



Inver Grove Heights Planning Commission
Tuesday, June 20, 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, June 20, 2023, will be provided to the Commission at or before the June 20, 2023 meeting.

1. **Call to Order**
2. **Oath of Office**
3. **Roll Call**
4. **Consent Agenda**
 - A. Approval of the June 6, 2023, Planning Commission Meeting Minutes.
5. **Public Hearings**
 - A. Consider a Comprehensive Plan Amendment to change the future land use on a portion of the property located at 7950 Blaine Avenue from P, Public Institutional to HDR, High Density Residential (Stelter Enterprises-Case No. 23-26CPA).
 - B. Consider an Interim Use Permit extension for a Park-and-Fly located at 5567 Bishop Avenue (AmericInn-Case No. 23-24IUP).
6. **Commission and Staff Comments**
7. **Adjourn**

This document is available upon a one (1) business day request in alternate formats such as braille, large print, audio recording, etc. Please contact Stacy Bodsberg, Community Development Support Specialist, at 651-450-2545 or sbodsberg@ighmn.gov.

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, June 6, 2023 – 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.

2. OATH OF OFFICE

Community Development Support Specialist Bodsberg administered the Oath of Office to two new Planning Commissioners Aida Schaefer and Jason Teiken.

3. ROLL CALL

Commissioners Present: Elizabeth Niemioja (Chair)
Robert Heidenreich
Dennis Wippermann
Aida Schaefer
Jason Teiken

Commissioners Absent: Jonathan Weber (Excused)
Scott Clancy (Excused)
Lance Twedt (Excused)
Vacant

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

4. ELECTION OF OFFICERS

Chair Niemioja stated that new commissioners are seated annually, with that the election of Chair, Vice-Chair and Secretary will be conducted.

Motion by Wippermann, Second by Heidenreich, to nominate Elizabeth Niemioja for the position of Chair.

Ayes: 5

Nays: 0 Motion carried.

Motion by Heidenreich, Second by Wippermann, to nominate Scott Clancy for the position of Vice-Chair and Jonathan Weber for the position of Secretary.

Ayes: 5

Nays: 0 Motion carried.

5. CONSENT AGENDA

A. Approval of the May 2, 2023, Planning Commission Meeting Minutes.

B. Approval of the May 16, 2023, Planning Commission Meeting Minutes.

Minutes approved as submitted.

6. PUBLIC HEARINGS

Chair Niemioja stated that item 6.D. on the Planning Commission agenda, request from RhinoTech Inc., has withdrawn their application and is no longer on the agenda for tonight's meeting.

A. Consider a Request by Brett Phares, 6938 Booth Ave, for a Variance to allow a Lot Line Adjustment that creates a lot to be less than eighty-five (85) feet wide and a Variance to allow an accessory structure on a lot before a primary structure. (Case No. 23-20V)

Reading of Public Notice

Commissioner Heidenreich read the Public Hearing Notice. The notice was mailed to 7 properties on May 18, 2023.

Presentation of Request

Senior Planner Hunting presented a summary of the staff report.

Planning Commission Discussion

Commissioner Wippermann inquired if the accessory structure as it stands today would be considered an illegal non-conforming structure. Hunting stated that because of the size of the shed a building permit was not required. It would not be a legal conforming structure because at no time was it ever allowed or legal. Wippermann stated that the proposed change in lot lines would not change the shed status. Hunting confirmed that is correct.

Opening of the Public Hearing

Brett Phares, 6938 Booth Ave, Applicant, confirmed that he has read and understands the staff report. Mr. Phares questioned if the shed could stay in its current place until the newly created lot was sold. He needs it to stay in place to store lawn equipment that is used to take care of the empty lot. Niemioja questioned if there was a concrete slab under the shed. Phares stated that there is not, the shed is on concrete blocks. Will look into moving the shed with a bobcat onto his lot.

Ilya Zubarev, 17218 Finch Path, Farmington, 55024, inquired if the concrete blocks are mortared in place if that would be considered a Practical Difficulty. Mr. Phares stated that the blocks are not mortared and only stacked.

Planning Commission Recommendation

Motion by Heidenreich, Second by Wippermann, to Approve the Variance Request to Allow a Parcel with less than 85 feet of Lot Width at Setback Line subject to the Conditions listed in the Staff Report and based on the Practical Difficulty listed in the Staff Report.

Ayes: 5

Nays: 0

Motion carried.

Item goes before City Council June 26, 2023.

Commissioner Schaefer questioned what the rationale or intent is behind the rule that a primary structure must be on a lot before an accessory structure. Hunting stated that the assumption is that with single family properties there would be a primary structure before you would have an accessory to the primary structure. Schaefer questioned if the two lots are owned by the same people would the accessory structure still be in violation. Hunting stated that it would be, because the lots are still considered two separate lots regardless of ownership.

Brett Phares, 6938 Booth Ave, Applicant, stated that he would like the accessory structure to be grandfathered in because when they purchased the properties, they were surveyed wrong. Was under the impression that they were purchasing one parcel of land, not two separate parcels.

Motion by Heidenreich, Second by Schaefer, to Deny the Variance Request to allow an Accessory Structure on a Lot Prior to the time of Construction of the Principal Structure.

Ayes: 5

Nays: 0 Motion carried. Item goes before City Council June 26, 2023.

B. Consider a Request by Ryan Rechtzigel, 5850 Asher Ave, for an after-the-fact Variance to allow a detached accessory structure 1,365 square feet in size, whereas 1,000 gross square feet is the maximum size allowed. (Case No. 23-23V)

Reading of Public Notice

Commissioner Heidenreich read the Public Hearing Notice. The notice was mailed to 4 properties on May 18, 2023.

Presentation of Request

Associate Planner Botten presented a summary of the staff report.

Opening of the Public Hearing

Ryan Rechtzigel, 5850 Asher Ave, Applicant, stated that he has cars and tools that he uses for his occupation as a tile layer that he would like to have stored inside a garage. The neighbor has over 2,000 square feet of garage space allowed on his property. A contractor was hired to build the garage and he was under the impression that a permit was pulled and done correctly. Chair Niemioja questioned if he operates his business out of the garage. Mr. Rechtzigel stated that he is a one man show and that the garage just houses the tools.

Commissioner Heidenreich questioned if tile setters are required to be licensed contractors. Mr. Rechtzigel stated that he does not have a contractor's license, he is a subcontractor. His jobs are only finishers, tiling floors, and showers.

Jacob Buendorf, 6601 Buckley Circle, stated that he has no relation to the applicant, but has experienced the process of building a detached garage. Understands the frustration with lot sizes and zoning requirements. Doesn't believe that requiring the applicant to take down the garage is an acceptable punishment. The garage doesn't impact the city or residents in a negative way that would warrant a substantial cost to the applicant.

Planning Commission Discussion

Chair Niemioja stated that while working at Salem Elementary she has seen the structure. It looks aesthetically nice but is large. Unfortunate that there wasn't a building permit pulled originally.

Commissioner Heidenreich stated that the City Council has more flexibility over this sort of situation than the Planning Commission. A precedence does not want to be set.

Commissioner Wippermann stated that he is concerned that they would be setting a situation where it would be easier to ask for forgiveness than for permission. A reasonable practical difficulty would have to be found and am not sure what that would be.

Commissioner Teiken questioned if the neighbors garage space is 2,000 square feet as the applicant implied. Mr. Rechtzigel stated that the accessory structure is about 1,200 square feet and there is about a 900 square foot attached garage. His one garage is still smaller than the neighbors two garage buildings square feet. Teiken stated that because the applicant doesn't have space for an actual garage, would that be able to be used as a practical difficulty. Mr. Rechtzigel stated that the original garage was a tuck under garage, that had flooded and when the past owners went to fix the issue, they didn't fix it correctly.

Commissioner Heidenreich questioned if the rules change if the applicant is running a business out of his home/garage. Botten stated that home occupations are not allowed to run out of residential accessory buildings. Mr. Rechtzigel stated he needs a secure place to store his own personal tools and vehicles.

Commissioner Schaefer questioned if a breezeway was built connecting the primary and accessory structures, would it still be considered an accessory structure. Botten stated that a breezeway doesn't work towards connecting the two structures. There would have to be shared walls, that had foundation and footings, for it to be considered an attached structure. If that was possible, it would be considered a house addition.

Planning Commission Recommendation

Motion by Heidenreich, Second by Wippermann, to Deny the Variance Request for an Accessory Structure 1,365 square feet whereas 1,000 feet based on the Conditions listed in the Staff Report.

Ayes: 5

Nays: 0

Motion carried.

Item goes before City Council June 26, 2023.

C. Consider a Request by Ilya Zubarev, PID No. 20-81403-00-010, for a Comprehensive Plan Amendment to change the Land Use from Mixed Use to MDR, Medium Density Residential for a potential townhome development located on a lot at the southeast corner of Buckley Way and Buckley Circle. (Case No. 23-21PA)

Reading of Public Notice

Commissioner Heidenreich read the Public Hearing Notice. The notice was mailed to 70 properties on May 18, 2023.

Presentation of Request

Senior Planner Hunting presented a summary of the staff report.

Planning Commission Discussion

Commissioner Schaefer questioned if the environmental concerns are making it hard for a commercial loan and development. Wouldn't it be more concerning to have residential development on the site. Hunting stated that the landowner would have to do environmental reviews before they did go ahead and develop the land.

Opening of the Public Hearing

Ilya Zubarev, 17218 Finch Path, Farmington, Applicant, stated that he has read and understood the staff report. The unique property has been listed as possibly being contaminated.

Businesses that would want to develop the site would want to use a small business administration loan, but that sort of loan cannot be used on this sort of land. The property has been for sale for over 20 years, with potential businesses interested but with the archive of potentially being contaminated can't be developed using business loans. By changing the land use to medium density residential, the plan would be to build townhomes using a conventional loan. The first phase would include three townhomes, with the first home being for his family, the next home for his mother and the third home for his brother. The interest in this specific property is because it is small enough that they can afford. Tests were done on this property and all the results came back below the Minnesota pollution standards. That shows that it is safe to develop the property, but the site remains on the archive.

Chair Niemioja questioned what the target price for each unit would be. Mr. Zubarev stated that the plan is to not sell any of the units. Family and friends should be able to fill them, in-between they would be rented to reasonably vetted people.

Commissioner Schaefer questioned staff if TIF loans would be available to help develop this property. Community Development Director Rand stated cities often do have TIF loans available to help offset costs with some properties. The City of Inver Grove Heights does not have any TIF districts.

Jacob Buendorf, 6601 Buckley Circle, stated that he lives next door to the property that is being discussed. Not opposed to new development, worried about changing from commercial to residential. Is a fan of the 2040 Comprehensive Plan and the plan for this area. Would like to see the zoning stay Mixed Use and keep the assortment available in the area. Concerned that the backyards of the townhomes would be a concern for neighboring commercial properties.

Janice Darsow, 6610 Buckley Circle, stated that her backyard faces the property. Is not opposed to change but is wondering if the townhomes will be like the surrounding townhomes. Would the proposed 10 units be feasible on this property. Hunting stated that the applicant would have that figured out during the Site Plan review and may not be able to get to 10 units.

Mr. Zubarev showed the design of what the townhomes would look like. Is also open to different design options.

Beth Marschall, 6640 Buckley Circle, stated that she has lived there for 35 years, and the lot has always been empty. If the change goes through, then doesn't end up happening. Can the property be changed back to Mixed Use. Hunting stated that if the City Council approved the Site Plan the guiding and rezoning would change to residential. If the project doesn't happen, and a different applicant proposes a new project for a different land change.

Questioned if the townhomes would be built right away. Mr. Zubarev stated that three units would be built right away and then sporadically over 10 years span.

Ms. Marschall stated that when it comes to having the townhomes being rentals, a lot of the neighbors are seniors and with the turnover that rental units create.

Natasha Zubarev, 17218 Finch Path, Farmington, Co-Applicant, stated that they have rented the basement of their current house in the past, and have made sure that all the renters have been vetted as safe. They plan on moving into the community and will be living on site and will have kids in the next few years. Also, hoping that a lot of their friends will live on site as well.

Beth Marschall, 6640 Buckley Circle, stated that the corner that the parcel is in, it not very safe, people really speed and it's a very busy area. Parking may also be an issue, and especially during Inver Grove Heights Days.

Jacob Buendorf, 6601 Buckley Circle, questioned what the minimum number of units would be considered medium density residential. Hunting stated that medium density residential range is 8-12 units per acre and this parcel is 0.92 acre. Mr. Buendorf questioned what would happen if the applicant was only able to afford to build the three first units. Hunting stated that he is not sure that has ever been the case with a project.

Chair Niemioja questioned if there was ever a thought to subdivide the units instead of renting them. Mr. Zubarev stated that they would be subdivided and if they do need to sell off a couple at a time if they need.

Commissioner Teiken questioned how many units at a time would potentially be rented. Mr. Zubarev stated that the idea would be to have all 10 units have family and friends living in them and in between, renters that they get to know.

Marie Gadway, 6601 Buckley Circle, #104, stated that having the units being rented shouldn't be a problem because the owners will also be living on site.

Planning Commission Discussion

Commissioner Heidenreich stated that the land has been vacant for 35 years, obviously what they have been trying isn't working. Recommend the change and have more residents.

Commissioner Teiken stated that there is street facing commercial space available along Cahill Ave, the need for housing is there.

Chair Niemioja stated that their points are all well made. The property fits well with medium density residential bordering the site.

Commissioner Wippermann stated that it seems to be an appropriate change for the property.

Planning Commission Recommendation

Motion by Wippermann, Second by Heidenreich, to Approve a Comprehensive Plan Amendment Request Subject to the Conditions listed in the Staff Report.

Ayes: 5

Nays: 0 Motion carried. Item goes before City Council June 26, 2023.

7. COMMISSION AND STAFF COMMENTS

None.

8. ADJOURN

Motion to adjourn the Planning Commission Meeting at 8:56 p.m.

Respectfully submitted, Community Development Support Specialist Bodsberg



Planning Commission Report

MEETING DATE:	June 20, 2023
CASE NO:	23-26CPA
APPLICANT:	Stelter Enterprises, LLC
PROPERTY OWNER:	Grace Church of the Nazarene
REQUEST:	Comprehensive Plan Amendment to change Land Use from Public Institutional to High Density Residential.
LOCATION:	7950 Blaine Avenue
COMPREHENSIVE PLAN:	Public Institutional
ZONING:	P, Institutional
STAFF CONTACT:	Allan Hunting, 651.450.2554

ACTION REQUESTED

Comprehensive Plan Amendment to change the Land Use from Public/Institutional to HDR, High Density Residential.

BACKGROUND

The applicant is proposing to change a portion of the Grace Church of the Nazarene parcel from Public Institutional to High Density Residential. The plan would be to develop approximately 4.5 acres of the total 7.0 acre parcel with a market rate apartment building of about 100 units.

A sketch plan has been provided showing the apartment building located on the southern half of the site. Access would be from Blaine Avenue at a location across from Blanchard Way. No further details have been provided, nor are they required for this Comprehensive Plan Amendment application.

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

SURROUNDING USES

The subject property is surrounded by:

North:	Single family homes & Church building	Zoned: R-1C, Single-Family Residential	Guided: LDR, Low Density Residential
East:	Single family homes	Zoned: R-1C, Single-Family Residential	Guided: LDR, Low Density Residential
West:	Highway 52		
South:	Community College	Zoned: P, Public	Guided: Public/Institutional

EVALUATION OF REQUEST

Comprehensive Plan Amendment

The subject parcel is currently guided Public/Institutional.

Public/Institutional is defined in the 2040 Comprehensive Plan as:

“Uses categorized as Public/Institutional include a number of different types of public and semi-public uses. Most of the institutional land in Inver Grove Heights is developed land occupied by public or private schools, religious institutions, or facilities associated with the government, such as City Hall, Veterans Memorial Community Center, state or county facilities.”

The applicant is proposing to change the land use designation of approximately 4.5 acres of the 7.0 acre parcel to HDR, High Density Residential (12-35 units/acre). The concept submitted is a +/- 100 unit market rate apartment building.

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

“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.”

The property is located within the Established Development Area as defined in the 2040 Comprehensive Plan. The area is generally from the northern boundary of the city to Babcock Trail on the west and as far south as the Arbor Pointe PUD (Highway 55 and Concord Boulevard, and to the river to the east). Established areas represent portions of the community which are mostly built out. Policy directions focus on preservation and maintenance of existing neighborhoods.

Established Development Area Policies include:

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 the 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.

The main issue is what is the most appropriate future land use for the property. The following discussion addresses some of the issues that Staff has raised regarding the land use change.

Existing Uses.

The area is developed with single family properties to the north and east and college and government uses to the south. The site is also bounded by Highway 52 on the west and fronts County Road 28 (80th Street), both high volume arterial roads.

The following provides some rationale for approval and denial of the proposed land use change.

RATIONAL FOR THE LAND USE CHANGE

- The southern half of the site is primarily vacant. Some of the parking lot extends into this area and there is a small community garden on the west side. The current church access is on the southern half of the site. Beyond this, the southern portion is excess land owned by the church and could be used for a higher and better use.
- Typical residential land use patterns are designed around placing higher-density residential areas along major roadways and then transition densities from high to low as you move geographically away from the high volume roads. The area requested for a Comprehensive Plan change is along two higher volume roads. This corner would be a typical location for an apartment building. The density pattern of the area transitions away from the corner into lower-density single-family homes.
- The location is generally at the lowest point on the lot which is 20+ feet lower than the church elevation and 10-15 feet lower than the homes to the east. The homes to the north are approximately 20-30 feet lower than the church elevation. The general first floor elevation of the proposed apartment building would sit lower than the houses to the east and the church.
- There appears to be a need and demand for higher density and apartment housing in the city. The Crossings apartment building and townhomes, to the west on 80th Street have been fully leased in a very short period of time since they were completed.
- Consistent with the policy of providing a broad range of housing opportunities.
- Provides a transition and buffer from the higher volume streets in the area (Highway 52) to the single family properties to the east.

RATIONALE AGAINST THE LAND USE CHANGE

- The surrounding neighborhoods on the east side of Highway 52 are predominantly single-family properties. There is a large area of townhome development to the north and east (east side of Blaine Avenue and 78th Street). There are no apartment buildings or high-density projects in this area of the city.
- There are approximately 55 vacant acres guided HDR, High Density Residential and 60 vacant acres guided Mixed Use. The Comprehensive Plan anticipates this amount of land to be absorbed through 2040.

- Would not be consistent with the policy of allowing infill development that protects the character of the neighborhood. The project would be a departure from single family development and density, which is the primary land use in the area. Could be considered out of character for the neighborhood.
- The project would not appear to be compatible in size and scale with the existing, adjacent neighborhood. This would be the only apartment building in this area of the city and a multi-story building would appear out of character in terms of size and bulk.
- Could be considered an abrupt change in density that provides a different housing type not found in the area.

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 recommendation:

Approving the Comprehensive Plan Amendment change from Public/Institutional 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 contains a substantial departure from any metropolitan systems 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

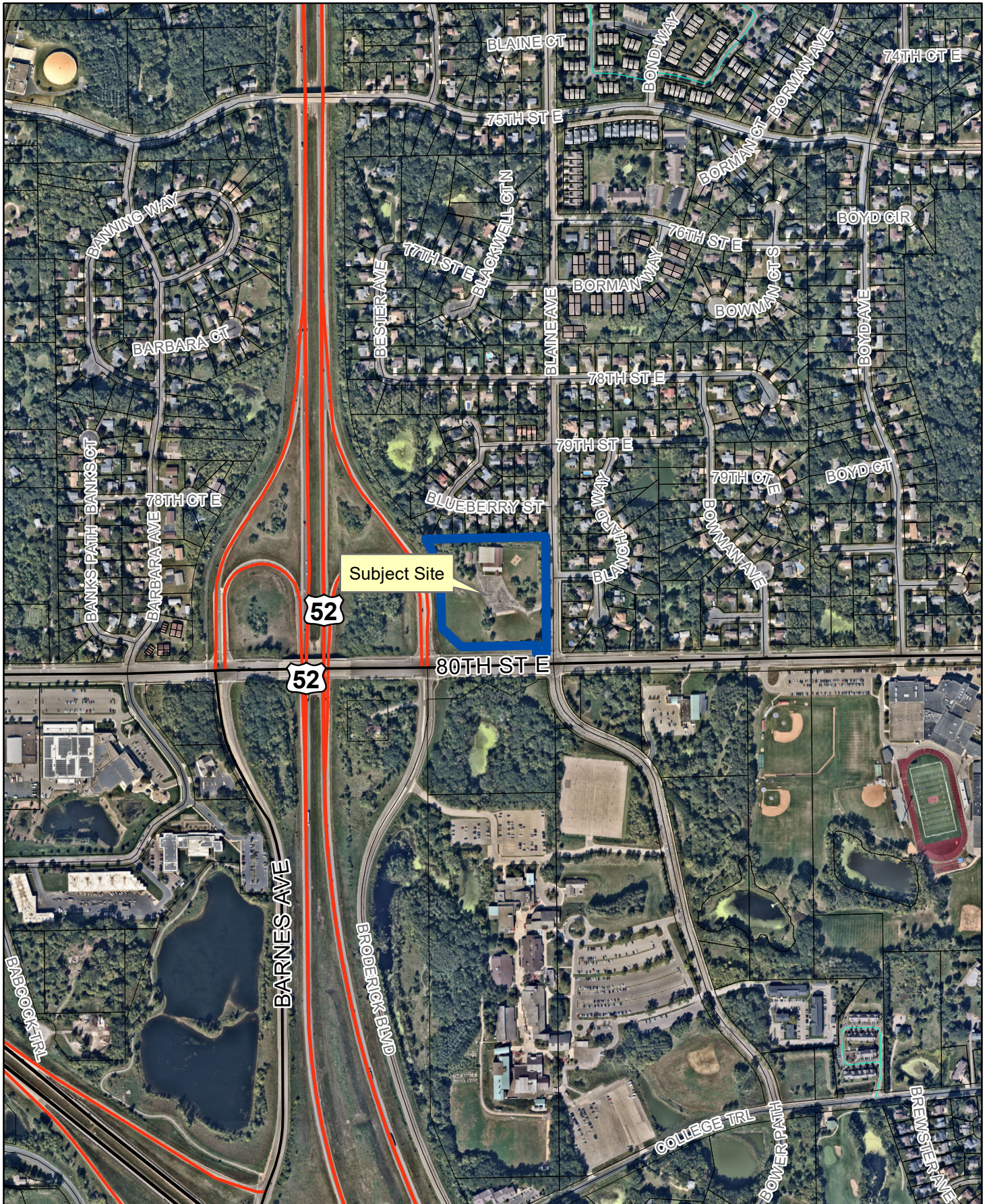
The primary question to answer is a change to High Density Residential, a benefit to the city, and if so, should the land use plan be changed for the parcel?

The City Council has raised concerns in the past regarding high density apartment projects and if additional land should be reguided to multiple family.

The Planning Commission is asked to make a recommendation to the City Council on this land use change request.

ATTACHMENTS

1. Location Map
2. Existing / Proposed Comprehensive Plan Map
3. Applicant Narrative & Concept Plan
4. Resident Emails

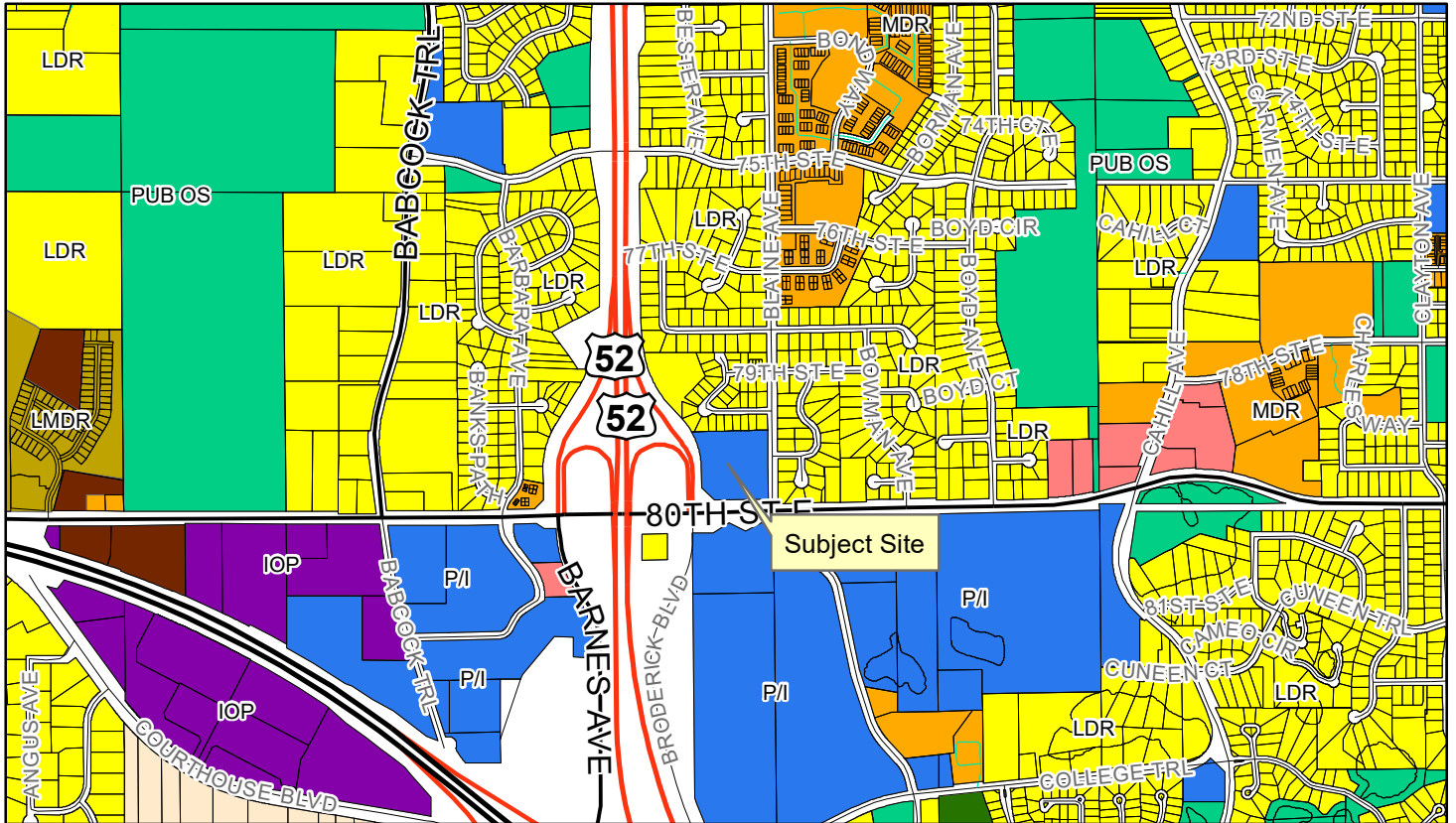




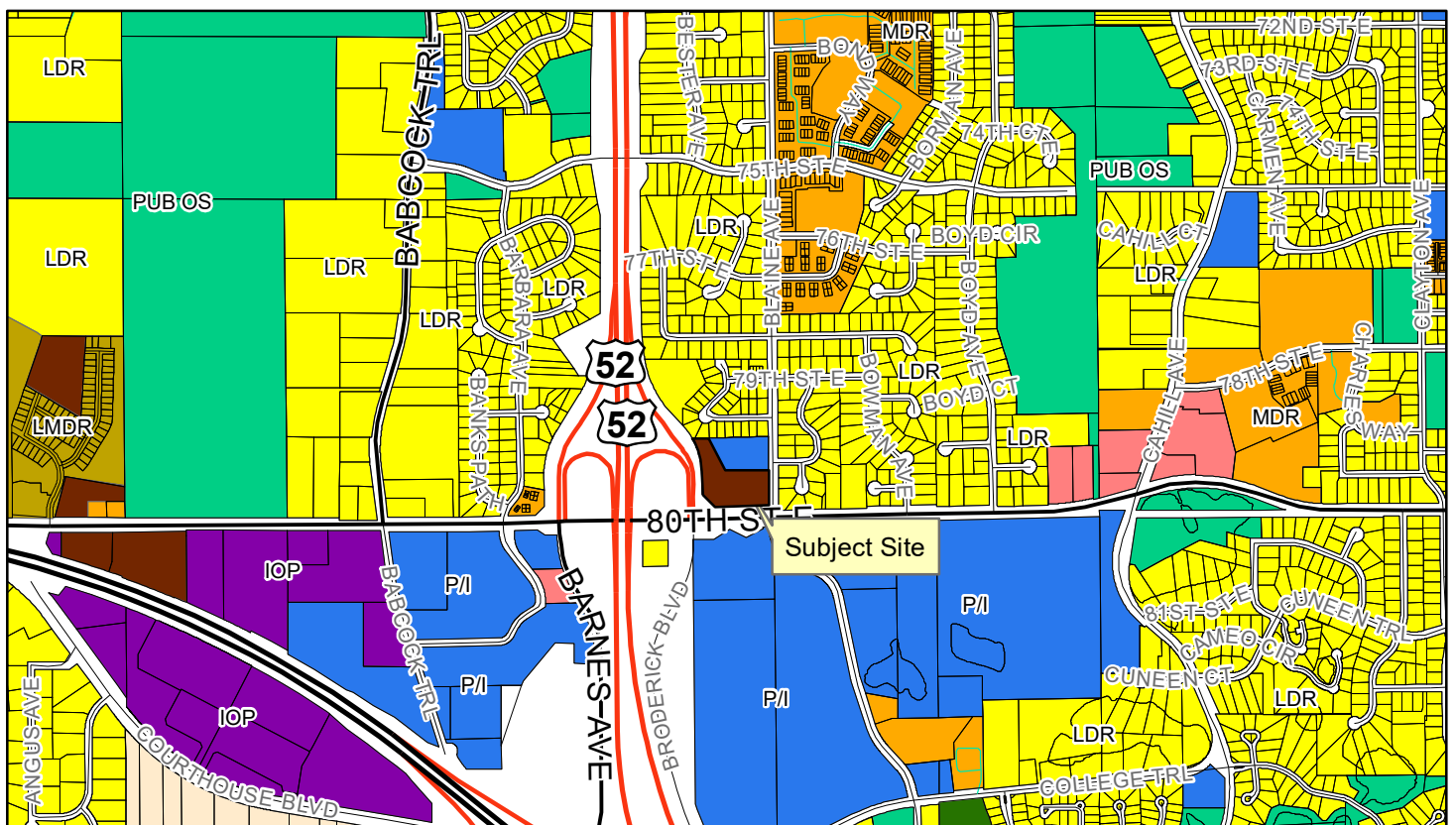
Stelter Comp Plan Amendment



Existing Comp Plan



Proposed Comp Plan



Stelter Enterprises LLC ("Stelter Enterprises") is requesting an amendment to the city of Inver Grove Heights' 2040 Comprehensive plan. The proposed amendment would re-guide the parcel owned by Grace Church of the Nazarene (Church) located at 7950 Blaine Ave E. (Parcel) from Public Institutional to HDR, High Density Residential, to make the guiding consistent with their plans to develop a +/- 100 unit market rate apartment building on approx. 4.5 acres on the southwesterly portion of the Parcel.

Stelter Enterprises has agreed to terms with the Church and a purchase agreement has been executed. Stelter Enterprises believes that re-guiding this Parcel to HDR in support of Stelter Enterprise's project will provide significant community benefits including the apartment building bolstering the tax base from converting a portion of the Parcel from a tax-exempt status and allowing for the funding necessary for the Church to add a daycare center in their existing building which is needed in the community.

We continue to see a high level of demand for apartment space in the metro area broadly and in the SE submarket (which includes Inver Grove Heights) specifically. This project will appeal to renters who desire easy access to Hwy 52 and the surrounding shopping and other services available in the area.

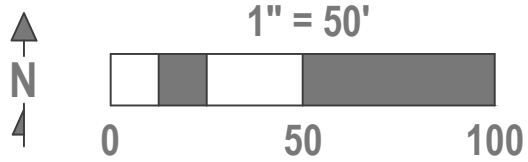
The Minneapolis - St. Paul market is home for Stelter Enterprises and we take pride in working with Churches and other organizations in helping them develop all or portions of their properties. We recently completed a similar project obtaining approval for a Suite Living Senior Care facility on a portion of the Pilgrim Methodist Church site in Plymouth. As another example, we are also currently assisting the owner of an African grocery store in Brooklyn Park to develop a site for a new mixed use building that will feature approx. 20,000 sq. ft. of commercial space for the grocery store and other businesses and approx. 100 market rate apartment units above.

Overall, we enjoy working with cities, our clients and other stakeholders to bring challenging projects to fruition. This Parcel has some particular challenges with existing storm water run-off affecting the neighbors to the north. To address this issue head on, we commissioned a storm water study and believe those issues have been addressed in such a way that it will provide very substantial benefit of reduced run-off affecting the neighbors should the project move forward. We have presented those results to the City as well as the affected neighbors and are pleased by the positive response to our concept plan.



Overall Property Description

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 9, Township 27, Range 22, Dakota County, Minnesota, EXCEPT that part thereof taken for State Trunk Highway Number 3 (now known as State Trunk Highway Number 103).



DRAWINGS BY	
 Land & Resource Consulting 14260 23rd Ave N Plymouth, MN Phone: 763-340-0699	
DRAWINGS FOR	
Stelter Street Address City, ST Zip code Phone: XXX-XXX-XXXX	
PROJECT	
Multi Unit Residential	
Inver Grove Heights, MN	
CERTIFICATION	
PRELIMINARY NOT FOR CONSTRUCTION	
ISSUED FOR	
ISSUE / REVISION	DATE
Submittal Name	mm dd yyyy
SUBMITTAL INFO	
Review By: Name / Initials Project # : 23003 Submittal Date: 05-22-2023 Submittal Phase: Exhibit	
SHEET TITLE	
Lot Split	
SHEET NUMBER	
2.0	
Copyright Land & Resource Consulting	

From: [Mike & Ruth Newbauer](#)
To: [Stacy Bodsberg](#)
Subject: 7950 Blaine Ave - Rezoning - Case No. 23-26CPA
Date: Thursday, June 8, 2023 9:26:47 AM

Dear Stacy,

My name is Michael Newbauer and I live at 7930 Blanchard Way. We purchased our lot and built our home to be in a neighborhood. We do not want a large apartment building as a neighbor. We and the other home owners take pride in our homes and are willing to help each other out. By putting in an apartment building in, you bring in residents that don't have to take any pride in the neighborhood and will probably bring our property values down. I personally don't think that every piece of open land has to be built on. Someone will be making a lot of money at our expense, I'm sure the owner will not be living there. Was the property already rezoned when they put the church in? I don't believe that it should be changed. Please leave our neighborhood as is.

Thank you,
Michael and Ruth Newbauer

Sent from my iPad

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Brian Hogenson](#)
To: [Stacy Bodsberg](#)
Cc: [Andrea Hogenson](#)
Subject: Public Comments: STELTER ENTERPRISES - CASE NO. 23-26CPA
Date: Thursday, June 8, 2023 4:02:30 PM

Stacy,

I live immediately adjacent to the property in question (7985 Blanchard Way) and my comments/questions are as follows:

- What is the expected impact on traffic volume?
- Has any consideration been given to adding a turn lane(s) on Blaine Avenue going into the property to prevent backups that block access to Blanchard Way?

Thank you,

Brian Hogenson

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Matt Taufen](#)
To: [Stacy Bodsberg](#)
Cc: joe.atkins@co.dakota.mn.us
Subject: Stelter Enterprises - Case No. 23-26CPA
Date: Friday, June 16, 2023 12:07:24 PM

Inver Grove Heights Planning Commission,

I adamantly oppose the proposal to re-guide/re-zone the Grace Nazarene Church property to build High Density Residential housing (apartments!!). I'm hopeful this is not truly being considered by the Planning Commission and that you are only going through necessary due diligence.

I moved to this area (Blaine and Borman Way) in IGH at 10 years old. I attended Salem Hills, and graduated from Simley. After college at UMD and a short stint in my first home in SSP, I built my family's forever-home on Blanchard way (immediately adjacent to the Grace Nazarene property. I wanted my children to grow up in the single-family bedroom community area of IGH as I did. My son and daughter attended Hilltop where my wife Stephanie has taught for 25 years. Both kids graduated Spartans and call IGH their home today as well.

Please do me and this community a favor and drive east to west on 80th street, then south to north on Blaine and see for yourself how extremely out of place an apartment building/complex would be in this area. During your drive look closely at the trees, the skyline, the homes, and put yourself in the mindset of the people who live in this area. While doing this, you no-doubt will see this proposal absolutely does not make sense!

There are zero apartment complexes in the heart of Inver Grove Heights' established neighborhoods, and one should never be in IGH's future plans. IGH has adequate lands available along highway 55 and other areas where multi-family, multi-level, and high-density homes exist today.

I understand Grace Nazarene is looking to sell and something will need to take it's place. My parents lived at 7620 Borman Way just down the street from Grace their entire adult lives. At 74 and 76 years old they looked in IGH for modern single-level detached townhomes to no avail. They moved out of IGH to find one. Please engage developers of new single-level, single family home associations so we can keep our resident aging parents, who are not ready for assisted living, nearby.

The IGH community was built at different times over many years with different faces on our Planning Commission. This left four largely disjointed business districts, meaningful pockets of single-family homes, townhomes, elderly care, and apartments; with only a few parcels of land still available for development. In the greater context of Inver Grove Heights' future, please place the final pieces of this puzzle, IGH, my family forever home in a meaningful way!!

Sincerely,
Matt Taufen

7912 Blanchard Way, IGH 55076
763-370-3976
matttaufen@gmail.com



Planning Commission Report

MEETING DATE:	June 20, 2023
CASE NO:	23-24IUP
APPLICANT:	AmericInn Hotel
PROPERTY OWNER:	Realty Income Corporation (AMC Theatre)
REQUEST:	Interim Use Permit extension to allow a park-and-ride facility.
LOCATION:	5567 Bishop Avenue
COMPREHENSIVE PLAN:	RC, Regional Commercial
ZONING:	PUD, Planned Unit Development
STAFF CONTACT:	Heather Botten, 651.450.2569

ACTION REQUESTED

The applicant is requesting the following:

- An Interim Use Permit extension to allow the continued operation of a park-and-ride facility.

BACKGROUND

AmericInn, located at 5861 Blaine Avenue, received an Interim Use Permit (IUP) in May 2018 to operate a 250 space, park-and-ride facility at the AMC movie theatre parking lot. The IUP was approved for a maximum of five years.

The applicant is requesting a one-time, Interim Use Permit extension to continue the operation of the park-and-ride facility on the AMC movie theater property for an additional five years.

Several years ago, the movie theater updated the seating in their facility, resulting in an overall reduction of theater seats. Due to the remodel, the theater is overparked based on the requirement of one space per four seats. The temporary use on the property to store vehicles for a park-and-fly does not appear to have an impact on the existing theater business or the overflow parking for B-52's located on the south side of the property. The park-and-ride facility is located on existing impervious surface; no site improvements were added or have been proposed to accommodate the interim use.

EVALUATION OF REQUEST

Surrounding Uses: The following Land Uses, Zoning Districts and Comprehensive Plan designations surround the subject property:

North:	Vacant	Zoned: Comm PUD, Commercial Planned Unit Development	Guided: Regional Commercial
West:	Highway 52		
South:	B-52's Restaurant	Zoned: PUD, Planned Unit Development	Guided: Regional Commercial
East:	Aspen Medical Building & Valvoline	Zoned: PUD, Planned Unit Development	Guided: Regional Commercial

Engineering: Engineering has reviewed the request and takes no exception to the proposed plans as there are no site improvements proposed on the property.

INTERIM USE PERMIT

Interim Use is defined as a temporary use of a property until a specific date, occurrence of a particular event, or until zoning regulations no longer permits. Interim Uses are typically uses that are not appropriate based upon strict application of Zoning Code restrictions, existing development and proposed future land-use plans. However, they may have merit as uses for some intermediary period of time. A one-time extension of an Interim Use Permit approval may be granted by the City Council. Upon expiration of an Interim Use Permit, the property owner shall not request a new Interim Use Permit for the same Interim Use on the property.

The applicant is asking for a similar request that was approved with the original IUP. They are requesting an additional five years to continue to operate the 250 space, park-and-ride on the movie theatre parking lot. AmericInn leases the northeast corner of the theatre lot for the park-and-ride operation. The area is not fenced in or separated from the theatre parking.

Since the approval of the park-and-ride facility in 2018, the number of public safety calls on the property continues to increase. The applicant has stated security checks are performed nightly on the property, but there is no full-time, on-site security.

The City received an email from the AMC Theatre group that stated the lease agreement with AmericInn has changed over the years and the current agreement is for 150 park-and-fly spaces. The current lease between the two entities terminates in July 31, 2023.

Staff is recommending the IUP be reduced to 150 spaces to be consistent with the current lease agreement and allow a one-year extension of the IUP. Staff believes this area has high redevelopment potential. The City's intent is to encourage economic growth. An infill redevelopment of a portion of the parking lot would increase tax base and add employment. The long-term continuation of a low intense use, such as a park-and-ride, is not consistent with these goals.

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:

Approval of a one-time Interim Use Permit extension to allow a park-and-ride facility as proposed subject to the following conditions (~~old language~~, proposed language):

1. The park-and-ride shall be limited to ~~250~~ 150 parking spaces as identified on the aerial site plan dated June 7, 2023 on file with the Planning Department.
2. The Interim Use Permit shall be valid ~~until the applicant constructs a permanent parking area adjacent to their existing hotel site or for a period of five (5)~~ one (1) years from the City Council approval date, ~~whichever happens first.~~ This is the final park-and-fly Interim Use Permit that can be issued for this property. No further Interim Use Permits for a park-and-fly are allowed.
3. The park-and-ride facility shall not be utilized for open storage of goods, or for the storage of vehicles that are inoperable or for lease, rent or sale.
4. Where violations of the conditions of this permit are noted, the City is authorized to immediately terminate the uses approved in this permit.
5. Security shall be provided by the operator of the park-and-ride facility between the hours of 10 pm – 6 am, 7 days a week.

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

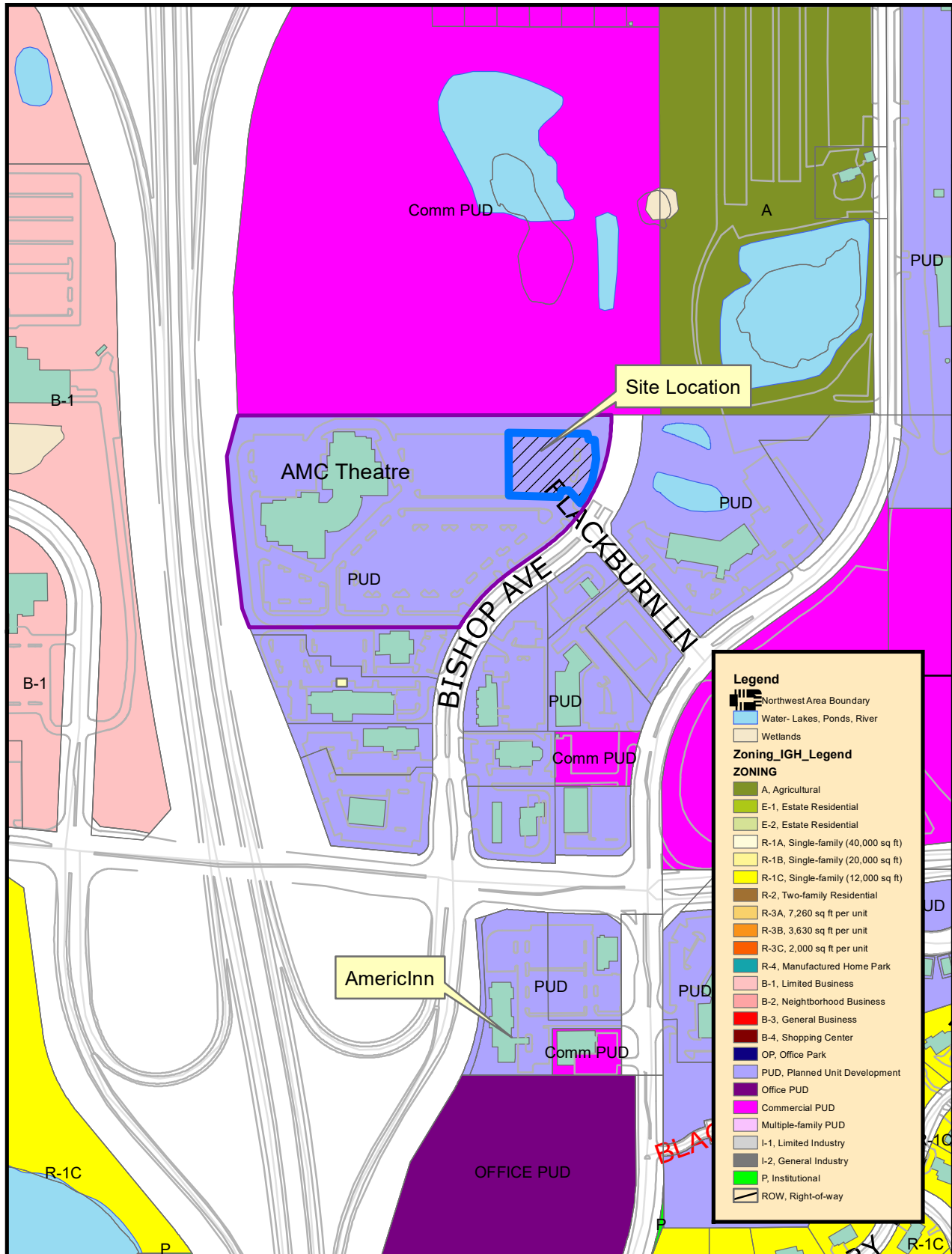
Staff supports the request for an extension of the Interim Use Permit but differs with the applicant on the length of time of the extension and the number of spaces allowed. Based on the preceding report, staff recommends Approval of a one-year Interim Use Permit for a 150-space park-and-ride facility with the conditions listed in Alternative A.

ATTACHMENTS

1. Location and Zoning Map
2. Applicant Narrative
3. Aerial Site Plan
4. Recorded Resolution No. 18-97



5567 Bishop Avenue Case No. 23-24IUP



THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILED RECORD, INFORMATION AND DATA LOCATED IN VARIOUS CITY, COUNTY AND STATE OFFICES AND OTHER SOURCES AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE CITY OF INVER GROVE HEIGHTS IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED

Map produced by the City of Inver Grove Heights GIS Dept.
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Exhibit A
Zoning and Location Map

Map not to scale

Good afternoon, Heather,

Here is the revised answers you requested on Wednesday.

1. The operation is for Park, Sleep & Fly, as outlined by their website (www.parksleepfly.com), which accounts for 85-90% of AmericInn's business throughout the year. Guests will be parking their vehicles in this offsite lot, and subsequently traveling to the airport via our hotel shuttle for their scheduled vacation. Upon return, our shuttle will bring the guests back to their vehicles, and the guests will leave. These packages include 1 or 2 nights' stay at our hotel, either before or after (sometimes both) their trip. The guest's vehicle information (make, model, and plate) and trip information (days parking, return day, flight, time) is all kept track of at the hotel, and each vehicle is assigned a number and slip, which guests are instructed to leave on the dashboard of their car. This way, all vehicle information and guest information can be pulled up immediately, as well as details of their trip if there are any questions as to whether a vehicle is a part of this operation or not.
2. The owners have requested another 5-year permit, or the maximum amount of time allowed.
3. I believe our last request in 2018 was for 250, so we would like to keep the current number of spaces we have, at 250.
4. As of now, there is a nightly security check that keeps an eye on the vehicles in our designated area. This security is not on property but consists of myself in the early evening, as a check before heading home for the day, property owners, who also check the area when going to/from the hotel to another location, and our shuttle drivers, who make regular trips to and from the lot throughout the night as guests arrive from or leave to the airport. I have also good communication with the theater general manager in terms of maintenance, mainly to the lighting areas.
5. Although there have been a few delays in these past 5 years in a number of things, I believe that with the new ownership of the hotel (July 2022), as well as new hotel management (March 2023), a better relationship and understanding will be better received by all parties involved.
6. In regards to payment for the IUP, any and all invoices can be sent to me either by mail:

AmericInn Hotel & Suites
5861 Blaine Ave E
Inver Grove Heights, MN 55076

Or by e-mail to: invergroveheights.mn@americinn.com

This will be the case as whether I am still the general Manager of this location or not, as it is accessible by all management.

Kind Regards,

Julie Mannion

General Manager

AmericInn by Wyndham

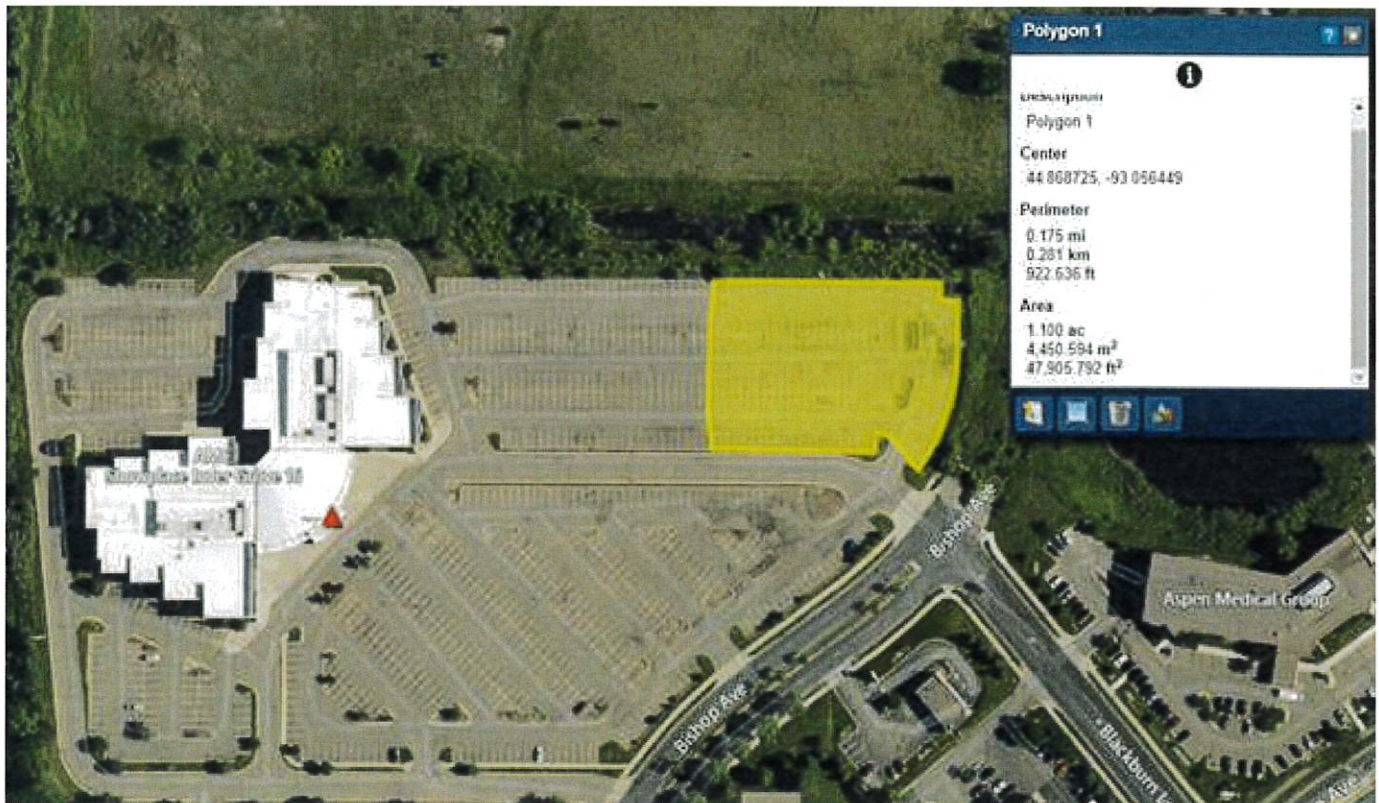
Heather Botten

From: hbotten@ighmn.gov
Subject: FW: AMC Inver Grove #64010P - IUP Incomplete letter

From: Luke Hilboldt <lhilboldt@amctheatres.com>
Sent: Thursday, June 8, 2023 1:44 PM
To: Heather Botten <hbotten@ighmn.gov>
Cc: Dana Elder <DElder@amctheatres.com>
Subject: RE: AMC Inver Grove #64010P - IUP Incomplete letter

Hi Heather –

Here is a site plan from the parking license agreement we have with the hotel.



Thanks,
Luke



Receipt:# 575924

RES \$46.00

Return to:
CITY OF INVER GROVE
HEIGHTS
8150 BARBARA AVE
% MICHELLE TESSER
INVER GROVE HEIGHTS MN
55077

3274468



Recorded on: 10/8/2018 9:39 AM

By: CZP, Deputy

Office of the County Recorder
Dakota County, Minnesota
Joel T. Beckman, County Recorder

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF DAKOTA
CITY OF INVER GROVE HEIGHTS

The undersigned, City Clerk of the City of Inver Grove Heights, Dakota County, Minnesota, hereby certifies that the attached is a true and correct copy of Resolution No. 18-97 adopted by the City Council of the City of Inver Grove Heights at a lawful meeting duly called and held on May 14 2018 which a quorum was present and acting throughout, and of the original on file in the office of the City Clerk, City of Inver Grove Heights, Dakota County, Minnesota.

Michelle Tesser, City Clerk

(S E A L)

Dated: 10/1/2018

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 18-97

**A RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW A PARK-AND-
RIDE FACILITY TO BE OPERATED ON THE AMC MOVIE THEATRE PROPERTY**

**CASE NO. 18-17IUP
(AmericInn)**

WHEREAS, an interim use permit application has been submitted to the City for property legally described as;

Lot 1, Block 1, Bishop Heights, according to the recorded plat, Dakota County, Minnesota

WHEREAS, a public hearing concerning the interim use permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on May 1, 2018;

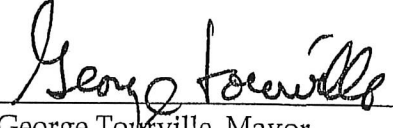
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, an interim use permit for a park-and-ride facility is hereby approved subject to the following conditions:

1. The park-and-ride facility shall be limited to 250 parking spaces as identified on the aerial site plan dated 4/5/18 on file with the Planning Department.
2. The interim use permit shall be valid until the applicant constructs a permanent parking area adjacent to their existing hotel site or for a period of 5 years from the City Council approval date, whichever happens first.
3. The park-and-ride facility shall not be utilized for open storage of goods or for the storage of vehicles that are inoperable or for lease, rent or sale.
4. Where violations of the conditions of this permit are noted, the City is authorized to immediately terminate the uses approved in this permit.

5. Security shall be provided by the operator of the park-and-ride facility between the hours of 10 pm - 6 am, 7 days a week.

Passed this 14th day of May, 2018.

AYES: 4
NAYS: 0


George Tourville, Mayor

ATTEST:

Michelle Tesser, City Clerk