the affirmative.

Commissioner Hark stated he supported the request.

**Planning Commission Recommendation**

Motion by Commissioner Hark, second by Commissioner Roth, to approve the Trail Gap Plan as presented, including the 29 trail and sidewalk gaps, nine of which are priority gaps and three of which are planned for 2011 construction.

Chair Bartholomew respectfully asked that the Planning Commission receive materials in their packet beforehand for any items requiring a recommendation.

Motion carried (8/0). This item goes to the City Council on May 9, 2011.

Chair Bartholomew adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Kim Fox  
Recording Secretary

**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:** April 25, 2011

**CASE NO:** 11-09C

**APPLICANT:** City of Inver Grove Heights

**PROPERTY OWNER:** City of Inver Grove Heights

**REQUEST:** Conditional Use Permit to allow filling in the Floodplain

**HEARING DATE:** May 3, 2011

**LOCATION:** 66<sup>th</sup> Street, east of Concord - old swing bridge

**COMPREHENSIVE PLAN:** Park

**ZONING:** I-1, Limited Industry

**REVIEWING DIVISIONS:** Planning  
Engineering

**PREPARED BY:** Allan Hunting  
City Planner

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**BACKGROUND**

The City is proposing to fill a portion of a parcel to be used as the parking lot for the swing bridge portion of Heritage Village Park. This year, the Parks Department plans on a construction phase consisting of the reconstruction of 66<sup>th</sup> Street leading into the park, installing sewer and water for the future park building, constructing portions of the trail system and construction of the parking lot on the south side of 66<sup>th</sup> Street that will be used for access to the swing bridge. In order to construct the parking lot, a quantity of fill must be brought in to fill the low spot where the parking lot would be located. The fill material would come from the South Grove reconstruction project area #6. The subject property is located in the Floodplain. Specifically, the parking lot area is located in the flood fringe of the floodplain. Fill is allowed with an approved conditional use permit.

The City is requesting a Conditional Use Permit to allow the placement of fill in excess of 1,000 cubic yards, consistent with provisions in 10-13D-6-2.C of the Flood Fringe District of the Floodplain Management Rules. Filling is allowed provided the plan is prepared by a qualified professional and an erosion control plan is prepared.

**EVALUATION OF THE REQUEST**

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

North: Park, marinas; zoned I-1; guided Park and Mixed Use

East: Swing bridge park area

West: Heritage Village Park; zoned P; guided Park

South: Heritage Village Park; zoned P; guided Park

### **ANALYSIS**

The City Engineering Department has prepared the grading plan which provides the amount of fill, grading limits and erosion control elements. A total of approximately 13,000 cubic yards of fill would be brought into the site. With compaction, the total volume of fill would be approximately 8,000 cubic yards. Total area of disturbance is approximately one acre. The final fill elevation is designed to be consistent with the parking lot construction and for the future construction of the park building.

The area being disturbed contains primarily shrub overgrowth with some soft wood trees. The area would not be regulated under the Tree Preservation Ordinance as there are not enough trees on site that would qualify as significant trees. Therefore, no reforestation is required. The landscape plan for Heritage Village Park shows a number of trees that will be planted along the street and in and around the parking lot.

### **GENERAL CONDITIONAL USE CRITERIA**

This section reviews the plans against the CUP criteria in the Zoning Ordinance (Section 10-3A).

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

Filling the site for a parking lot in Heritage Village Park would be consistent with the land use designation of Park.

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 filling of a portion of the parcel is consistent with the Floodplain Ordinance which allows fill provided the project is designed by an engineer and erosion control features are in place.

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

The ultimate use of the property as park would not have a negative impact on the surrounding properties which are a mix of marinas, open space and future park.

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.*

Facility and infrastructure improvements are planned as part of a city project to install sewer and water to the general location and to improve 66<sup>th</sup> Street as the main entrance into the park. The filling and future parking lot is consistent with the planned upgrades.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*
  - i. *Aesthetics/exterior appearance*  
The future parking lot and improvements are part of the Heritage Village Master Plan and would be compatible with surrounding uses.
  - ii. *Noise*  
The actual fill project would be done during the day and would have typical construction noise activity levels.
  - iii. *Fencing, landscaping and buffering*  
No specific fencing, landscaping or buffering are required.
6. *The property is appropriate for the use considering: size and shape; topography, vegetation, and other natural and physical features; access, traffic volumes and flows; utilities; parking; setbacks; lot coverage and other zoning requirements; emergency access, fire lanes, hydrants, and other fire and building code requirements.*

The overall master plan for Heritage Village Park has been approved by the Council considering impacts on the city and surrounding areas.

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.*

The filling project has been designed and reviewed by the city engineering department. All necessary erosion control and storm water management practices are part of the plan.

Environmental Commission Review. The Environmental Commission reviewed the request on April 28 and recommended approval of the request (4-0).

## **ALTERNATIVES**

The Planning Commission has the following actions available:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:
- o Approval of a **Conditional Use Permit** to allow the placement of fill in excess of 1,000 cubic yards, consistent with City Code provision 10-13D-6-2.C. Flood Fringe District of the Flood Plain Management rules, for the purpose of grading and filling for future Heritage Village Park parking lot for the swing bridge area subject to the following conditions:
    1. The placement of fill shall be consistent with the following plans, on file with the Planning Department:

Grading and Erosion Control Plan                      dated 4/8/11

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

## **RECOMMENDATION**

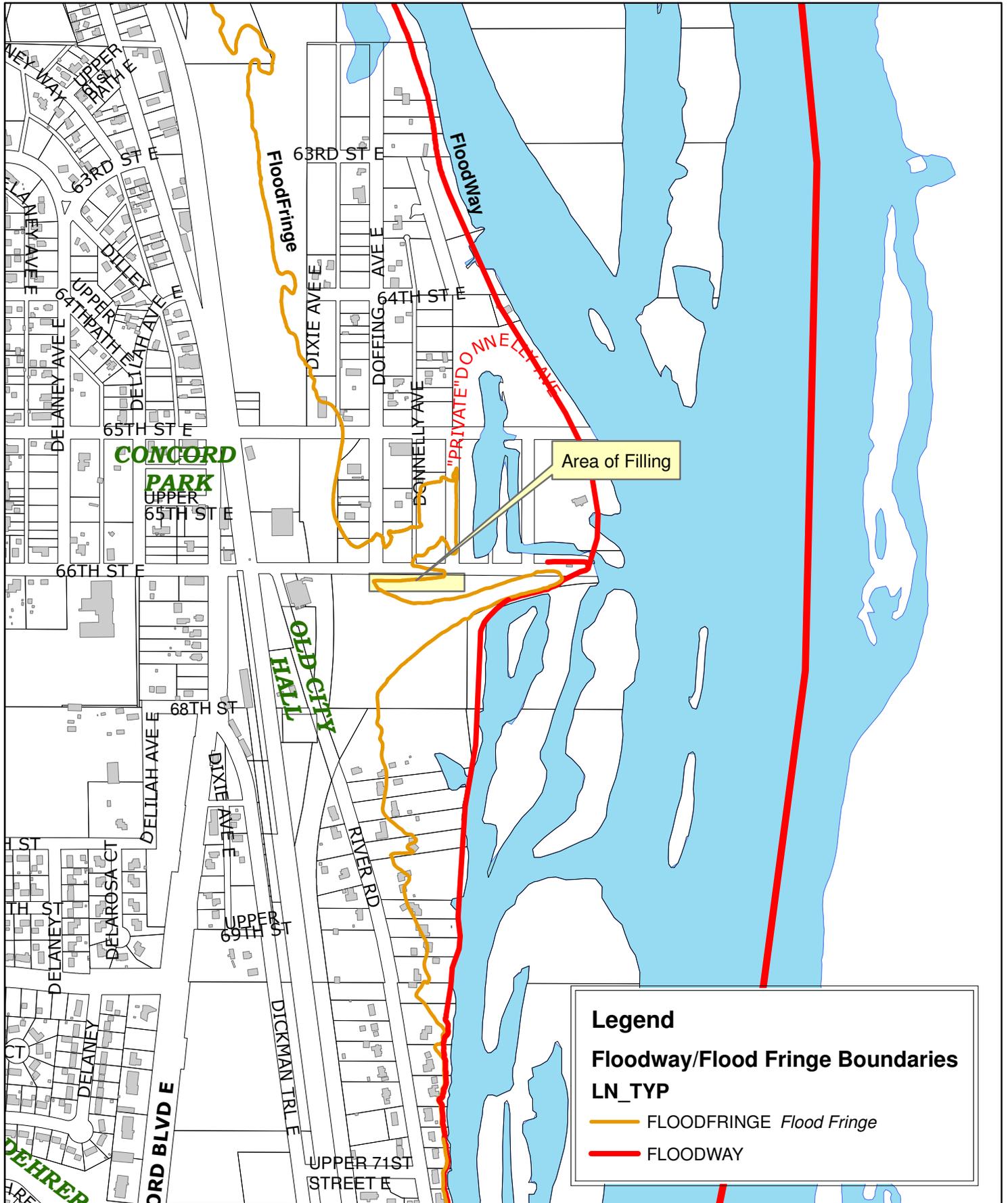
The review of the materials for this request is more of an engineering exercise, rather than a planning exercise, since the project is comprised of soil fill and grading. The plan being presented is the overall grading and filling plan. Engineering has reviewed the plan and finds that it consistent with city code standards. Based on the information provided, Planning recommends approval of the conditional use permit as presented.

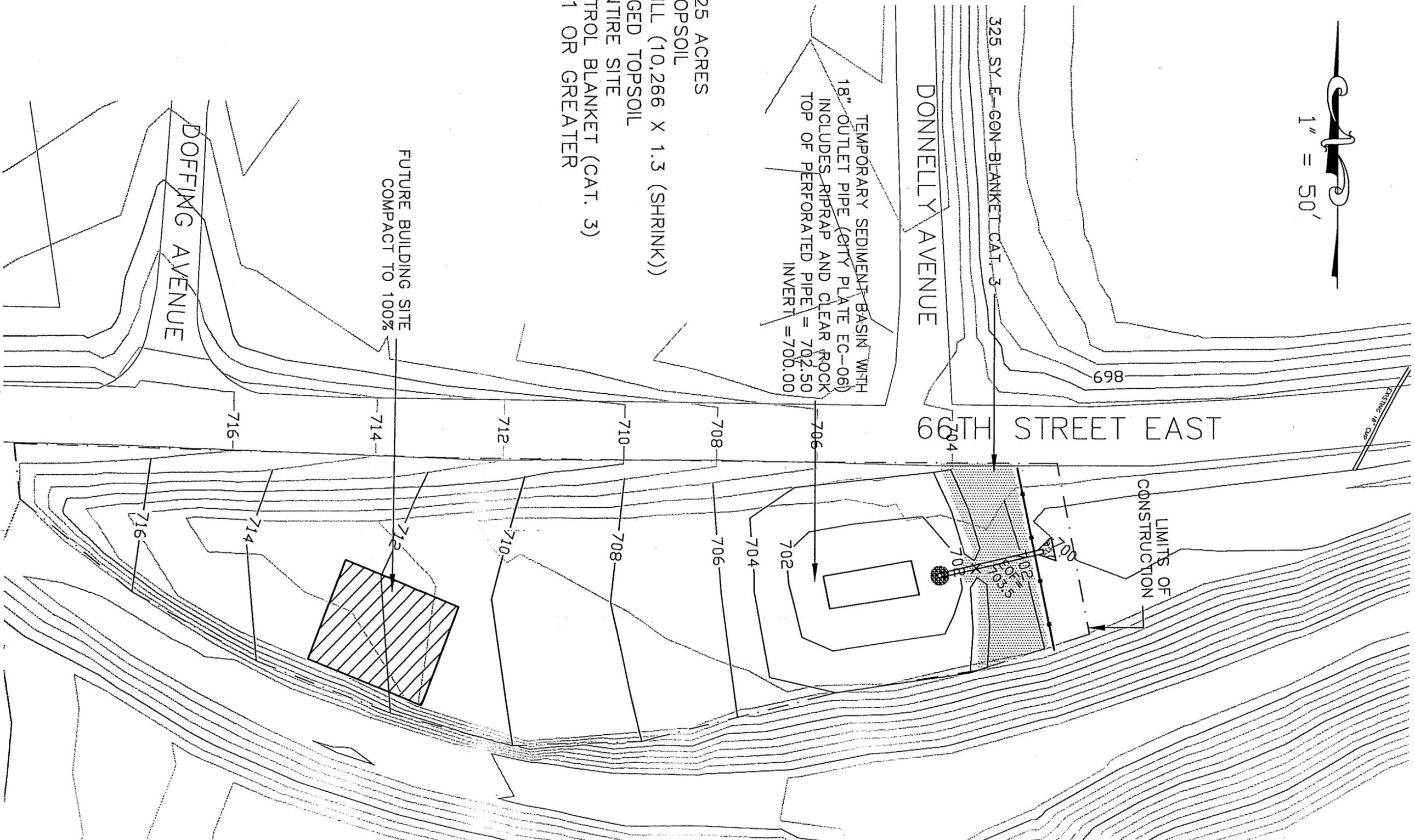
Attachments: Location Map  
Grading and Erosion Control Plan  
Plan of Heritage Village Park



# Location Map

## Case No. 11-09C



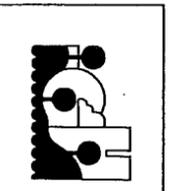
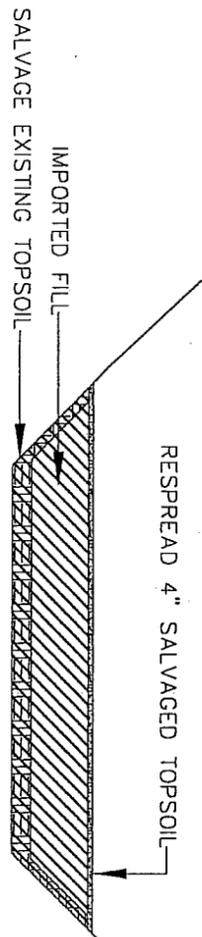


CLEAR AND GRUB 1.25 ACRES  
 SALVAGE 2732 CY TOPSOIL  
 IMPORT 13,345 CY FILL (10,266 X 1.3 (SHRINK))  
 RESPREAD 4" SALVAGED TOPSOIL  
 SEED AND MULCH ENTIRE SITE  
 PLACE EROSION CONTROL BLANKET (CAT. 3)  
 ON ALL SLOPES 4:1 OR GREATER

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNESOTA STATUTES SECTION 326.02 TO 326.16.

*James J. Kellerman*

DATE: 4-8-11 MINN. REG. NO. 16798



SWING BRIDGE PARKING  
 LOT GRADING PLAN  
 CITY OF INVER GROVE HEIGHTS  
 ENGINEERING DEPARTMENT  
 3/11 ME

