



Inver Grove Heights Planning Commission
Tuesday, January 17, 2023 at 7:00 PM
8150 Barbara Avenue, Inver Grove Heights, MN 55077

AGENDA

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Stacy Bodsberg (sbodsberg@ighmn.gov). Comments received prior to 4:00 p.m. on Tuesday, January 17, 2023, will be provided to the Commissioners at or before the January 17, 2023 meeting.

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - A. Approval of Meeting Minutes from the November 15, 2022, Planning Commission Meeting
4. **Applicant Requests and Public Hearings**
 - A. Consider a Comprehensive Plan Amendment to change the guided land use from RC, Regional Commercial to HDR, High Density Residential for the property located at Blackshire Path and Upper 55th Street (Blackshire Flats/Landucci Construction - Case No. 23-01PA)
5. **Other Business**
 - A. Election of Vice-Chair
6. **Adjourn**

This document is available upon a three (3) business day request in alternate formats such as braille, large print, audio recording, etc. Please contact Rebecca Kiernan, City Clerk, at 651.450.2513 or rkiernan@ighmn.gov.

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, November 15, 2022 - 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

Chair Niemioja called the Planning Commission Meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited.

Commissioners Present: Elizabeth Niemioja (Chair)
Dennis Wippermann
Anthony Scales
Jaime Besser
Scott Clancy
Robert Heidenreich
Kate Challeen
Joan Robertson

Commissioner Absent: Jonathan Weber (excused)

Staff Present: Heather Rand, Community Development Director
Allan Hunting, City Planner
Heather Botten, Associate Planner
Stacy Bodsberg, Community Development Support Specialist

2. ROLL CALL

3. CONSENT AGENDA

A. Approval of Minutes from the October 18, 2022, Regular Planning Commission Meeting.

B. Approval of Minutes from the November 1, 2022, Regular Planning Commission Meeting.

Commissioner Heidenreich requested an amendment to the meeting minutes from the November 1, 2022, on page two of the document, third paragraph, add the text from 8 minutes and 16 seconds from the meeting video where Mr. Peterson claims that he is not aware of the wells on his property.

Motion by Commissioner Challeen, Second by Commissioner Wippermann to approve the October 18, 2022, Meeting Minutes as submitted.

Motion by Commissioner Heidenreich, Second by Commissioner Clancy to approve the November 1, 2022, Meeting Minutes that includes the amendment from Commissioner Heidenreich.

4. APPLICANT REQUESTS AND PUBLIC HEARINGS

A. Consider a Preliminary Plat to create a four-lot subdivision to be known as Robert Trail Woods and a Variance from the minimum lot frontage requirements for Lots 1 & 4 for the property located at 9450 Robert Trail South. (Steven Bilotta - Case No. 22-45SZ)

Reading of Public Notice

Commissioner Scales read the Public Hearing Notice to consider a Preliminary Plat for a four-lot subdivision to be known as Robert Trail Woods, and Variances from Section 11-3-7.C to allow Lots 1 and 4 without minimum lot frontage directly abutting a street. Notices were mailed to 47 property owners on November 3, 2022.

Presentation of Request

Associate Planner Botten gave a presentation and summary of the staff report for the Planning Commission.

Commissioner Robertson questioned what the access would look like for lots 1 and 4. Ms. Botten stated that there will be a private drive. There is an easement that will include a private drive for each lot. Commissioner Robertson questioned who would be responsible for the connections for lot 1 and 4. Ms. Botten stated that whoever purchases the lot will be responsible.

Chair Niemioja questioned what kind of set back would be required for lot 4. Ms. Botten stated that a driveway set back is five feet.

Opening of Public Hearing

Steven Bilotta, 3272 76th Street E., Applicant, stated that he has read, understands, and agrees with the planning staff report.

Commissioner Heidenreich inquired if the intent is to preserve as many trees as possible. Mr. Bilotta confirmed that is correct. Would like to maintain the privacy of the lot.

Chair Niemioja closed the public hearing.

Planning Commission Discussion

None.

Planning Commission Recommendation

Motion by Commissioner Scales, Second by Commissioner Wippermann to approve the:

Preliminary and Final Plat for a four-lot subdivision subject to the conditions listed in the staff report.

Variance from the minimum road frontage for Lots 1 & 4 subject to the condition listed in the staff report.

Motion carried (8/0). This item goes before the City Council on December 12, 2022.

B. Consider an Ordinance Amendment to Allow Small Wireless Facilities within the Public Right-of-Way as a Conditional Use abutting all Single-Family Residential Zoning Districts. (City of IGH - Case No. 22-47ZA)

Reading of Public Notice

Commissioner Scales read the Public Hearing Notice to consider an Ordinance Amendment to allow small wireless facilities within the public right-of-way as a conditional use abutting all single-family zoning districts.

Presentation of Request

City Planner Hunting gave a presentation and summary of the staff report for the Planning Commission.

Planning Commission Discussion

Chair Niemioja inquired how many residents would receive a public hearing notice for a Conditional Use Permit application. Mr. Hunting stated that it would be the standard 350 feet, but because the location would be in the right-of-way, direction from the City Attorney would be requested.

Commissioner Robertson inquired if there is a charge for the Conditional Use Permit application. Mr. Hunting stated that it would follow our standard permit application process. There will be a fee, an exact amount hasn't been set up yet.

Commissioner Challeen inquired what sort of entity would require the proposed permit. Mr. Hunting stated that it would be the cell phone companies, or the contractor that would complete the work. Commissioner Challeen inquired how many applications are anticipated at once. Mr. Hunting stated he isn't sure; it could be one at a time or an entire neighborhood.

Chair Niemioja inquired what the maximum height for a residential building. Mr. Hunting stated that the maximum height is thirty-five (35) feet.

Commissioner Clancy questioned if there has been similar situations brought to the Planning Commission and if the proposed request would be similar. Commissioner Robertson stated that faced with the housing developments that were granted smaller backyards, but then they came back asking for a Variance for a deck. It seemed like the right process at the time. The value of having a process set up is to protect the homeowner from getting a pole put in front of their home without getting the proper notifications.

Commissioner Challeen questioned that without a Conditional Use Permit, can a pole be placed in front of someone's residence without approval. Mr. Hunting stated that it would need a Public Works permit, but that would be it. If City's would like to have some sort of authority of conditions, then a Conditional Use Permit would need to be required. It's not a deny or approve, but more of a location and/or height.

Commissioner Robertson stated that with the language of the ordinance being so loose, a conditional use permit would be useful so that the resident's would at least be involved.

Commissioner Wippermann inquired if the 50-foot allowance required by the state statute. Mr. Hunting stated that is the maximum height that a City can allow set by state statute.

Planning Commission Recommendation

Motion by Commissioner Robertson, Second by Commissioner Scales to approve the:

Recommendation to amend the Zoning Ordinance to allow for small wireless facilities in the right-of-way and to require a Conditional Use Permit when the location is in front of and abutting a single-family residential use and add necessary definitions relating to small wireless facilities.

Recommendation to amend the Zoning Ordinance to allow for small wireless facilities in the right-of-way as a permitted use in all districts and add necessary definitions relating to small wireless facilities.

Motion carried (8/0). This item goes before the City Council on December 12, 2022.

5. OTHER BUSINESS

A. Review of the Public Works 5-Year Capital Improvement Plan (2023-2027) for consistency with the Inver Grove Heights Comprehensive Plan.

Presentation of Request

Public Works Director, Brian Connolly gave a presentation and summary of the staff report for the Planning Commission.

Chair Niemioja questioned what traffic calming was. Mr. Connolly stated that would be a situation where there is a pedestrian crossing and the road is narrowed. With narrowing the road, there is a shorter area for the pedestrians to cross but it also makes the drivers to slow down and concentrate to get through the narrow road.

Planning Commission Recommendation

Motion by Commissioner Weber, Second by Commissioner Scales to approve an approval recommendation that the Public Works five-year Capital Improvement Plan (2023-2027) is consistent with the Inver Grove Heights Comprehensive Plan.

Motion carried (8/0). This item goes before the City Council on November 28, 2022.

6. ADJOURN

The Planning Commission Meeting adjourned at 8:10 p.m.

Minutes prepared by Community Development Support Specialist Stacy Bodsberg.



Planning Commission Report

MEETING DATE:	January 17, 2023
CASE NO:	23-01PA
APPLICANT:	Blackshire Flats, LLC
PROPERTY OWNER:	Blackshire Flats, LLC
REQUEST:	Comprehensive Plan Amendment to change land use from RC to HDR
LOCATION:	Blackshire Path and Upper 55th Street
COMPREHENSIVE PLAN:	RC, Regional Commercial
ZONING:	Planned Unit Development
STAFF CONTACT:	Allan Hunting, 651.450.2554

ACTION REQUESTED

Consider a Comprehensive Plan Amendment to change the guided land use from RC, Regional Commercial to HDR, High Density Residential for the property located at Blackshire Path and Upper 55th Street.

BACKGROUND

The applicant is proposing to change the land use designation of an existing 0.78 acre parcel from RC, Regional Commercial to HDR, High Density Residential with the intent of developing the site with a 27 unit 3-story apartment building.

If the Comprehensive Plan Amendment is successful, an application for Rezoning, and a PUD Amendment will be required before development can occur. This latter process provides for public review and comment on the actual site plan.

This lot was created with the Blackberry Town Office Park Second Addition plat approved by the City in 2001. The City approved a plan for a veterinary clinic on the site, but the site has never been developed. There have been several inquiries about developing the site, but no other applications have ever been submitted.

The applicant would like to build a 27 unit apartment building with underground parking on the site. Based on the size of the lot, the density of the project would be 34.6 units/acre. The High Density Residential category allows for residential densities of 12-35 units per acre. The current guiding of Regional Commercial allows only non-residential commercial uses. As a result, the applicant is requesting only the Comprehensive Plan Amendment at this time and is waiting to submit a Site Plan approval to see if the City Council approves the land use amendment.

EVALUATION OF REQUEST

Surrounding Uses

The subject property is surrounded by:

North: Gertens Greenhouses; zoned Commercial PUD; guided RC

East: Town offices, storm pond; zoned PUD; guided Office, Open Space

West: Commercial strip center; zoned Commercial PUD; guided RC

South: Town offices; zoned PUD; guided Office

Comprehensive Plan Amendment

The subject parcel is currently guided RC, Regional Commercial.

Regional Commercial is defined in the 2040 Comprehensive Plan as:

“Regional Commercial areas are lots or parcels containing large-scale retail sales and services along arterial roadways that serve the region. As the name implies, goods and services offered in such areas appeal to a wide range of consumers, many of whom are willing to travel a significant distance to patronize various business establishments. Regional Commercial districts are intended for large “big box” users. These types of uses serve as anchors for other small to mid-sized commercial uses that benefit by the traffic generated by the anchors.

Inver Grove Heights has a number of areas located along major arterial roadways guided for regional commercial uses. An area on the north side of Interstate 494 and Highway 110 is currently developed. The developing area is in a parcel that is generally known as the southeast quadrant. Located in an area bounded by Interstate 494, Highway 52 and Upper 55th Street, this site has excellent exposure to regional transportation facilities. Despite this fact, development of the property did not begin until 1996 when construction began on a movie theater complex and associated commercial uses. The theaters served as a catalyst and the area has since undergone significant development.”

Regional Commercial Area Policies:

1. Provide regional commercial areas to supply goods and services that appeal to a broad base of customers.
2. Ensure a design pattern that facilitates pedestrian circulation between uses within the district and establishes a level of amenities that enhances the sustainability of the center.
3. Encourage public and private improvements that create attractive environments for regional commercial developments.
4. Unify major roadway corridors with appropriate design guidelines and consistent landscaping and signage improvements.
5. Require landscaping and site design details to help break up large parking lot areas and to make developments more attractive both internally and when viewed from adjacent roadway corridors.
6. Require high quality building materials for structures in regional commercial areas.
7. Provide arterial and community collector roadways necessary to support regional commercial developments.
8. Carefully regulate uses that have the potential to create adverse secondary land use impacts, such as adult uses, pawn shops, etc.
9. Consider long term strategies for future reuse/reconfiguration of regional commercial centers during the initial planning stages.
10. Encourage a mix of commercial uses within regional centers that share varying peak period traffic and parking patterns to help manage traffic congestion and allow for shared parking opportunities.
11. Encourage site design that supports transit usage for employees and potential shoppers.
12. Integrate higher density housing into regional commercial centers to offer more activity and place making. Consider design guidelines and support and encourage a mix of housing price points and tenancy options.

The request is to change the land use to HDR, High Density Residential.

High Density Residential is defined in the 2040 Comprehensive Plan as:

"High Density Residential (HDR) (12-35 residential units/net acre) Areas designated as high density residential are intended to accommodate multi-family housing at densities exceeding 12 units per net acre. Uses in this category will be principally limited to higher density apartment or condominium buildings for either general occupancy or for specific segments of the population such as senior housing."

Established Area Policies

This area of the city is located within what is referred to in the 2040 Comprehensive Plan as the Established Development Areas.

Established Development Area Policies:

1. Allow infill development in a manner that protects the character of existing residential neighborhoods.
2. Maintain a circulation system that connects neighborhood areas while emphasizing a system of collector roadways to accommodate vehicular movements.
3. Provide a broad range of housing opportunities.
4. Ensure that new development areas are compatible in size and scale with existing, adjacent neighborhoods.
5. Provide appropriate buffers to allow density transitions and to accommodate a range of housing types.
6. Promote programs and adopt and enforce codes that encourage the maintenance of the existing housing stock.
7. Encourage rehabilitation of deteriorating housing stock.
8. Conduct long-term planning to ensure existing neighborhood infrastructure is well maintained and reliable.
9. Disperse affordable housing throughout the area rather than creating concentrations in specific locations.
10. Reflect the history and character of existing residential neighborhoods in future infill development within those neighborhoods.
11. Provide commercial services that are convenient to neighborhoods.
12. Work closely with the school districts within the City to ensure that local school facilities are properly maintained, sustainable and serve as gathering spaces for neighborhoods.
13. Continually monitor the vitality and viability of existing commercial nodes and encourage the integration of supporting residential uses where necessary.
14. The City will continue to support the R-4 Mobile Home Park Zoning District that was established for mobile home park developments.

Existing surrounding uses.

As mentioned above, the subject site is located within an area of the city known as the "southeast quadrant" which is centered around the intersection of Upper 55th Street and Blaine Avenue and extends to Highway 52 on the west and Cahill Avenue on the east. There is a mix of uses including large scale commercial greenhouses, theater, restaurants, hotels, town office park, multiple and single family residential. The area began developing around 1996 with the theater project. Development of the quadrant is governed by the Planned Unit Development Ordinance called Bishop Heights.

ALTERNATIVES

The Planning Commission has the following alternatives available for the proposed request:

A. Approval If the Planning Commission finds the application acceptable, the Commission should make the following recommendations:

Approving the Comprehensive Plan Amendment from RC, Regional Commercial to HDR, High Density Residential subject to the following conditions:

1. The Metropolitan Council shall not require any significant modifications to the Comprehensive Plan Amendment.
2. The Metropolitan Council shall not make a finding that the Comprehensive Plan Amendment has a substantial impact or contain a substantial departure from any metropolitan system plan.
3. The Comprehensive Plan land use change shall not become effective until a Rezoning and Development Plan has been approved by the City Council.

B. Denial If the Planning Commission does not favor the Comprehensive Plan Amendment, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

This report provides definitions of the existing and proposed Comprehensive Plan land use designations and lists the policies for the Regional Commercial District and Established Development Areas. This neighborhood has a broad mix of uses with the primary road access network using Blaine Avenue, Highway 52 and Upper 55th Street.

As noted earlier, the site was approved for a veterinary clinic in 2001 but the site has remained vacant ever since. Allowing more residential uses in the heart of the quadrant would provide the opportunity for more residents to live in the area and shop at the local businesses.

Staff feels this project appears consistent with the assumed mix of uses in the PUD and would fit in well and not change the character. Staff is supportive of the proposed Comprehensive Plan Amendment.

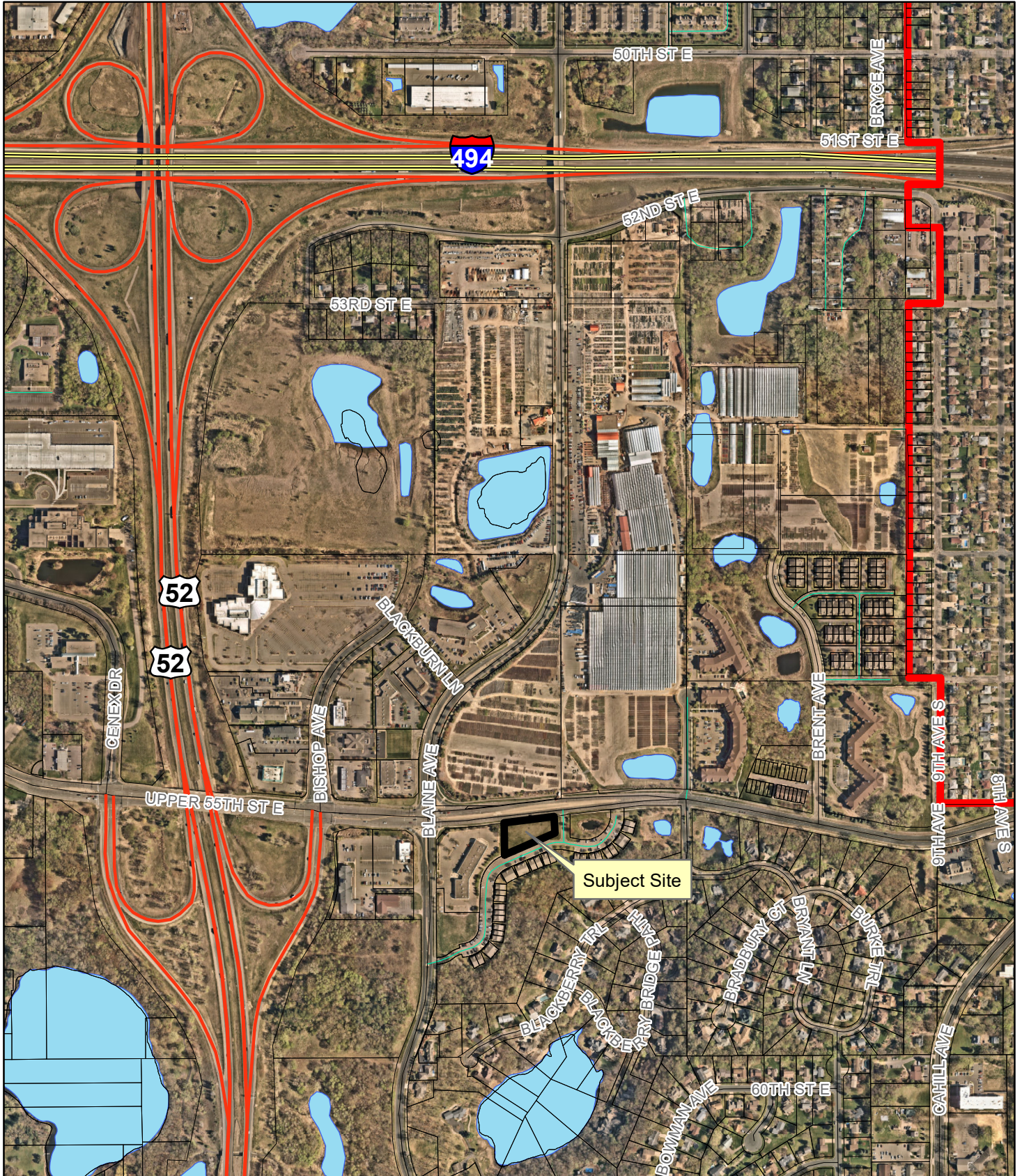
ATTACHMENTS

1. Location Map
2. Existing/Proposed Comp Plan Map
3. Applicant Narrative & Site Plan



Location Map

Case No. 23-01PA

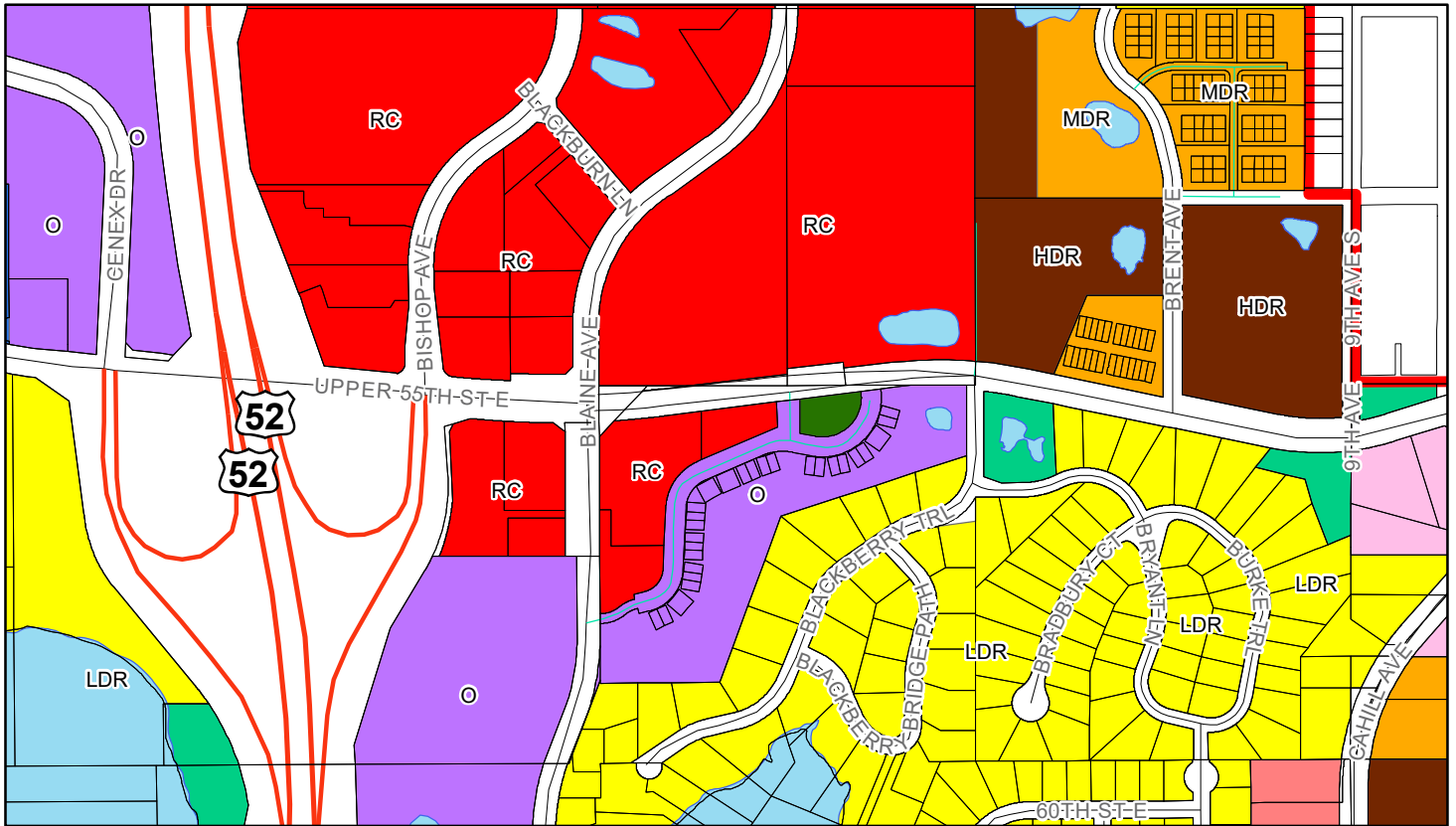




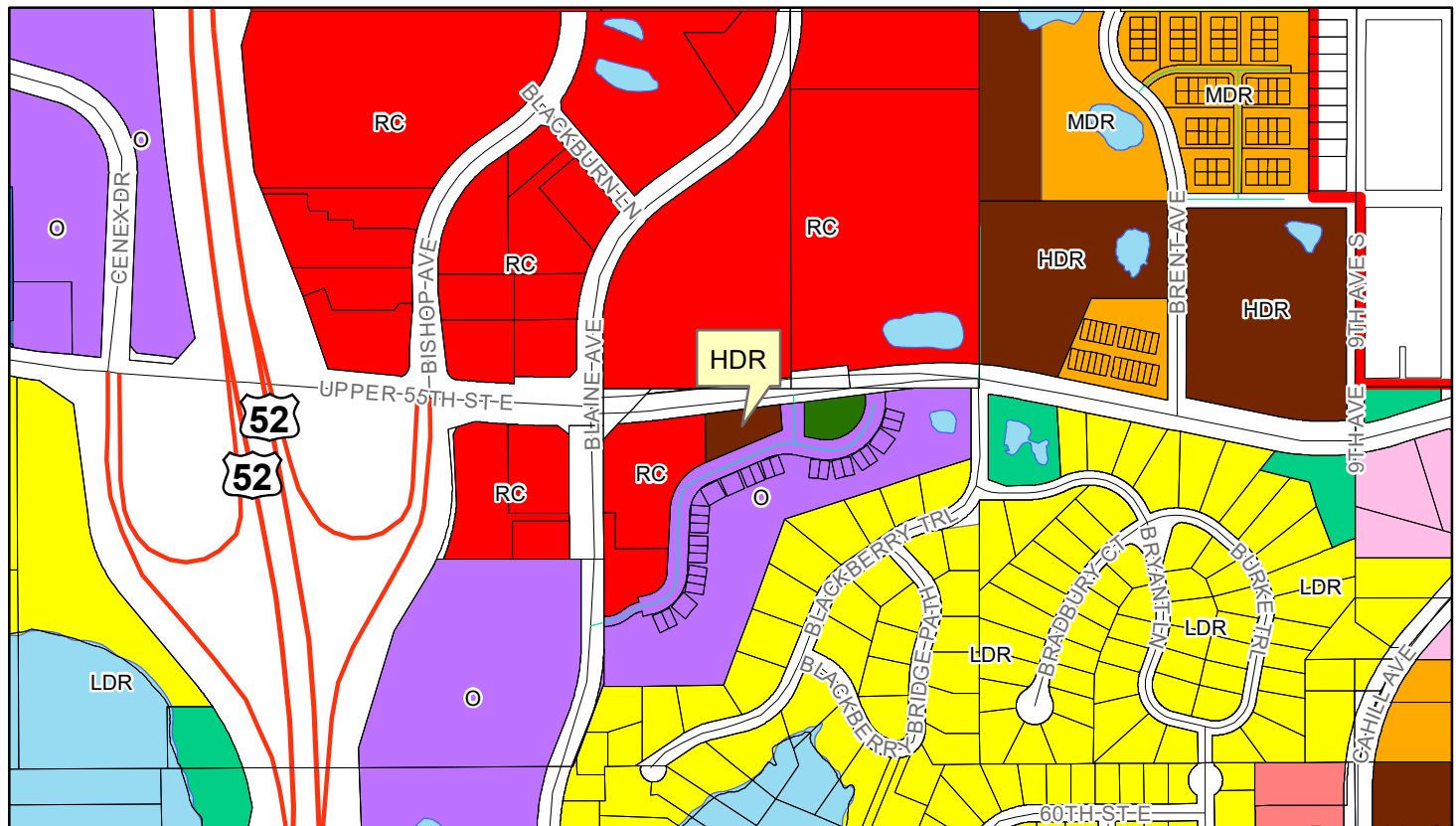
Comp Plan Map Case No. 23-01PA



Existing Comp Plan



Proposed Comp Plan



XXXX Blackshire Path
Inver Grove Heights, MN
Parcel ID: 20-14161-01-010
Lot 1, Block 1, BLACKBERRY TOWN OFFICE PARK 2ND ADDITION

Minor Comprehensive Plan amendment

Background of the site:

Site has been a buildable commercial pad since 2002 and has been sitting for over 20 years. The site at one point was proposed to be a veterinarian clinic but previous ownership never proceeded for various reasons. The site over the years was considered for various other uses including a Burger King. This site has proved to be difficult to develop due to the shape and size of the site (long and narrow) and the ability to get surface parking on the site. This leads to our request to change this parcel's zoning/use from a Commercial PUD to a High Density Residential PUD which would allow 35 units per acre, making this site capable of 27 units with underground parking. An apartment building with underground parking would work really nicely for this site. This also works well with a joint entrance/exit off Blackshire path. The proposed building would be 35' high and meet setbacks, height, density and parking requirements per our enclosed report from a traffic and parking expert.

The site also has some dirt correction required from when the road (Upper 55th) was originally constructed. When Upper 55th was constructed, highway construction crews filled in dirt onsite, while covering up organic/black dirt in the process. This organic/black dirt must be dug out to support a structure. The fact that underground parking is proposed would help the process of digging/removing the unfit soils.

Landucci Companies background:

Landucci Companies focus on a variety of Real Estate and Construction Services:

- Single family homes builder
- Land Developments for new homes
- Commercial development/mixed use/redevelopment
- Apartment development/builder/management/long term investor in projects

Proposed development project:

Below grade: 28 spaces, trash/recycling, mechanical room, elevator and 1 stairwell

First floor: 9 units (mix of 1, 2 bed units), elevator and 2 stairwells, lobby/exercise room/mail & package lockers

Second floor: 9 units (mix of 1, 2 bed units), elevator and 2 stairwells

Third floor: 9 units (mix of 1, 2 bed units), elevator and 2 stairwells

Rooftop: rooftop patio and party room for tenants, elevator and 2 stairwells

Impervious requirement: See attached site plan, met at less than 75% Impervious

Proposed parking:

28 spaces underground

21 surface spaces

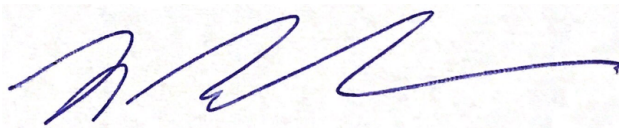
49 spaces provided

1.81 stalls per unit

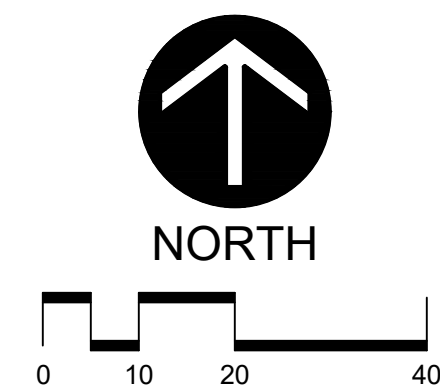
Parking study conclusions/ SRF consulting recommendations:

8-22 spaces of surplus parking is proposed

Thank you for your consideration on this Minor Comprehensive plan amendment that would facilitate development on a challenging vacant build site and create more needed housing in a great location.



Nathan Landucci, President; Blackshire Flats, LLC.



PRELIMINARY NOT FOR CONSTRUCTION

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

First M. Last, P.E.
Date: XX.XX.21 Lic. No.: XXXXX

[illegible]

Project #: 12216XXX.000
 Drawn By: XXX
 Checked By: XXX
 Issue Date: XX.XX.XX
 Sheet Title:

PAVING PLAN

Sheet: **C100**

Client:



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