

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**WEDNESDAY, FEBRUARY 5, 2014 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

- 1. CALL TO ORDER**

- 2. APPROVAL OF PLANNING COMMISSION MINUTES FOR JANUARY 21, 2014.**

- 3. APPLICANT REQUESTS AND PUBLIC HEARINGS**

3.01 MIKE THOMAS - CASE NO. 14-03C

Consider a **Conditional Use Permit** to allow an automobile and off-highway vehicle sales lot on the property located at 7537 Concord Blvd.

Planning Commission Action _____

3.02 HEIGHTS DEVELOPMENT – CASE NO. 14-04IUP

Consider an **Interim Use Permit Amendment** to allow for the one time extension to continue limited onsite gravel crushing and recycling operations for the property located at 7280 Dickman Trail.

Planning Commission Action _____

- 4. OTHER BUSINESS**

- 5. ADJOURN**

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PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, January 21, 2014 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

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

Commissioners Present: Paul Hark
Pat Simon
Tony Scales
Bill Klein
Armando Lissarrague
Harold Gooch
Annette Maggi

Commissioners Absent: Victoria Elsmore (excused)
Dennis Wippermann (excused)

Others Present: Tom Link, Community Development Director
Allan Hunting, City Planner
Eric Carlson, Park and Recreation Director

APPROVAL OF MINUTES

Chair Hark noted that the commissioners that missed the last meeting should be listed as excused absences.

The minutes from the January 7, 2014 Planning Commission meeting were approved as corrected.

CITY OF INVER GROVE HEIGHTS – CASE NO. 14-02ZA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for an ordinance amendment to Title 11 of the City Code (Subdivision Regulations) to amend Chapter 4, Park, Trail, and Recreation Dedication or Cash in Lieu relating to updating park dedication rates. No notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that periodically the City is required to update its subdivision code relating to park dedication. In addition, changes were made to the State Statutes which require the fee or dedication to bear a rough proportionality to the need created by the proposed development. The Parks Commission reviewed the request and unanimously recommended approval of the request. Staff recommends approval of the proposed ordinance amendment as well.

Eric Carlson, Parks and Recreation Director, advised that the State of Minnesota updated the State Statutes relating to park dedication in 2012. In 2013 a committee of City staff members reviewed the new Statutes and determined that some updates are necessary. In most cases they are recommending a small reduction in the amount of land that the City would receive from a developer at the time of final plat; approximately a 1% decrease in the single-family subdivisions. Staff is also recommending an adjustment on cash dedication. The changes reflect the cost of land in today's market versus the market back in 2007 when the last update was done. The fees will continue to be reviewed on a regular basis.

Commissioner Klein asked if the change was a result of the State determining some of the rates were high.

Mr. Carlson replied the change was not related to the fees themselves, but rather to the need for a nexus between the fees or dedication required.

Commissioner Maggi asked Mr. Carlson to address the zoning districts in which the proposed cash dedication was increased.

Mr. Carlson advised that their research indicated that the land values went up in some of the zoning districts.

Commissioner Maggi asked if a land valuation was last done in 2007.

Mr. Carlson replied that a park dedication adjustment was last done was in 2007.

Commissioner Simon asked how the new fee schedule would affect the Argenta Hills development.

Mr. Carlson advised that park dedication was due at the time of final plat approval and the developer would pay whatever rate was in effect at the time.

Commissioner Simon noted that the Argenta Hills developer was still coming in with plats.

Mr. Hunting stated he expected only one more phase of Argenta Hills.

Commissioner Simon asked who was responsible for snowplowing the sidewalks and trails.

Mr. Carlson replied it was City staff's responsibility.

Opening of Public Hearing

There was no public testimony.

Chair Hark closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Maggi, to approve the request for an ordinance amendment to Title 11 of the City Code (Subdivision Regulations) to amend Chapter 4, Park, Trail, and Recreation Dedication or Cash in Lieu relating to updating park dedication rates.

Motion carried (7/0).

Commissioner Klein asked how this would affect future park budgets.

Mr. Carlson replied it would depend on how many final plats were approved, how much land they tried to acquire, and how many parks they tried to develop while the fees were set at this rate. He advised that the theory behind the State Statute was that since land is less expensive today than it was in 2007, it should now cost less to acquire parkland. The challenge; however, is that in most cases the City is not actually purchasing land, but rather getting it through dedication, and it costs more to build the park improvements now than it did in 2007.

Commissioner Maggi pointed out that the cash dedication fees increased for some types of housing.

Mr. Carlson replied that was correct, and stated that if the land values went up next year they could adjust the park dedication rate in an upwards direction.

Commissioner Simon asked if there was a set date to revisit the rates.

Mr. Carlson replied that the ordinance suggests annually.

Commissioner Simon advised that this item goes to the City Council on January 27, 2014.

Mr. Carlson advised that three readings were required, and typically Council requested the Chamber of Commerce be notified as well.

CITY OF INVER GROVE HEIGHTS

Reading of Notice

There was no public hearing notice.

Presentation of Request

Tom Link, Community Development Director, explained the request as detailed in the report. He advised that the owner of the subject property, the Fredericks, approached the City and expressed an interest in selling their single-family and commercial properties to the City. The Planning Commission is being asked to make a determination as to whether the acquisitions are consistent with the Comprehensive Plan. The Comprehensive Plan includes several statements attesting to the importance of economic development, the role of the Economic Development Authority, and redevelopment in the Concord area. Mr. Link advised that the Concord Neighborhood Plan and Design Guidelines were adopted in December 2012. That effort designated four areas for redevelopment; one of which is the neighborhood in which the Frederick property is located. If the EDA were to acquire the property the residence would be removed and at some future undetermined time the property would be sold to a developer for redevelopment. Staff has concluded that the acquisition of the property would eventually lead to economic development and therefore would be consistent with the Comprehensive Plan. Staff recommends approval of the request to find the acquisition of the Frederick properties consistent with the Comprehensive Plan.

Chair Hark asked where the EDA would get their funding to purchase the property.

Mr. Link replied that the EDA received funding from a variety of sources, but in this case the Host Community Fund would be used.

Chair Hark asked if there were any regulations for how long the EDA could hold the property.

Mr. Link replied that the EDA could hold onto property indefinitely. He noted that in this case the EDA has no predetermined schedule for redevelopment of this property.

Commissioner Maggi asked what other properties in the neighboring area were owned by the EDA.

Mr. Link replied that neither the City nor the EDA owned any property in this specific neighborhood.

Commissioner Gooch asked if the EDA paid property taxes.

Mr. Link replied they did not. He advised that in the short run the City loses some tax revenue; however, the valuation would go up considerably after redevelopment and therefore would eventually generate significantly increased taxes.

Commissioner Simon asked why the request was not presented by an EDA representative.

Mr. Link advised that he was the Executive Director of the EDA. He noted that the EDA would consider this request on February 10.

Chair Hark asked if it would be a public hearing.

Mr. Link replied in the affirmative.

Commissioner Simon asked if it would be held in Council Chambers and televised.

Mr. Link replied in the affirmative.

Commissioner Klein asked if there were enough funds available for the acquisition.

Mr. Link replied in the affirmative.

Opening of Public Hearing

Frank Rauschnot advised he owned the neighboring property and would like the request to be tabled. He summarized the history of his property, the Frederick's property, and their relationship to each other. He stated the Frederick's have sued both his business and the City and have cost the City a lot of money over the years in City services, legal costs, staff time, etc. and he was frustrated that they now wanted to be bought out at taxpayer expense. He stated the City has prevented him from expanding his business in the past and has tried to rezone his property without his knowledge. He requested that the Planning Commission table the request to allow him time to have discussions with the City so he could get some direction.

Chair Hark asked Mr. Rauschnot if he contacted the City prior to tonight's meeting.

Mr. Rauschnot stated he did not as he only recently learned of the request.

Commissioner Simon asked Mr. Rauschnot what his feelings were regarding the property to the east of Dickman Trail.

Mr. Rauschnot stated that while he understood that the City would want to purchase all the parcels at once because they had the same owner, he was concerned that implementing the Concord Neighborhood Plan would include a zoning change. He stated there were many existing areas in the community that were poorly designed and this would be yet another.

Commissioner Gooch noted that since Mr. Rauschnot has stated he had issues with the current property owners, it seemed as if selling the property to the City would be a solution.

Mr. Rauschnot stated that the removal of the residence in the industrial neighborhood would be beneficial but is concerned that the City would rezone the property after acquiring it, and that the property would be paid for at the taxpayers' expense. He invited the Commissioners and the public to call or visit him at his business to discuss the issue.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark advised that he was opposed to tabling the request, stating Mr. Rauschnot would have three weeks before the public hearing in which to initiate discussions with City staff.

Commissioner Klein asked if the residence at 6845 Dixie Avenue was a non-conforming use.

Mr. Link replied in the affirmative.

Commissioner Klein stated he assumed this area would be one of the last of the four identified areas to redevelop.

Mr. Link advised that the plan identified four redevelopment areas, but did not establish a priority amongst the four. The City is proceeding with this acquisition because the owner approached the City and the property is located in one of the four identified districts.

Commissioner Klein asked if the properties south of Mr. Rauschnot and along the east side of Dickman Trail were zoned I-1, Limited Industrial.

Mr. Link replied in the affirmative.

Commissioner Klein asked if they would likely remain I-1.

Mr. Link replied the property is currently zoned industrial, the Comprehensive Plan designates it as industrial, and the City has not considered rezoning it. He advised that the Concord Neighborhood Study looked at two different alternative uses for this area; continued industrial or a mix of residential. The City Council did not choose between the two; their discussion at the time was that they would prefer to look at redevelopment of an industrial nature but it was financially more difficult to do than residential.

Commissioner Klein questioned if it was beneficial to purchase the property at this time, stating he felt there were other properties along Concord that would be a higher priority for redevelopment.

Mr. Link replied that would be a question for City Council. He advised that removing this residence would help remove some of the frustration and conflict that has taken place there for a number of years between the two landowners.

Commissioner Maggi asked if purchasing these properties could have a negative impact on existing businesses in the area.

Mr. Link advised that the financial analysis that was done a couple of years ago indicated there would be a significant increase in tax base and property valuation whether it was redeveloped to industrial or residential. He added that this acquisition would not affect any of the existing business operations. Mr. Rauschnot's business is a legal conforming use in the industrial area.

Mr. Rauschnot stated he was concerned that this acquisition was a way for the city to eventually make zoning changes. He advised that he never received a response from the City on the draft plan he submitted to move his business down the street.

Mr. Link agreed that Mr. Rauschnot had approached the City regarding selling his property. Several meetings were conducted to discuss it; however, they could not come to an agreement in regard to price and certain conditions.

Mr. Rauschnot stated when he approached the City in regard to selling his property it was in conjunction with a relocation.

Chair Hark advised that the Planning Commission's focus tonight was to determine whether the

proposed acquisition was consistent with the Comprehensive Plan.

Commissioner Lissarrague asked if Mr. Rauschnot would have an opportunity to appear before other concerned bodies if this were approved tonight.

Mr. Link replied in the affirmative.

Commissioner Klein asked for clarification of the approval process.

Mr. Link responded that the request must first go to the Planning Commission for a determination of consistency with the Comprehensive Plan. It then goes onto the EDA for final action.

Commissioner Klein advised that in light of past conflicts, the acquisition of this property could be beneficial for Mr. Rauschnot.

Mr. Rauschnot stated it was a positive step in one respect, however, he had concerns about the City making changes once they owned the property.

Planning Commission Recommendation

Motion by Commissioner Lissarrague, second by Commissioner Scales, to find the acquisition of the properties at 6845 Dixie Avenue and 6836 Dickman Trail consistent with the Inver Grove Heights Comprehensive Plan.

Mr. Lissarrague recommended that Mr. Rauschnot attend the EDA meeting.

Motion carried (5/1 – Simon with 1 abstention – Maggi). This item goes to the Economic Development Authority on February 10, 2014.

Mr. Rauschnot advised he would be in attendance at the EDA meeting.

Mr. Link advised the meeting started at 5:00 p.m.

OTHER BUSINESS

Catherine Curtis, a representative from Town Square Television, asked the public to take the online survey found on the Town Square Television website. She advised public input was important to their negotiations with Comcast in regard to their cable franchise renewal.

The meeting was adjourned by unanimous vote at 7:59 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

**PLANNING REPORT
CITY OF INVER GROVE HEIGHTS**

REPORT DATE: January 28, 2014

CASE NO: 14-03C

HEARING DATE: February 5, 2014

APPLICANT: Mike Thomas

PROPERTY OWNER: James and Darci Knowlton

REQUEST: Conditional Use Permit for an automobile and off-highway vehicle sales lot

LOCATION: 7537 Concord Blvd

COMPREHENSIVE PLAN: CC, Community Commercial

ZONING: B-3, General Business

REVIEWING DIVISIONS: Planning

PREPARED BY:  Heather Botten
Associate Planner

BACKGROUND

The applicant is proposing to redevelop the existing vacant restaurant building at 7537 Concord Blvd and operate a used car sales lot. The existing building would be used as an office building for the operation and the display of vehicles would be on the south end of the site and along Concord Blvd.

No additional buildings are proposed for the property. The applicant has indicated that he would remodel the inside of the existing building into an office and add light fixtures to the parking lot. No other significant improvements are being proposed at this time.

The specific request consists of the following:

- A.) A **Conditional Use Permit** for automobile and off-highway vehicle sales in the B-3, General Business Zoning District

EVALUATION OF THE REQUEST

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

North - Super America; zoned B-3, General Business; guided CC, Community Commercial
East - Skyline Village/Concord Blvd; zoned R-4, Manufactured Home Park District;
guided MDR, Medium Density Residential
West - Commercial/Single family homes; zoned B-3/ R-1C; guided CC/ LDR
South - North American Trailers; zoned B-3; guided CC

SITE PLAN REVIEW

Parking. The property would be utilized as a used car sales lot. The customer parking must be marked and shall not contain vehicle inventory. No employee, customer, or inventory parking shall be allowed on the street or in the right-of-way.

No junk vehicles are allowed to be kept on site. A junk vehicle is defined as any motor vehicle which for a period of 30 days or more: is not in operable condition; partially dismantled; used for the sale of parts or as a source of repair or replacement parts for other vehicles; kept for scrapping; dismantling or salvage of any kind; or not properly licensed.

Access. Access to the site is not changing; there are two access points leading into the property off of Concord Blvd. The property can also be accessed from the north through the Super America parking lot and off of 75th Street.

Landscaping/Screening. The proposed use does not require any landscaping on the property. There is an existing wood fence along the west property line and part of the south property line that faces residential properties. The existing fence meets the screening requirements. No additional fencing would be required, although, the applicant is proposing additional fencing for security purposes.

Lighting. The applicant has submitted a lighting plan showing the location of proposed light poles including an illumination plan. The City Code requires that any lighting be a shoe-box style and that the bulb be shielded in some way so as not to be visible from adjacent property or the street. The source of light shall be hooded, recessed, or controlled in some manner so as not to be visible from adjacent property or streets. Lighting shall not exceed 1.0 foot candle from the centerline of a street of 0.4 foot candles when abutting residential property. The lighting proposed meets the code requirements.

Signage. All signs for the site, including wall and pylon, require a separate sign permit and shall conform to the sign size requirements of the B-3 zoning district.

Engineering. No additional impervious surface would be added to the property at this time. The City Engineer has reviewed the plans and has no issues with the proposed request.

The properties are within the MPCA non-degradation area that drains to the Mississippi River through City storm facilities. Any future impervious surface changes, site improvements, or disturbance will require the addition of a storm water facility, meeting the MPCA non-degradation requirement of treating/infiltration 1-inch of run-off from the impervious surface. Additional improvements shall also meet the City's Water Resources Management Plan requirements.

Other Departments. All plans shall be subject to the review and approval of the City Fire Marshal and the City Building Official. The existing building on site will have to be brought into compliance with building and fire codes.

GENERAL CONDITIONAL USE PERMIT REVIEW

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.*

The site is currently designated as CC, Community Commercial. The use of an auto sales lot is consistent with the goals and policies of the Comprehensive Plan.

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

The applicant's property is zoned B-3, General Business. An auto sales lot is a conditional use in the B-3 district; with approval of the CUP, the proposed use would be in compliance with the Zoning Ordinance.

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

The use proposed does not appear to be materially injurious to existing or planned properties or improvements to the vicinity.

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 manor.*

Concord Boulevard was recently reconstructed; no additional City or County improvements are planned at this time. The property improvements do 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*

The existing structure will remain as a sales building. Open sales and outside storage are common uses along Concord Blvd. and in B-3 districts.

- ii. Noise/traffic*

The sales lot would not generate noises that are inconsistent with commercial zoning. The use would typically be a low traffic generator.

- iii. Fencing, landscaping and buffering*

The site is already developed and no additional buildings are being proposed. Landscaping is not required for this property. There is an existing solid fence that provides screening for the abutting residential properties.

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 shape of the parcel would work for the proposed use. The site is flat with existing improvements. Access to the site is not changing. The amount of traffic would not be out of the ordinary for a commercial area. Fire and building code requirements would be addressed with building permits to occupy the building.

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

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

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 proposed use itself would not have any direct impacts on the environment. No impervious surface would be added to the site. All vehicles would be operable and there is no storage of junk vehicles or vehicle parts allowed.

ALTERNATIVES

- A. **Approval:** If the Planning Commission finds the application acceptable, the following request should be recommended for approval:
- Approval of the Conditional Use Permit for an automobile and off-highway vehicle sales lot subject to the following conditions:
 1. The site shall be developed in substantial conformance with the following plans on file with the Planning Division except as modified herein:

Site Plan date stamped: 01-10-2014
Lighting Plan dated: 01-27-2014
 2. The parking and display of vehicles shall occur only on the paved areas of the site as shown on the approved site plan. Parking and display of vehicles shall not be permitted on any grass areas or in the boulevard of any right-of-way.
 3. No junk vehicles, as defined by City Code, shall exist on the property. There shall be no storage of vehicle parts on the property.
 4. No employee, customer, or inventory parking shall be allowed on the street or in the right-of-way. Customer parking must be signed and shall not contain vehicle inventory.

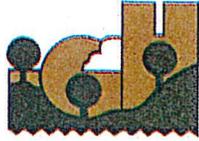
5. The vehicle sales lot is for the display and sale of automobiles only. There shall be no sale of trailers, boats, snowmobiles, farm equipment, recreational equipment, etc.
6. All signage requires issuance of sign permits which will require a complete sign inventory to verify proposed overall signage will comply with the code.
7. All parking lot and building lighting shall be of a shoe-box style with all lighting being diffused or direct away from all property lines and public right-of-ways. The direct source of the light shall not be visible from any abutting property lines and public right-of-ways.
8. All display pennants, flags, searchlights, balloons, or other special promotion devices shall be limited to no more than 10 days per calendar year. All other signage for the property shall conform to the applicable requirements of the City Code.
9. 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.
10. The wood fence is a screening requirement and must be maintained. i.e. kept straight and plumb, fix any broken boards, remove graffiti, etc.
11. Any future impervious surface changes, site improvements, or disturbance will require the addition of a storm water facility, meeting the MPCA non-degradation requirement of treating/infiltration 1-inch of run-off from the impervious surface. Additional improvements shall also meet the City's Water Resources Management Plan requirements.

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

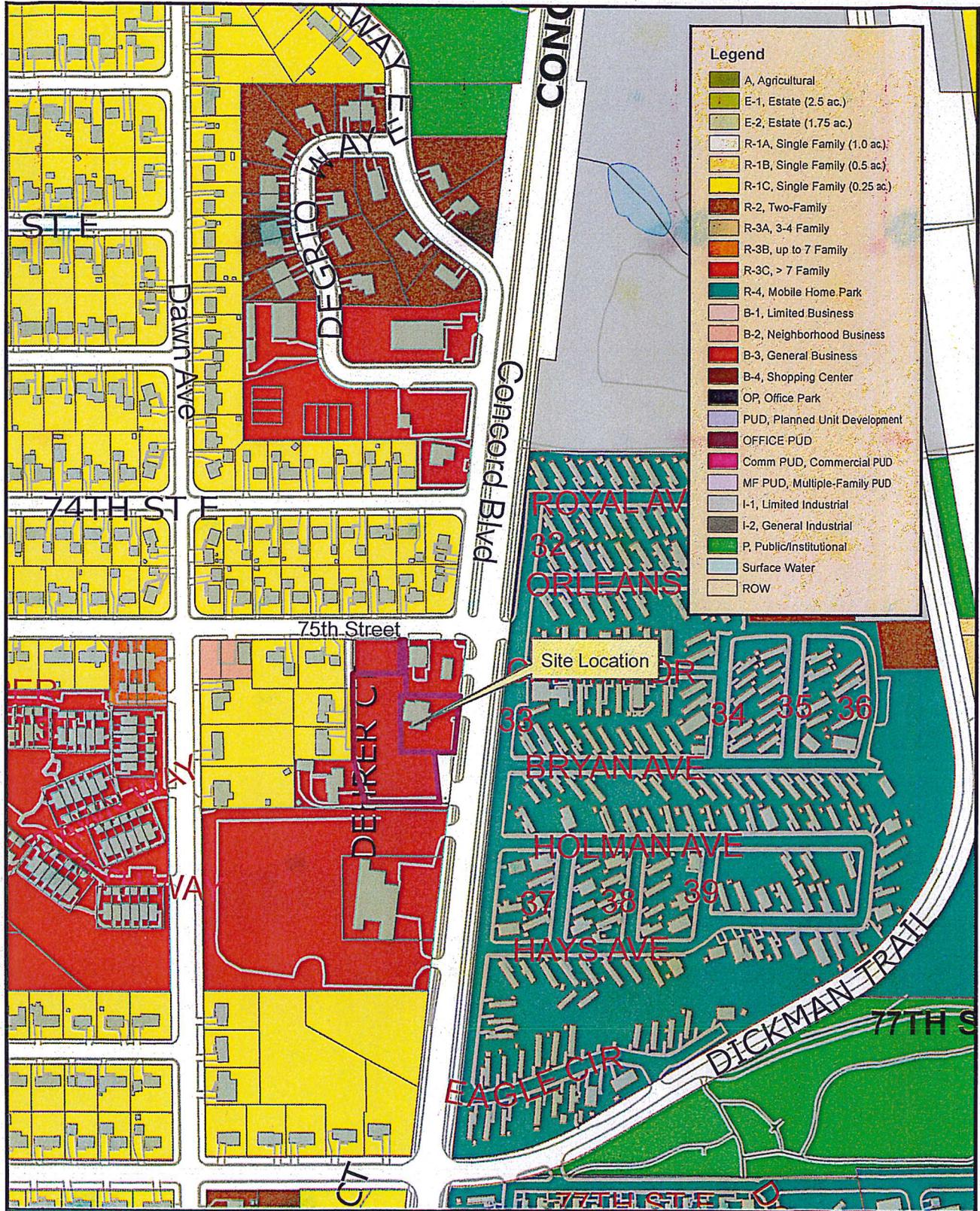
RECOMMENDATION

Based on the preceding report, Staff recommends **approval** of the request with the conditions listed in Alternative A.

Attachments: Exhibit A - Zoning and Location map Exhibit D- Aerial photo demonstrating zoning
 Exhibit B - Applicant narrative Exhibit E - Lighting Plan
 Exhibit C -Site plan Exhibit F - Comments received from neighbors

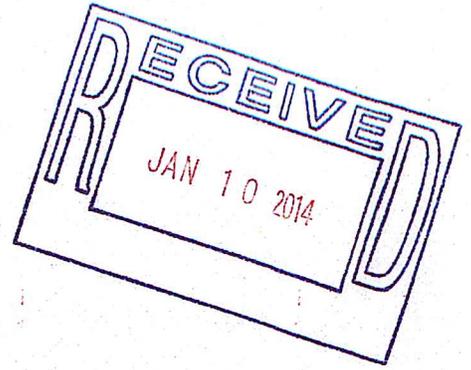


7537 Concord Blvd



N
Map not to scale

Exhibit A
Zoning and Location Map



Hello I'm Mike Thomas.

I am interested in purchasing a piece of property located at 7537 concord Blvd It was most recently Edie's bar and grill.

I currently own Inver Grove Auto approximately 1 mile north of this location. My reason for this meeting is to discuss

with the planning committee and to present my plans for a conditional use permit for a car lot. I have submitted a plan

Which will include no current changes to the existing building or sign. Upon your approval The only site changes would

be to improve the outdoor lighting and a small addition to the existing fence which is show in the example attached.

Also in the example

- a) Out line of costumer parking (including handy cap)
- b) Employee parking
- c) Parking for 75 to 100 vehicles
- d) Light poles
- e) Fence
- f) Entrance

Standard car lot hours of operation as allowed in Inver Grove, And the use of the north existing entrance. (near the sign)

Looking forward to meeting with you and getting your input and feelings for the purposed conditional use permit.

Yours Truly

Mike Thomas
612-741-1800
mtyoumet@gmail.com

B



no parking

N
Map not to scale

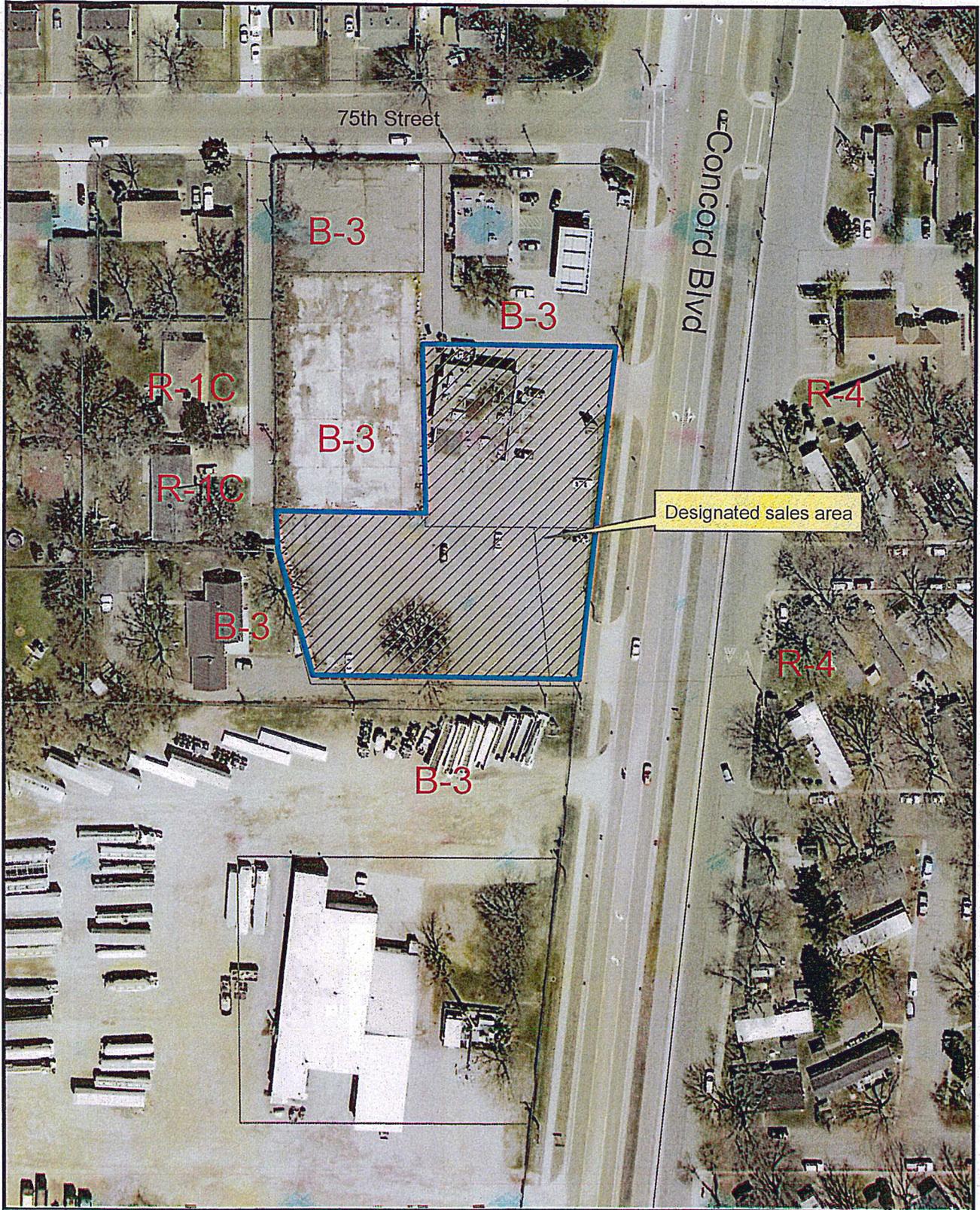
RECEIVED
JAN 10 2014

Site plan

C.



7537 Concord Blvd



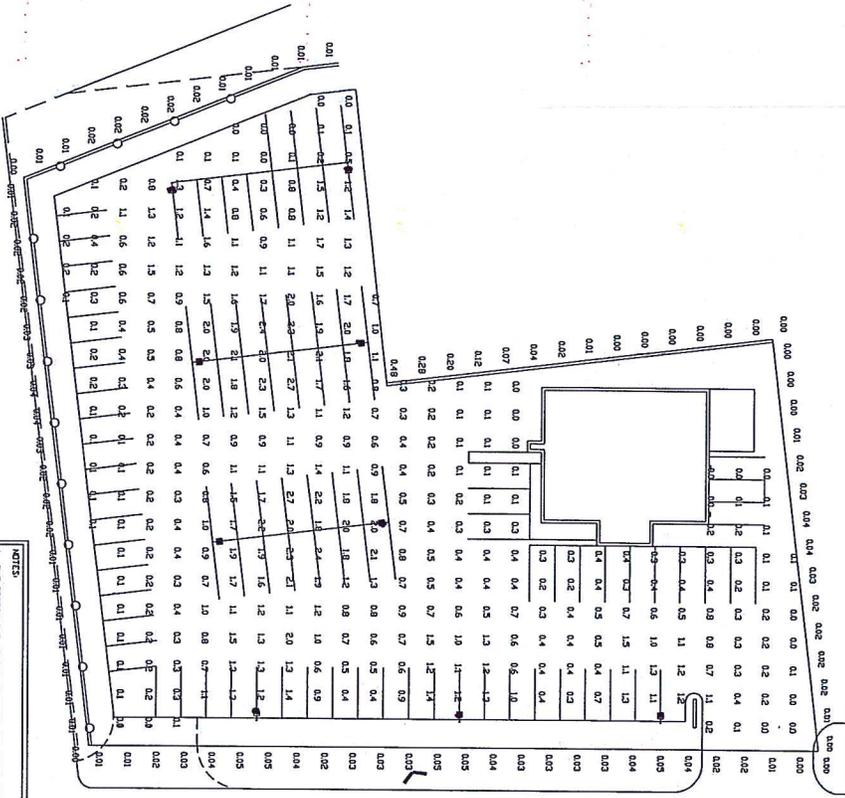
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Exhibit D

Zoning around designated sales area

17

DATE: 10/13/2010



PAVED SURFACE READINGS
 Average 0.0
 Minimum 0.0
 Maximum 0.0
 Precision N/A

PROPERTY LINE READINGS
 Average 0.0
 Minimum 0.0
 Maximum 0.0
 Precision N/A

NOTE: ALL POLES TO BE DRILLED

MM SPECIFY COLOR

FIXTURE TYPE	SYMBOL	QUANTITY	HEIGHT	SCALE TYPE	QUANTITY
STANDARD	○	9	9	SSP-4108-04	9

A PILE SPECIFIED ON THIS DRAWING ARE BORED FOR
 LIND. CONCRETE EXCEEDS 50 MPH. PLEASE CONSULT
 ENGINEER FOR PROPER PILE SPECIFICATION AND HOEL

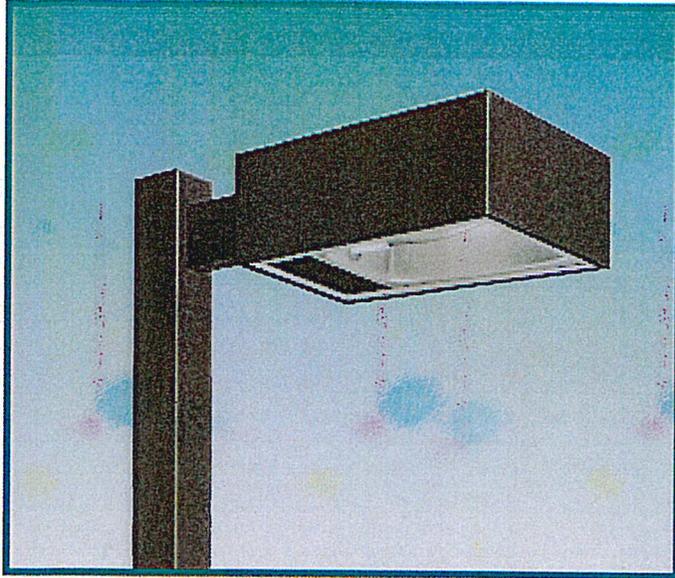
THIS DRAWING AND ANY INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS THE PROPERTY OF THE U.S. DEPARTMENT OF JUSTICE AND IS LOANED TO YOU BY THE U.S. DEPARTMENT OF JUSTICE. IT IS TO BE USED ONLY FOR THE PROJECT AND NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

- NOTES:
1. PREPARE A LIST OF ALL WORK TO BE DONE IN THE FOLLOWING TO LAYOUT VILLAGE LAYOUTS SPECIFIED IN THIS DRAWING. SECURITY LIGHTING SYSTEMS SHALL BE DESIGNED TO MEET ALL CITY AND STATE REQUIREMENTS.
 2. THE CONTRIBUTION OF THE METAL HAZEL LIGHTING SHALL BE 3000 LUMENS.
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DATE: 10/13/2010	PROJECT: 1PC28810A
SCALE: 1" = 20' OF SITE	DATE: 10/13/2010
DESIGNER: [Signature]	CHECKED: [Signature]
DRAWN BY: [Signature]	DATE: 10/13/2010
PROJECT NO: XXXXX	SCALE: 1" = 20' OF SITE
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RSB-RCS/L SERIES

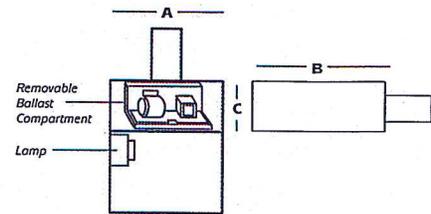


The RSB-RCS/L Series rectangular shoebox is offered in a variety of lighting distributions with sharp cutoff to meet the challenging demands of today's site lighting projects.



Fixture Specifications

- One-piece formed aluminum housing
- Hydroformed aluminum reflector
- Die cast zinc latches permit tool-free entry
- High power factor ballast with -20°F starting
- Consult factory for glare shield options
- Lamp and arm included
- Flat tempered glass lens
- Luminaire finished in weatherproof powder-coat paint
- Available with photocell and polycarbonate shield
- Rotatable optics (RCL only)
- UL listed for wet locations



ORDERING INFORMATION

SAMPLE CATALOG NUMBER

RSB-RCX XXXXXXXX XX X XX

Series Wattage/Source Finish Distribution Voltage

SERIES	
RSB-RCS	RSB Series - Small
RSB-RCL	RSB Series - Large

WATTAGE/SOURCE	
100PMH	100 watt pulse start metal halide (RCS)
175PMH	175 watt pulse start metal halide (RCS)
250PMH	250 watt pulse start metal halide (RCS)
320PMH	320 watt pulse start metal halide (RCS/L)
1000MH	1000 watt metal halide (RCL)
100HPS	100 watt high pressure sodium (RCS)
150HPS	150 watt high pressure sodium (RCS)
250HPS	250 watt high pressure sodium (RCS)
400HPS	400 watt high pressure sodium (RCS/L)
1000HPS	1000 watt high pressure sodium (RCL)

FINISH*	
DB	Dark Bronze
BK	Black
WH	White
PS	Platinum Silver

DISTRIBUTION	
3	Type III
4	Type IV
5	Type V (square)

VOLTAGE	
MT	Multi-tap ballast (120, 208, 240, 277)
48	480 volt

1 Consult factory for other wattages and Pulse Start availability.
2 Consult factory for other finishes.

A	B	C	EPA	WEIGHT
RSB-RCS				
16.25"	23.5"	8.5"	2.1 ft ²	42 lbs.
RSB-RCL				
22.25"	30"	10.5"	3.0 ft ²	70 lbs.



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01,26,2014

To: Melissa Kennedy, Deputy Clerk
Planning Department
8150 Barbara Ave.
City of Inver Grove Heights, MN 55077

RECEIVED

JAN 28 2014

From: George and Phyllis Colaizy
7552 Dawn Ave. East
Inver Grove Heights, MN 55076

Dear Melissa Kennedy,

In reference to **MIKE THOMAS- CASE NO. 14-03C**, Phyllis and I are NOT in favor of this variance or business involving this site. It is improper use for it. I don't know if you are aware of the state definition of "OFF HIWAY VEHICLE", They are Tractors, Forklifts, Cranes, Backhoes, Bulldozers, Motor Scrapers, and all matter of heavy equipment. This type of business needs to be located in an industrial park not in a residential area.

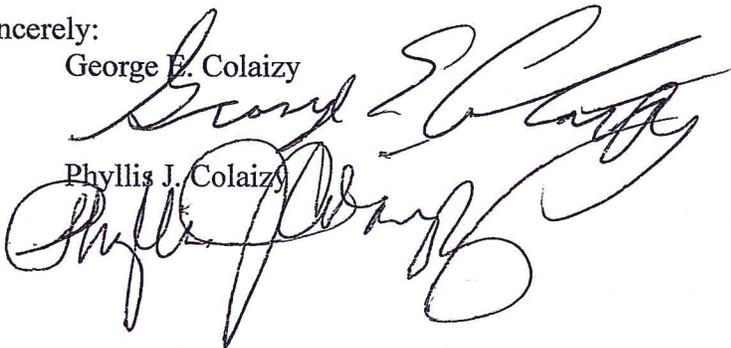
We already have to put up with one business that should not be repairing gasoline tankers and propane tankers in this neighborhood. I have personally seen the disregard for safety as I was enveloped by a cloud of propane gas they released by a tanker endangering everyone near them. This was after an accident where they attempted a repair on a gasoline tanker it exploded killing the worker inside.

I do not want this variance to be allowed as it does not fit with in the surrounding residential neighborhood. The site that is mapped out would be better used as it once was; a Bar, Restaurant, or Retail Merchant.

Sincerely:

George E. Colaizy

Phyllis J. Colaizy

Handwritten signatures of George E. Colaizy and Phyllis J. Colaizy. The signature of George E. Colaizy is written in a cursive style above the signature of Phyllis J. Colaizy, which is also in cursive.

17

January 2, 2014

Planning Department
8150 Barbara Avenue
Inver Grove Heights, MN 55077

RE: Mike Thomas – Case No. 14-03C

Here are a few concerns we have regarding the above:

Truck Stop – **Biggest concern for us.** At different times, this block is used as a truck stop for semi trailers. Not sure where they come from, but will run constantly all night and day. I don't think anyone around this property signed up for that. Some nights, especially in the summer, you can't have your windows open and have to turn on the air conditioning because of the noise. So irritating!!!!!!

Lighting – hopefully there will not be 24-hour lighting on the lot. It would be unfortunate to be unable to enjoy the deck and backyard due to lighting from the lot.

Appearance – This block already looks like a dump and is somewhat embarrassing to live around. Not sure a used car lot would help with that.

Andrew and Diane Vogelgesang
4046 75th Street E.
Inver Grove Heights, MN 55076

651-450-0385

f.

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

REPORT DATE: January 28, 2014

CASE NO: 14-04IUP

APPLICANT: Heights Development

PROPERTY OWNER: Thomas Stanton

REQUEST: Interim Use Permit Extension to allow crushing of concrete and asphalt in the I-District

LOCATION: 7280 Dickman Trail

HEARING DATE: February 4, 2014

COMPREHENSIVE PLAN: LI, Light Industrial

ZONING: I-1, Limited Industrial

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

Heights Development, also known as Ace Blacktop is requesting their one time only Interim Use Permit extension to allow crushing of concrete and asphalt in the I-1 zoning district. The City Council approved the original permit on November 27, 2006 for a five year period. That permit has expired and so the applicant is requesting to extend the permit for an additional 25 year period. Since the code allows only one permit expansion, the crushing operation would have to permanently cease after the term of this permit or a code amendment would have to be applied for.

Ace Blacktop provides asphalt paving services to residential, commercial and municipal customers in the southeast metro area. Ace Blacktop has operated from their location on Dickman Trail since 1968. Part of their operation is to bring rubble (asphalt chunks and concrete) from their job sites where they tear up the old surface as part of repaving, and bring the rubble to their Dickman location where it is stockpiled to be crushed at a later date. Over the years, typically about once every other year, Ace Blacktop hires a crushing company to bring in crushing equipment and crush the rubble pile into what is known as a recycled gravel (class 5) pile. This gravel is the base laid down under asphalt driveways and parking lots.

Crushing is not allowed in either of the industrial districts and historically has only been allowed as part of a Sand and Gravel Overlay District operation. Ace Blacktop does not have a Sand and Gravel Overlay Zoning. Since crushing has not occurred consistently over the years, this part of the operation does not fall under any non-conforming status. The interim use process was used previously to address this part of the operation.

EVALUATION OF THE REQUEST

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

North –Contractor’s yard/outdoor storage; zoned I-1; guided LI.

East - RR tracks, single family homes; zoned RR and R-1C; guided LDR.

West - Concord Boulevard.

South - Auto impound lot; zoned I-1; guided LI.

INTERIM USE PERMIT

The interim use permit would allow for the periodic crushing of asphalt and concrete that is used for the base underneath asphalt driveways and parking lots. The applicant has provided a site plan/survey which shows the location of where the rubble pile and crushed class 5 gravel pile would be. The rubble pile would consist of the asphalt and concrete that is removed from construction sites and brought back to this location for crushing. The material would come only from Ace Blacktop job sites. They do not accept rubble from other contractors. The class 5 pile consists of the crushed material after it has been processed.

The applicant is proposing the exact same restrictions that were part of the original interim use permit. The actual crushing would be restricted to eight consecutive working days for a one time period per calendar year. Crushing would be allowed only between November 15 through April 15. Crushing would be allowed during the hours of 7:00 am to 5:00 pm only. The quantity of recycled material produced per year would be limited to 10,000 tons. This amount would have to be verified through either crushing volume records or through survey analysis. The location of the two piles would be restricted to only those locations shown on the approved site plan and the footprint and height would be restricted to the dimensions shown on the site plan. Since crushing would be accessory to the principal use of the property, the crushing machines would be allowed on the site only during actual crushing. They must be removed after the crushing period expires each year.

Staff raises concerns with the request to allow the permit to last 25 years. The City’s long range plan is to redevelop this area and also other sections along Concord Boulevard. This area is one of four selected sites for redevelopment and the City is looking at acquisition of these properties. Crushing would not be an appropriate or compatible use if redevelopment occurred around the site within the 25 year period. We recognize development will take some time and therefore Staff recommends the term of the permit be for no longer than 10 years.

Engineering has reviewed the plans and has prepared a memo that is attached to this report. Any new development on the site would require compliance with all storm water regulations. Engineering is concerned with erosion that has occurred on some properties in this area. The

City Engineer is recommending that some type of erosion control plan be prepared and approved by the Engineer.

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:
- o Approval of the **Interim Use Permit** final extension to allow crushing of concrete and asphalt in the I-1 District subject to the following conditions:
 1. The stockpile of rubble and class 5 gravel pile shall be located only in the areas shown on the site plan/survey for Ace Blacktop, Inc dated 2014.
 2. The site and crushing operation shall at all times be in compliance with the requirements of City Ordinance 1088, as amended, to allow for crushing of concrete, asphalt or asphalt cement.
 3. Crushing shall be limited to the crushing of concrete, asphalt or asphalt cement, and asphalt debris, defined as waste concrete or asphalt rubble resulting from construction, repair, and demolition of roads, provided the material to be crushed does not contain hazardous waste as defined in Minnesota Statutes § 116.06, subd. 11 (2006) as amended from time to time, and does not contain asbestos and glass.
 4. Crushing shall be allowed only as long as the property is used as a contractor's yard.
 5. Crushing shall be allowed so long as it does not create a "public nuisance", or cause land pollution, noise pollution or air pollution as defined in Minnesota Statutes § 116.06, subd. 14, 16 and 4, as amended from time to time.
 6. Crushing operation shall only be allowed on a parcel or contiguous parcels that constitute 10.0 acres or greater in size.
 7. Crushing shall be restricted to a one time, maximum eight (8) consecutive workday period per calendar year. The time period shall occur only between November 15 through April 15.
 8. Crushing shall be allowed only between the hours of 7:00 a.m. and 5:00 p.m.

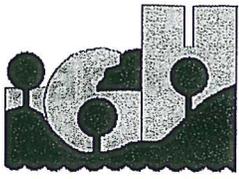
9. The amount of crushed material produced shall be limited to 10,000 tons per year.
10. The height of any rubble or recycled crushed pile shall not exceed 35 feet in height.
11. Crushing of asphalt and concrete shall cease if the property is rezoned or if the use of the property changes from what was existing as of the date of the interim use permit issuance.
12. This Interim use permit shall expire 10 years after the date of its adoption. This is the final interim use permit that can be issued for this property. No further interim use permits for crushing are allowed.
13. Equipment and machinery used for the crushing operation shall be allowed on the site only during the time crushing is occurring. All crushing equipment and machinery shall not be stored on site and shall be removed from the site after the crushing period expires each calendar year.
14. The applicant shall work with the City Engineer to address comments listed in the 1/29/14 memo from the Assistant City Engineer.

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

RECOMMENDATION

The crushing of concrete and asphalt has been occurring periodically on this property for a number of years without any adverse impacts to the abutting property owners that have been brought to the City's attention. Staff believes crushing of concrete and asphalt can continue provided the conditions listed in the ordinance amendment are met. Staff recommends approval of the Interim Use permit with the conditions of approval for a 10 year period.

Attachments: Location/Zoning Map
2014 Site Plan
Photos of Site Details
Applicant Narrative
Memo from Assistant City Engineer



Location Map

Case No. 14-04IUP



Survey for: ACE BLACKTOP, INC.

PROPERTY DESCRIPTION

That part of the NW 1/4 of the NW 1/4 of Section 11, T27N, R22W, Dakota County, Minnesota, and that part of Government Lot 8, said Section 11, described as follows:

Commencing at the northwest corner of said Section 11; thence S. 89° 06' 40" E., assumed bearing, along the north line of said Section 11, a distance of 1054.83 feet to the center line of S.T.H. No. 56 as built and monumented by the Minnesota Department of Transportation, thence S. 6° 50' 27" W. along said centerline 715.98 feet to the north line of the south 600.00 feet of said NW 1/4 of the NW 1/4; thence S. 89° 06' 42" E. along said north line of the south 600.00 feet a distance of 65.35 feet to the easterly right-of-way line of said S.T.H. No. 56 as built and monumented, said point being marked by a Judicial Landmark and being the point of beginning of the parcel to be described; thence S. 6° 50' 27" W. along said right-of-way, 351.90 feet to the south line of the north 350.00 feet of the south 600.00 feet to said NW 1/4 of the NW 1/4 said point being marked by a Judicial Landmark; thence S. 89° 06' 42" E. along said south line and the South line of the north 350.00 feet of the south 600.00 feet of said Government Lot 8 a distance of 739.71 feet to the westerly right-of-way line of the Chicago and North Western Transportation Company railroad right-of-way, and said point being marked by a Judicial Landmark; thence N. 6° 53' 41" W. along said right-of-way, 353.25 feet to the north line of the south 600.00 feet of said Government Lot 8, said point being marked by a Judicial Landmark; thence N. 89° 06' 42" W. along said north line of the south 600.00 feet of Government Lot 8 and the north line of the south 600.00 feet of said NW 1/4 of the NW 1/4 a distance of 655.38 feet to the point of beginning and there terminating;

EXCEPTING THEREFROM the following described property:

All that part of Government Lot 8 in Section 11, Township 27, Range 22 described as follows:

Commencing at a point on the east line of County Highway No. 53 as now established through said lot where it intersects the south line of aforesaid Government Lot 8; thence N. 8° 35' W. along said east line of highway 385 feet to the point of beginning; thence east 50 feet to the west line of Chicago Great Western Railway right of way; thence N. 8° 35' W. along said right of way 60 feet; thence west 50 feet to the east line of aforesaid highway; thence south 8° 35' east 60 feet to the point of beginning.

AND

The South 250 feet of that part of the NW 1/4 of the NW 1/4 and of Government Lot 8, of Section 11, Township 27, Range 22, Dakota County, Minnesota lying easterly of State Trunk Highway No. 56 and lying westerly of the westerly right of way line of the Chicago and North Western Transportation Company.

AND

That part of the following described tract:

That part of the North two-thirds (N. 2/3) of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) and that part of the North two-thirds (N. 2/3) of Government Lot 7, all in Section 11, Township 27, Range 22, according to the Government Survey thereof, described as follows: Commencing at the southwest corner of Government Lot 7, said point also being the southwest corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 11; thence North, at a right angle to the south line of said Northwest Quarter (NW 1/4) of Section 11, a distance of 437.90 feet; thence East (assumed bearing) and parallel with the south line of said Northwest Quarter (NW 1/4), a distance of 548.68 feet to the westerly right-of-way line of the Chicago and Great Western Railway; thence northwesterly at an angle to the left of 98 degrees 12 minutes 13 seconds, and along said westerly right-of-way line of the Chicago and Great Western Railway, a distance of 239.25 feet; thence continuing along said westerly right-of-way line of the Chicago and Great Western Railway, at an angle to the right of 1 degree 13 minutes 16 seconds, a distance of 612.00 feet; thence West, parallel with the south line of said Northwest Quarter (NW 1/4), a distance of 863.93 feet to the center line of State Trunk Highway No. 56; thence southwesterly at an angle to the left of 83 degrees 17 minutes 21 1/2 seconds, along the center line of said State Trunk Highway No. 56, a distance of 856.51 feet; thence East, parallel with the south line of said Northwest Quarter (NW 1/4), a distance of 524.78 feet to the point of beginning.

Which lies northerly of the following described line, and its easterly and westerly extensions:

Commencing at the southwest corner of said Government Lot 7; thence northerly, at a right angle to the south line of said Northwest Quarter (NW 1/4) of Section 11, a distance of 437.90 feet; thence South 89 degrees 06 minutes 44 seconds East (assumed bearing), parallel with the south line of said Northwest Quarter (NW 1/4), a distance of 544.01 feet to a point on a 5775.65 foot radius non-tangential curve, the center of circle of which bears North 81 degrees 34 minutes 00 seconds East from said point; thence northerly along said curve, central angle of 1 degree 32 minutes 38 seconds, a distance of 153.73 feet; thence North 8 degrees 53 minutes 22 seconds West, tangent to said curve, a distance of 230.42 feet to the point of beginning of the line to be described; thence South 86 degrees 37 minutes 14 seconds West a distance of 423.51 feet; thence North 53 degrees 57 minutes 01 seconds West a distance of 222.21 feet; thence North 35 degrees 55 minutes 46 seconds West a distance of 133.79 feet; thence North 45 degrees 59 minutes 11 seconds West a distance of 145.59 feet; thence North 78 degrees 07 minutes 58 seconds West to the center line of State Trunk Highway No. 56, and there terminating.

Subject to an easement for driveway purposes, being 10 feet on each side of the following described center line: Commencing at the southwest corner of Government Lot 7, said point also being the southwest corner of the Southeast Quarter of the Northwest Quarter and the southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 11; thence North, at a right angle to the south line of said Northwest Quarter of Section 11, a distance of 437.90 feet; thence East (assumed bearing) and parallel with the south line of said Northwest Quarter, a distance of 501.29 feet to the easterly right-of-way line of County Road No. 77 (formerly County Road No. 21); thence northwesterly at an angle to the left of 98 degrees 12 minutes 13 seconds, and along said easterly right-of-way line of County Road No. 77, a distance of 239.25 feet; thence at an angle to the right of 1 degree 13 minutes 16 seconds, along said easterly right-of-way line of County Road No. 77, a distance of 259.75 feet to the actual point of beginning of the center line to be described; thence at a right angle to the right a distance of 47 feet to the westerly right-of-way line of the Chicago and Great Western Railway, and there terminating.

I hereby certify that this survey was prepared by me or under my direction and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 8th day of September, 2006.

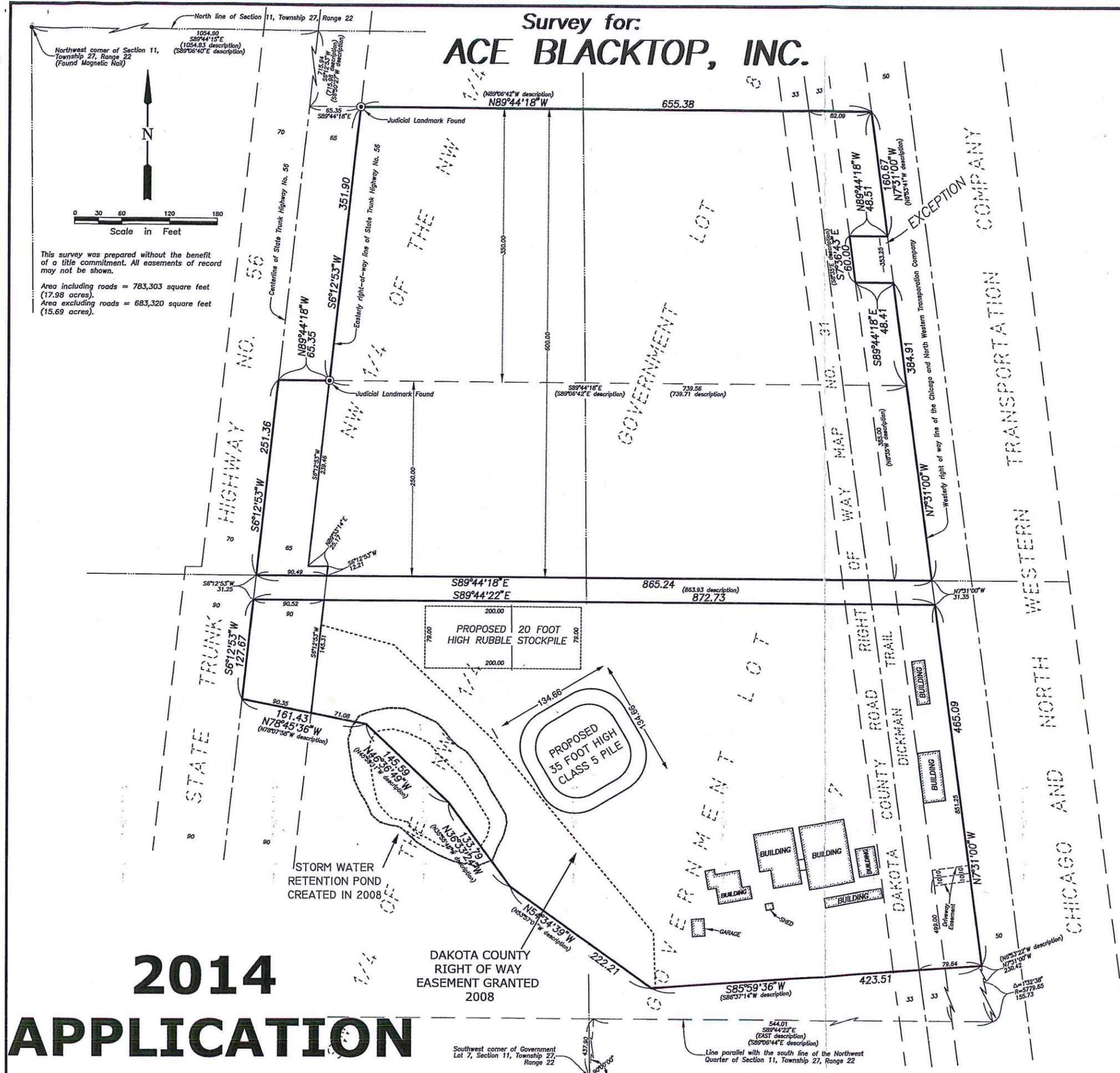
REHDER & ASSOCIATES, INC.

David C. Craigie, Land Surveyor
Minnesota License No. 42618
Revised: September 19th, 2006 - Update stock piles, detail

Rehder and Associates, Inc.

CIVIL ENGINEERS AND LAND SURVEYORS

3440 Federal Drive • Suite 240 • Fennell, Minnesota • Phone (651) 452-5051



This survey was prepared without the benefit of a title commitment. All easements of record may not be shown.

Area including roads = 783,303 square feet (17.98 acres).
Area excluding roads = 683,320 square feet (15.69 acres).

2014 APPLICATION

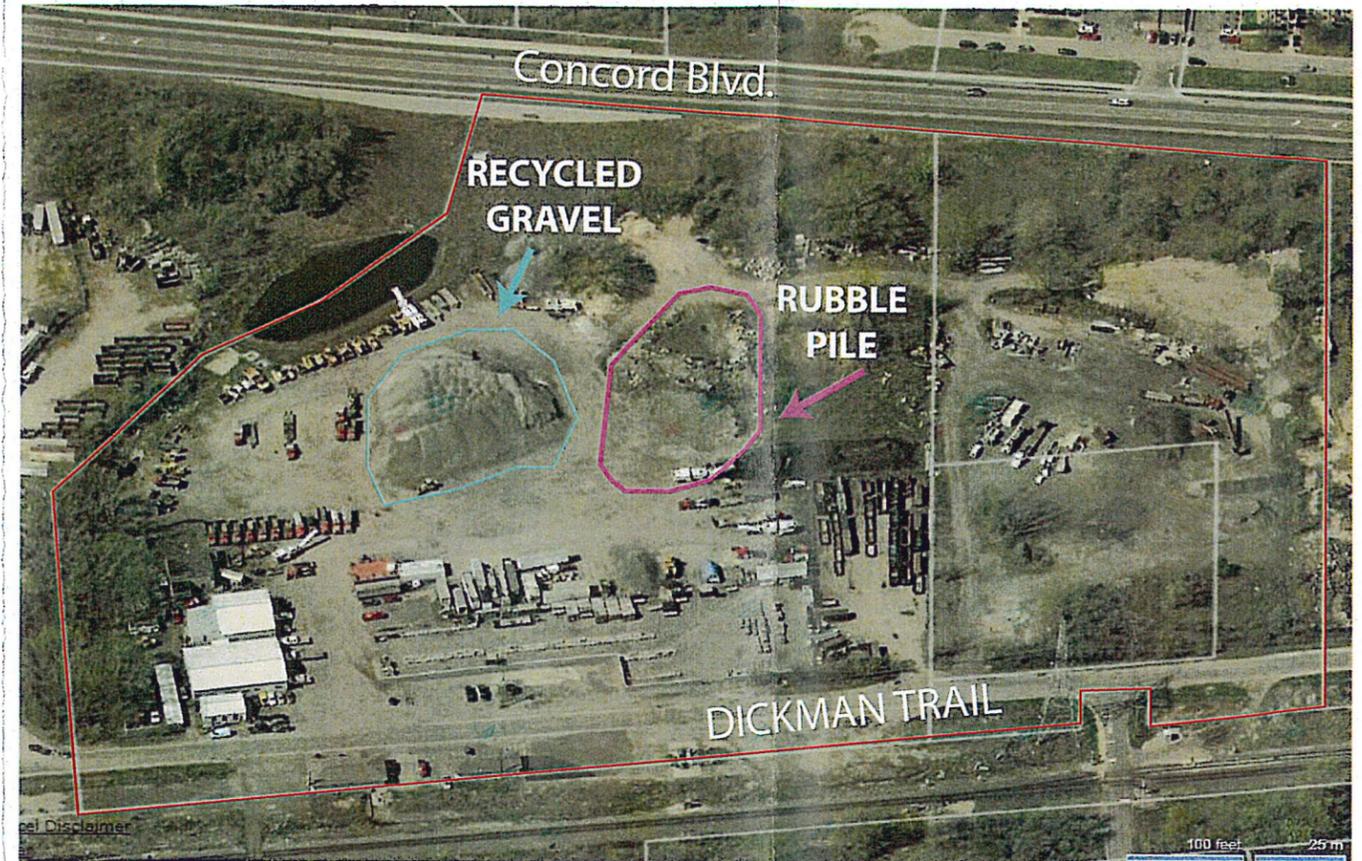
Southwest corner of Government Lot 7, Section 11, Township 27, Range 22

Line parallel to the south line of the Northwest Quarter of Section 11, Township 27, Range 22

Heights Development Property 7280 Dickman Trail



Heights Development Site and Area Where Gravel Crushing is Conducted



View of completed
gravel crushing site

Remains of rubble pile

Approx 20,000 tons of
recycled gravel



Heights Development
7280 Dickman Trail
Inver Grove Heights, MN 55076
(651) 755-1023

January 6th, 2014

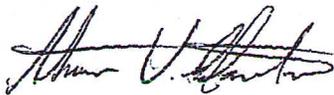
City of Inver Grove Heights,

Heights Development (T & J Stanton Family LTD PTNSHP) is a company that owns the industrial land located at 7280 Dickman Trail in Inver Grove Heights. The land provides an operating location for multiple businesses. The primary renter is Ace Blacktop, whose principals have an ongoing financial relationship with Heights Development ownership.

Established in 1968, Ace Blacktop employs approx. 45 employees during peak seasonal activity. Ace Blacktop provides asphalt paving services to residential, commercial, and municipal customers in the south east metro area. Ace Blacktop's daily operations generate construction rubble. Currently the rubble (asphalt chunks and concrete) is stock piled on site and processed into recycled gravel when quantities become economically feasible. Almost all the rubble and recycled gravel is exclusive to Ace Blacktop's contracted work (it is not an open dump site and does not sell gravel for pick up). The permitted on site crushing is a key function to Ace Blacktop's continuing success as an Inver Grove Heights business.

Heights Development, seeks to apply for its second and final Interim Use Permit. The requested permit is for a 25 year period to continue limited onsite gravel crushing and recycling operations as allowed for in current IGH city code. The successful application would allow for the continued operations on the 7280 Dickman Trail property, which has had zero known complaints in the first Interim Use Permit period.

Sincerely,



Thomas V. Stanton

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Allan Hunting, Associate City Planner

FROM: Steve W. Dodge, P.E., Assistant City Engineer

DATE: January 29, 2014

RE: Plan Review Comments – Engineering Division
Interim Use Permit - Limited Onsite Gravel Crushing & Recycling Operations
Heights Development (aka Ace Blacktop)
7280 Dickman Trail
City Project No. 14-04IUP

The following is a list of the comments regarding the above referenced submittal:

- 1) The owner is requesting for a continuation of a limited 8-day onsite gravel crushing & recycling operation on an existing site. The stockpiles for the crushing operation are part of an 11 acre site which is mostly disturbed for business equipment and hauling operations.
- 2) The properties are within the MPCA Non-degradation area that drains to the Mississippi River through City storm facilities. Any future impervious surface changes, site improvements, or disturbance will require the addition of a storm water facility meeting the MPCA non-degradation requirement of treating/infiltration 1-inch of run-off from the impervious surface. Additional improvements shall also meet the current City's Water Resources Management Plan requirements.
- 3) A sediment, erosion and control plan approved by the City Engineer is required for the site.
- 4) The owner shall verify if the site is required to have an industrial storm water permit. This permit is determined by the standard industrial code (SIC) for the specified industry. If the site is required to meet NPDES storm water requirements, the owner shall develop a feasible Storm Water Pollution Prevention Plan approved by the City Engineer.

cc: Ryan Stanton, Applicant
Scott Thureen, Public Works Director
Tom Kaldunski, City Engineer