

## PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, September 18, 2012 – 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  
Armando Lissarrague  
Paul Hark  
Dennis Wippermann  
Annette Maggi  
Pat Simon  
Harold Gooch  
Tony Scales  
Victoria Elsmore

Commissioners Absent:

Others Present: Tom Link, Community Development Director

### **APPROVAL OF MINUTES**

The minutes from the September 4, 2012 meeting were approved as submitted.

### **BRAD AND MARY HAPKA – CASE NO. 12-26CV**

#### **Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to allow maximum impervious surface coverage to increase by an additional ten percent, and a variance to allow an addition to the existing home within the required rear yard setback, for the property located at 9330 Inver Grove Trail. 12 notices were mailed.

#### **Presentation of Request**

Tom Link, Community Development Director, explained the request as detailed in the report. He advised that the applicants are proposing to construct a garage/house addition to their existing home. The addition requires two approvals; a conditional use permit to allow additional impervious surface and a variance to allow an addition to the house within the rear yard setback. Mr. Link advised that the maximum impervious coverage allowed on this property as a permitted use is 8,700 square feet; however, with a conditional use permit they could increase that to 10,195 square feet. The rear yard setback requirement in this zoning district is 50 feet. The existing house is set back only 38 feet; however, as it was constructed in 1950 prior to adoption of the City's first zoning ordinance. The applicants are requesting they be allowed to construct an addition 31 feet from the rear property line. Staff recommends approval of the requests with the practical difficulty being the location and placement of the house, which predates the zoning ordinance and allows for virtually no improvement to the house without the need for a variance.

Chair Bartholomew noted a discrepancy in the report and asked for clarification of how much total impervious was being requested.

Mr. Link replied 10,195 square feet.

Chair Bartholomew asked if this property fell into an overlay district.

Mr. Link replied he was unsure whether this property was affected by the Shoreland and Critical Area Overlay District.

Commissioner Wippermann noted a discrepancy in the report and asked for clarification of how much impervious surface would be allowed with a conditional use permit.

Mr. Link replied that 14,110 square feet would be allowed with a conditional use permit.

**Opening of Public Hearing**

The applicants, Mary and Brad Hapka, 9330 Inver Grove Trail, advised they were available to answer any questions.

Chair Bartholomew asked if the applicants were agreeable with the conditions listed in the report.

The Hapka's replied in the affirmative.

Commissioner Wippermann asked what the distance was from the property line to the house to the east.

Mr. Hapka replied approximately 41 feet.

**Planning Commission Discussion**

Commissioner Wippermann stated he supported the request, especially since only one point of the proposed addition was 31 feet from the property line, with the remainder of the addition being setback further.

Chair Bartholomew stated it was a reasonable request and he supported it as well.

Commissioner Wippermann asked where 9406 Inver Grove Trail was located in proximity to the applicants.

Commissioner Elsmore advised the City received a letter from the property owners at that address.

Ms. Hapka replied 9406 Inver Grove Trail was two properties to the south.

**Planning Commission Recommendation**

Motion by Commissioner Simon, second by Commissioner Lissarrague, to approve the request for a conditional use permit to allow maximum impervious surface coverage to increase by an additional ten percent, and a variance to allow an addition to the existing home within the required rear yard setback, for the property located at 9330 Inver Grove Trail.

Motion carried (9/0). This item goes to the City Council on October 8, 2012.

**OTHER BUSINESS**

**Concord Study Update**

Mr. Link advised that the first Concord Neighborhood Plan was completed in 1998. The result of that planning effort was a lot of public investment in the neighborhood, including the acquisition of many properties, the cleanup of environmental contamination, reconstruction of Concord Boulevard and 66<sup>th</sup> Street, construction of the Mississippi River Regional Trail, planning for the future 60-80 acre Heritage Village Park, and completion of the Rock Island Swing Bridge Pier. A couple years ago the City Council expressed an interest in trying to get private developers

interested in the neighborhood; which led to the current updated Concord Neighborhood Study. Mr. Link advised that the Phase I study was completed this spring. The study refined the land use plan for the neighborhood and four specific areas were identified by the City Council in which to focus the initial redevelopment efforts on. Mr. Link advised that the North District features townhouse development on the west side of Concord Boulevard. Dakota County CDA has acquired most of the properties in the 6300 block from willing sellers and they have removed the structures. In what is called the Gateway, the City is looking to introduce housing on the east side of Concord, thereby tying the Concord frontage to the marinas. Implementation of residential housing in the Gateway area would require acquisition of the waste hauler parcel. The Hillside area lies west of Concord and north of Dickman Trail and envisions high density residential, such as apartments or a senior housing complex. Industrial redevelopment is planned for Dickman Trail, hopefully intensifying employment density and building coverage. He noted that the Concord redevelopment plans are looking out 20-30 years. He noted that Phase I included numerous meetings with residents and businesses in the area.

Mr. Link advised that the City is now in the midst of Phase II of the Concord Study. This phase focuses on design guidelines for the four potential redevelopment sites, a market strategy study to determine if the City's plan is viable, and implementation strategies. About a month ago the City held a series of meetings with developers. The various meetings identified what the developers perceived as positive and negative attributes to the area, the area's market for housing, industrial and retail, suggested possible plan refinements, and suggestions for what the City could do to remove barriers to redevelopment. The developers felt this was a sound, reasonable plan and most of the developers showed an interest in redevelopment in the area and asked to be kept informed on the future progress and process for developer selection. Phase II also included a meeting with the EDA at which a consultant from Ehlers & Associates made an informational presentation. The City Council/EDA will meet on September 24 and October 22 to discuss design guidelines, financial analysis, financial tools, whether or not the City should proceed with redevelopment, and an implementation strategy for approaching the development community. He advised that the majority of Phase II is being funded by a Metropolitan Council grant.

Mr. Link stated that assuming these plans come to be realized, the Planning Commission will be involved in incorporating the Concord Study into the comprehensive plan, determining whether acquisitions of specific properties is consistent with the comprehensive plan, and they will review development proposals as they occur.

Chair Bartholomew asked how many parcels the City had acquired in the Doffing Avenue Neighborhood.

Mr. Link replied that out of 36 properties, the City has acquired all but 9 or 10. He advised that the Doffing Avenue Voluntary Acquisition Program began about 12 years ago, with the goal being to acquire properties within the floodplain along Doffing Avenue from willing sellers. The houses are then removed and the intent is to restore the natural floodplain and incorporate the properties into the future Heritage Village Park.

Chair Bartholomew asked if the environmental reclamation was complete.

Mr. Link replied that most of the reclamation was complete. He advised that the contaminated soils on the abandoned railroad property have been covered with four feet of clean fill as per MPCA guidelines. A small isolated pocket of groundwater on the north end; however, still has petroleum in it. The City continues to monitor it and if it does not naturally take care of itself it will be pumped out.

Commissioner Lissarrague stated there were several properties along Concord Boulevard that

were either in a state of disrepair or an incomplete renovation, and he questioned whether that could be detrimental to redevelopment.

Mr. Link stated that concern has been raised at some of the neighborhood meetings as well. He advised that the CDA has addressed that in part by acquiring and demolishing several of the toughest houses in the area. In a few other cases the City has taken action through code enforcement in regard to junk in the yard. The City; however, does not currently have a rental license ordinance or exterior maintenance regulations.

**ADJOURNMENT**

Chair Bartholomew adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Kim Fox  
Recording Secretary