

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, October 3, 2023 – 7:00 p.m.
City Council Chambers – 8150 Barbara Avenue

1. CALL TO OFFICE

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

2. ROLL CALL

Commissioners Present: Elizabeth Niemioja (Chair)
Scott Clancy (Vice Chair)
Dennis Wippermann
Jason Teiken
Lance Twedt
Trisha Presley
Robert Heidenreich
Aida Schaefer

Commissioners Absent: Jonathan Weber (Secretary) – arrived at 7:11 p.m. (excused)

Staff Present: Allan Hunting, City Planner
Stacy Bodsberg, Community Development Support Specialist

3. CONSENT AGENDA

A. Minutes of the September 19, 2023, Planning Commission Meeting

The minutes were approved as presented.

4. PUBLIC HEARINGS

A. Request for a Variance to install a fence taller than the 7-feet allowed, and an Easement Vacation to vacate the 10-foot drainage and Utility Easement along the property lines that will no longer be needed, located on the properties identified as PID No's 20-63251-01-030 and 20-63251-01-020. (City of SSP/Airport - Case No. 23-40VACV)

Reading of Public Notice

Commissioner Teiken read the Public Hearing Notice. Notices were mailed to 15 property owners on September 15, 2023.

Presentation of Request

City Planner Allan Hunting stated the applicant, City of South St. Paul, is requesting the Variance and Easement Vacation for property located along the eastern and southerly side of the site. This involves two properties within Inver Grove Heights. Approximately two years ago South St. Paul purchased portions of two properties in Inver Grove Heights for an expansion. The request is to move, in kind, the 8-foot fence that runs the perimeter of the airport to the new property line. There are drainage and utility easements along the back property lines within the original subdivision plat that are no longer necessary and would be vacated. New easements were dedicated when the land was purchased. Staff sees no issues with the request as they are requirements of the FAA. Staff recommends approval of the variance and the vacation of the drainage and utility easements.

Chair Niemioja asked what the fence setback was. She said she was confused as to why there was a variance for this, she thought FAA law supersedes.

City Planner Hunting replied that the fence would be placed inside the property line. He addressed the variance stating the city code requires a maximum of 7 feet and no barbed wire in an urban area, a variance still needs to be processed to address this.

Opening of the Public Hearing

Lindsay Reidt, SEH, consultant for the airport working with the City of South St. Paul, stated she has read and understands the report. She said the need for the request is to reconstruct the taxiway. It is not being extended. There is a safety/object free area that needs to be met based on FAA requirements and current standards. Relocation of the fence is part of the request.

Chair Niemioja asked if the greenery would be going down in the area, if it would stay, and how it would look.

Ms. Reidt replied there would be some vegetation removal up to where the fence line is going.

Kimberle Rogers, River Falls, owns the property located at 3800 67th Street. She stated she was not concerned about the utility easements but was concerned about vacating the drainage easement. This is where water, snow, and rain go. She questioned where the water would go if the FAA changes the contour of the land. She said she would prefer not having the drainage easement vacated. She has no guarantee they wouldn't come back and change the contour of the land, then she would have no recourse. She mentioned this was a neighborhood, she understands the 10 feet height of a fence, but prefers there be no barbed wire on top. She referenced deer and animals stating there was no point in maiming them further by putting barb wire on top of the fence if able to get that far. She said anyone can get into the airport, barbed wire is not a deterrent. She wanted a guarantee regarding the drainage and that the water from her property can be drained on the land as it is now.

Ms. Reidt replied that it is the responsibility of the project to maintain the drainage on the airport property. They would not be able to send water off of airport property onto private residences. She addressed the concern regarding the fence stating that it is an 8-foot fence with two strands of barb on the top. It is barbed wire, not razor wire, identical to the fence currently in place.

Commissioner Heidenreich asked if this project would negatively affect the drainage of water from the adjacent homeowners.

Ms. Reidt replied she did not feel there would be negative impacts with drainage from the homeowners. There will be grading changes as the taxiway is shifted. Water from that would be maintained on airport property. There would not be any changes to the grading or drainage on private residences.

Chair Niemioja stated that property owners have been able to have their water drain through these easements. She asked if there was a topographical image of the area.

City Planner Hunting replied there was no image. He was unsure of the direction of water flow.

Commissioner Weber arrived at the meeting at 7:11 p.m.

Chair Niemioja asked if engineering had any comments.

City Planner Hunting replied there were no comments from engineering. There are no construction or grading plans.

Chair Niemioja mentioned a condition would likely be added about water when making the recommendation.

Chair Niemioja closed the Public Hearing.

Planning Commission Discussion

Chair Niemioja stated the fence variance is clear. With regards to the vacation of the drainage easements the only question would be how the water is flowing. She said the recommendation could be to hear from engineering on this for the City Council.

Commissioner Twedt asked if there would still be a permit process before constructing the fence if this moves forward. He asked if engineering would review the request.

City Planner Hunting replied the applicant would still need to apply for a fence permit. He said engineering would review the request for the fence.

Commissioner Schaefer asked for a better understanding of the new easements that were dedicated when the land was purchased and where the new easements would be relative to the current ones. She said the homeowners' concerns were strong and that it may affect adjacent properties.

Commissioner Heidenreich said he would be open to making a motion with an amendment that the City Council review the drainage. He said it should be addressed.

Planning Commission Recommendation

Motion by Heidenreich, Second by Presley, to Approve the request as listed with the condition that the City Council is made aware that the drainage easement is a concern and needs to be addressed before final approval, with the practical difficulty as stated for the City of SSP/Airport - Case No. 23-40VACV.

Ayes: 8

Nays: 0 Motion carried. Abstain - Weber

This item tentatively goes before the City Council on October 23, 2023.

B. Request for an Amendment to their Non-Conforming Use Certificate to relocate the main access to the landfill and the Scale House located at 2495 117th Street East. (Pine Bend Landfill - Case No. 23-41NCUC)

Reading of Public Notice

Commissioner Weber read the Public Hearing Notice. Notices were mailed to 29 property owners on September 15, 2023.

Presentation of Request

City Planner Allan Hunting stated the landfill currently operates under a Non-Conforming Use Certificate for sanitary landfill. The applicant is requesting a site plan amendment. They are proposing to relocate their scale house and scale to the western boundary of the site. The Non-

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Conforming Use Certificate states that a public review must be done when a relocation of an access point is being proposed. This is being driven by the upcoming reconstruction of 117th Street. The access point would be relocated to an area across from where SKB's entrance is. He stated that the building meets the required 30-foot setback from the property line. The scale house meets exterior requirements for the building. The relocation of the access is consistent with 117th Street. Staff recommends approval of the amendment to the site plan of the non-conforming use certificate which addresses the new relocated driveway and the relocation of the scale house and scales.

Commissioner Weber asked when going through the entrance if one would have to take a hard left to go to the scale and scale house.

City Planner Hunting replied the applicant could explain the location and orientation.

Commissioner Weber said it was confusing between the plans and why they were so close to the property line when it is located so far into the property.

Commissioner Heidenreich asked if this would be a temporary location while reconstruction takes place on 117th Street.

City Planner Hunting replied this would be the permanent location for the duration of the landfill. The applicant would be able to clarify.

Commissioner Schaefer asked why the applicant would be getting rid of other entrances and whether there were other egresses.

City Planner Hunting replied he does not have all of the details. With regards to 117th, they look to consolidate or close access points. During design it was determined that would be the location and to eliminate other entrance and exit points to control traffic better on 117th.

Commissioner Schaefer asked if there were other entrances/exits other than 117th Street.

City Planner Hunting replied 117th is the only access point to the landfill. The only change is the location of the driveway. It currently enters/exists on 117th Street.

Commissioner Schaefer said she was wondering if there were safety concerns with having one entrance/exit.

City Planner Hunting replied all traffic/engineering was designed as planned. It would satisfy those requirements.

Opening of the Public Hearing

Aaron Janusz, Environmental Manager, Pine Bend Landfill, stated he has Operations Manager Katie Lindholm from Pine Bend Landfill, with him for questions.

He said they have read and understand the report. They are moving the scale because it currently sits in a future footprint, they knew it had to be moved at some point. The new location will be permanent. This move was accelerated with the 117th Street project. He said there are currently three access points, they will be going down to one. He addressed the turn into the landfill as being a sharp left turn to get to the scale. It will be designed so trucks can get in. Commissioner Heidenreich mentioned in addition to 117th Street, the county has a realignment

plan to put Cliff Road in alignment to the south. Barnes and Cliff would be a roundabout in the proposal. He asked if that has been considered with the alignment and the location of the scale house.

Mr. Janusz replied it was all a part of the bigger project. One access is needed from 117th Street. The alignment may shave off part of their property to the west but will not impact this part of the landfill.

Commissioner Heidenreich asked if the trucks would eventually be entering off of Cliff Road when realigned, not Barnes Ave. He said 117th Street would cut through and align Cliff Road. He asked if that would have an impact.

Mr. Janusz replied a majority of their traffic comes off of Highway 52, down the east side in.

Commissioner Weber asked if the move would eliminate the ability for the public to come in and dump. Where the current scale sits, individuals are allowed to come in and use the 3 dumpsters.

Katie Lindholm, Pine Bend Landfill, replied there is currently no plan to move them. They do not receive many citizens drop offs, but some do utilize it.

Chair Niemioja closed the Public Hearing.

Planning Commission Recommendation

Motion by Weber, Second by Clancy, to Approve the Site Plan Amendment to the Pine Bend Sanitary Landfill Non-Conforming Use Certificate with the two (2) conditions listed for Pine Bend Landfill - Case No. 23-41NCUC, located at 2495 117th Street East.

Ayes: 9

Nays: 0 Motion carried.

This item tentatively goes before the City Council on October 23, 2023.

5. REGULAR BUSINESS

6. ADJOURN

Motion to adjourn the Planning Commission Meeting at 7:28 p.m.

Respectfully submitted, Sheri Yourczek, Recording Secretary