

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.